



Identifying Trafficking Victims:

An Analysis of Victim Identification Tools and Resources in Asia

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Executive Summary

1. Introduction

Victim identification is the process by which an individual is identified as a victim of trafficking in persons (TIP), which in turn, entitles them to rights and protections. Identification may occur in any number of situations (while a victim is exploited, after an individual has exited trafficking, after a victim has been home for some period of time). Victim identification is of key importance in a country's anti-trafficking response and, in all instances, formal identification should lead to and facilitate the opportunity for a victim's voluntary referral for assistance and/or access to justice. Because this does not always occur in practice, it is important to increase the safe and voluntary identification of all trafficking victims and ensure their voluntary access to services and protection.

This review examines what victim identification tools and resources are publicly available, primarily in English, to support the identification and referral of trafficking victims, with a focus on countries in Asia. It is intended for policymakers and practitioners who are responsible for developing, modifying, and using identification tools and resources, as well as non-state actors who support governments to fulfill their obligations to identify, refer, and assist victims of trafficking. After providing an overview of victim identification tools and resources globally, the review narrows its focus to examine the 54 victim identification materials in Asia, analyzing the following six aspects:

1. The tools and resources that are available in Asia,
2. The purpose of available tools and resources,
3. The intended users of tools and resources,
4. Who and what forms of trafficking are being identified,
5. At which stages of trafficking tools and resources are to be used, and
6. Who developed the materials and how

The review concludes with actionable recommendations to fill gaps in publicly available identification materials and to enhance victim identification materials to be developed and implemented in Asia. This review is primarily intended for policymakers and practitioners who are responsible for developing, modifying, and using identification tools and resources, as well as non-state actors who support governments to fulfill these obligations.

2. Methodology and Limitations

2.1 Identified and accessed victim identification tools and resources globally

For this review, we identified and accessed publicly available victim identification tools and resources globally and then compiled and categorized them into a compendium for practitioners.

Victim identification tools and resources were identified based on our criteria for inclusion (that is, materials designed to identify trafficking victims, for any form of trafficking, and in any context). While we originally only included operational tools (such as checklists and screening tools), we found that victim identification was addressed in a wider range of materials and formats and thus expanded the scope to also include these (for example, referral directories, standard operating procedures, handbooks/manuals and guidelines). And while we excluded laws and policies generally, we included policy instruments that are operational in nature or accompanied by a practical identification tool. We also excluded general awareness raising materials targeted at the general public, materials that are not trafficking-specific, materials on trafficking generally that do not include tools or practical guidance on victim identification, tools and resources designed to identify trafficking *situations* (instead of victims), materials that are largely preventative in nature, and tools that do not explicitly set out to identify

trafficking victims but may nonetheless result in victim identification.

To identify tools and resources for inclusion, we conducted internet searches and sent email requests to specific organizations and institutions working on victim identification, including various NGOs, USAID-funded bilateral CTIP programs, and UN agencies, to collect tools being used by these organizations or national governments in their countries of operation. We also reviewed country level surveys completed by National Project Coordinators for UN-ACT in Cambodia, Lao PDR, Thailand, and Viet Nam, and information collected in country level worksheets completed by national level practitioners from eight Association of Southeast Asian Nations (ASEAN) Member states at an ACWC (ASEAN Commission on the Promotion and Protection of the Rights of Women and Children) Practitioners Workshop held in Thailand in February 2020. We collected materials that are in English and are publicly available.

2.2 Compiled and categorized victim identification tools and resources into a compendium

Identification materials were compiled into a compendium and coded/categorized by key features: a description of the tool or resource, including specific sections on victim identification, who and what forms of TIP are identified, publication information, country and region of implementation, and language(s) in which the tool or resource is available.

2.3 Analyzed victim identification tools and resources that are specific to Asia

We reviewed the 183 identification tools and resources globally and then narrowed our focus to analyze the 54 materials available in different countries in Asia. We framed our analysis around the following questions and considerations:

1. What tools and resources are available in Asia,
2. The purpose of the identification material,
3. Intended user(s),

4. Who and what forms of trafficking are being identified,
5. At which stages of trafficking the tools or resources are being used, and
6. Who developed the materials and how.

2.4 Limitations of the review

This analysis is constrained in different ways. Some identification materials may not have been captured by the search protocol and it was also not always possible to find copies of identification materials. In some countries we were not able to contact appropriate institutions to request materials and we did not always receive replies to email requests for victim identification materials. In some countries, victim identification materials were still in the process of development and could not be shared. We were only able to review identification materials in English, which misses those that have been developed in a country's national language(s) and are not translated to English.

