



**Government of the  
Republic of Macedonia**

**National Commission  
for Combating Trafficking in  
Human Beings  
and Illegal Migration**

**STANDARD OPERATING  
PROCEDURES FOR TREATMENT  
OF VICTIMS OF TRAFFICKING  
IN HUMAN BEINGS**

**2018**



**Government of the Republic of Macedonia**  
**National Commission for Combating Trafficking**  
**in Human Beings and Illegal Migration**

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The preparation of this document was supported by:  
International Organization for Migration (IOM)



International Organization for Migration (IOM)  
The UN Migration Agency

The content of the publication does not necessary reflects  
the views of the International Organization for Migration  
(IOM)

The Standard Operating Procedures for treatment of victims of trafficking in human beings were adopted on 13 November 2018. During the publication of the document, the constitutional name of the country was changed. For this reason, the term Republic of North Macedonia shall be used instead of the Republic of Macedonia.

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## List of abbreviations:

<b>BA</b>	Border Affairs
<b>DCM</b>	Diplomatic and consular missions
<b>UTHBSM</b>	Unit for trafficking in human beings and smuggling of migrants
<b>VoT</b>	Victim of trafficking
<b>LCP</b>	Law on Criminal Procedure
<b>LICCM</b>	Law on International Cooperation in Criminal Matters
<b>ASSOC</b>	Association <sup>1</sup>
<b>ICMPD</b>	International centre for migration policies development
<b>IOM</b>	International Organization for Migration
<b>PPO</b>	Public prosecution office
<b>PIICSW</b>	Public institution - Inter-municipal center for social work
<b>CC</b>	Criminal Code
<b>MOI</b>	Ministry of Interior
<b>MLSP</b>	Ministry of Labor and Social Policy
<b>MoFA</b>	Ministry of Foreign Affairs
<b>IO</b>	International organizations
<b>NRM</b>	National Referral Mechanism
<b>NAP</b>	National Action Plan
<b>NUSMSTHB</b>	National unit for suppression of migrants smuggling and trafficking in human beings
<b>DBAM</b>	Department of border affairs and migration
<b>DWP</b>	Department for witness protection
<b>OSCE</b>	Organization for Security and Cooperation in Europe
<b>UN</b>	United Nations
<b>PO</b>	Police officer
<b>RCF</b>	Reception center for foreigners
<b>RC</b>	Regional center
<b>RM</b>	Republic of Macedonia
<b>SOP</b>	Standard operating procedures for treatment of victims of trafficking in human beings
<b>TRM</b>	Transnational referral mechanism
<b>THB</b>	Trafficking in human beings
<b>CSW</b>	Centre for social work
<b>CVT</b>	Center for victims of trafficking and victims of sexual violence

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<sup>1</sup> Association of citizens and non-governmental organization.

## Working definitions and terminology:

**Return:** is the process of preparation, transport and resettlement of the victim at the place of origin or another appropriate place.

**Service providers:** are institutions, organizations and associations that provide assistance and protection to the victims.

**A child** is any person under the age of 18.

**Victim of trafficking in human beings/children:** means a victim of a criminal offense - Trafficking in human beings under Article 418-a, and 418-d of the Criminal Code. In accordance with Article 122, paragraph 22 of the Criminal Code, a victim of a criminal act shall mean any person who suffered damage, including physical or mental injury, emotional suffering, material loss or other violation or endangering his basic rights and freedoms as a consequence of a committed crime. ➡ See ANNEX 1: Excerpt from the Criminal Code p.77

**Witness protection:** are security measures that are required to ensure security of witnesses in legal proceedings. Witness protection may be offered before, during and/or after the conclusion of criminal proceedings and may include one or a combination of measures stipulated in the Law on Witness Protection.

**Legal guardian** is a responsible person, determined by the Law on Family by the local PIICSW/CSW responsible for planning and coordinating the activities and measures envisaged in the SOP for providing assistance and support to a child VoT, and takes care of securing his/her best interest.

**Identification** is a set of procedures and measures of the competent institutions for acting, that based on the circumstances in which the person is found, are directed towards collecting information and facts, through indicators and conducted interview, in order to determine the victim of a criminal offense Trafficking in human beings/child.

**Indicators of trafficking in human beings:** representing "clues" / "indicators" / signs that indicate the possible existence of trafficking in human beings, which is verified on the basis of an analysis and evaluation of the collected information on the recruitment, transport and exploitation process, carried out interview, secured evidence and behavior of the person.

**Informed consent:** the consent of a victim of trafficking for taking steps in the process of assistance and protection by the competent authorities, based on his/her prior knowledge, i.e. providing information and obtaining informed consent. The informed consent of the victim of trafficking in human beings is a key precondition for the implementation of all the activities foreseen in the SOP.

**The best interest of the child:** means that every situation should be viewed from the child's perspective, taking into account the child's attitude, and aims to ensure that the child's rights are respected. Any decision concerning the child should be guided by what is objectively the best for the child, given his age and maturity.

**National Referral Mechanism for Victims of Trafficking in Human Beings:** is a system of cooperation through which the competent institutions and organizations (MLSP, MOI, ASSOC, IO and all other relevant actors) operating on the territory of the Republic of Macedonia in the field of prevention, protection, referral and identification and returning of victims of trafficking in human beings. The Office of the National Referral Mechanism operates within the Ministry of Labor and Social Policy - Department for Equal Opportunities.

**A person-in-charge of the case:** is a representative of a competent state authority or institution, an international organization or association which, according to SOP, is responsible for undertaking planned measures and activities provided for the VoT.

- For domestic victims for a responsible person is determined an official of NRM;
- For foreign victims for a responsible person is determined a police officer of UTHBSM / NUSMSTHB;

The person-in-charge of the case from the moment of identification of the victim will be responsible for it until the start of the process of reintegration or return.

**Assistance and protection:** measures, programs and services aimed at rehabilitation of victims as defined in Art. 6 of the UN Palermo Protocol. Measures can be offered by state institutions, associations or international organizations in the countries of destination, transit and origin. They

include, but are not limited to: accommodation / housing, medical care, psychological assistance, education, vocational education, employment, legal assistance and transport.

**Potential Victim of Trafficking in Human Beings:** means a person for whom on the basis of the vulnerable situation and the circumstances in which is located, there are indicators (indicators) that is a victim of trafficking in human beings, but his / her identification has not yet been completed or the person refuses to be identified as a victim.

**Legal assistance** refers to a power of attorney authorization and protection of victims of trafficking in human beings and risk groups that they receive by linking with lawyers for providing legal assistance.

**Reception Center for Foreigners:** a facility of a closed type under the jurisdiction of the Ministry of Interior, intended for accommodation of foreigners in conditions prescribed by the Law on Foreigners. In the RCF, a foreigner may be placed in a separate room for whom there are grounds of suspicion that he/she is a victim of a crime "Trafficking in Human Beings" during the period of recovery and reflection.

**Re-socialization** is a process of psychic recovery of the victim, psychological and social strengthening to overcome the traumas and the consequences of the abuse in the process of trading, returning the lost and / or creating new habits, skills, social skills and preparation skills for reintegration into the community.

**Reintegration:** presents a set of planning measures and activities of the responsible institutions / organizations involved in the protection of the VoT aimed at their local integration and assistance in reuniting with the family, in the community or in their integration into a new community. Reintegration also means a long-term socio-economic solution for the victim.

**Transnational referral mechanism:** represents mechanisms and systems designed for comprehensive assistance and transnational support to the victim. Transnational referral mechanisms link the entire process of referral from identification, through return and assistance between transit countries, destination and origin, and it involves co-operation between relevant state institutions and associations.

**Referral** is a procedure of the competent state institution, which, after

undertaking the competencies to the VoT, directs / forwards it to another competent institution, for further processing in accordance with the SOP.

**Center for Victims of Trafficking in Human Beings and Victims of Sexual Violence** is a facility that provides temporary accommodation for victims of trafficking in human beings and foreigners with a temporary residence permit.

# CHAPTER A

## 1.INTRODUCTION

Standard Operating Procedures (SOPs) for Treatment of Victims of Trafficking regulates the procedures and ways of providing assistance and protection to all victims of trafficking (whether domestic or foreign nationals with legal or illegal entrance in the country) through a comprehensive human rights-based approach and directed towards the victim in the form of an institutionalized framework of cooperation.

### Objectives for the establishment of SOP:

- Coordinated action and partnership of all stakeholders in the fight against human trafficking at the local, national and international level to protect the human rights of the victims,
- Improving the identification of victims of trafficking,
- Guidelines for providing assistance and protection to the victims of trafficking in accordance with their human rights.

### Basis for establishing SOP:

- The UN Convention against Transnational Organized Crime and its Protocols<sup>2</sup>,
- Protocol for Prevention, Suppressing and Punishment of Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime<sup>3</sup>,
- Convention of the Council of Europe on actions against trafficking,<sup>4</sup>
- 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”,
- Recommendation CP (2018)8 on the implementation of the Council

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<sup>2</sup>Official Gazette of the Republic of Macedonia, no. 70 / 2004

<sup>3</sup> Official Gazette of the Republic of Macedonia, no. 70 / 2004

<sup>4</sup> Official Gazette of the Republic of Macedonia, no. 49/2009

of Europe convention on action against trafficking in human beings by “The former Yugoslav Republic of Macedonia”

- Directive 2012/29/eu of the European parliament and of the Council on establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA,
- Directive 2011/36/eu of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA,
- Criminal Code,<sup>5</sup>
- Law on Criminal Procedure,<sup>6</sup>
- Law on Foreigners,<sup>7</sup>
- Law on Witness Protection,<sup>8</sup>
- Law on Justice for Children,<sup>9</sup>
- Law on Social Protection,<sup>10</sup>
- Family Law,<sup>11</sup>

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<sup>5</sup> Official Gazette of the Republic of Macedonia No. 37/96, 80/99, 4/2002, 43/2003, 19/2004, 81/2005, 60/2006, 73/2006, 7/2008, 139/2008, 114/2009, 51 / 11,135 / 11, 185/11, 142/12, 166/12, 55/13, 82/13, 14/14, 27/14, 28/14, 115/14, 132/14, 160/14, 199/14, 196/15, 226/15 and 97/2017),

<sup>6</sup> Official Gazette of the Republic of Macedonia, no. No. 150/2010 and 51/2011,

<sup>7</sup> Official Gazette of the Republic of Macedonia, no.97 / 2018,

<sup>8</sup> Official Gazette of the Republic of Macedonia, no. 38/2005 and 58/2005,

<sup>9</sup> Official Gazette of the Republic of Macedonia No. 148/2013,

<sup>10</sup> Official Gazette of the Republic of Macedonia No. 79/2009, 36/11, 51/11, 166/12, 15/13, 79/13, 164/13, 187/13, 38/14, 44/14, 16/14, 180/14, 33/15, 72/15, 104/15, 150/15, 173/15, 192/15, 30/16 and 163/17 and 51/2018),

<sup>11</sup> Official Gazette of the Republic of Macedonia No. 80/1992, 9/1996, 38/2004, 33/2006, 84/2008, 67/10, 156/10, 39/12, 44/12,, 38 / 14,115 / 14 and 104 / 15 and 150/2015)

- Law on International Cooperation in Criminal Matters,<sup>12</sup>
- National Action Plan and Strategy for Combating Trafficking in Human Beings and Illegal Migration 2017 - 2020,
- Guidelines for Transnational Referral of Victims of Human Trafficking in Southeast Europe,<sup>13</sup>
- Guidelines for Development Implementation of Comprehensive National Anti-Trafficking Response published by the ICMPD,<sup>14</sup>
- National Referral Mechanism. Joint efforts to protect the rights of trafficked persons. A practical manual published by the OSCE,<sup>15</sup>
- Recommended principles and guidelines for human rights and trafficking in human beings (as a result of the UN Trafficking Protocol) published by the UNHCR,
- Report of the Expert Group about Trafficking in Human Beings<sup>16</sup> prepared for the European Commission, as well as the documents of the Stability Pact Working Group.<sup>17</sup>

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<sup>12</sup> Official Gazette of the Republic of Macedonia No. 34/2018,

<sup>13</sup> Guidelines for Transnational Referral to Victims of Human Trafficking in Southeast Europe, ICMPD, 2006,

<sup>14</sup> Guidelines for the development and implementation of a comprehensive national anti-trafficking response , ICMPD, 2006,

<sup>15</sup> Kroeger, T. and J. Malkoc, B.H. Uhl, National Referral Mechanism. Joining Efforts to Protect the Rights of Trafficked Persons . Practical Handbook, OSCE / ODIHR, Warsaw, 2004.

<sup>16</sup> Directorate of Justice, Freedom and Security. Brussels, 22 December 2004.

<sup>17</sup> See: <http://www.stabilitypact.org/trafficking>.

## Guiding Principles on which SOP are based:

- Human rights-based approach;
- Gender sensitivity and non-discrimination;
- Coordinated interdisciplinary and inter-ministerial approach;
- Participation of civil society;
- Ownership of government;
- Sustainability; and
- Prevention of trafficking.

## HOW to use SOP?

By procedures:

1. Identification and referral;
2. Coordinated assistance and support;
3. Re-socialization and Reintegration;
4. Return; and
5. Criminal procedure.

Each procedure contains guidelines for:

- **What** measures should be implemented;
- **When** the measures will be implemented;
- **Who** will be responsible for the measures; and
- **How** the measures will be implemented.

## 2. PREPARING THE RESOURCE NETWORK AND REFERRAL SOP

### WHAT resources cover SOP?

Standard operating procedures rely on adequate existing resources, trained personnel and individual contacts in government/state institutions as well as relevant associations in the Republic of Macedonia.

For foreign victims, existing resources are: government/state institutions, associations in the countries of origin and others bodies/organizations.

In the annex, a list of authorities responsible for SOPs at the national level and TRM contacts.

### WHEN are the SOP resources identified and provided?

The resources, personnel and contacts identified in this document should be regularly updated, planned in the annual work programs of all indebted parties involved in the implementation of the SOP.

