



**AD HOC QUERY ON 2020.58 Definition of “safe accommodation”**

**Requested by Gabor Veto on 18 August 2020**

**Compilation produced on 26 October 2020**

**Responses from Austria, Belgium, Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden plus Norway (24 in Total)**

**Disclaimer:**

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**1. Background information**

This year, Hungary has adopted the new national anti-trafficking strategy for the period of 2020-2023 and the action plan to be implemented in 2020-2021.

With the aim of developing the standards of shelter placement and ensuring the safe accommodation of victims of trafficking (or domestic violence), one strategic objective is to clarify the official definition of “shelters”.

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Therefore, we are interested in the following issues with regard to the safe housing of third country national victims of trafficking in human beings:

Thank you very much for your contribution.

## **2. Questions**

- 1. How does your Member State define “safe accommodation” when dealing with third country national victims of trafficking in human beings? Is this definition established in the law? If yes, can you please provide the legal definition?**
- 2. What are the legal requirements for operating a shelter for TCN victims of human trafficking?**
- 3. Have the authorities drafted specific guidelines for service providers managing shelters for TCN victims of human trafficking (either state-owned or NGOs)?**
- 4. Is there a responsible body monitoring the conditions of shelters?**
- 5. What kind of support (i.e. financial) can the service providers of such shelters get?**
- 6. What kind of security and surveillance measures are taken to guarantee the safe placements of victims?**

We would very much appreciate your responses by **22 September 2020**.

## **3. Responses**

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<sup>1</sup> If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

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		Wider Dissemination <sup>2</sup>	
	EMN NCP Austria	Yes	<p>1. As enshrined in the permanent contract with LEFÖ-IBF by the Ministry of Interior and the Federal Chancellery – Women Issues and Equality LEFÖ-IBF offers safe accommodation to trafficked women and girls from the age of 15. The safe accommodation and the assistance in the shelter is based on the 20th years experiences by LEFÖ-IBF establishing subjective and objective security, through socio-cultural mediation, a secret address and other security and safeguarding measures. In 2013 the Ministry of Interior invited tenders for a victim protection facility for trafficked women and girls. In this tender the frame of safe accommodation for VoT was defined. LEFÖ-IBF received the tender resulting in a permanent contract by the Ministry of Interior and the Federal Chancellery. Grounded in principles of confidentiality, anonymity and voluntariness LEFÖ-IBF operates four shelters on behalf of the Ministry of Interior and the Federal Chancellery in Austria.</p> <p>--- Source: Ministry of the Interior</p> <p>2. Article 25 of the Security Police Act allows the appointment of victim protection facility by the Ministry of Interior in order to provide victims of violence appropriate assistance, including safe accommodation.</p>

<sup>2</sup> A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

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			<p>In 2013 after a tender on victim protection facility for trafficked women and girls, including safe accommodation, a permanent contract was put in place with LEFÖ-IBF for running secure accommodation for trafficked women and girls. Therefore, the ongoing provision of safe accommodation is based on the contract with LEFÖ-IBF as a victim protection facility as defined in article 25 of the Security Police Act.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>3. In the process of application for the tender, LEFÖ-IBF had to present their quality standards and guidelines for safe accommodation. In accordance with the contracting Ministries, quality standards and guidelines then, once LEFÖ-IBF received the tender, went into force.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>4. The respective Ministries are responsible to monitor all activities of LEFÖ-IBF, which includes the operation of shelters. LEFÖ-IBF is obliged to report annually on their activities and service provisions as specified in the permanent contract.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>5. As specified in the permanent contract as well as in the application procedure for the tender, based on the police security act, necessary costs for operation of shelters accordingly to appropriate quality standards are undertaken by the respective Ministries. This costs are yearly evaluated and adjusted according the index and the number of women and girls taken care of.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>6.</p>
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			<p>First and foremost in order to guarantee the safety of trafficked women and girls, LEFÖ-IBF’s shelter have secret addresses while their registered address is the office’s address. New clients coming in to the shelter have to sign the agreement to not disclose the address of the shelter to third parties.</p> <p>The shelters are equipped with adequate security standards. Additionally, the address of the shelters are registered in the police operations control system. This guarantees the immediate police presence in situations of danger but allows at the same time the data protection of VoT.</p> <p>All staff are trained to uphold safety measures at all times and are obliged to not disclose any information regarding the shelter, as enshrined in the code of conduct as well as security trainings.</p> <p>---</p> <p>Source: Ministry of the Interior</p>
	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. There is no legal definition on “safe accommodation”.</p> <p>In Belgium the procedure for assistance to victims and potential victims of trafficking in human beings is provided in the Law on Foreigners of 15 December 1980 (Articles 61/2 to 61/5). The details of this procedure are set out in the circular of 23 December 2016 on the introduction of multidisciplinary cooperation with regard to victims of human trafficking and/or certain more serious forms of human smuggling. In this circular is mentioned the way in which potential victims of human trafficking and/or certain more serious forms of human smuggling are detected, referred on, received and counselled. It also defines the conditions to be applied in order to obtain the status of victim.</p> <p>Multidisciplinary cooperation between the services concerned has been introduced in order to organise the actions efficiently This involves cooperation between the police and inspection services, the Immigration Office, the accredited specialised reception centres for victims of human trafficking, the reference magistrates for human trafficking (at the public prosecutor’s offices or audit offices) and other partners.</p>

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			<p>The role to be played by each of the above-mentioned services concerned at the various stages is explained in the circular.</p> <p>The specialized reception centres give support to victims of human trafficking. They provide reception, counselling, psychological and medical assistance, and legal assistance.</p> <p>Insofar as accommodation is concerned, the three specialised reception centres can take in all adult victims of trafficking, irrespective of gender, the type of exploitation, their nationality or status under immigration legislation and where they were detected, including abroad in certain cases. The three centres each have a discreet, secure reception facility where adult victims, both men and women, may be accommodated where necessary, with a total of 50 places available for the three facilities. In certain cases the victims may also be housed in “transit flats” or other accommodation, after a stay in a facility lasting between five and six months on average or directly, depending on their needs.</p> <p>2.</p> <p>A Federal Royal Decree (Royal Decree of 18th of April 2013 on the approval of centres specializing in the reception and assistance of victims of trafficking in human beings and certain more serious forms of trafficking and on the approval to take legal action) sets out certain conditions which should be met by a shelter to be recognised as an official specialised reception centre for victims of trafficking. The Federal recognition means that the centers are the only ones that can ask for residence permits for victims of THB. Technical standards regarding the living space, beds, kitchen and other amenities are governed by norms established by regional authorities and are regularly examined when determining budgetary allocations. The three shelters are situated in confidential locations and apply certain security measures to ensure the protection of victims.</p> <p>The decree stipulates that only non-profit associations may apply. It specifies that centres enjoying official recognition may conclude agreements with other associations for the reception of victims requiring special supervision, particularly minors. In a way, the main effect of the decree is to enshrine and officialise the organisation of assistance to trafficking victims as it has existed for several years in Belgium.</p> <p>3. The authorities didn't draft specific guidelines on how to manage shelters. Payoke, one of the recognized reception centre, has written a manual (in English) on how to establish and operate a shelter</p>
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			<p>for victims of human trafficking, based on Payoke’s 30+ years of experience.</p> <p>More information on this manual can be found here: <a href="https://www.payoke.be/2019/05/24/the-payoke-way/">https://www.payoke.be/2019/05/24/the-payoke-way/</a></p> <p>4. The federal department of Justice is responsible.</p> <p>A withdrawal of recognition is possible under the Federal Royal Decree if the center doesn’t respect the conditions established in this decree and in particular do not correctly follow the measures related to the national referral mechanism.</p> <p>5. The federal government and the federated governments provide funding to the shelters. The Federal Government subsidizes the aspects linked to the support of the victims during the trial and the residence permits procedure, while the federated governments provide funding for the accommodation.</p> <p>6. The addresses of the shelters are not public. Centers also uses internal measures/regulations.</p>
	<p>EMN NCP Bulgaria</p>	<p>Yes</p>	<p>1. The Bulgarian law does not explicitly provide for a definition of the term “safe accommodation”. The National Mechanism for Referral and Support of Victims of Trafficking establishes clear procedures and measures related directly to and ensuring the safe accommodation of victims of human trafficking in the specialised services under the scope of the competent authority in this field – the National Commission for Combating Trafficking in Human Beings (NCCTHB). The Bulgarian law does not explicitly provide for a definition of the term “safe accommodation”. The National Mechanism for Referral and Support of Victims of Trafficking establishes clear procedures and measures related directly to and ensuring the safe accommodation of victims of human trafficking in the specialised services under the scope of the competent authority in this field – the National Commission for Combating Trafficking in Human Beings (NCCTHB).</p>