We were also only able to review materials that are publicly available, missing those identification tools and resources that are internal to an organization or institution. Governments and civil society organizations often do not publicly share tools and resources used for victim identification. There may be concern that traffickers may be empowered to orchestrate scenarios or coach victims on what to say and how to act in order to evade detection. Governments and civil society organizations may not share less sensitive tools simply because they overlook their utility for other stakeholders. There may also be concerns that material is not sufficiently robust to be publicly released and shared or there may be insufficient time, resources, and/or technology to make materials publicly available or available online. In some cases, not sharing materials may also be due to competition or tension between institutions or organizations.

Another difficulty is drawing comparisons between materials, which vary widely in purpose, length, format, target users, who is to be identified, the stage at which identification takes places, and other

parameters. There is no “one-size-fits-all” model for high quality victim identification. Each country or organization/institution needs tools responsive to their situation and in line with the country’s legal system and victim identification framework.

Finally, because this is a desk review, it was not possible to assess how victim identifications tools and resources are used in practice, including their effectiveness in enhancing and increasing high quality victim identification and referral. Assessing the use and application of these tools and resources requires on the ground interactions with first responders, practitioners, and trafficking victims, which was beyond the scope of this analysis.

3. About victim identification

To consider what gaps exist in the body of victim identification tools and resources, it is useful to start with an understanding of the complexities involved in victim identification.

3.1 The process of victim identification

Victim identification is a series of interactions – a process – which cumulatively lead to an individual being identified as a trafficking victim or a presumed trafficking victim by relevant authorities and referred for assistance. Which institutions are designated responsible for victim identification is determined by the legal and administrative framework. The threshold for victim identification varies substantially from country to country, as do the rights and protections afforded to formally identified trafficking victims.

Identification may be reactive (for example, when a trafficking victim or family member seeks to be identified and assisted), or proactive (for example, when police, social workers, border officials, or labor inspectors initiate interventions, investigations, or inspections to identify trafficking victims in the course of their work). Broadly speaking, the process of victim identification is comprised of three stages – preliminary identification, formal identification, and

referral for assistance. Different tools and resources are needed for intervention at these different stages. Identification processes may differ in the case of trafficked children, for whom additional protection obligations apply.

Not all victim identification follows this prescribed pathway. Victim identification may also be informal, that is, when an individual meets the criteria of a trafficking victim, but they are identified by professionals without the legal authority to make this determination (such as NGO service providers). In such cases, professionals may refer them for formal identification and assistance, if they consent, or assist the trafficking victim without formal designation as a trafficking victim. The extent to which this is possible differs from country to country and, in particular, in relation to whether someone is in a country of destination or place of origin, as legal rights and entitlements vary accordingly.

Identification may take place at various stages of a trafficking victim’s trafficking experience and post-trafficking life, including during recruitment, during exploitation, during exit, escape or rescue, during return, and once home. Each of these stages involve different opportunities to identify trafficking victims. Trafficking victims may also self-identify at any of these stages.

3.2 Identification pathways and challenges

Across the different stages of identification, there are different pathways into and that result from identification procedures and determinations. Formally identified trafficking victims may, with their consent, be referred and assisted, either with TIP-specific or general protection services. Some formally identified trafficking victims, however, may not be referred for assistance or may decline to be assisted. Some victims may initially decline to be identified but then change their minds at a later stage.

Some trafficking victims may recognize that their situation and experience constitute

human trafficking and self-identify as victims of trafficking, even seeking out formal identification and assistance. However, many trafficking victims will not know that they have been trafficked or know about opportunities for intervention and therefore will remain unidentified and unassisted.

Some victims may not wish to be identified and even actively avoid or evade identification for different reasons. It is also possible that trafficking victims will not be formally identified even once they have been preliminarily identified. Whether a victim identification outcome is advantageous or detrimental to the identified person depends on a range of factors, including the decisions and needs articulated by that individual.

4. The historical development of victim identification tools and resources globally

A common understanding of who is to be identified is provided by the international legal definition of the crime of human trafficking as outlined in the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (the “*Trafficking Protocol*”). After the *Trafficking Protocol* entered into force in 2003, countries began to pass national legislation to meet their obligations and implement the provisions of the *Trafficking Protocol*. Regional instruments addressing trafficking in persons also directly or indirectly address victim identification. Against this backdrop of international and regional instruments, tools, and resources for victim identification were developed.

Victim identification tools are materials that provide practical guidance on the process of screening a person for trafficking in persons, as well as steps in the identification and referral process, including checklists, lists of indicators, referral directories, screening tools, and standard operating procedures (SOPs). Victim identification resources are materials that provide information relevant to understanding the process and procedures for the identification and referral of trafficking victims, including, for example, guidelines,

handbooks/manuals, guidance on national referral mechanisms (NRMs), and toolkits. Multiple tools may be captured within the same individual material, for example, when tools are included or annexed in resources about identification.

While victim identification tools have been created in countries around the world, those from some countries and regions are more accessible to the public than from others. Globally, the majority of tools and resources identified are focused on victim identification in Northern America (particularly the United States). Roughly the same number are focused on victim identification in Europe as are focused on Eastern and Southeastern Asia. In some regions, the development of victim identification resources has been more recent (since 2015).