### WHO should act on SOP?

Authorities responsible for implementing SOP: ➡ See **ANNEX 2: List of authorities in charge of SOP in RM, p. 81.**

### WHO should monitor the implementation of the SOP?

The competent authorities are obliged to submit data to the National Commission for Combating Trafficking in Human Beings and Illegal Migration for the purpose of recording and maintaining databases in accordance with their competencies in the implementation of the SOP.

*Observation and monitoring of the implementation of SOP carried the National Coordinator for Combating Trafficking in Human Beings / National Commission for combatting trafficking in human beings and illegal migration. Responsible for their implementation and enforcement are: UTHBSM / NUSMSTHB – MOI and NRM CSW / MLSP.*

*At the same time, the Commission / the Coordinator of the National Commission is monitoring the implementation of the Strategy and the NAP on combating trafficking in human beings, promoting inter-institutional*

*cooperation, which represents a permanent determination of the institutions in the Republic of Macedonia for the successful management of trafficking in human beings.*

*The stated approach in the fight against trafficking in human beings is a practice of the National Commission, which provides good results, while advocating for the advancement of the protection of victims of trafficking, the legislative and institutional framework and strengthening the system of national coordination through formalized cooperation between state bodies, associations, international organizations and other involved parties.*

## **HOW are the resources selected?**

Each established and agreed resource is selected on the basis of the standards and structures defined in this document. Also, all Procedures measures are adapted to the specific individual needs of the victims in each individual case.

## **Personal data protection:**

All entities involved in the implementation of the SOP are obliged to protect the personal data of the persons, in accordance with the Law on Personal Data Protection.

## **3. BASIC PRINCIPLES AND GUIDELINES:**

- Assistance and protection programs should be tailored to the individual needs of each victim separately.
- The victim should give consent on the basis of prior knowledge of the entire process of receiving assistance and protection.
- The victim has the right to decide whether and when he/she wants to be given assistance.
- Any person for whom there is an indication that he is a victim of trafficking in human beings will be treated as a potential victim until the final determination/identification.
- All entities involved in the SOP implementation process, who have

come into contact with a potential victim of trafficking in human beings, should inform the competent authorities by telephone and/or in writing.

- All entities involved in the SOP implementation process that have come into contact with a potential victim of trafficking in human beings or victims of trafficking should act in accordance with the principle of non-discrimination based on gender, age, social status, race, religion, political opinion or any other difference.
- An interview with a potential victim/victim should be conducted respecting human rights and fundamental human dignity by trained professionals.
- Victims in the support program need to have the opportunity to express their dissatisfaction with the services, the individuals involved in providing services, the problems with other persons involved in the program or other problems they face.
- All information should be kept confidentially and as few people as possible should have access to them.
- All measures undertaken for the protection of victims by the competent authorities should be urgent and give priority to their activities and be adapted to the needs of victims of consensual age and adapted to persons with disabilities.



When applying the SOP for the treatment of child victims, minimum standards and principles will be applied and provided in accordance with the Guidelines for the Protection of the Rights of Child Victims of THB in the Republic of Macedonia:

- Respect for the rights of the child;
- The best interest of the child;
- Right to non-discrimination;

- Right to information;
- Right to confidentiality;
- Right to protection;
- Right to the opinion of the child;
- Non-refoulement principle;
- Access to adequate and safe accommodation;
- Education and health care.



# CHAPTER B

## I SOP: IDENTIFICATION AND REFERRAL

### WHAT is identification?

IDENTIFICATION is a process through which a range of indicators and interviews provide information on the basis of which an assessment is made whether the person is a victim of trafficking in human beings.

### The identification process is urgent and includes:

- **Initial referral and determining the identity:** The potential victim is addressed or refers to the competent authority for initial referral: UTHBSM/NUSMSTHB/MOI and NRM/CSW/MLSP;
- **Providing information:** to the potential victim and identifying his/her immediate needs;
- **Early risk assessment:** determining the risk to the health and safety of the potential victim;
- **Language and Translation:** Enabling conversation in understandable language for the potential victim;
- **Identification interview** (identifying the victim status): asking questions and examining the circumstances for identifying a potential victim as a victim of trafficking in human beings or other types of crime;
- **Providing information after identification:** in order to obtain consent from the victim on the basis of prior information, i.e informed consent for inclusion in a program of assistance and protection by the competent authorities;



In cases where the victim is a child, consent is given by the parent/guardian, in accordance with his/her best interest.

- **The period of recovery and reflection** (thinking and decision-making) is provided both to foreign and domestic victims of trafficking in human beings, especially children/victims, and is not conditioned by the cooperation of the victim with the competent state authorities;
- **A temporary residence permit** shall be issued to the person - foreigner on whom the status of a victim is determined.

**The purpose of the identification is:** to determine the elements of the criminal offense of trafficking in human beings/children according to the Criminal Code, the victim to arrive in due time to the appropriate services/bodies for assistance and support, as quickly and more appropriately as possible.

**Responsible person** is appointed for each victim:

- For domestic victims, the Responsible person is an official of the NRM;
- For foreign victims, Responsible person is a police officer from UTHBSM/NUSMSTHB/MOI.

The person in charge of the case will be responsible for the victim from the moment of identification, until he/she leaves the CVT or RCF.

## **MEASURE 1: INITIAL REFERRAL AND ESTABLISHING IDENTITY**

### **WHAT**

The initial reference is to inform the competent state authorities about the potential victim of trafficking in human beings for identification and referral to the Center for Victims of Trafficking in Human Beings and Sexual Violence or in the Reception Center for Foreigners.

### **WHEN**

Immediately after the basis of a suspicion that a person is a potential victim.

## WHO

The notification and the initial referral may be based on direct and indirect knowledge from representatives of:

- mobile teams,<sup>18</sup>
- police,
- centers for social work,
- labor inspection,
- the public prosecutor's office,
- educational institutions,
- health institutions,
- other trafficked persons,
- families or acquaintances,
- associations,
- international organizations,
- embassies or consulates,
- persons carrying out transport,
- other natural and legal persons or
- the potential victim can be reported personally to the competent authorities.

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<sup>18</sup> In accordance with the Reform Plan 3-6-9 of the Government of the Republic of Macedonia, Mobile Teams in Bitola, Gevgelija, Kumanovo, Skopje and Tetovo have been established, which aims to promote and promote multi-disciplinary action and proactive role in the process of identification and action with victims of human trafficking. Their activity started in March 2018 and will last until the completion of the project by June 2019 with the possibility of their institutionalization. Mobile teams are composed of representatives of: MOI, MLSP and ASSOC . Where necessary, an assessment of the Mobile Teams may include labor inspectors and other services.

For all direct and immediate knowledge, on the basis of which there is a basis for suspicion that a person is a potential victim, all the above mentioned authorities / organizations should inform:<sup>19</sup>

- UTHBSM / NUSMSTHB<sup>20</sup> / MOI for foreign potential victims; or
- NRM / CSW / MLSP for domestic potential victims.

If the referenced potential victim does not possess personal identification documents, the Ministry of Interior assumes the responsibility for determining the identity, both domestic and foreign potential victims.

Referral to appropriate services and provision of appropriate accommodation for the victim is necessary for the establishment of an efficient system and coordination with appropriate institutions, international organizations and associations.



In case of a child it is obligatory accompanied by an adult until appointing guardian or finding a parent.

When the age of the child is not reliably determined, he/she is treated as if he/she is not 18 years old. While determining age, he/she should be treated as a child.

## HOW

Referral is done in a manner that will not cause additional traumas and risks to the life and health of the victim and/or his/her family. All information and actions being taken are confidential.

Referral to CVT is performed by a representative of the NRM/social worker

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<sup>19</sup> The above authorities do not refer foreigners to the PCS (except police and border police, and only in case when the criteria for accommodation of a foreigner contained in the Aliens Act are fulfilled).

<sup>20</sup> The National Unit for the Suppression of Smuggling of Migrants and Human Trafficking, established in order to strengthen national capacities and increase the efficiency of the police and prosecution in combating organized forms of smuggling of migrants and trafficking in human beings, from January 2018. It was founded in 3 years with the possibility of extension.

with a decision from the competent CSW.

Referral to the Reception Center for Foreigners is done only in the last case, as short as possible and exclusively in cases when the legal provisions for accommodation of a foreigner in the Reception Center for Foreigners contained in the Aliens Act and the relevant bylaws are fulfilled.



If it is a child, a police officer from UTHBSM/NUSMSTHB reports NRM/CSW to inform a parent or appointing a legal guardian.

In case of determining the identity of the child stranger, police officer UTHBSM / NUSMSTHB at the MOI checks and provides identity in the country of origin through the **TRM contacts** or other established official contacts.

Determining the identity of the potential victim foreigner who / which does not possess identification documents, takes PO from UTHBSM - NUSMSTHB / MOI, who through **TRM contacts** or other official contacts contact the competent authorities in the country of origin of a potential victim, in order to confirm identity.

## MEASURE 2: PROVIDING INFORMATION

### WHAT

Providing information to potential victims should be an integral element during the entire referral process. The well-informed information enables potential victims to fully inform and restore their security and to decide independently on all subsequent steps.

### WHO conducts the conversation and informs?

- PO from UTHBSM - NUSMSTHB/MOI;
- Competent officials from the CSW/NRM/MLSP;
- Mobile teams;
- Labor inspection.

## WHEN should information be provided?

Responsible official shall immediately provide information and respond to the urgent needs of the potential victim that came into contact.

## HOW should information be provided?

Initial information should be given as soon as possible. A competent official providing the information should do so in a clear, professional and patient manner, encouraging the potential victim to ask questions and understand his/her intentions. The relevant information should be available in written form and translated into a language comprehensible to the potential victim if he/she is a foreign citizen.

### PREREQUISITES FOR RUNNING CONVERSATION

- 1 Talk about needs/requirements:
  - basic/personal needs,
  - clothes,
  - providing relaxation,
  - emergency medical care,
  - using a phone,
  - interpreter (professional and gender-sensitive)
- 2 Care for the personal safety,
- 3 Information about available services, next steps for referral and decision-making period, legal assistance,
- 4 Giving written information material,
- 5 Questions / Requests by the Potential Victim.

## MEASURE 3: EARLY RISK ASSESSMENT

### WHAT

The purpose of the early risk assessment is to find out about an immediate risk through an initial conversation:

- threat to the life of the potential victim;

- the need for urgent medical assistance or other urgent support needs; and
- to determine the next steps for the safety and well-being of the potential victim.

## WHEN

**The conversation takes place** after the potential victim:

- Will be placed in a safe place (secure location);
- Basic needs will be met;
- Information on the interview process will be given;
- He/She will be given the opportunity to ask questions, to emphasize the requirements and
- give consent to further the conversation.

**The conversation should NOT** be conducted if the potential victim:

- Is located at a location that is not secure;
- Has a need for urgent medical assistance;
- Requires legal advice;
- Requests that the conversation should be postponed or rejected;
- If another person from the place of exploitation is present.



- The child should not start the conversation if a parent / legal guardian or a representative from the CSW is not present.
- If the child rejects a conversation, a parent / guardian or a representative from the CSW decides for the next steps.

Potential victims who refuse conversation and assistance should be given appropriate contact information (verbally and printed in a language that is understandable for them) in case they decide to seek further help.

## WHO

Competent official person (PO from UTHBSM/NUSMSTHB/MOI or from CSW/NRM/MLSP) in cooperation with:

- Health workers;
- Mobile teams;
- Labor inspection.

## HOW

Early risk assessment should be done in a safe location. If possible, the conversation should take place in the premises of the Ministry of Interior, the offices of associations, the Centers for Social Work and /or the RCF/CVT.

If the risk assessment show that the measures are necessary to protect the safety, an immediate appropriate action to eliminate the risk must be taken. ➡See ANNEX 8: Risk Assessment and Safety / Checklist p. 112.

## MEASURE 4: LANGUAGE AND TRANSLATION

### WHAT

For potential victims who do not have an adequate knowledge of the language of communication with the competent authorities, it is essential to ensure adequate translation.

### WHEN

Before the identification process begins, it needs to be determined whether there is a need for an interpreter and, if necessary, a translation is needed.

## WHO

- Authorized court translators;
- Interpreter (person who knows the language of the signs);
- PO from MOI and
- Competent officials from the CSW at the MLSP.<sup>21</sup>

In cases where there is a need for engaging translation personnel, who are not authorized court translators, a careful selection should be made, and this does not represent an additional risk for the safety of the potential victim.

Persons who have been encountered with a potential victim should not be used as translators - even when they claim to be friends, family members, etc.

The translator signs a statement of accuracy and confidentiality of the information received. ➡ **Since ANNEX 3: Translator's Statement, p.83.**

The obligation to provide and pay for the translation is the client.

## HOW

It needs to be determined whether the potential victim is able to speak the language well enough and communicate effectively and clearly. A potential victim who does not accept a translator signs a statement that he/she understands the language and does not need translation. ➡ **See ANNEX 4: Statement of Victims of Language Proficiency, p. 84.**



A child who does not understand the language an interpreter is provided, and if he/she understands the language, a statement is signed by the parent/guardian.

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<sup>21</sup> In certain emergency / intervention cases, professionals from MLSP and PO of MOI for translation are involved.

Before the conversation begins, the potential victim must be informed of the role of the translator, the obligations and responsibilities of the translator, as well as their right and the opportunity to cancel the designated translator at any time.

The translator should be informed in advance about the nature of the conversation, and it is best to have previous experience, or to be trained to work with highly vulnerable categories of people. The translator is clearly informed of his duties and responsibilities during and after the conversation.

#### CRITERIA FOR SELECTION OF TRANSLATOR

- |   |  |
|---|--|
| 1 | Not to recognize the potential victim before;  |
| 2 | Not to come from the same place of residence or from the place where the potential victim is caught; |
| 3 | Not to be a person who represents the country of origin of potential victims.                        |

### MEASURE 5: IDENTIFICATION INTERVIEW

#### WHAT

The identification of a person for whom there are indications of being a victim of trafficking in human beings is carried out through a planned and targeted interview by representatives of UTHBSM/NUSMSTHB and/or NRM/ CSW and/or Coordinators of the Mobile Teams.