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			<p>2. There are no legal requirements for operating a shelter specifically for TCN victims of human trafficking. According to the Law on Combating Trafficking in Human Beings and the relevant regulations, the specialised services under the scope of the NCCTHB are available to the target group as a whole, i.e. to victims of human trafficking, regardless of their nationality (Bulgarians/EU citizens or TCNs). It is irrelevant as well whether these persons have been officially identified by the pre-trial authorities, or are still assumed victims/informally identified persons. At national level, there are currently 5 services for victims of human trafficking – two Shelters for temporary accommodation and support of victims, two Centres for Support and one Shelter for Subsequent Reintegration. According to the Law, these Shelters and Centres provide protection and support of victims of human trafficking without any direct or indirect discrimination, privileges or limitations based on nationality, origin, ethnicity, personal situation, sex, sexual orientation, race, age, political or religious views, membership in trade unions or other public organisations and movements, family, social or material status and the existence of mental or physical disabilities.</p> <p>3. The NCCTHB has developed minimum standards of work and number of personnel in the Shelters and Centres. The management of the services is conferred to non-governmental organisations with many years of experience. They are selected under the relevant procedures, in compliance with the Law on Public Procurement. In the Shelters, victims are able to receive specialised support and care, including medical, legal and psychological support. If need be, they may receive other types of services, e.g. interpretation to and from a language they understand. On the other hand, the entire work related to reports on victims of human trafficking is carried out in line with standard operating procedures within the National Mechanism for Referral and Support of Victims of Trafficking. This mechanism represents a framework for cooperation where national authorities fulfil their obligations to ensure support to the victims. It includes an institutional framework with all the stakeholders who shall coordinate their efforts in a strategic partnership — institutions,</p>
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			<p>NGOs, international organisations and civil society (more information about this mechanism is available at <a href="https://antitraffic.government.bg/en/help#national_mechanism">https://antitraffic.government.bg/en/help#national_mechanism</a>). NCCTHB, through its administration, is coordinator of the National Mechanism.</p> <p>4. The responsible body monitoring the provision of services for victims of human trafficking, operating under the scope of the NCCTHB, is the NCCTHB administration.</p> <p>5. The activities of the service providers related to protection of victims of human trafficking are financed by the National Commission for Combating Trafficking in Human Beings. Service providers may additionally seek funds for co-financing and/or other types of support for the victims who are beneficiaries of these services. The services under the scope of NCCTHB have been established with the support by the municipal authorities of the towns of Varna and Burgas. In these municipalities, Local Commissions for Combating Trafficking in Human Beings have been created. In these Local Commissions there are representatives of the Ministry of Interior and of the competent Prosecutor’s Office.</p> <p>6. Security of accommodated/referred victims is ensured by Shelter/Centre Internal Rules providing for all the necessary procedures to guarantee a protected environment. According to the Law on Combating Trafficking in Human Beings, victims of human trafficking who have expressed a wish to collaborate for discovering the traffickers, shall be granted a special protection status for the period of the penal proceedings. For the TCNs, the procedure includes granting a prolonged residence permit in the country (in accordance with the Law on foreigners in the Republic of Bulgaria) as well as extending the stay in the Shelters. In addition, TCN victims of human trafficking have the right to benefit from the social services provided on the whole territory of the country, including accommodation in the Crisis Centres for victims of</p>
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			<p>violence and human trafficking, as well as in the Centres for social support and/or for support of mothers and their infants, operating within the relevant municipalities and the Social Assistance Agency.</p>
	<p>EMN NCP Croatia</p>	<p>Yes</p>	<p>1. Accommodation as a social service is prescribed by the Social Welfare Act (OG 157/13, 152/14, 99/15, 52/16, 16/17, 130/17, 98/19, 64/20). According to Article 87, accommodation is a social service that may include housing, food, care, health care, social work, psychosocial rehabilitation, physical therapy, occupational therapy, work activities, active pastime, upbringing and education, depending on the identified needs and user choice. Victims of trafficking in human beings are granted temporary accommodation in crisis situations in national shelters for victims of trafficking in human beings (Article 89). Accommodation for victims of trafficking is provided in the National Shelter for Adult Victims of Trafficking and the National Shelter for Children Victims of Trafficking. Shelter locations and all treatment of victims of trafficking are secret.</p> <p>2. Shelters for victims of trafficking are managed by civil society organizations that meet the legal requirements for the provision of temporary accommodation for children and adult victims of trafficking prescribed by the Ordinance on minimum conditions for the provision of social services (OG 40/2014, 66/2015). Pursuant to the said Ordinance, the Ministry for labor, pension system, family and social policy (further: Ministry) issues a Decision on meeting the minimum conditions for providing temporary accommodation for children and adult victims of trafficking in human beings in terms of space, services provided and special conditions for professionals working with victims of trafficking in shelters.</p> <p>3. Documents of Ministry: Standard operating procedures of the Ministry of Demography, Family, Youth and Social Policy Social Welfare Act (OG 157/13, 152/14, 99/15, 52/16, 16/17, 130/17, 98/19, 64/20) Ordinance on minimum conditions for the provision of social services (OG 40/14, 66/15)</p>

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			<p>4. The Ministry supervises the application and execution of laws, other regulations and general and individual acts, as well as the professional work of the shelter.</p> <p>5. The shelters are financed by the Ministry from the state budget.</p> <p>6. All procedures carried out under the assistance and protection program are confidential. When the victim accepts accommodation in the shelter, he or she enters into a Data Protection Agreement and signs an Agreement on the Use of the Shelter for Victims of Trafficking in Human Beings. The agreement obliges that during the stay in the shelter and after leaving it, it will keep secret the address of the shelter, telephone number, information about employees and information about themselves and other persons who were in the accommodation. Victims also enter into an Agreement on the Use of Shelters for Victims of Trafficking in Human Beings, which obliges them to comply with house rules, of which they must be informed in advance and must cooperate with the shelter's employees.</p> <p>When a victim needs to use certain services from the program, they are referred to a person specially designated for THB victims in that area of services (e.g. a designated person in Employment bureau) in order to reduce exposure of victim.</p> <p>Professional associates in social care centers, coordinators and employees of shelters for victims of trafficking in human beings in the social welfare system are obliged to protect all data of victims as a professional secret.</p> <p>Victim is always transported in a car without markings to protect the victim and staff working with the victim. Shelters are under video surveillance.</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. “Safe accommodation” is not specifically defined in the Czech legislation. However, there are general standards of social and accommodation services which are defined by the Act No. 108/2006 Coll. on Social Services and its Regulation No. 505/2006 Coll. and which has to be fulfilled. Standards of the social services for providers are stated in the Appendix No. 2 of the mentioned Regulation.</p>

