



# WHAT IS TRAFFICKING IN HUMAN BEINGS?

*Trainer's Manual*

This publication was produced in the framework of the 'Prague Process: Dialogue, Analyses and Training in Action' initiative, a component of the Mobility Partnership Facility II project, funded by the European Union and implemented by ICMPD.

The Prague Process is a targeted migration dialogue promoting migration partnerships among the countries of the European Union, Schengen Area, Eastern Partnership, Western Balkans, Central Asia, Russia and Turkey.

Authors: Madis Vainomaa (Project Manager, Anti-trafficking Programme, ICMPD), Ivanka Hainzl, Project Officer, Anti-trafficking Programme, ICMPD)

Layout by Oksana Kalayda

Prague Process Secretariat at ICMPD: Radim Zak (Prague Process Coordinator), Alexander Maleev (Project Manager), Irina Lysak (Project Officer), Olena Silkina (Project Assistant).

## Copyright

### **International Centre for Migration Policy Development, 2019**

All rights reserved. No part of this publication may be reproduced, copied or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording, or any information storage and retrieval system, without permission of the copyright owners.

The contents of this publication are the sole responsibility of the authors and the Prague Process Secretariat at ICMPD, and do in no way represent the views of the European Union.

ISBN: 978-3-903120-81-5 (printed version)

ISBN: 978-3-903120-83-9 (electronic version)

Prague Process Secretariat  
International Centre for Migration Policy Development (ICMPD)

Gonzagagasse 1

A-1010 Vienna

Austria

[www.pragueprocess.eu](http://www.pragueprocess.eu)

[www.icmpd.org](http://www.icmpd.org)

[www.facebook.com/PragueProcess](https://www.facebook.com/PragueProcess)

# ABOUT THE AUTHORS

This Training Manual was produced within the Prague Process Training Academy, which aims to enhance capacity building and the implementation of advanced trainings on migration-related issues across the Prague Process states by supplying the competent migration authorities with the necessary tools for organising own trainings in-house. Migration practitioners can use this Manual as a practical guide on how to deliver knowledge to any target audience.

This Manual is a result of the rich expertise of its authors, **Mr Madis Vainomaa**, Project Manager and anti-trafficking expert, and **Ms Ivanka Hainzl**, Project Officer, both working at the ICMPD's Anti-trafficking Programme.

A lawyer by profession **Mr Madis Vainomaa** holds a master's degree in international business law and has over 15 years of professional experience in human rights protection issues, including the rights of refugees and IDPs, combating trafficking in human beings and irregular migration and improving the institutional capacities to address human rights issues. Before joining ICMPD Madis worked for a decade with the OSCE in the Western Balkans, followed by a period of five years of independent consultancies with international organisations (UN, OSCE, ILO) on issues of countering human trafficking, as well as in setting up institutional mechanisms to tackle human trafficking. He has been conducting fieldwork and assessments on sensitive matters in challenging environments such as in Turkmenistan, Turkey, and Ukraine. He has recently completed managing a three-year EC-funded Project "Fight against Trafficking in Human Beings and Organized Crime, Phase 2", covering Azerbaijan, Albania, Bosnia-Herzegovina, Moldova, Turkey, Pakistan. Madis is currently providing expert advice and capacity building to selected authorities in beneficiary countries (Western Balkan, Central Asia, Ghana, Jordan) and the civil society in supporting the set-up and improvement of victim-centred national referral mechanisms.

Over the past six years **Ms Ivanka Hainzl** has worked on the implementation of various projects related to capacity building in the field of combating trafficking in human beings and supporting national anti-trafficking responses. She has contributed to reports on numerous national anti-trafficking documents, ranging from referral mechanisms, to anti-trafficking strategies and action plans. Before joining ICMPD, Ivanka served as a senior expert to the Secretariat of the Bulgarian National Commission for Combating Trafficking in Human Beings. Previously, she worked as clinical social worker and psychologist at the NGO Animus Association/La Strada Bulgaria providing psycho-social support to victims of violence. Ivanka holds a M.A. in Clinical and consultative psychology and in Developmental psychology.



# TABLE OF CONTENTS

<b>1. LIST OF ACRONYMS</b> .....	3
<b>2. INTRODUCTION</b> .....	4
Goal of the manual.....	4
Who can use this manual.....	4
<b>3. STRUCTURE OF THE MANUAL</b> .....	5
<b>4. HOW ADULTS LEARN?</b> .....	6
<b>5. THE TRAINING PROCESS</b> .....	8
<b>6. TRAINING SESSIONS OVERVIEW</b> .....	15
<b>Chapter 1:</b> Trafficking in human beings - concepts, definitions and elements.....	15
<b>Chapter 2:</b> Difference between trafficking in human beings and smuggling of people.....	17
<b>Chapter 3:</b> Forms of trafficking in human beings.....	19
<b>Chapter 4:</b> Applying the concepts and definitions.....	20
<b>Chapter 5:</b> Identification of victims of trafficking in human beings: human rights approach.....	22
<b>Chapter 6:</b> Referral of victims.....	24
<b>Chapter 7:</b> Understanding and working with victims. protection and rehabilitation.....	26
<b>Chapter 8:</b> Return of victims.....	28
<b>Chapter 9:</b> Comprehensive anti-trafficking response.....	30
<b>Chapter 10:</b> Prevention of trafficking in human beings.....	32
<b>7. BACKGROUND MATERIALS</b> .....	34
<b>Chapter 1:</b> Trafficking in human beings - international concepts and definitions. Elements of trafficking in human beings.....	34
<b>Chapter 2:</b> Difference between trafficking in human beings and smuggling of people.....	38
<b>Chapter 3:</b> Forms of trafficking in human beings.....	41
<b>Chapter 4:</b> Applying the concepts and definitions.....	42
<b>Chapter 5:</b> Identification of victims of trafficking in human beings: human rights approach.....	45
<b>Chapter 6:</b> Referral of victims of trafficking in human beings.....	47
<b>Chapter 7:</b> Understanding victims of trafficking in human beings. Protection and rehabilitation.....	49
<b>Chapter 8:</b> Return of victims of trafficking in human beings.....	57
<b>Chapter 9:</b> Comprehensive anti-trafficking response.....	60
<b>Chapter 10:</b> Prevention of trafficking in human beings.....	64
<b>8. HANDOUTS</b> .....	69
<b>Chapter 1:</b> Trafficking in human beings - international concepts and definitions. Elements Of Trafficking In Human Beings.....	69
<b>Chapter 2:</b> Difference between trafficking in human beings and smuggling of people.....	71
<b>Chapter 3:</b> Forms of trafficking in human beings.....	73
<b>Chapter 4:</b> Applying the concepts and definitions.....	74
<b>Chapter 5:</b> Identification of victims of trafficking in human beings: human rights approach.....	86
<b>Chapter 6:</b> Referral of victims of trafficking in human beings.....	91
<b>Chapter 7:</b> Understanding victims of trafficking in human beings. Protection and rehabilitation.....	96
<b>Chapter 8:</b> Return of victims of trafficking in human beings.....	102
<b>Chapter 9:</b> Comprehensive anti-trafficking response.....	103
<b>Chapter 10:</b> Comprehensive anti-trafficking response.....	105
<b>9. ANNEXES</b> .....	107
<b>ANNEX 1:</b> Training session template.....	107
<b>ANNEX 2:</b> Training session example.....	108
<b>ANNEX 3:</b> Evaluation form.....	110



# LIST OF ACRONYMS

<b>CoE</b>	Council of Europe
<b>ICMPD</b>	International Centre For Migration Policy Development
<b>ILO</b>	International Labour Organisation
<b>IOM</b>	International Organisation for Migration
<b>NRM</b>	National referral mechanism
<b>SoM</b>	Smuggling of migrants
<b>SOP</b>	Standard operating procedure
<b>THB</b>	Trafficking in human beings
<b>TIP</b>	Trafficking in persons
<b>TRM</b>	Transnational referral mechanism
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>UNTOC</b>	United Nations Convention against Transnational Organised Crime
<b>US</b>	United States (of America)



The manual is produced in the framework of the Prague Process Migration Observatory implemented through the “Prague Process: Dialogue, Analyses and Training in Action” (PP DATA) initiative, funded by the European Union and implemented by ICMPD in its capacity of Prague Process Secretariat.<sup>1</sup> PP DATA aims at sustaining and further enhancing the cooperation established in the area of migration and asylum between the countries of the European Union, the Schengen Area, the Eastern Partnership, the Western Balkans, Central Asia, Russia and Turkey.

The **goal** of this manual is to guide its users in developing and delivering training sessions covering ten key areas concerning combating trafficking in human beings. The manual provides content and technical implementation information for each session, as well as brief instructions on the process of teaching and useful insights about adult learning.

The manual is developed to serve the **anti-trafficking stakeholders** from the participating countries of Prague Process. The Manual is a practical guide that can be adapted to fit the training needs of the participants. It can be used for in-house trainings, delivered by professionals with a certain level of training experience to an audience with no or basic knowledge on the topic of trafficking in human beings, or it can also be used for training-of-trainers programmes.

Having in mind the diversity of the human trafficking phenomenon across the Prague Process region and the specificities of the national anti-trafficking responses, the manual is designed in a way that can be also adapted to any **country-specific context**.

The information for the manual was collected through desk research of the available handbooks and manuals on the topic of combating trafficking in human beings, adding the knowledge and expertise of ICMPD Anti-trafficking Programme.

---

<sup>1</sup> The Prague Process is a migration dialogue that promotes migration partnerships among the countries of the European Union, Schengen Area, Eastern Partnership, Western Balkans, Central Asia, Russia and Turkey. <https://www.pragueprocess.eu>

The training manual consists of the following chapters:

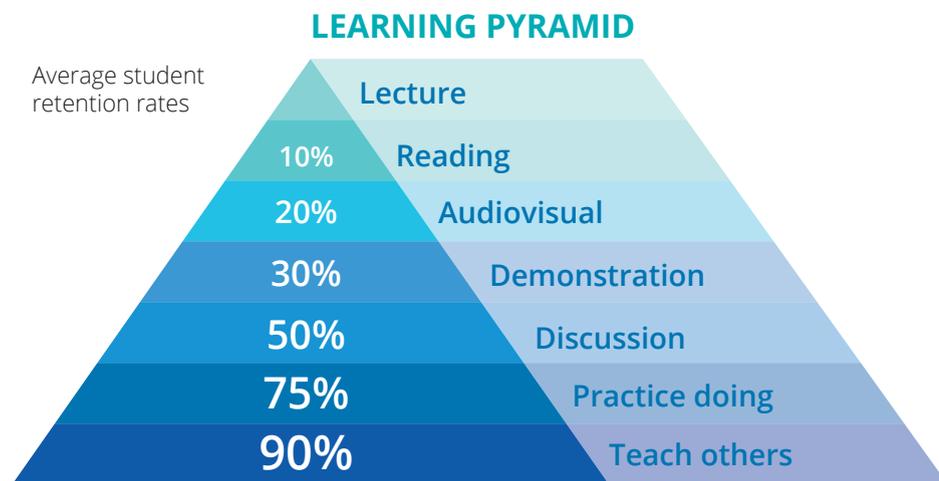
- ▶ **How adults learn?** This chapter contains information to enable trainers to conduct the training successfully. It gives an insight into the learning processes of adult people as well as an overview of specific aspects of teaching adults, also providing some methodologies and tools for conducting a successful training.
- ▶ **Training sessions:** Contains an overview and description of each session, following the same structure:
  - ▶ **Learning outcomes:** Guides the trainer with regard to what knowledge, skills and competence the participant must be able to acquire through the session;
  - ▶ **Session outline:** Provided in a table format and includes the topics to be covered, proposed timing and methodology as well as an overview of materials required;
  - ▶ **Handouts overview:** Provides a list with the relevant handouts for each chapter;
  - ▶ **Trainer instructions:** General instructions on the implementation of the session, including guidance on the use of certain methodologies, etc.
  - ▶ **Key messages:** A list of the most important messages the trainer should convey during the session. Acts as a reminder and can be used to double-check the knowledge and lesson focus envisaged by the trainer.
  - ▶ **Further readings:** Almost all training session descriptions include a list of sources that can be used to acquire more in-depth information about the subject of the session.
- ▶ **Background material:** The background material contains the relevant information and reading for the sessions following the order of sessions. It is a reference for trainers with regards to the content that should be covered and facilitates building their sessions, e.g. by using the material to create an accompanying slideshow presentation or for the use on flipcharts.
- ▶ **Handouts:** Handouts for all the sessions are combined in this chapter, following the overall numbering of the sessions. This facilitates easy printout of the handouts, whether to be used for group work in the session, or to be distributed for further reference to participants after the training.
- ▶ **Annexes:** The Annexes provide a session planning template and an evaluation form template for the trainers.

The fundamental task of the trainer is to create an environment in which participants can learn, share experiences, apply their knowledge to different situations and express their views for the benefit of all other participants.

Several **factors** influence the learning process of adults:

## RETENTION

For training it is important to understand how people retain and absorb information they receive. Retention is a crucial factor in the process of how much new information will 'stick' and can therefore be translated into changes in knowledge, skills and attitude. The following graph - 'Learning Pyramid' - illustrates how forms of teaching/exposure affect retention levels. Although the percentages should not be taken as rigid numbers, it shows that the way information is transmitted and processed is crucial. Training therefore needs to address different senses and facilitate identification and processing by the participants themselves. The graph illustrates that lecturing, as a primary means of training does not support learning at all.



Source: National Training Laboratories, Bethel, Maine

## MOTIVATION

Learning must also be motivating and therefore be designed as an active, interesting and dynamic process. If participants can relate their learning to their work and their individual context, the learning will be more intense and create motivation for further (implementation) progress.

Always think about how best to integrate different methods and get participants to discuss topics, to do it themselves and in the best scenario, to teach it to others.

## LEARNING CURVE

Learning is a continuous process and happens in steps, deepened through repetitions and clarifications. Performance (e.g. through application of new competencies) increases with attempts or repetitions over time and often follows an S-curve, slower at the beginning (see following figure).

<sup>2</sup> Based on ICMPD, Training Curriculum for Labour Inspectors on Trafficking in Human Beings in Jordan, 2018

Thus, overall performance increases with repetition, use and application. It is not an automatic process however and might require repeated sessions, discussions and clarifications.



Considering these key factors, in order to facilitate effective learning, the form and format of the sessions must address our different senses – hearing, seeing and experiencing. The participants need to discuss, process and apply what they have just heard or learned. In the best case, they should develop the knowledge themselves (e.g. with the help of hand-outs, discussions etc.) as part of the learning process, including applying knowledge to the analysis of different scenarios (case studies), or experiencing situations directly and applying knowledge practically (role plays).

Source and more details:

[http://www.intropsych.com/ch07\\_cognition/learning\\_curve.html](http://www.intropsych.com/ch07_cognition/learning_curve.html)

## FOR TRAINING ADULTS, IT IS IMPORTANT TO REMEMBER THAT:

- ▶ **Adults learn from experience.** Therefore all new learning for adults is based on what they already know. The participants doing the training will probably have a wealth of experience, skills and ideas. They should be encouraged to use examples and share 'lessons learned' from their previous experiences as much as possible. Never assume that the participants know nothing about the subject matter.
- ▶ **Adults learn best from their peers.** The participants will receive and respect information they receive from their fellow professionals.
- ▶ **Adults learn best through discussion.** Try and use discussion as much as possible because it enables adults to be both learners and teachers. Lectures are less effective as teaching methods.
- ▶ **Adults learn best from those of similar age and similar background.** Encourage the participants to share their knowledge with one another.
- ▶ **Adults learn what they want to learn, what they are interested in, and what they think will be useful to them in their lives.** Training materials should be relevant to the subject you are teaching. You should be ready to adapt the materials provided in this Manual to the experience and knowledge of the participants.
- ▶ **As adults grow older, their powers of observation and reasoning often grow stronger.** This ability to observe, think and analyse means that in adult education all are learners and all are teachers.<sup>3</sup>

**Reinforce the learning by making it an active, interesting and motivating process!**

<sup>3</sup>ECPAT, Combating Trafficking in Children for Sexual Purposes – a Training Guide, 2006

## 5.1. PREPARATION OF THE TRAINING

### ■ *Venue / Training room*

- ▶ Tables and chairs to accommodate groups, resource persons and materials (including a small table for storage of training materials);
- ▶ Flipchart stand (minimum 1, better 2, plus wall space to put up flipchart paper);
- ▶ Computer, projector and screen for presentations;
- ▶ Internet connection to access multi-media materials.

The set-up of the room determines the learning atmosphere. Avoid class-room set-ups because it creates a “lecture” atmosphere and the participants are not included in the learning process. If possible, arrange chairs and tables with small work-stations, where groups of people sit together, facing the front with a flipchart stand to the side of the screen. U-shape or “Fish bone” sitting arrangements are more suitable and convenient for trainings.

### ■ *Training materials*

To visualise information and what participants said, you need the following **training materials and tools**:

- ▶ Flipchart paper (at least 2 reams per stand);
- ▶ Flipchart markers (not whiteboard markers) in different colours;
- ▶ Coloured cards, Post-it™ notes and spare A4 paper;
- ▶ Masking tape; Adhesive tape; Scissors;
- ▶ Watch or timer;
- ▶ Any material for distribution, including printouts of the presentation (2 or 3 slides per page) or USB-sticks with all materials on for distribution at the end of the session;
- ▶ Camera for capturing the moments from the training and participants’ input;
- ▶ Writing pads or paper for participants;
- ▶ Pens/pencils;
- ▶ Name tags and/or table stands with participants’ names.

### ■ *Planning the training*

- ▶ Plan all training sessions ahead – prepare the content and the materials (presentations, handouts, videos, case studies, etc.), think about different methodologies to be applied within the sessions, the required equipment, the time allocated for each session, etc.
- ▶ Ensure you have the required handouts printed out beforehand for distribution.
- ▶ A template provided in Annexes can be used for planning a single-day/multi-day training or a single session only. It helps to plan your message, the objective and the flow of the session as well as all relevant materials required.

## “BEFORE THE TRAINING” CHECK LIST <sup>4</sup>

- ▶ Get there early!
- ▶ Is the training room ready?
- ▶ Do I have extra markers, flipchart paper, etc.?
- ▶ Do I know where all the spares are?
- ▶ Is the equipment set up?
- ▶ Is the seating arrangement as required?
- ▶ Is all of my equipment ready?
- ▶ Set up my presentations on the computer. Make sure that they run smoothly on the screen.
- ▶ Do I have a remote control to navigate my presentation?
- ▶ Organise and place my notes?
- ▶ Can everyone see the equipment and me?
- ▶ Warm up my voice.
- ▶ Am I still familiar with the material? ..... Mentally recall the sequence of events.
- ▶ Breathe deeply

**BEGIN!**

## 5.2. DELIVERY OF THE TRAINING AND THE TRAINING SESSIONS

### ■ *Introducing and moderating sessions*

- ▶ Ensure timely beginning, end and breaks;
- ▶ Introduce the topic of each session, indicate its timeframe and general flow;
- ▶ Always establish a link with previous session(s);
- ▶ Provide enough time and possibilities for Q&A and discussion on a topic covered;
- ▶ Limit questions by referring questions unrelated to the topic to another time/ later session;
- ▶ Ensure that the general flow of the training course is maintained.

### ■ *Group work methodologies*

There are a number of different methodologies that can be applied for effective group work and in order to make sessions more interesting. The following is a (non-exhaustive) list of methodologies that can be applied to support the participants’ learning process:

- ▶ **Discussions:** direct questions with participants in plenary or moderated discussions with experts. In plenary discussions, ensure the involvement of most participants.
- ▶ **Buzz groups:** small, quick discussion groups of 2-4 persons, assign the immediate neighbours for quick grouping.

---

<sup>4</sup> Based on UNDP, Best Practice - Law Enforcement Manual for Fighting against Trafficking of Human Beings – Trainer’s Manual, 2003

- ▶ **Brainstorming** in groups or in plenary. It is helpful in gathering multiple, different and creative ideas and opinions from the participants. Ask participants to state any ideas on a certain topic and document them in their group. In plenary the trainer documents the suggested ideas on a flipchart.
- ▶ **Audio-visuals:** short movies etc. to trigger joint discussions, analysis or be the basis for group work with specific questions asked.
- ▶ **Presentations / input:** can be done with the support of a PowerPoint presentation or flipcharts, pictures etc., to provide an introduction to a topic or add further to group work results.
- ▶ **Group work:** a task assigned to the group on a specific topic, e.g. the analysis of specific information provided through handouts or cases to facilitate a learning process and discussion in a group etc. Requires preparation of group work results and debriefing to the others (presentation).
- ▶ **Stakeholder maps, flow charts, mind maps:** depicts stakeholders involved in a certain process and their relationship to each other. Can be used either as part of an input, jointly developed with participants in plenary as part of a structured discussion process or can be a method for structured group work.
- ▶ **Case studies:** as another method for structured group work. A case or case study simulates a real-life situation that participants have to examine. It facilitates analysis and application of knowledge based on questions asked, e.g. to identify certain aspects in a case or problem solving. A case can help to demonstrate how theory can look in practice and to facilitate and structure a discussion. It can be used for group work or discussion in plenary.
- ▶ **Role play / Simulation:** (re)creation of a specific situation or scenario to facilitate experiential learning. Either involves the participants or not. Can be used for group work, observations, joint discussions, etc. Particularly suitable for situations people assume they know everything about, to bring them into analysing good and bad practices and the behaviour/ interplay of themselves and others in a specific situation.

### ■ **Group work presentations**

- ▶ If all groups worked on the same topic/task, instead of listening to presentations by each group (requires a lot of time and tires participants easily) ask one group to present first and then other groups to comment with any further (new) information.
- ▶ The trainer with the group goes quickly from one flipchart to the other, highlighting the most important points, or
- ▶ The trainer asks each group to move from one flipchart to the other as a group, noting down their observations, which are discussed afterwards jointly. The trainer in this case should ensure rotation in front of the flipchart, e.g. every 1-2 minutes.

### ■ **Training style - what makes a good trainer?**<sup>5</sup>

Some qualities of a good trainer, such as personal sensitivity and commitment, depend on the individual personality of the trainer. However, experience and awareness can improve everyone's skills.

---

<sup>5</sup> ECPAT, Combating Trafficking in Children for Sexual Purposes – a Training Guide, 2006

## A good trainer has:

- ▶ **Sensitivity towards the feelings of others:** A good trainer will help to create and sustain an environment of trust and openness where everyone feels safe to speak honestly, and where differences of opinion are respected.
- ▶ **Sensitivity to the feeling of the group as a whole:** In any group, the whole is greater than the sum of its parts. Group 'chemistry' generally reflects shared feelings. A group may be eager, restless, angry, bored, enthusiastic, suspicious, or even frivolous. Establishing a collaborative dynamic is essential to a good learning environment.
- ▶ **Sensitivity to the status and capacity of the individual participants in the group:** In a multi-stakeholder group there will be participants with very different backgrounds and formation. A good trainer will be sensitive to how each participant perceives himself/herself and the others in the group. It can take time to build trust between them and to create the environment in which they will be comfortable with each other.
- ▶ **Ability to listen:** By listening both to the explicit meaning of words, and also to tone and implicit meaning, a trainer will be able to sense the feelings of individuals and the group. It is important to ensure that everyone feels included and has the opportunity to participate.
- ▶ **Ability to hold people's attention:** Body language, tone of voice, manner of dress, can all affect the way participants will react to a trainer. A trainer who appears confident will give participants confidence that they are in good hands and will learn something important.
- ▶ **Ability to draw information from participants:** Engaging the participants in the proceedings will ensure that they learn from each other, and feel a part of what is happening.
- ▶ **Tact:** Sometimes the trainer has to take unpopular actions or say awkward things for the good of the group as a whole. The ability to do so carefully and kindly is important. Furthermore, the subject matter of the training can evoke strong feelings and painful memories for participants. A trainer needs particular tact to deal with emotional situations respectfully, but also firmly.
- ▶ **Honesty:** A trainer should be honest with participants about the limits to their own knowledge. Instead of pretending to know the answer to a difficult question, see if another participant knows the answer, or undertake to find out the answer and bring the correct information at another time.
- ▶ **Commitment to collaboration:** Collaborative learning can seem frustrating and inefficient at times. It can be tempting for a trainer to take on the traditional role of 'teacher', and to lead rather than facilitate. A good trainer will realise the empowering value of collaborative learning, and will establish a collaborative relationship with participants in which the responsibility for learning rests with the whole group.
- ▶ **A sense of timing:** A trainer needs to develop a good sense for the timings during training. He/she should know when to bring a discussion to a close, when to change the topic, when to cut off someone who has spoken for too long, when to let the discussion continue over the allotted time, and when to let silence continue for a little longer.
- ▶ **Flexibility:** A trainers must plan the sessions, but must also be ready to jettison the plans in response to a situation if that will make the learning experience more successful. Opportunities may present themselves in which it is appropriate to call on the talents and experiences of people in the group, or to use resources suggested by the participants. Flexibility towards delaying or bringing forward breaks in the session can also help to prevent the group from losing its concentration or becoming bored.

- ▶ **A sense of humour:** A trainer's ability to laugh at himself/herself, and to share the laughter of others, enhances the learning experience for everyone. The creation of a warm and friendly atmosphere will make people feel comfortable and open to learning.
- ▶ **Good organizational skills:** The trainer must make sure that the 'housekeeping' tasks are done, such as the preparation of materials, the arrangement of the meeting space, and providing essential information to participants. Good organisation will give the participants confidence that they are going to learn something important.
- ▶ **A positive attitude towards the participants:** Participants will react well when their opinions and contributions are treated with respect. A good trainer will find a positive way to react to the participants, even when he/she is correcting something or disagreeing with something.

#### A trainer is NOT:

- ▶ **The person in charge:** The whole group is responsible for learning. The role of the trainer is to facilitate that to happen. Therefore the group should participate in deciding (or at least) confirming the agenda for the training.
- ▶ **A lecturer:** The trainer is a co-learner with the other participants; he/she is exploring the subject as an equal partner and contributing his/her own experiences.
- ▶ **Necessarily an expert:** Although the trainer will have prepared the sessions, he/she may not know as much about some parts of the course as some of the other members of the group.
- ▶ **The centre of attention:** A good trainer generally speaks less than the participants. Instead he/she draws the participants into the discussion or activity.
- ▶ **An arbiter:** In collaborative learning, no one determines that some opinions are correct or more valid than others.

### 5.3. EVALUATION OF THE TRAINING AND PARTICIPANTS' PROGRESS

- Prior to the training, it is important to collect information on the knowledge level of the participants. Thus, the content of the training can be designed to match the group. The knowledge level before the training will also help to measure the accumulated new knowledge due to the implemented training.
- Evaluation provides feedback on the success of the training to the trainer allowing him/her to understand if the overall learning outcomes have been met and if there is a need to adjust content, materials, organisation etc.
- Evaluation also provides an opportunity to check and confirm the knowledge gained by participants, and allows participants to reflect on their progress and build confidence with the subject matter.