#### WHEN

The interview should be conducted when the potential victim will feel ready and agreeable, but not later than the expiry of the period of recovery and reflection.<sup>22</sup>

#### When DO NOT need to conduct an interview?

If the potential victim is noted:

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<sup>22</sup> A period of reflection refers to a period of reflection and decision-making.

- Anxiety, nervousness or aggression;
- There is an additional need for medical assistance and protection;
- Requires legal advice;
- No translation for the interview;
- Requests that the conversation be postponed or rejected;

The interview with the potential victim should be carried out after meeting the basic needs and providing clear information about the interview process.



In the case of a child, it is necessary to carry out the identification interview with a trained person, in an appropriate manner and place, preferably from the same gender with the child, in the presence of a parent / legal guardian, in accordance with the standards for conducting an interview with a child.

## WHO

The interview is managed by a representative from:

UTHBSM/NUSMSTHB

CSW/NRM

Mobile Team Coordinator.



In the interview, if a child needs translation, an interpreter is provided.

A child who is able to form his own views has the right to express his opinion, which depends on the age and the psychological state in which he/she is.

## HOW

The person conducting the interview in accordance with the attached Identification Form for victims of trafficking in human beings evaluates the overall information and analysis of the facts. ➡ See **ANNEX 5: Identification Form for Victims of Trafficking, p. 85.**

When identifying, take into account:

- The specific situation of women and children victims, and<sup>23</sup>
- Existence of justified reasons to believe that the person is a victim, in particular:<sup>24</sup>
  - Elements of the definition of trafficking in human beings - Article 418 (a) of the CC,
  - Indicators of trafficking in human beings/children,
  - The circumstances in which the person was found,
  - Answers from the interview given by the victim,
  - Provided supporting documents.

Identification should not rely solely on *self-identification of the victim* (i.e., the victim can not always identify himself/herself as a victim of trafficking);

If a citizen of the Republic of Macedonia is returned from a third country and subsequently identified as a victim of human trafficking by the competent authorities of the Republic of Macedonia, they should inform the country of exploitation through the **TRM contacts** for the purpose of finding/determining the offender and undertaking measures.

If a foreign citizen is identified on the territory of the Republic of Macedonia, the institution that acts/identifies informs the country of origin using the **TRM's contacts**. ➡ See **ANNEX 6: List of Transnational Cooperation Bodies (TRM Contacts) p. 91.**

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<sup>23</sup> Article 10 paragraph 2 of the Convention of the Council of Europe.

<sup>24</sup> Article 10 paragraph 2 of the Convention of the Council of Europe.

## MEASURE 6: PROVIDING INFORMATION AFTER IDENTIFICATION

### WHAT

During the information-provisioning phase, after identifying the person (whether it is, or not identified as a victim of trafficking in human beings), he/she is provided with detailed information on the rights at his disposal, including the appropriate conditions and obligations, and giving him the opportunity to express his concerns and to ask questions.

For the next steps in the process of assistance and protection by the competent authorities, the consent of the victim should be based on prior information, i.e. received necessary information for assistance and given consent for acceptance, i.e. informed consent. ➡ See **ANNEX 7: Statement for INFORMED consent** pg. 111.

The responsible persons for the case are obliged to keep records of the victims and to keep all relevant documents, to ensure their protection, in accordance with the Law on Classified Information.

### WHEN

Immediately after determining the victim status, a clear overview of information about services and procedures should be given.



The child should have available information on the condition in which he/she is located, the rights and services available to him/her according to his/her age and the language he/she can understand.

### WHO

The person in charge of the case provides information about the victim's services and procedures.

If a victim wants a foreign citizen to contact the embassy of the country of origin, then the person in charge contacts the embassy and informs her about his/her request.

## HOW

All information is received by the responsible person in oral or written form.

## MEASURE 7: RECOVERY PERIOD AND REFLECTION<sup>25</sup>

### WHAT

In order to provide protection and assistance to the victims, it is necessary to offer a period of decision/recovery (verbally and in writing) in order to avoid the influence of the perpetrators of the crime "Trafficking in human beings" both on foreign and domestic victims of trafficking in human beings, especially children/victims.

During this period, the victim should decide whether to cooperate with the competent authorities in detecting the crimes and prosecuting the perpetrators, or return home, i.e. a foreign national in a country of nationality or in a country where legal residence.

**The period of recovery and reflection is not conditioned** by the cooperation of the victim with the competent authorities.

**During the period of recovery and reflection, the victim has the right to:**

Information on exercising rights in a language that they can understand, reporting about:

- adequate and safe accommodation;
- medical, psychological and social assistance;
- material assistance;
- translation and interpretation;
- advice and information on their legal rights;
- legal assistance during the criminal or other proceedings in which the victim exercises his rights;

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<sup>25</sup> Measures 7 and 8 shall apply once the Law on Foreigners is applied.

- the right to education;
- appropriate judicial or administrative procedures, as well as the exercise of the right to asylum;
- the possibilities and the procedure for returning to a country whose citizen is or in a country where he/she had legal residence, before entering the territory of the Republic of Macedonia;

**If the victim decides to cooperate with the competent authorities, he/she receives information about:**

- Temporary residence;
- The process of gathering evidence;
- The trial and the right to claim non-pecuniary damage;
- Opportunities for witnessing and protection;
- Assistance available and conditions of assistance.

## WHEN

Immediately after identification, the period for recovery and reflection begins, which for domestic and foreign victims is up to 2 months counted from the date of the accommodation/initial referral of the victim to CVT/RCF.



In the case of a child, guided by his/her best interest, the period of recovery and reflection can be extended.

The period of recovery and reflection/decision-making for foreign and domestic victims may be terminated if:<sup>26</sup>

- A foreigner poses a danger to the public order and national security of the Republic of Macedonia, or

<sup>26</sup> Article 121 of the Law on Foreigners.

- It was found that the status of victim of the crime "Trafficking in human beings" was acquired illegally.

Against the decision to terminate the period of recovery and reflection foreigner / domestic victim have the right to appeal an administrative dispute.

## WHO

The person responsible for the case, the PO from UTHBSM/NUSMSTHB/MOI and the PS from the DBAM/MOI in cooperation with:

- Competent officials from the CSW/NRM,
- Social workers, psychologists,
- Health workers,
- ASSOC.

## HOW

The first step in organizing a period of recovery and reflection is informing the victim by the person in charge of the case for securing his/her consent for further treatment. In doing so, the victim must not be interviewed and should be informed in a language that he understands.

## MEASURE 8: A TEMPORARY RESIDENCE PERMIT

### WHAT

The foreigner who will determine the status of the victim, shall be issued a temporary residence permit if:

- his residence is necessary for his/her personal safety or condition,
- his/her stay is necessary for cooperation with competent state authorities in the discovery of criminal offenses and prosecution of perpetrators.

The temporary residence permit is issued by a competent body within the Ministry of Interior. The temporary stay will be approved for a period of up to six months and it will be extended if the above conditions are still fulfilled.



In case where victims of trafficking are children, guided by their best interest, a temporary residence permit may be extended.

## WHEN

During the period of recovery and reflection or after its completion, when the status of the victim is determined.

After approval of temporary residence, the victim foreigner is placed in CVT

## WHO

The temporary stay is approved by a competent body in the Ministry of Interior in the shortest possible time, but not longer than five days.

## HOW

A request for issuance of a temporary residence permit for a foreign national is submitted by UTHBSM/NUSMSTHB.

Temporary residence of a victim of trafficking in human beings shall be confiscated if:

- the foreigner has abused or lost the status of a victim of trafficking or
- represents a danger to the public order and national security of the Republic of Macedonia.

## II SOP: COORDINATED ASSISTANCE AND SUPPORT

Assistance and support to victims of trafficking begins immediately after the discovery and start of the identification process when the period of stabilization and decision-making, i.e. recovery and reflection, begins. Aid and support are designed to meet the immediate and basic needs of the person and create conditions for his / her safety:

- Accommodation;
- Food;
- Clothing and other basic needs;
- Psychological counseling and psychosocial support;
- Referral of legal assistance; informing about the legal provisions related to the temporary residence permit, requesting information about possible legal problems after returning to the country of origin;
- Contacting with the consular office with informed consent of the victim foreigner;
- Providing documents (in cooperation with the consular office);
- Contacting the authorities in the country of origin with informed consent of the victim;
- Medical examination and medical assistance;
- Safety measures; ➡ See ANNEX 8: Risk Assessment and Safety / Checklist p. 112.
- Contact with family and / or close people, if the victim asks;
- Notification to the competent authorities.

The offered assistance and support should be based on an assessment of the needs of the person / victim. The assessment is performed by the person in charge of the case. ➡ See ANNEX 9: Assessment of the needs

## of vulnerable categories of persons and VoT p. 115.



The assessment of the needs of the child/victim is carried out by a responsible person in consultation with the legal guardian according to the age of the child.

In the needs assessments special attention is paid to the persons/children with special needs.

All children foreigners and citizens of the Republic of Macedonia are entitled to the same protection, regardless of their status, nationality, race, gender, language, religion, ethnic origin or other status.

During this phase of victim assistance, service providers are responsible:

- To ensure safety and security;
- To provide medical services;
- To provide psychosocial assistance and support;
- To give legal aid;
- To help the victim regain self-confidence and stability; and
- To collaborate in planning and preparing the next steps of the victim.

### Help and support will be given:

- To all potential/identified victims of human trafficking that will be caught on the territory of the Republic of Macedonia.

## MEASURE 1: ASSESSMENT OF THE VICTIMS' NEEDS

In order to determine appropriate assistance measures for each victim, it is necessary to make a needs assessment.

## WHAT

Needs assessment is based on the following criteria:

CRITERIA FOR ASSESSMENT OF NEEDS	
DATA ON THE CASE	
1	Name and surname and/or case file number
2	Country of origin
3	Language
BASIC NEEDS	
1	Accommodation
2	Food
3	Medicines
4	Communicating with family
RISK ASSESSMENT	
1	Instant concern for personal security
2	Individuals who can create problems on their face
3	Concern for family members or close relatives
4	Locations that are not safe for the person to go or visit
5	Is the person monitored for a certain period of time and in whom / by whom?
HEALTH NEEDS	
1	Compulsory medical examination
	<b>Reviews as needed:</b>
	Forensic examination
	Blood test, microbiological examinations
	Infectious diseases
	Gynecological examination
	Dental services
	Psychological and mental problems
	High-risk conditions (heart disease, epilepsy, asthma)
	Obstacles to development

## WHEN

The assessment of the needs of the victims is made after the victims are given information about the available services, conditions and obligations regarding the provision of services.

## WHO

The person responsible for the case: from the NMU/CSW at the MLSP; in cooperation with:

- PO from UTHBSM/NUSMSTHB at MOI;
- PO from DBAM at MOI;
- Mobile team;
- Health workers;
- Representative of the Association.

## HOW

Before starting the needs assessment procedure, and taking into account the information received about the case, the person responsible for the case should inform the victim about:

- The purpose of the needs assessment procedure (eg how it will be used, why it is useful);
- Explain who will have access to information;
- Explain the possibility for the individual to refuse to answer any question;
- To explain why a compulsory health check is required;



The needs assessment of a child should be carried out in coordination with the parent / designated guardian and in a child-friendly language.

## MEASURE 2: DEVELOPMENT OF AN ASSISTANCE PLAN

### WHAT

The aid plan is a clear and detailed description of the proposed steps in the care of the victim, based on the assessment of her individual needs. During the entire process of implementation of the plan, which may be subject to review depending on the degree of its realization and the situation in which the victim is located, as well as from its additional needs.

### WHEN

After completing the procedure for assessing the needs of the victim.

### WHO

The responsible person for the case from the Reception Center for Foreigners/Center for Victims of Trafficking in Human Beings and Sexual Violence, in cooperation with the victim;

### HOW

The person responsible for the case coordinates activities from the assistance plan and support of the individual by:

- The support team (professionals from appropriate profiles representing the ASSOC and CSW);
- Parent/guardian.
- The victim.

The communication should include:

- Information on how the team work will continue;
- Residence;
- Time of the next meeting;
- What to do in case of risk for the safety and security of the victim;
- Needs for psycho-social assistance;

- Medical and
- First aid

## **MEASURE 3: CONSENT FOR THE IMPLEMENTING THE ASSISTANCE PLAN**

### **WHAT**

The consent procedure is conducted in order to understand and accept the victim's assistance, conditions and deadlines.

### **WHEN**

After the victim will be explained the aid plan, the terms and deadlines for giving assistance.

### **WHO**

The person responsible for the case, in cooperation with the responsible persons from the Reception Center for Foreigners/Center for Victims of Trafficking in Human Beings and Sexual Violence, and in cooperation with the victim.

### **HOW**

The victim should be given a clear description of the services offered, in a language that he/she understands, for which the victim should give written consent.

## **MEASURE 4: ADJUSTMENT AND STABILIZATION**

### **WHAT**

The adjustment and stabilization process includes:

- Package of health services and necessary medical assistance;
- Psychosocial assistance and support in order to:
  - Enhance the victim's feeling of independence and self-confidence;
  - Socio-educational activities;

- Acquiring of knowledge and skills;
- Preparations for re-socialization and reintegration;
- Assessment of the safety risk;
- Individual psychological assistance.
- Legal assistance; and
- Possibilities for education/vocational training;
- Regular education for children.

## WHEN

Following the needs assessment and a developed assistance plan.

## WHO

Care for adjustment and stabilization should be multi-sectoral and should be carried out in coordination of the Case Officer (CSW/NRM) and the competent authorities:

- Mobile team;
- Support team from CVT;
- Health workers;
- ASSOC.

