

LOGO

LOGO

LOGO

GENERAL COMMISSARIAT OF NATIONAL POLICE
CENTRAL DEPARTMENT OF JUDICIAL POLICE
DEPARTMENT OF ANTI HUMAN TRAFFICKING AND JUVENILE PROTECTION

Instructions on how to conduct rescue operations of potential victims of trafficking and/or sexual exploitation in identified locations

A rescue operation of potential victims of trafficking and/or exploitation in identified premises must be carefully prepared and conducted in a way that respects the rights of the potential victims and does not risk their safety in any way.

The following instructions have to be observed in all rescue operations:

1. before the rescue operation is conducted;
2. during the rescue operation; and,
3. after the raid has finished.

1. Before the rescue operation is conducted

- Collect as much useful information as possible on the location of the rescue operation, the suspects involved, the number and situation of the potential victims - from witnesses, victims, informants and undercover agents:

Note that undercover investigations are only used in order to collect information, gather evidence to convict criminals, not to intentionally induce persons to commit a crime.

- Try to get a sketch plan of the premises indicating where the potential victims and the suspects stay, the doors and other exits
- Keep all this information confidential
- Report to superior and prosecutor **immediately** once you have collected all the information
- Set up a surveillance of the premises
 - Officers in charge have to report all visits, transport of potential victims from or into the rescue operation location, activities of suspects, and similar information collected during surveillance
- Identify and assess the risks to police, potential victims and members of the community
 - Take adequate measures to manage the risks
- Make sure the information collected provides sufficient basis for legal entry to search the location and conduct the rescue
- Obtain the prerequisite prosecutor's approval to conduct a rescue, search and arrest operation
 - Remember the cases where the prosecutor's approval can be expedited (under the 2007 Criminal Procedure Code the Prosecutor must always be informed but in urgent cases

authorization to conduct a search can be verbal). Searches can be conducted at any time in places open to the public

- Create a rescue operation team and delegate the tasks to all members in this team.
 - The number of Officers in the rescue operation team will depend on the situation and risks (usually from 10 to 20 Officers)
- Prepare a briefing to ensure that all members of the team understand their respective tasks in the operation and how to ensure the safety of the potential victims and the rights of the potential victims during the rescue operation.
- Meet with the Ministry of Social Affairs officials and specialized NGOs to make sure that potential victims will have basic needs met (water, food, mattresses, access to washroom, towels, first aid if needed, psychological and social support) immediately after the rescue operation is conducted.
 - This means that the Ministry of Social Affairs staff and/or specialized NGO staff will need to know **in advance** how many victims they need to prepare for, approximately when the rescue operation will occur and where the victims will be held immediately after the rescue operation.
- Prepare necessary equipment (vehicles, radios, mobile phones, police weapons, handcuffs, torches, video and photo camera, search record forms and large envelopes for evidence collection)
- Decide on the date and time of the rescue operation

2. Conducting the rescue, search and arrest operation

- Each officer will take up a pre-assigned position close to the identified premises

- Secure a safe entry to the rescue location
- Take the control of the premises, ensure safety and reassure the potential victims present
 - Identify and apprehend all suspects, including clients if involved with minors, in the case of a rescue operation in a brothel, karaoke bar, massage parlour or similar commercial sex venues.
 - Act quickly and firmly but without any unnecessary use of force
- Remove potential victims to a safe place along with their possessions
- Inform suspects of reason of the operation and grounds of arrest
- Take pictures of the scene without moving or touching anything unnecessarily
- Conduct a methodical search of the entire rescue location with permission from the prosecutor and in presence of the owner/manager , the manager or two witnesses
 - This search is in order to find other potential victims and seize evidence, such as ID cards, bank documents, cash, drugs, sex toys, CDs, DVDs, computers, external hard drives, mobile phones, and all other items related to the case
- Communicate with rescued potential victims in a calm and reassuring way and ensure they know that support will be provided at the next location by Ministry of Social Affairs or NGO staff
- Document all personal property belonging of the potential victims that are temporarily confiscated (mobile phones, address books, cash and so on) and give receipts for property seized for evidence purposes
 - If this property is not needed as evidence the belongings should be returned to their owners after their interview with police

- One Officer will be assigned to take care of these possessions
- Ensure the safe transportation of the potential victims to the police headquarters
 - Potential victims must be transported in a different vehicle and not with the suspects

Potential adult victims should be separated from potential victims who are minors or are suspected to be minors

3. After the operation

- The suspects will undergo a body search and be put into secure police custody
 - No communication between suspects is allowed, nor is any communication with potential victims allowed
- Cooperate with Ministry of Social Affairs officials in order to provide social and psychological services to the victims and to facilitate their interview and provide them with basic needs
 - These needs and rights of potential victims are set out in the Minimum Standards for Protection of Rights of Victims of Human Trafficking
- Explain to the potential victims how and why the interview will take place
 - Explain that the victims have not committed any crime and are not under arrest, that they are safe and will be cared for by police and social services
- Conduct a victim-centered interview in a friendly atmosphere, without any threats or harassment

- All potential victims should have Ministry of Social Affairs official present during their interview with police. Children must have a person acting in their best interest present. This could be a NGO worker or Ministry of Social Affairs official.
- Potential victims will be given time to answer police questions and breaks if they request them and have a right not to answer any question
- Make a complete record of each interview
- Understand that you want to obtain statements that will contribute to the prosecution of the offenders, so ask the relevant questions
- Evidence will be sent to the court with the suspects, as soon as possible and within 48 hours
- The potential victims' belongings shall be returned to the potential victims
- Cooperate with local authorities to shut down the premises where potential victims have been exploited (either exploitative labor practices or sexual exploitation)
- Conduct a thorough interview of suspects
 - Make a record of this interview

Prepare the case file and the report to the Prosecutor- If information has been collected relating to other offences or potential victims in situations of exploitation, this information should be reported to officers in charge