## 5.4. MANAGING DIFFICULT SITUATIONS AND PARTICIPANTS<sup>6</sup>

### *Examples of a 'difficult person' situation and of approaches to manage it:*

- ▶ **'This will never work'.** Try to regard the statement of difficulty as an invitation to build, and not as an obstacle. Ask the person to suggest a solution to the problem he/she has identified or to explain why the obstacle appears. You should listen to the expressed difficulties, and try to deal with them. "Complaining" is an issue that can often occur in a group especially when the discussed topic is challenging and/or deals with participants' responsibilities. It is often a sign of overwhelmed professionals. Do not reject or underestimate the negative statements. Validate participants' negative experience and turn the focus to possible solutions. Avoid turning the session into mass complaining, because it is not constructive for the learning process.
- ▶ **Conflict between two persons.** One of the training rules that you must introduce at the beginning of each training is acceptance of others' opinions and respectful behaviour. Any conflict during the training that goes beyond the professional topic or targets personal and professional characteristics of the participants must be stopped by referring to the rules of the training. If necessary, you can come back and deal with it later, when the situation has calmed down.
- ▶ **'I am not going to say a word'.** This person may be shy, or they might be nervous of speaking in front of their boss or their peers. He/she might find it easier to speak in a small group, which is why it is important to use a variety of learning styles. It is important that as facilitator, you value everyone's contribution. Ask the person for their opinion about something; then they cannot make a mistake, because it is only their opinion. Be careful and acknowledge the contributions that they make.
- ▶ **'I'm the expert on this subject'.** The person may be truly an expert, in which case you should show respect for what they can bring to the discussion. Use person's expertise to help the learning experience of the others, but mentally set limits on how long you will allow her/him to talk, and stick to those limits. Use your body language to indicate when he/she should stop talking. Encourage the person to listen, and consider giving him/her a part to play in answering questions from other participants. If appropriate, invite the person to do a short presentation on the discussed subject.
- ▶ **'I like the sound of my own voice'.** This individual is likely to want to dominate the discussion, and you must take control, but in a constructive way. Try to involve other participants by calling on them by name to get involved. In most cases, you will find that the group itself will take control and tell the difficult person to stop talking.
- ▶ **'I've heard it all before'.** Whatever you do, do not get angry or defensive. Try to find some merit in what the person is saying. Recognise person's knowledge and the fact that the group consists of people with different level of experience. Ask the person what related to the training subject would be interesting for him/her to know. In order to avoid such situations, it is good to collect participants' expectations for the training at the very beginning.
- ▶ **'I don't agree'.** Disagreement is not necessarily a bad thing in the learning process. It creates space for discussions and expression of different opinions. However when the purpose of the disagreement is only to obstruct the training process, then the objections must be stopped. You can have a separate conversation with this person during the training breaks. Try to examine the reason for his/her attitude. Very often, such persons just seek the attention of the trainer or the group but have no skills to do it in a positive way.

---

<sup>6</sup> Ibid, adapted

- ▶ **'I want to discuss a different and difficult issue'.** If a participant brings up an issue that takes long time to deal with immediately, or is not related to the focus of the session, acknowledge the importance of it , and come back to it later when the training agenda allows it. At the end of the training, make a quick round asking every participant if his/her expectations from the training were met. If you have the training expectations written on a board, read them and ask the group if each one is fulfilled. Leave enough time to discuss the topics that were expected but not discussed and/or provide sources where the participants can find additional information on these topics.

## ▶ CHAPTER 1.

### TRAFFICKING IN HUMAN BEINGS - CONCEPTS, DEFINITIONS AND ELEMENTS

#### LEARNING OUTCOMES

After this session, participants:

- ▶ Know and have discussed the international definitions of trafficking in human beings.
- ▶ Can explain the three elements of trafficking in human beings.
- ▶ Are aware of the relevant international anti-trafficking instruments.

#### SESSION OUTLINE

Topic	Time	Methodology	Materials
<b>A.</b> Introduction	15'	Video: Lured into a job	Projector, screen, laptop, Video, sound, PPT, flipchart, marker,
<b>B.</b> Definitions: Palermo Protocol, elements of the crime, ILO Forced Labour.	25'	Input and interactive discussion	PPT, Handout 1.1
<b>C.</b> Overview of international commitments	10'	Input with table	PPT – table, Handout 1.2
<b>Total duration</b>	<b>50 min</b>		

#### HANDOUTS - OVERVIEW

- ▶ Handout 1.1. Definitions and Elements.
- ▶ Handout 1.2. International commitments..

#### TRAINER INSTRUCTIONS

**A.** Introduction - Video “Lured into a job...” <https://www.youtube.com/watch?v=sOHq0MIN3PY>  
Group discussion of a video on awareness of human trafficking.

**B.** Definitions: Palermo Protocol, Elements of the crime & ILO Forced Labour definition. Note: the trainer to check beforehand whether the country in question has ratified the UNTOC and its additional protocols, in particular the Palermo Protocol.

**C.** Overview of international commitments.

## KEY MESSAGES

- ▶ It is important to know definitions and understand their context. The definition of the crime is internationally recognised, and County X has made an international commitment to combat it.
- ▶ Trafficking in human beings is a crime committed against an individual and can happen to anyone. It is a process that can result in slavery or slavery-like conditions or forced labour, and other abuses for a person.
- ▶ A case only qualifies as trafficking in human beings, if all three elements (act, means, and purpose) are present.
- ▶ If a child (international definition: below the age of 18 years) is involved, it is child trafficking, even if the 'means' are absent.
- ▶ The intent to exploit is at the core of the THB definition and consent is irrelevant if any of the means are used. This intent results in trafficking in human beings (which can be for different purposes) happening as a process applying the three elements.

## FURTHER READINGS:

- ▶ Plant, R., Forced Labour, Slavery and Human Trafficking: When do definitions matter? *Anti-Trafficking Rev*, 2015. Available online: <http://www.antitraffickingreview.org/index.php/atjournal/article/view/140/145>
- ▶ Andrees, B., Why definitions matter, 2014. Available online: [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_234854/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_234854/lang--en/index.htm)
- ▶ Human Rights Watch, 2015. Smuggling and Trafficking Human Beings | Human Rights Watch. July 7, 2015. Available online: <https://www.hrw.org/news/2015/07/07/smuggling-and-trafficking-human-beings>
- ▶ UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the Convention against Transnational Organized Crime (2000)
- ▶ Council of Europe Convention on Action against Trafficking in Human Beings, 2005
- ▶ EU Directive against Trafficking in Human Beings, 2011
- ▶ EU Strategy towards the Eradication of Trafficking in Human Beings, 2012-2016
- ▶ Communication on Reporting on the follow-up to the EU Strategy towards the Eradication of trafficking in human beings and identifying further concrete actions, 2017
- ▶ ILO Forced Labour convention CO29,1930
- ▶ UNODC, Toolkit to Combat Trafficking in Persons, 2008

## ▶ CHAPTER 2.

# DIFFERENCE BETWEEN TRAFFICKING IN HUMAN BEINGS AND SMUGGLING OF PEOPLE

### LEARNING OUTCOMES

After this session, participants:

- ▶ Know and have discussed the definition of smuggling of people.
- ▶ Able to distinguish trafficking in human beings from smuggling of people.
- ▶ Able to explain how smuggling of people can lead to trafficking in human beings and vice versa.

### SESSION OUTLINE

Topic	Time	Methodology	Materials
Difference between THB, Smuggling of Migrants and related types of crimes	45	Interactive discussion, Interactive development of "Differences..." table, Group work  Alternatively: Three country exercise, presentation of the scenario and discussion in the plenary	Handouts 2.1. and 2.2.  Flipchart, markers
<b>Total duration</b>	<b>45 min</b>		

### HANDOUTS - OVERVIEW

- ▶ Handout 2.1. Differences between People Smuggling and THB.
- ▶ Handout 2.2. Related types of crimes.

### TRAINER INSTRUCTIONS

- A.** Differences between THB and Smuggling of Migrants and related types of crime.
- B.** Crimes related to trafficking in human beings.

## KEY LEARNING POINTS

- ▶ Smuggling of people is a crime that occurs when people search and pay for help to cross illegally a certain country's border.
  - ▶ Trafficking in human beings and smuggling of people are different type of crimes: THB – against the person (severe violation of one's human rights), SoM – against the state (civil order).
  - ▶ We fight SoM in order to protect the sovereignty of the state and THB in order to protect a person.
  - ▶ Illegal border crossing is a defining element for SoM, while THB can happen also within the borders of one country.
  - ▶ In cases of SoM the relationship is commercial (exchange of money) and ends with the "delivery of the service".
- In cases of THB, the relationship is one of exploitation and ends only when (if) the victim gets out of the situation of trafficking.
- ▶ When contacting the smuggler a person consents to an illegal border crossing. In cases of THB, the initial consent (if there is one) becomes invalid due to the exploitation situation. In some national legislations and in all cases of child trafficking the consent is irrelevant.
  - ▶ The rationale behind SoM is to make profit by organising people's illegal movement across national borders. The one behind THB is to make profit by organised recruitment, transportation and exploitation of a person.

## **FORMS OF TRAFFICKING IN HUMAN BEINGS**

### **LEARNING OUTCOMES**

After this session, participants:

- ▶ Know and have discussed the different forms of trafficking in human beings covered by international definitions.

<b>SESSION OUTLINE</b>			
<b>Topic</b>	<b>Time</b>	<b>Methodology</b>	<b>Materials</b>
Forms of trafficking	45'	Interactive discussion, video, input from trainer, group work	(Video 'Open your eyes'), Handout 3.1., flipchart, marker
<b>Total duration</b>	<b>45 min</b>		

### **HANDOUTS - OVERVIEW**

- ▶ Handout 3.1. Forms of THB.

### **TRAINER INSTRUCTIONS**

**A.** Forms of trafficking - video "Open your eyes" [https://www.youtube.com/watch?v=tE\\_lduB6bQc](https://www.youtube.com/watch?v=tE_lduB6bQc) and group discussion on the different forms of THB.

### **KEY LEARNING POINTS**

- ▶ Trafficking happens in different forms, for different exploitation purposes (labour exploitation, sexual exploitation, child trafficking, etc.). A long list of other crimes and offences usually occur as part of the trafficking process.

## ▶ **CHAPTER 4.**

# **APPLYING THE CONCEPTS AND DEFINITIONS**

### **LEARNING OUTCOMES**

After this session, participants:

- ▶ Can distinguish and identify cases of trafficking in human beings, of smuggling of migrants, of child trafficking, and of labour exploitation.
- ▶ Can apply and identify the three elements of trafficking in human beings to cases.

<b>SESSION OUTLINE</b>			
<b>Topic</b>	<b>Time</b>	<b>Methodology</b>	<b>Materials</b>
Difference between THB, Smuggling of Migrants and other related types of crimes in practice	30'	Group work with cases	Projector, screen, laptop, PPT
	60'	Presentations, discussion	Handouts 4.1. – 4.9. PPT/flipchart, marker
<b>Total duration</b>	<b>90 min</b>		

### **HANDOUTS - OVERVIEW**

- ▶ Handout 4.1. Case Kristina.
- ▶ Handout 4.2. Case Ahmed.
- ▶ Handout 4.3. Case Domestic worker.
- ▶ Handout 4.4. Case Mechanic shop.
- ▶ Handout 4.5. Case Employment agency.
- ▶ Handout 4.6. Case Textile factory.
- ▶ Handout 4.7. Case Farm.
- ▶ Handout 4.8. Case Labour Migration.
- ▶ Handout 4.9. Case Refugee camp.

### **TRAINER INSTRUCTIONS**

**A.** Difference between THB, smuggling of migrants and other related types of crimes in practice – groups work on cases and discussion.

## KEY LEARNING POINTS

- ▶ Trafficking in human beings is also described with other terms, such as modern-day slavery, trafficking in persons, etc. The different cases depict the vast possibilities of how trafficking might happen and in which forms and types it can present itself.
- ▶ Trafficking cases can, and mostly do, also include different law violations, but go further than that.
- ▶ However, a closer look is required in order to report cases where a number of law violations come together and people seem controlled, deprived of their rights and movement, etc. so that these are further investigated.
- ▶ Smuggling does not involve an ongoing exploitative process as trafficking. But it is important to keep in mind that a smuggling case can easily also turn into a trafficking case, due to the increased vulnerability of the smuggled persons.
- ▶ Victims might not identify themselves as victims and might not come forward.
- ▶ The first responders should not jeopardise the safety of a potential victim during the first encounter.

## **IDENTIFICATION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS – HUMAN RIGHTS APPROACH**

### **LEARNING OUTCOMES**

After this session, participants:

- ▶ Know what indicators for a potential trafficking case refer to and how they should be used for first level identification.
- ▶ Are aware that indicators require special awareness and attention to be spotted.
- ▶ Can name different indicators for a potential trafficking situation.
- ▶ Can identify and name indicators from a case.
- ▶ Know how to use indicators to refer a potential case for further investigation.

<b>SESSION OUTLINE</b>			
Topic	Time	Methodology	Materials
General Indicators for identification of trafficking in human beings	30'	UNGIF video “Open your eyes”, Group work with cases.	Projector, screen, laptop, Video & sound, Handout 5.1., flipchart, marker,
Indicators for identification of different forms of trafficking in human beings	60'	Group work with cases, Introduction of the indicators and discussion	Projector, screen, laptop, PPT, Handout 5.2. Handouts 4.1., 4.3., 4.10.
<b>Total duration</b>	<b>90 min</b>		

### **HANDOUTS - OVERVIEW**

- ▶ Handout 5.1. Identification of victims of human trafficking.
- ▶ Handout 5.2. Indicators for identification of potential victims of trafficking in human beings.
- ▶ Handout 4.1. Case Kristina.
- ▶ Handout 4.3. Case Domestic worker.
- ▶ Handout 4.10. Refugee camp.

### **TRAINER INSTRUCTIONS**

**A. Identification** of victims – who is victim of trafficking in human beings? **Presumed/potential** victims. **Formal and informal identification** – video “Open your Eyes” [https://www.youtube.com/watch?v=tE\\_IduB6bQc](https://www.youtube.com/watch?v=tE_IduB6bQc) and discussion.

**B. General Indicators** for identification of **trafficking** in human beings, and **specific** specific indicators for identification of different types of THB – cases and discussion.

## KEY LEARNING POINTS

- ▶ The identification of a victim of trafficking in human beings is a process that usually involves several stakeholders and requires fast and regulated actions.
- ▶ Identification is crucial for the victim's recovery and for the successful criminal proceedings.
- ▶ There are many different indicators for trafficking, but they will not necessarily be visible on first sight.
- ▶ Effective identification of trafficking cases requires authorities to be aware that trafficking is a crime and look for potential signs during their professional duties. It is easy to overlook or miss these signs (as in the "Open your Eyes" video).
- ▶ Indicators can be visible, non-verbal (thus communicated through body language, for example) or communicated by potential victims.
- ▶ The list of indicators is to be used by authorities as a tool for reference in their work. However the lists are not conclusive and there may be signs of trafficking not included in them.

## FURTHER READINGS:

- ▶ ILO, Operational indicators of trafficking in human beings, 2009
- ▶ UNODC, Toolkit to Combat Trafficking in Persons, 2008 - Human trafficking indicators

## ▶ CHAPTER 6. REFERRAL OF VICTIMS

### LEARNING OUTCOMES

After this session, participants:

- ▶ Know the existing referral mechanisms for victims (international and national level) and measures available.
- ▶ Recognise the importance of different roles and responsibilities of all multi-institutional actors in the process of referral and assistance.
- ▶ Have analysed and are able to state and distinguish good and bad practices in (multi-disciplinary) handling processes of potential cases of trafficking.

SESSION OUTLINE			
Topic	Time	Methodology	Materials
Multidisciplinary approach to victims support and referral. What is a referral mechanism?	60'	Group exercise, Presentation	Projector, screen, laptop, PPT, Handouts 6.1., 6.2.
National and Transnational referral mechanisms. Roles and responsibilities of anti-trafficking stakeholders therein.	30'	Presentation, discussion	Projector, screen, laptop, PPT, Handouts 6.3., 6.4.
<b>Total duration</b>	<b>90 min</b>		

### HANDOUTS - OVERVIEW

- ▶ Handout 6.1. Case study and response – Mechanic shop.
- ▶ Handout 6.2. Case study and response – Dance girls.
- ▶ Handout 6.3. National Referral Mechanism (NRM) for victims of trafficking in human beings.
- ▶ Handout 6.4. Transnational Referral Mechanisms for victims of trafficking in human beings.

### TRAINER INSTRUCTIONS

- A.** Multidisciplinary approach to victims support and referral. Discussing cases.
- B.** National and Transnational referral mechanisms - process of referral, roles and responsibilities of different entities and communication – discussion and presentation.

## KEY LEARNING POINTS

- ▶ Multi-agency cooperation and coordination is crucial in (potential) trafficking cases.
- ▶ Specific attention is required for child victims and a number of institutions must cooperate in this regard.
- ▶ Victims might have needs and fears that frontline responders are unaware of. Trying to change one's perspective can provide important insight into rendering better assistance to victims. Basic human rights, such as immediate access to food, water and medical assistance have to be guaranteed. Any kind of circumstances that can possibly lead to re-traumatisation must be avoided.

## FURTHER READINGS:

- ▶ OSCE/ODHIR, National Referral Mechanisms, Joining Efforts to Protect the Rights of Trafficked Persons - A Practical Handbook, 2004
- ▶ ICMPD, Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons: SEE, 2009
- ▶ IOM, National Referral Mechanisms for Victims of Human Trafficking: Deficiencies and Future Development, 2017
- ▶ UNODC, Toolkit to Combat Trafficking in Persons, 2008
- ▶ ICMPD, Train yourself to train your colleagues - Training-of-trainers curriculum on Standard operating procedures for identification and referral of trafficked persons in Lebanon, 2013

# ▶ **CHAPTER 7.**

## **UNDERSTANDING AND WORKING WITH VICTIMS. PROTECTION AND REHABILITATION**

### **LEARNING OUTCOMES**

After this session, participants:

- ▶ Understand what are the factors that make people vulnerable to trafficking in human beings.
- ▶ Understand what happens to people – physically and emotionally during the time they are trafficked and what is the impact on them.
- ▶ Have knowledge and understanding about what victim-centred approach is and what are the different areas of support: psychological, social, medical, legal, administrative, etc.
- ▶ Understand why the recovery of victims is challenging.

<b>SESSION OUTLINE</b>			
Topic	Time	Methodology	Materials
Who can become victim of THB?	20'	Discussion, Presentation	Projector, screen, laptop, flipchart, marker, Handout 7.1.
What happens to victims during their exploitation?	40'	Exercise, Presentation	Projector, screen, laptop, flipchart, marker, Handout 7.2.
Victim centred approach to protection and rehabilitation services. What does recovery mean?	30'	Discussion, Presentation	Projector, screen, laptop, flipchart, marker, Handouts 7.3 and 7.4.
<b>Total duration</b>	<b>90 min</b>		

### **HANDOUTS - OVERVIEW**

- ▶ Handout 7.1. Who can become a victim of trafficking in human beings?
- ▶ Handout 7.2. What happens to the victims of trafficking in human beings?
- ▶ Handout 7.3. Table “Connection between the duration and the severity of the experienced violence”.
- ▶ Handout 7.4. Basic principles to work with victims of trafficking in human beings – victim centred approach.

### **TRAINER INSTRUCTIONS**

- A.** What are the main factors that could make a person vulnerable or resilient to human trafficking? – discussion with the group.
- B.** What happens with the victims during the trafficking situation? Exercise – “Victim’s diary”. Group discussion of the effects of the violence experienced on victims’ health and behaviour.
- C.** Supporting victims - basic principles to work with victims of trafficking in human beings – presentation.

## KEY LEARNING POINTS

- ▶ There are certain factors that can make one person more vulnerable to get involved in THB than another.
- ▶ The experienced violence during the situation of trafficking has direct impact on victim's physical and mental health.
- ▶ The psychological trauma and its consequences can make victim's functioning chaotic and victim's testimonies inconsistent. Thus psychological support before, during and after the criminal proceedings is very important part of victim support and recovery.
- ▶ Granting reflection period and arranging temporary residence permit (in case of a foreign citizen) are crucial early measures prerequisite for victim's recovery and adequate participation in the criminal proceedings.
- ▶ Victims should be treated with respect, not as a source of evidence or as criminals. There are guiding principles that should be followed when working with victims of THB.
- ▶ Long-term support of a victim requires involvement of multiple stakeholders in larger social, economic and educational fields. Family support is always needed.

## FURTHER READINGS:

- ▶ IOM Handbook on Direct Assistance for Victims of Trafficking, 2007
- ▶ ICMPD, Elvira Mruchkovska, Manual for Management of Shelters and Assistance Centres for Victims of Trafficking, 2017
- ▶ OSCE/ODIHR, National Referral Mechanisms, Joining Efforts to Protect the Rights of Trafficked Persons - A Practical Handbook, 2004
- ▶ UNODC, Toolkit to Combat Trafficking in Persons, 2008
- ▶ UNICEF, Reference Guide on Protecting the Rights of Child Victims of Trafficking in Europe, 2006

## LEARNING OUTCOMES

After this session, participants:

- ▶ Know what the return of victim means for her/him and that it must be an informed decision.
- ▶ Understand the risks associated with possible return for victims.
- ▶ Comprehend the responsibilities of both countries of destination and origin and the need for cooperation between them for the safe return of victims.
- ▶ Can distinguish the special measures needed in cases of child victims.

SESSION OUTLINE			
Topic	Time	Methodology	Materials
Return of victims of THB – main principles.	30'	Presentation, Discussion	Projector, screen, laptop, PPT, flipchart, marker, Handout 8.1.
Understanding the challenges for the returnee victims' of trafficking.	30'	Discussion	Projector, screen, laptop, PPT, flipchart, marker, Handout 8.1.
<b>Total duration</b>	<b>60 min</b>		

## HANDOUTS - OVERVIEW

- ▶ Handout 8.1. Principles to safe return of victims of trafficking in human beings.

## TRAINER INSTRUCTIONS

**A.** Present and discuss the principles of safe return of victims of THB. The main focus is the informed decision of the victim and the need for a risk assessment prior to the return. Safe return measures for children are always guided by the best interest of the child.

**B.** There are many challenges that the victims' face upon their return home – guided discussion.

## KEY LEARNING POINTS

- ▶ Return must be safe. “Safe” refers to both the process and the outcome of victim’s return.
- ▶ The process of returning trafficked persons should not result in a violation of any of their rights, including the right to due process of law.
- ▶ When return will not be possible, due to ongoing safety and security concerns or humanitarian considerations, the destination country is obliged to consider complementary humanitarian or other immigration options.
- ▶ In cases of trafficking in children, the solution that is in the child’s best interests must be determined in consultation with the child.
- ▶ If victims are at risk of re-victimization, including prosecution, retaliation against them and/or re-trafficking upon return, then it may not be possible to ensure their safe return.
- ▶ Trafficked persons have the right to seek and receive effective remedies for the harm committed against them.
- ▶ The safe and, preferably, voluntary return of trafficked persons requires cooperation between the returning and receiving states.

## FURTHER READINGS:

- ▶ OSCE/ODHIR, Guiding Principles on Human Rights in the Return of Trafficked Persons, 2014
- ▶ UNICEF, Guidelines on the Protection of Child Victims of Trafficking, 2006
- ▶ IOM, Handbook on Direct Assistance for Victims of Trafficking, 2007
- ▶ UNODC, Toolkit to Combat Trafficking in Persons, 2008

# ▶ **CHAPTER 9.**

## **COMPREHENSIVE ANTI-TRAFFICKING RESPONSE**

### **LEARNING OUTCOMES**

After this session, participants:

- ▶ Understand why the cooperation among THB stakeholders is crucial in the overall anti-trafficking response.
- ▶ Know what a national anti-trafficking strategy is.
- ▶ Know what is a national action plan to fight trafficking in human beings.
- ▶ Understand the interlinkages among the above issues and can elaborate what a successful national anti-trafficking response should include.

<b>SESSION OUTLINE</b>			
<b>Topic</b>	<b>Time</b>	<b>Methodology</b>	<b>Materials</b>
Development of National anti-trafficking response: Cooperation among anti-trafficking stakeholders.	30'	Discussion and presentation	Projector, screen, laptop, Handout 9.1.
Development of National anti-trafficking response: National policy documents - Anti-trafficking programme/strategy, Anti-trafficking action plan. Monitoring and Evaluation.	30'	Presentation and discussion	Projector, screen, laptop, Handout 9.2.
<b>Total duration</b>	<b>60 min</b>		

### **HANDOUTS - OVERVIEW**

- ▶ Handout 9.1. Cooperation of national anti-trafficking stakeholders.
- ▶ Handout 9.2. Development of a comprehensive national anti-trafficking response – elements.

### **TRAINER INSTRUCTIONS**

**A.** This is a rather theoretical topic and involves lengthier input from the trainer. However, the group should be addressed with questions and their concrete experience should be discussed, especially if the participants are involved in the development of the national anti-trafficking policies.

**B.** If your audience consists of people who are related to the national anti-trafficking coordination body or other anti-trafficking policy makers, please explore the list with suggested literature resources at the end of this chapter and develop further the content of the session according to your needs.

## KEY LEARNING POINTS

- ▶ The national anti-trafficking strategy consists of formulated strategic goals and specific objectives (WHAT should be achieved?).
- ▶ The national action plan consists of corresponding objectives and concrete actions (HOW the goals can be achieved?), period for implementation and responsible stakeholder(s), as well as sources of financing.
- ▶ Planning and conducting ongoing review, regular monitoring and final evaluation of the implementation of the national anti-trafficking policy is crucial to its overall effectiveness.

## FURTHER READINGS:

- ▶ ICMPD, Guidelines for Development of a Comprehensive National Anti-Trafficking Response, 2006
- ▶ ICMPD, Monitoring and Evaluation Handbook for National Action Plans against Trafficking in Human Beings, 2010
- ▶ IOM, National Referral Mechanisms for Victims of Human Trafficking: Deficiencies and Future Development, 2017
- ▶ UNODC, Toolkit to Combat Trafficking in Persons, 2008
- ▶ SPTF, Guidelines for National plans of Action to combat trafficking in Human Being, 2000
- ▶ ICAT, Pivoting toward the Evidence: Building effective counter-trafficking responses using accumulated knowledge and a shared approach to monitoring, evaluation and learning, 2016

# ▶ CHAPTER 10. PREVENPREVENTION OF TRAFFICKING IN HUMAN BEINGS

## LEARNING OUTCOMES

After this session, participants:

- ▶ Know what prevention means and can recognise different types of prevention activities.
- ▶ Be aware that the professional development of the anti-trafficking stakeholders as well as the overall state policies is significant part of the prevention of THB.
- ▶ Can understand the importance of the formulated messages in the media and educational campaigns.

SESSION OUTLINE			
Topic	Time	Methodology	Materials
What is prevention? – primary, secondary, tertiary Common prevention activities	30'	Presentation, discussion	Projector, screen, laptop, flipchart, marker Handout 10.1.
Exercise: developing THB awareness campaign	60'	Group exercise, discussion	Projector, screen, laptop, internet connection, flipchart, marker, Handout 10.2.
<b>Total duration</b>	<b>90 min</b>		

## HANDOUTS - OVERVIEW

- ▶ Handout.10.1. What is prevention? Types of prevention activities.
- ▶ Handout 10.2. Developing THB awareness campaign.

## TRAINER INSTRUCTIONS

**A.** Discuss with the group what prevention of trafficking in human beings means and what are the different types of prevention activities. Encourage the group to give examples in order to understand the differences. Focus and discuss in details the primary prevention activities.

**B.** Encourage participants to develop in 2-3 small groups basic ideas about their own awareness campaigns. After the presentations, discuss the outcomes focusing on the main elements and give examples with available online campaign products.

## KEY LEARNING POINTS

- ▶ Prevention of trafficking in human beings may include different activities from media campaigns to state policies.
- ▶ The media campaigns are the easiest way to reach broader and general audience but they are not always the most successful methods for conveying a certain message. It is difficult to measure the actual impact of these campaigns.
- ▶ Establishing school curricula on THB is a prevention measure that ensures continued awareness raising among all schoolchildren.
- ▶ Similarly, adopting curricula in the educational institutions of different professional groups related to combating trafficking in human beings and support of victims can ensure better professional understanding, knowledge that is more detailed and consequently more comprehensive response to the phenomenon.
- ▶ The professionally developed, regularly monitored and evaluated national policies, strategies and action plans can serve as a preventive and counteracting measure against the trafficking in human beings.

## FURTHER READINGS:

- ▶ UNODC, Toolkit to Combat Trafficking in Persons, 2008
- ▶ UNODC knowledge portal <https://sherloc.unodc.org/cld/v3/htms/bibdb/index.html?lng=en#/crimeTypes>
- ▶ ICMPD, Media and Trafficking in Human Beings Guidelines, 2017
- ▶ ICAT, Preventing Trafficking in Persons by Addressing Demand, 2014
- ▶ ECPAT, Six Steps to Video Production, 2011

## ▶ CHAPTER. 1.

## TRAFFICKING IN HUMAN BEINGS – CONCEPTS, DEFINITIONS AND ELEMENTS

**A. Introduction**

Watch video: Lured into a job: <https://www.youtube.com/watch?v=sOHq0MIN3PY>

**B. Definitions: Palermo Protocol, elements of the crime & ILO Forced Labour Trafficking in human beings** is internationally defined in the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing the United Nations Convention against Transnational Organized Crime (UNTOC), 2000, also known as the “**Palermo Protocol**”.