## HOW

- Coordinated team meetings/discussions with support team members at least 2 times per month by the person responsible for the case;
- Preparation of a progress assessment report;
- Reporting to the victim about the outcome of the team's assessment;
- Opportunities to support people who want to stay/return home;
- Communicating with other institutions;

*The victim can lodge a complaint with the person in charge of the case and present the objections related to the quality of the offered services and procedures. The complaint may be submitted orally or in writing.*

*If the victim is dissatisfied with the responsible person, he / she can lodge a complaint with the NRM/or the National Commission for Combating Trafficking in Human Beings and Illegal Migration.*

*Each of the service providers in the role of the person in charge of the case (if the opposition is not against it) is obliged to examine the allegations in the complaint as soon as possible, and to inform the victim.*

*The lodging of a complaint should not negatively affect the services provided to the victim in any case.*

### **III SOP: RE-SOCIALIZATION AND REINTEGRATION**

Re-socialization and reintegration are closely related and mutually dependent processes, which imply planning measures and activities of the responsible institutions involved in the protection of the VoT, whose common goal is the preparation of the victim of trafficking for reintegration into the environment and its successful inclusion in the community.

In addition to the common goal, each of these processes has its own specific characteristics and is realized in different periods and different environments. Re-socialization aims to rehabilitate the victim and prepare him/her for a successful reintegration into a former or new community/environment and is implemented during the stay of the victim in the CVT/RCF, as well as in the environment in which the victim returns after leaving CVT/RCF.

Victims who do not stay in the CVT, implement the re-socialization program at the place of residence.

The period of re-socialization and reintegration is a long-lasting process that ends when the victim of human trafficking is fully integrated into the environment and becomes an active member of the society of the economic, cultural, civic and political life, and in everyday life he/she will work by building stable relations with the people of his/her social network, based on mutual respect and understanding.

**The re-socialization process includes services in the areas:**

- Safe accommodation-housing;
- Psychological counseling;
- Health protection;
- Legal aid;

The process of **reintegration** includes services from areas:

Carriage;

- Safe return to the family or other alternative forms;
- Social and child protection;
- Education and
- Employment.

## **MEASURE 1: PREPARING FOR RE-SOCIALIZATION AND REINTEGRATION**

### **WHAT**

Measures for assistance that are undertaken in the process of re-socialization include services/activities to support the victim during his/her stay in the CVT and in the process of reintegration into the community or the family after his/her return.

For foreign victims, the implementation of the measures for re-socialization is also carried out during the stay of the victim in the Reception Center for Foreigners during the stay of the victim.

### **WHEN**

Re-socialization as preparation for reintegration begins as soon as the victim is accommodated in the CVT or the Reception Center for Foreigners, or immediately after the reflection period.

For foreign victims, the re-socialization process is available until their departure, given recommendations for continuing this process upon

their return.

Recommendations/guidelines for the continuation of reintegration:

**A domestic victim** is preparing before returning to the place of residence or in the community where his/her integration is planned and should be given recommendations immediately after returning, together with the overall documentation that is submitted to the competent CSW.

For **foreign victims**, recommendations/guidelines for the continuation of the reintegration are prepared 15 days before returning to the country of origin, and are sent to **the contact person from the TRM** or the partner organization in the country of origin with which the contact has been established.

## WHO

Competent CSW according to the place where the reintegration/NRM will be conducted at MLSP and ASSOC if it is a domestic victim.

For foreign victims accommodated in the Reception Center for Foreigners, the responsible persons (social worker/psychologist) from the Reception Center for Foreigners are involved in the preparation for reintegration together with the responsible person in the case and in collaboration with a social worker and a psychologist or a CVT (if was placed in the reflection period).

The person responsible for the case is in charge of the victim from the moment of identification of the victim until the completion of the process of re-socialization and reintegration.



In the process of re-socialization and reintegration of the child, a parent/guardian or persons from other alternative forms of care, such as a foster family and staff from small group homes, are actively involved.

## HOW

Re-socialization and reintegration are carried out on the basis of existing Programs and made individual plans in cooperation with the victim,

in accordance with the needs and abilities of each of them separately, practicing:

- Program for assistance and support for reintegration of victims of trafficking in human beings;
- Program for assistance and support for reintegration of children victims of trafficking;

## **MEASURE 2: PLAN FOR RE-SOCIALIZATION AND REINTEGRATION**

### **WHAT**

**The re-socialization plan provides:**

- Psycho-social support;
- Stabilization and self-strengthening activities;
- Legal aid;
- Social activities;
- Sports activities or support in the creative fulfillment of leisure time.

**The reintegration plan provides:**

- Preparation of the environment (family, foster family, staff and children from a small group home), for the return/care of the victim;
- Continuous education;
- Professional training;
- Counseling and assistance for employment.

The plan should be based on the needs, possibilities and interests of the victim and is prepared by the Responsible Person in cooperation with the support team.

The plan is flexible and, if necessary, it can be changed and supplemented.

## WHEN

For **domestic victims who were not accommodated in the CVT** - the re-socialization plan is made immediately after an assessment of the needs of the victim by the expert team of the competent CSW.

For **victims located in the CVT**, the plan for re-socialization is made after their care in CVT in cooperation with the CSW.

For a **domestic victim**, in cooperation with the CSW and the family, a community reintegration plan is being made, ten days before the departure of CVT.

For a **foreign victim** placed in the Accepted Center for Foreigners, the plan for re-socialization is made immediately after the child's care, by the responsible person, the professional team and the social worker and a psychologist from the RCF.



In the case of a foreign child, a victim of THB establishes relations through **TRM contacts** with the country of origin or through other formal procedures, and it is important to start the process of child custody and to make a plan for its re-socialization that is prepared immediately after his care in the RCF by the Responsible person, the expert team and the psychologist and social worker in the RCF.

The plan for re-socialization and reintegration for children is mandatory, and it is recommended to provide long-term measures and inclusion in educational institutions.

The re-socialization process is available until their departure from the RCF/CVT with recommendations for continuing this process upon their return to the country of origin.

## WHO

- The person responsible for the case;
- Social worker and psychologist from RCF

- The victim;
- Parent/guardian;
- ASSOC;
- IO;
- CSW-social worker/NRM at MLSP; in cooperation with:
  - Representative from the local community;
  - Appropriate institutions;
  - Mobile team;
  - Regional unit at the Ministry of Education;
  - Employment agency

## HOW

The re-socialization and reintegration plan should be developed together and in accordance with the victim to receive additional assistance.

If the victim does not want to be included in the Re-socialization and Reintegration Program, he/she will be offered information about certain institutions and organizations that can be contacted as needed, in addition.

## IV SOP: RETURN

The return process should be voluntary, dignified and reliable, encompassing the preparation, transport and acceptance of the victim in a country of origin or in a third country. Victims should be given the opportunity to say whether, when and how they would like to return home.

### Ways:

For Victims - Domestic Citizens:

- MLSP through the office of the NRM / CSW, in cooperation and coordination with UTHBSM/NUSMSTHB at MOI, Mobile teams and ASSOC; or
- Individual return at your own expense.

For victims - foreign nationals through the **Transnational Referral Mechanism**, if they exist in the countries of origin or through official forms of communication.

- Government Institution to a Government Institution - In the Republic of Macedonia, the competent authorities are: MOI/UTHBSM/NUSMSTHB, MLSP/NRM/CSW (in the case of children) and MoFA;
- Combined ways, e.g. Government institution up to the ASSOC, Government institution through the IOM program for assisted voluntary return;
- Individual return at your own expense.



Child foreigner shall not return to the country of origin or to a third country that has agreed to accept it, while the country does not assess the family or institution that would accept and do not provide adequate conditions for acceptance. Until providing adequate conditions, the child should remain on the territory of the Republic of Macedonia. ➔ See **ANNEX 10: Family assessment guidelines**, p. 118.

## MEASURE 1: ADOPTING A DECISION TO RETURN THE VICTIM

### WHAT is an informed decision to return?

An informed decision to return is a decision freely delivered by the victim after fully informing about the options and the risks that have been identified, concerning the extension of his/her stay in the country of destination, return home, or change of residence/stay.

### WHEN

The victim should be asked about the decision to return home during the assistance process, and in particular:

- immediately after identification; and
- before the expiration of the decision-making period, i.e. recovery and reflection.

## WHO consults the victim about her decision to return?

If the victim is a domestic victim - the office of the NRM / CSW and ASSOC is in charge.

If the victim is - a foreign citizen, the UTHBSM / NUSMSTHB / with the MOI and the ASSOC that works with the victim are competent.

In the case of voluntary return of the victim, an international organization and the persons responsible for the **Transnational Referral Mechanism** are consulted if it is established in the country of origin of the victim or other established official contacts.



A CSW is in charge of returning a child foreigner in cooperation with UTHBSM/NUSMSTHB at the Ministry of Interior.

## HOW is the victim preparing to make a decision to return?

The victim should be given information verbally and in writing in a language understood by the him/her:

### GIVING INFORMATION

#### INFORMATION

- |   |   |
|---|---|
| 1 | <p>Information on legal opportunities to stay in the country of destination</p> <ul style="list-style-type: none"> <li>• Residence permit,</li> <li>• Opportunities to get asylum,</li> <li>• Available social services,</li> <li>• Opportunities for psycho-social assistance,</li> <li>• Opportunities for medical assistance,</li> <li>• Opportunities for language learning courses,</li> </ul> |
|---|---|

	<ul style="list-style-type: none"> <li>• Opportunities for education</li> <li>• Information on the situation on the labor market,</li> <li>• Possibility of accommodation (shelters) and</li> <li>• Persons and contact organizations.</li> </ul>
2	<p>Information on opportunities from the country of origin for available social services:</p> <ul style="list-style-type: none"> <li>• Psychological support,</li> <li>• Legal support,</li> <li>• Medical aid,</li> <li>• Accommodation and care, education,</li> <li>• Information on possible consequences in the country of origin,</li> <li>• Persons and contact organizations.</li> </ul>

## MEASURE 2: RISKS ASSESSMENT AND POSSIBILITIES FOR SOCIAL INCLUSION

### WHAT

The assessment of risk and safety before return is essential to ensure the safety of the victim and his/her family.

### WHEN

Immediately after the victim decides to return home.

### WHO

The assessment of the safe return is made by the person responsible for the case, on the basis of the information obtained from:

The victim;

- NRM / CSW at MLSP, Mobile Teams and UTHBSM / NUSMSTHB at MOI;
- **Persons in charge of TRM from the country of origin** if there are other established official contacts;
- ASSOC;

- Ministry of Foreign Affairs - Diplomatic Consular Representations (DCO from the country of origin of the foreign victim and DCM of the Republic of Macedonia for domestic victims identified abroad);
- International organizations.

The assessment made shall be submitted to the Responsible Person of the case who informs the victim about the results.

## HOW

Risk and safety assessment is carried out by answering the questions contained in the questionnaire ➞ See ANNEX 8: Risk and Safety Assessment / Checklist p. 112.

The persons working on the case jointly respond to the questions contained in the checklist in order to prepare a risk assessment and safety.

If there is a lack of information about a particular issue, the victim is contacted additionally.



A child must not be returned if his/her return is contrary to the Convention on the Rights of the Child, the Convention on the Status of Refugees and the Protocol and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

**Note:** The victim should return to his place of origin / country of origin only if it is determined that this does not pose a threat to his/her safety. If this is not possible, the possibilities for changing the place of residence or stay in a third country (in accordance with the Law on Witness Protection) should be foreseen.

## MEASURE 3: DEVELOPING A RISK MANAGEMENT PLAN

### WHAT is a risk management plan?

A plan that identifies the risks that a victim can face and family members/relatives after returning.

The purpose of the plan is to ensure that the risk is minimized and managed effectively.

## WHEN

Once a risk assessment and safety assessment has been made, as well as an assessment of the social inclusion of the victim that is being done in association with the VoT.

## WHO

- UTHBSM / NUSMSTHB at MOI;
- NRM/CSW at MLSP;
- ASSOC;
- Competent authorities and organizations in the country of origin.



Assessment of the risk of social inclusion for a child is done in consultation with a parent or guardian. The cooperation between the responsible persons in the Republic of Macedonia and the competent institutions/organizations in the country of origin, is in accordance with the existing laws in order to ensure a quality and efficient exchange of information before returning the child.

## HOW

A plan is drawn up summarizing the different findings. At the same time, UTHBSM/NUSMSTHB prepares a part of the plan related to risk assessment and safety, while the NRM prepares the section dealing with the risks of social inclusion.

After developing the plan, the victim should be informed of the risks that can be encountered and the measures that will be taken to protect her and her relatives.

## MEASURE 4: FINDING THE FAMILY

### WHAT

In a case that the victim discontinued the contact with her family, and expressed the desire to return and renew the contacts, steps should be taken to establish the contact with the family.

### WHEN

In parallel with the process of assessing risk and safety in the environment.

### WHO

- UTHBSM / NUSMSTHB at MOI; and NRM / CSW at MLSP; in cooperation with:
- MoFA;
- **Responsible persons from TRM;**
- An international organization depending on the circumstances of the case;
- Diplomatic consular representation in the Republic of Macedonia;
- ASSOC.

### HOW

The institutions/organizations involved will use all their available means (interviews with the victim, telephone contacts, third parties, police files, etc.)

## MEASURE 5: IDENTIFICATION DOCUMENTS

### WHAT

When the victim does not have identification documents and/or travel documents, it is necessary to provide them with security.

### WHEN

Documents are provided (their security is initiated) when conditions for his/her return are created. The issuance of documents takes place depending on the specifics of each individual case.

## WHO

The process of providing the documents of the victim is initiated by the responsible person in the case of UTHBSM / NUSMSTHB -NRM / CSW, and is carried out in cooperation with the relevant services within the MOI or other institutions and diplomatic and consular missions.

If the victim sought asylum in the Republic of Macedonia it is being handled in accordance with the Law on International and Temporary Protection and during the duration of the asylum procedure, the Embassies and Consular Offices are not contacted.

## HOW

If the victim makes a decision on voluntary return to the country of origin, the responsible person from UTHBSM/NUSMSTHB initiates the procedure for securing travel documents to DBAM, which for this purpose, through the MoFA, contacts with an appropriate embassy or diplomatic and consular representative offices and / or other competent institutions.

**Note:** The travel documents should not indicate that the person is a victim.

## MEASURE 6: INFORMING THE VICTIM

### WHAT

Sharing information with the victim aims to be fully informed about the return process, in order to achieve his/her reintegration and avoid further re-victimization that is essential for the victim.