Most identification tools and resources are country specific. Some are multi-country and others are designed in line with the mission or work of specific regional bodies and international organizations. There are also tools and resources that are not specific to a country and/or region but are written broadly as guidance that may be generally applied and tailored in different settings. These may be helpful to counter-trafficking actors as resources in and of themselves or to be used as a foundation in the development of other victim identification tools and resources.

5. Framework for analysis

The following analysis examines 54 victim identification tools and resources publicly available in English for different countries in Asia. As not all tools and resources are publicly available it is not possible to determine what exists or is missing in each country in Asia. It is also not possible to assess whether a country has coherent, comprehensive, and mutually reinforcing materials to support victim identification across institutions and organizations. Rather, this review offers an overview of issues and considerations identified through an analysis of this body of publicly available identification materials. This sample of available tools and resources are diverse,

with different purposes, intended users, intended target groups, and settings of application. Existing materials offer insight into what is useful and helpful in identification tools and resources, as well as the different ways that identification may be approached. Because victim identification is approached differently in each country and each country is at a different stage in developing and implementing its victim identification response, this analysis offers guidance on issues and considerations for practitioners to pay attention to in their work. Analysis is framed around the six key aspects as outlined below.

5.1 What tools and resources are available in Asia?

Fifty-four tools and resources designed to identify trafficking victims in Asia are included in this gap analysis. Because victim identification is approached differently in each country and countries are at different stages in their identification response, these tools and resources vary widely. Thirty-three address victim protection generally, with victim identification addressed as a sub-topic. These include guidelines, handbooks/manuals, and guidance on national referral mechanisms. Twenty-one are standalone tools for initial and formal screening procedures, including screening tools, referral directories, standard operating procedures, and lists of indicators. Forty-four materials are country-specific, aimed at the identification and referral process in a country (or countries), while ten are regional guidance.

Availability of identification tools and resources: Key issues and findings

- Not all victim identification materials are publicly available.
- There is uneven coverage and geographical imbalance in available materials.
- The availability of materials in relevant languages is unclear.

Key issues and findings: A key finding from this review of 54 publicly available identification tools and resources in Asia is that overall coverage is incomplete. As detailed in this analysis, the shortfalls are evidenced in a variety of ways. As an initial matter, many countries do not seem to have developed identification materials for use by their country's practitioners, making it difficult to understand how they identify trafficking victims. Still other countries have not tailored existing and regional identification materials for their respective country contexts. This analysis found shortcomings regarding public availability of identification materials in Asia and a geographic imbalance among existing publicly available tools and resources. There appear also to be gaps in availability of materials in relevant languages

5.2 What is the purpose of available tools and resources?

Different materials have different roles and purposes *vis-a-vis* victim identification. Some resources cover identification and referral within a broader discussion of victim protection and may include practical tools (for example, a screening tool or a list of indicators) to support identification. Others are standalone operational tools. Thirty-three (of 54) resources address victim protection more generally (including guidelines, handbooks or manuals and guidance on national referral mechanisms), 22 of which include practical identification tools (such as lists of indicators and screening tools) alongside more general information and guidance.

The 21 standalone tools (screening tools, lists of indicators, referral directories and standard operating procedures (SOPs)) are primarily designed for individual countries, detailed, and tailored to the specific context and legal framework. The 54 tools and resources relate to different stages of the victim identification process. Many materials mirror the full process of identification and referral, while others focus only on identification.

Purpose of identification tools and resources: Key issues and findings

- Different materials address varying aspects of identification and referral.
- Most materials link identification to referral, but do not always offer sufficient operational information.
- Tools and resources assume positive victim identification.
- There is limited guidance in the case of a false negative.
- Insufficient guidance is provided for users on sensitive, trauma-informed screening.

Key issues and findings: In reviewing available identification materials, there are gaps in the overall treatment of victim identification in many countries in the region. Each country approaches identification differently, employing different tools and resources. While most identification materials address the full process of identification and referral, some do not link identification to referral nor offer practical guidance at these stages. There is also an overarching assumption in existing identification materials that the identification process will lead to a positive determination (that the person is a trafficking victim) and little guidance on what to do in case of a negative determination (when the person is assessed not to be trafficking victim) or in the case of a false negative (when a victim is incorrectly determined *not* to be a victim). Another shortfall is the lack of guidance in materials on sensitive and trauma-informed conduct.

5.3 Who is the intended user of available tools and resources?

Typically, initial steps to identify victims are primarily undertaken by first responders (that is, individuals who in their professional capacity encounter individuals who may be in trafficking situations and who are professionally tasked with identifying and referring presumed trafficking victims). However, victim identification may also be conducted by different service providers and

diplomatic and consular officials. In addition, there are various individuals, institutions, and organizations that may be in a position to identify vulnerable persons including trafficking victims, but for whom it is not their primary role or responsibility. The intended users of the various tools and resources are described using different terms, with different levels of specificity.