The **Palermo Protocol** defines trafficking as:

- (a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (d) “Child” shall mean any person under eighteen years of age.” (Art. 3)

The Palermo Protocol definition has several aspects that reflect the reality of modern-day trafficking:

- ▶ It recognises **all forms of trafficking and includes sexual exploitation, forced labour, servitude, slavery-like practices and slavery**, each of which are defined in international law;
- ▶ It does not require that the victim cross an internationally recognised border, taking into account that persons are also being trafficked internally from one region to another within the borders of one country;
- ▶ Except in the case of persons under the age of eighteen years, it requires some form of distortion of the victim’s free and informed will, be it by means of force, deception or abuse of power. In doing so, the definition respects the ability of adult persons to make self-determined decisions about their lives. At the same time it correctly protects individuals whose free will has been abused and recognizes that children cannot give their valid consent;

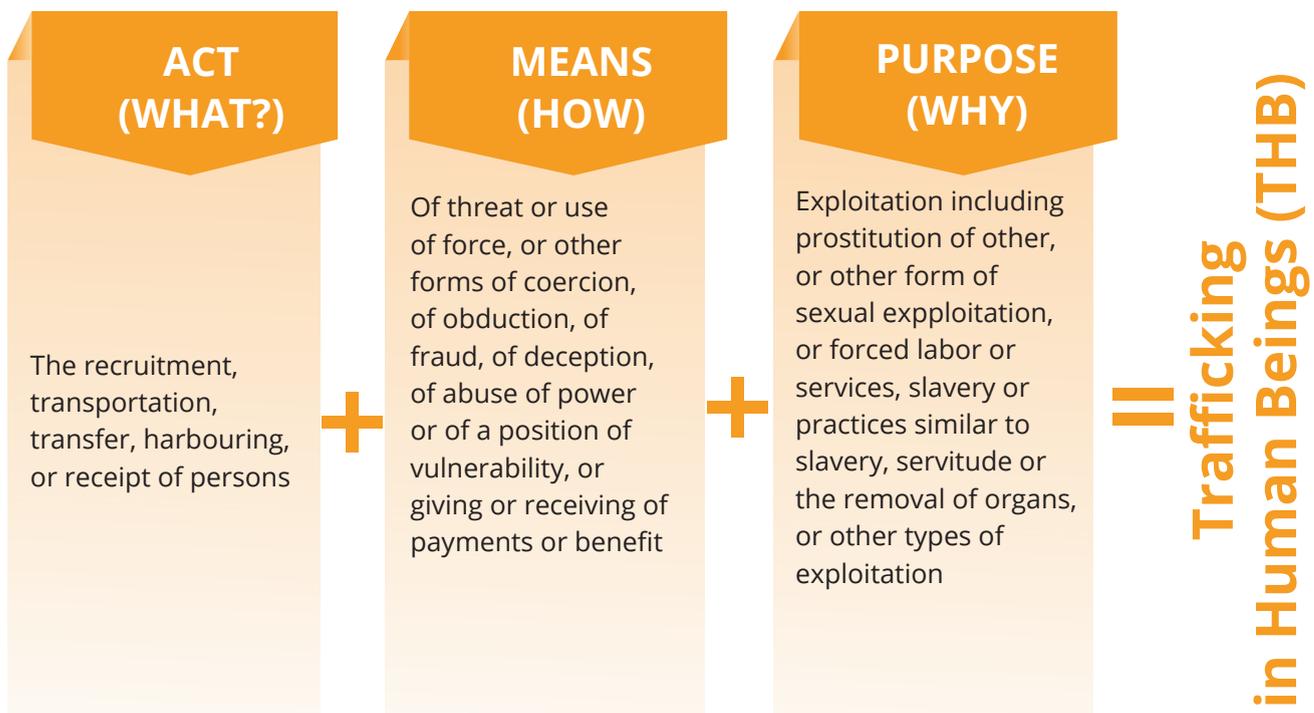
- ▶ Traffickers do not always apply brute force to get hold of their victims, there are also non-violent recruitment methods, and the abuse of situations, in which the person involved, has no real and acceptable alternative but to submit to the abuse involved.

The Palermo Protocol is very specific on child trafficking: If a minor is involved (below the age of 18), it is a child trafficking case even in the absence of the means.

**CoE Convention** > introduces standards on victim protection and inter-sector cooperation:

- ▶ **Recognition** of victims
- ▶ Physical and psychological **assistance and support**
- ▶ **Compensation**
- ▶ **Reflection period**
- ▶ The private life and the safety of victims of to be **protected**
- ▶ **Non-punishment**
- ▶ **Cooperation** between public authorities, NGOs and members of civil society

It is useful to break the definition into its various components and analyse them in some more detail. The definition of the crime of trafficking includes three different elements, **ACT**, **MEANS** and **PURPOSE**.



**Exploitation** is as central to the trafficking definition as the **purpose**. However, exploitation needs to be further defined. The forms of exploitation that the Palermo Protocol associates with trafficking are defined in a series of international treaties. The **“exploitation of the prostitution of others”** refers to cases in which an exploiter takes all or part of the money that a client pays to a forced prostitute for an act of sex.<sup>7</sup>

Sexual exploitation refers to **commercial sexual exploitation**, e.g. exploitation in prostitution and the production of pornography, but also other situations, which are not explicitly identified by the Protocol. **“Slavery or practices similar to slavery”** and **“servitude”** refer to similar situations in which people are coerced to work for others, without necessarily being **“owned”** by them, notably **“debt bondage”**, the practice of requiring someone to work to pay off a loan when the value of their work greatly exceeds the value of the loan.<sup>8</sup> The **“removal of organs”** as a form of exploitation refers to cases of organ transplants that involve living donors who are paid money (or whose relatives take money on their behalf) in return for donating an organ, such as a kidney, or body fluids to another patient.<sup>9</sup>

The World Health Assembly adopted guidelines in 1991, which prohibit trafficking in human organs for commercial gain. See WHO, Human Organ Transplantation, A Report on Developments under the Auspices of WHO (1987-1991). The Palermo Protocol, also in the case of the removal of organs as a form of exploitation, requires the act of e.g. recruitment or harboring, etc., as well as the means of e.g. deception or abuse of a position of vulnerability, etc. to be present for the crime of trafficking in organs to be completed. National legislation, however, might define organ trafficking differently. UN, UN Palermo Protocol, Article 3, p. 40

**While being exploited, victims of trafficking are placed in a condition of servitude and may be dependent on the traffickers.** Fear of reprisal or vulnerability vis-à-vis the law is a key element. At this stage, the criminal intent of the traffickers – exploitation of the victims for financial gains – is fully released.

**Forced Labour** is defined by ILO as: ‘all **work or service** which is exacted from **any person** under the **menace of any penalty** and for which the said person has not offered himself **voluntarily**’.<sup>10</sup>

Forced labour often occurs as an outcome of trafficking in human beings. Almost all cases of human trafficking result in forced labour (an exception being trafficking for the removal of organs). It then involves the movement of a person, usually, but not necessarily, across borders, for the purpose of exploitation. It is, however, important to understand that not all forced labour is a result of human trafficking.

**Labour exploitation** is related to labour law violations, but the control over the other person is missing - means are not used.

In order to have a case of **trafficking in human beings for the purpose of labour exploitation**, the three elements **ACT, MEANS** and **PURPOSE** must be present.

### C. Overview of international commitments

The following table (**Handout 1.2.**) shows the main international instruments related to human rights, trafficking in human beings, incl. child trafficking and forced labour. It specifically outlines instruments relating to the protection of children.

<sup>7</sup> Exploitation of the prostitution of others is the subject of the UN's Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949.

<sup>8</sup> Debt bondage and others forms of “servile status” are defined and prohibited by the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, 1956.

<sup>9</sup> ICMPD, Train-the-Trainer curriculum on the identification, referral and assistance of trafficked persons, 2013

<sup>10</sup> ILO, Forced Labour Convention 1930 (No. 29), Art. 2

## INTERNATIONAL LEGAL FRAMEWORK INSTRUMENTS

### **UN Convention against Transnational Organized Crime, 2000**

and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), 2000

### **Council of Europe Convention on Action against Trafficking in Human Beings, 2005**

### **EU Directive against Trafficking in Human Beings, 2011**

### **EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016**

### **EC Communication on Reporting on the follow-up to the EU Strategy towards the Eradication of trafficking in human beings and identifying further concrete actions, 2017**

### **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 2003**

### **ILO Abolition of Forced Labour No 105, 1957**

### **The ILO Forced Labour Convention, 1930**

“All work or service that is exacted from any person under the menace of any penalty and for which the said person has not offered him/herself voluntarily.”

### **UN Convention on the Rights of the Child, 1990**

### **Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2002**

### **ILO Convention No. 182 on the Worst Forms of Child Labour, 1999**

“hazardous work is any work which is likely to jeopardize children’s physical, mental or moral health, safety or morals should not be done by anyone under the age of 18”

The primary **international legal instrument** dealing with human trafficking is the **UN Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children**. The Convention was adopted by the UN General Assembly in November 2000 and entered into force September 2003, while the supplementing Trafficking Protocol entered into force in December 2003.

However, the Convention and the Protocol are not to be regarded in isolation, and a number of other international conventions compliment the overall legal framework.

**National governments are obliged to harmonise their national legal framework with the international anti-trafficking instrument they have ratified.**

## ▶ **CHAPTER 2.**

# DIFFERENCE BETWEEN TRAFFICKING IN HUMAN BEINGS AND SMUGGLING OF PEOPLE



Ask the participants whether trafficking and people smuggling is the same. Introduce the definition of smuggling below.

Per definition<sup>11</sup>, **Smuggling of Migrants is** ‘(...) the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident’.

In popular language, even in international media, smuggling and trafficking are often wrongly used interchangeably. They are two very different crimes, as the following table outlines.

Element	People Smuggling	Trafficking in Human Beings
<b>Type of crime</b>	Crime against the State and civil order.	Crime consisting in the violation of the human rights of the individual.
<b>Why do we fight it?</b>	To protect the sovereignty of the state.	To protect the rights of individuals.
<b>Relationship smuggler/smuggled person and trafficker/victim</b>	Commercial relationship between smuggler and smuggled person ends after illegal border crossing achieved and fee paid.	Exploitative relationship between trafficker and victim continues in order to maximise economic and/or other gains from exploitation.
<b>Rationale</b>	Organised movement of persons for profit.	Organised recruitment/ transport and (continuous) exploitation of the victim for profit.
<b>Illegal border crossing</b>	Illegal border crossing is a defining element, i.e. transnationality is a defining element.	Border crossing (legal or illegal) not required/part of the definition i.e. THB can also be national/internal.
<b>Consent</b>	Persons consent to illegal border crossing.	Either no consent or initial consent made irrelevant because of use of force or coercion at any stage of the process. <sup>12</sup>

Source: ICMPD, Train-the-Trainer curriculum on the identification, referral and assistance of trafficked persons, 2013

## TERMINOLOGY



▶ Emphasise that there are significant differences and that distinguishing between smuggling of migrants and THB is important so that victims get the right services. If they know the differences, let them name them shortly.

▶ **Prepare an empty table** on Smuggling/THB differences on a flipchart and a **set of cards**. Elaborate the differences with participants by:

<sup>11</sup> Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000, Art.3

<sup>12</sup> ICMPD's Training Guide 'Anti-Trafficking Training for Frontline Law Enforcement Officers', p. 25

- ▶ *Distribute the Differences between People Smuggling and THB* handout (**Handout 2.1.**) to the participants for their future reference.

A number of different terms are used when referring to trafficking, mainly trafficking in human beings (THB) and trafficking in persons (TIP, e.g. used by the US Department of State, also for its annual TIP-Report). Modern-day slavery, slavery, bonded and forced labour are also terms used, e.g. when organisations or the media relate to trafficking and related crimes, often as part of campaigns (example; [Anti-slavery](http://www.antislavery.org/english/slavery_today/trafficking/) [http://www.antislavery.org/english/slavery\\_today/trafficking/](http://www.antislavery.org/english/slavery_today/trafficking/), CNN Freedom Project <http://edition.cnn.com/specials/world/freedom-project>) in relation to trafficking

Smuggling and trafficking are mistakenly used interchangeably, particularly by media, although they are different types of crimes.

The following details on the different terms are important to note:

- ▶ **Trafficking in Human Being (THB) and Trafficking in Persons (TIP) refer to one and the same.**
- ▶ **Smuggling is not the same as trafficking** (see more detailed explanations in Table below).
- ▶ **Modern-day slavery and slavery as well as forced labour are often used when referring to trafficking cases.** The terms focus more on a description of conditions which can be found in trafficking.
- ▶ **Forced labour can be a subset of trafficking – trafficking for forced labour.** But it can also exist as forced labour.

'We can spend a lot of time debating the connections or essential differences between the concepts of trafficking, forced labour, slavery and modern slavery, or slavery-like practices. Some insist that trafficking is a subset of forced labour, others the reverse. The arguments between academics, bureaucracies and even government agencies have often been vitriolic [...]

**A consensus has emerged that the boundaries of forced labour and labour trafficking are extremely difficult to define.'** (Plant, 2015)

The most important issue is that such crimes are investigated and prosecuted and that victims are assisted – and this starts with initial, preliminary identification!

## RELATED TYPES OF CRIMES



- ▶ **Present** *the Related Types of Crime (Handout 2.2.)* didactically or as group work:
  - ▶ **Group Work:** Distribute the Related Types of Crime empty table handout to each group and ask them to fill the table.
  - ▶ Ask the groups to present their results. **Present** the information included in the completed table from the background material, adding any information the groups missed.

The list of related crimes, the traffickers commit in relation to human trafficking is long. They happen at different stages of the trafficking process, as indicated in the table below.<sup>13</sup>

<sup>13</sup> Adapted from UNODC, Toolkit to Combat Trafficking in Persons, 2008

**Offences committed at various stages of the trafficking in human beings process,  
and other related crimes**

Stage: Recruitment	Stage: Transportation	Stage: Exploitation	Other offences
Document forgery	Document forgery	Unlawful coercion	Money-laundering
Fraudulent promises	Immigration law abuse/ smuggling	Threats	Tax evasion
Kidnapping	Corruption of officials	Extortion	Corruption of officials
False consent of the parent or guardian of a child	Damage to property	False imprisonment	Intimidation or subversion of officials
Recruitment to which the victim lacks capacity to consent	Withholding of documents	Kidnapping	
		Withholding/ Theft of documents	
		Sexual assault	
		Aggravated assault	
		Rape	
		Death	
		Forced abortion	
		Torture	
		Labour law violations	

## ▶ CHAPTER 3. FORMS OF TRAFFICKING IN HUMAN BEINGS



- ▶ Ask the participants if they can distinguish different forms of trafficking, for different purposes, thus different types of exploitation.
- ▶ **Show the video:** Open your eyes [https://www.youtube.com/watch?v=tE\\_IduB6bQc](https://www.youtube.com/watch?v=tE_IduB6bQc)
- ▶ **Ask** participants to name the different forms of trafficking in relation to the video or the Palermo Protocol definition (i.e. for sexual exploitation, labour exploitation/forced labour, child trafficking, organ removal, forced begging, etc.)
- ▶ **Provide** any missing answers the group did not mention based on the list in the background material **Forms of trafficking**

Following the Palermo Protocol definition, the main **types** and forms **of trafficking** are:

- ▶ **Internal trafficking** – happening within a country's borders;
- ▶ **International trafficking** – happening across international borders

**Forms of trafficking** mainly follow the purpose and different types of exploitation.

Trafficking in human beings for:

- ▶ **Sexual exploitation** (including prostitution);
- ▶ **Labour exploitation;**
- ▶ **Domestic servitude;**
- ▶ **Forced marriage;**
- ▶ **Forced begging or criminal activities;**
- ▶ **Exploitation in armed conflicts or by armed groups;**
- ▶ **Irregular adoption;**
- ▶ **Organ removal;**
- ▶ **Child Trafficking:**
  - ▶ forced marriage;
  - ▶ early marriage;
  - ▶ domestic servitude;
  - ▶ begging;
  - ▶ sexual exploitation.

## ▶ CHAPTER 4. APPLYING THE CONCEPTS AND DEFINITIONS

THB is a hidden crime. It may be that what initially appears to be an irregular migration, involvement in commercial sexual services, labour law violation, or petty crime offence is in reality the tip of an iceberg, and further investigation can uncover the presence of all elements of a THB case.

**Cases of forced labour or street begging** may include a number of labour, child rights, etc. law violations; however, they become cases of **trafficking in human beings** when they are accompanied by an **act, means and purpose (exploitation)**.



- ▶ Form several small groups. Assign a case to each group (Handouts 4.1. to 4.10.) and ask the participants to read the case, to answer the questions at the end of the case and to define the act, the means and the purpose (or the lack of them in the non-THB cases). When ready, ask the groups to present their findings. Discuss them in the big group and upgrade or correct provided information and conclusions when necessary. Refer to the notes below.
- ▶ Highlight that it is not always possible to make a conclusive decision about whether a case is a human trafficking case or not. The responsibility to determine which definition a case falls under ultimately lies with the courts. Remind participants that THB is a hidden crime and some of the evidence factors may be hidden from view.

### NOTES ON CASES FOR THE TRAINER:

Use different case to illustrate different scenarios of THB and related crimes. The cases below are optional. Discuss the element of THB (act, means, and purpose), and what distinguishes the different crimes. For convenience, the first three cases have marked THB components.

Case **Kristina (Handout 4.1.)** is a case of **trafficking for sexual exploitation**.

- ▶ Does the consent of Kristina matter? – No, according to the THB definition, because she was deceived (**mean**) and exploited after she agreed to travel (**act**).
- ▶ Who is the trafficker? The client (**recruitment = act**) and the owner of the brothel in Switzerland (**sexual exploitation = purpose, act**).
- ▶ She is **held in debt bondage with no possibility to leave**, and she is threatened (**means**).

Case **Ahmed (Handout 4.2.)** is a case of **migrants smuggling** that turns into **human trafficking for criminal activities**. It shows the vulnerability of the smuggled migrants to exploitation – lack of money, support, illegal status, etc.

- ▶ Which are the elements of smuggling? – arranged and delivered payment (800 USD), delivered service (Ahmed is in BiH).
- ▶ When the situation turns into THB? – when more money is asked for the next part of the smuggling process. Ahmed has no legal ways of earning money in BiH. Debt bondage happens (**means**). The smuggler forces him (he has no other choice/ no legal way) (**act**) into criminal activity by making him a smuggler (**purpose**).
- ▶ Why is it exploitation? – Ahmed never receives the money he earns or the service he was promised. Instead, he is kept silent with threats; he cannot leave the “job” (**means**).

Case **Domestic worker (Handout 4.3.)** is a **trafficking case for labour exploitation / forced labour.**

- ▶ The agency is involved in everything (trafficking as a process), hands her over and receives money on the spot for her, as a commodity (**acts, purpose**).
- ▶ The young woman is promised something different by the agency than turns out in reality (**deception = means**).
- ▶ She does not receive a contract, she is not getting her passport back, she is exploited and held in 'debt bondage' over exorbitant and arbitrary living costs (**means and purpose**).

Case **Mechanic shop (Handout 4.4.)** is a **child trafficking case.** Ask the group:

- ▶ Why is it a trafficking case? The boy is under the age of 18. No border crossing is required. It is a case of internal child trafficking.
- ▶ Who is the trafficker in this case? (The father).
- ▶ If the father would not have beaten the boy (means), would it still be a trafficking case? (Yes, as no means are required if the person is below the age of 18)

Case **Employment agency recruitment (Handout 4.5.)** is a **pure labour exploitation/ labour law violation case** (**absence of the means and the purpose** as per definition of the Palermo Protocol)

- ▶ The workers were not paid, they have to perform different work than agreed to in Iran, the purpose is financial gain and there are labour law violations present, but not through forced labour, slavery like conditions etc., as they are free to go, not coerced, etc.
- ▶ We also do not know from the case who is aware that exploitation is taking place (both the agency and/or the employer?)
- ▶ The case does not mention whether the workers pursue their case through law enforcement to get their salaries. Labour inspections and related information provided to the workers might have assisted the labourers in this case.

Case **Textile factory (Handout 4.6.)** The information indicates that some of the workers are trafficked for forced labour/labour exploitation – **need for further investigation** and additional information to confirm the suspicions.

- ▶ What are the signs that should lead the inspector to investigate further? – It is impossible to communicate with some of the workers, some have dark circles under the eyes – signs of lack of sleep, nervousness in the presence of the manager, padlock and camera in the dormitory, people sleep on mattresses on the floor, they are too many for the size of the room, people live in a room without a window, etc. Relevant for this case - the region of South-East Asia is known as region of origin of trafficked persons to the Arab states.

Case **Farm (Handout 4.7.)** is a **non-conclusive case with regard to trafficking**. It involves **child labour and labour exploitation**. The case requires more investigation to determine its full nature!

- ▶ The family is not receiving fair wages and face hard conditions but from the text it is not apparent that they are held captive, their passports are seized, etc.
- ▶ The children are underage and have to work the whole day on the farm (child labour).
- ▶ The women's intent to exploit seems to be there in the recruitment, the exact role of the farm owner is unclear.

Case **Pakistani workers (Handout 4.8)** is a **smuggling case**.

- ▶ The people are free to go after their arrival. There is obviously exploitation in this case, as they are not given the passports as promised, the route taken was not as promised etc. But: they are not being kept or exploited in slavery-like conditions afterwards or even en route (no intention is present). The work the men find is not well paid etc., which might also be due to the lack of valid passports and visas. This increases their vulnerability to exploitation. However, the workers are not sold into exploitative work, it is not planned from the onset as such.

Case **Refugee camp (Handout 4.9.)** involves **trafficking for forced marriage**.

- ▶ Diana is 15, thus under the age of 18. It is child trafficking for forced marriage.
- ▶ Traffickers: The recruiting couple and the father. Involves money exchange.

## ▶ CHAPTER 5. IDENTIFICATION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS – HUMAN RIGHTS APPROACH



- ▶ Show the group one more time the video “Open your eyes”: [https://www.youtube.com/watch?v=tE\\_IduB6bQc](https://www.youtube.com/watch?v=tE_IduB6bQc)
- ▶ Ask the group to identify “signs” for possible situation of human trafficking in the video. Write down the answers. Review those related to the victim(s) and present what actually victim of THB means:

**Trafficked person/Victim of trafficking** is a person who is subject to the crime of trafficking in persons. The use of the term “victim” designate the serious crime and human rights violations that person has been subjected to – irrespective of whether a trafficker is identified, apprehended, prosecuted or convicted, and regardless of any family or other relationship between the victim and the alleged trafficker. An alternative formulation is “trafficked person” (as well as “trafficked people”, “trafficked adults”, “trafficked children” etc.). Bear in mind that depending on the legislative framework of the country in question, the term “victim” might apply only in cases to cases where legal proceedings have been initiated by on with the involvement of the trafficked person.

**Presumed victim of trafficking** indicates a person who could, from the indicators, be a victim of trafficking, but who has not yet been identified as such – according to the identification procedures in place. Presumed victims are entitled to the same treatment as identified victims from the beginning of the identification process. Beware that in some countries, this category of persons is referred to as “potential victim”<sup>14</sup>.

**Potential victim of trafficking** is used to denote individuals from vulnerable groups who may who already manifest symptoms of victimization.

**Identification of victim of THB:** The identification phase is the first formal action by a local, national or transnational mechanism through which a trafficked person is identified as such.

It can be divided in three main stages:

- ▶ **Initial screening/assessment (first-level identification)**, generally conducted by frontline responders (i.e. anyone who comes into contact with the presumed victim) and results in referral to appropriate service provider. An initial screening or assessment may suggest that a person might be a victim of trafficking. It may be based on conversations and interactions with the individual, observation of the person (his/her behaviour, appearance or circumstances), and/or an interview guided by indicators or previous allegations and can lead to detection of signs of trafficking to be further explored in a formal interview. It may also be triggered by victims who self-report and present themselves for identification.
- ▶ **Initial/preliminary interview (preliminary identification)** ) An initial interview is conducted by referral authority with the aim of ascertaining whether there are reasonable grounds to believe that the person has been trafficked. When appropriate authorities find that there are sufficient indicators that the person may be a victim of trafficking, this should lead to the presumed victim being given access to initial assistance and protection.

<sup>14</sup> Adapted from: ICMPD, Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons: South-Eastern Europe, 2009

- ▶ **Formal identification process.** Formal identification is conducted by official identification authorities tasked by law or procedure with victim identification. Such competent authorities may include **law enforcement, social services** and, in some countries, **NGOs**. Formal identification may be based on verification of the information obtained as a result of the initial interview and other evidence. This may result in the person being entitled to more comprehensive assistance and protection services. It may also coincide with the investigation and prosecution of alleged traffickers.

## INDICATORS OF THB



- ▶ Form small groups and give three of the available cases: Kristina (**Handout 4.1.**), Domestic worker (**Handout 4.3.**), and Refugee camp (**Handout 4.10.**). Ask the groups to identify the **type of THB** (for sexual exploitation, for labour exploitation/ domestic servitude, and child trafficking for forced marriage) as well as the **specific indicators** that show the type of exploitation.
- ▶ In the plenary, discuss each case and the presented indicators. Ask the whole group to add more indicators. Refer to the tables in **Handout 5.2.**

The purpose of indicators is to support practitioners in making a first-level identification of a potential human trafficking case. First-level identification refers to the point of first contact between a practitioner and a potential victim of trafficking and the process of detecting signs suggesting a possible situation of trafficking. Indicators are intended to provide guidance on (a) spotting potential signs of trafficking, and (b) reporting suspicious cases for protection of the presumed victims and for further investigation.<sup>15</sup>

Not all the indicators are present in all situations involving trafficking in human beings. Although the presence or absence of any of the indicators neither proves nor disproves that human trafficking is taking place, their presence should lead to investigation.

---

<sup>15</sup> See [www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms\\_105023.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_105023.pdf); and [www.unodc.org/pdf/HT\\_indicators\\_E\\_LOWRES.pdf](http://www.unodc.org/pdf/HT_indicators_E_LOWRES.pdf).

## ▶ CHAPTER 6. REFERRAL OF VICTIMS



- ▶ Divide the group into smaller groups and provide them with one or with both cases (**Handouts 6.1. and 6.2.**). If the group consists of mixed experts (first responders) who are/will be/should be involved in victim referral, cut the second part of the text and ask the group to write down how the case should be handled – by which institutions, in what order, with what kind of responsibilities.

If the participants have no experience or are not directly involved in handling cases of trafficking in human beings, provide the full text (case + response) and ask them to reply to the questions written at the end of the case.

- ▶ Present the results in the big group and discuss the suggested referrals.
  - ▶ What went well?
  - ▶ What could have been changed?

### MULTIDISCIPLINARY APPROACH:

Successful cooperation mechanisms are based on a clear delineation of the respective roles of the various agencies in the countries involved. While developing such coordination mechanisms, it is very important to clarify very precisely the role of each of the key agencies involved. The mechanisms describe the full process of referral from initial identification, through return/resettlement/ stay and assistance.



Discuss if the participants are part of such mechanism.

### WHAT IS NATIONAL REFERRAL MECHANISM (NRM)?

**NRM** represents the **cooperation at national level** between different governmental institutions and non-governmental actors to prevent and combat trafficking in persons.

The coordination mechanism should be competent to elaborate and implement anti-trafficking policies, monitor their implementation, coordinate the actions of all relevant actors at the national level and facilitate international cooperation. Its role should not be restricted to the prosecution of offenders, but should also encompass the development and coordination of measures to assist and protect victims of human trafficking.<sup>16</sup>

Through the NRM framework, the state actors fulfil their obligations to protect and promote the human rights of trafficked persons and to co-ordinate their efforts in a strategic partnership with the civil society.

The basic aims of an NRM are to ensure that **the human rights of trafficked** persons are respected and to provide an effective way to refer victims of trafficking to **services**.

### **NB: The NRM structure may vary in different countries!**

However, NRMs should be designed to formalise cooperation among government agencies and non-governmental groups dealing with trafficked persons. An NRM usually includes:

- ▶ National co-ordinator, who is often a high-level government official,

---

<sup>16</sup> Adapted from UNODC, Human trafficking Toolkit

- ▶ A regular coordination meeting format, such a roundtable, made up of senior representatives of government agencies and civil society who develop recommendations for national policy and procedures regarding victims of trafficking.
- ▶ Ad hoc working groups that deal with specific issues relating to victims.
- ▶ Operational mechanism or a working arrangement that stipulates the tasks and obligations of relevant stakeholders throughout different phases of identification, referral and assistance to victims of trafficking in human beings.

