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| PLAN  &  GO | **Manual**  **For the creation, training and aplication of protection politics for women and children in Hospitality and tourism managment field.** |

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**Shkurtime**

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| AKT | National Agency of Tourism |
| ECPAT | End Child Prostitution in Asian Tourism |
| ILO-IPEC | International Program on the Elimination of Child Labour |
| KKSPT | Advisory Comity for the Private Sector in Tourism |
| KMST | Managing of Touristic Season Comity |
| NPCT | Network for the Protection of Children in Tourism |
| NJVV | Local Authority |
| TCSO | Travelling child sex offender |
| SECTT | Sexual exploitation of  children in travel and tourism |
| TFNIST | Task-Force Ndërinstitucionale e  Sezonit Turistik |
| RRQT | Central Registre of Tourism |
| UNWTO | The United Nations World Tourism Organization |
| PCMF | Punonjësi i Caktuar për Mbrojtjen e Fëmijëve (ne resort) |

1. **Aim and target groups of the Manual**

This manual was constructed based on the knowledge and experience of the Plan & Go experts in the support of women and children sexually exploited and trafficked and also in the experience of our partners to guarantee support for the people accommodated in “ Rafaelo” Resort in Shëngjin and “Kolaveri” in Golem.

This manual aims to aid “ Rafaelo” Resort in Shëngjin and “Kolaveri” in Golem in completing their legal obligations to protect children and women.

With this manual Plan & Go aims to: raise the awareness of the parties involved in tourism on the vulnerability of women and children especially regarding abuse and sexual exploitation; enabling employees in recognizing the signs of abuse and trafficking of women and children so they can report and refer the cases immediately. Plan & Go hopes that this material will incentivize the tourism parties to initiate steps to make this field safe for children and women.

**2.** **The actual situation and the risks that woman and children face in the field of hospitality and managment.**

**2.1 Actual situation and risks for the children**

**2.1.1 Situation and risks for children accordin to literature**

According UNICEF , It is estimated that 1 million children enter every year in the multimillion market of commercial sex[[1]](#footnote-1)

The ECPAT report of 2016 showed that Central and Eastern European countries are the source and destination of SECTT. According to ECPAT, SECTT has become more invisible, moving into indoor spaces such as clubs, hotels and other spaces in the urban, rural and seaside areas. Meanwhile some felons continue to have contacts with children that are vulnerable in the street, wide access in internet and mobile phones allows felons to lower their visibility and as a result the risk of being arrested. The Internet is also used in Europe to do the marketing of the commercial sex services, contacting and grooming children before the journey and information exchange about the place where to approach the child and to start contact with him/her. The felons profile has become more complex. Emigrants and other residents with a prolonged stay in a country are mostly the outlaws including SECTT in European destinations. Globalization in the work market, combined with the government policies aim to stimulate foreign investments and economic growth, have resulted in an unprecedented movement of highly qualified employees. Attracted by the affordable housing and a lower total living cost, a lot of people are moving outside the country. Short and long term business travelers, together with the tourists, are an important source of the demand for SECTT. [[2]](#footnote-2)

According to ECPAT, some new touristic products have been created. The demand for authenticity and the growing interest to contribute in some way in the destination country, have led to new forms of tourism – turning your house into a hotel- and an increase in the number of tourist that volunteer. While aiding the communities, these products represent new risks for the children when there are no actions taken in order to protect and the financial profit is the only purpose in developing tourism. The new developments of the “economy of sharing” that allows travelers to interchange accommodation, transport and other services through online platforms ( Airbnb and Uber) can offer a new channel to commit crimes against the vulnerable children.[[3]](#footnote-3)

The report observed that Central and Eastern European countries often lack laws to protect the children. In these countries measures have been taken at regional level against sexual exploitation, especially against trafficking, only a few treat SECTT and sometimes it is treated in a wide context of violence or child protection.[[4]](#footnote-4)

According to the same report, the number of countries that have approved national action plans has drastically declined, signaling a decrease in the attention for the topic. Some countries have included their answer to SECTT in a bigger picture of violence and child protection, not allowing to address SECTT specifically. Despite this, no government seems to have created a specific institution to coordinate and monitor the politics and initiatives to treat this issue systematically. Furthermore, most importantly, the existing mechanisms for child protection lack the human resources and financial capitals necessary to guarantee the coordination of the interested parties. [[5]](#footnote-5)

In the ECPAT evaluation report in 2020, Albania has ratified a series of instruments national and regional that articulate the attempt to fight sexual exploitation of children. However, gaps remain that seriously impede the implementation organs to fight these crimes. ECPAT noticed that the term “material of sexual abuse of children” wasn’t specified in the law and for this reason offenses such as “grooming” and “forcing to do sexual acts”[[6]](#footnote-6) . continue not to be considered criminal. ECPAT also noticed that children are not sufficiently protected from forced marriage at a young age and marriage of minors because the Albanian law allows children to get married for “sufficient reasons" [[7]](#footnote-7) set in the past, children have been criminalized for involvement in prostitution. In spite of the lobbing from the social society, Albania also lacks specific action planes in a national level about the sexual exploitation of children. Plans that focus on traffic and sexual exploitation are poorly financed. [[8]](#footnote-8)

The evaluation published in 2020 found insufficient data, awareness and legal actions about the case of sexual exploitation of children in travels and tourism, in spite of the country becoming a popular touristic destination, with 6,094,889 visitors in 2019 compared to 3,415,550 visitors in 2014. [[9]](#footnote-9)

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| According to the tourism strategy, in all the country operate 2,437 accommodating structures. 65% of the total number are hotels, the rest are houses and rooms. According to the data provided by the QKB, in the country have been licensed 75 tour operators and 322 travel agencies with a different distribution in the country but mostly situated in Tirana. In Albania, based on the legal system, until the third trimester of 2018 from the Ministry of tourism and environment have been certified 306 guides, from who 156 are national guides, 78 local guides, 69 specialized tour guides and 3 honorable guides.  According to the tourism strategy in the next 10 years is predicted a considerable increase of the contribute of tourism in economy, in only 2-3 years this sector is expected to occupy up to 8.8% of the GDP while by 2028 this sector can occupy 9.3% of the GDP. Considering this increasing trend the direct and indirect effect of tourism will reach 1/3 of Albania’s GDP.  The upcoming challenges of this strategy are:  • Accessibility of the touristic site, the infrastructure development in the site and incentivizing touristic infrastructure;  • Regulation, standardization and certification of accommodating structures and their services  • Promoting an integrated touristic product and improving the courtiers image  • Creating an efficient system to professionally train the human resources engaged in tourism |

**2.1.1 The actual situation and the potential risks of children**

Pan & Go staff and the experts have considered the potential risks in these dimensions: human resources; business promotion; offered services; setting and announcing the protection measures; information technologies and firewalls use in the whole tourism chain

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| **Risks related to the staff linked with the first line of transport** | |
| Taxi drivers, staff of the transport companies | They can be unregistered  They can be alcohol or other substances abusers  They can have a previous criminal record for abuse in the family or be known by the community as child abusers  They can be part of trafficking group  They can be part of a group that distributes illegal substances. |
| Tourist guides | They might change the destination  They can be unlicensed- or not connected to any travel agency  They can use drugs and alcohol  The can be prior abusers  They can be part of trafficking group  They may not have a first aid kit  They might not have the necessary information about the risks and dangers of the site  They may not have or disregard the dress code |
| Security staff of the hotel and it’s touristic spaces | They might cover up the issues  They might not report |
| Service staff: reception, concierge, room service, cleaning staff ext.. | Hiring unchecked relatives  They might not have a communication structure  Misuse audio and visual materials  Hiring unqualified people  Not registering the people  Lack of reaction if something unsafe has entered the facilities |
| Bar and restaurant owners and their staff | They can have a previous criminal record |
| **Risks related to travel managers** | |
| Human resources manager |  |
| Corporate Social Responsibility managers |  |
| Manager |  |
| Business owner |  |
| **Risks related to touristic and travel entities** | |
| Important local organizations | No registration  No statute |
| Important national organizations |  |
| Important regional organizations |  |
| **Risks related to partners not operating in tourism** | |
| Service providers for tourists |  |
| Ship companies –passenger ships/ Crouse ships |  |
| Service providers for corporations |  |
| Telecommunication companies |  |
| Media | Ignoring confidentiality |
| **Risks related to the Ministry of Tourism** | |
| The staff that makes the policies |  |
| The staff that makes the trainings |  |
| The staff that deals with standards and accreditation |  |

**2.2 Situation and the risks for women**

**2.2.1 Situation and risks for women accordig to the literature**

According to the National Observation in 2018, 1 in 2 women, or 52.9% of women of the age 18-74 years old have experienced “sometimes” one or more than one of the 5 different types of violence during their life- domestic violence from their intimate partner, violence in sexual relations, sexual harassment and/or stalking.[[10]](#footnote-10)

According to this observation, when asked about the severity of GBV in Albania, 3 in 4 women or 75,4% of women report that violence toward women is a major issue in Albania, and 70,8% of women think that sexual violence is also a major issue in Albania. Despite this, 2 in 3 women or 69,9% of women reported that sexual harassment toward women is a major issue in Albania. The data shows that GBV in all it’s forms is a major problem and another issue is persecution of women in Albania.

