

The Guidelines contain details of interpretative or procedural type to facilitate the user in demonstrating the compliance with the regulatory requirements. They are commonly associated with Advisory Circulars. Given their non-regulatory nature, the content of the Guidelines cannot be considered compulsory per se. When the interested user chooses to follow the directions provided in the Guidelines, they explicitly accept the implications related to their own organisational structure and they express their strong commitment to remain adherent to them in order to ensure continued compliance with the relevant regulatory requirement. The recipients are invited to ensure that the present Guidelines are brought to the attention of all the involved personnel..

Guidelines for training airport staff and flight crew on contrasting human trafficking



DEVELOPED BY THE SECURITY REGULATION DIRECTORATE IN COLLABORATION WITH THE HUMAN RESOURCES DIRECTORATE AND THE FINANCIAL AND AIRPORT OVERSIGHT VICE CENTRAL DIRECTORATE

ISSUED BY THE AIR REGULATION CENTRAL DIRECTORATE

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Ed. no. 1 of 5th August 2020

Regulatory Framework

- a) Annex 9 ICAO – Chapter 8 – J. Trafficking in Persons
- b) Advisory Circular no. 352 ICAO, *Guidelines for Training Cabin Crew on Identifying and Responding to Trafficking in Persons*
- c) ICAO Assembly Resolution A40-15 *Development and Implementation of facilitation provisions – combatting human trafficking*
- d) Palermo Protocol of 15/11/2000 - *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*
- e) Council of Europe Convention on Action against Trafficking in Human Beings (Warsaw 2005) ratified by Law 108/2010
- f) Directive 2011/36/EU of European Parliament and Council on preventing and combatting human trafficking and the protection of the victims
- g) Legislative Decree 24/2014 of 5/4/2011
- h) National Action Plan against Trafficking and Serious Exploitation 2016-2018 adopted by the Council of Ministers of 26/2/2016
- i) Law 228/2003 Measures against human trafficking
- j) Art. 12 Legislative Decree 286/98
- k) Art. 18 Legislative Decree 286/98 Residence permit for social protection reasons (art. 27 Decree of the President of the Republic 394/99)
- l) Articles 600, 601, 602 and 613 bis of the Italian Penal Code
- m) IATA *Guidance on Human Trafficking*
- n) ACI *Handbook Combatting Human Trafficking*

APPLICABILITY

The Guidelines apply to:

- Airport management bodies, air carriers ground staff / Handlers
- ENAC personnel on duty at the airports
- Flight crews
- Security Services Providers

1. INTRODUCTION

The globalisation of the economy, the migratory processes and the 2nd millennium travellers' changes of habits have conducted to an exponential increase of people's movements who more and more frequently use airplanes as their means of transport.

At the same time, international organised crime has become itself a global enterprise

which profits, among other things, from human trafficking, taking advantage of the opening of borders and the increasing flow of people, money, goods and services.

The extent of this criminal phenomenon is difficult to assess due to the lack of exact statistics. However, the International Labour Organization (ILO) has estimated that 24.9 million people per year are victims of slavery¹.

¹ International Labour Organization (ILO), Global Estimates of Modern Slavery, 2017 and United Nations

Office of Drugs and Crime (UNODC), Global Report on Trafficking in Persons, 2016

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It is believed that approximately 50 people per minute, worldwide, especially women and children, become victims of human trafficking.

The phenomenon concerns mainly women in adult age (49% of the total) and the minors who represent 33% of the victims of human trafficking, with an increase of five percentage points in comparison with last year's report of the UN². To alarm about the growing number of victims of human trafficking was also the "2018 Global Report on Trafficking in Persons", a study published in late December by the United Nations Office on Drugs and Crime (UNODC) that in 2018 collected data from 142 countries.³

The traffickers use diversified forms of coercion towards the victims who, at times, are so deeply subjugated that they cannot even notice their own condition of being reduced to slavery, to the point of not being able to report or manifest their own situation in order to ask for help.

The traffickers utilise various ways to implement their goal, including international air transport. The States, through the authorities and government bodies in charge, the International Organisations and the civil society are called to cooperate to fight and put an end to this criminal phenomenon.

In this matter, also the aviation sector can be usefully involved because of its peculiar activity that, in different roles and competences, brings the staff into contact with passengers, and therefore the possibility to evaluate and identify suspicious situations.

The probability that the staff working at the airports and the flight crew may enter in contact with the actors (traffickers and victims) of this phenomenon is held high. For instance, the airport operators and, more specifically the personnel at the check-in desks, at the security and boarding gates, the cabin crew, find themselves in a favourable position to observe the passengers and thus identify and assist the potential victims.

Training activity plays an important role, for both raising awareness of the phenomenon and provide the operators of the aviation sector, at all levels, with the necessary instruments to recognise the situations of coercion and know how to act accordingly.