NRMs are likely to be most effective if they are founded on a formal cooperation agreement among the participating stakeholders – for example, a memorandum of understanding – that sets out the specific role and duties of each participant, or an official governmental rulebook.

The establishment of an NRM is a dynamic process; all the components do not necessarily have to be in place at once but can be developed in stages. The NRM consists of the following Standard Operating Procedures (SOPs):<sup>17</sup>



### WHAT IS A TRANSNATIONAL REFERRAL MECHANISM (TRM)?

TRM refers to **mechanisms and** the associated **procedures** designed for the comprehensive **assistance and transnational support** of trafficked persons. Transnational referral mechanisms integrate the process of referral from initial identification, through return and assistance **between countries of transit, destination and origin** and involve cooperation between different government institutions and non-governmental actors. Thus, TRM encompasses the standard operating procedures of the referral process (as those listed above) but the referral itself, the provided support and cooperation are at international (bi- or multi-lateral level).

The TRM is a mechanism for victims' protection that can be officially established between two or more countries, or within a certain region.

The SOPs must be applied on a case-by case basis. One case may involve one or all of the steps in the process. The primary components of a TRM include:

- ▶ Standard operating procedures for the effective and safe transnational referral of victims of trafficking to a range of services.
- ▶ Mechanisms for monitoring and evaluating the TRM.

TRMs should be fully coordinated with countries' National Referral Mechanisms (NRM). In the case of child victims, any TRM procedure should be developed and implemented in close cooperation with the countries' child protection services.

**NB: The TRM does not replace any existing national anti-trafficking structures and procedures. It is meant to build upon the national referral mechanisms and take them a step further to a transnational level.**



Ask if any of participants are part of similar mechanisms. What are the positive sides? What are the challenges?

<sup>17</sup> Adapted from OSCE/ODIHR, National Referral Mechanisms, Joining Efforts to Protect the Rights of Trafficked Persons - A Practical Handbook

## ▶ CHAPTER 7. UNDERSTANDING AND WORKING WITH VICTIMS. PROTECTION AND REHABILITATION

### WHO CAN BECOME A VICTIM OF TRAFFICKING IN HUMAN BEINGS?



- ▶ Ask the group the question “**Who can become a victim of trafficking in human beings?**” and discuss the answers. Often the group agrees that anyone can become a victim. Continue by mentioning that there are certain factors that contribute or prevent people from getting into situation of human trafficking.
- ▶ Give few examples following the list below and let the group brainstorm. When the group finishes, summarise their suggestions, referring to the categories in the list.

Anyone can be a victim of human trafficking, though some populations of individuals, given their positions in society, are more vulnerable to trafficking. These populations include:

- ▶ **SEX:** women, men, transgender individuals – different sexes are more vulnerable for different type of exploitation (women and particularly transgender – for sexual exploitation, men – for labour exploitation).
- ▶ **AGE:** children.
- ▶ **HEALTH:** Individuals with a history of rape, sexual assault, and domestic violence/ Individuals with disabilities are more likely to become victims.
- ▶ **EMPLOYMENT:** Individuals with poorer socio-economic backgrounds (desperate to find a job).
- ▶ **FAMILY BACKGROUND:** individuals in foster care/ homeless and run-away individuals - lack of supportive family environment.
- ▶ **SOCIAL INTERACTION:** Marginalized communities (such as Roma, minority and indigenous populations); Immigrants, especially undocumented immigrants, and refugees.
- ▶ **MIGRATION/POLITICAL circumstances:** Environmental refugees and individuals subject to natural disasters / individuals living in unstable political climates.

Ultimately, trafficked persons span all demographic markers. However, the population groups listed below are particularly vulnerable to exploitation.

# VULNERABLE GROUPS – WHO CAN BECOME A VICTIME?



## Experience of victims of trafficking in human beings and their needs

In order to understand the type of protection and assistance victims require, it is important that we all understand the impact of the trafficking process on victims.



### Exercise "Victim's diary"

Choose two cases describing different exploitation scenarios (for example, the case Kristina - **Handout 4.1.** and Case Ahmed – **Handout 4.2.**), separate the participants into two groups and ask each group to write a diary of the victim. Ask them to start with "I am Kristina, I am ...." Ask them to describe three categories:

- ▶ What happens to them?
- ▶ What do they feel?
- ▶ What do they wish for?

Each group reads the diary. Lead the discussion referring to the text below.

## WHAT HAPPENS TO VICTIMS OF THB?

Often **debt bondage is created** during the recruitment phase, whereby human traffickers advance money to the victim in return for transportation and other expenses, and ask the victim to repay this once they reach the place of destination. Later on, traffickers may also charge fines and as a consequence “debt” starts to build up.

Traffickers often use **isolation or restriction of movement** as a means of control by keeping the victim locked up, not allowing him/her access to outside contact or to communicate with others in their native language.

**Confiscation of the victim’s identity document** can take place during the initial stage of movement or later, when the potential victim arrives in the destination country.

The victim is subjected to **violence, physical assault, food or water deprivation** or other forms of torture in order to coerce them into submission or to carry out the required acts. One of the most widely used forms of control is **“demonstrative” punishment**. One victim is chosen from amongst others and exposed to physical violence in front of the others.

On top of the enduring physical abuse, the exertion of **psychological pressure** can heighten feelings of shame, embarrassment, hopelessness or helplessness. The traffickers threaten victims with telling their families or relatives that they were involved in prostitution. Or they threaten victims’ family members living in the country of the origin.

Traffickers may also force the victim into **alcohol or drug abuse**.<sup>18</sup>

**The aim of these forms of violence, coercion and manipulation is to render the person dependent and subservient by destroying the individual’s sense of self and contention of others.**

First, the person is put in **“extreme survival conditions”** in which the person is forced to face the very real possibility of death. The perpetrator makes the person know that s/he no longer controls her/his own safety – the perpetrator does.

The second stage involves **“physical exhaustion”**. Individuals are forced to work long hours with no free time and only minimal rest, which gives perpetrators significant control. Without time to recuperate, the individual is exhausted, unable to plan or contemplate self-defence strategies, and must simply focus on responding appropriately to commands and perceived threats.

The final elements to ensuring dependence are **control and isolation**. In a captor-captive situation, the trafficked person’s only substantial contact is with the trafficker. In that way, the individual becomes a non-person – solely a reflection of the demands of the perpetrator. Many trafficked person’s reactions to a trafficking experience are psychological and physiological responses, or coping mechanisms, of which the individual is often neither conscious nor in control.<sup>19</sup>



- ▶ Ask the group what might be the consequences of the experienced trauma for the victim?
- ▶ Take notes on a flipchart for each category. Lead the discussion referring to the following.

<sup>18</sup> ICMPPD, Elvira Mruchkovska, Manual for Management of Shelters and Assistance Centres for Victims of Trafficking, 2017

<sup>19</sup> IOM Handbook on Direct assistance for Victims of Trafficking, 2007

## PHYSICAL TRAUMA

The suffered physical violence might include anything from beating to sexual abuse. Often the results are:

- ▶ Chronical diseases related to the injuries;
- ▶ Sexually transmitted diseases;
- ▶ Unintended pregnancy;
- ▶ Infertility;
- ▶ HIV/AIDS;
- ▶ Infections due to unsanitary housing, limitations of personal hygiene and overcrowding;
- ▶ Substance abuse and addiction;
- ▶ Psychiatric conditions.

**Psychological trauma** is a direct personal experience of an event that involves actual or threatened death, or serious injury; threat to one's physical integrity, witnessing an event that involves the above experience, learning about unexpected or violent death, serious harm, or threat of death, or injury experienced by a family member or close associate.

Memories associated with trauma often cannot be recalled, but can be triggered by stimuli from the environment. The person's response to aversive details of traumatic event involve **intense fear, helplessness or horror**.<sup>20</sup>

Other common emotions identified in persons who have been trafficked are:

- ▶ Mistrust of others
- ▶ Mistrust of self, low selfesteem
- ▶ Self-blame, guilt, shame
- ▶ Anger towards self or others
- ▶ Memory lapses, dissociation
- ▶ Isolation, loneliness
- ▶ Dependence, subservience or defensiveness.

**ATTENTION!** If you have additional time or would like to emphasise on this topic



Provide the audience with Handout 7.3. Make the same table on the flipchart.

In order to understand better what violence one has experienced causes to the person, we can look at the correlation between the duration and the severity of the experienced violence act.

There are four categories of events:

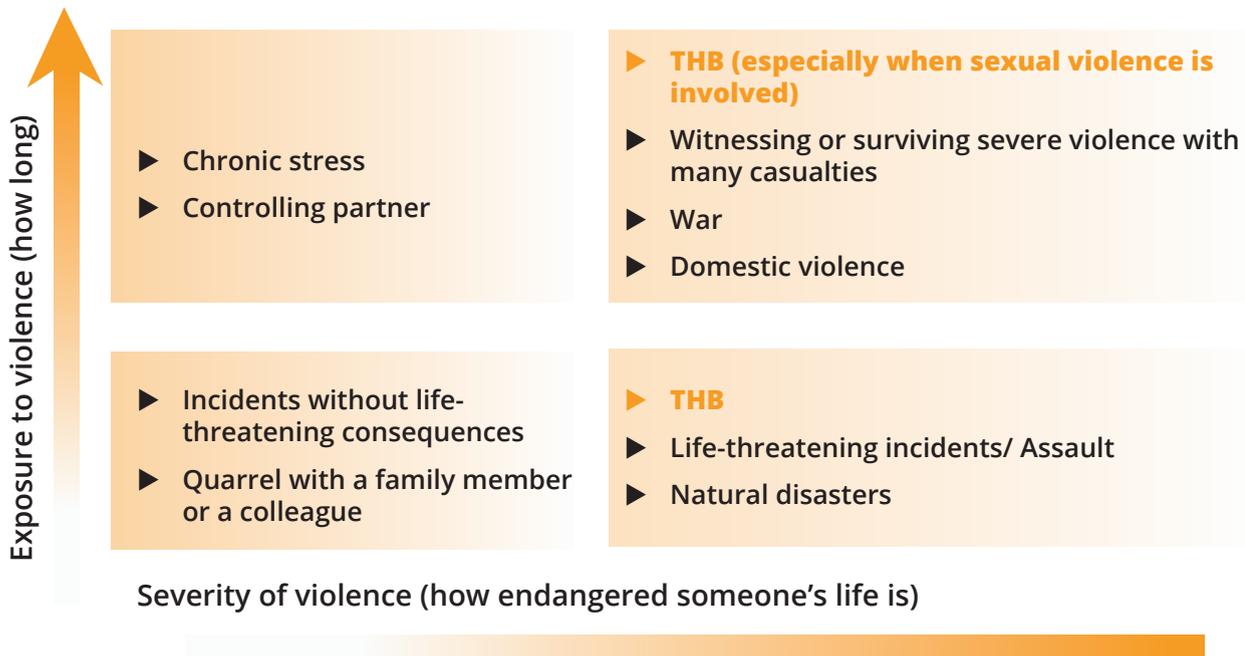
- ▶ Short in time or one-time events that have relatively low or no direct threat to person's life.
- ▶ Short in time or one-time events that highly endangered person's life.

<sup>20</sup> Adapted from APA, DSM-5 - Diagnostic and Statistical Manual of Mental Disorders, Fifth edition

- ▶ Long or repetitive events with that have relatively low or no direct threat to person's life.
- ▶ Long or repetitive events that highly endangered person's life.



Ask the group to provide examples for each category and right them on the flipchart.



Trafficking in human beings can be qualified as an experience of high to severe violence for a shorter or longer period of time. Very often victims experience psychological problems and challenges. The psychologists and social workers often report that the victims show symptoms of PTSD – the post-traumatic stress disorder.

## Post-Traumatic Stress Disorder – NORMAL REACTION TO AN ABNORMAL SITUATION

“PTSD is a mental disorder that can develop after a person is exposed to a traumatic event, such as sexual assault, warfare, traffic collisions, or other threats on a person's life. Symptoms may include disturbing thoughts, feelings, or dreams related to the events, mental or physical distress to trauma-related cues, attempts to avoid trauma-related cues, alterations in how a person thinks and feels, and an increase in the fight-or-flight response”.<sup>21</sup>

## COMPLEX POST-TRAUMATIC STRESS DISORDER

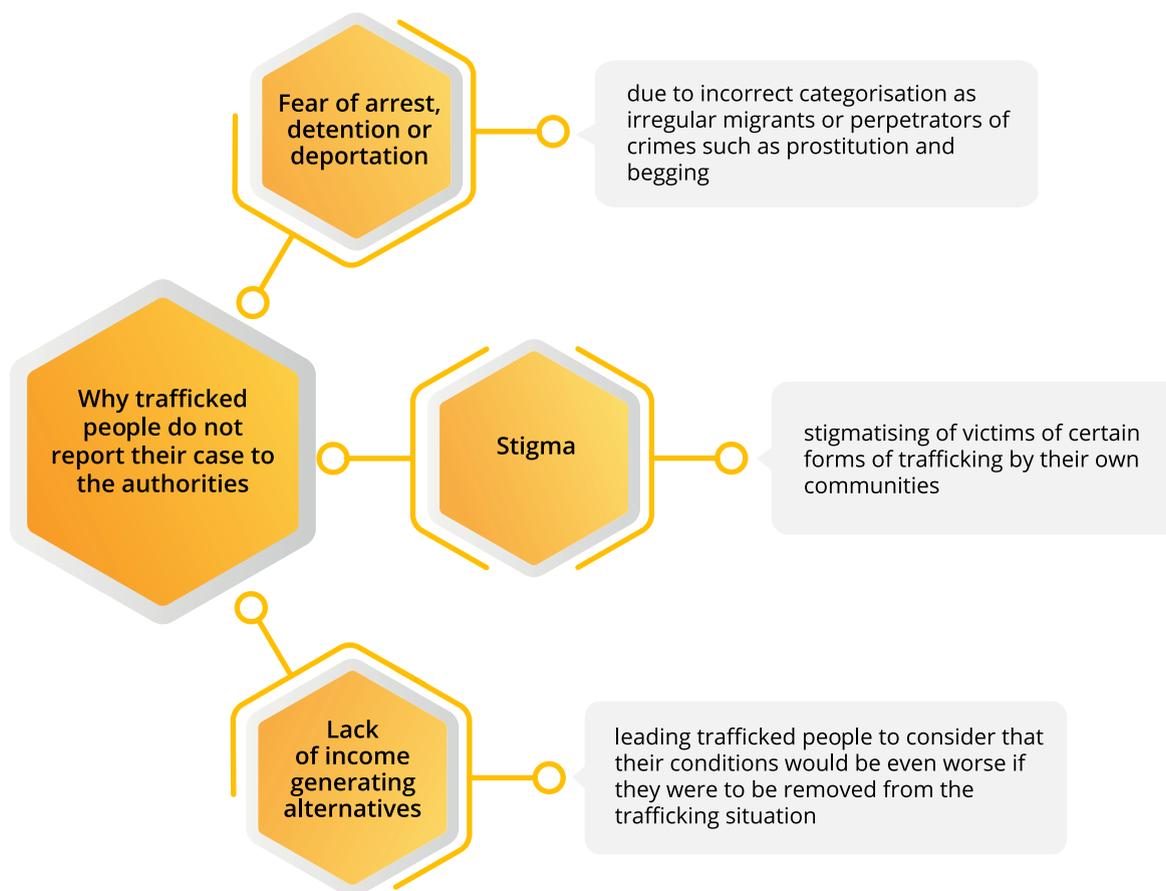
A complex Post-Traumatic Stress Disorder (C-PTSD) can develop in response to **prolonged, repeated experience** of interpersonal trauma in a context in which the individual has **little or no chance of escape**.

“C-PTSD is associated with chronic sexual, psychological and physical abuse and neglect, chronic intimate partner violence, victims of kidnapping and hostage situations, indentured servants, victims of slavery and human trafficking, sweatshop workers, prisoners of war, concentration camp survivors, residential school survivors, and defectors of cults or cult-like organizations.”<sup>22</sup>

<sup>21</sup> APA, DSM-5 - Diagnostic and Statistical Manual of Mental Disorders, Fifth edition

<sup>22</sup> Stein, Jacob Y.; Wilmot, Dayna V.; Solomon, Zahava, «Does one size fit all? Nosological, clinical, and scientific implications of variations in PTSD criterion A», 2016

To understanding why (potential) victims might not just come forward, it is important to recognise that the relationship between the victims and their traffickers is complex.



Source: ICMPD 2015a: 132

## GENERAL PRINCIPLES IN THE WORK WITH VICTIMS OF TRAFFICKING IN HUMAN BEINGS



Present and discuss

(Presumed) victims of THB require particular protection and their human rights and needs should be observed. The UN High Commissioner for Human Rights has issued 'Recommended Principles and Guidelines on Human Rights and Human Trafficking' (OHCHR, 2002). At the heart of these Principles and Guidelines is a victim-centred approach to identification and prosecution, taking into account their suffering and trauma. In practice this means that the victims' needs and protection come first and stand above criminal prosecution/proceedings at all times.

## BASIC PRINCIPLES IN THE WORK WITH VICTIMS OF TRAFFICKING IN HUMAN BEINGS

- **Do no harm** - it is the ethical responsibility of every professional who provides support to victims of trafficking in human beings to assess the potential for harm of any proposed actions.
- **Individualised approach** to protection, assistance and support appropriate to the needs of the individual victim.
- **Continuing and comprehensive care** - holistic approach to be used and a comprehensive continuum of care in accordance with the physical, psychological and social state of the victim.

- **Informed consent** – the choices that the victim has to make must be supported by enough meaningful information of the available solutions, provided by the caregivers.
- **Self-determination and participation** – to recognise the right and the need of the victims to make their own choices and decisions, and encourage them to participate in decision-making process. Thus, victims’ autonomy and ability to regain control over the decisions of their life can be supported.
- **Non-discrimination** on the basis of gender, age, disability, colour, social position, race, religion, ethnicity, language, political beliefs.
- **Confidentiality and right to privacy** – confidential data should not be disclosed without the victim’s prior knowledge and informed written consent.

The Council of Europe Convention on Action against Trafficking in Human Beings regulates in Article 13 the provision of **recovery and reflection period** to every presumed victim:

*“Each Party shall provide in its internal law a recovery and reflection period of at least 30 days when there are reasonable grounds to believe that the person concerned is a victim. Such a period shall be sufficient for the person concerned **to recover** and **escape the influence** of traffickers and/or to **take an informed decision** on cooperating with the competent authorities.*

*During this period, it shall not be possible to enforce any expulsion order against him or her. This provision is without prejudice to the activities carried out by the competent authorities in all phases of the relevant national proceedings, and in particular when investigating and prosecuting the offences concerned. During this period, the Parties shall authorise the persons concerned to stay in their territory.”*

### **Type of assistance** provided to victims of THB

Referral of potential cases is the first step to providing assistance and meeting the needs of victims of THB. This assistance may include:

- ▶ granting regularised immigration status;
- ▶ access to an interpreter;
- ▶ shelter services;
- ▶ medical examination and assistance;
- ▶ psychological counselling;
- ▶ legal assistance;
- ▶ protection during prosecution and law enforcement action against perpetrators.

The most critical factor with respect to assistance and support programmes for victims of trafficking is to ensure that **the services** they provide **are comprehensive and integrated**.

Assistance in regard to medical, psychological and legal services, accommodation, and education and training will not function satisfactorily in isolation. Services must work closely together in coordinated and participative ways, in the best interests of the victims they are assisting. Strong partnerships between governmental institutions and nongovernmental organisations provide the most effective means of offering coordinated services.<sup>23</sup>

---

<sup>23</sup> UNODC, Toolkit to Combat Trafficking in Persons, 2008

## FAILURE TO PROTECT VICTIMS

Many of the reasons that victims are not adequately protected during initial contact and identification phases are down to the approach and professional failures of individuals responsible for identification.

Avoid these failures:

- ▶ Accepting or believing allegations by employers that their workers are “thieves” or involved in other criminal activity, without a proper investigation;
- ▶ Accepting that reports of labour exploitation are due to a “contract dispute”, “difficult workers”, or a “misunderstanding by the worker/ employer.”
- ▶ Applying personal or prejudicial opinions about an individual’s situation based on age, race, sex, nationality or ethnic group. i.e. that they are “dirty/ lazy/ untrustworthy etc.” rather than noticing they are vulnerable people being exploited.
- ▶ Dealing with a case based on immigration status rather than examining how and why an irregular migrant came to that situation.
- ▶ Treating a potential victim as a criminal or somehow responsible for the situation they are in.

## ▶ CHAPTER 8. RETURN OF VICTIMS

The return of foreign victims of trafficking in human beings to their home countries ideally should be voluntary and happens with their informed written consent. The length of time needed to organise an assisted voluntary return depends on the circumstances in each situation; time is required to secure documentation and mentally and physically stabilise the victim. Priority should always be given to the victims' health and security.<sup>24</sup>



- ▶ Ask the group to think about the “Case Ahmed”. If necessary, read the case (**Handout 4.2.**) Ahmed is identified by the authorities as a victim of trafficking and he received support during his recovery period. However, he is facing return to his home country.
- ▶ Ask what in this case would be the concerns in relation to the process of return and to Ahmed himself?
- ▶ Write the suggestions on a flipchart and group them.
- ▶ Conclude by adding new ideas referring to the guiding principles below.

OSCE/ODIHR has developed **guiding principles of return of identified victims of trafficking in human beings**<sup>25</sup>. These principles are used in order to develop practices of international referral and return of victims of THB (**Handout 8.1.**).

### 1. Return must be safe

All persons have the right to leave any country, including their own. The return of trafficked persons should preferably be voluntary. The entire return process must at all times be safe and conducted with due regard for the rights and dignity of the person being returned and the status of legal proceedings.

### 2. Due process

The process of returning trafficked persons should not result in a violation of any of their rights, including the right to due process of law.

### 3. Protection measures when return is not an option

Destination countries are obliged to consider complementary humanitarian or other immigration options, including the granting of temporary or permanent residence and, in the case of children and when deemed to be in the best interests of the child, resettlement in another country.

### 4. Special protection measures in returning child victims

In cases where the victim's age is uncertain and there are reasons to believe that the victim is a child, the presumption shall be that the victim is a child. All decisions taken with respect to a child victim, regardless of whether or not they are unaccompanied, must take the child's best interests as a primary consideration. The special protection measures also apply to the children of trafficked persons.

<sup>24</sup> Adapted from IOM, Handbook on Direct Assistance for Victims of Trafficking, 2007

<sup>25</sup> OSCE/ODHIR, Guiding Principles on Human Rights in the Return of Trafficked Persons, 2014

## 5. Durable solution without further harm

Reintegration measures that address the risk of re-victimization, including re-trafficking, are a critical aspect of safe return. When returning trafficked persons, states must ensure that the return process is conducted without distinction of any kind, including as regards the race, colour, sex, language, religion, national or social origin, minority status and political or other opinions of the trafficked person.

## 6. Access to effective remedies

Trafficked persons have the right to seek and receive effective remedies for the harm committed against them. Trafficked persons should also be provided with adequate reparations for harm suffered, including restitution, compensation, recovery, satisfaction and guarantees of non-repetition.

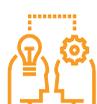
## 7. Cooperation and monitoring

Mutual cooperation between returning and receiving states helps to achieve a durable solution and to ensure the full and successful reintegration of trafficked persons after their return to their communities, the education system and the labour market.

**Child victims** shall not be returned to their countries of origin, if there is indication, following a risk and security assessment that such return would not be in the best interests of the child.<sup>26</sup>

In addition, **national referral mechanisms** and **transnational referral mechanisms** are important vehicles for in-country and cross-border cooperation, respectively, as they create strategic partnerships between government agencies, civil society and other actors engaged in protecting and promoting the human rights of trafficked persons.

## UNDERSTANDING THE CHALLENGES FOR RETURNEE VICTIMS OF TRAFFICKING <sup>27</sup>



- ▶ Ask the group which areas of victim's life might be affected and how?
- ▶ Discuss and add referring to the text below.

Returning to their country of origin is often a difficult process for victims of trafficking, in which they face psychological, family-related, health, legal and financial problems and problems in reintegrating into their families and communities. Reintegration assistance, with a view to empowering victims in their country of origin, should be an integral part of **voluntary return programmes**. It can help address the root causes of trafficking and avoid potential re-trafficking of victims after their return.

- ▶ Trafficked persons often no longer have (or never had) **personal documents** such as a passport or national identity card and usually need help to travel back safely.
- ▶ The trafficked person may feel **ashamed** to return home without having earned a lot of money to support the family or to pay off debts. They may feel unsuccessful, as if they have failed their families in this way. In some societies, social acceptance of the person returning to the community may be dependent on whether they were able to send money back while they were away.

<sup>26</sup> Council of Europe Convention on Action against Trafficking in Human Beings, 2005, Art.16

<sup>27</sup> Based on UNODC Toolkit to Combat Trafficking in Persons, 2008

- ▶ The trafficked persons might feel **ashamed** also because of the sexual exploitation that she/he had suffered. They usually do not share their real experiences with the families and communities. Often they feel alienated from their relatives and friends.
- ▶ **Opportunities for work** in the home community may be very limited, wages are generally lower and some may regard the work as more demanding than the work they did in the place they were trafficked to or were in.
- ▶ They may have become **used to a different lifestyle** elsewhere or abroad, living in cities, wearing different clothes or having more freedom than they had at home. It may be difficult to readjust to the slower pace of life and the isolation in rural areas.
- ▶ Some victims return with certain **health problems** caused by the conditions in which they were exploited, by emotional, physical, sexual or/and substance abuse.
- ▶ Victims might fear **the police** and/or other authorities, if they have experienced corruption during the trafficking situation.
- ▶ Victims have fears of possible **revenge or persecution by the traffickers**, especially for those who were trafficked by people whom they knew before or by people involved in other criminal activities.

If these problems are not solved and the returned victims are not supported, it is likely that they will be abused and in some cases possibly re-trafficked.

## ▶ CHAPTER 9. COMPREHENSIVE ANTI-TRAFFICKING RESPONSE

This chapter provides a look into the elements of a productive national anti-trafficking response. Having knowledge and general understanding of what a successful state response is, who are the involved partners and what are the main principles of this response is important for every professional working in the anti-trafficking field.

If your audience consists of people who are related to the national anti-trafficking coordination body or other anti-trafficking policy makers, please explore the list with suggested literature resources at the end of the Training Session plan and develop the content further according to your needs.

### COOPERATION AMONG THE ANTI-TRAFFICKING STAKEHOLDERS

The **structure** of national anti-trafficking response consists of anti-trafficking stakeholders - governmental institutions, local authorities/governments, NGOs, and IOs. They cover the full cycle of actions against trafficking in human beings.



Ask the group which areas of actions they think are represented in the anti-trafficking response in their country? Write on a flipchart paper and try to formulate based on the participants answers a picture similar to the diagram below (**Handout 9.1.**).



**National anti-trafficking coordinator/ National rapporteur** – is there such institution?

**Law enforcement institutions** – usually different divisions of Ministry of Interior (police, gendarme, etc.)

**Judiciary** – prosecution, courts, defenders, lawyers.

**Social protection and support** – Ministry in charge of social support services, labour authorities, Ministry of Education.

**Health care system** – Ministry of Health.

**Services for victims** – state services (usually provided by Ministry of Social support), municipal services, services provided by NGOs, IOs, volunteer' organisations, religious organisations, etc.

**Child protection** – Ministry/Agency with the mandate in children welfare, NGOs, IOs, volunteer organisations, religious organisations, etc. providing services for children.



- ▶ Ask the group and discuss what are and should be the mandates of each of the institutions in relation to responding to human trafficking.
- ▶ Is there a formalised cooperation between these stakeholders? – Standard operating procedures (National Referral Mechanism), Memorandum of Understanding, cooperation agreement, etc.
- ▶ Are there formal documents related to THB – National strategy (NS), National action plan (NAP) or other similar documents?