According to the American State Department and organizations identified 81 possible victims and officially identified 5 victims of trafficking, 62 of which were women.

**2.2.2 Situation and potential risks for women**

Pan & Go staff and the experts have considered the potential risks in these dimensions: human resources; business promotion; offered services; setting and announcing the protection measures; information technologies and firewalls use in the whole tourism chain

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| **Risks related to the staff linked with the first line of transport** | |
| Taxi drivers, staff of the transport companies | They can be unregistered  They can be alcohol or other substances abusers  They can have a previous criminal record for abuse in the family or be known by the community as child abusers  They can be part of trafficking group  They can be part of a group that distributes illegal substances. |
| Tourist guides | They might change the destination  They can be unlicensed- or not connected to any travel agency  They can use drugs and alcohol  The can be prior abusers  They can be part of trafficking group  They may not have a first aid kit  They might not have the necessary information about the risks and dangers of the site  They may not have or disregard the dress code |
| Security staff of the hotel and it’s touristic spaces | They might cover up the issues  They might not report |
| Service staff : recepsioni , portierët, shërbimi në dhomë , pastrimi etj.. | Hiring unchecked relatives  They might not have a communication structure  Misuse audio and visual materials  Hiring unqualified people  Not registering the people  Lack of reaction if something unsafe has entered the facilities |
| Bar and restaurant owners and their staff | They can have a previous criminal record |
| **Risks related to travel managers** | |
| Human resources manager |  |
| Corporate Social Responsibility managers |  |
| Manager |  |
| Business owner |  |
| **Risks related to touristic and travel entities** | |
| Important local organizations | No registration  No statute |
| Important national organizations |  |
| Important regional organizations |  |
| **Risks related to partners not operating in tourism** | |
| Service providers for tourists |  |
| Ship companies –passenger ships/ Crouse ships |  |
| Service providers for corporations |  |
| Telecommunication companies |  |
| Media | Ignoring confidentiality |
| **Risks related to the Ministry of Tourism** | |
| The staff that makes the policies |  |
| The staff that makes the trainings |  |
| The staff that deals with standards and accreditation |  |

**3. Conceps and signs to recognise abuse, sexual exloitation and trafficing with intent to sexually exploit**

**3.1 Concept**

**3.1.1 Concept related to abuse , sexual exploitation and traficking with intent to sexually expolit children**

“**Child”** Is every person under the age of 18 years old. In the cases when the age of the person is impossible to be determined correctly, but there is reason to believe that the person is a child, the person is considered a child, until this person’s age is determined by the actual valid legislation.[[11]](#footnote-11)

**“Abuse”** Is every action or willingly not acting, with which any kind of physical or mental abuse is performed, hurt or abuse, neglect, mistreat or exploitation including sexual exploitation.[[12]](#footnote-12)

**“Child abuse”** According to the Worlds health organization are all he forms of physical abuse and/or emotional abuse, sexual abuse, neglect or treating without care, commercial exploitation or any other kind of exploitation, that happens in the context of a responsible relation, trust or power that results in an actual damage or potential harm of the health, survival, development of the child or his/her dignity.

**“Attracton/goorimg with intent to abuse the child”** Is a dynamic process that uses a series of attitudes that aim to get the child’s collaboration to achieve sexual pleasure of others. This process includes the identification of the target( child), creating a connection with the child, gathering more information on him/her, exploit the weakness of the child and fulfilling some of the needs this child has.[[13]](#footnote-13) When someone builds a relationship, based on trust and emotional connection with the child, in order to manipulate, exploit, abuse with the child. Sometimes the abuser can create a relationship with the child’s family in order to gain more trust and authority. The children can be lured online or by face to face through a relative or stranger. When this happens online, the abusers can use other people videos and pictures to cover their identity. The relationship that the abuser creates with the child can be a romantic relation, a figure of authority or a mentor, a dominant figure and persistent.

An abuser can use the same websites, games and apps as the young person, spending time and learning about his//her interests and use this to create a relation with him/her. Children can lure into abuse in internet through: social media, text messages in apps like WhatsApp, e-mail, conversations in voice or video forums. Online or face to face these abusers can use tactics like: they give advice and offer support and understanding by purchasing gifts and showing attention to the child in trips or vacations; they try to isolate the child from their family and their friends, making them feel dependent on the abuser and giving them power and control on the child; they use blackmail to make the child feel guilty and ashamed or they use the concept of secrets to control, frighten and scare the child.

**“Physical punishment”** Is any kind of punishment that uses physical strength and aims to cause pain or trouble to the child, from any legal guardian of the child. Physical punishment includes: beating, torture, pushing, burning, scratching, biting, pulling hair, forcing them violently to make an action, the use of substances that cause pain or trouble, also any other action similar to this.

**“Child neglect”** is the lack of action willingly or not from a person responsible for the child’s care, education and upbringing, as a result of this behavior the life of the child is at risk, his/her physical and mental integrity.

**“Damaging content for the child”** are any images or other materials that circle in the internet that harm the child’s dignity and his or her rights.

**“Economical exploitation of the child”** Includes any work opportunity that: a) is a danger to the child’s physical and mental health, wellbeing and his or her general development; b) affects education; c) is forced.[[14]](#footnote-14)

**“Sexual exploitation and abuse with a child** ” includes illegal sexual activities, involvement of the child in prostitution or other sexual illegal activities, exposure, showing or involving the child in pornographic materials or sexual abuse, according to the laws active at the moment.[[15]](#footnote-15) There are 2 kinds of sexual abuse- sexual abuse with physical contact or without it. Sexual abuse can happen face to face or on the internet. Sexual abuse with physical contact is considered when an abuser has physical contact with the child. This includes: touching any part of the body of the child, in spite of the child being dressed or not; the use of body parts or other objects to rape or penetrate a child; forcing a child to take part in sexual activities making him or her undress or touch someone else; kissing or oral se. Abuse without contact is when a child is abused without touching in physical presence or online. This includes: when someone shows body private parts to the child; when someone shows the child pornography; when someone exposes a child in sexual acts; when someone makes the child masturbate; when someone forces a child to make, watch, or share images or videos of sexual abuse with children; when someone makes, watches or shares images or videos of sexual abuse with children; when someone makes a child to participate in sexual conversations on the internet or through a smartphone.

**“Child trafficing”** Is recruiting, selling, transporting, transferring, hiding of under age individuals with the intent to use them in prostitution or other forms of sexual exploitation, of forced labor, enslavement or other forms of it, using children for organ transplants, and other forms of exploitation[[16]](#footnote-16)

**3.1.2 Concepts related to sexual abuse or exploitation and trafficing of women**

**“Women”** include girls over the age of 18 years old [[17]](#footnote-17)

**“Sexual harassment”** any undesired behavior of a sexual nature that can be logically precepted as offensive or denigrating, when a behavior is mixed with work, is a requirement to be hired or it creates a work environment that is intimidating, hostile or offensive. Sexual harassment can happen at work or it can be work related. Usually it contains a type of behavior, sexual harassment can take the form of a singular incident. Valuing the way the actions have been perceived by the person that is object of this behavior.[[18]](#footnote-18)

**“Violence towards women”** Is a violation of the human’s rights and a form of discrimination towards women and it means that all acts of violence based on gender that result or can result into physical harm, sexual, psychological or economic or suffering of women, including threats of these actions, or deprivation of liberty, in their private or public life[[19]](#footnote-19)

**“Domestic violence”** includes all acts of physical violence, sexual, psychological or economical that happen within the family or between married couples or previous partners or actual ones, in spite of the perpetrator shares or not the same home with the victim [[20]](#footnote-20)

**“Gender”** Means roles, behaviors, activities and attributes that a society considers acceptable for women and men [[21]](#footnote-21)

**“Gender based violence**” means violence towards a women because she is a women or that affects women in a disproportional way[[22]](#footnote-22)

**Sextin’** involvment in sex though text messages. [[23]](#footnote-23)

**“Forcing sexual acts[[24]](#footnote-24)”** When a person uses his power and authority to force acts, images or videos. Examples of forcing sexual acts are: someone threatens to disclose damaging information if the victim doesn’t perform the sexual act or sends sexual images; when the landlord doesn’t allow renting or refuses to do the repairs necessary unless the victim doesn’t agree to perform sexual acts or send sexual images\ or the landlord offers to lower the rent price in exchange for sexual acts or sexual images; teachers offer better grades to students in exchange for sextin’ or threaten to give them bad grades if the victim doesn’t comply; judges offer more favorable verdicts in exchange of sexual acts or they threaten not to give the verdicts if the victim doesn’t comply; Prison guards offer privileges in exchange of sexual acts or images or threaten not to give this privileges if the victim doesn’t comply; Employer holds paycheck or promotions in exchange for sexual acts or images or promises to give a bonus if the person does these acts or gives sexual images; The doctor threatens to insert incorrect information in the medical file if the person doesn’t agree or says that will ignore a compromising urine test in exchange for sexual images or sexual acts.