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			<p>2. In the Regulation No. 505/2006 Coll. (Appendix 2) there are stated standards which has to be met by the service provider to provide social services in general. For example the service provider is obliged to define internal rules and conditions in areas such as protection of persons; contract on providing social services; individualisation of the social service which is provided to the person; complaints on the quality of provided service etc. The service provider is obliged to published the internal rules, fulfil them and in defined areas to keep documentation on its fulfilment etc.</p> <p>3. No. As mentioned above each service provider is obliged to present internal rules in the areas mentioned in the legal acts. Furthermore, standards of sufficient standards of accommodation are also defined by respective legal act (Building Act).</p> <p>4. The Ministry of Social Affairs carries out controls of providers of social services.</p> <p>5. Providing of social services is financed by donations from the State or by specialised Programmes (e.g. Programme on Support and Protection of victims of trafficking in human beings). In case of when it is financed by a Programme the financial support is provided based on a contract among public body and NGO.</p> <p>6. Security and surveillance measures depend on every single organisation (social service provider). There is no general list of measures which has to be taken (e. g. secret address of the safe house, specific internal rules of the organisation etc.).</p>
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	<p>EMN NCP Estonia</p>	<p>Yes</p>	<ol style="list-style-type: none"> <li>1. There is no legal definition for the term "safe accommodation".</li> <li>2. According to the Social Welfare Act a provider of social services must proceed from generally accepted quality principles: person-centeredness, empowering nature of the service, orientation towards outcome, needs-based approach, integral approach, protection of a person's rights, involvement, competence and ethics of the employee and the good work organisation and high-quality management of the organisation. The quality principles in detail are spelled out in the Estonian Social Service Quality Guidelines (<a href="https://www.sotsiaalkindlustusamet.ee/sites/default/files/content-editor...">https://www.sotsiaalkindlustusamet.ee/sites/default/files/content-editor...</a>). Also, in Estonia there are no separate shelters for TCN victims of human trafficking. (Potential) victims of human trafficking, no matter if TCNs or Estonian citizens, are accommodated in a shelter for victims of human trafficking. Underage victims of human trafficking are provided accommodation within the alternative care service if necessary (the service provider will be chosen by the Estonian Social Insurance Board).</li> <li>3. There are no specific guidelines for service providers managing shelters for TCN victims of human trafficking. The quality principles for all social services providers are spelled out in the Estonian Social Service Quality Guidelines. Also, a manual for "Victim of trafficking in human being's detection and assistance guidance" has been drafted, which gives specialists directions on how to detect a victims of human trafficking and how to direct them to assistance offered by the Estonia Social Insurance Board.</li> <li>4. The responsible body monitoring the conditions of shelters is the Estonian Social Insurance Board.</li> <li>5. Such shelters are state-funded.</li> <li>6. There are various security and surveillance measures taken to guarantee the safe placements of victims:             <ul style="list-style-type: none"> <li>• The service provider must ensure around the clock preparedness to admit the victims of human trafficking at any time.</li> <li>• The shelter must be accessible 24/7.</li> </ul> </li> </ol>
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			<ul style="list-style-type: none"><li>• The shelter must be located in a densely populated area with good public transport possibilities and where people are constantly moving around.</li><li>• The address of the shelter must not be public.</li><li>• The shelter must not be labelled (i.e. the walls of the building or the apartment, the doors etc. cannot have any signs which make it recognisable that a shelter is operating at that location).</li><li>• The door of the building must have a safety lock and must allow to see/identify who is behind the shelter's door (e.g. through a peep-hole, security camera).</li><li>• The buildings, facilities and rooms must abide with the rules set out in the Building Code.</li><li>• It must be possible to offer the shelter's services to up to 5 victims of human trafficking at the same time.</li><li>• To ensure security the service provider must be ready to change the location of the shelter if necessary.</li><li>• The security of the employees of the shelter must be ensured.</li><li>• If arranging transportation for the victim through other parties (police, local municipality etc.) is not possible then the service provider arranges necessary transportation (e.g. to see a doctor, to participate in the procedural acts).</li><li>• The victims must have an access to the specialised shelter within 48 hours from notifying the service provider about the need for shelter.</li><li>• Initial crisis counselling must be offered around the clock, the waiting time cannot exceed 4 hours.</li><li>• In cases of human trafficking linked to sexual abuse crisis counselling and 24h surveillance must be provided for the first 3 days by the service provider to ensure the safety of the victims and lower the risk of suicide.</li><li>• The service provider must hear out the victims and provide them with emotional support.</li><li>• The service provider must assess the security risks and draw up an initial plan of action to lower the risks (within it giving an assessment for surveillance needs, risk of suicide etc).</li><li>• Victims must be informed about their rights and further possible measures for assistance.</li><li>• The service provider must ensure that staff is employed whose qualification and division of work ensure the around the clock admission to the shelter, initial crisis counselling and other counselling services necessary to assist the victim.</li></ul>
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	<p>EMN NCP Finland</p>	<p>Yes</p>	<p>1. In the law governing assistance to VOTs it is stated that the VOT has a right to safe accommodation. There is no further definition in the law as to what is meant by safe accommodation. In the preliminary work of the law it is implied that safe accommodation may also mean technical security solutions done on the victim's current place of accommodation. Whereas the Finnish law generally stipulates that all clients of the public social services are entitled to accommodation, the law on VOT assistance entitles VOTs to safe accommodation. The National Assistance System for Victims of Human Trafficking has interpreted this to mean that VOTs should not be even temporarily housed in the so-called night shelters normally used to offer a place to sleep for homeless people including persons with substance abuse issues. VOTs without housing may also be housed in rented apartments or, for example, in reception centres for persons seeking asylum. In the latter option, security measures, social support and healthcare are under the same roof. Security measures can be increased when necessary.</p> <p>2. VOTs are housed in different ways in Finland, not just in shelters. Currently there is just one shelter providing safe and supported housing specifically for VOTs. The law is silent on requirements for such housing. A different law governs the establishment of safe houses / shelters for victims of domestic abuse. VOTs are currently not allowed to be housed in such shelters unless their situation includes that of domestic violence.</p> <p>Potential candidates for providing safe accommodation for VOTs are put out to tender. In this process requirements are set for bidders on appropriate training of staff, the amount of staff, contents of the service and security measures. Bidders must be in possession of a permit legally required for any private entity that provides social services. This permit is granted by a Regional State Administrative Agency (AVI) that also supervises the functions of the permit holders. Therefore, AVI acts as the supervising authority for the legality and activities of said safe shelter for VOTs. As the purchaser of the service TCN service, the National Assistance System for Victims of Human Trafficking also supervises the legality and activities of the shelter and its adherence to the contract.</p> <p>3. Please see responses to Q.1 and 2.</p> <p>4. Please see response to Q.2.</p>
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			<p>5. Please see response 2. The price of the service per 24 hours is defined in the contract.</p> <p>6. Please see responses to Q.1. and Q.2. The selected service provider is required to have certain security elements in place, such as camera surveillance (CCTVs) of the unit area and the availability of trained security guards when needed.</p>
	EMN NCP France	Yes	<p>1. Article L.345-1 of the Social Action and Families Code (CASF) indicates that places in accommodation and social reintegration centres are open to victims of trafficking in ‘secure conditions’. Accommodation places should take into account the specificities of victims of trafficking by offering appropriate solutions to their situation.</p> <p>2. The mission of the Ac.Sé national system (the National Mechanism for the Reception and Protection of Victims of Trafficking) is to protect victims of human trafficking in danger by offering them reception and support by trained professionals as well as geographical remoteness. Victims of trafficking in human beings have access to the accommodation and social reintegration centres (CHRS) according to Article R.316-8 of the Code on Entry and Residence of Foreign Nationals and Right of Asylum (CESEDA). The purpose of the CHRSs is to carry out social and medico-social missions. Their operating mode is based on the conclusion of an agreement between the State and the childcare facilities (Article L.345-3 of the CASF). The CHRSs are mostly managed by humanitarian associations and organisations or by local public authorities. In order to be considered as a CHRS, the Prefect needs to issue an authorisation for opening, as well as the conclusion of an agreement with the State. This authorisation is issued for a period of 15 years (Article L.313-1 of the CASF).</p> <p>3. The Government implemented a second National Action Plan against trafficking in human beings (2019-2021). The accommodation stock of the national reception system, which now has around 85,000 places, is for general purpose. Specific vulnerabilities of migrant women are obstacles to their integration pathway. They have sometimes suffered from specific gender-based violence. This situation implies the care of this public to be adapted. This measure</p>

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			<p>is part of the National Strategy for the Reception and Integration of Refugees, presented at the Inter-ministerial Committee for Integration of 5 June 2018 and steered by the inter-ministerial representative for the reception and integration of refugees.</p> <p>Women at risk, whether asylum seekers or refugees, will be eligible for shelter and care in dedicated accommodation facilities. By the end of 2019, a total of 300 places were expected to be allocated to them.</p> <p>Link to the second National Action Plan (in French): <a href="https://www.egalite-femmes-hommes.gouv.fr/wp-content/uploads/2019/10/2e-Plan-action-traite-etres-humains.pdf">https://www.egalite-femmes-hommes.gouv.fr/wp-content/uploads/2019/10/2e-Plan-action-traite-etres-humains.pdf</a></p> <p>The recognised public interest ALC association, which coordinates the National Mechanism for the Reception and Protection of Victims of Trafficking (Ac.Sé), published in 2014 a practical guide on the identification, reception and support of victims of trafficking in human beings. Link to the guide (in French): <a href="http://www.acse-alc.org/images/GuideAcSe_web.pdf">http://www.acse-alc.org/images/GuideAcSe_web.pdf</a></p> <p>4.</p> <p>The Ministry of Employment, Labour and Social Cohesion published a national reference guideline on ‘Home, accommodation, inclusion’ in March 2005, which lays down the principles governing the provision of care and support for people in CHRS.</p> <p>Any changes in the the activity, installation, organisation, management or functioning of the CHRS must be brought to the attention of the competent authority.</p> <p>According to Article L.312-8 of the CASF, CHRSs are required to carry out an assessment of their activities and the services they issue by an authorised external body. They must comply with specifications laid down by decree. The list of the authorised bodies is drawn up by the High Health Authority.</p> <p>5. CHRSs are funded by the State (article L.345-2-5 of the CASF).</p> <p>6.</p> <p>Article R.316-8 of the CESEDA states that the person who is the victim of trafficking can benefit from a change of place of residence if required for their safety and be oriented towards the reception national system for victims of trafficking and pimping (Ac.Sé). In addition, according to Article R.316-7 of the CESEDA, the person who is the victim of trafficking who lodges a complaint or testifies against a person or persons prosecuted for human trafficking may, in the event of danger, benefit from police protection during the criminal proceedings.</p>
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	<p>EMN NCP Germany</p>	<p>Yes</p>	<ol style="list-style-type: none"> <li>1. There is no legal definition of safe accommodation in place in Germany.</li> <li>2. There are no national specialized legal requirements in place for the accommodation of trafficked person.</li> <li>3. There are coordinated measures on a federal level by the ministry of social affairs (BMFSFJ) and the Association of Women’s Shelters (Frauenhaus-Koordinierung e.V.), however, there are no legislative mandatory guidelines on a federal level for service providers of shelters. In the German federalist state system, each state has its own guidelines in place regarding funding of women’s shelters (without obligation to consider trafficked persons in their guidelines for service providers).Please see also the attached study. kok_study_accomodation_of_trafficked_perons_in_germany.pdf</li> <li>4. There is no federal coordinating body to monitor existing shelter conditions, the responsibility lies with each state and is based on their own guidelines for accommodations. There are no specific monitoring measures in place to ensure the safety of trafficked persons while accommodated in a shelter.</li> <li>5. The running costs of shelters are state - funded. There are two main financing models for accommodation costs within the German shelter system. One is a financial funding based on a flat-rate model in which shelters get a lump sum based on their capacities and occupancy rates. The other financing model is based on the cost rates of accommodation which is broken down into daily accommodation rates. Both financing models are based on and require the accommodated persons to provide the payment, either through social benefits (German Social Code II or XIII), the asylum benefit system or self- payment. Some shelters can acquire some additional funding to balance outstanding expenditures, but this is generally an exception.</li> <li>6. The safe accommodations for trafficked persons, run by specialised counselling centres, compose safety measures to address their specific needs. However, these are most commonly run as a safe place to stay, without additional psycho-social support or staff members available at the facility, such as in shelters for women that have experienced domestic abuse. Apart from these safe accommodations run by specialized counselling centres in Germany, there are no shelters to specifically address the needs of trafficked persons in Germany. Most of the trafficked persons identified are women, which are typically</li> </ol>
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			accommodated in shelters for women that have experienced domestic abuse. There are disproportionately less accommodations available for men, with only a handful of shelters nationwide. Trafficked minors are placed within the social welfare system
	EMN NCP Hungary	Yes	<ol style="list-style-type: none"> <li>1. Hungarian legislation refers to safe accommodation (shelter) as a form of victim support service, without exact legal definition and standards.</li> <li>2. N/A</li> <li>3. N/A</li> <li>4. <i>Government Decree 114/2007 (V. 24.) on the Implementation of Act II of 2007 on the Entry and Stay of Third-Country Nationals provides that third-country national victims of trafficking in human beings may be placed in immigration reception centres operated by the National Directorate-General for Aliens Policing or other places with maintenance contract. The latter refers to the state-funded shelter, where as a general rule Hungarian victims are accommodated; this institution is operated by an NGO under the supervision of the Ministry of Human Capacities.</i></li> <li>5. Pursuant to the above-mentioned Government Decree third-country national victims of trafficking in human beings are entitled to board and lodging in community shelter (or equal accommodation) and medical services. They shall be eligible to financial assistance as well for up to 12 month – this monthly allowance is equal to the actual amount of the unemployment benefit.</li> </ol>