## COMPREHENSIVE NATIONAL ANTI-TRAFFICKING RESPONSE

This topic requires more theoretical input from the trainer. However, the group should be addressed with questions especially if the participants are involved in the development of the national anti-trafficking policies.



Provide the information below and discuss with the participants if they have experience in any of the processes of development of a national strategy, action plan or in their monitoring.

A comprehensive national anti-trafficking response should comprise two levels:

**Strategic level – WHAT** shall be achieved in the long term. This is the **national anti-trafficking strategy**. The strategy identifies the country's anti-trafficking priorities and sets strategic goals and objectives. It is the basis of the national anti-trafficking response.

**Operational level – HOW** the goals and objectives identified in the anti-trafficking strategy can be achieved. This is the **national action plan**. It identifies concrete actions to be implemented in short term. NAP is the essential tool for sharing of responsibilities and coordination of action of all anti-trafficking stakeholders - governmental bodies, civil society, international organisations, etc. in a holistic approach.<sup>28</sup> It provides information on the actual activities planned in order to achieve the strategic goals of the NS, on the responsible stakeholders, the timeframes and the budget needed for the implementation of each activity as well as the sources of funding.



<sup>28</sup> Monitoring and Evaluation Handbook for National Action Plans against Trafficking in Human Beings, ICMPD, 2011, p.19

The national strategy and the national action plan should reflect the following **guiding principles**<sup>29</sup>:

- ▶ **Government ownership** – state anti-trafficking actors assume full participation, responsibility and accountability in the process of development of the national anti-trafficking response. This involves adoption of a coordinated approach – establishment of a national anti-trafficking coordinator’s position and multi-disciplinary national working group (group of experts).
- ▶ **Civil society participation** – civil society members are involved in the decision-making process their opinions and advice is reflected in the design and the implementation of the national anti-trafficking response. Civil society organisations should be part of the existing referral mechanisms for victims as well as of the national information exchange mechanism.
- ▶ **Human rights-based approach** – the national anti-trafficking response should be based on international human rights standards and should promote and protect human rights especially those of the victims. It asserts that **the human rights of the victims are at the core of the national anti-trafficking legislation and response in general.**
- ▶ **Interdisciplinary and cross-sectoral approach** – all aspects of trafficking in human beings must be taken into consideration simultaneously in order to ensure effective counter-strategies. The multidisciplinary approach is essential because the knowledge and expertise of different disciplines and their respective methods are combined to develop measures to prevent and counteract trafficking.
- ▶ **Sustainability** – the implemented system is able to endure and adapt to changing conditions over a long period of time. There should be no critical dependencies (such as one major donor) which could easily collapse the system. The sustainable approach ensures that the use of existing resources (financial, human, administrative, etc.) is maximised and thus the “investments” into the national anti-trafficking response are not lost.

## REVIEW, MONITORING AND EVALUATION

Very significant and often underestimated element of the strategic framework is the **review, monitoring and evaluation** of the national strategy and action plan. Applying these activities, the success of the national anti-trafficking response can be determined and its adaptation to the emerging trends ensured.

<b>Review</b>	determines at regular intervals, <b>the degree of the success</b> of the national anti-trafficking response. The review focuses on the goals at both levels.
<b>Monitoring</b>	continuous collection and analysis of data. It aims at providing <b>indicators of progress</b> at both levels.
<b>Evaluation</b>	systematic collection and analysis of predefined information in order <b>to make judgements, improve programme effectiveness</b> and/or <b>generate knowledge</b> to inform decisions about future programmes. It takes place at operational level.

Learning generated from monitoring and evaluation of the interventions can then inform planning and decision-making about which, how, where and when counter-trafficking programmes and projects should be implemented, evaluated, replicated or scaled up.<sup>30</sup>

<sup>29</sup> ICMPTD, Guidelines for development and Implementation of a Comprehensive National Anti-Trafficking Response, 2006

<sup>30</sup> ICAT, Pivoting toward the Evidence: Building effective counter-trafficking responses using accumulated knowledge and a shared approach to monitoring, evaluation and learning

# ANTI-TRAFFICKING RESPONSE



## ▶ CHAPTER 10. PREVENTION OF TRAFFICKING IN HUMAN BEINGS

Effective action to prevent and combat trafficking in persons requires a comprehensive international approach, including measures to **prevent** such trafficking, to **protect** victims of such trafficking and to **prosecute** traffickers.

To prevent human trafficking effectively, the Palermo Protocol requires states to endeavour to undertake measures such as social and economic initiatives, research and media campaigns targeting potential victims. This area of trafficking response calls for a wide range of actors (from legislators and law enforcers to the media and the public) to cooperate in designing and implementing creative initiatives.

Prevention of trafficking is interlinked with all other responses to trafficking and therefore must be undertaken in a concerted, holistic way, which acknowledges the complexity of trafficking in persons.

### WHAT IS PREVENTION OF THB?

The prevention of trafficking in human beings requires creative and coordinated responses. The activities should:

- ▶ Address the root causes of human trafficking in countries of origin and destination;
- ▶ Reveal greater understanding of human trafficking within the broader context of development, gender, equality and poverty reduction;
- ▶ Improve the cooperation between institutions and development agencies on human trafficking issues;
- ▶ Ensure continued strengthening of social protection systems to prevent child trafficking;
- ▶ Focus of research into facts that fuel demand for human trafficking;
- ▶ Ensure greater involvement of civil society.

The prevention can be ensured through flexible anti-trafficking programmes that adapt to changing trafficking patterns. The long-term prevention measures ensure long-term solutions.<sup>31</sup>

---

<sup>31</sup> Adapted from UNODC Toolkit to Combat Trafficking in Persons, 2008

## TYPES OF PREVENTION<sup>32</sup>



**Primary prevention** consists of actions to stop human trafficking before it happens, addressing the root causes of trafficking in human beings. It focuses on the public, the professionals working in the anti-trafficking field, on different vulnerable groups.

Examples of primary prevention:

- ▶ Awareness-raising campaigns, media campaigns;
- ▶ Educational programmes, training of professionals and vulnerable groups;
- ▶ Government policies establishing frameworks and standards for preventing THB.

**Secondary Prevention / early intervention** focuses on preventing trafficking from continuing or escalating. It focuses on victims and the traffickers. For example, a border police officer identifies potential victim of human trafficking at the border checkpoint based on indicators for identification and police profiles, and thus prevents further development of the trafficking situation.

**Tertiary Prevention** actions are implemented after the situation of human trafficking has occurred. Tertiary prevention focuses on minimising the impact of the trauma on the victims, restoring their health and safety and preventing re-trafficking. The successful trials and effective punishment for the traffickers is another form of tertiary prevention. These actions directly support primary and secondary prevention by reducing the numbers of trafficking cases.

The most common implemented prevention activities fall under the primary prevention.



Ask the group what kind of activities they can think of in the categories **awareness raising, training** and **policy development**. Lead the discussion and add at the end, if needed, referring to the table below.

<sup>32</sup> Adapted from White Ribbon Australia – What is primary prevention? <https://www.whiteribbon.org.au/primary-prevention/>

Awareness raising	Training/ Education	Policy developments
<b>Media Campaigns</b> <b>Advocacy campaigns</b> <b>School campaigns</b>	<b>Professional groups</b> who are working in the anti-trafficking field – police officers, social workers, labour inspectors, lawyers, prosecutors, judges, doctors, teachers, etc.	Developed and implemented: <b>National anti-trafficking strategy</b> <b>National Action Plan</b> <b>National referral mechanism</b> for victims of THB or other similar mechanism
On the topics of: ► What is THB? ► Who can become a victim? ► How to help victims? ► Demand – awareness of the services provided by victims of THB ..... etc.	<b>Children</b> – school initiatives, lectures, peer-to-peer sessions	Implemented <b>data collection and evaluation mechanisms</b> providing updated information of the implementation of the anti-trafficking policies
	<b>Training curricula</b> – in schools, universities and training institutions of the professionals who will work in anti-trafficking field – police, prosecutors and judges, social workers, etc.	
Other?	Other?	Other?



### Exercise: Developing an awareness campaign

- Split the group into several small groups (not more than 3) according to the number of participants and the available time.
- Provide **Handout 10.2**. Developing awareness campaign.
- Discuss in the plenary the elements that the participants should think of. Make sure that everybody understands all parts of the task. Give short examples for each element if needed.
  - **Define the goal of the campaign** – what would you like to achieve – think of one concrete and achievable goal.
  - **Define the target group(s)** – who is the receiver of your message – could be very broad group, could be a very specific group.
  - **Define the message(s)** – make sure that it is short, straightforward, and comprehensible, positively formulated (better use DOs than DON'Ts).
  - Always **provide solution** to the problem that you are pointing at. Messages that provoke fear or shock but do not provide solution have no constructive value.

### Top Tips

*The form of your message is very important!*

*A good way to start is by working with your friends in identifying what you want to communicate.*

*For example, you can make people aware of the problem of commercial sexual exploitation, or you can encourage them to talk about this problem with their families. Maybe you can motivate them to report the situations of exploitation to the police or to a hotline by sharing with them a phone number they can contact.*

*Always remember that if you want your audience to do something, you must tell them exactly what to do and how to do it.*

A helpline number or a website with more information on the topic could be such solutions.

▶ **Define your communication channels:** media (electronic media, printed media, social media – specify), event(s) – what kind (gatherings, concerts, marches, etc.), trainings – what kind, volunteers, etc.

▶ **Define your products: video/ audio spot, printed materials** – what kind, involvement of a public figure, etc.

▶ **Define and set an evaluation mechanism** – how will you measure the effect of your actions?



Ask the groups to present their designs. Discuss what was easy for them to decide on and what was a challenge

Image: ECPAT, Combating Trafficking in Children for Sexual Purposes – a Training Guide, 2006

### IMPORTANT! If you have additional time, discuss the following facts:

#### Few examples on what to be aware of when designing a campaign:

▶ **Super Bowl Human Trafficking awareness** - <https://youtu.be/fflFSbIHrlc>

▶ **!** Used for awareness to the general public. Problem – the message is strong and shocking, but the given solution does not imply actions.

▶ **IATA EyesOpen campaign** - <https://youtu.be/QWTNYRaPXnc>

▶ **!** Used as awareness video to the general public. Problem – the message is not clear – is it that the employees of the flight companies are aware of the problem of human trafficking and can spot it (three THB indicators are used for each presented scenario), or is it that everybody who is in trouble should talk to the personnel of the flight companies because they can help?

▶ **Celebrities' involvement**

▶ **!** Be careful when making celebrities or other public figures faces of the campaign. Their presence should not mute the message of the campaign. The messenger should not be “louder” than the message itself. You have to make sure that the message(s) that you are sending to your target group(s) are still visible and strong in the presence of the famous person.

### Sex is what turns media on<sup>33</sup>

*Forced labour and human trafficking are core issues, but it's the issue of sex that too often dominates media headlines. A detailed analysis of almost 3,000 reports in British media found that **human trafficking stories with a sex angle** were more likely to get coverage than issues related to forced labour or modern slavery according to a report by the Joseph Rowntree Foundation in 2013. Such reporting can be a gateway to wider discussion of the issue, but the re-search showed a dramatic under-re-reporting of the far bigger problem of modern slavery.*

### Migration - How Politics Distorts Media Coverage

***Negative voices over immigration** seems to grab media attention more than reporting on trafficking, even when it is on your own doorstep. The country reports produced by the Ethical Journalism Network and the International Centre for Migration Policy Development in 2015 and in 2016 contained clear evidence that undue political influence on media coverage, often based upon false or distorted information, crowded out focus on deeper problems such as forced labour, child labour and trafficking. The challenge to media and journalism is to devote appropriate space to the very real issues of immigration and at the same expose and report on human rights abuse that is perpetrated in the clear light of day.*

---

<sup>33</sup> ICMPD, Media and Trafficking in Human Beings Guidelines, 2017

<sup>34</sup> See <http://ethicaljournalismnetwork.org/resources/publications/moving-stories>

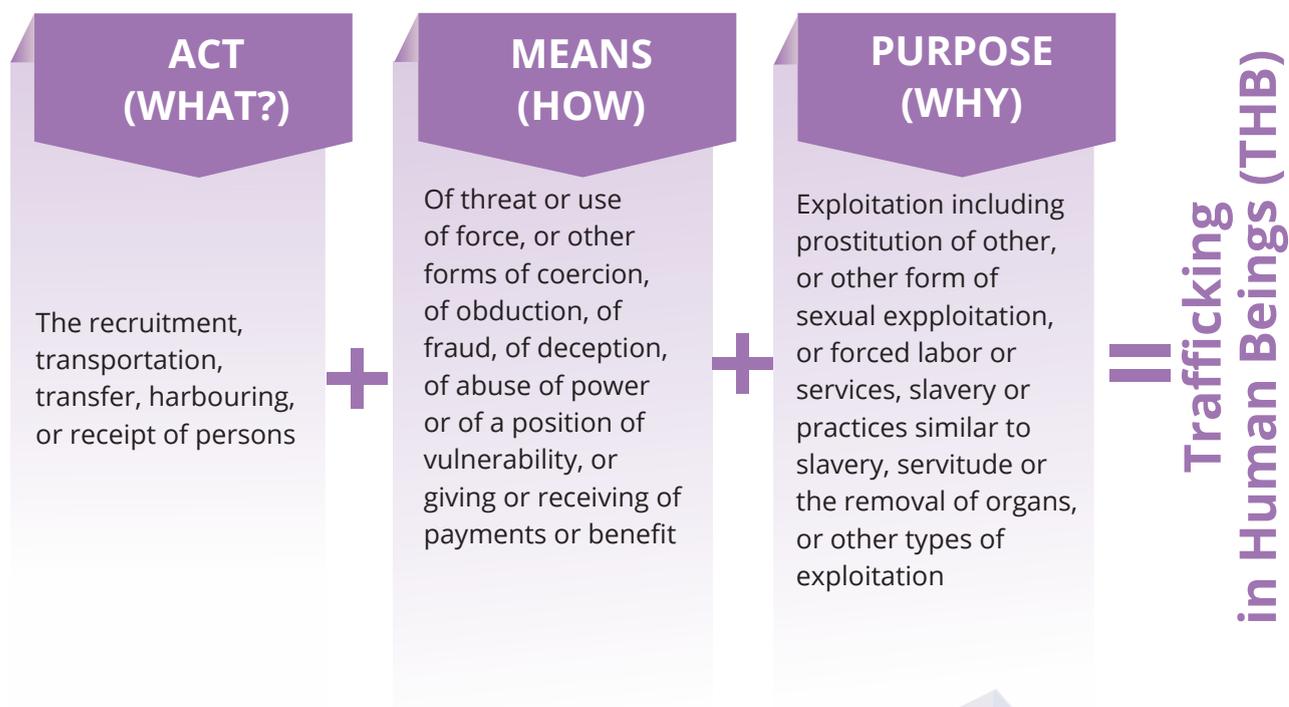
<sup>35</sup> See <http://ethicaljournalismnetwork.org/resources/publications/media-mediterranean-migration>

## ▶ CHAPTER 1. TRAFFICKING IN HUMAN BEINGS –CONCEPTS, DEFINITIONS AND ELEMENTS

### HANDOUT 1.1. DEFINITIONS AND ELEMENTS

**Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children**, supplementing the United Nations Convention against Transnational Organized Crime, 2000 (**Palermo Protocol**):

- (a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (d) “Child” shall mean any person under eighteen years of age.” (Art. 3)



## HANDOUT 1.2. INTERNATIONAL COMMITMENTS

### INTERNATIONAL LEGAL FRAMEWORK INSTRUMENTS

**UN Convention against Transnational Organized Crime, 2000**  
and its supplementing **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), 2000**

**Council of Europe Convention on Action against Trafficking in Human Beings, 2005**

**EU Directive against Trafficking in Human Beings, 2011**

**EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016**

**EC Communication on Reporting on the follow-up to the EU Strategy towards the Eradication of trafficking in human beings and identifying further concrete actions, 2017**

**International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 2003**

**ILO Abolition of Forced Labour No 105, 1957**

**The ILO Forced Labour Convention, 1930**

*"All work or service that is exacted from any person under the menace of any penalty and for which the said person has not offered him/herself voluntarily."*

**UN Convention on the Rights of the Child, 1990**

**Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2002**

**ILO Convention No. 182 on the Worst Forms of Child Labour, 1999**

*"hazardous work is any work which is likely to jeopardize children's physical, mental or moral health, safety or morals should not be done by anyone under the age of 18"*

## ▶ CHAPTER 2.

# DIFFERENCES BETWEEN TRAFFICKING IN HUMAN BEINGS AND SMUGGLING OF PEOPLE

### HANDOUT 2.1. DIFFERENCES BETWEEN PEOPLE SMUGGLING AND TRAFFICKING IN HUMAN BEINGS

Element	People smuggling	Trafficking in Human Beings
<b>Type of crime</b>	Crime against the State and civil order.	Crime consisting in the violation of the human rights of the individual.
<b>Why do we fight it?</b>	To protect the sovereignty of the state.	To protect the rights of individuals.
<b>Relationship smuggler/smuggled person and trafficker/victim</b>	Commercial relationship between smuggler and smuggled person ends after illegal border crossing achieved and fee paid.	Exploitative relationship between trafficker and victim continues in order to maximise economic and/or other gains from exploitation.
<b>Rationale</b>	Organised movement of persons for profit.	Organised recruitment/ transport and (continuous) exploitation of the victim for profit.
<b>Illegal border crossing</b>	Illegal border crossing is a defining element, i.e. transnationality is a defining element.	Border crossing (legal or illegal) not required/part of the definition i.e. THB can also be national/internal.
<b>Consent</b>	Persons consent to illegal border crossing.	Either no consent or initial consent made irrelevant because of use of force or coercion at any stage of the process. <sup>36</sup>

<sup>36</sup> ICMPD's Training Guide 'Anti-Trafficking Training for Frontline Law Enforcement Officers', 2006

## HANDOUT 2.2. RELATED TYPES OF CRIMES

Complete the following table with related types of crime that may be committed at different stages of the THB process:

Offences committed at various stages of the trafficking in human being and other related crimes			
Recruitment	Transportation	Exploitation	Other offences

## ▶ CHAPTER 3. FORMS OF TRAFFICKING IN HUMAN BEINGS

### HANDOUT 3.1. FORMS OF THB

Following the Palermo Protocol definition, the main types and forms of trafficking are:

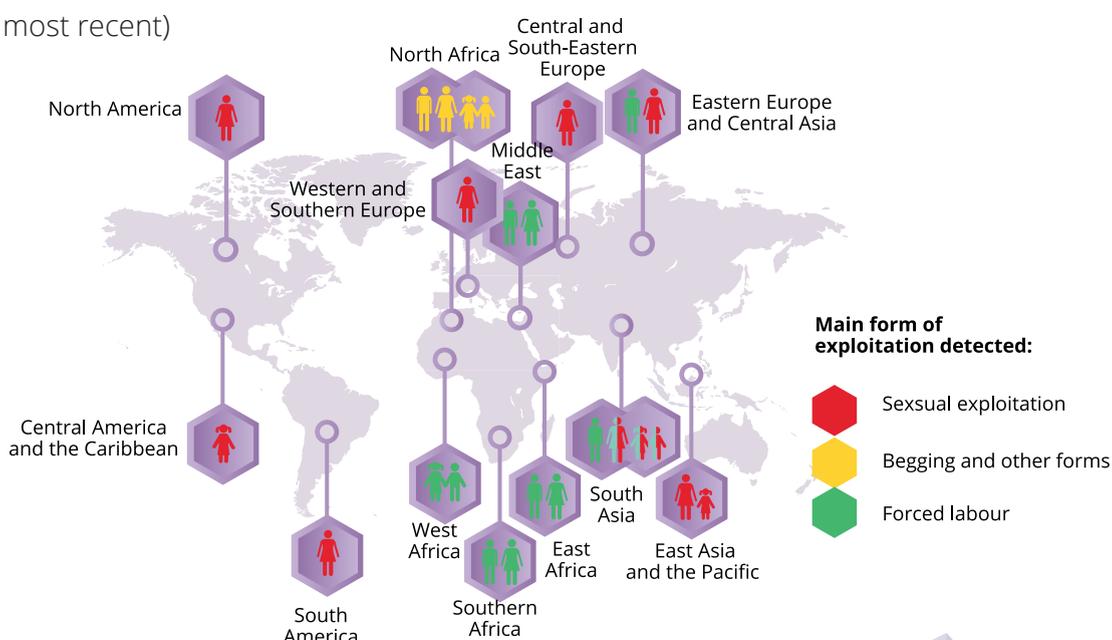
- ▶ **Internal trafficking** – happening within a country's borders;
- ▶ **International trafficking** – happening across international borders.

**Forms of trafficking** mainly follow the purpose and the different types of exploitation:

- ▶ **Sexual exploitation** (including prostitution).
- ▶ **Labour exploitation.**
- ▶ **Domestic servitude.**
- ▶ **Forced marriage.**
- ▶ **Forced begging or criminal activities.**
- ▶ **Exploitation in armed conflicts.**
- ▶ **Irregular adoption.**
- ▶ **Organ removal.**
- ▶ **Child trafficking:**
  - ▶ forced marriage
  - ▶ early marriage
  - ▶ domestic servitude
  - ▶ forced begging
  - ▶ commercial sexual exploitation (including in tourism)

### Main forms of exploitation and profiles of detected victims, by subregions, 2016

(or most recent)



Source: UNODC, Global Report on trafficking in persons, 2018

## ▶ CHAPTER 4.

# APPLYING THE CONCEPTS AND DEFINITIONS<sup>37</sup>

### HANDOUT 4.1. CASE STUDY - KRISTINA

Kristina from Moldova works in the streets of Kishinev as a prostitute. One night a client tells her she can earn much more money working at his friend's brothel in Zurich. If she wanted, he could arrange for her to work there. Kristina objects that she has no passport and money to pay for the travel costs, but he assures her that this is no problem - he can advance her the money and she can pay him back from the money she will be earning in Switzerland.

Kristina agrees and her client helps her to get a passport and arranges the journey. Together they travel to Zurich. Upon arrival he introduces Kristina to his friend, the owner of the brothel, and leaves. That evening she serves 10 clients. The next morning she asks the owner for the money she earned last night. The owner tells her that he has paid a lot of money for her and that first she has to work to pay off her debt to him before she can start keeping some money for herself.

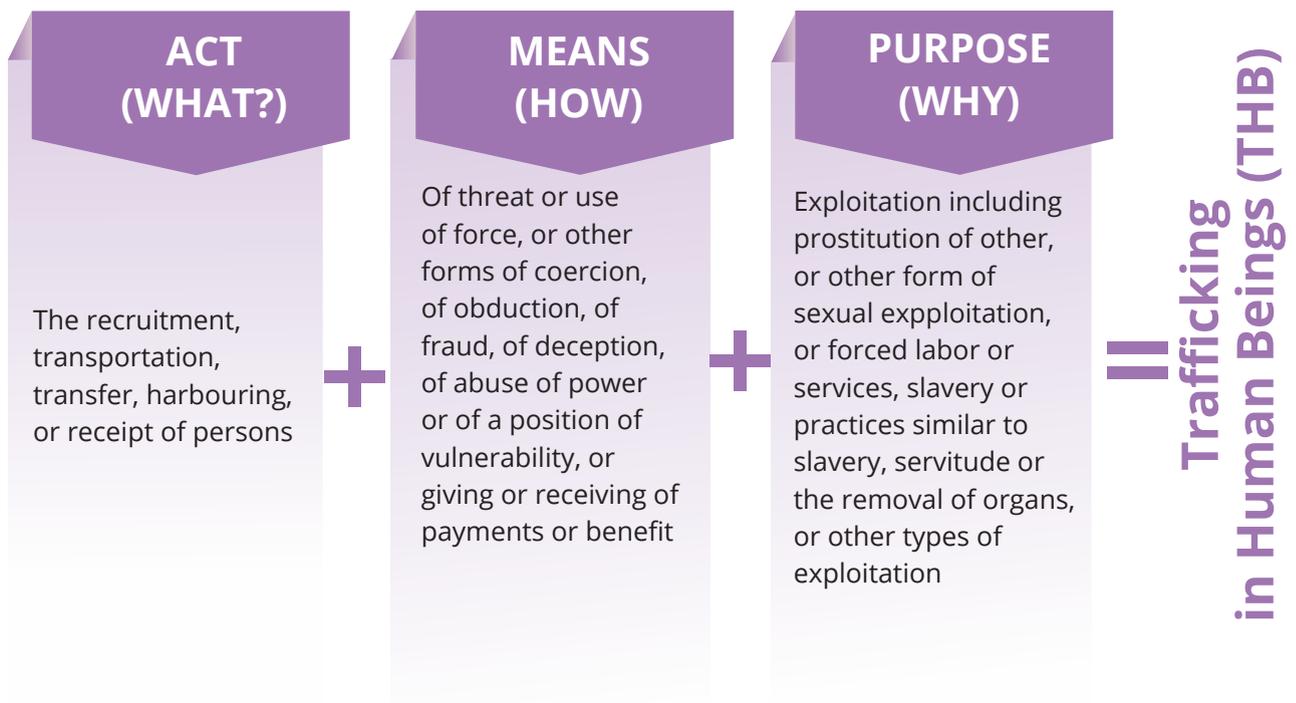
After a month she still has not received any money. When she protests, the owner says her documents are false and that if she goes to the police they will put her in prison, rape her and deport her back to Moldova.

#### Discuss and consider in your group:



- ▶ Is this a trafficking case, yes or no?
- ▶ Should it be a THB case, what type of trafficking is it? Should it not be a THB case, what other type of case is it?

Justify your answer by outlining which elements (and in which form they manifest themselves) are present and/or absent.



<sup>37</sup> Adapted from ICMPD, Training Curriculum for labour Inspectors on Trafficking in Human Beings in Jordan, 2018

## HANDOUT 4.2. CASE STUDY - AHMED

Ahmed is from Afghanistan. He's 19 now. He speaks English well, even though he does not have any formal education. Ahmed has been traveling for the last two years now. He wants to get to Sweden, there are several people from his city living there, and that's the place he would like to be. For 3 months already, he has been in Bosnia and Herzegovina. He lives in a house in which he was placed by a man in charge of organizing his movement through Europe. Ahmed does not know his name, but everyone calls him the Boss. Ahmed paid the Boss USD 800 to get to Bosnia and Herzegovina. Then the Boss asked for USD 500 more, which Ahmed did not have. The Boss said it is not a problem, and that he would help Ahmed out so Ahmed can pay him back later.

Ahmed is officially registered in Bosnia and Herzegovina. At the same time he has started offering the Boss's services to other migrants/refugees, transferring them to facilities where they have to wait to be contacted by the next smuggler. Ahmed is also arranging transportation for them and sometimes is leading them to the border. He is hard-working. All the money he was earning stayed with the Boss. Ahmed wanted to leave after doing this for one month, but the Boss said that Ahmed still owed him because allegedly he had not been earning enough. Ahmed couldn't believe this and was upset. The Boss told him to calm down, because the police would be waiting around the corner only waiting to arrest someone. The Boss also said that the police will not arrest the Boss because he is in good relations with the police, and they will not touch him. So Ahmed better not try anything stupid. The Boss also told that now Ahmed is himself involved in smuggling, all migrants know Ahmed - there are hundreds of witnesses who can confirm how Ahmed «helped» them. If Ahmed would still try to go to the police and mention the Boss, this will not end well. The Boss said he knows everyone who works in this business, from Turkey to the far end of Europe, so he will find Ahmed and kill him.