**“Traficing adults“** is the recruitment, transportation, transferring, hiding of people through blackmail or the use of violence or other forms of restrain, kidnap, deceit, abuse of power or taking advantage of the social position, physical condition or giving payment or other profits to get the agreement of the person they want to control in order to exploit them for prostitution or other forms of sexual exploitation, enslavement or other form similar to it, forced labor, use of organs for organ transplant and other forms of exploitation, inside or outside the national territory of Albania.[[25]](#footnote-25)

**3.1.3 Concepts relatet to Hospitality and tourism managment**

**Managing the destination:** s the managing process that aims to make sure that tourism is available in certain destination. The mission of the Albanian organization of destination management is to promote the destination, it’s history, the place and the culture of any place in Albania[[26]](#footnote-26)

**Categories of accomodating structures:** Accommodating structures will include the following categories: a) “Guesthouse” b) Hotel; c) Camping; d) Motel; e) Resort; f) Wellness center; g) B&B.[[27]](#footnote-27)

**“Hotel”** is a building with no less than 6 rooms, where the accommodation and services such as food, drinks are offered from a qualified staff, in exchange for a listed price[[28]](#footnote-28)

**“Motel”** Is a building that offers the service of accommodation and parking, usually with intent of a short stay of travelers, situated outside the urban areas, near motorways and crossroads. [[29]](#footnote-29)

**“Tourist guide”** Every person, over 18, certified form the dedicated institution, according to the law, that offers assistance, information and interpretations of cultural inheritance, historical and modern for an organized group of individuals, in a touristic environment, being it a city, village, any place with touristic value, museum or other buildings with educational purposes, religious, historical and cultural[[30]](#footnote-30)

**“Tour operator”**is a person or a company that designes and organises a trip,/ a package deal promoted through catalogues, brochures, or TV commercials., being responsible for that product, as in the case of the selling through travel agencies or selling it directly to the client. Tour operators have contracts directly with the suppliers of touristic services purchasing these services in advance.[[31]](#footnote-31) Casual touristic services are services that do not correspond the statement about regular services, including specialized services, the main aim of which is to transport groups of travelers that have and the initiative of the interested or to the transporter itself [[32]](#footnote-32)

**3.2 Signs of abuse, sexual exploitation and trafficing**

**3.2.1 Signs of abuse, sexual exploitation and trafficing of children**

*Signs that a child is being “groomed”*

* Hides the way he or she is spending the time, including online time;
* Has an older boyfriend;
* Has money or new things, clothes or cellphones, which cannot or won’t explain how were bought;
* Consumes drugs or alcohol;
* Spends more time or less time on the internet;
* Is upset, pulled back or concerned;
* Has concepts of sex that are not appropriate for his or her age;
* Spends a lot of time away from home or disappears from time to time;

*Signs and effects of sexual abuse*

* Anxiety and depression;
* Eating disorders;
* Post traumatic stress;
* Issues with stress management;
* Self harm;
* Suicidal thoughts and attempts of suicide;
* Sexually transmittable diseases;
* Pregnancy;
* Guilt and shame;
* Consumes drugs or alcohol;
* Struggling to maintain relationships with family, friends and partners;

*Sighn and effect of trafficking*

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| The underage child brought from an other country to work/ make more money; The underage child never registered as a baby; The underage child leaves home frequently; the under age child or his/ her family has been in contact with the police and NJMF as a result of exposure, use of violence; the child under age has a restricted number of contacts; the under age child spends most of his/ her time selling in the street, or begging or working; The earnings from begging , working or activities with adults are taken from the child; the underage child has scars that show they work in a dangerous environment; the under age child is illegally employed; the under age child has contacts with groups known for illegal activities; the under age child shows fear; the underage child shows mistrust towards the authorities; allows others to answer for him although he/ she has the ability to speak; the underage child is dressed badly, not properly fed, without sufficient sleep; the underage child declares that has been mistreated, abused, threatened, exploited and that is happy to be in contact with people willing to help and requests to be helped; the child has sighn on his/her body that show physical or sexual violence; the underage child doesn’t have a stable residence; the underage child sleeps on the street or was caught stealing; the underage child goes into places known for illegal activities ( drug distribution, prostitution, exchange of stolen goods); the underage child looks neglected, isn’t fed properly for his/ her age;  *Verdict nr. 499, date 29.8.2018* About the approval of standard procedures od action and protection of victims and potential victims of trafficking. Signs that help the dedicated structures of protection, social workers in town halls and child protection workers. |

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| Adults or children that have been trafficed with entent to sexual exploit can: can be of any age, although the age can change according to the place and the market; move from one workplace to an other;be escorted to and from work or other activities;have tatoos or other signs that show ownership of their abuses; work long hours, have to few or no holidays; sleep where they work; live and travel in groups,sometime with other women that don’t speak the same language; have few clothes; have clothes that are usually used when one intends to offer sexual services; know only words related to sex in the language of the country they are in and specific words for a specific target group; don’t have their money; unable to provide an identity card or passport  When the trafficed with entent to sexual exploit are childre can also:  Have evidence of unprotected and or violent sex; Have evidence that the victims of abuse cannot refuse the unprotected or violent sex; have evidence that the child hase been sold and bought; have evidence that group of women have controle over the others; put up posters and advertisments of services offerd by women of other ethnicities in public houses; report that sex workers from other ethnicities are present in a country; clients report that sex workers don’t smile  *UNODC Human trafficking indicator https://www.unodc.org/pdf/HT\_indicators\_E\_LOWRES.pdf* |

**3.2.2 Signs of abuse, sexual exploitation and trafficking in women**

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| Adults or children that have been trafficed with entent to sexual exploit can: : can be of any age, although the age can change according to the place and the market; move from one workplace to an other;be escorted to and from work or other activities;have tatoos or other signs that show ownership of their abuses; work long hours, have to few or no holidays; sleep where they work; live and travel in groups,sometime with other women that don’t speak the same language; have few clothes; have clothes that are usually used when one intends to offer sexual services; know only words related to sex in the language of the country they are in and specific words for a specific target group; don’t have their money; unable to provide an identity card or passport  *UNODC Human trafficking indicators https://ëëë.unodc.org/pdf/HT\_indicators\_E\_LOËRES.pdf* |

People who were trafficked usually experience lack of accommodation, poor diets, physical and psychological abuse, unsafe working environment and lack of medical service. Health issues include depression, anxiety, PTSD, suicidal thoughts or actions, fatigue, memory loss and loss of balance. Survivals can experience shame or guilt, loss of self-esteem that negatively influences their mental health. Issues with mental health are a dominant and persistent result of the health issues of the human trafficking [[33]](#footnote-33)

Survivors usually report headaches, back pain or stomach ache, issues with the skin and teeth, they don’t know if they have HIV or not. They might experience heart conditions, hearing issues or even difficulty of breath due to poor work conditions and lack of hygiene. They might soffer from preventable Illnesses like tuberculosis, or from cronic Illnesses like diabetes or cancer. They can experience infections or amputations because of the lack of standarts in theri heath care provided by unqualified people hired by the trafficers[[34]](#footnote-34)

People that are submited to any form of trafficing usually experience physical and sexual abuse. People that are submited to any form of trafficing might have bruises, cuts or other sighns of physical abuse. They might experience sexual abuse, from the trafficker and also other people, resulting in injuries or infections in their private parts. People that are submited to any form of trafficing are also more likely to be killed than the avarage person ja. The amount of violence used on this category of people is extremely high[[35]](#footnote-35)

4. **Protection**

**4. 1 Child protection**

**4.1.1 Concepts of child protection**

**“Integrated system of protection”** Is the entirety of laws, policies and services needed, in all areas, especially in those of social welfare, education, health, security and justice, in order to prevent and respond to the risks that are presented during the application of these laws. The dedicated institutions take actions, that aim cooperation, responsibility division and coordination between all the actors involved in the system of case referrers, as an element of protecting the child.

**“Child protection**” is the response to violence and how to prevent it from happening, abuse,child neglect, including kidnapping, sexual exploitation, traficking and forcing the child to work.

“**Case management”** is the method that provides step by step in an effective way the help to the child in need of protection and aims to promote and strengthen the child’s well being.

“**individual plan of protection**”, plan with certain actions,that aims the child’s protection and to avoid any harm to his/her integrity, guaranty his/her rights, wellbeing, health and development, by supporting the family of the child in the application of this plan, when this is in the highes interest of the child.

**“child in need of protection”** is a person under 18 years old, in spite of winning the ability to decide, according to the law,who might be a victim of abuse, neglect, exploitation, discrimination, violence or criminal acts, as well as a person with legal responsability,who is suspected or acused of commiting a crime, also the children in confict with the law.[[36]](#footnote-36)

**“unaccompanied child**” is the child that is separated from both parents or other relatives for whom there is no adult to take care of him/ her.