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			<p>6. In case of shelters dedicated for victims of trafficking in human beings the secrecy of its location and address, video surveillance and alarm connected to the local police are the main safeguards.</p>
	<p>EMN NCP Ireland</p>	<p>Yes</p>	<p>1. There is no legal definition of 'safe accommodation.' Ireland published the Second National Action Plan to Prevent and Combat Human Trafficking in 2016. The Action Plan covers all victims of trafficking (domestic, EEA nationals and non-EEA nationals). Adult EEA national and adult non-EEA national victims are provided with accommodation in the accommodation centres of the International Protection Accommodation Services. These are the same accommodation centres that are used for protection applicants in Ireland. Mionor victims are referred to the Child and Family Agency (Tusla). See the following webpage for details of state services which are available to victims of trafficking: <a href="http://www.blueblindfold.gov.ie/en/bbf/pages/state_services">http://www.blueblindfold.gov.ie/en/bbf/pages/state_services</a>. For non-EEA nationals who are not part of the international protection process, the national police must have reasonable grounds for the person to be considered a victim of human trafficking so that the immigration services can grant the person a 60 day recovery and reflection period. While that decision is pending, and during this reflection period, the person is provided with accommodation in an IPAS centre. If, following this 60 day period, the person is cooperating with a police investigation, they will be granted a 6-month immigratio permission (renewable) and they can be assisted with moving from IPAS accommodation into independent living. Over the past 12 months, the Department of Justice has been engaging with NGOs to see if an NGO-led solution to providing specialised accommodation for victims of trafficking, in particular for female victims of sexual exploitation, a particularly vulnerable group, can be reached. Agreement in principle has been reached with an NGO active in the housing sector, which has already done useful work with the Department of Justice in moving successful internatioanl protection applicants into long-term accommodation. Another key requirement is for the service to include a practical process for moving victims of human trafficking to long-term independent accommodation within a time frame which will allow the facility to maintain the capacity to admit new clients urgently. Consideration within the Department's International Protection Accommodation Servie is ongoing on the possibilities of adopting this approach.</p> <p>2. .</p>

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			<p>3. .</p> <p>4. .</p> <p>5. .</p> <p>6. .</p>
	<p>EMN NCP Italy</p>	<p>Yes</p>	<p>1. There is not a definition of “safe accommodation” established by the law stricto sensu. However, the Italian legislation on vulnerable migrants includes the victims of trafficking’s protection. So, with regard to safe accommodations, art. 17 of the law 142/2015 (implementation of the directive 2013/32/UE) provides that reception measures should take account of specific situations of vulnerable persons, such as UAMs, pregnant women, elderly and disabled, victims of physical or mental violence, trafficking, genital mutilation, etc. In these cases, the reception centres’ manager has to communicate to the Territorial Commissions (administrative authorities, competent to examine asylum applications at first instance) the existence of special needs, in order to give them all relevant information to assess the asylum claim and guarantee an appropriate protection for vulnerable applicants. In case of victims of trafficking, a specific program of identification, assistance and social integration should be applied (Art. 18 para. 3-bis of Consolidated Law of Immigration, law n. 286/1992): a structural system of protection is provided through special reception services, such as targeted reception facilities aimed to offer particular standard of protection, specific psychological support, medical assistance. In general, there are reception facilities addressed to men and others only to women (except cases in which there is a family group).</p>

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			<p>2.</p> <p>There are not specific legal requirements for operating a shelter for TCN victims of human trafficking. In fact, Italian law does not provide a uniform framework relating to the evaluation of vulnerability (except for UAMs): so, there is no a legal procedure of identification, but only specific guidelines.</p> <p>In particular, the process of identification starts only when the asylum application (completed by the Police Headquarters or the Border Police) shows a vulnerable situation due to gender-based violence/trafficking.</p> <p>Therefore, the Territorial Commission’s officers prepare the interview in order to bring the truth to light and to protect the potential victim in an appropriate way. The territorial commission’s officer (who conducts the interview) and the interpreters shall be of the same gender of the applicant and has to be specially trained and qualified to deal with these vulnerable situations.</p> <p>In particular, if during the study of the case or during the interview, the Territorial Commission’s officer recognizes trafficking indicators – stated in annex B of the Guidelines - (such as young age, provenience, lack of details about the flight, type of route, frequent absence from the reception center or the refusal of the reception), he stops the interview and with the consent of the applicant, proceeds with the so called “<u>referral mechanism</u>”:</p> <ul style="list-style-type: none"><li>- The Territorial Commission contacts an anti-trafficking institution among those who realize the program of identification, assistance and social integration according to art. 18 comma 3 bis of law 286/1998 (financed by Ministry of Equal Opportunities) and with which the Commission has stipulated a memorandum of understanding;</li><li>- the anti-trafficking institution carries out several talks with the potential victim and, at the end, sends a report to Territorial Commission, in which has to be highlight if the applicant has asked or has accepted to adhere to a specific program of protection.</li></ul> <p>3.</p>
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			<p>According to article 9 of law 24/2014, on 26 February 2016 the first National Plan has been emanated against human trafficking and exploiting for the period 2016-2018. This plan constitutes an instrument to define multiannual strategies for the prevention and the fight of trafficking and exploiting phenomenon and to set up initiatives of awareness, social prevention and social integration of victims.</p> <p>Then, the National Commission for Asylum, within the Ministry of Interior, and the UNHCR have elaborated (in 2017) Guidelines to Territorial Commissions to identify asylum seekers victims of trafficking (<a href="https://www.unhcr.it/wp-content/uploads/2018/02/Linee-Guida-identificazione-vittime-di-tratta.pdf">https://www.unhcr.it/wp-content/uploads/2018/02/Linee-Guida-identificazione-vittime-di-tratta.pdf</a>).</p> <p>Moreover, the Ministry of Equal Opportunities has created a monitoring center on trafficking (<a href="https://www.osservatoriointerventitratta.it/osservatorio/">https://www.osservatoriointerventitratta.it/osservatorio/</a>) with an informatic system to collect information about it (SIRIT) and a National Antitrafficking Green Number.</p> <p>4. Yes.</p> <p>The coordination of the system of reception is granted by the Central Service, which is an operating structure established and activated by the Ministry of the Interior and entrusted to the National Association of Italian Municipalities. The Central Service has the responsibility to inform, promote and assist Local Authorities, which are responsible to organise, manage and control migrants' accommodation.</p> <p>With regard to antitrafficking institutions (which must be entered in the register of associations and institutions working in the interests of immigrants according to art. 52 lett. B of law 394/99), the Ministry of Labour, Health and Social Policies, the Ministry of Labour, Health and Social Policies verifies conditions of standards protection.</p> <p>5. Financial support.</p> <p>As just said, programs of identification, assistance and social integration are financed by the Ministry of Equal Opportunities.</p>
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			<p>6.</p> <p>As said in Q. 1, programs of identification, assistance and social integration provide a targeted reception/protection:</p> <ul style="list-style-type: none"> <li>- safe accommodations (for example only women)</li> <li>- qualified staff in dealing with vulnerable status;</li> <li>- targeted psychological and medical assistance;</li> <li>- closed coordination with the administrative authority aimed to assess asylum claim.</li> </ul>
<p>==</p>	<p>EMN NCP Latvia</p>	<p>Yes</p>	<p>1. No, there is no safe accommodation definition in the law, however there are requirements for service provider to ensure safe accommodation.</p> <p>2. At legislative level there are requirements for service provider: A service provider which provides a social rehabilitation service for victims of trafficking in human beings shall ensure: if necessary, a safe shelter and accommodation of a client in premises which conform to the requirements laid down for exploitation of residential premises, in co-operation with the law enforcement authorities and other social service providers, or using other possibilities for accommodation laid down in laws and regulations.</p> <p>3. No, there are no specific guidelines, expect requirements what was mentioned. Based on cooperation agreement municipale shelter specialized crisis centres for minors and other vulnerable groups.</p> <p>4. The responsible authorities monitoring only procedures by which a person who has been recognised a victim of the trafficking in human beings shall receive social rehabilitation service. Responsible authority is Social Integration State Agency (authority is under Ministry of Welfare).</p> <p>5. As it was mentioned before, usually service providers are municipality / NGOs / religious organisations. They receive state financial support.</p>