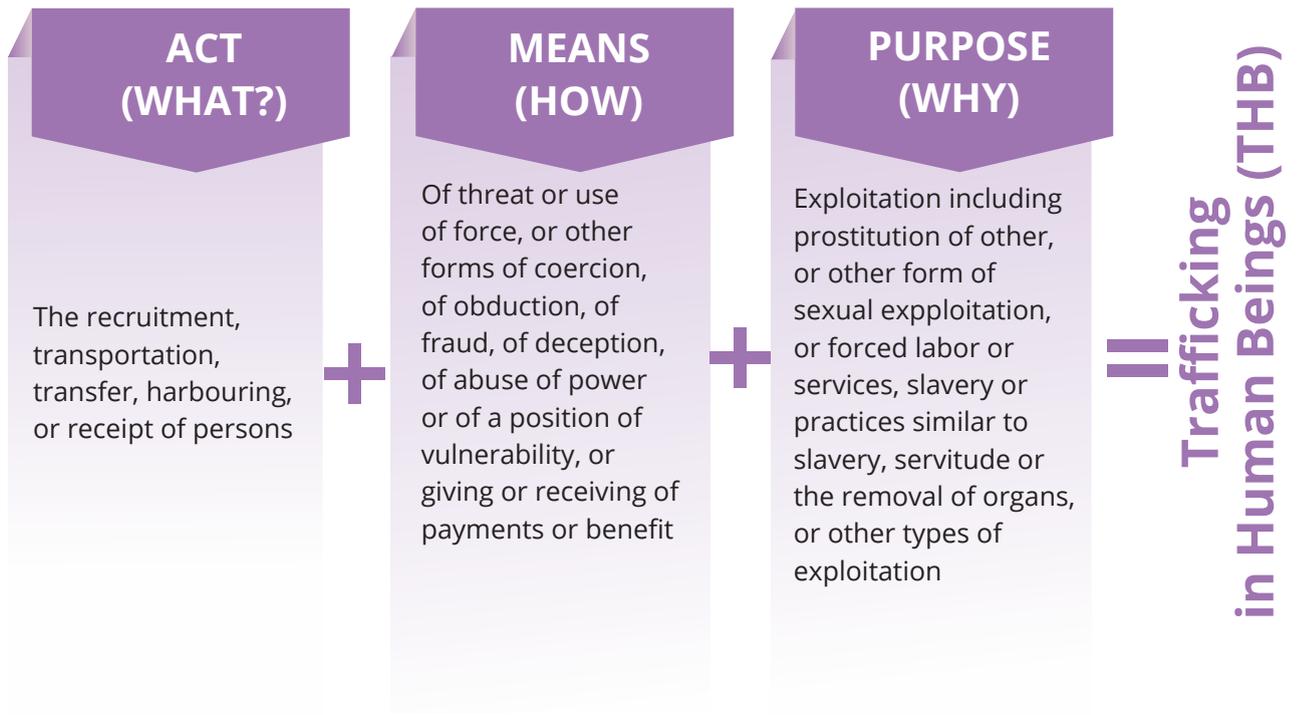
Days passed by and Ahmed did everything the Boss told him. Then the Bosnian authorities arrested Ahmed while he was leading a group of five people to the Croatian border. He could not pretend that he was one of the migrants because all the money was with him (since he had not managed to give it to the Boss yet). Ahmed said nothing and remained silent throughout all the questioning by the authorities.

### Discuss and consider in your group:



- ▶ Is this a trafficking case, yes or no?
- ▶ Should it be a THB case, what type of trafficking is it? Should it not be a THB case, what other type of case is it?

Justify your answer by outlining which elements (and in which form they manifest themselves) are present and/or absent.



## HANDOUT 4.3. CASE STUDY – DOMESTIC WORK

An advert is placed by a recruitment agency in a local newspaper in a town in the Philippines. It promises good wages for cleaners and domestic servants in a country in the Middle East. All visa and other migration requirements will be taken care of. A young woman applies. She is worried because she thinks she may have to pay a fee. She is told not to worry because all fees will be taken care of when she arrives at the destination country. Reassured, she agrees to be flown to the country for the promised work. She is taken to the airport, provided with a passport and given instructions that she will be met at the other end by the agency's staff.

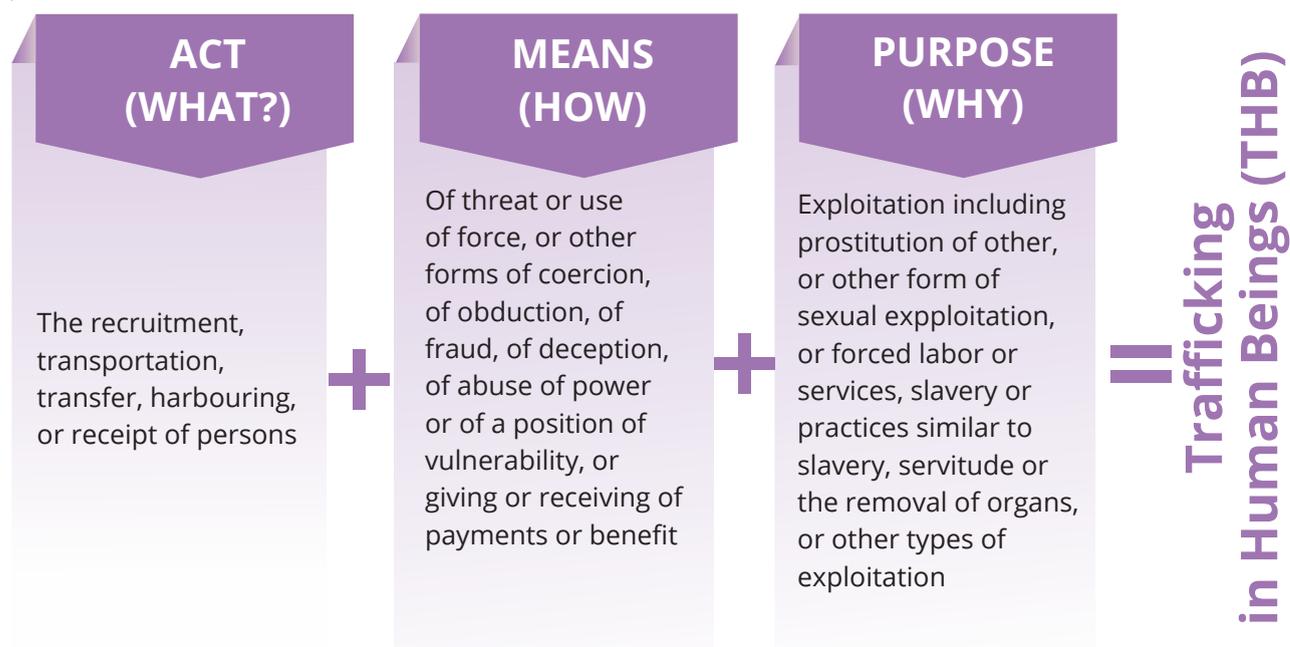
When she arrives in the destination country, she is met by a man from the recruitment agency. After immigration, she is told she must hand over her passport to the man. When she initially refuses, she is told it is required by the local law and the passport is only kept as a security measure. She is driven to a large house where she is told she must work as a servant. Money is exchanged from her new 'employer' to man from the recruitment agency.

Before the agency man leaves, she asks him about an employment contract and her wages. She is told she will be paid a wage but will have to pay for accommodation and food. She asks when she will get her passport back. She is then told she will get her passport back once she has reimbursed the employer for the costs of her recruitment. She is further told it will be possible to save money from her wages to pay back the fee the 'employer' has paid and the transport costs. As the weeks go by, the amount 'owed' increases because she is paid little and the cost of food and accommodation is high. For every small mistake, she receives a slap. She has no alternative but to work for 14 hours per day, seven days per week.

### Discuss and consider in your group:

- ▶ Is this a trafficking case, yes or no?
- ▶ Should it be a THB case, what type of trafficking is it? Should it not be a THB case, what other type of case is it?

Justify your answer by outlining which elements (and in which form they manifest themselves) are present and/or absent.



## HANDOUT 4.4. CASE STUDY – MECHANIC SHOP

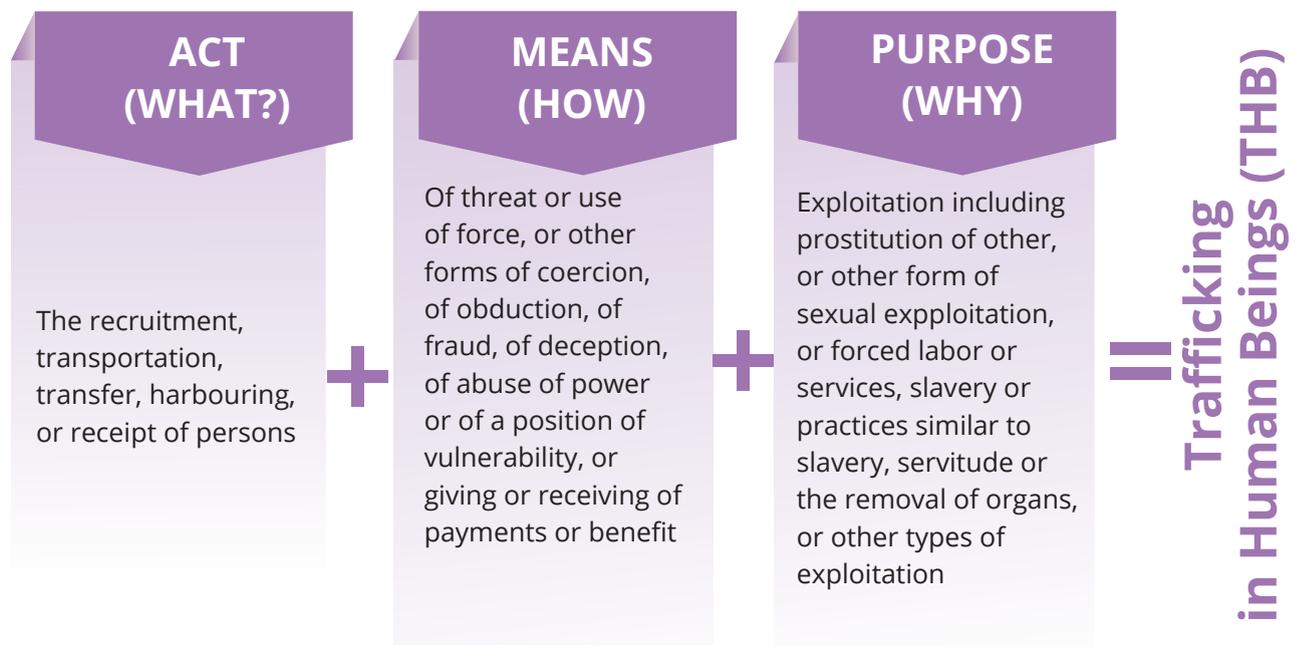
An off-duty labour inspector notices a child working in a mechanics workshop in a local neighbourhood. The child appears to be local, a boy, under the age of 15. He seems to be familiar with the usual work processes in the workshop.

The labour inspector notifies the local police to look into the matter. When interviewed at the police station in the presence of a social worker, the boy states that his father was approached two years ago by a local businessman, the owner of the workshop and offered money in return for sending the boy to work at the mechanic shop. When the boy refused to go, his father beat him. The boy works every day for 8 hours in the workshop and sleeps at the workshop 5 days a week. When he gets home, he hands over the money he was paid to his father. His father beats him if he does not hand all the money over. The boy also states that his father is sick, divorced from the mother of the boy and that he did not see his mother in the past 3 years.

### Discuss and consider in your group:

- ▶ Is this a trafficking case, yes or no?
- ▶ Should it be a THB case, what type of trafficking is it? Should it not be a THB case, what other type of case is it?

Justify your answer by outlining which elements (and in which form they manifest themselves) are present and/or absent.



## HANDOUT 4.5. CASE STUDY – EMPLOYMENT AGENCY RECRUITMENT

A group of 60 workers were recruited by a local employment agency in Turkey to work for a well-known construction company in Ukraine.

Once in Ukraine the workers were told to perform different work from that which they had been hired for, and were not told what their salary would be.

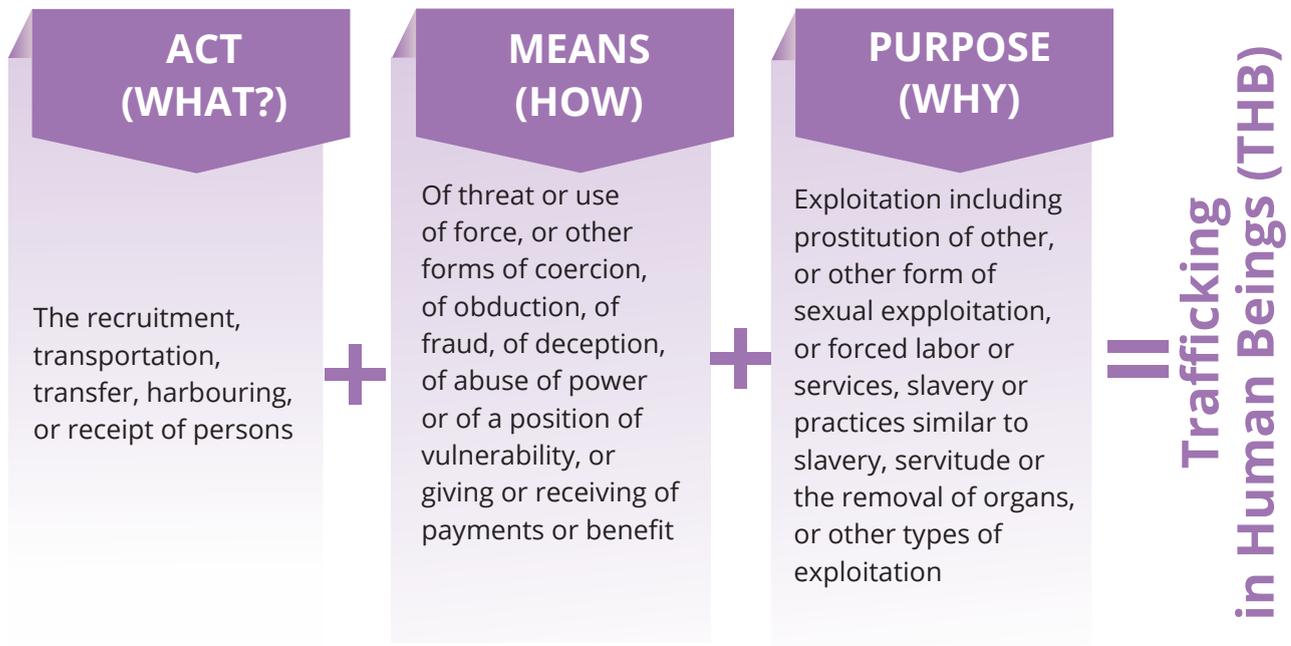
When they demanded their salaries after a month of work, the Ukrainian construction company told them that it was the responsibility of the Turkish employment agency to pay them. The Turkish agency said that the Ukrainian company must pay the workers. After some efforts to resolve the situation, the workers realised that there was no way of receiving their pay and they decided to look for other opportunities instead.

Those workers who were able returned home by their own means left, some stayed in Ukraine and found other work.

### Discuss and consider in your group:

- ▶ Is this a trafficking case, yes or no?
- ▶ Should it be a THB case, what type of trafficking is it? Should it not be a THB case, what other type of case is it?

Justify your answer by outlining which elements (and in which form they manifest themselves) are present and/or absent.



## HANDOUT 4.6. CASE STUDY – TEXTILE FACTORY

Two labour inspectors conduct a routine inspection to a textile factory in Amman, Jordan. The factory produces clothing products for a foreign textile company. According to the Ministry of Labour records, the factory employs 550 workers. Approximately 300 of these are Jordanian citizens, the rest are foreign citizens, primarily from other countries in South East Asia.

The inspectors have approximately 1 hour to conduct their inspection. They plan to interview the owner, between 10-15 employees, and to check if various health and occupational safety standards are observed. They also plan to look at the accommodation and medical facilities provided on-site for the foreign workers, and cross-check a sample of administrative documents, such as worker contracts, human resource department's statistics and payment records as part of their inspection.

The manager meets them on arrival and takes them to the human resources office where he shows them the employment and financial records for the factory. He also shows them an example of the contracts signed by the workers, in Arabic, English and several different languages of the workers. After this, the manager proceeds to take them around the factory. The factory building is not modern; however, all the relevant health and occupational safety standards, such as fire evacuation plans and safety equipment for operating dangerous machinery appear to be in place. The workers are not wearing a uniform and some appeared to be dirty or wearing tattered clothing.

The manager follows the inspectors closely the entire time they are talking to the factory workers, remaining within ear-shot of all conversations. The manager recommends the inspectors speak with certain workers because he says they are the only ones that speak Arabic or English, and that it is difficult to communicate with the other workers. All workers give exactly the same answer when asked by inspectors what their working hours are. When the inspectors ask if they have their passports, the workers say the employer keeps them, but they were told they can have them back at any time, if they asked.

One labour inspector notices that several of the workers appear reluctant to answer the inspector's questions, avoiding eye-contact and often give the same answer as their peers by nervously glancing at the other workers. The inspector also notices that these workers have dark circles under their eyes, and become nervous when the manager or their supervisor comes near them. In general, the atmosphere on the factory floor is subdued and workers do not appear to talk to each other.

One inspector goes to look at the accommodation provided to the foreign workers, in an old building next to the factory. The building is old, and several of the windows in the rooms are broken, although they all have bars over them. The dormitory room the manager shows the inspector is basic but adequate, with beds and thin bedding. The inspector notices that there is a padlock on the outside of the accommodation door, and a security camera covering the corridor. On the way out of the accommodation building, one of the inspectors asks if they can use the restroom. The manager gives directions and says he will accompany the others and wait outside. As the inspector looks for the restroom, she notices an open door with a bolted lock on the outside. On quickly looking inside, she sees over 20 mattresses on the floor and personal items that obviously belong to some workers. There are multiple signs that many people live together in the very small space with no window.

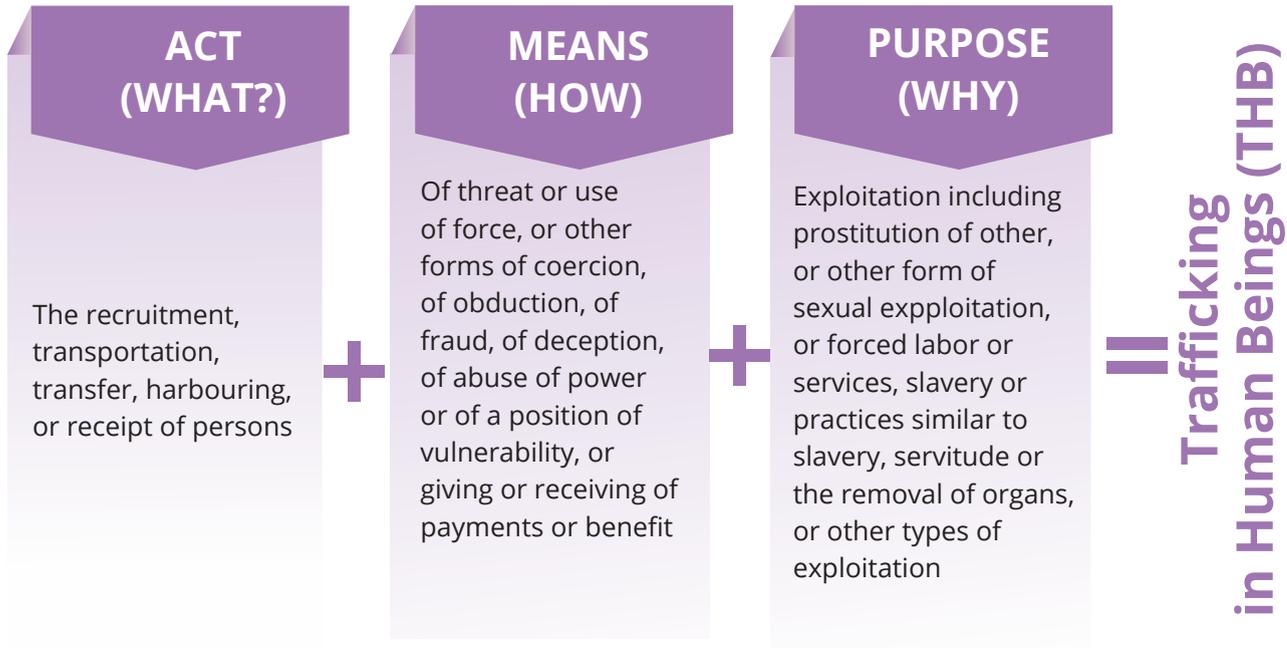
The inspector leaves the building and meets the manager and her colleague in the main factory building. They inform the manager the inspection is finished. When leaving the premises, the labour inspector informs her colleague about what she saw in the accommodation building.

**Discuss and consider in your group:**



- ▶ Is this a trafficking case, yes or no?
- ▶ Should it be a THB case, what type of trafficking is it? Should it not be a THB case, what other type of case is it?

Justify your answer by outlining which elements (and in which form they manifest themselves) are present and/or absent.



## HANDOUT 4.7. CASE STUDY - FARM

A Syrian family, a father, mother, their 12 year old son and 9 year old daughter, fled from Syria in 2012 and settled in Anatolia, Turkey. There they met other Syrians working on farms in the area. The farm workers told the father about a woman in her thirties that was looking for people to work on farms and that they should contact her for help with finding employment. The father contacted the woman, who told him that she could find work for the family, but that everyone, including the children had to work in order to get the job. She said it was a condition imposed by the farm owners.

The family had no other choice and accepted work on a local farm. The children were not able to go to school, and instead, with their parents, worked about 8 hours a day farming tomatoes, aubergines, broccoli and other vegetables. The conditions were difficult but the family accepted it. In return for their work, the Syrian woman paid them their salary from the farm, acting as an intermediary. The family was not able to calculate how their salary was calculated.

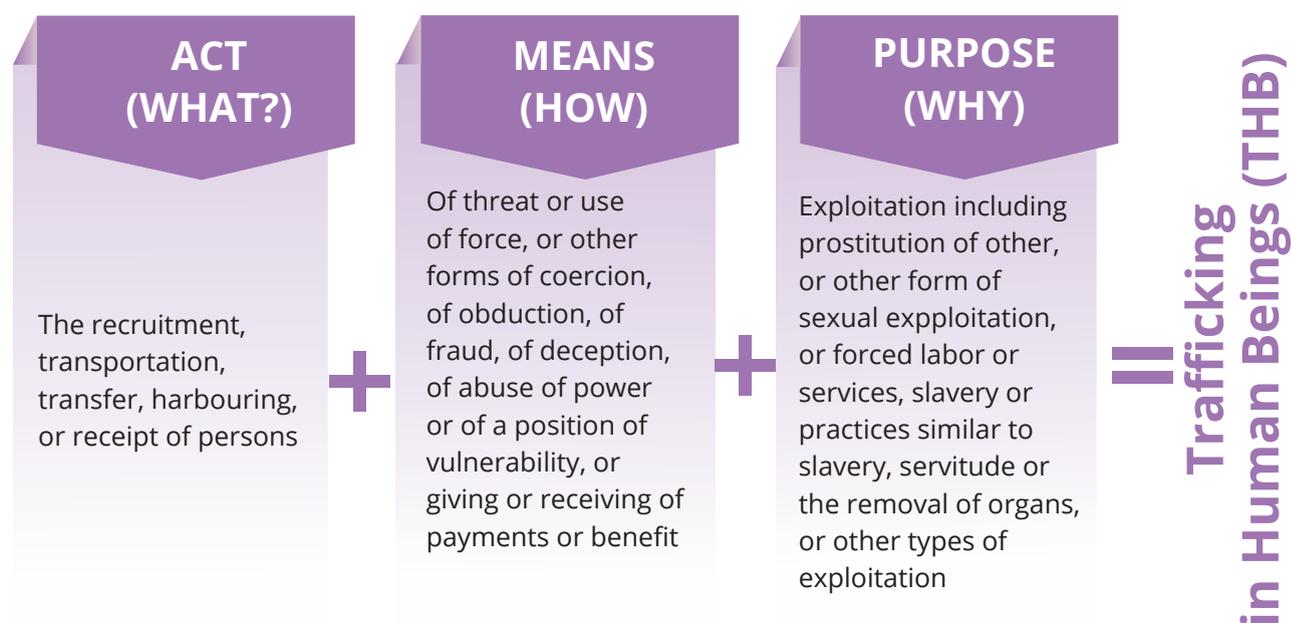
The family therefore spoke to a local NGO supporting Syrian refugees and complained that they are not being paid as much as they think they should. The NGO conducted further research in the local community and discovered that the Syrian woman was acting as an intermediary for farms to recruit workers. According to reports the NGO gathered, the intermediary made a deal with farms to recruit a Syrian refugee family to work on a farm, in exchange for which she demanded to be paid the entire wage of the children working in each family.

When the NGO approached the farmer to ask about this arrangement, the farmer said that the Syrian female agent had imposed upon them the condition of the hiring of the children, or else threatened to prevent any Syrian refugees working on their farms. The average wage of a child working on the farms was between 5 and 10 USD per day.

### Discuss and consider in your group:

- ▶ Is this a trafficking case, yes or no?
- ▶ Should it be a THB case, what type of trafficking is it? Should it not be a THB case, what other type of case is it?

Justify your answer by outlining which elements (and in which form they manifest themselves) are present and/or absent.



## HANDOUT 4.8. CASE STUDY – LABOUR MIGRATION

A group of young men looking for work in Pakistan hear about an agency that can arrange travel to the EU with good opportunities for agricultural labourers, factory workers, waiters and chefs. The group makes contact and are told the fee will be \$US 10,000 per person. They will be transported overland by truck through Iran, before crossing into Turkey and flying to a city in the EU. They are informed that all immigration documents will be provided. They take loans, work hard at any kind of job, collect money from their families and after 18 months get the money together. They pay the agency and set off on their journey. They are also told that should anything go wrong and they might be captured and send back on their way, they are guaranteed up to 3 attempts with the agency.

Travelling by truck with other people at first, they had to cross large parts of the journey by foot as well. When in Iran, they are surprised to find they are not going through Turkey any more. They are told to hide in an old factory building to be picked up. Two days later, having lived on scraps of food, a man contacts them and they are told to climb into a hidden compartment in a truck. The journey is slow and they often have to stop and hide in inadequate places, with insufficient food and water. The journey takes 5 weeks in total, the group stays together, but one man dies along the journey.

Eventually, after another journey in another vehicle, the truck stops. The back doors are open and they see they are in the middle of a city. They are told they have arrived and must get out. The men ask about the passports they were promised. They are told not to make trouble and now have to find their own way. The truck leaves, and the group disperses quickly into the city. They find out they are in a city in Northern Iraq.

Three days later, some of the group find work on a fruit and vegetable farm. They are allowed to live in the farm buildings with other workers. They are paid very low wages.

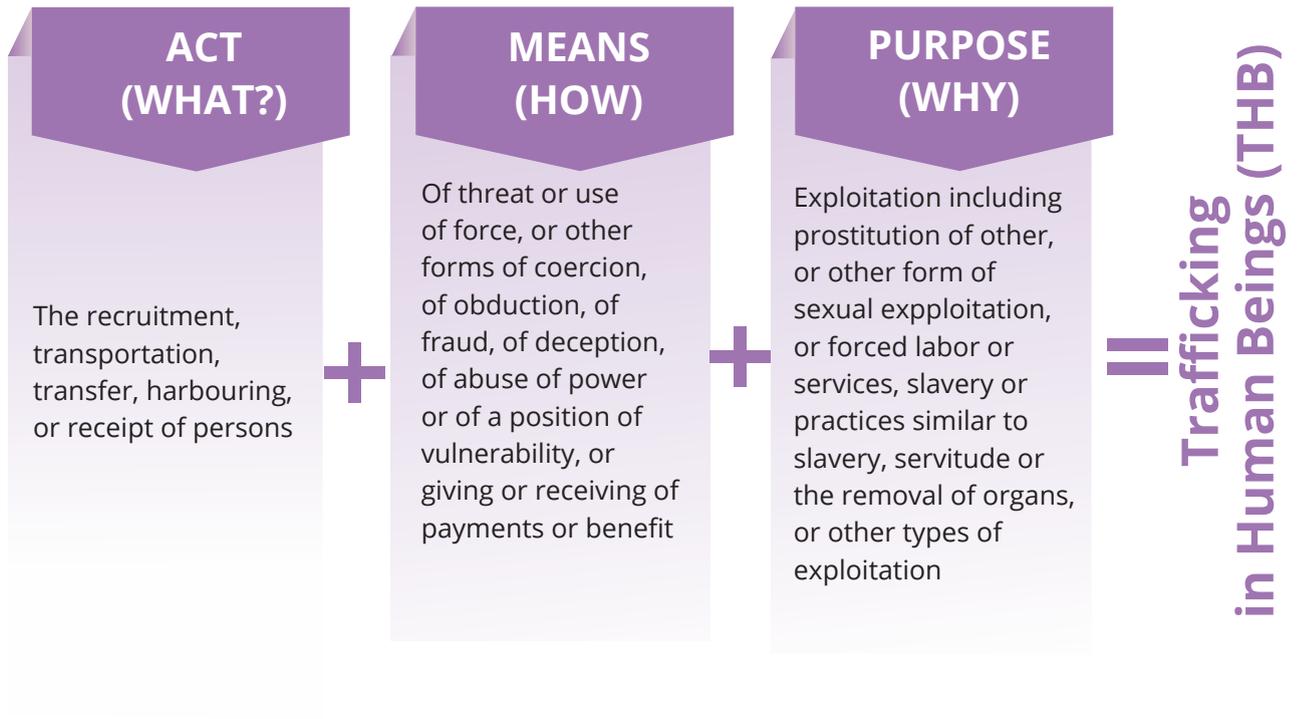
Adapted from ICMPD, 2013

### Discuss and consider in your group:



- ▶ Is this a trafficking case, yes or no?
- ▶ Should it be a THB case, what type of trafficking is it? Should it not be a THB case, what other type of case is it?