### WHEN

Immediately after the decision to return.

## WHO

The person responsible for the case.

## HOW

The victim is informed and there is a conversation about:

- The result of risk and safety assessment, as well as social inclusion;
- Status of identity and travel documents;
- How will the transfer take place from one country to another or within the state itself:
  - With escort or no escort;
  - Transportation vehicles;
  - Cash funds;
  - Assistance during transit;
  - Who will accept the victim upon arrival;
  - How to identify the representative of the receiving organization / institution in transit and upon arrival in a country of origin;
  - Security risks.
- Information for the first days in the country of origin or place of residence:
  - Rights and opportunities for the returning victim;
  - Opportunities for accommodation;
  - Opportunities for assistance;
  - Contact information with appropriate organizations / institutions;
  - Security risks;
  - Information about reintegration.

## MEASURE 7: SHARING INFORMATION ABOUT THE VICTIM BEFORE DEPARTURE

### WHAT

The sharing of information between the country of origin and the country of destination should determine the assistance needs of the victim in the country of origin.

The person in charge, using TRM contacts or other official contacts, will provide the necessary information about the victim, and for the given assistance and services during the re-socialization period.

### WHEN

At least 10 days before the victim's return.

In exceptional circumstances where there is no feedback from the country of origin of the victim, this time limit may be shorter (but not less than 48 hours).

### WHO

The person responsible for the case; from UTHBSM/NUSMSTHB/ at MOI; in cooperation with:

- ASSOC;
- **Responsible persons from TRM** or other organization/institution recipient.

### HOW

In order to provide prompt and adequate assistance upon arrival in the country of origin, the sending country should contact the country of origin in order to coordinate the return process.

The responsible person delivers a prepared report to the receiving organization/institution and provides recommendations for assistance to the victim upon her return.

The notification should take place as follows:

- Requesting return assistance (transit and/or acceptance) by the referring institution/organization;
- Confirmation of a request for return assistance (transit and/or acceptance) by the receiving institution/organization, to the referring institution/organization;
- Request for reintegration assistance by the referring institution/organization;
- Confirmation and opportunities for reintegration assistance by the receiving institution / organization.

Information provided by the organization that refers to the receiving organization should include:

- Name of the victim;
- Date of birth and place of residence in the country of origin (if returning to the country of origin);
- Current health condition or condition for which the victim is suspected or vulnerable;
- Psychosocial condition of the victim;
- Re-socialization information and procedures conducted in the country of destination;
- Achieved level of re-socialization;
- Safety and risk assessment;
- Return options;
- A brief overview of the needs of assistance;
- Estimated date and time of departure (if any);
- Recommendations / guidelines for the preparation of a reintegration plan in the country of origin.

On the basis of the information received and consultation with the referring institution/organization, the receiving institution/organization,

decide whether and how much the assisted person can provide assistance.

In order to ensure the safety of the victim, there should be a flow of information between the sending and receiving organization, as well as with possible other organizations in transit or at border crossings.

In addition, the following information should be transmitted:

- Travel data (means of transport, carrier name, etc.), date and time of arrival to the final destination;
- After leaving the victim, a notification is sent to the recipient organization;
- The name (s) of the escort, if any;
- Confirmation that the victim will be met and who will meet his/her;
- Confirmation that the victim arrived and was received, immediately upon arrival.

The receiving organization is selected from among governmental institutions and/or associations, taking into account the following aspects:

- Assessing the risks to the victim's safety;
- The place where he/she originated;
- Age, gender and education of the victim;
- Assistance programs offered by certain organizations / service providers in the country of origin vis-a-vis specific victim assistance needs.



It is necessary to ensure proper risk assessment before children return to their parents, taking into account the best interests of the child;

Children have the right to be treated in the country of origin, if safe, for them and their families, with escort and legal guardian, and be accepted by competent institutions or their parents/legal guardians;

Children and their families are entitled to special protection measures in the country of origin, transit and destination through International cooperation and possible resettlement in third countries.

## MEASURE 8: SAFE TRANSPORT AND RETURN

### WHAT

The transfer of the victim from the RCF/CVT to the place of residence i.e. to the country of origin should be safe and secure for the victim.

### WHEN

After making a decision to return and provide conditions for safe and dignified return.

### WHO

- for **domestic victims**: NRM / CSW at MLSP, UTHBSM / NUSMSTHB and Witness Protection Unit at MOI;
- for **victims - foreign nationals**: UTHBSM / NUSMSTHB, DBAM and the Witness Protection Unit at the MOI.



Returning the child is mandatory accompanied by legal guardian and representatives of UTHBSM / NUSMSTHB

UTHBSM / NUSMSTHB accompanies the victim / witness from the safe location where he / she is placed to the required place (court, public prosecutor's office, health institution, police station, etc.), while the Witness Protection Unit is involved in cases when the victim received the status of a protected witness.

## HOW

It is necessary for the victim to have all the necessary basic means for the return:

- Travel and / or identification documents;
- Road ticket;
- Telephone numbers in case of emergency;
- Information on how to recognize the person who will accept it upon arrival and during transit;
- Personal affairs;
- Person for escort / Responsible person;
- Cash.

**Note:** If the risk assessment shows that there is no need for a companion during transport, the victim joins the departure point and will also be accepted and escorted from the place of arrival to the destination of the stay.

In order to ensure the safe and dignified return of the VoT, timely exchange of information between the responsible persons in the country of origin and the country of destination is required.

The responsible person who sends the victim should immediately notify the responsible person in the receiving country that the VoT has taken the route.

The responsible person in the receiving country, however, should immediately notify the person in charge in the sending country that the VoT has safely arrived at the desired destination.

## V.SOP – CRIMINAL PROCEDURE

The victim is involved in the criminal procedure if he decides to cooperate with the police and the competent judicial authorities.

According to the provisions of the LCP, any person, including the victim of

trafficking in human beings, summoned as a witness, is obliged to give a statement. If it is likely that with the statement or answer to a particular question, the witness would expose himself/herself to a danger to life or personal integrity, it may impede the disclosure of personal data. The witness is not obliged to answer certain questions if it is likely that he/she would expose himself/herself or his/her close relative to severe embarrassment, substantial material damage or criminal prosecution.



Children victims of acts, which by law are prescribed as criminal offenses and children witnesses, enjoy enhanced protection and support from all institutions, bodies and individuals in the justice system for children, in order to reduce the negative consequences on them from the crime and to prevent the negative impact of the institution's actions on the proper development of the child and to encourage them to seek protection before a competent court.

## MEASURE 1: COLLECTING EVIDENCE WITH SUPPORT TO THE VICTIM

### WHAT

The victim can decide:

- Not to cooperate with the judicial authorities;
- To cooperate with the judicial authorities and to participate in court proceedings.

If the victim agrees to cooperate with the judicial authorities, members of the National Unit for Suppression Migrant Smuggling and Trafficking in Human Beings - NUSMSYHB -as well as UTHBSM, with the preliminary preparation of the victim by an expert team, perform an initial discussion regarding the victim's exploitation and identification the perpetrators of the crime of trafficking in human beings.

When performing the initial conversation, the victim has the right to be heard by same-gender persons. For the conducted interview with the

victim, if there are signs of a criminal offense of trafficking in human beings, a report shall be prepared for receiving a criminal charge, signed by the victim.



Child victim in giving a statement is entitled: to treat him/her with respect for his/her dignity, to be protected from discrimination, to special protection from secondary victimization or re-victimization, psychological and other professional assistance and support from authorities, institutions and organizations to help children victims of crime.

## WHEN

From the moment of the initiation of the procedure, i.e. from the moment of the given consent for cooperation, on the basis of prior information, until the end of the trial.

## WHO

- NUSMSTHB/UTHBSM at MOI;
- NRM/CSW;
- Public prosecutor;
- Judge of pre-litigation procedure.



In the case of a child, a parent / guardian, a representative of the NRM / CSW and other professionals should be involved as needed.

## HOW

Before the conversation begins, the victim is taught about the right:

- On free legal aid,

- To be examined by a person of the same gender,
- Not to answer questions related to his/her personal life that are not related to the crime,
- To request an examination using visual sound devices,
- On the exclusion of the public at the main hearing,
- To connect to criminal prosecution or realization of a property-legal claim for damage or compensation from a state fund, if the compensation can not be realized from the convict,
- To personal safety and security of his/her family or other persons close to the victim and
- The victim-witness during the entire criminal procedure has the right to request the adjournment of the hearing / giving a statement.

If other information is needed and the victim is a foreign citizen returned to the place of residence before the trial, NUSMSTHB / UTHBSM at MOI through international police cooperation (INTERPOL, EUROPOL, SELEC, TRM contacts), submit a request for finding the victim (confirmation of the identity and informing about a court hearing).

The public prosecutor, with a request for international legal assistance or request for international cooperation in criminal matters, addresses directly to the competent Public Prosecutor of the foreign country or to the Ministry of Justice, which the request / application is sent to the Ministry of Foreign Affairs or directly to the institutions in the country of origin for further forwarding and acting. In urgent cases, the request / application is submitted through the channels of international police cooperation, with a copy of the request / application being submitted to the Ministry of Justice. The request / application can be received electronically or otherwise, by means of telecommunication, for which a written record is being prepared, and the original is delivered by regular mail.

**Note:** The safety and well-being of the victim are the highest priority in the collection of evidence.

## MEASURE 2: PREPARING THE VICTIM BEFORE THE MAIN HEARING

### WHAT

The purpose of the preparatory phase before the trial is to provide the victim:

- Be aware of his/her rights:
  - the right of an attorney who will represent and actively participate in the criminal procedure,
  - the right to a translator or interpreter,
  - respect the right to privacy - not to answer certain questions,
  - until conditions for protection are provided, the giving of the statement or the disclosure of personal data is delayed,
  - the right to attend the main hearing and to participate in the evidentiary procedure to ask questions to witnesses, expert witnesses and defendants (if at the same time it is a damaged person),
  - the right to indicate a property and legal claim for compensation of pecuniary and / or non-pecuniary damage,
  - the right to a trial on which the public is excluded,
- To be fully informed about the criminal procedure: for not taking or for any cancellation of criminal prosecution by the public prosecutor,
- Be aware of the role of the various people involved in this process and
- Provide psychological and other professional assistance and support.

### WHEN

During the investigation procedure conducted by the PPO and during the trial;

## WHO

- The attorney / guardian communication with the public prosecutor;
- The psychosocial support team from the CSW / CVT and ASSOC;

If the victim is returned to the country of origin and the trial takes place in the country of destination, the victim is being prepared in the country of origin, at the request of the public prosecutor/judge from the country of destination.

International legal assistance is conducted in accordance with the Law on International Cooperation in Criminal Matters.

## HOW

- Before the date of the trial in an appropriate manner, the proxy or the person in charge of the case explains how the trial will take place,
- The victim witness is accompanied by a support team (police officer proxy, social worker-guardian and psychologist) throughout the trial,
- If possible, the victim witness should be reminded of his/her earlier statements. This should be done in an informal environment and
- The victim is preparing to give a statement at the main hearing, in the presence of the support team and the public prosecutor.

If she is returned to the country of origin, the preparation for the trial is a duty of the competent authorities in the country of origin.

## MEASURE 3: SUPPORT FOR THE VICTIM DURING THE MAIN HEARING

### WHAT

In order to provide the victim with a statement about the relevant circumstances, it is important to minimize:

- security risks and intimidation and

- the risk of repeated traumatization/victimization.



A child victim is entitled to special procedural protection measures taking into account his / her best interests.

## WHEN

During the main hearing.

## WHO

- UTHBSM / NUSMSTHB at MOI
- Public prosecutor;
- Judge;
- Power of attorney;
- Guardian-support team;
- A person companion of ASSOC.

## HOW

- The procedural safeguards shall be determined by the court, on its own judgment, on the proposal of the public prosecutor or the support team of the victim,
- When deciding on the determination of specific procedural protection measures, the court must consider the will of the victim;



When a victim of trafficking is a child, the court must determine individually or together with another specific measure of protection, video and tone record of the statement and examination of the child to be used as evidence in the procedure. In exceptional cases, due to the new circumstances of the case, the court may order a re-examination of the child victim, most often once again using technical means of communication.

- A special way of testing with the use of technical means for the transmission of picture and sound, without the presence of the parties and other participants in the procedure in the room where the injured party or the witness is located, so that the parties, the counsel and the persons entitled to ask questions do this by means of the agency conducting the procedure, a psychologist, a pedagogue, a social worker or other expert,
- Avoiding contact with the perpetrator, or close faces of the perpetrator when entering the building, using a separate entrance, a separate room, etc.
- The support team should be in close proximity to the victim, during testimony and
- Excluding the public from the courtroom.

When it comes to a victim repatriated to the country of origin, and it is necessary to testify before the competent courts in the Republic of Macedonia, the PPO through international legal assistance, submits a request for finding and providing a victim-witness.

If the victim needs to testify, activities are undertaken about organizing her safe arrival in the Republic of Macedonia.

In cases where there are technical possibilities, the witness - a victim of trafficking in a foreign citizen, can be heard through a video conference and telephone questioning of the victim (LCP, Second Additional Protocol to the Convention on Mutual Legal Assistance in Criminal Matters).

## **MEASURE 4: PROGRAM FOR PROTECTION OF THE VICTIM - WITNESS FOR ENDING THE MAIN HEARING**

### **WHAT**

Depending on the risk assessment, the victim witness can return to the country of origin / other country. If the victim witness (a foreign citizen/a citizen of the Republic of Macedonia) enters the witness protection program, the following measures may be applied:

- preserving the secrecy of identity;

- providing personal protection;
- change of identity;
- change of residence or temporary residence.

Provide psychosocial assistance and support to the victim after the main hearing.

## WHEN

After the trial, as long as there is a risk to the victim's safety, their close faces from every kind of threat to their life, health, freedom, physical integrity or property on a larger scale.

## WHO

- DWP at MOI;
- NUSMSTHB / UTHBSM at MOI,
- ASSOC.