Intended users of identification materials: Key issues and findings

- Intended users of materials are not specified or are unclear.
- Identification materials are not available for some key users.
- There is insufficient differentiation between roles and functions of different intended users.
- Instructions and guidance vary for users in the implementation or adaptation of materials.
- Dissemination of tools and resources to intended users is unclear.

Key issues and findings: A key finding from the available sample is that many identification materials fail to specify the intended user(s) and some key identification stakeholders are not included at all. Many also do not differentiate between the roles and responsibilities of various users. We were unable to determine whether and how existing identification materials have been disseminated to intended users, nor what orientation or training those users have been given to use these specific tools and resources in their work.

5.4 Who and what forms of trafficking are being identified by the tools and resources?

The question of who a tool is intended and designed to identify and for what forms of trafficking exploitation are central in understanding its practical value. Most of the 54 materials in Asia reviewed for this analysis are not tailored to identify victims of specific forms of trafficking (sexual exploitation, labor exploitation, forced marriage, begging, organ

removal) or to identify a specific victim profile (according to age, gender, or other characteristics).

Thirty-six (of 54) are not tailored to identify victims of a specific form of trafficking. Eighteen bring a greater focus to one or more specific forms of trafficking and are tailored to or include information to identify victims of specific forms of trafficking (for example, lists of indicators or questions about a specific form of exploitation). Of these 18, five materials identify victims of trafficking for labor exploitation, while four are to identify victims of trafficking for sexual exploitation. Nine include more than one form of exploitation, addressing both labor exploitation and sexual exploitation, in some cases alongside begging (n=3), organ removal (n=4) and forced marriage (n=1). Approximately half (29 of 54) of the materials reviewed do not indicate if they are to identify adult and/or child victims, but mostly seem to be implicitly intended for use with adults. Of the 54 materials included, 23 tools and resources are explicitly for the identification of both adult and child trafficking victims, one is specifically for the identification of adult victims, and two are specifically for use with children. The remaining 28 do not specify if adults or children are to be identified. Only four of 54 resources state that they are designed for the identification of trafficking victims of a particular gender.

Key issues and findings: From what available tools show us, victim identification resources are not always sufficiently tailored to diverse sets of trafficking victims, forms of trafficking, and/or trafficking situations. Tools that have been made available for practical use generally provide non-comprehensive coverage of identification guidance *vis-a-vis* the various forms of trafficking, different characteristics of potential victims, and numerous other key variables and differentiations. Another shortfall is the absence of tools specific to different contexts and situations where trafficking may occur, for example, in conflict and crises settings. Given that victim identification differs by

Who and what forms of TIP are identified by tools and resources: Key issues and findings

- Identification materials need to be better tailored to different forms of trafficking and victim characteristics.
- There is limited tailoring of materials to identify victims of some forms of trafficking exploitation.
- Child-specific identification materials are lacking.
- Most tools and resources lack gender-specific guidance.
- Male trafficking victims are overlooked in identification tools and resources.
- Some tools and resources entrench gender norms, assumptions, and stereotypes.
- Language barriers arise in the application of identification materials.
- Materials that focus on irregular migration may lead to missed identification opportunities.
- Some indicators may indicate situations other than trafficking in persons.
- There is an absence of tools specifically to identify trafficking victims in other populations or contexts.
- Cultural considerations are largely unaddressed in tools and resources.

country and context, all resources require local adaptation and calibration to be practically applicable, including taking into account variations within any one country or setting. These are gaps that should be addressed in the design and implementation of future identification tools or amendment of existing ones.

5.5 At which stages of trafficking are tools and resources to be used?

The identification of a trafficking victim may take place at various stages of their trafficking and post-trafficking experience. These stages include during recruitment; during exploitation; during exit, escape, or rescue; during return to one's country or community; or once in the home country or community. Each of these stages will involve different opportunities to identify trafficking victims, which may, in turn, require different tools

and resources. Trafficking victims may also self-identify at any stage of the trafficking experience or their post-trafficking lives. Many materials included in this review broadly cover identification without providing focused attention and guidance to any specific stage (or stages) of trafficking. Others are focused on a specific stage (or several specific stages), including during exploitation (4), during exit and escape (4), during return (6) and once home (11).

Stage of trafficking at which tools and resources are used: Key issues and findings

- Identification materials are not tailored to specific stages of trafficking.
- There are risks and challenges in identifying trafficking victims during recruitment.
- There are limited materials targeting identification of victims during exploitation.
- Few tools and resources focus on identification during return.
- There is a lack of tools and resources to identify victims once home.
- Few tools and resources support self-identification.