Justify your answer by outlining which elements (and in which form they manifest themselves) are present and/or absent.



## HANDOUT 4.9. CASE STUDY – REFUGEE CAMP

The sisters Cecilia and Diana live with their family in a refugee camp. The family fled flooding in their home country 2 years ago. Cecilia was recruited one day to work as a housemaid by a couple she met in the camp.

The sister, Diana, is 15 years old. The same couple that recruited Cecilia saw Diana during their visits. After a while, they tell the parents that they know of an interested nice man to marry Diana.

The mother of Diana refuses the idea. However, the man continues to visit the father of Diana, telling him about the prospective groom.

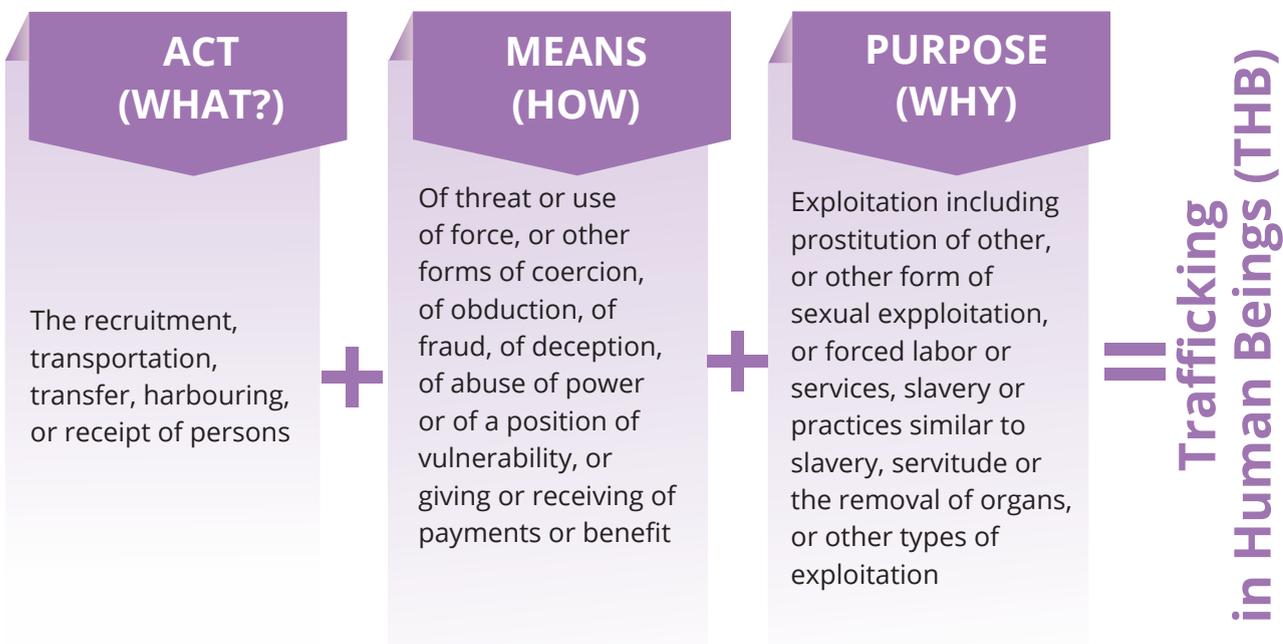
He says the groom would also want to show respect and support the family by paying them 8,000 USD. The father accepts the offer and promises to marry his daughter Diana off to the man. The daughter and mother, when told by the father refuse to obey and argue with the father, who says there is no alternative, that he has already given his word and that Diana will be taken good care of and will also support the family, as she is going to marry a rich man.

Several days later, a car comes to take Diana to the house of the prospective husband and the father is handed over 8,000 USD.

### Discuss and consider in your group:

- ▶ Is this a trafficking case, yes or no?
- ▶ Should it be a THB case, what type of trafficking is it? Should it not be a THB case, what other type of case is it?

Justify your answer by outlining which elements (and in which form they manifest themselves) are present and/or absent.



## ▶ CHAPTER 5. IDENTIFICATION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS – HUMAN RIGHTS APPROACH

### HANDOUT 5.1. IDENTIFICATION OF VICTIMS OF HUMAN TRAFFICKING

Three stages of the identification process:

- ▶ Initial screening/assessment (**first-level identification**), generally conducted by frontline responders (anyone who comes into contact with the presumed victim) and results in referral to appropriate service provide/authorities. An initial screening or assessment may suggest that a person might be a victim of trafficking. It may be based on conversations and interactions with the individual, observation of the person (his/her behaviour, appearance or circumstances), and/or an interview guided by indicators or previous allegations and can lead to detection of signs of trafficking to be further explored in a formal interview. It may also be triggered by victims who self-report and present themselves for identification.
- ▶ Initial/preliminary interview (**preliminary identification**). The initial interview is conducted by referral authority with the aim of ascertaining whether there are reasonable grounds to believe that the person has been trafficked. When appropriate authorities find that there are sufficient indicators that the person may be a victim of trafficking, this should lead to the presumed victim being given access to initial assistance and protection.
- ▶ **Formal identification** process. Formal identification is conducted by official identification authorities tasked by law or procedure with victim identification. Competent authorities may include **law enforcement, social services** and, in some countries, **NGOs**. Formal identification may be based on verification of the information obtained as a result of the initial interview and other evidence. This may result in the person being entitled to more comprehensive assistance and protection services. It may also coincide with the investigation and prosecution of alleged traffickers.

## HANDOUT 5.2. INDICATORS FOR IDENTIFICATION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS<sup>38</sup>

### GENERAL INDICATORS FOR TRAFFICKING IN HUMAN BEINGS

- ▶ Believe that they must work against their will.
- ▶ Be unable to leave their work environment.
- ▶ Show signs that their movements are being controlled.
- ▶ Feel that they cannot leave.
- ▶ Show fear or anxiety.
- ▶ Be subjected to violence or threats of violence against themselves or against their family members and loved ones.
- ▶ Suffer injuries that appear to be the result of an assault.
- ▶ Suffer injuries or impairments typical of certain jobs or control measures.
- ▶ Suffer injuries that appear to be the result of the application of control measures.
- ▶ Be distrustful of the authorities.
- ▶ Be threatened with being handed over to the authorities.
- ▶ Be afraid of revealing their immigration status.
- ▶ Not be in possession of their passports or other travel or identity documents, as those documents are being held by someone else.
- ▶ Have false identity or travel documents.
- ▶ Be found in or connected to a type of location likely to be used for exploiting people.
- ▶ Be unfamiliar with the local language.
- ▶ Not know their home or work address.
- ▶ Allow others to speak for them when addressed directly.
- ▶ Act as if they were instructed by someone else.
- ▶ Be forced to work under certain conditions.
- ▶ Be disciplined through punishment.
- ▶ Be unable to negotiate working conditions.
- ▶ Receive little or no payment.
- ▶ Have no access to their earnings.
- ▶ Work excessively long hours over long periods.
- ▶ Not have any days off.
- ▶ Live in poor or substandard accommodations.
- ▶ Have no access to medical care.

<sup>38</sup> UNODC, Toolkit to Combat Trafficking in Persons, 2008

- ▶ Have limited or no social interaction.
- ▶ Have limited contact with their families or with people outside of their immediate environment.
- ▶ Be unable to communicate freely with others.
- ▶ Be under the perception that they are bonded by debt.
- ▶ Be in a situation of dependence.
- ▶ Come from a place known to be a source of human trafficking.
- ▶ Have had the fees for their transport to the country of destination paid for by facilitators, whom they must payback by working or providing services in the destination.
- ▶ Have acted on the basis of false promises.

#### INDICATORS FOR THB FOR SEXUAL EXPLOITATION

- ▶ Be of any age, although the age may vary according to the location and the market.
- ▶ Move from one brothel to the next or work in various locations.
- ▶ Be escorted whenever they go to and return from work and other outside activities.
- ▶ Have tattoos or other marks indicating “ownership” by their exploiters.
- ▶ Work long hours or have few if any days off.
- ▶ Sleep where they work.
- ▶ Live or travel in a group, sometimes with other women who do not speak the same language.
- ▶ Have very few items of clothing.
- ▶ Have clothes that are mostly the kind typically worn for doing sex work.
- ▶ Only know how to say sex-related words in the local language or in the language of the client group.
- ▶ Have no cash of their own.
- ▶ Be unable to show an identity document.

**The following might also indicate that children have been trafficked:**

- ▶ There is evidence that suspected victims have had unprotected and/or violent sex.

#### INDICATORS OF THB FOR LABOUR EXPLOITATION

- ▶ Live in groups in the same place where they work and leave those premises infrequently, if at all.
- ▶ Live in degraded, unsuitable places, such as in agricultural or industrial buildings.
- ▶ Not be dressed adequately for the work they do: for example, they may lack protective equipment or warm clothing.
- ▶ Be given only leftovers to eat.
- ▶ Have no access to their earnings.
- ▶ Have no labour contract.
- ▶ Work excessively long hours.
- ▶ Depend on their employer for a number of services, including work, transportation and accommodation.
- ▶ Have no choice of accommodation.
- ▶ Never leave the work premises without their employer.
- ▶ Be unable to move freely.
- ▶ Be subject to security measures designed to keep them on the work premises.
- ▶ Be disciplined through fines.
- ▶ Be subjected to insults, abuse, threats or violence.
- ▶ Lack basic training and professional licences.

- ▶ There is evidence that suspected victims cannot refuse unprotected and/or violent sex.
- ▶ There is evidence that a person has been bought and sold.
- ▶ There is evidence that groups of women are under the control of others.
- ▶ Advertisements are placed for brothels or similar places offering the services of women of a particular ethnicity or nationality.
- ▶ It is reported that sex workers provide services to a clientele of a particular ethnicity or nationality.

It is reported by clients that sex workers do not smile.

**The following might also indicate that people have been trafficked for labour exploitation:**

- ▶ Notices have been posted in languages other than the local language.
- ▶ There are no health and safety notices.
- ▶ The employer or manager is unable to show the documents required for employing workers from other countries.
- ▶ The employer or manager is unable to show records of wages paid to workers.
- ▶ The health and safety equipment is of poor quality or is missing.
- ▶ Equipment is designed or has been modified so that it can be operated by children.
- ▶ There is evidence that labour laws are being breached.

There is evidence that workers must pay for tools, food or accommodation or that those costs are being deducted from their wages.

**INDICATORS FOR THB FOR FORCED BEGGING AND PETTY CRIME**

- ▶ Be children, elderly persons or disabled migrants who tend to beg in public places and on public transport.
- ▶ Be children carrying and/or selling illicit drugs.
- ▶ Have physical impairments that appear to be the result of mutilation.
- ▶ Be children of the same nationality or ethnicity who move in large groups with only a few adults.
- ▶ Be unaccompanied minors who have been “found” by an adult of the same nationality or ethnicity.
- ▶ Move in groups while travelling on public transport: for example, they may walk up and down the length of trains.
- ▶ Participate in the activities of organized criminal gangs.
- ▶ Be part of large groups of children who have the same adult guardian.

**INDICATORS FOR THB FOR DOMESTIC SERVITUDE**

- ▶ Live with a family.
- ▶ Not eat with the rest of the family.
- ▶ Have no private space.
- ▶ Sleep in a shared or inappropriate space.
- ▶ Be reported missing by their employer even though they are still living in their employer’s house.
- ▶ Never or rarely leave the house for social reasons.
- ▶ Never leave the house without their employer.
- ▶ Be given only leftovers to eat.
- ▶ Be subjected to insults, abuse, threats or violence.

- ▶ Be punished if they do not collect or steal enough.
- ▶ Live with members of their gang.
- ▶ Travel with members of their gang to the country of destination.
- ▶ Live, as gang members, with adults who are not their parents.
- ▶ Move daily in large groups and over considerable distances.

**The following might also indicate that people have been trafficked for begging or for committing petty crimes:**

- ▶ New forms of gang-related crime appear.
- ▶ There is evidence that the group of suspected victims has moved, over a period of time, through a number of countries.
- ▶ There is evidence that suspected victims have been involved in begging or in committing petty crimes in another country.

**INDICATORS FOR TRAFFICKING OF CHILDREN**

- ▶ Have no access to their parents or guardians.
- ▶ Look intimidated and behave in a way that does not correspond with behaviour typical of children their age.
- ▶ Have no friends of their own age outside of work.
- ▶ Have no access to education.
- ▶ Have no time for playing.
- ▶ Live apart from other children and in substandard accommodations.
- ▶ Eat apart from other members of the “family».
- ▶ Be given only leftovers to eat.
- ▶ Be engaged in work that is not suitable for children.
- ▶ Travel unaccompanied by adults.
- ▶ Travel in groups with persons who are not relatives.

**The following might also indicate that children have been trafficked:**

- ▶ The presence of child-sized clothing typically worn for doing manual or sex work.
- ▶ The presence of toys, beds and children’s clothing in inappropriate places such as brothels and factories.
- ▶ The claim made by an adult that he or she has “found” an unaccompanied child.
- ▶ The finding of unaccompanied children carrying telephone numbers for calling taxis.
- ▶ The discovery of cases involving illegal adoption.

## **CHAPTER 6.** **REFERRAL OF VICTIMS**

### **HANDOUT 6.1. CASE STUDY AND RESPONSE – MECHANIC SHOP**

An off-duty labour inspector notices a child working in a mechanics workshop in a local neighbourhood. The child appears to be local, a boy, under the age of 15. He seems to be familiar with the usual work processes in the workshop.

The labour inspector notifies the local police to look into the matter. When interviewed at the police station in the presence of a social worker, the boy states that his father was approached two years ago by a local businessman, the owner of the mechanics' workshop and offered money in return for sending the boy to work at the mechanic shop. When the boy refused to go, his father beat him. The boy works every day for 8 hours in the workshop and sleeps at the workshop 5 days a week. When he gets home, he hands over the money he was paid to his father. His father beats him if he does not hand all the money over. The boy also states that his father is sick, divorced from the mother of the boy and that he did not see his mother in the past 3 years.

------(cut here)

#### **Response and handling process**

The police went to the workshop, notified the Ministry of Social Care, took the boy to the police unit and provided him with water and some food. A police officer and a social worker from Ministry of Social Care, who is professionally trained in child protection issues, interviewed the boy.

After establishing the basic facts of the case, the police officer refers the case to the specialised human trafficking investigation unit in the Ministry of Interior. The officer does this as he identifies a number of indicators suggesting trafficking may be taking place. The boy is again interviewed by officers from the specialised human trafficking investigation unit. The boy is then transferred to a specialised social care unit and spends the nights there. A doctor is called in the morning as he was coughing severely.

Later in the investigation the boy expresses the wish to return to his mother. The boy is placed in his mother's custody, following a risk-assessment (determination of the best interest of the child), organized in a coordinated effort between the Ministry of Social Care, the police and the local authority.

Officers at the specialised human trafficking investigation unit start a criminal investigation. They interview the father and the owner of the mechanic shop. The father confesses that he forced his son to work at the mechanic workshop and then took the money he was paid from him. The investigation unit believe they have sufficient evidence and submit the case to a prosecutor to progress the court case.

#### **Task: Based on the description of the handling process, please assess in your group/s:**

- ▶ What worked well in this case?
- ▶ What should be improved/not happen?

#### **While discussing in your group/s, consider:**

- ▶ Were all relevant stakeholders involved at the right point in time? Was protocol observed, particularly taking into account that it involves a child?

## HANDOUT 6.2. CASE STUDY AND RESPONSE - DANCE GIRLS

Parents of two young women living in a refugee camp are approached by a couple (a man and a woman) promising them domestic work. The couple move around the camp, talking to families with young girls and telling them they will bring the children into paid domestic work as housemaids. Several families agree to send their girls with the couple so they can work, including Cecilia, 17 years old, and Diana, 16 years old. It is agreed that the families will be paid the salary directly, as the girls will be provided accommodation and food by their employers.

The girls are taken to an apartment in the city close by. At the apartment, they are given specific clothing to wear. When they ask why and refuse, they are told that this is their uniform for the job. Later, a young woman arrives and takes them to another apartment in a neighbouring building. In this apartment they find a group of men sitting at tables. They are told they must dance in front of the men. This continues throughout the week, with changing groups of men. Sometimes a man would request sexual favours from one of the girls.

The girls stay together in the first apartment where they eat and sleep. They are escorted back and forth between the two apartments. They never meet their actual 'employer'. When some of the girls say they do not want to continue that kind of work, the staff of the nightclub tell them they cannot leave yet as their parents signed an employment contract for them for a specific length of time when they started to work. They are not threatened or beaten but are usually kept under constant surveillance and are not allowed to move around alone.

------(cut here)

### **Response and handling process:**

A police officer receives a tip that an apartment in the city is being used by young women to perform dances and possibly sexual acts. The police officer informs her supervisors of these rumours and requests permission to investigate further. The next day, the police officer visits the suspected apartment with her partner.

A group of men from different nationalities and a group of young women were found present and taken to the police station. The Ministry of Social Care was immediately contacted to support with interviewing the young women, who are suspected of being children. The Ministry, upon hearing this, contacts a local NGO in order to prepare for shelter and assistance to the young women at a local shelter.

During the investigation process the young women are interviewed, first at the police station with the presence of a social worker and an NGO representative from the safe house. During the entire investigation process, the women were sheltered at the safe house and received appropriate cloths, food, psychological support and legal assistance. They were medically examined by a doctor after one girl complained of pain. One of the girls was referred to the International Medical Corps, coordinated with UNHCR to receive psychological support.

The Family Protection Department of the Ministry of Social Care interviewed the parents of the girls and evaluated the family situations of the girls. They established that the families were not aware of the kind of work the girls had to perform and the circumstances under which they were kept. The Family Protection Department held meetings with the families to let them know about the situation, raise their awareness of trafficking and that in case the person is under the age of 18 years, it is child trafficking, and how not to put their children into such a situation again.

The couple who had recruited the young women were identified by the police and detained. The investigation unit conducted further interviews and investigation until the case against the couple was established and filed for prosecution. The investigation process lasted for 10 months, during which the different above-named institutions coordinated their actions.

**Based on the description of the handling process, please assess in your group/s:**

- ▶ What worked well in this case?
- ▶ What should be improved/not happen?

**While discussing in your group/s, consider:**

- ▶ Were all relevant stakeholders involved at the right point in time?
- ▶ Was protocol observed?
- ▶ ...?

## HANDOUT 6.3. NATIONAL REFERRAL MECHANISM (NRM) FOR VICTIMS OF TRAFFICKING IN HUMAN BEINGS

**NRM** represents the **cooperation** at national level between different governmental institutions and non-governmental actors to prevent and combat trafficking in persons.

The coordination mechanism should be competent to elaborate and implement anti-trafficking policies, monitor their implementation, coordinate the actions of all relevant actors at the national level and facilitate international cooperation. Its role should not be restricted to the prosecution of offenders, but should also encompass the development and coordination of measures to assist and protect victims of human trafficking.<sup>39</sup>

Through the NRM framework, the state actors fulfil their obligations to protect and promote the human rights of trafficked persons and to co-ordinating their efforts in a strategic partnership with civil society.

The basic aims of an NRM are to ensure that **the human rights of trafficked** persons are respected and to provide an effective way to refer victims of trafficking to **services**.

### **NB: The NRM structure may vary in different countries!**

However, NRMs should be designed to formalise cooperation among government agencies and non-governmental groups dealing with trafficked persons. An NRM usually includes:

- ▶ National co-ordinator, who is often a high-level government official;
- ▶ A regular coordination meeting format, such a roundtable, made up of senior representatives of government agencies and civil society who develop recommendations for national policy and procedures regarding victims of trafficking;
- ▶ Ad hoc working groups that deal with specific issues relating to victims;
- ▶ Operational mechanism or a working arrangement that stipulates the tasks and obligations of relevant stakeholders throughout different phases of identification, referral and assistance to victims of trafficking in human beings.

NRMs are likely to be most effective if they are founded on a formal cooperation agreement among the participants – for example, a memorandum of understanding that sets out the specific role and duties of each participant.

The establishment of an NRM is a dynamic process; all the components do not necessarily have to be in place at once but can be developed in stages. The NRM consists of the following Standard Operating Procedures (SOPs):<sup>40</sup>



<sup>39</sup> Adapted from UNODC, Toolkit to Combat Trafficking in Persons, 2008

<sup>40</sup> Adapted from OSCE/ODIHR, National Referral Mechanisms, Joining Efforts to Protect the Rights of Trafficked Persons - A Practical Handbook, 2004

## HANDOUT 6.4. TRANSNATIONAL REFERRAL MECHANISMS FOR VICTIMS OF TRAFFICKING IN HUMAN BEINGS<sup>41</sup>

TRM refers to **mechanisms and** the associated **procedures** designed for the comprehensive **assistance and transnational support** of trafficked persons. Transnational referral mechanisms integrate the process of referral from initial identification, through return and assistance **between countries of transit, destination and origin** and involve cooperation between different government institutions and non-governmental actors. Thus, TRM encompasses the standard operating procedures of the referral process (as those listed above) but the referral itself, the provided support and cooperation are at international (bi- or multi-lateral level).

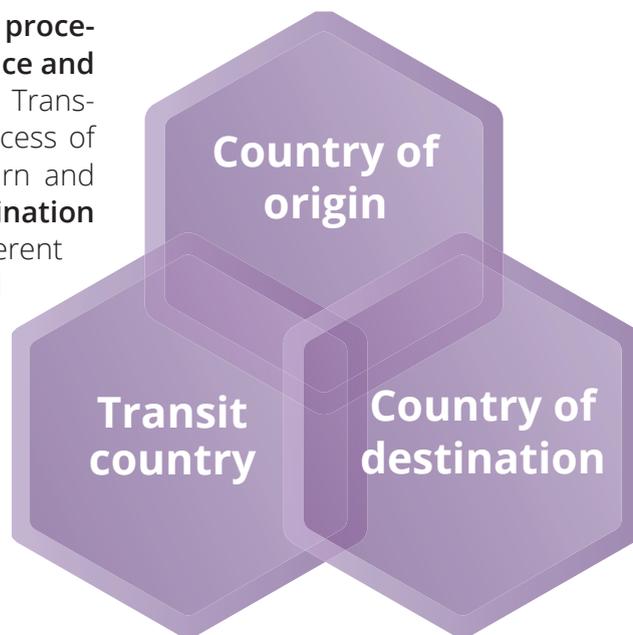
The TRM is a mechanism for victims' protection that can be officially established between two or more countries, or within a certain region.

The SOPs must be applied on a case-by case basis. One case may involve one or all of the steps in the process. The primary components of a TRM include:

- ▶ Standard operating procedures for the effective and safe transnational referral of victims of trafficking to a range of services.
- ▶ Mechanisms for monitoring and evaluating the TRM.

TRMs should be fully coordinated with countries' National Referral Mechanisms (NRM). In the case of child victims, any TRM procedure should be developed and implemented in close cooperation with the countries' child protection services.

**NB: The TRM does not replace any existing national anti-trafficking structures and procedures. It is meant to build upon the national referral mechanisms and take them a step further to a transnational level.**



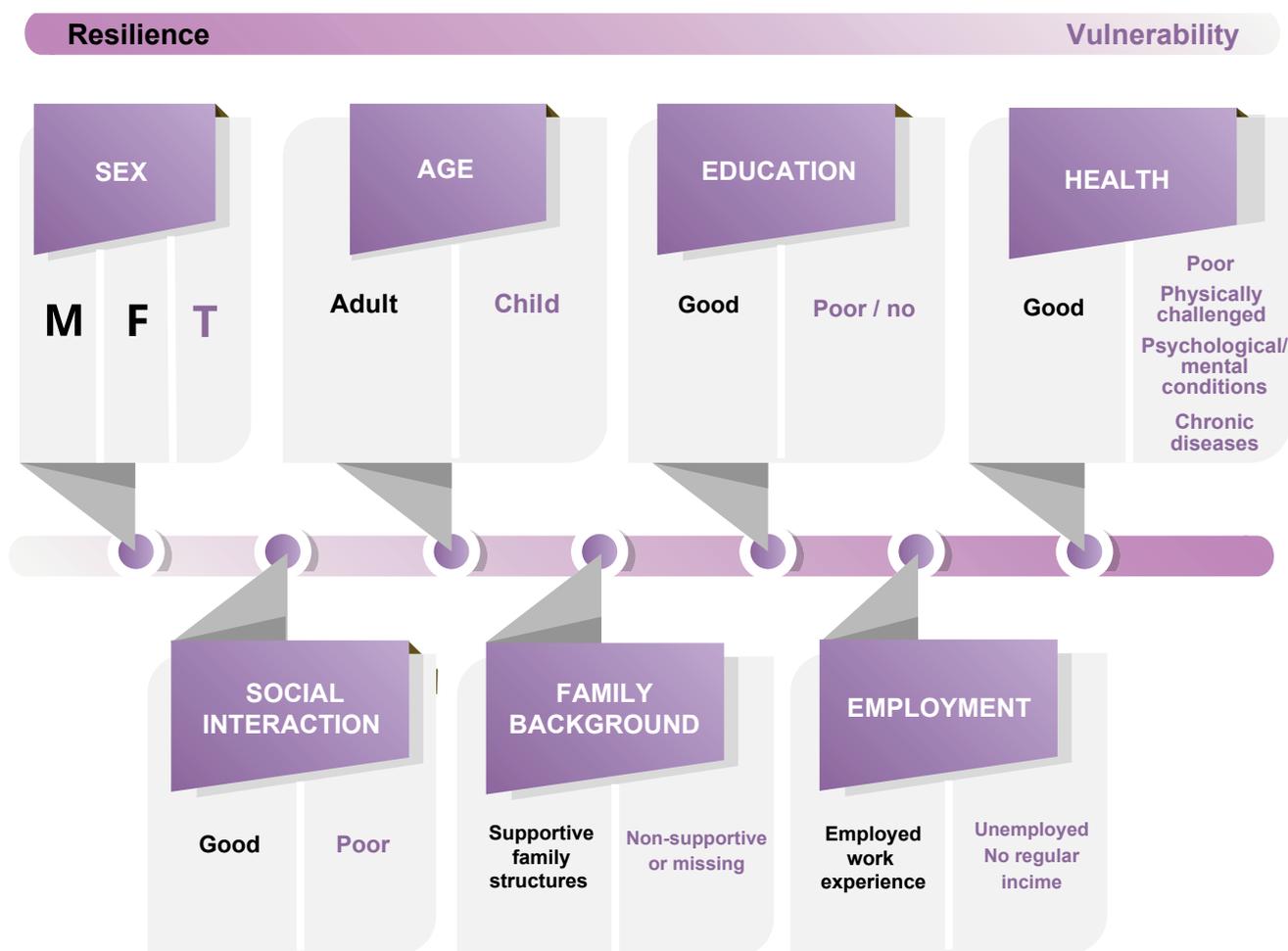
<sup>41</sup> Adapted from UNODC, Toolkit to Combat Trafficking in Persons, 2008 and

# CHAPTER 7. UNDERSTANDING AND WORKING WITH VICTIMS. PROTECTION AND REHABILITATION

## HANDOUT 7.1. WHO CAN BECOME VICTIM OF TRAFFICKING?

Anyone can become a victim of human trafficking, though there are individuals that are more vulnerable than others are.