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			<p>6. There are no specific security and/or surveillance measures to guarantee the safe placements of victims. The reason is few number of cases and the absence of direct threat to persons life or health. Victims of human traficing from third countries usualy are hosted in hostels.</p>
	<p>EMN NCP Lithuani a</p>	<p>Yes</p>	<p>1. To the best of our knowledge, safe accomodation is not defined by law, it is mentioned that victims are granted this service, therefore NGOs providing the service can interpret the definition.</p> <p>If they are members of the Association of the NGOs against Human Trafficking they can apply to the Ministry of Social Security and Labor asking for some support.</p> <p>No special measures - only the mutual contract defining the responsibilities.</p> <p>2. Ministry of Social Security and Labor is the responsible institution for providing assistance to victims and potential victims of trafficking in human beings by allocating funding for selected projects. E.g. in 2019 these activities were funded: a) the provision or organisation of social services for the target groups and their temporary accommodation; b) psychological, legal, health and educational assistance; c) other assistance needed, related to pre-trial and trial assistance, recruitment and entry into employment, processing of personal documents; The processing of personal documents; (d) preventive action.</p> <p>If NGO is a member of the Association of the NGOs against Human Trafficking, they can apply to the Ministry of Social Security and Labor for funding. Five NGOs received project funding in 2019. No</p>

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			<p>specific legal requirements for operating a shelter, monitoring, guarantees are predetermined, only the ones provided in the mutual contract defining the responsibilities by the project implementer.</p> <p>3. Please see Q2.</p> <p>4. Please see Q2.</p> <p>5. Please see Q2.</p> <p>6. Please see Q2.</p>
	<p>EMN NCP Luxemb ourg</p>	<p>Yes</p>	<p>1. In Luxembourg there is no definition of “safe accommodation” when dealing with third-country national victims of human trafficking. But all the accommodations for women, men and children in distress included persons victims of violence, domestic violence, victims of trafficking in human beings (THB), which are all founded by the State and managed by NGO’s or the State itself have to be legally approved and therefore are subject to strict security rules concerning in particular the operation, management, safety, quality of the accommodation in accordance with the law explained below.</p> <p>In accordance with article 94 of the amended law of 29 August 2008 on free movement of persons and immigration during the reflection period the victim of human trafficking has access to the security, protection and assistance measures.</p> <p>The amended Law of 8 May 2009 on support, protection and security for victims of trafficking in human beings stipulates that a victim, to enable their physical, psychological and social recovery, is entitled to:</p>

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			<ul style="list-style-type: none"><li>• accommodation,</li><li>• social and socio-educational support, material and financial support, medical, psychological or therapeutic support depending on their needs;</li><li>• linguistic support; and</li><li>• legal support.</li></ul> <p>In accordance with the exposition of motives of the bill n° 5874, which became the above mentioned Law of 8 May 2009, the legislator defines the accommodation as adapted and safe in accordance with article 12 paragraphs 1 and 23 of the Convention of the Council of Europe and articles 7 and 9 of the Directive 2004/81/CE.</p> <p>The accommodation of victims of THB is provided by approved reception structures for victims of THB or shelters for victims of violence included victims of domestic violence and genderbased violence, managed by NGO's founded by the Ministry of Equality between women and men and their approved assistance services for victims of THB, the SAVTEH and the COTEH and is organized under the coordination of the assistance services.</p> <p>Article 1 of the law defines the assistance services to victims of THB and Article 5 the conditions of exercise of the activity and service (fulfilling the conditions to be approved by the State (ministry for Equality for women and men explained under point 2).</p> <p>Victims of trafficking who have applied for international protection remain in the reception facilities (Luxembourg Red Cross, Caritas Foundation) for applicants for international protection in which they are accommodated. The accommodations for applicants for international protection are coordinated by the Administration “Office national de l’Accueil” (ONA) under the supervision of the Ministry for Foreign Affairs. Nonetheless, depending on the victims’ specific needs and depending on their age, sex, background and the vulnerability or risk of their situation, they may be placed in shelters or structures for victims of THB approved by the Ministry for Equality between Women and men (MEGA) or for minor victims by the Ministry of National Education, Children and Youth (MENJE), with te support and under the coordination of the approved services</p>
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			<p>for victims of THB, SAVTEH and COTEH, or placed in a secret location by the police for safety reasons, if applicable.</p> <p>2.</p> <p>In accordance with article 6 of the amended law of 8 May 2009, the assistance services for victims of THB which provide housing for victims of human trafficking must have an approval in accordance with article 2 of the amended law of 8 September 1998 regulating the relations between the State and the organizations working in the social, family and therapeutic fields and the amended Grand-Ducal regulation of 19 March 1999 concerning the government approval for organization managing services for girls, women and women with children to be granted to services managers (new title: .....services working in the interest of the equality between women and men) allowing them to work and offer their services to a target audience with regard to their specialization.</p> <p>For obtaining this approval (agrément) for their respective services the organization applying must:</p> <ul style="list-style-type: none"><li>a) fulfill the conditions of good repute, both for the natural person or members of the governing bodies of the legal person responsible for the management of the activities and for the managerial and support staff;</li><li>b) have buildings, premises or any other infrastructure corresponding both to minimum health and safety standards and which respond to user needs;</li><li>c) have a sufficient number of qualified staff to take charge of or support the users. The level and type of professional qualification or equivalent training as well as the minimum staffing are set in consideration of the services offered, the needs of the targeted users and the functioning of the service;</li><li>d) present an operating concept of their respective services, a general action plan for their global activities and services, a working plan, internal regulations of their respective services, an</li></ul>
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			<p>accommodation contract templates of their respective accommodation services, the name and qualification of the respective persons and their staff responsible for the services,</p> <p>e) present the financial situation and a provisional budget, with the exception of public law applicants who are obliged to do so by another legal or regulatory provision;</p> <p>f) guarantee that the approved activities are accessible to users regardless of any ideological, philosophical or religious considerations and that the service guarantees the user’s right to the protection of his private life and to respect of his/her religious and philosophical convictions.</p> <p>The above mentioned conditions, as well as the application details and the modalities of the control of these conditions by the State, more particularly by the ministries granting the approvals, (in the case of assistance service to victims of THB and accommodations for victims of THB, the ministry for Equality between women and men), are detailed by the amended Grand-Ducal regulation of 19 march 1999 mentioned above.</p> <p>The control of these shelters rests with the competent ministers (MEGA or MENJE) depending on whether the victims are major or minor.</p> <p>3.</p> <p>Yes as explained more specifically above under 2 d).</p> <p>The ministry for Equality between women and men is the coordinator of the assistance to all victims of THB regardless of in particular their sex, age, origin, status together with their founded NGO’s, Femmes en détresse asbl and Fondation Maison de la Porte Ouverte and the approved services for victims of THB, SAVTEH and COTEH.</p> <p>4.</p> <p>As it was mentioned in the answer to question 2, it will depend on the competent ministry: Ministry for Equality between women and men in the case of SAVTEH and COTEH and the accommodations services for victims of THB adults or the Ministry of National Education, Children and Youth for accommodations for victims of THB minors.</p>
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			<p>5. The NGO’s managing the assistance services, which administer the shelters for victims of human trafficking, have a convention in accordance with the amended law of 1998 mentioned above under point 2, with the ministry for Equality between women and men, convention by which the assistance services and accommodations for victims of THB y are founded at 100%.</p> <p>6. In accordance with article 9 of the amended law of 8 May 2009, the Police and the assistance services work together to ensure effective and appropriate protection of victims against possible reprisals or intimidation, particularly during the reflection period, during investigations, prosecutions and legal proceedings against the offenders. To this end, they exchange, where appropriate, to the extent necessary, the information they hold which makes it possible to assess the dangerous situation in which the victim finds himself/herself. The address of the victims of THB accommodations are kept secret. In practice Police and assistance services work constantly close together during thre whole period of assistance and regularly analyses the specific needs of the victims and adapted them consequently.</p>
	<p>EMN NCP Malta</p>	<p>Yes</p>	<p>1. Malta follows the Palermo protocol- the protocol to Prevent, Suppress and Punish trafficking in persons, especially Women and Children. The protocol does not make reference to safe accommodation however article 6 sub article 3 refers to ‘Each state party shall consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including, in appropriate</p>