Key issues and findings: Overall guidance on victim identification is broad. From the available sample of materials, there seems to be an underlying assumption that resources that broadly cover identification are applicable and sufficient to victim identification at all stages of trafficking and in a range of contexts, which is not necessarily the case. We found that most available victim identification materials are general and do not provide applicable tailoring to match specific identification opportunities and case-specific variables arising during different stages of trafficking. This is a serious gap that should be addressed in the development or modification of tools and resources. None of the materials reviewed are designed for identification prior to exploitation, likely because of the implicit risks and the potential for negative consequences. We also found limited materials tailored to other stages of TIP – during exploitation, during return and

once home. Few materials support self-identification by victims.

5.6 Who developed the materials and how?

Understanding the development and testing process is useful in assessing the quality and rigor of victim identification tools and resources. It provides insight into how and why certain identification issues are treated as they are, including matters of methods, assumptions, scope, and gaps. It is also essential information for those who may wish to adapt a tool or resource for their own use and may speak to the extent to which tools or resources are taken up by state actors in their identification work. However, few victim identification tools and resources describe in detail how they were developed, including who worked on them; the process of development; and any validation procedures, testing, or piloting. Of the 54 tools and resources available for review, 30 do not explain how they were developed while 24 include varying levels of detail, ranging from a few sentences about the project in which they had been developed, to more substantial discussions of the development process.

Who developed the materials and how: Key issues and findings

- Most tools and resources do not explain how they were developed.
- Content of identification materials is not evidence-based
- The development of identification materials varies in rigor.
- Not all materials include ethical guidance and codes of conduct.

Key issues and findings: From our sample, identification materials vary significantly in the extent to which they explain the process by which they were developed. When sufficient information about the development process is not included, those who are using it (whether to identify and refer victims or to adapt and develop other tools) may assume they are relying on material that is grounded in

evidence, guided by experience in practice, and drafted to respond to identified needs. Similarly, if the process of testing and validation (if any) is not explained, users will be unaware of the limits and risks of the tools and may adapt and apply them in ways that are ineffective, inappropriate, or even harmful. Sufficient information should be provided in order for the user to assess the tool or resource. Lack of information about the development, testing and validation of identification tools and resources is a gap that needs addressing. Many tools also lack ethical guidance and codes of conduct for their application.

6. Conclusions and Recommendations

Our analysis of 54 publicly available victim identification tools and resources in Asia found that concerning gaps exist in materials available to practitioners to aid them in effectively identifying victims of trafficking. Because one of the most direct ways to improve the effectiveness of counter-trafficking responses is to improve the capability of relevant actors to identify victims of all forms of trafficking in persons, it will be important to address these shortcomings. Our conclusions and recommendations are based on a desk review of the victim identification tools and resources identified in Asia, which cannot shed light on implementation in practice. Accordingly, there is also a need for field-based research to determine whether and how these tools and resources are applied in practice, by whom, and to what effect.

Conclusions and recommendations for developing, adapting, or amending identification materials are offered to two categories of practitioners and policymakers. First, they are offered to government policymakers and practitioners responsible for developing new tools and resources, or who are tasked with review, validation, evaluation, and adaptation of existing victim identification materials. Second, officials and stakeholders in a position to use identification resources in their work in practice will be well-served to consider these

recommendations. Primarily this includes those who are tasked with victim identification as part of their role and responsibilities, namely first responders (including police officers, labor inspectors, immigration officials, and social workers) who identify, refer, and assist victims in their daily work, as well as non-state actors who support them.

Many recommendations are also offered to governments as funders of projects or activities involving victim identification. There is an urgent need to develop or adapt tools and resources in countries and contexts that do not have them including allocating sufficient resources so that they are developed with sufficient rigor, grounded in evidence and in line with relevant ethical standards and codes of conduct.



6.1 Recommendations about the availability of identification tools and resources in Asia

Despite there being various victim identification tools and resources in the region, there is a gap in overall availability and geographical coverage. To reduce gaps in the availability of victim identification resources, we make the following recommendations:

- Ensure victim identification tools and resources are publicly available and widely shared, whenever possible.
- Address the geographical imbalance in identification materials and determine what materials may be needed in each country, region, or sub-region.
- Ensure that victim identification tools and resources are available in relevant languages.



6.2 Recommendations about the purpose of available victim identification tools and resources

Different tools and resources have different roles and purposes *vis-a-vis* victim

identification, whether because they are general to victim protection and assistance more broadly, or more specific to a practical aspect of identification. Regardless, they should include sufficient detail and guidance to support the identification and referral of trafficking victims in relation to their stated purpose. To this we make the following recommendations:

- Clearly state the purpose of identification tools and resources.
- The content of tools and resources with a similar purpose should be aligned.
- Ensure tools and resources explain and offer guidance on the full identification and referral process.
- Explain and provide guidance in the case of negative determinations as well as positive victim identification.