1. OBJECTIVE

The amendment 27 of ICAO Annex 9 to the Convention of Chicago – Facilitation, introduced two new recommended practices, which require the member states to:

- adopt appropriate procedures to combat human trafficking that encompass a reporting system and the

² UN Report 2019

³ Source ASVIS 2019

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identification of a point of contact to report any potential suspicious situation of trafficking or coercion;

- ensure the personnel that for their attribution is in contact with passengers, an adequate training aiming the increase of awareness of the phenomenon of human trafficking.

The present Guide Lines, therefore, are intended to implement R.P. 8.47 and 8.48 of Annex 9. They provide guidance on training for the aviation sector operators to develop awareness of the phenomenon, to acquire the necessary instruments to recognise any suspicious case of trafficking and implement the adequate actions, following the procedures and indications provided by their own employer.

2. SUBJECTIVE SCOPE

The Guidelines apply to the ENAC personnel on duty at airports, the air carrier staff (ground and crew personnel), the handling providers staff (check-in and boarding area) and the personnel responsible for security checks.

3. DEFINITIONS

Reporting System: procedure that must be adopted by the employers in order to indicate to the staff the methods and recipients of the

report related to a suspicious situation. This procedure must be defined based on the roles and responsibilities of such staff.

In particular, the airlines are required to develop a specific and detailed company policy for managing the suspected cases of trafficking that, whenever possible, comprises all of their networks.⁴ The procedure must also include a reporting system to the local authorities and the availability of further support in case of need. It is recommended that the procedure is brought to the knowledge of the entire organisation, particularly to the ground staff employed at the frontline and crew members who could be the first contact with the victims and exploiters.⁵

Point of contact: the point of contact is locally identified at the air Border Police Office present in each national airport⁶. Where the duties of Border Police are not entrusted to a Dedicated Office, the point of contact will be the delegated office of the Police or, according to the case, the Police Headquarters, the Stations of the Carabinieri and Police.

For the means of communication and operating time slots, the reference is made based on agreements at local level.

⁴ IATA Guidance on Human Trafficking

⁵ Idem

⁶ Ministerial decree 16 march 1989 – “Organisation of the Border Police Offices, Capo I Service and Border Police Offices”

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4. TRAINING CONTENT

The awareness and the training of air transport operators, involved in various ways, are a key component to implement efficient and effective strategies to face and battle the human trafficking phenomenon.

From its definition, Human Trafficking presents a certain complexity since it can be confused with other phenomena that go from slavery to smuggling of migrants, from illegal immigration to illegal employment.

It therefore appears fundamental to understand what “trafficking” exactly means, in order not to confuse this phenomenon with other criminal instances, in particular with the organized abetting of illegal immigration (smuggling).

Primary goal of the training is to:

- raise awareness of the operators towards the human trafficking phenomenon;
- develop the ability to recognise the signals that may characterise a coercion situation;
- know how to deepen such signals;
- be acquainted with their own level of responsibility and how to relate with other operators (following policies and the instructions given by the employer);
- know the points of contact to which report the suspected trafficking case.

Therefore, a part of the contents of training will be shared with the operators at every level, and a part will be specific, in accordance with the played role and the type of activity carried out.

The next paragraphs are intended to indicate the main topics in terms of training, following primarily the indications given by the Advisory Circular ICAO 352.

These arguments can be developed and/or completed based on specific needs.

A first action, in a more general way, concerns information/awareness campaigns on the phenomenon, also through the predisposition and the spread of informative material (brochures, audio-visual spots, app), in collaboration with operators of the sector, also in order to provide useful information on the actions to take (point of contact, procedures elaborated by the employer). This first action of information/awareness has to be addressed to all personnel operating within the airports and aircrews, regardless of the type of contractual relationship.

4.1 General content

The basic topics are the following:

- a) Introduction to the phenomenon and its extent, in particular as regards the air transport sector.
- b) Definition of human trafficking, including the distinction between “smuggling” and “abetting

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of illegal immigration for exploitation purposes”.

c) Purpose of trafficking and the goals for which it takes place (sexual exploitation, induction to prostitution, illegal employment, organ trafficking, etc...).

d) Child Trafficking.

e) The three key elements that have to be present in order to recognise a suspect trafficking situation (action, means, goal).

f) Legislation related to the topic.

g) Identification of the elements that may characterise a case of coercion; general indicators; practical cases.

h) “Do not harm” concept.

i) The “point of contact”.

4.2 Targeted content

4.2.1 Training of crew members (flight and cabin personnel):

a) Knowledge of the policy’s contents adopted by the air carrier on human trafficking; in particular:

- flight crew roles and responsibilities;
- cabin crew roles and responsibilities;
- communication and coordination between flight and cabin crews;
- procedures to follow in case of identification of a suspected situation of coercion or trafficking;

- reporting activity;
- management of the cabin (how to deal with other passengers in order to avoid alarm situations);
- actions to be taken before the arrival at the destination (guidance on how to deal with a situation that occurs during the flight or on the ground).