## HOW

- Changing the personal data of the witness;
- Providing safe living or temporary residence;
- Informing the victim and her family in advance of the release of the perpetrator.

After completion of the court procedure, the victim's safety is monitored in order to reduce the risk of re-victimization by the MOI and the support team.

## MEASURE 5: VICTIM SUPPORT FOR SUBMISSION OF PROPERTY - LEGAL REQUIREMENTS IN THE CRIMINAL PROCEDURE

### WHAT

The victim has the right to receive compensation for non-pecuniary damage from the perpetrator, for the damage sustained.

Compensation of the victim is realized by filing a legal and property claim in a criminal procedure. A proposal for the realization of the property and legal claim shall be submitted to the court before which the procedure is conducted.

The criminal court decides on property claims. Namely, the judgment by which the defendant is found guilty, the court decides in whole or in part for the legal and property claim. If the evidence in the criminal procedure does not provide a sufficient basis for the total or partial adjudication of the property and legal claim, and for their additional security there is a danger of undue delay of the criminal procedure, the court will refer the damaged property and legal claim to exercise it in a civil procedure.

For the purpose of protecting the property and legal claim in the criminal procedure, temporary measures for securing the property and legal claim arising from the commission of the crime can be determined. The temporary securing of property or assets includes temporary freezing, seizure, holding of funds, bank accounts and financial transactions or proceeds of the crime.

If necessary, the provisions of the CC for extended confiscation shall apply.

When the court passes an acquittal, it instructs the injured party to exercise his/her property legal claim in a civil procedure.



A child for whom a final court decision has been found to be a victim, that is, damaged by an act that is foreseen by law as a criminal act or misdemeanor with elements of violence, and to whom a legal and property claim has been recognized, may apply for compensation to the competent court .

After obtaining the opinion of the State Council for Prevention of Pandemic, the Minister of Justice adopts an annual program for compensation of child victim, ie damaged.

The court shall issue a decision for compensation in the amount of the awarded legal and property claim, without an increase on the basis of interest or other additional costs related to the execution of the claim.

The court shall submit the final decision for payment of the indemnification to the Ministry of Justice that makes the payment.

## WHEN

No later than the completion of the main hearing before the first-instance court.



For a child victim, when due to factual or legal obstacles, the property legal claim can not be executed from the property of the perpetrator of the crime or other act of violence, and when more than six months have elapsed since the effectiveness of the decision on the property legal claim.

## WHO

The claim is submitted by the victim through her attorney-in-charge guard.



For a child victim, the request may be indicated by parents, guardian and legal representative.

## HOW

- By informing the victim about her rights for compensation in the course of court proceedings and active participation in it;
- By providing free legal aid during the procedure;

- By informing the victim - a foreign citizen through her attorney for the course of the civil procedure that is conducted in the country of destination according to the LICCM;
- To share information in the destination country for the right to receive a property right claim and follow the victim by a support team.



By informing a child victim of the right to indemnification.



# CHAPTER C

## » ANNEX 1: EXTRACT FROM THE CRIMINAL CODE: CRIMES OF TRAFFICKING IN HUMAN BEINGS

### **Trafficking in human beings** **Article 418-a**

(1) A person who by force, serious threat leads to misconceptions or other forms of persecution, abduction, fraud, abuse of his position or condition of pregnancy, powerlessness or physical or mental inability to another, or by giving or receiving money or other benefit for the purpose of obtaining consent of a person who has control over another person or otherwise recruits, transports, transfers, buys, sells, harms or accepts persons for exploitation by means of prostitution or other forms of sexual exploitation, pornography, forced labor or servitude, slavery, forced marriages, forced pregnancy, unlawful adoption or similar treatment, begging or exploitation due to law prohibited activity or inadmissible transplantation of parts of the human body, shall be punished with imprisonment of at least four years.

(2) A person who takes away or destroys an identity card, passport or other person's identification document for committing the crime from paragraph 1 of this article shall be punished with imprisonment of at least four years.

(3) A person who uses or allows another person to use sexual services or other types of exploitation from persons he knew or was obliged to know to be a victim of human trafficking shall be punished with imprisonment of six months to five years.

(4) If the crime from paragraphs (1), (2) and (3) of this article is committed by an official person in the performance of the service, he shall be punished with imprisonment of at least eight years.

(5) The consent of the victim of trafficking in human beings for the purpose of exploitation provided in paragraph 1 shall not be of relevance to the existence of the offense referred to in paragraph 1.

(6) If the crime referred in this Article is committed by a legal entity, it shall be fined.

(7) The used property and the objects and means of transport used for the commission of the offense shall be seized.

## **Smuggling of migrants**

### **Article 418-b**

(1) A person who, by force or serious threat to attack life or body, by robbery, deception, self-interest, abuse of his official position or by exploiting the powerlessness of another, illegally transfers migrants across the state border, as well as who makes, acquires or holds false travel documents for such purpose, shall be punished with imprisonment of at least four years.

(2) A person who recruits, transports, transfers, buys, sells, harbors or accepts migrants, shall be punished with imprisonment of one to five years.

(3) If in the performance of the acts referred to in paragraphs 1 and 2 the life or health of a migrant is endangered, or if the migrant is treated particularly degradingly or cruelly, or preventing him from exercising the rights that belong to him under international law, the perpetrator shall be punished with imprisonment of at least eight years.

(4) If the crime from items 1 and 2 is committed with a minor, the offender shall be punished with imprisonment of at least eight years.

(5) If the crime from paragraphs (1), (2), (3) and (4) of this article is committed by an official person in the performance of the service, he shall be punished with imprisonment of at least ten years.

(6) The objects and means of transport used for the commission of the offense shall be seized.

## **Organizing a group and encouraging the execution of the deeds trafficking in human beings, trafficking in minors and smuggling of migrants**

### **Article 418-c**

(1) A person who organizes a group, gang or other association for committing crimes referred to in Articles 418-a, 418-b, 418-c and 418-d shall be punished with imprisonment of at least eight years.

(2) A person who becomes a member of a group, gang or other association referred to in paragraph 1 or otherwise helps the group, gang

or association, shall be punished with imprisonment of at least one year.

(3) A member of the group referred to in paragraph 1 who will disclose the group before committing a crime or for her composition shall be released from punishment.

(4) A person who calls, instigates or supports the commission of the crimes referred to in Articles 418-a, 418-b, 418-c and 418-d, shall be punished with imprisonment of one to ten years.

### **Trafficking in a child**

#### **Article 418-d**

(1) A person who will bring a child to perform sex acts or will enable sexual activity with a child or recruits, transports, transfers, buys, sells or offers for sale, acquire, provide, shelter or accept a child for exploitation by means of use in sexual activities for money or other compensation or other forms of sexual exploitation, pornography, forced labor or servitude, begging or exploitation due to law prohibited activity, slavery, forced marriages, forced fertilization, unlawful adoption or extortion accordance mediate adopt a child, the illegal transplantation of human organs, shall be punished with imprisonment of at least eight years.

(2) A person who commits the crime from item 1 by force, serious threat, misleading or other form of coercion, abduction, fraud, abuse of his position or condition of pregnancy, powerlessness or physical or mental disability of another , or by giving or receiving money or other benefits in order to obtain the consent of a person who has control over another person, or the offense has been committed against a child under the age of 14, shall be punished with imprisonment of at least ten years.

(3) A person who uses or allows another person to use sexual services or other forms of exploitation of a child he knew or was obliged to know to be a victim of trafficking in human beings, shall be punished with imprisonment of at least eight years.

(4) The user of sexual services from a child who has not reached 14 years of age, shall be imprisoned for at least 12 years.

(5) A person who takes away or destroys an identity card, passport or other person's identification document for the purpose of performing the crime referred to in paragraphs 1 and 2, shall be punished with imprisonment of

at least four years.

(6) If the crime referred to in paragraphs (1), (2), (3) and (4) of this article is committed by an official person in the performance of the service, shall be punished with imprisonment of at least ten years.

(7) The consent of the child with the actions provided for in paragraph 1 shall not be relevant for the existence of the crime referred to in paragraph 1.

(8) If the crime referred to in this Article is committed by a legal entity, it shall be fined.

(9) The real estate used and the objects and means of transport used for the commission of the offense, shall be seized.

## » ANNEX 2: LIST OF COMPETENT BODIES IN SOP IN THE REPUBLIC OF MACEDONIA

REPUBLIC OF MACEDONIA	
Responsible Authority	Contact data
Unit for trafficking in human beings and smuggling of migrants; Ministry of Interior; Skopje	<b>Ljupcho Markudov</b> Head Address: Dimche Mirchev 9, 1000 Skopje Phone: +389 2 314 23 77 Mob: +389738 38 96 e-mail: ljupco_markudov@moi.gov.mk
	<b>Biljana Lalova</b> Chief Inspector Address: Dimche Mirchev 9, 1000 Skopje Phone: +389 2 314 2433 Mob: +38970242623 e-mail: biljana_lalova@moi.gov.mk
Ministry of Labor and Social Policy; Skopje	<b>Elena Grozdanova</b> State counselor Address: Dame Gruev 14, 1000 Skopje Phone: +389 2 3129 308 Mob: +389 75 311 726 e-mail: egrozdanova@mtsp.gov.mk
Office of the national referral mechanism;	<b>Svetlana Cvetkovska</b> NRM Coordinator Address: Dame Gruev 14, 1000 Skopje Phone: +389 2 3 106 443 Mob: +38976456795 e-mail: scvetkovska@mtsp.gov.mk; nmuofficemk@yahoo.com
Basic public prosecutor's office for prosecuting organized crime and corruption	Public prosecutor <b>Vilma Ruskovska</b>  Public prosecutor <b>Gordana Smakoska</b> Head of NUSMSTHB

**Department for Border  
Affairs and Migration  
- BPS; Ministry of  
Interior; Skopje**

**Nikola Mirchevski**

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**Accepted center for  
foreigners; Skopje**

**Toni Stefanovski**

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**Department for witness  
protection; Ministry of  
Interior; Skopje**

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**International  
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**Jelena Krasic**

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**Association for Action  
Against Violence and  
Human Trafficking  
"Open Gate-La Strada",  
Skopje**

**Maja Varoshlija**

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lastrada@lastrada.org.mk

## » ANNEX 3: STATEMENT OF TRANSLATOR

NAME OF INSTITUTION \_\_\_\_\_

Evidence number \_\_\_\_\_

### STATEMENT

I \_\_\_\_\_, father's name \_\_\_\_\_  
PIN \_\_\_\_\_ from \_\_\_\_\_,  
in the capacity of an authorized translator of \_\_\_\_\_  
language, under the material and criminal responsibility, I declare that:

I do not know the victim of THB or its identity and place of residence.

Also, the information and data obtained during the interview between the victim of trafficking in human beings (code / case file number) and the official \_\_\_\_\_ in the capacity of an interpreter shall be considered as confidential and will not be abused, commented or otherwise misused way after this interview, except in court proceedings related to it.

Date and place

\_\_\_\_\_

Translator

\_\_\_\_\_

Signature

Official Officer

\_\_\_\_\_

Signature

## » ANNEX 4: STATEMENT OF THE VICTIM FOR KNOWLEDGE OF LANGUAGE

NAME OF INSTITUTION \_\_\_\_\_

Evidence number \_\_\_\_\_

### STATEMENT

I \_\_\_\_\_, father's name \_\_\_\_\_,  
born \_\_\_\_\_ in \_\_\_\_\_, PIN \_\_\_\_\_,  
PI No. \_\_\_\_\_, regarding the interview  
with the official \_\_\_\_\_ representative of \_\_\_\_\_,  
on the question of whether I know the Macedonian language and  
whether I agree to the interview to be conducted in Macedonian  
language or to be provided with an interpreter of my native language  
\_\_\_\_\_ I DECLARE:

That I KNOW and AGREE the interview to be conducted in Macedonian.

Date and place  
\_\_\_\_\_

Interviewed person  
\_\_\_\_\_

Signature

Official Officer  
\_\_\_\_\_

Signatur

## » ANNEX 5: FORM FOR IDENTIFICATION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS

BASIC DATA ON THE VICTIM		
Name and surname/ PIN	Nickname and personal traits	Date and place of birth:
First and last name of the parents:		
Address	Gender a) male b) female	Language on which he/ she speaks
Phone contacts:		
Place of residence / state	Citizenship	Nationality
<b>Education</b> a) without education b) incomplete primary c) primary d) incomplete secondary e) secondary f) college / high		
<b>Marital status</b> a) unmarried b) married c) separated d) extramarital community e) divorced f) widower / widow		<b>Are there children?</b> _____ _____ _____
How long ago did he/she leave the place of residence?		
Reasons for leaving the place of residence:		

a) voluntarily                      b) forced

b) forced

a) family      c) unknown person      e) other \_\_\_\_\_  
b) friends      d) spouse

a) force  
b) serious threat  
c) delusion  
d) coercion  
e) abduction  
f) fraud  
g) lie  
h) telling half-truth  
i) use of force  
j) advertisement or other way to get a job, etc.  
k) blackmail

- a) transport (means of transport) \_\_\_\_\_
- b) transmission (illegal / legal)
- c) hiding
- d) acceptance and sheltering

- a) exploitation by prostitution
- other forms of sexual exploitation, pornography
- b) forced labor / servitude
- c) slavery
- d) forced marriages
- e) forced pregnancy
- f) unlawful adoption
- g) begging or exploitation due to a law prohibited activity,
- h) inadmissible transplantation of parts of the human body

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**PRELIMINARY CONTACT WITH THE VICTIM****LANGUAGE OF COMMUNICATION:**

WHO:

WHERE:

DATE:

	YES	NO	NOTE
The person owns travel documents or identification documents			
The documents were retained by the employer / other person			
Identification documents were forged and / or obtained from unknown / third party			
Are there any financial means?			
The person had limited freedom of movement			
The person was held in isolation alone or with other persons			
Was there a person who controlled the movement of the victim			
There are visible injuries on the body - traces of violence			
Has the person been forced into something?			
The person knows the place where he / she is / knows the route of the movement .. (places, towns ...)			
The person knows the language we are addressing			
Knows the ultimate destination of the trip			
Leaves the impression that the data that he / she has been given has been told by another person			

**WAYS OF INPUT / OUTPUT IN MACEDONIA (ONLY FOR FOREIGNERS)**

Another person arranged a trip and / or getting visa			
The application for an entry / exit visa was submitted by another person			
Work permit was granted on different basis			
The person was required to perform other activities under coercion / threat			
The person traveled with an escort, whereby the carriage was paid and received instructions for the conduct of the border crossing			
The person traveled alone / without an escort			
The person fears that he/ she will be expelled			
The person entered the country illegally			
<b>MANDATED TO BE COMPLETED FOR ALL</b>			
The socio-economic situation is difficult and there is a lack of perspectives in the country-region of origin			
The family is dependent on the person's income			
The person has been recruited in the country-region from where he originated through a advertisement or otherwise received a job offer			
Is there a contract for work?			
Job promises do not correspond with the working and living conditions in the region or country of destination			
A work permit was promised to the person, which was never given to him / her			

STATE OF WORK / WORKING CONDITIONS			
The person has limited freedom of movement / communicates under supervision			
Has a working time longer than the prescribed legal maximum			
Work in inappropriate conditions (eg must work immediately after illness or termination of pregnancy)			
The person has no access to medical assistance			
The person is addicted of a) alcohol              b) drugs              c) medicines			
CONDITIONS OF EXPLOITATION			
The person knew that he would be forced to exploitation			
The person was punished with physical violence (other)			
The person often changed the locations of exploitation			
METHOD OF PAYMENT			
The person received a financial allowance			
Received a part of the agreed amount			
He / She did not receive any compensation			
Did not receive compensation for the following reasons:			
Should pay off debts due to travel, taking the passport, accommodation and more.			