6.3 Recommendations about the intended user of available tools and resources

Designing a tool or resource for victim identification requires assessing not only if it is fit for purpose and aligns with identification process in the country, but also if it is usable by the users it targets and offers sufficient guidance to be operationalized on the ground. The following recommendations are intended to better tailor identification materials to intended users:

- Ensure that identification resources are available and appropriate for all professionals with a role in victim identification.
- Provide clear and specific instructions about the intended user and the implementation of tools or resources.
- Provide guidance for users in sensitive, trauma-informed screening.
- Ensure widespread dissemination of tools and resources to intended users.
- Strengthen the capacity of users to apply identification tools and resources.

- Sensitize users on TIP and ensure appropriate behavior and treatment in interactions with trafficking victims.



6.4 Recommendations on the identification of different victims and victims of different forms of trafficking

The means of identification differ according to the form of trafficking and the range of characteristics of individuals who are exploited. This variation is overlooked in many existing identification resources, elevating the risk that victims are missed in the identification process. There are various overlapping considerations involved in the identification of different categories, profiles of trafficking victims, each of whom has unique experiences and needs. As victim identification differs by country and context, to be practically applicable, resources also should be adapted and calibrated to local contexts. There is also a need to question prevailing assumptions and recognize that there are many nuances that must be thoughtfully addressed to tailor content to make it relevant and useful. The following recommendations seek to address these various gaps:

- Develop and implement tools and resources to identify victims of all forms of exploitation.
- Strengthen child-specificity and sensitivity in the development and tailoring of tools and resources.
- Provide practical guidance on gender-inclusivity.
- Ensure that male victims are not overlooked in identification materials or processes.
- Ensure that identification tools and resources do not entrench gender norms, assumptions, and stereotypes.
- Consider and assess different vulnerabilities and characteristics in the process of victim identification.
- Identify and address language barriers in the victim identification process.

- Pay equal attention to victims of all nationalities including each country's own citizens in the victim identification process.
- Ensure that users understand that indicators may point to situations other than trafficking in persons.
- Leverage tools and mechanisms used to identify other vulnerable groups in the victim identification process.
- Address cultural considerations in tools and resources for victim identification.



6.5 Recommendations about identification tools and resources for use at different stages of TIP

Interactions with victims during different stages of the trafficking experience create unique entry points and opportunities for identification. At different points in their trafficking and post-trafficking life, victims may exhibit different characteristics and behaviors that require tailored identification guidance. There will be a number of case-specific variables to consider, including the form of trafficking involved; how trafficking takes place in the country; whether it is a country of origin, transit or destination; the receptivity of an individual to being identified as a trafficking victim; and the relevant legal framework for identification and protection. The following recommendations aim to address these considerations:

- Develop tools and resources for identification at all stages of the trafficking experience and accentuate opportunities for identification in specific scenarios.

- Develop tools and resources to support self-identification by trafficking victims.
- Offer guidance on identification for victims who initially decline to be identified and make clear the option for later identification and referral including how to access this option.



6.6 Recommendations about the development of identification tools and resources

The development process for victim identification tools and resources varies in quality and rigor. This variation can significantly impact the value of an identification tool in practice. It is important for professionals who rely on identification materials to be able to evaluate the relative quality of the guidance therein. The following recommendations are intended to enable practitioners to recognize and ensure the quality and rigor of identification resources that they rely upon for identification guidance:

- Be transparent and explain fully how victim identification tools and resources were developed.
- Ensure that victim identification tools and resources are evidence-based and rigorous.
- Engage practitioners and former victims in the development and evaluation of victim identification tools and resources.
- Develop and incorporate ethical considerations and codes of conduct into victim identification materials.

Acronyms and Abbreviations

AAPTIP	Australia-Asia Program to Combat Trafficking in Persons
ACTIP	ASEAN Convention against Trafficking in Persons
app	application
ASEAN	Association of Southeast Asian Nations
ASEAN-ACWC	ASEAN Commission on the Promotion and Protection of the Rights of Women and Children
ASEAN-SOMTC	ASEAN Senior Officials Meeting on Transnational Crime
CBSS	Council of the Baltic Sea States
CoE	Council of Europe
COMMIT	Coordinated Mekong Ministerial Initiative against Trafficking
CTIP	counter trafficking in persons
EU	European Union
GMS	Greater Mekong Sub-region
ILO	International Labour Organization
IO	international organization
IOM	International Organization for Migration
JICA	Japan International Cooperation Agency
MAPO	Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants [Malaysia]
MDT	multi-disciplinary team
MOL	Ministry of Labor [Thailand]
MOSVY	Ministry of Social Affairs, Veterans, and Youth Rehabilitation [Cambodia]
MOWECP	Ministry of Women’s Empowerment and Child Protection [Indonesia]
MSDHS	Ministry of Social Development and Human Security [Thailand]
NCCT	National Committee for Counter Trafficking in Persons [Cambodia]
NCCTIPs	National Committee for Combating Trafficking in Persons [Bahrain]
NGO	non-governmental organization
NRM	National Referral Mechanism
OSCE	Organization for Security and Cooperation in Europe
SAARC	South Asian Association for Regional Cooperation
SOP	standard operating procedures
TIP	trafficking in persons
UAE	United Arab Emirates
UK	United Kingdom
UN	United Nations
U.S.	United States
USAID	United States Agency for International Development
VoT	victim of trafficking
WHO	World Health Organization
WHRIK	Women’s Human Rights Institute of Korea