**4.1.2 legislation for child protection**

Law Nr. 37/2017  “Kodi i Drejtësisë Penale për pë Mitur”**:**  Kodi i Drejtësisë Penale për të Miturit aims to protect the hieghts interest of the child, their social integrity, rehabilitation of the childres who have issues with the law, protection of the children that are witnesses or victims,prevent the child from becomming a victim or to become a victim for a second time, prevent the criminal act and restore order during the administration of justuce. The code provides that actors involved in the proces of justice for the people under age like: social services, educationa institutions, Police, the prosecutor that should be envolved not only in preventing, but also in delivering the restoring actios more suitable for the child in question especially for their rehabilitation. The code states that the presence of psychologyst is mandatory; offering the juridical help free of charge for the child, including victims or witnesses;

The legal adjustments in this code include the general part and the special part. In the general part the adjustments affect all criminal acts. The most important of which are the ones mentioned in the article 48 ‘Mitigating circumstances’ that exclude any possibility to profit from mitigating circumstances, although the situation between victim and abuser has been normalized. In the article 50 of this code “aggravating circumstances” are considered when the acts have been made against children, pregnant women and people who cannot defend themselves. In the special part are included crimes made against children : chapter VI “sexual crimes” articles 100-108/a, state that there are aggravating circumstances when the crime is against a children. It also included that the punishment for crimes like “prostitution” article 114, “Traficking underage children”, article 128/b, “abuse with childre”, article 124/b, “Domestic violence”, article 130/a, etj.

The Albanian law:covers normes of this code that regulate the way to act on these crimes, how to investigate them ans alos how to legaly prosecute them, and also how to apply the given verdict. In the changes made in 2017, in this law, amongst other things a special intrerest was shown to children victimes of crimes. So in the article 58/a “rights o an underage victim” (added to the law 35/2017 includes specific rights for underage children, ewhen they are victimes of crimes: to be escorted by a person of his/her trust, keeping confideciality of their personal data;having a trile without the presence of an audience; treating him/her according to his/her age, personality andother circumstances,in order ro avoid negative effects in his/her development and future education; degfining age; interviewing without delay vonësë, audio and video record the conversation and having this conversation in a suitable environment.

Law Nr. 18/2017 “Rights and children protection”:Determines the rights and the protection that a child has, the mechanisms and authorities responsible, that guarantee efficiently the protection of these rights, and also special protection for the child. The aim of this law is to protect thhe child.

V.K.M  Nr.353, date 12.06.2018 “Rules about the function of the techincal group, for child protection, in the city halls and also in the other administrative units”. This act coordinates the work and activities of the technical group that is created in every town hall that has over 3000 children. The tecnical group has rapresentatives of the police structures, social sevices, representatives of education structures, health care, law forces, non profit organizations, and any other expert with knowledge on the situation of the child or who can contribute in setting or reinforcing the child’s rights, that are obligated to take part in the group meetings. In the technical group meetings are called to participate: a) the ncessery members to manage the case of the child at risk; b) parents or other family members or their guardians; c) the child, based on the age and understanding capacity and considering also the best interest of the child.

V.K.M Nr.578,date 03.10.2018 “Procedure for referal and case managing, creation and content of the individual plan of protection, financial support for it’s application, application of the measures”.

VKM Nr.636, date 26.10.2018 “To ditermen, the way of sharing and analyzing the data statisticaly, requested from the National agency for the right and protection of children, in the health care structures responsible nation wide”.

VKM Nr.635, date 26.10.2018 “About the activities of the structures dedicated to child protection regarding a child of age to have a legal responsability or that is suspected of having commited a crime”.

VKM Nr. 111, date 06.03.2019, “Procedures and rules in order to return the child back to his family”.

 VKM  Nr.129. date 13.03.2019 “Procedures of identification, help for the children who live in the streets”.

VKM Nr. 659, date 3.11.2021 “Aproval of the aggenda of children 2021–2026**”**

VKM nr. 499, date 29.8.2018, ‘Aproval of standard procedures of action for the protection of possible victimes of trafficking”

VKM, Nr. 1084, date 24.12.2020 “Aproval of National strategy for online security and action plan for 2020-2025”

Ligj nr. 93/2015 About tourism [[37]](#footnote-37)

**4.1.3 Serivices of child protection**

Child protection functions as a coordination of institutional obligations at the municipal level and is called the "Coordination mechanism for the referral of cases of children at risk." The parts and functions of the Mechanism are: Steering Committee "On the coordination of work between the responsible state authorities, at local level, for the referral of cases of children at risk"; Multidisciplinary Technical Group; Unit for the Rights of the Child at the county level; Child Protection Unit at the municipality / commune level. A schematic representation of the mechanism is in the chart below.

Director of the structure for social services at the municipality / commune

Representative of the Regional Social Service

Director of the Regional Education Directorate

Director of the Regional Police Directorate

Chairman of the Technical Roundtable of Regional Anti-Trafficking Committees

Director of the Regional Directorate of Social Service Shtetëror

Director of Directorate of Public Health District

Mayors of municipalities / communes of the region

Probation service representatives

Representatives of non-profit organizations that deal with issues of children's rights

Steering Committee "On the coordination of work between the responsible state authorities, at local level, for the referral of cases of children at risk"

Public and private social service providers

Multidisciplinary Technical Group

Child Protection Officer in the municipality

Representative of the Police structure

Administrator of economic assistance and social services of the municipality / commune where the child lives

Representative of the Directorate Arsimore Rajonale

Kindergarten teacher or child's school teacher

Health specialists, family doctor or a specialist who has visited or evaluated the child

Coordinator for domestic violence issues in the municipality / social administrator in charge of violence issues in the commune

Any specialist who knows the child or who can talk about a problem that is of concern to the child (lawyer, psychologist, employee social, specialistë që ofrojnë shërbime të specializuara lidhur me zhvillimin e fëmijës)

The continuous and effective provision of assistance to children in need of protection aimed at promoting and furthering the protection of their rights and well-being must follow the steps of: 1. Identification; 2. Reporting; 3. Initial evaluation; 4. Full evaluation; 5. Drafting of the Individual Defense Plan; 6. Implementation, tracking and monitoring of PIM; 7. Case closure. *Identification*- Identification is about the difference that a child needs protection. This distinction can be made by any natural or legal person, any employee of public and private institutions, who comes in contact with the child, teachers, school psychosocial service providers, State Police structures, Directorate for Asylum and Anti-Trafficking, National Center of Reception for Asylum Seekers, employees of health or child care institutions, public or private, as well as the children themselves. Unlike the individuals and professionals mentioned above who make “reactive” identification when work brings the child face to face, CPUs and PMFs have a duty to perform proactive identification of children in need of protection, through fieldwork planning , verification of the notification received from any natural or legal person, any employee of public and private institutions, who comes in contact with the child, as well as verification of information on cases that come to light through print, electronic or social media. *Reporting -* refers to the obligation of any natural or legal person, as well as any employee of public and private institutions, who comes into contact with the child due to the profession, to report to local child protection structures or to the bodies of State Police. *Initial assessment -* refers to the rapid assessment of the level of risk made by the Child Protection Officer based on the information available from identification or reporting, as well as information that can be obtained from institutions, organizations or other persons who have be aware of the case and / or are in contact with the child himself. The initial assessment is carried out as soon as possible, preferably within 24 hours and, within a maximum of 48 hours after reporting. *Full assessment -* refers to the assessment for each case of the child in need of protection and aims to fully determine the level of risk in which the child is, as well as to gather all the necessary information for the design of Individual Defense Plan. *Drafting of the Individual Defense Plan*: It is a task of the PMF that consists in: a) drafting the Individual Defense Draft Plan, b) sending by the PMF or the director of the structure responsible for social services in the municipality to the members of GTN the PIM form, the PIM project, the assessment form and the risk analysis, together with the request for the GTN meeting; c) meeting of the GTN to review the evaluation and plan and give recommendations d) reflection by the PMF of the suggested changes; e) approval of the plan by the director of the social structure in the municipality; f) procurement by the director of necessary services approved or sending to SAPCR if not approved. *Implementation, monitoring and review of PIM* - are the actions of the PMF and each institution, authority or service provider defined in the PIM is for the implementation of activities, actions, interventions or provision of services defined in the PIM for the child, parents or members of his family. These activities are announcements and written reports, family visits, reporting to institutions on actions, PIM review meetings, etc...

*Case closure* – are the actions of the PMF that include: reporting to the GTN after the review of the PIM regarding the actions, interventions undertaken and services provided according to the plan they have performed; request to close the case; the approval of the director of the structure for closing the case; risk measurement.

**4. 2 Protection of Women**

**4.2.1 Concepts of women's protection**

**“Coordinated Mechanism for Referral of Domestic Violence Cases ”(NRM)**is an organized network of institutions responsible at the local level for the prevention, protection, support and rehabilitation of victims of domestic violence. The mechanism consists of: a) steering committees for the coordination of the activity of the institutions of the responsible authorities, at local level, and the referral of cases of domestic violence; b) interdisciplinary technical teams (hereinafter, ETN); c) local coordinators (hereinafter, KV).