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			<p>cases, in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society, and, in particular the provisions of (a) appropriate housing.</p> <p>2. To open up service in Malta one needs to be licensed by the Standards Authority (SCSA). In order to operate a shelter one needs too to be licensed by the Standards Authority. Specific shelters of Human Trafficking are still new for Malta and hence the Standards authority are still drafting the specific guidelines. However FSWS was granted a temporary emergency application to run a safe house for TCN, whilst the actual application is being discussed and formulated.</p> <p>3. Answered above.</p> <p>4. An agreement with every victim of trafficking residing in a safe house is made to ensure victims abide by the regulations set in the agreement. The key social worker monitors closely to ensure the agreement is being abided by particularly with regards to the upkeep of the safe house and the safety of all the residents (for instance that no third parties enter the shelter). FSWS monitor closely the condition of our shelter. On top of this, since FSWS is licensed, visits ad hoc are also held by Assessors of SCSA and due to Covid by the Infection Control Team of the same SCSA.</p> <p>5. FSWS is a state-funded organisation. On top of the State Funding, FSWS also joined partners with AMIF and are participating in a project, of a total cost of around a million Euros. This project All Equal: Supporting Victims of Trafficking EU funded project, the Asylum, Migration and Integration Fund (AMIF) will provide E353,000 for the leasing of property and E177000 for consumables.</p>
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			<p>6. The address of safe houses is kept confidential and it is only known to FSWS personnel, the SCSA (as the regulatory body) and the police. In the new safe houses as part of the All Equal: Supporting Victims of trafficking a security will be in the premises at night, whilst full time workers will be at the safe house during the day.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. If an TCN is a victim of human trafficking, in the Netherlands they can receive a temporary residence permit of max. 3 months during which they will be sheltered while they decide whether or not they want to file a police report. There is a specific shelter for victims in this situation called the COSM (<i>Catagorale Opvang voor Slachtoffers van Mensenhandel</i> – Catagorical Shelter for Victims of Human Trafficking), which shelters all non-Dutch victims. TCN victims of human trafficking have the same rights and obligations as Dutch/EU citizens that are victims of human trafficking. Hence, when it comes to defining ‘safe accommodation’ article 1.1.1 of the 2015 Wet Maatschappelijke Ondersteuning (WMO; Social Support Act) applies. Here safe accommodation is defined as: “shelter and guidance for persons who have left their home-situation, possibly related to threats to their safety as a consequence of domestic violence, and who are not able to maintain themselves without assistance in society”.</p> <p>2. There are no legal requirements for operating a shelter for TCN victims specifically. The government does have a variety of requirements concerning the shelter of human trafficking victims (both Dutch, EU and TCN). Below are the general demands for a safe living environment:</p> <ul style="list-style-type: none"> <li>• The shelter has to offer to victims of human trafficking at least the following: a space to sleep in a separate room (separated from rooms with another function than sleeping). The maximum amount of people sleeping in this room is two. In case of the victim bringing his or her child that is 6 years old or younger, the child can sleep in his or her parent’s room. In this case, no other</li> </ul>

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			<p>victim will be placed in the room. The child does not take in a place in the shelter and counts for 50% of the occupancy limit.</p> <ul style="list-style-type: none"> <li>• Residents have to have access to sanitary facilities, a shower and/or bathtub and spaces to reside in, eat and relax (besides the bedroom). An exception is made for individual living spaces, which are designed for independent living (i.e. studio's). It should be possible for victims to use (a computer with) internet.</li> <li>• The shelter facility is designed to deal with crisis situations responsibly, and ensures that 24 hour availability is accessible. When necessary, it also ensures 24 hour availability of health care personnel.</li> <li>• The shelter facility will ensure the safety and protection of victims, inside the shelter and outside, from possible aggressors, and will organize appropriate surveillance (possibly with help of the police) where necessary.</li> <li>• In the shelter, there are rules in relation to safety, privacy and hygiene (for instance related to the design of the building and fire safety), according to legal requirements and what the municipality requires of the shelter. There are rules for how many people can stay in the shelter, including the health care staff.</li> <li>• The provider also guarantees that, if the shelter houses both men and women in the same location, males and females are housed in separate units.</li> </ul> <p>3. No, there are no specific guidelines for managing shelters for TCN victims. However, in 2015, the commission Lenferink was created to expand on the roles municipalities should play in the realization of care for victims of human trafficking, including TCN victims. In the report that was produced by this commission, specific recommendations and guidelines were written down to support service providers managing shelters. These guidelines have been incorporated in the 2018 Intergovernmental Plan agreement between government and municipalities, and is also described in the <i>Samen tegen mensenhandel</i> (Together against human trafficking) plans from 2018. To name one example, in the 2015 Lenferink report it was recommended that the first accommodation TCNs are sent to is preferably COSM, and that women's or social shelter should only be considered as a form of crisis accommodation. The report cautions that it should be taken into account that there is a considerable chance that TCNs will lose their right to stay in the Netherlands, and that therefore tailor made solutions are necessary and that money/staff should be made available for such specialized accommodation. Hence, COSM is for EU</p>
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			<p>and TCN victims, and women’s and social shelters are only for crisis situations or for after the reflection period for filing a police report (during which TCN receive a temporary residence permit).</p> <p>4. Yes. Within the Netherlands, a wing of the government called <i>toezichthouder social domein</i> (supervisor social domain) monitors various shelters. Another important organization is CoMensha, which is a national, independent expertise and coordination centre that defends the rights and interests of victims and offers insight into human trafficking. As such, this organization provides insight into the nature and extent of human trafficking through registration, and coordination of initial care, assistance and shelter.</p> <p>5. Within the Netherlands, victims of human trafficking are normally housed in general shelters also used for victims of domestic violence. The service providers receive financial support for this based on the <i>Wet Maatschappelijke Opvang</i> (WMO – Social Support Act). However, there are three exceptions, the aforementioned COSM, OMM (<i>Opvang van Slachtoffers van Mensenhandel met Multiproblematiek</i> – Shelter for Victims of Human Trafficking with Multiproblems) and a shelter specifically for victims of labour exploitation. Respectively, the first is fully managed and subsidized by the ministry of healthcare and only takes in TCN victims. The second is specifically designed for victims of human trafficking with multi-problems. This shelter (36 highly specialised beds) is financed through a structural subsidy of 2 million euros, available for accommodation of victims of human trafficking. The third is financed by the ministry of Social Affairs and Labour.</p> <p>6. The branch organisation Valente has agreed on a list of norms considering the regular shelters, in which there is focus on first 1) direct safety with a safety plan, 2) stable and long-term safety with a care giving plan for risk-driven care, and then finally 3) recovery and permanent safety with a recovery focused plan. Direct safety is the most important aspect of the shelter, and there are a variety of procedures in place to guarantee direct safety as soon as someone is admitted (this ranges from doing a risk taxation as soon as someone is in the shelter, ensuring the expertise and discretion of employees of the shelter for instance by asking them for a VOG (<i>Verklaring omtrent het Gedrag</i> – Declaration of good behaviour), and taking into account the situation of possible children that are admitted to the shelter.</p>
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	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. Poland defines „safe accommodation” for victims of human trafficking as specialized places of refuge, so called shelters or rotational dwellings for specific groups of victims, i.e. women, men, women with children, unaccompanied children and families. These venues shall provide temporary or long-term accommodation and protection for victims of human trafficking. Safe accommodation is provided for victims of trafficking regardless of nationality, age and gender, with the possibility of isolation the victim e.g. for reason of health or gender. It consists in providing accommodation for the victim, full board, 24-hour care availability of shelter staff. Such places shall be equipped with suitable rooms to serve the beneficiaries. A stay in the shelter is also intended to stabilize victims' life in order to enable them to return to normal life through a support plan tailored according to their situation. The Polish law does not provide a legal definition of a safe accommodation for victims of human trafficking.</p> <p>2. In accordance with Article 11.2 of the Act of 24 April 2003 on Public Benefit and Volunteerism, the Minister of the Interior and Administration announces an open tender for the public task entitled “Running the National Intervention and Consultation Centre for victims of human trafficking”. This task concerns among others running the hostel or hostels and safe accommodation/security facilities. The above task is implemented through non-governmental organizations. The criteria used to select the bids shall be defined in the announced open tender. An important part of them are criteria related to the quantity and quality of the shelters and the places provided. On the basis of the criteria set out in the competition notice, the selection board assesses and selects the most advantageous tender. Then, it is approved by the Minister of the Interior and Administration and a public task contract is signed with the tenderer. The basis for the implementation of the task of providing safe shelter for victims/ presumed victims of trafficking in human beings is an agreement concluded with a state institution i.e. MSWiA (Ministry of the Interior and Administration) which regulates the management and operation of the shelter.</p>
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			<p>In 2014, the document entitled “Standards of Safe Shelter for Victims of Trafficking” was designed by the Ministry of Labour and Social Policy and the Ministry of the Interior. It is a support material dedicated to institutions that already run shelters and to those that plan to set up a shelter to support victims of human trafficking.</p> <p>3. As already mentioned in reply to the previous question in 2014 the document entitled “Standards of Safe Shelter for Victims of Trafficking” was designed by the Ministry of Labour and Social Policy and the Ministry of the Interior. It is support material dedicated to institutions that already run shelters and to those that plan to set up a shelter to support victims of human trafficking. It describes the standards proposed by international and national institutions for establishing safe accommodation for victims of trafficking. These standards have been grouped by 6 categories i.e. shelter infrastructure, reception of the victim, safety, shelter staff, organisation of assistance and termination of the stay in the shelter.</p> <p>4. The principal i.e. The Minister of the Interior and Administration through the substantive unit i.e. Department for Combating Human Trafficking and Hate Crime of the Department of Migration Analysis and Policy verifies the obligations of Contractors by carrying out systematic monitoring of the entity performing the public task, which also includes inspection of the shelters. In addition, the Department of Control and Supervision of the Ministry of Interior and Administration may carry out an inspection of the implementation of a public task at the justified request of the unit or on its own initiative.</p> <p>5. Every year, the Ministry of Interior and Administration secures in the state budget funds within the framework of targeted grants for financing or subsidizing public task commissioned to non-governmental organizations in the field of improving support and protection of victims of trafficking in human beings.</p>
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			<p>From 2013, the amount for the public service task “Public service obligation The National Intervention and Consultation Centre for Victims of Trafficking in human Beings is run by 1 100 000 PLN.</p> <p>6. Non-governmental organisations carrying out public task The National Intervention and Consultation Centre for Victims of Trafficking in Human Beings should meet the “Standards of Safe Shelter for Victims of Trafficking in human Beings” developed in 2014 by the Ministry of Labour and Social Policy and the Ministry of the Interior. The means to ensure external protection of the facility are:</p> <ul style="list-style-type: none"><li>• warning system connected to the local police station</li><li>• installation of video cameras; window and door locks</li><li>• burglar alarm</li></ul> <p>In order to ensure the protection of victims of trafficking in human beings, it is absolutely forbidden to make public information indicating that the address of a shelter is or may be occupied by victims. Such information is limited to a small group of trusted persons or institutions cooperating with the hostel. When hiring the shelter’s staff members, an in-depth recruitment process is carried out. Refugee’s employees are obliged to be very careful. They take part in cyclical trainings and meetings on occupational safety. They receive clear security procedures in writing, with particular emphasis on the need to keep the personal data of the residents and staff of the shelter confidential. In addition, the staff is obliged to use the algorithm of treatment in a situation of threat to life or health of persons staying in the shelter.</p> <p>In addition, it is recommended to limit the presence of persons not trained in human trafficking in the shelter. In order to ensure the highest possible level of safety and comfort for the victims staying in the shelter, it is forbidden for residents to:</p> <ul style="list-style-type: none"><li>• provide information on their whereabouts</li><li>• receive guests</li><li>• locate people who have contact with the criminal world</li><li>• further use their existing mobile number</li></ul>
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			<p>In addition, it is recommended to control the exit of the beneficiaries of the hostel. Victims shall, as far as possible, be provided with an accompaniment to deal with an important matter. Moreover, the shelters lay down strict rules for visits by third parties. Each visit must be reported, checked and accepted by the hostel manager.</p> <p>It is mandatory that all documents containing personal data or other information about victims are accessible only to those entitled to do so. Access of shelter’s staff to documentation on the population of the shelter is selective and limited to an absolute minimum.</p>
	<p>EMN NCP Portugal</p>	<p>Yes</p>	<ol style="list-style-type: none"> <li>1. There is no legal definition on “safe accomodation” in Portugal, related to trafficking in human beings victims. There is an approximated definition, that can be used analogically: the definition of a shelter for domestic violence victims. Art. 60 of Law 112/2009, of 16 September defines these shelters as “residencial units for the temporary shelter of victims, accompanied or not by their children”.</li> <li>2. Non available answer.</li> <li>3. No. No specific guidelines were drafted by the authorities, to the extent of our knowledge.</li> <li>4. Yes. It is one of the tasks of the national rapporteur on the trafficking in human beings. He monitors or decides that a given shelter should be monitored, and reports back to the Government.</li> <li>5. Shelters get direct support from the National State Budget, and from donors. The institutions running the shelters also apply for European funding, under the EU funding packages.</li> <li>6. Victims are safeguarded in shelters, in secure locations. No one knows where those locations are, except for the workers and service providers. Not even the police, or the victims families or friends. This is the most important rule and everyone must obey it. Any behavior that endangers the location of a safe house will be evaluated by the team operating it.</li> </ol>