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1. Introduction

Victim identification is the process by which an individual is identified as a victim of trafficking in persons (TIP), which in turn, entitles them to rights and protections. It is of key importance in a country's anti-trafficking response and in protecting trafficking victims. Identification may occur while an individual is exploited and result in the end of their trafficking exploitation. In other cases, it may occur once a person has already escaped or otherwise left a trafficking situation. In all instances, formal identification should lead to and facilitate the opportunity for a victim to be referred for consultation or further action, including voluntary referral for assistance and/or access to justice. Yet, in practice, this does not always occur. Many trafficking victims go unidentified and, thus, are not referred or assisted. Others decline to be identified as trafficking victims and consequently go unassisted. Still other victims may be formally identified but not referred for assistance or may be referred and assisted against their will. Of critical importance, then, is how to increase the safe and voluntary identification of all trafficking victims and ensure their voluntary access to services and protection.

This review examines what victim identification tools and resources are publicly available to support the identification and referral of trafficking victims in Asia. It begins by describing trafficking victim identification, including formal identification, informal identification, self-identification, and non-identification. It also provides an overview of the development of publicly available and primarily English language identification materials globally. The review then narrows its focus to examine 54 publicly available victim identification materials in Asia, analyzing the following six aspects:

- The tools and resources that are available in Asia
- The purpose of available tools and resources
- The intended users of tools and resources
- Who and what forms of trafficking are being identified
- At which stages of trafficking tools and resources are to be used
- Who developed the materials and how

The review concludes with actionable recommendations to address issues and gaps in publicly available identification materials as well as to enhance victim identification materials to be developed and implemented in Asia. This review is primarily intended for policymakers and practitioners who are responsible for developing, modifying, and using identification tools and resources, as well as non-state actors who support governments to fulfill their obligations to identify, refer, and assist victims of trafficking.

2. Methodology and limitations

This analysis examines publicly available and primarily English language victim identification tools and resources globally, with a specific focus on countries in Asia.¹ The methodology and approach are outlined below.

2.1 Identified and accessed victim identification tools and resources globally

Victim identification tools and resources were identified based on our criteria for inclusion (that is, materials designed to identify trafficking victims, for any form of trafficking, and in any context). Our focus was identifying materials used by anti-trafficking practitioners in their identification work, compiling these into a compendium. While we originally only included operational tools (such as checklists and screening tools), in practice we found that victim identification was addressed in a wide range of materials and formats (for example, referral directories, standard operating procedures, handbooks/manuals and guidelines). Given that the compendium of victim identification materials is intended as a practical resource for practitioners and policymakers in the counter-trafficking in persons (CTIP) community, we included this wide array of tools and resources.

We did not include individual country laws or policy instruments except when they were operational in nature or accompanied by a practical identification tool. Also excluded were general awareness raising materials targeted at the general public (such as posters, handouts, or websites); victim identification tools that are not trafficking-specific (for example, tools to identify victims of domestic violence, sexual assault, and conflict-related sexual violence); national referral mechanisms or standard operating procedures that do not include tools or practical guidance on victim identification; tools and resources designed to identify trafficking *situations* (for example, resources for law enforcement on investigating trafficking crimes that do not include information about the identification or referral of trafficking victims, resources or tools for specific places of work or in recruitment practices to identify potential trafficking situations);² and tools and resources that are largely preventative in nature (for example, those aimed at reducing vulnerability to being trafficked such as safe migration tools³ and those to identify persons at risk of being trafficked or exploited).⁴ Also excluded were tools that do not explicitly set out to identify trafficking victims but may nonetheless result in victim identification. These might include (but are not limited to) migrant complaint mechanisms;⁵ tools used by those who are looking for labor violations; existing tools for use in emergencies or conflict settings;⁶ and tools to identify victims of

¹ This includes Central Asia, Southern Asia, Eastern Asia, Southeastern Asia, and Western Asia. Please see Annex #4: Regional groupings by country.

² Some tools and resources are relevant in identifying trafficking situations (that is, that trafficking may be occurring), but not in identifying individual trafficking victims. For example, a resource from the Financial Action Task Force (FATF) includes a list of red flag indicators to assist financial institutions in their identification of money laundering in human trafficking cases but not information or tools for the identification of individual trafficking victims. FATF, *Money Laundering Risks Arising from Trafficking in Human Beings and Smuggling of Migrants* (Paris: Financial Action Task Force, 2011).