Head of the structure for social services, near the municipality

KV, which, in cases when the municipality has 2 (two) such, is appointed by the mayor

Leaders of non-profit organizations that specialize and work in the field of violence against women and domestic violence

Representatives of religious institutions

Representative of the County Prefect

Representative of the State Police structure

The Mayor of the District in the administrative territory that has the center of that municipality

Level 1: Steering committees for the coordination of the activity of the institutions of the responsible authorities, at local level, and the referral of cases of domestic violence.

Mayor

Representative of the education directorate

Level 2. Interdisciplinary technical teams

Managers of centers / shelters set up for victims of domestic violence in the municipality or county under whose jurisdiction these units are, as well as centers tw rehabilitimit pwr dhunuesit

Head of the District Chamber of Advocates and Representative of the Legal Aid Directorate

Representative of the relevant employment office

Representative of the Central Directorate of Opera Service Kujdesit Shëndetsor

Representative of the structure for social services in the Municipality or Region

The members are appointed by the Steering Committee and are technical representatives of the member institutions of the Steering Committee and provide services and support to survivors of domestic violence in accordance with their respective mandate.

Level 3. Local coordinators for referral of cases of domestic violence

**“Local coordinator for referral and management of cases of domestic violence”,** employee at the local self-government unit, responsible for referral and management of cases of domestic violence and violence against women

**“Police officer in cases of domestic violence”** – is the police officer, who will carry out the risk assessment and the relevant procedures for the preparation of the file for the issuance of the Order for Precautionary Measures of Immediate Protection (UMPMM). The State Police is a key actor in the implementation and monitoring of protection orders and cooperates closely with the KVDHF and other ETN member institutions, for the successful management of the domestic violence case..[[38]](#footnote-38)

**“** **Risk assessment in cases of domestic violence ”** - phase of domestic violence case management, which is carried out promptly, immediately after the case is identified or reported, in order to prevent further escalation of violence and to protect the victim through the Order for Precautionary Measures of Immediate Protectionphase of domestic violence case management, which is carried out promptly, immediately after the case is identified or reported, in order to prevent further escalation of violence and to protect the victim through the Order for Precautionary Measures of Immediate Protection.[[39]](#footnote-39)

**“** **Interdisciplinary Technical Team (ETN)“** is a team of technicians of the Steering Committee member institution appointed by the Steering Committee to represent the institutions and provide services and support to domestic violence survivors in accordance with the mandate. ETN is responsible for a) following up the case and meeting the needs of victims, ensuring their connection to appropriate services; b) coordination and supervision of service delivery; c) case management; d) forwarding data on concrete cases to the leaders of the interdisciplinary technical team; e) monitoring and reporting to the steering committee, for the coordination of the activity of the institutions of the responsible authorities, at local level, and the referral of cases of domestic violence, taking care to maintain the confidentiality of the personal data of the victims.

**ETN core** is a group within ETN consisting of a limited number of members who meet immediately and address the emergency needs of the adult victim of sexual violence, and then refer the case to other members. The core ETN consists mainly of the Local Coordinator / Coordinator against domestic violence, representatives of the police, health, forensic medicine and representatives of social care services.[[40]](#footnote-40)

**social care services** is an integrated and organized system of benefits and facilities, which are provided by professionals in the relevant fields of public or non-public entities, in order to ensure the welfare, independence and social inclusion of individuals and families in need of social care..[[41]](#footnote-41)

**Case management** is to provide and coordinate the referral of individuals in need of social care throughout the service delivery process, whenever necessary, until their full integration. While in the contemporary literature, we find this definition of "case management": a collaborative, multidisciplinary process through which opportunities and services to meet the needs of an individual in need of assistance are evaluated, planned, implemented, coordinated, monitored and re-evaluated. through communication and available resources, promoting quality and effective outcomes. "The four principles of case management are: a) Providing individualized services based on the victim's choice; b) Comprehensive assessment used to identify the victim's needs c) Participatory development of a service plan that meets the needs of the victim of violence and is developed in cooperation with him / her d) Good coordination of service delivery Case management and psychosocial support differ in that the main focus of case management is in the spectrum of immediate needs in relation to the violence incident, while supporting the psychosocial eighth focuses more broadly on caring for the overall well-being of the individual. Despite the differences, there are important links and when response programs are implemented, case management and psychosocial support can complement each other. For example, psychosocial support can be provided as part of the case management process and by using a case management approach, service providers can help the victim consider and manage the psychosocial consequences of violence against women and girls. **Real manager** is the person who enables the initiation and follow-up of case management, ie the process described above. He / she assists in identifying appropriate service providers and facilities throughout the service delivery, while ensuring that available resources are used in a timely and cost-effective manner in order to obtain the optimal value for the victim of violence as well as for the source of reimbursement.[[42]](#footnote-42)

**Immediate protection order** is an order issued temporarily by a court decision, valid until the issuance of a protection order by a court decision.[[43]](#footnote-43)

**Protection order** is an order issued by a court decision, which provides protective measures for the victim.[[44]](#footnote-44)

**Order for immediate protection measures** is an order reasoned and issued according to the provisions of the law, which contains immediate measures to stop violence, taken by the bodies responsible for dealing with cases of domestic violence at the State Police, until the court takes a decision.”[[45]](#footnote-45)

**4.2.2 Women's Protection Legislation**

*Law nr. 9669, date 18.12.2006, “For measures against domestic violence”Amended: The law provides for appropriate legal measures and other necessary measures to prevent and reduce domestic violence in all its forms, as well as to guarantee the protection of family members who are victims of domestic violence, by paying special attention to children, the elderly and people with disabilities and any individual subject to this law who presents special protection needs.VKM Nr.327, date 2.06.2021 “On the mechanism of coordination of work between the authorities responsible for the referral of cases of domestic violence, as well as its proceedings to support the rehabilitation of victims of violence “*This decision regulates the basic standard procedures for the coordination of work between the authorities responsible for the prevention of domestic violence, for the protection, support and rehabilitation of victims of all forms of domestic violence, guaranteeing human rights and promoting gender equality, as well as eliminate all forms of discrimination against women.

*“National Strategy for Gender Equality, 2021–2030 ”, approved by DCM no. 400, dated 30.6.2021*

* 1. **REPORTING AND REFERRING TO ABUSE, SEXUAL EXPLOITATION AND TRAFFICKING FOR SEXUAL EXPLOITATION**
     1. **Identification and reporting in the case of children**
     2. **Identification and reporting in the case of children**

The obligation for identification and reporting by each individual, regardless of his position is in Article 67 "Obligation to report" of Law no. 18/2017 "On the rights and protection of the child". The table below has this full article.

|  |
| --- |
| Any natural or legal person who has information, or the child himself, must report any suspected or incidental abuse, neglect or exploitation of the child to central child protection institutions and local structures or the State Police.  2. Any employee of public and private institutions, who comes into contact with children due to the profession and suspects that a child is abused, neglected, abused or at risk for such a thing, must immediately notify the State Police or child protection structures at the local level.  3. Teachers and providers of school psycho-social services have the duty to report any suspected or incidental case, abuse, neglect or exploitation of the child in local educational units or child protection structures. The local educational unit, in any case, when it becomes aware of children in need of protection, reports to the child protection structures.  4. Employees of health or child care institutions, public or private, have the duty to report immediately to the director of the institution, State Police bodies, child protection structures any suspected or occurred case of abuse, ill-treatment, abandonment, neglect or violence against children. |

**5.1.2 Identification and reporting process and documentation**

The identification and reporting process is described in detail in the Decision of the Council of Ministers. A separate article of this DCM describes the obligation of each person to report that a child needs protection. A separate annex provides a reporting form that instructs what information should be reported.

Reporting timelines are determined by the level of risk to the child. The DCM describes the levels of risk:

"Immediate danger" is the situation in which the child finds himself, who, at the time of identification, has no self-defense skills and, if left in the current circumstances, without any protective intervention or health care, may die, be injured or seriously injured. , may be sexually abused, trafficked or subjected to other ill-treatment, considered a criminal offense under the Criminal Code. Intervention, in this case, should be urgent and ensure the removal of the child from the danger situation.

"High risk" is the situation in which the child finds himself, who, due to various factors, risks being seriously injured, being subject to various types of abuse continuously or being harmed in such a way that suffer from permanent disability or his or her well-being is seriously endangered unless measures are taken to protect him or her.

"Medium risk", the situation in which the child is found, for which there is no evidence that he is at risk of suffering serious injuries or has suffered serious injuries, but there is a possibility that he may be harmed or abused if he does not measures are taken to protect it. Intervention to protect the child and provide services is essential.