4.2.2 Training of the ground personnel of air carriers, handling providers (check-in and boarding area) and those in charge of security checks

- Definition of human trafficking
- Relevant legislation and its importance in aviation
- Why it happens and what the trends are
- Role of ground staff and how to give their own contribution
- Trafficking scenarios (at check-in, security checks, boarding gates)
- What to do and what not to do
- Trafficking and smuggling (differences, study cases examples)
- How to identify possible signs of trafficking
- Methods of communication and reporting

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4.2.3 Training of ENAC personnel on duty at airports

- Definition of human trafficking
- Relevant legislation and its importance in aviation
- Why it happens and what the trends are
- Role of ground staff and how to give their own contribution
- Trafficking scenarios (at check-in, security controls, boarding gates)
- What to do and what not to do
- Trafficking and smuggling (differences, study cases examples)
- How to identify possible signs of trafficking
- Methods of communication and reporting

5. TRAINING MODULES

The training is organised at two distinct levels:

a) A basic training destined to all operators (personnel of ENAC, Air Carriers, Airport Management, Handler and Providers of security services), in order to give macro indications on the phenomenon, the indicators and the procedures to follow in the event of facing a hypothesised phenomenon of trafficking. Such intervention must predict a duration of at least 2 hours and a recurrent is required to be provided at intervals not exceeding 5 years.

b) A second level of training, more in-depth, must be provided to the operators who are in a more privileged situation with respect to the observation and the possibility of intervention, in order to develop and increase the capacity of observation and therefore the awareness of the phenomenon in question. This training, in a particular way, is destined to all the ENAC Inspectors qualified in different inspections specialties, on ground and flight crew of air carriers, airport management personnel in charge of security and front office services and ground handling service staff.

This training, in addition to the basic level, must include practical-experiential modules with recipients chosen from the various airport operators to promote the exchange of experiences and implement a common and shared language. The training predicts a recurrent to be provided at intervals not exceeding 5 years.

The courses can be provided as frontal lectures, remote or e-learning, other than as expressly provided by the Guidelines for the specific modules.

5.1 Specific modules

5.1.2 For the on-ground crew of air carriers and handling providers:

- a) for newly employed personnel: an initial training module lasting at least 1 hour;
- b) for on-duty personnel: an initial training module lasting at least 1 hour to be

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provided within 6 months after entry into force of the present Guidelines;

- c) for all personnel: a recurrent training module without the definition of its duration but documented, to be provided at intervals not exceeding 5 years.

Guidance material to be delivered to learners; extract of normative references; presentations (slides).

5.1.3 For the Air carriers flight crew

The training program must take into account the responsibility level and the tasks conferred to the various members of the staff. For this reason, training is required to include a level of detail according to the different crew members involved.

Since the trafficking phenomenon involves all the figures dedicated to facilitation activities, a part of the training must be dedicated to the knowledge of the organization by all crew members. In this regard, it will be important to clearly define the role of each member and how it is possible to intervene in each sphere of competence (*“What is my role?” - “How can I help?”*).

- d) for newly employed personnel: initial training module lasting at least 1 hour;
- e) for personnel on duty: initial training module lasting at least 1 hour to be provided within 6 months from the entry into force of the present Guidelines;

- f) for all personnel: recurrent training module without the definition of its duration but documented, to be provided at intervals not exceeding 5 years.

Guidance material to be delivered to learners:

- IATA Guidelines “Guidance on Human Trafficking”
- Extract of the main legislative references in the matter, both domestic and European, with mention of the Conventions and Protocols signed at international level
- Any other publication and content, including video, considered useful by the team of experts involved in the training activity.

5.1.4 For ENAC personnel on duty at airports:

The modules will be included within the initial and periodic annual training of the involved personnel with special attention to the identification process of trafficking victims and their vulnerable position.

Training may take place online through webinar, test and discussion groups or forum to promote the sharing and the adoption of good practices based on practical experiences. Specific sessions in presence, with lectures given by experts targeting the study of practical cases, also through video, simulations and roleplays, may be promoted. The interactive didactic and the testimony of sector experts will constitute the added value of the module. This training will last at least 1 hour.

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Guidance material to be delivered to learners:

- extract of the main legislative references in the matter, domestic and European, with mention of the Conventions and Protocols signed at international level
- any other publication and content, also video, considered useful by the team of experts involved in the training activity.

This material will be available online and it will be regularly updated based on the evolution of the policies and the Anti-Trafficking strategies.

5.2 Professional figures to be identified as lecturers:

Each interested party will have to identify, within the organisation, the appointed lecturers or external providers in order to ensure the required training.

The appointed lecturers, namely the external providers, will be required to attest an experience of at least two years of teaching activity on similar topics.

The interested parties must transmit to ENAC – Personnel Development Unit, the list of the selected lecturers before starting the training activity (first section or recurrent) described in the present Guideline, as well as keep track of the trained staff (e-learning, specialised, recurrent) on an appropriate IT support.