He / She had to return a fixed daily or weekly amount for stay and food			
A certain part of the revenue should have been given to third parties			
Reversal or retention of income for disobedience			
<b>IS THE PERSON IDENTIFIED AS A VICTIM?</b> Yes <input type="checkbox"/> No <input type="checkbox"/> Potential <input type="checkbox"/>			
NOTE: Date _____ Person conducting the interview _____ Translator _____ Other present (parent / guardian)- _____ - _____			

## » ANNEX 6: LIST OF BODIES FOR TRANSNATIONAL COOPERATION<sup>27</sup>

### Albania

TRM Measures	Responsible Body	Contact Details
<b>Identification</b>	Chief of Sector Against Illegal Trafficking; General Directorate of State Police, Ministry of Interior, Tirana	<b>Mr. Alban Cela</b> E-mail: alban.cela@asp.gov.al
<b>Rehabilitation and Reintegration Assistance</b>	Executive Director, Different & Equal (D&E) NGO, Tirana	<b>Mrs. Marjana Meshi/Muslia</b> Tel: +355 4 2254 532 Mob: +355 69 20 88696 E-mail: mmeshi@yahoo.co.uk
<b>Rehabilitation and Reintegration Assistance</b>	Executive Director; Psycho-Social Center "Vatra" NGO; Vlorë	<b>Mrs. Brikena Puka</b> Mob: +355 692083339 E-mail: brikena_puka@yahoo.com
<b>Return</b>	Chief, Readmission Sector- Border and Migration Directorate, Ministry of Interior, Tirana	<b>Mr. Ylli Kumrija</b> Tel: +355 4 2279 251 Fax: +355 4 2279 263 Mob: +355 69 41 02357 E-mail: kumrijay@mrp.gov.al
<b>Criminal Proceedings and compensation claims</b>	Prosecutor, General Prosecutor's Office, Tirana Prosecutor, Serious Crimes Court, Tirana	<b>Mr. Arta Marku</b> Tel: 2234850 Fax: 2229085 E-mail: amarku@pp.gov.al  <b>Mrs. Donika Prela</b> Tel: 042282060 E-mail: dprela@pp.gov.al
<b>Rehabilitation and Reintegration Assistance</b>	Executive Director, QKPVT/ State Center	<b>Mr. Rezart Sulstarova;</b> Mob: +355 692195014 E-mail: qkpvt.shqiperi@gmail.com
<b>Rehabilitation and Reintegration Assistance</b>	Executive Director Center "Other Vision", NGO Elbasan	<b>Mr. Arian Çala</b> Mob: +355 692030201 E-mail: aricala@gmail.com
<b>Regional contact points (state social services) for referral of trafficking cases</b>		
<b>Name, city</b>		
<b>Ms. Luneda Sufali</b> Director, General of State Social Services, E-mail: luneda.sufali@sherbimisocial.gov.al		
<b>State Social Services, (Ms. Manjola Kaci) Tirana</b> Mob: 0355 0692025097 E-mail: manjola1@yahoo.com		

List of Transnational Referral Mechanism Contacts in South-Eastern Europe | 2

<sup>27</sup> The last revised version of the TRM contact list July 2018.

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**State Social Services (Ms. Mirela Buhuri) Berat**

Mob: +355 698537995  
E-mail: mbuhuri@yahoo.it

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**State Social Services (Ms. Magdalena Margariti) Gjirokastrë**

Mob: 355 692673463  
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**State Social Services (Ms. Ines Stasa ) Vlorë**

Mob: 355 693391040  
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**State Social Services (Ms. Alba Stefa ) Fier**

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**State Social Services (Ms. Marsida Haxhiu Elbasan**

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---

**State Social Services (Ms. Migena Gjici) Kukës**

Mob: +355 694443336  
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---

**State Social Services (Ms. Sonila Braha) Dibër**

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**State Social Services (Mr. Keler Sufja) Lezhë**

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---

**State Social Services (Ms. Valbona Tula) Shkodër**

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**State Social Services (Ms. Marjana Jorgji) Korçë**

Mob: 355 692504959  
E-mail: mariana.lara\_tdh@yahoo.com

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# Bosnia and Herzegovina

TRM Measures	Responsible Body	Contact Details
Identification	Office of the National Anti-Trafficking Coordinator, Sarajevo	<b>Ministry of security BiH, Department for combating trafficking in human beings: Greece and Bosnia and Herzegovina friendship Building</b> 12th floor; Office nr 1224 Trg BiH 1, 71000 Sarajevo Tel/fax: +387 33 492 454 +387 33 710 531 E-mail: uredk@msb.gov.ba
Crisis Intervention Care	Office of the National Anti- Trafficking Coordinator, Sarajevo	<b>Ministry of security BiH, Department for combating trafficking in human beings: Greece and Bosnia and Herzegovina friendship Building</b> 12th floor; Office nr 1224 Trg BiH 1, 71000 Sarajevo Tel/fax: +387 33 492 454 +387 33 710 531 E-mail: uredk@msb.gov.ba
Rehabilitation and Reintegration Assistance	Office of the National Anti- Trafficking Coordinator, Sarajevo	<b>Ministry of security BiH, Department for combating trafficking in human beings: Greece and Bosnia and Herzegovina friendship Building</b> 12th floor; Office nr 1224 Trg BiH 1, 71000 Sarajevo Tel/fax: +387 33 492 454 +387 33 710 531 E-mail: uredk@msb.gov.ba
Return	Office of the National Anti- Trafficking Coordinator, Sarajevo	<b>Ministry of security BiH, Department for combating trafficking in human beings: Greece and Bosnia and Herzegovina friendship Building</b> 12th floor; Office nr 1224 Trg BiH 1, 71000 Sarajevo Tel/fax: +387 33 492 454 +387 33 710 531 E-mail: uredk@msb.gov.ba
Criminal Proceedings and compensation claims	Office of the National Anti- Trafficking Coordinator, Sarajevo	<b>Ministry of security BiH, Department for combating trafficking in human beings: Greece and Bosnia and Herzegovina friendship Building</b> 12th floor; Office nr 1224 Trg BiH 1, 71000 Sarajevo Tel/fax: +387 33 492 454 +387 33 710 531 E-mail: uredk@msb.gov.ba

# Bulgaria

TRM Measures	Responsible Body	Contact Details
Identification	National Commission for Combating Trafficking in Human Beings, Sofia	Address: Blvd. "G.M.Dimitrov" 52A, 1 floor, 1797 Sofia Tel: +359 2 807 8050 +359 2 807 8052 Fax: +359 2 807 8059 E-mail: office@antitrafficking.government.bg
	GDBOP General Directorate "Fight against organized and serious crime", Ministry of Interior, Sofia	Address: 1784 Sofia, 133A Tzarigradsko shose blvd. Sofia, Bulgaria; Tel: +359 2 98 28 363; E-mail: gdbop@mvr.bg
	National Investigation Services, Sofia	Address: 1797 Sofia, 42 G.M.Dimitrov blvd.; Tel: +359 2 982 6666; E-mail: nsls@nsls.bg
	International Organization for Migration (IOM), Sofia	Address: 77 Tzar Assen street, Sofia, Bulgaria; Tel: +359 2 93 94 774; E-mail: iomsosia@iom.int
	NGO Animus Association Foundation, Sofia	Address: "Ekzarh Yossif" Street 85, 1000 Sofia Tel/fax: +359 2 983 5205 +359 2 983 5305 +359 2 983 5405 Hotline: +359 2 981 7686 E-mail: animus@animusassociation.org
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<b>Return</b>	National Commission for Combating Trafficking in Human Beings, Sofia	Address: Blvd. "G.M.Dimitrov" 52A, 1 floor, 1797 Sofia Tel: +359 2 807 8050 +359 2 807 8052 Fax: +359 2 807 8059 E-mail: office@antitrafficking.government.bg
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	National Investigation Services, Sofia	Address: 1797 Sofia, 42 G.M.Dimitrov blvd. Sofia, Bulgaria; Telephone: +359 2 982 6666; E-mail: nsis@nsis.bg
	Supreme Prosecutor's Office of Cassation, Sofia	Address: 2,"Vitosha" Blvd, 040 Sofia, Bulgaria; Tel: +359 2 9219 235 Fax: +359 2 9219 452
	Ministry of Justice	Address: "Slavyanska" 1, 1000 Sofia, Bulgaria; Tel: +359 2 981 9157; +359 2 923 75 55; E-mail: priemna@justice.government.bg
	National Bureau for Legal Aid	Address: 1421 Sofia, 1 Razvigor str. Sofia, Bulgaria; Tel: +359 2 8193200; E-mail: nbpp@nbpp.government.bg National hotline on legal aid 070018250
	National Council for Assistance and Compensation to Crime Victims	Address: 1040 Sofia, 1 Slavyanska Str. Sofia, Bulgaria; Tel: +359 2 923 73 59; E-mail: compensation@justice.government.bg

# Croatia

TRM Measures	Responsible Body	Contact Details
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<b>Crisis Intervention Care</b>	Mobile teams, Croatian Red Cross, Zagreb	<b>Ms. Selma Golubovic</b> Tel: + 385 99 3114 862 E-mail: selma.golubovic@hck.hr
<b>Rehabilitation and Reintegration Assistance</b>	Operational Team, Office For Human Rights (National Coordinator), Zagreb	<b>Alen Tahiri, M.A. Pol Sci, Director</b> (National Coordinator) Office for Human Rights and Rights of National Minorities Government of the Republic of Croatia Tel: +385 (0)1 4569 358 Fax: +385 (0)1 4569 324 E-mail: alen.tahiri@uljppnm.vlada.hr  <b>Ms. Danijela Gaube</b> Assistant Director Office for Human Rights and Rights of National Minorities Government of the Republic of Croatia Tel: +385 1 6303047 Fax: +385 1 4569 324 E-mail: danijela.gaube@gmail.com  <b>Ms. Mihaela Marušić, Advisor</b> Government of the Republic of Croatia Office for Human Rights and Rights of National Minorities Tel: +385 1 6303 041 Fax: +385 1 4569 324 E-mail: mihaela.marusic@uljppnm.vlada.hr
<b>Return</b>	Illegal Migration Unit, Ministry of Interior, Zagreb	<b>Ms. Lidija Pentavec</b> Tel: +385 1 3788 559 Fax: +385 1 37 88 158 E-mail: lpentavec@mup.hr
<b>Criminal Proceedings and compensation claims</b>	Croatian State Attorney Office, Zagreb	<b>Ms. Andrea Šurina Marton</b> Tel: +385 98 466695; +385 49 426 900 Fax: +385 49 467 650 E-mail: andrea.surina@zg.t-com.hr; zdo-zlatar@kr.tnnet.hr

List of Transnational Referral Mechanism Contacts in South-Eastern Europe | 7

# Kosovo\*

TRM Measures	Responsible body	Contact Detail
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		<b>Mr. Riza Murati</b> Lt/ Chief of Investigation Section/ Kosovo* Police / Directorate for Investigation of Trafficking in Human Beings; Tel: +38138 5080 1932 +37744 505 626 E-mail: Riza.murati@kosovopolice.com
	Ministry of Interior, Pristina	<b>Mr. Milan Radojevic</b> National Coordinator-THB/MiA, Pristine Tel: +3774599808 E-mail: Milan.radojevic@rks-gov.net
		<b>Mr. Naim Muja</b> Director/Secretariat of Strategies/MiA, Pristina Tel: +38138200 19 622 +37744618355 E-mail: Naim.muja@rks-gov.net
		<b>Ms. Arbenore Mikullovci</b> Senior Officer/Secretariat of Strategies/ MiA, Pristina Tel: +38138 200 19514; E-mail: arbenore.i.mikullovci@rks-gov. net;
	Ministry of Justice, Pristina	<b>Mr. Basri Kastrati</b> Director/State Prosecution/Office for protection and assistance to victims/ Victims Advocate/, Pristine; Tel: +37744345357 E-mail: Basri.kastrati@rks-gov.net

\* This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo declaration of independence.