"Low risk", the situation in which the child is, who is relatively safe, does not suffer from injuries that have come as a result of abuse and has the ability to defend himself. It is estimated that there is a presence of risk factors and that the child can become a victim of abuse, violence, neglect or exploitation if interventions are not made to provide respect and access to rights or if services are not provided, for which the child has need.

|  |
| --- |
| Article 7 Reporting  1. After identifying the child in need of protection, any natural or legal person, as well as any employee of public and private institutions, who comes into contact with the child due to the profession, must report to local child protection structures or at the bodies of the State Police.  2. Every teacher, provider of school psychosocial service, employee of health institutions or child care, public or private, after identifying the child in need of protection, must report to the local educational unit, the director of the institution, police bodies of the State, child protection structures. 3. Reporting of a child in need of protection is done by any means of communication, by phone, e-mail, mail, in writing, by contacting the employee of the State Police structures or local child protection structures.  4. The professionals mentioned in points 1 and 2 of this article, or the responsible structure at the institution / ies report immediately, by any means of communication, the cases that are identified as immediate or high risk, while the other cases of risk, medium or low, are reported within 24 hours of identification. Reporting is done through the reporting form of the child in need of protection (annex no. 2).  5. The completed form is sent electronically or by mail to the employee / unit responsible for child protection. The form contains all the information and all the details known by the person / persons who are aware and have reported the case.  6. The case is reported to the PMF responsible for the territory where the identification was made. In case it is impossible to contact these structures, the Agency is notified, which takes measures for the follow-up of the case by the local defense structures. 7. Upon receipt of the report, the CPU / PMF has the obligation to take all necessary measures and actions to verify the information provided and to initiate or not the initial assessment of the case.  8. The procedures for reporting cases are regulated by a joint instruction of the relevant ministers, according to point 7, article 67, of the law.  Decision no. 578, dated 3.10.2018 for referral and case management procedures, drafting  and the content of the individual protection plan, the financing of the expenses for its implementation, as well as the implementation of the protection measures |

Below in the table is Annex 2 of the reporting

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| |  |  |  |  | | --- | --- | --- | --- | | **ANNEX 2**  **CHILD REPORTING FORM IN NEED FOR PROTECTION**  Proactive Identification Form | | | | | DATE: | TIME: | | NJMF worker: | | * Municipal Unit no. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ * Municipality / city: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | | | LOCATION: | | | | | FORM THROUGH WHICH IDENTIFICATION WAS MADE:  ο Field visit (date and members of the field team):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  ο Notice from:  ο legal person  ο Employee of public and private institutions  ο the printed newspapers, electronic or social media | | | | | NAME OF CHILD / PARENTS / GUARDIANS / ASSOCIATES | | | | | Age of the child \_\_\_\_\_\_\_\_\_\_\_\_\_  Gender of the child\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | Other child (that is present with the child) | | | PRELIMINARY INFORMATION ABOUT THE SITUATION IN WHICH THE CHILD IS, THE NEED FOR PROTECTION AND THE MEASURES TO BE TAKEN | | | | |

**5.2 Identification and reporting in the case of women**

**5.2.1 Obligation to identify and report on legislation**

*Identify and report cases of domestic violence*

According to V e n d i mit no. 327, dated 2.06.2021, the reporting and identification of the case of domestic violence is performed by the local coordinator at the local self-government unit through: a) verification of the reports by the abused person; b) referral of the case by the structures of the State Police; c) case referral from any institution represented in ETN; d) verification of reports by any other natural or legal person, public or private; e) verification of announcements from print, electronic or social media.

According to the same act, the victim of violence and / or any natural or legal person, public or private, who ascertains a case of violence, reports the case to the KV, the State Police or any ETN member institution.*Identifikimi dhe dhe raportimi i rasteve të dhunës seksuale*

According to the Protocol on cases of sexual violence, the treatment of cases of sexual violence in adult victims who have not been abused in family relationships (non-marital rape, not by partner / ex-partner, sexual violence in the workplace, etc.) in The lack of a specialized team to respond to cases of sexual assault in the local self-government unit where the NRM is set up and operates will be done by the core ETN members of the respective NRM.

*Identification and reporting of trafficking cases*

Identification and reporting of trafficking cases is provided in DCM 499 of 2018. [[46]](#footnote-46)Identification is a two-stage process, the initial identification phase and the formal identification phase.

*“Initial identification and response”* is the set of actions taken by employees of state and non-state institutions, local and central, responsible for the protection of trafficked persons at the borders, inside and outside the territory of the Republic of Albania, which determine that a minor or adult is a potential victim of trafficking in persons. [[47]](#footnote-47)

“*Formal identification”* is the identification of a person as a victim of trafficking carried out only by the Group / Structure responsible for formal identification (G / SPIF) based on the format of the formal interview included in this document, which is carried out at the will of the victim and when it is ready to perform it. Formal identification includes at a minimum: 1. Immediate intervention of the Sector for Investigation of Illegal Trafficking to conduct the Formal Interview when notified by the referring agency or when the potential victim of trafficking himself expresses the willingness to the state police structures to conduct the formal interview. 2. Determining if the person is trafficked, through the collection and analysis of information provided by the person himself. 3. In-depth assessment of the needs of the victim of trafficking for assistance and protection. 4. Providing instructions and ensuring that the trafficked person has access to appropriate and safe assistance. 5. Gathering information and launching investigations to penalize traffickers.

**5.2.2 Identification and referral process and documentation**

Documenting the identification and reporting of cases of violence including sexual violence against women is the Order for Precautionary Measures of Immediate Protection (UMPMM) issued by the Police after the risk assessment developed in cooperation with the local coordinator. When the risk assessment shows that the case is urgent, the responsible structure of the State Police immediately issues the UMPMM and, in cooperation with the GC, takes appropriate protective measures for its implementation. Documentation in cases of trafficking is done through an initial identification document sent to the Authority Responsible for trafficking or through a request for identification by the police. Documentation can also be done through interview-related notes.[[48]](#footnote-48)

|  |
| --- |
| ELECTRONIC NOTICE  a request for identification by the police. Documentation can also be done through interview-related notes  A/IPIF name .......................................  A. General information about the person to whom the procedure was performed  Name , surname...  Age: .....................................................  Gender .........................................................  Place of birth ................................................  Adress................................................  Place of identification: .......................................  B. Elements of the procedure used  Indicators Initial Interview Differential Traffic Section Notification for Immediate Intervention  C. Verbal communications with APAP regarding the person before drafting the notice............................  D. Information on the status or arrival of the person before A / IPIF  E. Actions taken for detailed identification;  F. Documentation of actions  G. Management of information relevant to the investigation Information relevant to the investigation was forwarded to (station chief, director of the institution). |

**ANNEX**

**MODEL POLICY PROTECTING CHILDREN AND WOMEN FROM SEXUAL EXPLOITATION**

This Child and Women Protection Policy is a statement of intent and commitment of Hotel / Resort Kolaveri and Rafaelo to protect children and women from harm, and sets out staff behaviors and actions.

**Definitions**

"Child" is any person under the age of 18. In the event that the age of the person is impossible to determine accurately, but there is reason to believe that the person is a child, he is considered a child, within the meaning of this law, until his age is determined according to applicable law.

"Violence against a child" is any intentional act or omission by which any form of physical or mental violence, injury or abuse, neglect or negligent treatment, abuse or exploitation, including sexual abuse, is caused.

"Child trafficking" means the recruitment, sale, transportation, transfer, concealment or reception of minors for the purpose of exploiting prostitution or other forms of sexual exploitation, forced labor or services, slavery or similar forms of slavery, slavery or servitude; use or transplantation of organs, as well as other forms of exploitation

"Trafficking in an adult (woman)" means the recruitment, transportation, transfer, concealment or reception of persons through the threat or use of force or other forms of coercion, abduction, fraud, abuse of office or benefit from social, physical or social status; or giving or receiving payments or benefits in order to obtain the consent of the person in control of another person, for the purpose of exploiting the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or similar forms with the enslavement, use or transplantation of organs, as well as other forms of exploitation, both inside and outside the territory of the Republic of Albania.

**Statement of purpose and commitment**

Hotel / Resort "Kolaveri" and "Rafaelo" aims to give guests a quality vacation in an environment that respects the rights of human beings, women and children and to protect women and children from exploitation

**Principles of conduct and actions of Hotel / Resort staff**

*The best interests of the child: The best interests of the child will be decided and acted upon, and when other interests are involved the interests of the child will be placed above the interests of the other parties.*

*Non-discrimination: All individuals including women and children will be treated with equal respect*

*Listening and Attending: The Hotel / Resort adheres to the principle that a child has the right to express and consider opinions on issues related to him or her, in accordance with his or her age*

*Prevention: Measures will be taken to prevent abusers of women and children from having anything to do with the Hotel / Resort*

*Distance: The Hotel / Resort will be immediately distanced from any staff or associates who abuse children and / or women.*

**Recruitment and retention at work**

All future employees will be informed about the women and children protection policy

Selection includes: submission of documentation proving that applicants have never been involved in incidents against children; answers during the interview that show correct behavior with children; the willingness of applicants to allow the Hotel / Resort to request information about the applicant's past; probationary period under monitoring for behavior towards children

The hotel has the right to terminate the contract immediately even when the applicant has started work, in case it is found that the individual is not suitable to work with children or may pose a risk to children

The policy will be made known to the new staff in both orientation and training.

**Code of conduct for staff**

The employee never takes a child on a motorcycle, bicycle or car without the prior knowledge and approval of the child legal guardian.