- ▶ **SEX:** women, men, transgender individuals
- ▶ **AGE:** children
- ▶ **HEALTH:** individuals with a history of rape, sexual assault, and domestic violence/ Individuals with disabilities
- ▶ **EMPLOYMENT:** Individuals with poorer socio-economic backgrounds
- ▶ **FAMILY BACKGROUND:** individuals in foster care/homeless and run-away individuals
- ▶ **SOCIAL INTERACTION:** marginalized communities (such as Roma, minority and indigenous populations); Immigrants, especially undocumented immigrants, and refugees
- ▶ **MIGRATION/POLITICAL** circumstances: environmental refugees and individuals subject to natural disasters / individuals living in unstable political climates.



## HANDOUT 7.2. WHAT HAPPENS TO VICTIMS OF TRAFFICKING?

The main aim of the traffickers is to gain profit from the victim by long-term exploitation. Often the traffickers **exert total control** over victims by variety of means:

- ▶ Seizure of personal documents.
- ▶ Restriction of movements and communication.
- ▶ Use of physical violence.
- ▶ Intimidation, threats, creating fear of law enforcement agencies.
- ▶ Debt bondage.
- ▶ Forced substance abuse, etc.<sup>42</sup>

**The aim of these forms of violence, coercion and manipulation is to render the person dependent and subservient by destroying the individual's sense of self and contention of others.**

First, the person is placed in “extreme survival conditions” in which the person is forced to face the very real possibility of death. The perpetrator makes the person know that s/he no longer controls her/his safety – the perpetrator does.

The second stage involves “physical exhaustion”. Individuals are forced to work long hours with no free time and only minimal rest, which gives perpetrators significant control. Without time to recuperate, the individual is exhausted, unable to plan or contemplate self-defence strategies, and must simply focus on responding appropriately to commands and perceived threats.

The final elements to ensuring dependence are control and isolation. In a captor-captive situation, the trafficked person's only substantial contact is with the trafficker. In that way, the individual becomes a non-person – solely a reflection of the demands of the perpetrator. Many trafficked person's reactions to a trafficking experience are psychological and physiological responses, or coping mechanisms, of which the individual is often neither conscious nor in control.<sup>43</sup>

### Physical trauma

The suffered physical violence might include anything from beating to sexual abuse. Often the results are:

- ▶ Chronical diseases related to the injuries.
- ▶ Sexual transmitted diseases.
- ▶ Unintended pregnancy.
- ▶ Infertility.
- ▶ HIV/AIDS.
- ▶ Infections due to unsanitary housing, limitations of personal hygiene and overcrowding.
- ▶ Substance abuse and addiction.
- ▶ Psychiatric conditions.

---

<sup>42</sup> ICMPD, Elvira Mruchkovska, Manual for Management of Shelters and Assistance Centres for Victims of Trafficking, May 2017

<sup>43</sup> IOM Handbook on Direct assistance for Victims of Trafficking, 2007

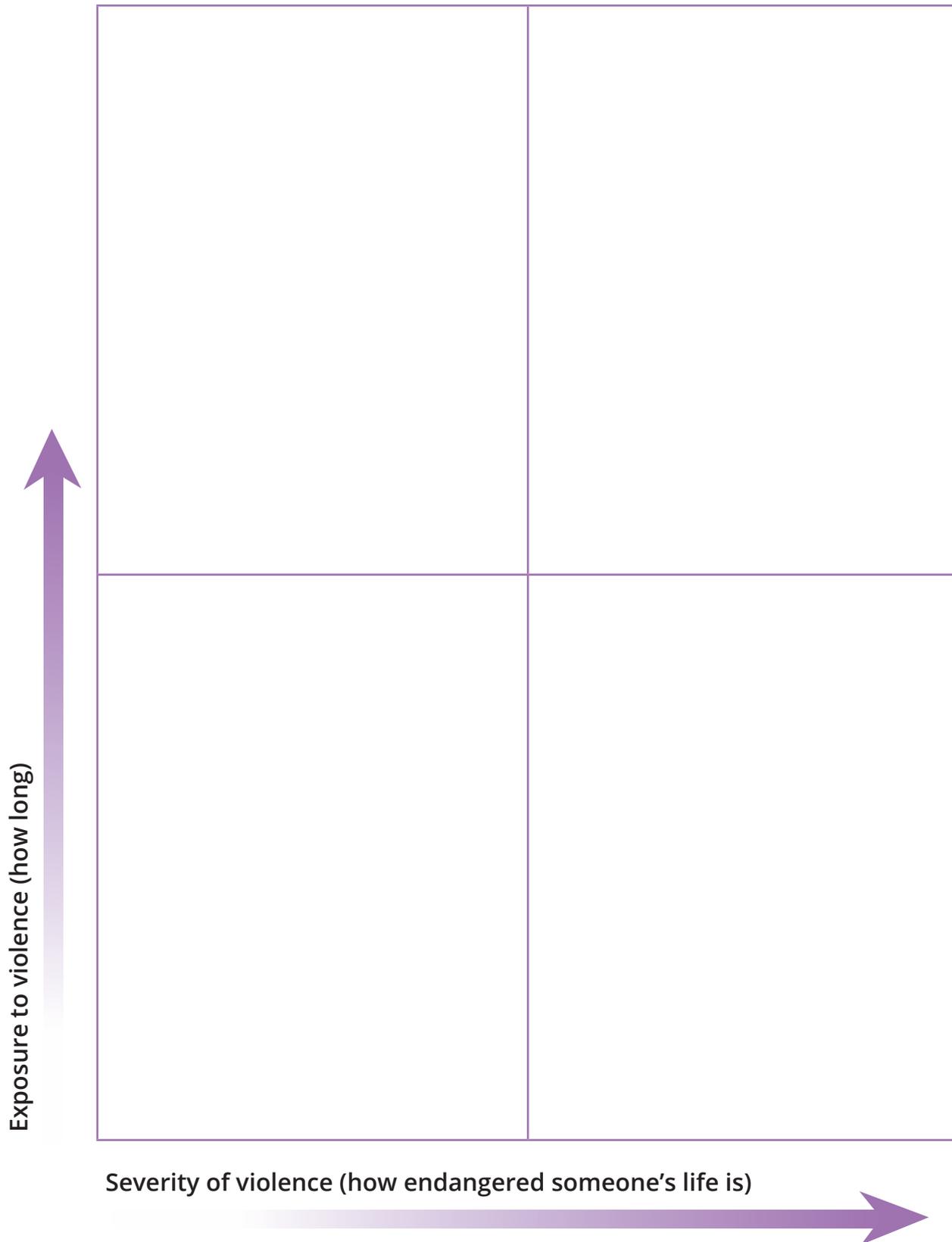
**Psychological trauma** is a direct personal experience of an event that involves actual or threatened death, or serious injury; threat to one's physical integrity, witnessing an event that involves the above experience, learning about unexpected or violent death, serious harm, or threat of death, or injury experienced by a family member or close associate.

Memories associated with trauma often cannot be recalled, but can be triggered by stimuli from the environment. The person's response to aversive details of traumatic event involves intense fear, helplessness or horror.<sup>44</sup>

---

<sup>44</sup> Adapted from APA, DSM-5 - Diagnostic and Statistical Manual of Mental Disorders, Fifth edition

# HANDOUT 7.3. CONNECTION BETWEEN THE DURATION AND THE SEVERITY OF THE EXPERIENCED VIOLENCE



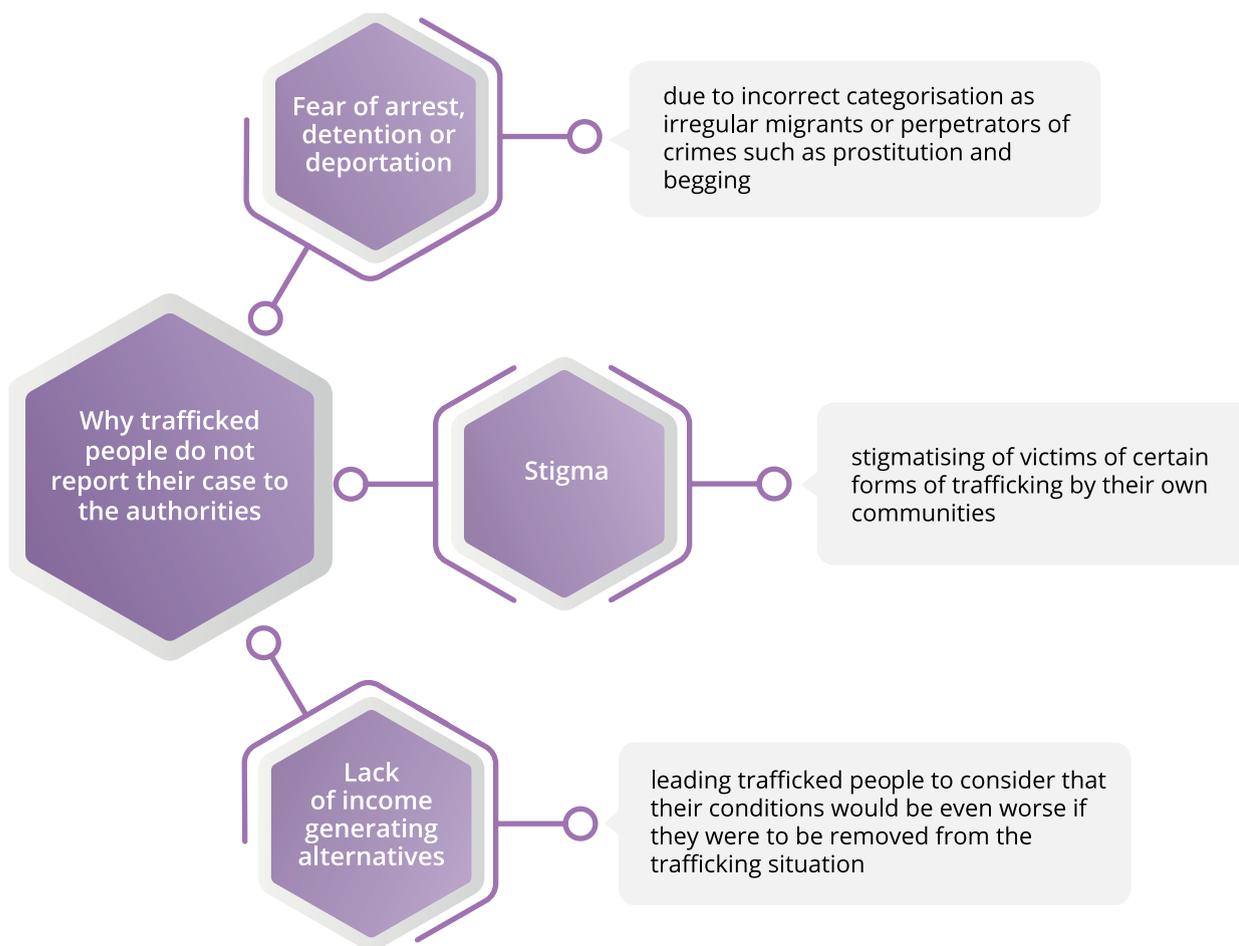
## HANDOUT 7.4. BASIC PRINCIPLES TO WORK WITH VICTIMS OF TRAFFICKING IN HUMAN BEINGS

- ▶ **Do no harm** - it is the ethical responsibility of every professional who provides support to victims of trafficking in human beings to assess the potential for harm of any proposed actions.
- ▶ **Individualised approach** to protection, assistance and support appropriate to the needs of the individual victim.
- ▶ **Continuing and comprehensive care** – holistic approach to be used and a comprehensive continuum of care in accordance with the physical, psychological and social state of the victim.
- ▶ **Informed consent** – the choices that the victim has to make must be supported by enough meaningful information of the available solutions, provided by the caregivers.
- ▶ **Self-determination and participation** – to recognise the right and the need of the victims to make their own choices and decisions, and encourage them to participate in decision-making process. Thus, victims' autonomy and ability to regain control over the decisions of their life can be supported.
- ▶ **Non-discrimination** on the basis of gender, age, disability, colour, social position, race, religion, ethnicity, language, political beliefs.
- ▶ **Confidentiality and right to privacy** – confidential data should not be disclosed without the victim's prior knowledge and informed written consent.

The Council of Europe Convention on Action against Trafficking in Human Beings regulates the provision of **recovery and reflection period** to every presumed victim.

“Art.13(1) Each Party shall provide in its internal law a recovery and reflection period of at least 30 days, when there are reasonable grounds to believe that the person concerned is a victim. Such a period shall be sufficient for the person concerned to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities. During this period it shall not be possible to enforce any expulsion order against him or her. This provision is without prejudice to the activities carried out by the competent authorities in all phases of the relevant national proceedings, and in particular when investigating and prosecuting the offences concerned. During this period, the Parties shall authorise the persons concerned to stay in their territory.”

In order to understanding why (potential) victims might not just come forward, it is important to recognise that the relationship between the victims and their traffickers is complex.



Source: ICMPD 2015a: 132

**HANDOUT 8.1. GUIDING PRINCIPLES OF RETURN OF IDENTIFIED VICTIMS OF TRAFFICKING IN HUMAN BEINGS** <sup>45</sup>

1. Return must be safe.
2. The right of **due process** of law must not be violated.
3. **Special protection measures** must be established when return is not an option.
4. Special protection measures in returning **child victims** must be guided by the best interest of the child. Child victims shall not be returned to their countries of origin, if there is indication, following a risk and security assessment that such return would not be in the best interests of the child. <sup>46</sup>
5. The return must ensure **durable solution** without further **harm**.
6. Access to **effective remedies** must be provided.
7. Mutual cooperation between returning and the receiving countries must be established.

---

<sup>45</sup> Основано на ОБСЕ/БДИПЧ, Руководящие принципы по соблюдению прав человека в процессе возвращения жертв торговли людьми, 2014 г. [OSCE/ODHIR, Guiding Principles on Human Rights in the Return of Trafficked Persons]

<sup>46</sup> Конвенция Совета Европы о мерах по противодействию торговле людьми, 2005 г., Ст. 16

## COMPREHENSIVE ANTI-TRAFFICKING RESPONSE

### HANDOUT 9.1. COOPERATION OF NATIONAL ANTI-TRAFFICKING STAKEHOLDERS

The **structure** of national anti-trafficking response consists of anti-trafficking stakeholders: governmental institutions, local authorities/governments, NGOs, and IOs. They cover the full cycle of actions against trafficking in human beings and support of the victims implemented in a certain country.



▶ **National anti-trafficking coordinator/ National rapporteur**

▶ **Law enforcement institutions** – different division of Ministry of Interior (police, gendarme, etc.)

▶ **Judiciary** – prosecution, courts, defenders, lawyers

▶ **Social protection and support** – Ministry in charge of social support services, labour authorities, Ministry of Education

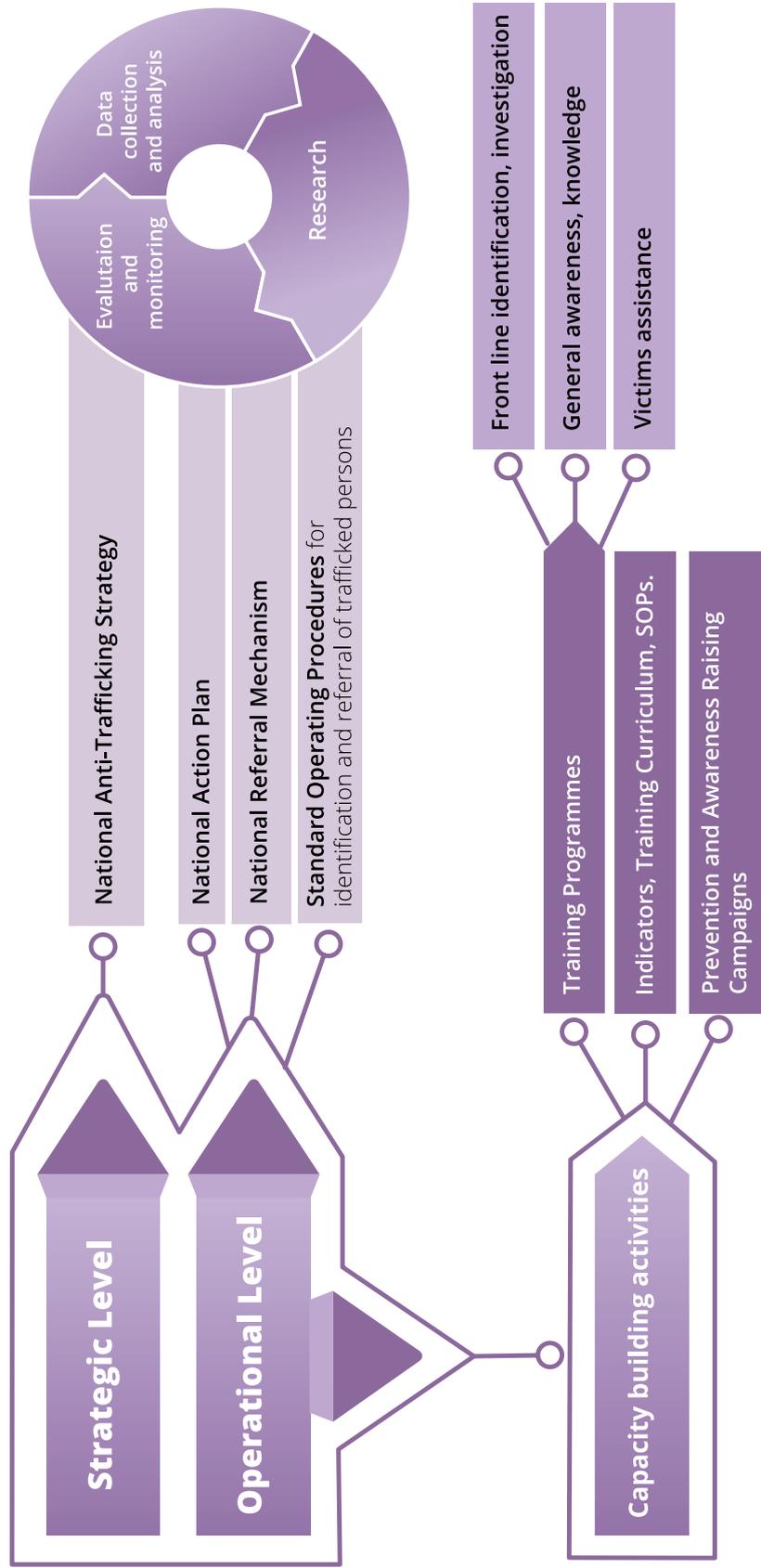
▶ **Health care system** – Ministry of Health

▶ **Services for victims** – state services (usually provided by the Ministry in charge of social support services), municipality services, services provided by NGOs, IOs, volunteers' organisations, religious organisations, etc.

▶ **Child protection** – Ministry/ Agency with the mandate in children welfare, NGOs, IOs, volunteers' organisations, religious organisations, etc. providing services for children.

# HANDOUT 9.2. COMPREHENSIVE NATIONAL ANTI-TRAFFICKING RESPONSE

## ANTI-TRAFFICKING RESPONSE



## **PREVENTION OF TRAFFICKING IN HUMAN BEINGS**

### **HANDOUT 10.1. WHAT IS PREVENTION OF THB? / TYPES OF PREVENTION ACTIVITIES**

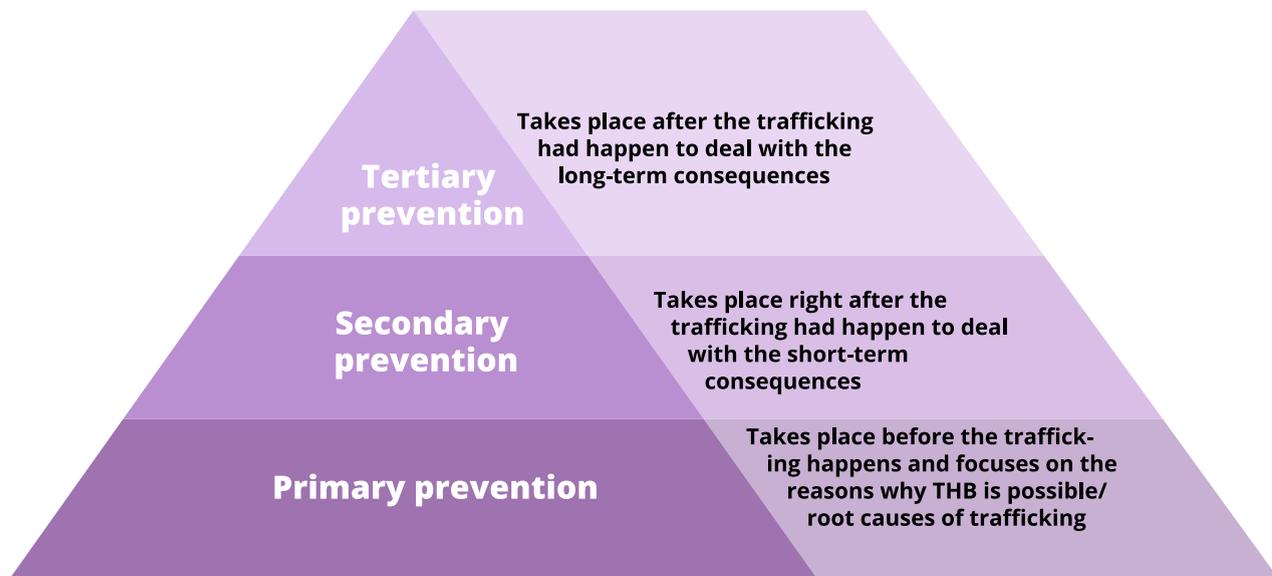
#### **What is prevention of THB? What is prevention of THB?**

The prevention of trafficking in human beings requires creative and coordinated responses. The activities should:

- ▶ Address the root causes of human trafficking in countries of origin and destination
- ▶ Reveal greater understanding of human trafficking within the broader context of development, gender, equality and poverty reduction
- ▶ Improve the cooperation between institutions and development agencies on human trafficking issues
- ▶ Ensure continued strengthening of social protection systems to prevent child trafficking
- ▶ Focus of research into facts that fuel demand for human trafficking
- ▶ Ensure greater involvement of civil society.

The prevention can be ensured through flexible anti-trafficking programmes that adapt to changing trafficking patterns. The long-term prevention measures ensure long-term solutions.<sup>47</sup>

#### **TYPES OF PREVENTION<sup>48</sup>**



<sup>47</sup> Adapted from UNODC Toolkit to Combat Trafficking in Persons, 2008

<sup>48</sup> Adapted from White Ribbon Australia – What is primary prevention? <https://www.whiteribbon.org.au/primary-prevention/>

## HANDOUT 10.2. EXERCISE: DEVELOPING AN AWARENESS CAMPAIGN

<b>Name of the campaign (optional)</b>	
<b>Campaign GOAL</b>  What would you like to achieve?	
<b>TARGET GROUP(S)</b>  To whom your message is addressed?	
<b>Campaign MESSAGE(S)</b>  Short Straightforward Positive formulation Always provide a solution	
<b>Campaign COMMUNICATION CHANNELS</b>	
<b>Campaign PRODUCTS</b>	
<b>Set an EVALUATION mechanism</b>  How will you measure the effect of your actions?	

## ▶ ANNEX 1: TRAINING SESSION TEMPLATE

Please adapt this template to your needs. Use it either to plan one session or a whole training, which stretch over several days. Print the plan and use it for your quick overview and support during the training.

Training x, mm/dd/yyyy, (place)

Time	Objective/ content of the session(s)	Methodology and duration (in min')	Resp. <sup>49</sup>	Material(s) required	Comment
<b>Day 1</b>					
	Coffee-Break				
	Lunch				
	Coffee Break				
<b>Day 2</b>					
	Coffee-Break				
	Lunch				
	Coffee Break				

## ▶ ANNEX 2: TRAINING SESSION – EXAMPLE

Time	Objective/ content of the session(s)	Methodology and duration (in min')	Resp. <sup>49</sup>	Material(s) required	Comment
<b>Day 1</b>					
<b>11:10</b>	<b>Session 1 Understanding THB</b>				
11:10	What is trafficking in human beings, legal context, THB vs SOM, forms of trafficking	Photographs, Powerpoint presentation	A & B	PPT, THB definition handout, THB vs SOM handout.	
<b>12:30</b>	<b>Lunch</b>				
13:30	What is THB (cont?)	Three country exercise	B	Exercise script, 9 chairs, 6 volunteers. Three signs/ flags/ flipcharts	Prepare in lunch break.
14:45	Global Data	Presentation, charts, graphs	A	Projector, screen, video (laptop/ internet), flipchart, marker	
<b>15:15</b>	<b>Coffee Break</b>				
16:15	Good Practices in developing THB responses – tools and strategies	Presentation, plenary discussion	A & B	PPT, hard copies of example tools/ publications, flip charts	
<b>17:00</b>	<b>Fin.</b>				
<b>Day 2</b>					
09:00	Trafficking or not – case studies	Group work, case study, group presentation, discussions	A & B	Case studies, flip charts	
09:45	Popular representations of human trafficking – media, push and pull factors, trafficking and conflict, trafficking and migration.	Presentation, plenary discussion	A & B	Projector, cards, flipcharts for groups	Check THB TRAM results
10:10	Identifying human trafficking – indicators of trafficking	Presentation, case study, video	B	Handouts, video (awareness test/ open your eyes)	
<b>11:00</b>	<b>Coffee Break</b>				

11:15	Needs and rights of victims and vulnerabilities to trafficking	Presentation, video, group discussion	A		
<b>12:30</b>	<b>Lunch</b>				
13:30	Referral of victims of trafficking	Presentation – NRM, coordination Group activity – referral chain string map Case study – referral processes	A & B		
<b>15:00</b>	<b>Coffee Break</b>				
15:15	Good practices in victim assistance – prevention, protection, prosecution, partnership	Presentation	A & B		
16:00	International cooperation to combat trafficking	Presentation and discussion	A & B		
<b>17:00</b>	<b>Fin.</b>				

## ▶ ANNEX 3: EVALUATION FORM – TEMPLATE

### SELF-ASSESSMENT

Please complete this form at the end of the training workshop

(1) How relevant was the content of the course for your work?

Not relevant	Relevant	Very relevant

**Adapt the questions listed below according to the content of your training!**

(2) Do you consider the **identification of trafficking** in human beings to be one of your professional responsibilities?

Yes	No	Not sure	
○	○	○	
Using scale from 1 (None) 2 3 4 5 (Expert) ○ ○ ○ ○ ○		BEFORE the training	AFTER the training
(3) Please rate your <b>overall level of knowledge</b> on trafficking in human beings:			
(4) Please rate your knowledge on the topic .... (follow the topics of the training agenda)			
Please rate your knowledge on the topic ....			
.....			

(5) What observations, insights or ideas from the training's discussions will you try to apply in your professional working context?


(6) Did the training match the expectations you had at the start of the training?

Yes	No
<input type="radio"/>	<input type="radio"/>
<b>Please provide an explanation for your answer:</b>	

### EVALUATION OF TRAINING METHODOLOGY AND ORGANISATION

(7) Overall, how do you assess this training? (please mark the corresponding assessment with x):

1 Poor	2 Fair	3 Satisfactory	4 Good	5 Excellent

(8) Please provide your opinion on the appropriateness of the training’s methodology and organisation (mark respective number with x)

	1 Poor	2 Fair	3 Good	4 Excellent
Overall duration of training				
Logistics and organisation				
Interaction between participants				
Group activities				
Appropriateness of methodology used (interactive, group work, cases etc.)				
Balance between theory and real-life examples				
Time for discussion				
Facilitation by the expert(s)/ trainer(s)				
Interpretation service				

(9) Please rate the trainer's performance during the training below. Please indicate your response to the questions below (mark respective number with x)

	<b>1 Poor</b>	<b>2 Fair</b>	<b>3 Good</b>	<b>4 Excellent</b>
Has extensive knowledge about the subject/ topic of the training				
Well prepared and ready to instruct				
Used visual aids and handouts effectively				
Provided effective interaction with the participants				
Explanations were clear and concise				

(10) What did you miss or what would you wish to see in future trainings? Any other comments you wish to add?






Prague Process Secretariat | ICMPD HQ

Gonzagagasse 1 | 1010 Vienna

[pragueprocess@icmpd.org](mailto:pragueprocess@icmpd.org)

Tel.: +43 1 504 4677 0

Fax: +43 1 504 4677 - 2375