<b>Crisis Intervention Care</b>	PVPT – Centre for protection of Victims of Trafficking in Human Beings, Pristina	<b>Ms. Hamijet Dedolli</b> Executive Director Tel: +377 44 167 395 E-mail: Hamijet_dedolli@yahoo.com
	Ministry of Justice, Pristina	<b>Mr. Basri Kastrati</b> Director/State Prosecution/Office for protection and assistance to victims/ Victims Advocate/, Pristine; Tel: +37744345357 E-mail: Basri.kastrati@rks-gov.net
	Anti-Trafficking Police Unit	<b>Mr. Fehmi Khata</b> Major/Director/Kosovo* Police/ Directorate for Investigation of Trafficking in Human Beings Tel: +381381984 & 1890; +37744274 594 E-mail: fehmi.xhata@kosovopolice.com
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<b>Rehabilitation and Reintegration Assistance</b>	IOM, Pristina	<b>Ms. Shqipe Pallaska</b> Project Assistant/IOM, Pristina Tel: +381 38 249 040 Ext.:231 +377 45 976 820; +377 44 149 429; E-mail: spallaska@iom.int
	Ministry of Labor and Social Welfare/ MLSW	<b>Ms Adile Shaqiri</b> Senior Officer /MLSW/Department for social policies and family/THB victims/ Tel. +38138 213 931 ext.. 26 131; +377 (0) 44 342 375 E-mail: adile.shaqiri@ks-gov.net
	PVPT – Centre for protection of Victims of Trafficking in Human Beings, Pristina	<b>Ms. Hamijet Dedolli</b> Executive Director Tel: +377 44 167 395 E-mail: Hamijet_dedolli@yahoo.com
	NGO-Shpresa dhe Shtëpitë e Fëmijëve-Kosovë/ Hope and Homes for Children-Kosovo*	<b>Ms. Valbona Citaku</b> Director Tel: +377 44 200 353 E-mail: vqitaku@yahoo.com, sdsf_ks@yahoo.com
	MLSW-State Shelter	<b>Ms. Zekrije Beqiri</b> Director Tel: +381 (0) 38 582 212 & +381 (0) 38 582 211; +377 (0) 45 283 811 E-mail: zekrije.beqiri@rks-gov.net

\* This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo declaration of independence.

Return	Department for Citizenship, Asylum and Migration (DCAM), MiA, Pristina	<b>Mr. Valon Krasniqi</b> Director/DCAM/MiA, Pristina Tel: +37745 868 686 E-mail: Valon.krasniqi@rks-gov.net
	Kosovo* Police/Border Police/ Directorate for Migration and Foreigners (DMF)	<b>Mr. Rrahman Sylejmani</b> Colonel/Director/Kosovo* Police/DMF Tel: +377 44 506 340
	Anti-Trafficking Police Unit	<b>Mr. Fehmi Xhata</b> Major/Director/Kosovo* Police/ Directorate for Investigation of Trafficking in Human Beings Tel: +381381984 & 1890; +37744274 594 E-mail: fehmi.xhata@kosovopolice.com
		<b>Mr. Riza Murati</b> Lt/ Chief of Investigation Section/ Kosovo* Police / Directorate for Investigation of Trafficking in Human Beings; Tel: +38138 5080 1932 +37744 505 626 E-mail: Riza.murati@kosovopolice.com
	Ministry of Labor and Social Welfare/ MLSW-Center for Social Welfare POC	<b>Ms Adile Shaqiri</b> Senior Officer /MLSW/Department for social policies and family/THB victims/ Tel: +38138 213 931 ext. 26 131; +377 (0) 44 342 375 E-mail: adile.shaqiri@ks-gov.net
Criminal Proceedings and Compensation Claims	State Public Prosecutor Office, Pristina	<b>Mr. Besim Kelmendi</b> Tel: +38138248018 E-mail: besim_kelmendi@yahoo.com
	Kosovo Judicial Council, Pristina	<b>Mr. Besnik Ramosaj</b> Director of Statistics Department/KJC; Tel: +38138 20017445; +377 44 217372 E-mail: besnik.ramosaj@rks-gov.net
	Ministry of Justice, Pristina	<b>Mr. Basri Kastrati</b> Director/State Prosecution/Office for protection and assistance to victims/ Victims Advocate/, Pristine; Tel: +37744345357 E-mail: Basri.kastrati@rks-gov.net

\* This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo declaration of independence.

# Macedonia

TRM Measures	Responsible Body	Contact Details
	Sector for Trafficking in Human Beings and Illegal Migration, Ministry of Internal Affairs, Skopje	<b>Mr. Ljupcho Markudov</b> Head of the Unit for THB and SM Address: Dimche Mircev 9, 1000 Skopje Tel: +3897232377 Mob: +38970383896 E-mail: ljupco_markudov@moi.gov.mk
	Office of the National Referral Mechanism, Ministry of Labour and Social Policy, Skopje	<b>Ms. Elena Grozdanova</b> State Councillor Address: Dame Gruev 14, 1000 Skopje Tel: +389 2 3106 558 Mob: +389 70 311 726 E-mail: egrozdanova@mtsp.gov.mk
Identification and referral		<b>Ms. Svetlana Cvetkovska</b> NRM Coordinator Address: Dame Gruev 14, 1000 Skopje Tel: +389 2 3129308 Mob: +38970498113 E-mail: scvetkovska@mtsp.gov.mk; nmuofficecm@yahoo.com
	National Commission for fight against trafficking in human beings and illegal migration	<b>Magdalena Nestorovska</b> National Coordinator for fight against trafficking in human beings and illegal migration Tel: +38923238595 Address: ul. Dimce Mircev 9 1000 Skopje, Makedonija E-mail: magdalena_nestorovska@moi.gov.mk Web-page: nacionalnakomisija.gov.mk
	NGO Open Gate, Skopje	<b>Ms. Maja Varoslija</b> Tel/fax: +389(0)2700107 Mob: +38970367639 E-mail: mvaroslija@lastrada.org.mk;
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## » ANNEX 7: STATEMENT FOR INFORMED CONSENT

### STATEMENT

I \_\_\_\_\_ from \_\_\_\_\_  
with PIN \_\_\_\_\_ a place of residence in \_\_\_\_\_  
declare that I am informed about the following  
measures / services of assistance and protection that will be provided to  
me and I am aware of my rights and agree to be accommodated and to  
use CVT / RCF:

- adequate and safe accommodation;
- medical, psychological and social assistance;
- material assistance,
- translation and interpretation of advice and information on their legal rights;
- legal assistance during the criminal or other proceedings in which the victim exercises his / her rights;
- the right to education,
- appropriate judicial or administrative procedures, as well as the exercise of the right to asylum;
- the possibilities and the procedure for their return to the country whose citizens are or in which they were legally resident prior to their entry into the territory of the Republic of Macedonia; and
- the conditions for issuing a temporary residence permit;

I am informed that I have the opportunity to submit a COMPLAINT for the comments related to the offered services and procedures.

I sign the statement voluntarily<sup>28</sup>

**Name and surname**

Signature

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<sup>28</sup> For child victims, the consent is signed by the parent / guardian and the competent CSW adopts a decision for accommodation.

## » ANNEX 8: ASSESSMENT OF THE RISK AND SECURITY / checklist

### GENERAL RISK ASSESSMENT

#### A. Initial assessment of the state of health

1	Physical state and signs of violence: <ul style="list-style-type: none"> <li>• Previous and present injuries;</li> </ul>
2	Mental condition: <ul style="list-style-type: none"> <li>• Insomnia;</li> <li>• Anxiety-nervousness;</li> <li>• Depression.</li> </ul>
3	Health situation- perceived: <ul style="list-style-type: none"> <li>• Mental and emotional disorders; (attachment document)</li> <li>• Psychological disturbances;</li> <li>• Current health status;</li> <li>• High-risk situations;</li> <li>• A risky way of life.</li> </ul>

#### B. Initial assessment of security risk (opinion of MOI - UTHBSM - NUSMSTHB and CSW / MLSP).

1	Current safety concerns;
2	Previous security threats;
3	Concrete individuals who can create problems;
4	Concerns about the safety of family members;
5	Risky locations for the person;
6	Other.

## CHECKLIST

1	<ul style="list-style-type: none"> <li>• If you go home, how would you feel?</li> <li>• Where would you feel safe?</li> <li>• Have anyone threatened your family / friends?</li> <li>• Did someone threaten you?</li> <li>• Do the perpetrators know where you / your family live?</li> <li>• Are offenders part of your family, friends, or close social groups?</li> <li>• What should / can be done to make you feel secure?</li> <li>• How will your family / friends react when you return home?</li> <li>• Do you want to return to school, work, university, etc.?</li> </ul>
2	<p>Risk assessment by the police:</p> <ul style="list-style-type: none"> <li>• Did the perpetrators threaten the family or friends?</li> <li>• Are the perpetrator's circles a part of the family, friends or social group?</li> <li>• Do the perpetrators know the place of residence on the person?</li> <li>• Is the police in the country of origin able and willing to protect the victim from possible reprisals or violence (in case of a victim - a foreign citizen)?</li> <li>• Has criminal proceedings been initiated against the perpetrator?</li> <li>• Is it a single or organized group of perpetrators? What are his / her relations with the victim?</li> <li>• Risk assessment through police records, as well as through information obtained from third parties.</li> </ul>
3	<p>Risks in social inclusion:</p> <ul style="list-style-type: none"> <li>• Threat of criminal prosecution or misdemeanor procedure for acts committed during the state of exploitation;</li> <li>• Infrastructure status - accessibility to the place of residence;</li> </ul>

3

- Possibilities for protection through the local police;
- Stigmatization, marginalization, social isolation;
- Participation in the victim-witness program;
- Access to social services, institutions which provide accommodation;
- Providing medical, psychological, legal counseling;
- Opportunity to continue vocational training or education;
- Possibility of permanent accommodation;
- Possibility for long-term, independent economic security;
- Possibility to return to the family; family situation (violence, abuse, etc.);
- Community situation;
- Civil unrest;
- The physical and psychological state of the victim.

## » ANNEX 9: ASSESSMENT OF THE NEEDS OF VULNERABLE CATEGORIES OF PERSONS AND VoT<sup>29</sup>

Assessment of basic needs for support of a vulnerable person \_\_\_\_\_ (type of vulnerability) or victim of trafficking.

The assessment is dynamic and revised over time by meeting the needs of persons or, as a result of changing the nature or scope of needs.

Through the appraisal process, he tries to achieve the following:

- 1) Determine the scope and nature of the needs of vulnerable persons and / or victims of trafficking in human beings,
- 2) Determine the capacities of persons / victims of trafficking in human beings in order to be able to handle these needs.
- 3) Determine the capacities of the social environment of trafficked persons / victims to deal with these needs.

### The assessment is done on:

- 1) **Income** This should be adequate to the basic needs of life. Find out whether vulnerable people or victims of trafficking have the ability to take care of themselves. Investigate their eligibility as well as their parents, whether they are socially insured or receive compensation for unemployment.
- 2) **Housing and shelter** These needs interact with other variables; income, ability of vulnerable persons or victims of trafficking for independent life, access to housing, family safety and how satisfied they are with housing.
- 3) **Employment** Recognize past employments and skills. Identify professional guidance, valuation, employment, and training opportunities. If they can not meet this need through a personal initiative with public employment programs or non-governmental organizations, to ensure that this category is in full-time employment, or their employment has ceased (reasons).

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<sup>29</sup> The template is a guide for determining the needs of the vulnerable persons / VoT, after analyzing the same, a priority intervention plan is being prepared.

4) **Caring for health** This is a critical area and includes psychic, optical, dental and preventive aspects. Find out the former health, cultural and personal health. Psychosomatic health is considered developmentally, sometimes related to current family problems, but may also affect the socioeconomic situation of vulnerable persons or victims.

5) **Mental Health** These needs are manifested in behavior, internal expressions in everyday life. The release from depression and anxiety, having a positive attitude and self-actualization options are aspects of mental health.

6) **Social and personal relationships** Assist in meeting intimate needs, social integration, self-worth and self-help. Evaluate skills and abilities in relation to social relationships and determine their social network. Social ties satisfy five functions: intimacy, integration into society, opportunity for mutual care, confirmation of values and help.

7) **Recreation and leisure** Reflects the quality of life. Focus on the recreational opportunities that are available and ask them if they are acceptable to them.

8) **Activities in daily life** As activities that are evaluated to find out if they can withstand an independent life. One of the needs is to be able to prepare food, to bathe and to dress. Discover if they are able to bargain, clean and pay bills. Many vulnerable groups in this area require careful assessment. The social network and social services are sources of support.

9) **Transport** Can the victim of trafficking in human beings and risk groups move independently or need help. The social worker should assess the availability of means of transport and their need for organizing specialized transport programs.

10) **Legal Assistance** This refers to power of attorney authorization and protection of victims of trafficking in human beings and risk groups by linking with lawyers to provide legal assistance.

11) **Education** These needs are assessed through the learning of the disadvantages of the vulnerable persons or the victim and the orientation towards education. Education can serve for professional, communication and other basic skills for intellectual or cultural development.

- 12) **Measurement capabilities for independent functioning** Ability to the extent that vulnerable persons or victims can function independently.
- 13) **The assessment of the state of cognitive functioning observes** the real orientation, intellectual abilities, judgment, flexibility, harmony in understanding, values and their conformity with the behavior and conception of oneself.
- 14) **The assessment of emotional functioning** refers to the presence or absence of depression, worry or disturbing effects. It also applies within the emotions and style of their control.
- 15) **The state of functioning of behavior** is assessed by assessing social skills (sensitivity to others, cooperation, and confirmation) personal hygiene, degree of organization, listening skills, self-expression skills, attendance or absence of aggression, level of motivation and readiness to be responsible.

## » ANNEX 10: GUIDELINES FOR ASSESSMENT OF THE FAMILY

### Objective:

The assessment of the family is done in order to determine the eligibility of the family and its capacities for participation in the reintegration and re-socialization of the member of the family - a victim of trafficking in human beings.

### Who:

Professional worker from the competent center for social work.

### How:

The assessment of the family is done using methods, techniques and forms of social work.

**Methods:** conversation, observation, advisory and counseling work;

**Techniques:** content analysis, family visit;

**Forms of work:** individual and family work (group).

### Elements contained in the assessment:

- Family structure: number of members / age;
- Housing conditions;
- Degree of education;
- Health state;
- Employment / income in the family;
- Functioning family / family relationships;
- Educational style of parents;
- Use of free time.