The employee never takes a child to his / her apartment;

The employee is not allowed to take children to cafes, restaurants or buy food for children, unless authorized by the legal guardian, the authorities that have accommodated the child / PMF, or the manager

The employee is not allowed to buy a gift for a child without the prior approval of the legal guardian, PCMF or manager

The employee is not allowed to do actions that embarrass, humiliate and degrade the child or abuse him emotionally

The employee uses appropriate language, performs appropriate actions and establishes appropriate relationships with the children.

The employee does not pet, hold, kiss, hug or touch children inappropriately or impermissibly. The employee must not, in any way, have physical contact with the child that is or appears to be sexual

The employee should not use inappropriate force on children when handling them. This includes pushing, hitting, slapping or any action that may cause the child to fear shyness or stress.

Employees are responsible for their actions and reactions to children - The adult is always considered responsible for his or her own actions regardless of how a child behaves towards him / her.

The employee makes sure that the action with one child is open and within the field of view of another adult.

Failure to follow the standards of conduct mentioned here, and inappropriate behavior towards children, is grounds for disciplinary action until dismissal and / or notification to the police

**Dress code for staff**

Staff ensure that clothing is clean and reflects a professional attitude.

• Men wear long-sleeved shirts, do not wear sleeves;

• Do not wear pants or shorts;

• Clothing should not contain advertisements

• Do not use accessories that could become a hindrance to work or an attempt on the part of the child;

**Reporting and investigating suspected or suspected abuse**

Abuse and exploitation of children in any form, including emotional or sexual abuse is a criminal offense. All staff are responsible for reporting suspected child abuse or exploitation.

Any staff who knows, suspects or has witnessed a child abuse or exploitation situation involving hotel / resort staff should contact the PCMF or manager immediately and report them orally.PCMF ose menaxheri:

• Start an internal investigation respecting the privacy and safety of the child;

• Take internal measures within its capacity to put an end to suspected abuse;

• Will notify owners:

• Assist staff in reporting to police and reporting;

• Will enable full cooperation and availability for investigation and measures by the police;

• At the end of the investigation, inform the child and / or family about the suspicions, investigation and corrective action to be taken, if any

**Measures at the end of the investigation**

Should the internal investigation and police investigation prove that what was suspected is not true or is fabricated, the Hotel / Resort will take further steps with the person charged and who reported the incident. Efforts will be made to assist erroneously charged staff, including counseling;

If the abuse is confirmed, the Hotel / Resort will make every effort to help the child recover from physical or emotional trauma. This may include medical treatment, psychological counseling, and any form of assistance that is necessary and appropriate;

If the abuse is not proven but behaviors and actions are found that are contrary to this policy, including the code of conduct of the staff, disciplinary measures will be taken against the staff until dismissal.

**MODEL POSTER/ KORNIZË**

**MBROJTJA E GRAVE DHË FËMIJËVE NGA SHFRYTËZIMI SEKSUAL**

Hotel / Resort ‘Rafaelo’ and ‘Kolaveri’ is determined to protect women and children from all forms of exploitation including sexual exploitation

The Hotel / Resort has a Women and Child Protection Policy in line with and in compliance with child protection legislation and has a management staff dedicated to child protection - designated child protection staff (PCMF)

**Staff:**

1.Is obliged to implement the Policy for the Protection of Women and Children;

2. Is prepared to protect children from abuse and exploitation and adults from unfounded allegations;

3. Pursuant to Law no. 18/2017 "On the rights and protection of the child", Article 67

"Obligation to Report", notifies the State Police of any case where he suspects abuse, neglect or exploitation of children;

4. Does not accommodate unaccompanied children except at the request of the child protection authorities;

5. Does not accommodate in an room an adult with a child except when the adult is a parent of a child of the same sex and proves the parent-child connection with a family certificate;

6. Is prepared to assist guests to contact the State Police in any case where they suspect child abuse, neglect or exploitation;

7. Establish correct relationships and use appropriate language and behavior with children;

**GUEST**

1. Cannot bring escorts and do not expect outside visits to their rooms;

2. Cannot request paid access to pornographic channels if they have children in the room;

3. Immediately notify either the PCMF or the manager of staff misconduct with children

4. They can contact the police directly at 129 or 355 4 2226801 or the Child Protection Officer of the Municipality of Kavaja and Lezha.

**ABUSE REPORTING MODEL**

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| **Internal reporting of potential incidents of abuse / ill-treatment**  **Today date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,time\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_keeper of this job position \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_in the complex \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.**  **I inform you that during the exercise of my duty in the hotel I noticed that: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **For the above I judge that the child /woman……………………………………………** **accommodated in room no..\_\_\_\_\_\_\_\_ is in danger and needs protection..**  **Referee / rapporteur: Referral / reporting recipient**  **Name, Surname, Signiture Name, Surname, Signiture**  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

**RECOMMENDATIONS FOR POLICY ADAPTATION, DEVELOPMENT AND IMPLEMENTATION***Mbi Implementation by the Resort*

* Recognition of reporting obligations and protection of children and women;
* Consulting the positive effects that policy has on the well-being of the business
* Announcement of the Policy in at least 4 languages: Albanian, English, Dari and Pashto

*On the extension of practice in hotels, guide companies, etc..*

* Policy delivery and expression of readiness for adaptation;
* Organizing adaptation consultation activities;
* Support for policy integration in the recruitment process;

*On national policies*

* Integrate child and women protection concepts into tourism projections;
* Integration of child and women protection in the practices of controls, inspections of security measures of tour operators;
* Extensive familiarity with the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism and the promotion of participation;
* Establishing the obligation for training before and during work related to protection;
* Provision in the draft law "On the establishment of the National Register of Sexual Crimes" of the obligation to provide information by the responsible institution, for sexual predators who travel or frequent Albanian tourist hotels / resorts;
* Establishment of communication bridges between the Ministry of Tourism and the Ministry of Interior / State Police, for the exchange of information on cases of sexual predators, sexual exploitation, trafficking or sex tourism;

**PROGRAMS AND INITIATIVES FOR THE PROTECTION OF WOMEN AND CHILDREN IN THE FIELD OF HOTEL TOURISM**

**Code of Conduct for the Protection of Children against Sexual Exploitation in Travel and Tourism** is an initiative with the mission of providing awareness, tools and support to tourism businesses to prevent the sexual exploitation of children. The Code of Conduct was developed by ECPAT Sweden in collaboration with Scandinavian tourism companies and UNITO, following the First World Congress against Commercial Sexual Exploitation of Children held in Stockholm in 1996. The document was first implemented in 1998 and later adopted from the international network ECPAT. Since 2004, the Code of Conduct has operated as an independent non-profit organization which is governed by a multi-stakeholder Governing Board with representatives from the tourism industry and NGOs. The code is currently being implemented by 54 tour operators and their affiliates, hotels, travel agents and their associations from 17 countries in Europe, Asia, North America, and Latin America.

**Child Protection Certificate. *-*** British and Dutch law enforcement agencies have made efforts to track and obtain SECTT data relating to their nationals. In both countries, "Child Protection Certificates" have been developed, which include police control of citizens who want to work in schools, charities or facilities that help children in other countries.

**ICCAM (I see a Child Abuse Material)** - INHOPE’s software to collect exchanged and categorized reports of sexual abuse material. ICCAM is used by Hotline in different countries and INTERPOL. [[49]](#footnote-49)

**NTD** - **A Notice and Takedoën Order** is a procedure to ask an is a procedure to ask a Hosting Provider (HP) or search engine to immediately remove or disable access to illegal, irrelevant or outdated information that is hosted on their services[[50]](#footnote-50)

**AviaTor** - **Augmented Visual Intelligence and Targeted Online Research**, is an efficient tool that helps you prioritise all aspects of NCMEC reports so that you can focus on identifying perpetrators and saving victims.[[51]](#footnote-51)

**MODEL AGENDA ORIENTATION TRAINING FOR RESORT STAFF**

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|  | **Themes** |
| **Sesion I** | Binding protection legislation |
| **Sesion II** | Distinctive signs of abuse and trafficking |
| **Sesion III** | Reporting system |
| **Sesion IV** | Child protection |
| **Sesion V** | Communicating the policy to Guests and Associates |

**KONTAKTE**

|  |  |
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| Child Protection Officer in the Municipality |  |
| Violence Coordinator in the municipality |  |
| Police - The Almighty of the Area |  |