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	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<ol style="list-style-type: none"> <li>1. “Safe accommodation” is not defined in legislation and this term is used as one of the services provided to victims of human trafficking within the Program of support and protection for victims of human trafficking (hereinafter referred to as Program). Provision of accommodation for victims of trafficking who are included in the Program is defined in legislation as an emergency accommodation (Par. 29 (1), (2) and (4) of the Act no. 448/2008 Coll. on Social Services and on Amendment to Act No. 455/1991 Coll. on Trade Licensing (Trade Licensing Act), as amended). The same conditions of emergency accommodation apply to Slovak citizens, EU citizens or third-country nationals who are victims of human trafficking within the framework of providing assistance from the Program. Technical parameters of accommodation services including an accommodation for victims of human trafficking are laid down by the Decree of the Ministry of Health of the Slovak Republic (no. 259/2008 Coll. on details of requirements for the internal environment of buildings and on minimum requirements for apartments of lower standard and accommodation facilities).</li> <li>2. Within the public procurement, the service provider has to demonstrate its accredited certification for the provision of accommodation and the necessary conditions as well as for the provision of other kinds of assistance according to the Act no. 448/2008 Coll. on Social Services and on Amendment to Act No. 455/1991 Coll. on Trade Licensing (Trade Licensing Act), as amended and the Act No. 305/2005 Coll. on Social and Legal Protection of Children and on Social Guardianship and on amending and supplementing certain acts as amended.</li> <li>3. The Ministry of Interior of the Slovak Republic and the service provider sign a contract which specifies duties of each party within the Program of support and protection for victims of human trafficking.</li> <li>4. Based on the legislation (Act no 448/2008 Coll. mentioned above), supervision of social services provision is carried out by the Ministry of Labour, Social Affairs and Family of the Slovak Republic through its authorised staff or through an appointed expert.</li> <li>5. Based on the contract signed between the Ministry of Interior of the Slovak Republic and the service provider mentioned in question 3, the contract prices for the supplied services are reimbursed to the service provider.</li> </ol>
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			<p>6. The service provider does not put the information about the placement of victims into the emergency accommodation into any register (neither public nor any register of the Ministry of Interior), it is not stated in any documents of the accommodation – exclusion from the Program. This ensures the privacy and security of the victims at least from the administrative side. Victims enter the Program while agreeing with its conditions, including disconnection from the criminal channels. In cases when their life or health is threatened, service providers cooperate with the police and inform the Ministry of Interior of the Slovak Republic as the responsible authority of the Program.</p>
	<p>EMN NCP Slovenia</p>	<p>Yes</p>	<p>1. In Slovenia, the organization of assistance to victims of THB is regulated by the Act on Ratifying the Council of Europe Convention on Action against Trafficking in Human Beings. On this basis the assistance to victims of trafficking is provided in the framework of two programmes financed by the Government of the Republic of Slovenia and implemented by NGOs that are selected through a public tender. Both programmes include a comprehensive assistance package and the contracts concluded with the service provider foresee standards that have to be complied with. The first programme is called “Providing assistance to victims of trafficking in human beings – crisis accommodation” and is financed by the Ministry of Labour, Family, Social Affairs and Equal Opportunities. The programme provides shelter and support to victims during the 30-day recovery and reflection period and is open to all victims of THB regardless of whether they co-operate in the criminal proceedings. Assistance in the scope of this programme includes adequate and safe accommodation, food and care, psychological and social support, defence counsel and empowerment, assistance in gaining access to basic healthcare, provision of safety for the victim and staff working on individual cases, 24-hour availability of the service provider, translation and interpreting services when required, counselling and informing particularly regarding the victim’s rights in the language he or she understands, assistance in arranging the victim’s return to the country of origin, establishing contact with similar organisations in the country the victim is returning to and acquisition of feedback after the victim’s return to his or her homeland. Personal plan of assistance is compiled for each victim in the scope of the crisis accommodation programme with the view of the victim’s resocialization (re-integration into society) and revitalization.</p>