**LEGISLATION FOR HOTEL TOURISM**

* Law nr. 93/2015 about tourism
* Law nr. 114/2017 For some additions to Law no. 93/2015 "On tourism"
* Law nr. 71/2017 For an addition to Law no. 92/2014, "On value added tax", as amended
* Decision of the Council of Ministers no.321, dated 28.05.2014 "On safety, beaches, inland waters deep in the territory and during exercise and water sports"
* Decision no.709, dated 12.10.2016 on the approval of the regulation “On the requirements and criteria for exercising the activity of the travel agency”
* Decision no. 22, dated 12.1.2018 “On the approval of criteria and procedures for certification of agritourism activity and construction of structures / facilities in its function”
* DCM no. 257, dated 9.05.2018, "On determining the criteria, procedures and documentation for entities applying for status," investor in accommodation structure with 4 or 5 stars, special status”
* DCM no. 325, dated 31.05.2018 "on the appointment of members of the commission for the selection of projects in tourism"
* DCM no. 171, dated 27.3.2019, "On the approval of the regulation" On the conditions and criteria for exercising the activity of the beach station”
* DCM no. 413, dated 19.6.2019, “On the approval of the national strategy for sustainable tourism development 2019–2023 and the action plan”
* Decision no. 424, dated 27.5.2020 for an addition to the decision no. 171, dated 27.3.2019, of the Council of Ministers, “On the approval of the regulation on the conditions and criteria for exercising the activity of the beach station”
* Decision no. 1172, dated 24.12.2020 For some changes and additions to the decision no. 171, dated 27.3.2019, of the Council of Ministers, "On the approval of the regulation 'On the conditions and criteria for exercising the activity of the beach station'", as amendedVendim nr. 257, datë 9.5.2018 për përcaktimin e kritereve, të procedurave dhe of documentation for entities applying for the status “Investor in accommodation structure with 4 or 5 stars, special status

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**REFERENCE**

Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism Background and Implementation <https://www.stopslaverynetëork.org/ëp-content/uploads/2017/07/30.-ECPAT-code_of_conduct.pdf>

Decision no. 327, dated 2.06.2021 On the mechanism of coordination of work between the authorities responsible for the referral of cases of domestic violence, as well as its proceedings to support the rehabilitation of victims of violenceProtokoll i menaxhimit të rasteve të dhunës në familje në nivel vendor, përmes mekanizmit të koordinuar të referimit (mkr)

Adult / Adult Sexual Violence Case Management Protocol, locally through a coordinated multi-sectoral approach

1. ECPAT, Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism Background and Implementation Examples , https://www.stopslaverynetwork.org/wp-content/uploads/2017/07/30.-ECPAT-code\_of\_conduct.pdf [↑](#footnote-ref-1)
2. Angela Hawke and Alison Raphael , The Global Study Report on Sexual Exploitation of Children in Travel and Tourism 2016 [↑](#footnote-ref-2)
3. Angela Haëke and Alison Raphael , Global study on sexual exploitation of children in travel and tourism 2016 [↑](#footnote-ref-3)
4. Angela Haëke and Alison Raphael . The Global Study Report on Sexual Exploitation of Children in Travel and Tourism 2016 [↑](#footnote-ref-4)
5. Angela Hawke and Alison Raphael Global study on sexual exploitation of children in travel and tourism 2016 [↑](#footnote-ref-5)
6. Sexual extorsion [↑](#footnote-ref-6)
7. Neni 7 i Kodit të familjes, pika 2 përcakton”Gjykata e vendit ku lidhet martesa, për shkaqe me rëndësi, mund të lëjoje martesën edhe para moshes 18 vjeç” [↑](#footnote-ref-7)
8. https://ecpat.org/wp-content/uploads/2021/05/ECPAT-Country-Overvieë-Report-Sexual-Exploitation-of-Children-Albania-August-2020-ENGLISH.pdf [↑](#footnote-ref-8)
9. https://ecpat.org/wp-content/uploads/2021/05/ECPAT-Country-Overvieë-Report-Sexual-Exploitation-of-Children-Albania-August-2020-ENGLISH.pdf [↑](#footnote-ref-9)
10. vrojtim kombëtar me bazë popullatën 2018, Dhuna ndaj Grave dhe Vajzave në Shqipëri [↑](#footnote-ref-10)
11. Ligj nr. 18/2017 Për të drejtat dhe mbrojtjen e fëmijës [↑](#footnote-ref-11)
12. Ligj nr. 18/2017 Për të drejtat dhe mbrojtjen e fëmijës [↑](#footnote-ref-12)
13. Nuk ka fjalë të vetme në shqip , në anglisht është Grooming [↑](#footnote-ref-13)
14. Ligj nr. 18/2017 Për të drejtat dhe mbrojtjen e fëmijës [↑](#footnote-ref-14)
15. Ligj nr. 18/2017 Për të drejtat dhe mbrojtjen e fëmijës [↑](#footnote-ref-15)
16. Kodi Penal, Neni 128/b [↑](#footnote-ref-16)
17. Council of Europe Convention on preventing and combating violence against ëomen and domestic violence [↑](#footnote-ref-17)
18. United Nations, Chief Executives Board for Coordination Task Force (2018). United Nations System Model Policy on Sexual Harassment. Available at https://unsceb.org/un-system-model-policy-sexual-harassment [↑](#footnote-ref-18)
19. Council of Europe Convention on preventing and combating violence against ëomen and domestic violence [↑](#footnote-ref-19)
20. Council of Europe Convention on preventing and combating violence against ëomen and domestic violence [↑](#footnote-ref-20)
21. Council of Europe Convention on preventing and combating violence against ëomen and domestic violence [↑](#footnote-ref-21)
22. Council of Europe Convention on preventing and combating violence against ëomen and domestic violence [↑](#footnote-ref-22)
23. Council of Europe Convention on preventing and combating violence against ëomen and domestic violence [↑](#footnote-ref-23)
24. sexual extortion [↑](#footnote-ref-24)
25. Kodi Penal, Neni 110/a [↑](#footnote-ref-25)
26. https://dmoalbania.al/ [↑](#footnote-ref-26)
27. Ligj nr. 93/2015 Për turizmin=5 [↑](#footnote-ref-27)
28. Ligj nr. 93/2015 Për turizmin [↑](#footnote-ref-28)
29. Ligj nr. 93/2015 Për turizmin [↑](#footnote-ref-29)
30. Ligj nr. 93/2015 Për turizmin [↑](#footnote-ref-30)
31. Ligj nr. 93/2015 Për turizmin [↑](#footnote-ref-31)
32. Udhëzim i Ministrisë së Zhvillimit Ekonomik, Tregtisë, Turizmit dhe Sipërmarrjes dhe Ministrisë së Transportit dhe Infrastrukturës, Nëntor 2016, Kushtet dhe Kriteret që duhet të plotësojnë subjektet për transportin rrugor turistik [↑](#footnote-ref-32)
33. https://www.stopvaw.org/health\_consequences\_of\_trafficking [↑](#footnote-ref-33)
34. https://www.stopvaw.org/health\_consequences\_of\_trafficking [↑](#footnote-ref-34)
35. https://my.clevelandclinic.org/health/diseases/13203-shoulder-tendinitis [↑](#footnote-ref-35)
36. Ligj nr. 18/2017 Për të drejtat dhe mbrojtjen e fëmijës [↑](#footnote-ref-36)
37. Ligj nr. 93/2015 Për turizmin- “Udhërrëfyes turistik” është çdo person, mbi moshën 18 vjeç, i çertifikuar nga ministria përgjegjëse për turizmin. [↑](#footnote-ref-37)
38. Protokoll i menaxhimit të rasteve të dhunës në familje në nivel vendor, përmes mekanizmit të koordinuar të referimit (mkr) [↑](#footnote-ref-38)
39. Protokoll i menaxhimit të rasteve të dhunës në familje në nivel vendor, përmes mekanizmit të koordinuar të referimit (mkr) [↑](#footnote-ref-39)
40. Protokoll i menaxhimit të rasteve të dhunës seksuale tek të rriturat/ të rriturit, në nivel vendor përmes qasjes shumë-sektoriale të koordinuar [↑](#footnote-ref-40)
41. Protokoll i menaxhimit të rasteve të dhunës seksuale tek të rriturat/ të rriturit, në nivel vendor përmes qasjes shumë-sektoriale të koordinuar [↑](#footnote-ref-41)
42. Protokoll i menaxhimit të rasteve të dhunës seksuale tek të rriturat/ të rriturit, në nivel vendor përmes qasjes shumë-sektoriale të koordinuar [↑](#footnote-ref-42)
43. Protokoll i menaxhimit të rasteve të dhunës seksuale tek të rriturat/ të rriturit, në nivel vendor përmes qasjes shumë-sektoriale të koordinuar [↑](#footnote-ref-43)
44. Protokoll i menaxhimit të rasteve të dhunës seksuale tek të rriturat/ të rriturit, në nivel vendor përmes qasjes shumë-sektoriale të koordinuar [↑](#footnote-ref-44)
45. Adult / Adult Sexual Violence Case Management Protocol, locally through a coordinated multi-sectoral approach [↑](#footnote-ref-45)
46. Vendim nr. 499, datë 29.8.2018 Për miratimin e procedurave standarde të veprimit për mbrojtjen e viktimave dhe viktimave të mundshme të trafikimit [↑](#footnote-ref-46)
47. Vendim nr. 499, datë 29.8.2018 Për miratimin e procedurave standarde të veprimit për mbrojtjene viktimave dhe viktimave të mundshme të trafikimit [↑](#footnote-ref-47)
48. Both stages are based on an interview which is entirely voluntary - the individual victim may refuse to be interviewed. [↑](#footnote-ref-48)
49. INHOPE [↑](#footnote-ref-49)
50. INHOPE [↑](#footnote-ref-50)
51. https://ëëë.inhope.org/EN/aviator [↑](#footnote-ref-51)