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			<p>The second programme, called "Providing assistance to victims of trafficking in human beings – safe accommodation", is funded by the Ministry of the Interior. This project is the continuation of the crisis accommodation project and is intended to all persons who were identified as victims of human trafficking requiring further integrated support and who are willing to cooperate with the law enforcement and prosecution bodies in criminal procedures. In addition to basic forms of assistance (accommodation, food, care, psychological assistance, translation services, counselling and informing, particularly on the subject of their rights), the project contractor must provide the victims with other measures in the sense of re-socialization (re-integration into society) and revitalization (providing the victim with education, training, enlargement of his or her social network and finally acquisition of profession, i.e., academic recognition of the victim's, if he or she is foreign national, education qualifications). Accommodation in the scope of this programme is voluntary and may last until the conclusion of the criminal procedures for third country nationals, whereas national legislation does not determine any deadlines for accommodation of victims who are nationals of other countries.</p> <p>The procedure of allocation of victims into the crisis and later safe accommodation as well as due action to be taken by the competent institution are determined in the Manual on Identification, Assistance and Protection of Trafficked Victims, which the Government of the Republic of Slovenia adopted in May 2016.</p> <p>2. Formal requirements are set out in the public tender. The contractor is obliged to provide adequate safe and secure accommodation in secret locations, adequate nutrition and provision of a basic standard of living, comprehensive care and professional assistance to victims.</p> <p>In the application to the tender, the applicant is obliged to describe in detail the crisis or safe accommodation, which must consist of at least two rooms, a kitchen with a dining room and other associated rooms, with internal dimensions of at least 50 m2.</p> <p>3. See the answer to Q2.</p> <p>4. In accordance with the contracts concluded with the service providers, the Contracting Authorities (Ministry of the Interior and Ministry of Labour, Family, Social Affairs and Equal Opportunities) have the right to monitor the implementation of the project (including the condition of crisis and safe accommodation) directly or through an authorized person. If the contractor does not enable the supervision</p>
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			<p>or the contracting authority finds that the contractor is not carrying out the project in accordance with the contract, the contracting authority may withdraw from the contract.</p> <p>5. The Slovenian Government annually allocates EUR 85,000 for these projects: EUR 45,000 is allocated to the provider of crisis accommodation (funded by Ministry of Labour, Family, Social Affairs and Equal Opportunities) and EUR 40,000 to the provider of safe accommodation (funded by Ministry of the Interior). In the event of a significant increase in costs, the state provides additional funds (conclusion of an annex to the existing contract). In addition, any additional material costs related to the care of victims may be financed from the project.</p> <p>6. The police make a risk assessment of each victim during his/her stay in crisis and safe accommodation and ensures the personal safety of victims if necessary. The police also provide security to victims when they move outside the safe accommodation to attend pre-trial and criminal proceedings. The movement of victims is carried out in unmarked police vehicles. On the basis of a victim's risk assessment, the Police may propose to the provider additional self-protective measures to ensure the victim's safety.</p> <p>The service providers provide 24-hour security during the first month of stay if necessary. In this regard the service providers cooperate closely with a special team of security guards to ensure that the location of the safe accommodation is not revealed. During this period the victim is included in a safe movement course to learn self-protective measures.</p> <p>The service providers and the police inform each other of new circumstances that could affect the victim's safety. In this case the security plan is adjusted accordingly.</p>
	EMN NCP Spain	Yes	<p>1. There is no definition in Spanish legislation.</p> <p>2. No legal requirements as THB victim's shelter are established. Legal requirements are of a more general nature, concerning the specific services provided, those applying to NGOs, safety of housing, etc.</p>

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			<p>3. No. All shelters belong to NGOs with whom there's a long lasting experience. A list of these NGOs is provided in the Framework Protocol of Assistance to Victims of Trafficking, available to the anti-THB police units, and updated by the Government Delegation against Gender Violence.</p> <p>4. No. They belong to well-known NGOs with proven experience, included in the list of resources for victims of THB updated by the Government Delegation against Gender Violence. Additionally, National Police and Guardia Civil have designated, at national and provincial level, social contact points for organizations providing assistance to victims of THB (not only shelters), and can include additional resources.</p> <p>5. They receive financing corresponding to their condition of NGOs.</p> <p>6. Shelters are not given publicity and remain discreet in their external appearance and functioning. Additional measures depends on the judicial protection order or provisional police protection measures adopted for each victim after individually examining each case, based on established protocols.</p>
	<p>EMN NCP Sweden</p>	<p>Yes</p>	<p>1. No there is no definition of safe accomodation in the Swedish law. The National Board of Health and Welfare has defined safe accomodation as "accomodation for persons in need of protection from threaths, violence or other kinds of misconduct together with other relevant support".</p> <p>2. It is the municipalities that are responisble for safe accomodation. This can be provided by the municipality itself or a service provider which in many cases can be a NGO.</p> <p>3. No. It is the municipliaty that has the responisbility of providing safe accomodation and ensure the quality of the safe accomodation in each individual case. Some general guidlines for the municiplities and their work with safe accomodation has been issued by the County Administrative Boards.</p> <p>4. That is the responsibility of each municipality.</p>

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			<p>5. That will be based on an agreement with the respective municipality.</p> <p>6. That is decided on a case by case basis and is the responsibility of the municipalities.</p>
	<p>EMN NCP Norway</p>	<p>Yes</p>	<p>1. Norway does not explicitly have a definition for “safe accommodation” but Norway does have the following in Norwegian law (roughly translated) which stipulates expectations of crisis centers: The municipalities are responsible for providing a protected place to stay in a (secret) crisis center for people subjected to violence, threats of violence in close relationships including persons subjected to human trafficking and who need guidance or a safe and temporary place to live. The crisis centre provision is a low-threshold provision offering refuge to victims of domestic violence and their children during a transitional phase. The purpose of a crisis centre provision is to provide users with support, guidance and help in contacting other parts of the public services. The provision includes a 24-hour helpline, residential facilities, a daytime provision and follow-up during the re-establishment phase. The residential facilities for women and men are kept physically separate. The crisis centre provision is a low-threshold provision, so that persons subjected to violence or threats of domestic violence can take direct contact without a need for an appointment or referral. The provision is free of charge. From 1 January 2010, the crisis centre provision was made a statutory responsibility of Norwegian municipalities. Crisis Centre Act of 19 June 2009 relating to municipal crisis centre provision requires all Norwegian municipalities to provide a crisis centre provision for their inhabitants. The state support for crisis centre measures has been included in the municipal</p>

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			<p>budget frameworks. The municipalities therefore cover 100% of the operating costs of Norway’s crisis centre measures. All municipalities are required to have a crisis centre provision, either within the municipality or in cooperation with neighbouring municipalities. Compliance with the Act is overseen by the County Governor.</p> <p><a href="https://www.regjeringen.no/en/topics/families-and-children/innsiktsartikler/bekjemper-vold-og-seksuelle-overgrep-mot-barn-og-ungdom/domestic-violence/id672710/">https://www.regjeringen.no/en/topics/families-and-children/innsiktsartikler/bekjemper-vold-og-seksuelle-overgrep-mot-barn-og-ungdom/domestic-violence/id672710/</a></p> <p>The crisis center shall provide support, guidance and help to contact other relevant services in the government and shall include:</p> <ul style="list-style-type: none"><li>• A crisis center or a similar free dwelling, must be open year-round, 24 hours a day and provide free activities and meals for adults and children; the residents must be provided with a follow-up when re-establishing themselves outside the site.</li><li>• Staff must have appropriate training.</li><li>• Separate dwellings for men and women must be provided (with a reasonable standard).</li><li>• Dwelling must be physically secured and protected. (and under Corona not over-crowded)</li><li>• Individual special needs should be met in the best way possible and whenever possible.</li><li>• Children’s general needs as well as any special needs must be addressed in a professional manner and met as well.</li><li>• Qualified interpreters are to be provided to ensure good communication between staff and clients and to establish good routines for providing quality control and organizing and paying for appointments.</li><li>• The municipality has to make sure that persons subjected to violence and threats of violence receive follow-up through a coordinated effort of measures provided between the crisis center and other relevant services.</li><li>• Everyone providing services or who work at the centers are bound by law to confidentiality and are punishable by law. This includes any information about place of birth, age, social security number and other personal data.</li></ul>
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			<p>previous residence, place of work and any other information which can provide hints that someone has been in contact with the person in the center.</p> <ul style="list-style-type: none"> <li>Information can only be provided to other government agencies when essential to the municipality to fulfil its duties in respect or if necessary, to prevent danger to life or serious injury to someone’s health.</li> </ul> <p>2. The crises centres must be operated and run by the municipality in accordance with the Crisis Centre Act and must be able to fulfill the safety requirements as listed above. ROSA (the acronym stands for reestablishment, organizing safe places to stay safety and assistance) is a project carried out by the the Secretariat of the Shelter Movement, financed by the Ministry of Justice and Public Security. The aim is to coordinate a nationwide service to provide safe places of residence in the crises centres for victims of human trafficking, and to advise victims, staff at crisis centres, and other aid organisations. The legal requirements of the accommodation are set up in the Crisis Centre Act, se Q1. In addition, Norway has three specialized places of safe accommodation which are run by three different NGOs specifically for victims of trafficking. These accommodations are not regulated by particular provisions in law. The sites are financed from government funds ear-marked for victims of trafficking which is managed by the Ministry of Justice and Public Security and report annually to the Ministry.. In these accommodations, professional social workers follow-up the residents and when necessary, the police provide further support for safety and security. The national law of Norway protecting children’s rights ( The Child Welfare Act)apply to children subjected to human trafficking. Protection and safe accommodation of child victims is the responsibility of the Norwegian Child Welfare Services.</p> <p>3. YES. See explanation in Q1 an Q2</p> <p>4. The County Governor must supervise municipalities to ensure that they fulfil their obligations as set forth in the provisions of the Crisis Centre Act. The specialized shelters for victims of trafficking run by NGOs are not regulated by law, but evaluated by the Ministry of Justice and Public Security based on annual reports and applications for government funds ear-marked for victims of trafficking .</p>
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			<p>5. Government funds are provided to cover room and board, professional services for the residents, daily activities and meet the basic needs and special needs of the residents in a reasonable manner.</p> <p>6. There are measures in place - see explanation in Q1 and Q2, but no further information about surveillance measures can be provided.</p>
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