³ For example, one ILO tool provides safe migration advice and contact information for embassies, consulates, and Migrant Resource Centers for Cambodian migrant workers. ILO, *Safe Migration for Decent Work* (Geneva: International Labour Organization, 2012).

⁴ For example, a Bali Process guide for border officials provides key points and considerations to identify and profile travelers and travel documents, some of which may be applied in identifying individuals at risk of being trafficked or exploited. Bali Process, *Quick Reference Guide for Frontline Border Officials* (Bangkok: Bali Process RSO, n.d.).

⁵ For example, the ASEAN Trade Union Council (ATUC) Information System (ATIS) for Migrant Workers. See also B. Harkins and M. Ehlberg, *Access to justice for migrant workers in South-East Asia* (Geneva: International Labour Organization, 2017); ILO, *Migrant Worker Resource Centers* (Geneva: International Labour Organization, 2020); ILO, *Complaint mechanisms for Vietnamese migrant workers: An overview of law and practice* (Geneva: International Labour Organization, 2016).

⁶ For example, UNHCR provides recommendations for developing tools to screen for trafficking victims in mixed migration flows. UNHCR, *The 10 Point Plan in Action: Mechanisms for Screening and Referral* (Geneva: United Nations High Commissioner for Refugees, 2017), 121.

violence or abuse. Discussion of these more general tools is relevant in terms of considering opportunities and limitations that these may present in identifying trafficking victims but is beyond the scope of this analysis.

We conducted internet searches using key words such as “trafficking victim identification” alongside terms such as “tool”, “resource”, “screening”, “indicators”, and “interview questions”. We varied search terms and spelling to capture different forms of exploitation, as well as different terminology used to describe trafficking in persons, such as “human trafficking”, “modern slavery” or “forced labor/labour”. Key word searches targeted different countries and regions to ensure that hits were global in scope. We also reviewed existing collections of victim identification tools as well as the annexes and references of research on victim identification to identify further tools and resources for inclusion. In addition, we sent email requests to institutions and organizations working on victim identification, including various NGOs, USAID-funded bilateral CTIP programs, and UN agencies, to collect tools being used by these organizations or national governments in their countries of operation. Finally, we also reviewed country level surveys completed by UN-ACT’s National Project Coordinators in Cambodia, China, Lao PDR, Thailand, and Viet Nam and information collected in country level worksheets completed by national level practitioners from eight Association of Southeast Asian Nations (ASEAN) Member states at the ACWC (ASEAN Commission on the Promotion and Protection of the Rights of Women and Children) Practitioners Workshop in Bangkok in February 2020.

2.2 Compiled and categorized victim identification tools and resources into a compendium

Our next step was to compile a compendium of existing victim identification materials. The compendium is comprised of 183 identification tools and resources.⁷ These materials were coded/categorized by key features, including

- a description of the tool or resource (including a description of sections on victim identification, and whether or not the tool or resource provides referral information);
- who and what form of trafficking is being identified (the form of trafficking, the type of victim);
- publication information (full title, type of publication, year of publication, authorship, the organization or institution that developed the tool or resource, whether independently or in partnership, and the funder of the publication);
- geographical information (country and region of implementation); and
- language(s) that the tool or resource is available in.

2.3 Analyzed victim identification tools and resources that are specific to Asia

We conducted an initial analysis of the 183 identification tools and resources globally, to determine what types of identification materials are publicly available, when they were developed, and in what countries and regions. We then narrowed our focus to examine the 54 materials from different countries in Asia, framing our analysis around the following questions and considerations:

- What tools and resources are available in Asia,
- The purpose of the identification material,
- Intended user(s),
- Who and what forms of trafficking are being identified,

⁷ NEXUS Institute, *Global Compendium of Tools and Resources for Trafficking Victim Identification* (Washington, D.C.: NEXUS Institute, USAID, and Winrock International, 2020).

- At which stages of trafficking the tools or resources are being used, and
- Who developed the materials and how.

2.4 Limitations of the review

This analysis is constrained in different ways. Some identification materials may not have been captured by the search protocol, particularly when identification tools and guidance are embedded in more general protection materials. It was also not always possible to find copies of victim identification materials. In some countries we were not able to find contact information for the appropriate institution to request information and we did not always receive replies to email requests for victim identification materials. In some countries, victim identification materials were in the process of development and could not be shared.

We were only able to review identification materials in English, which misses those that have been developed in a country's national language(s) but are not translated to English. We were also only able to review materials that are publicly available, missing identification tools and resources that are internal to an organization or institution. Governments and civil society often do not publicly share victim identification tools and resources that they use in their operational work. In some cases, there may be concern that traffickers may be empowered to orchestrate scenarios or coach victims on what to say and how to act in order to evade detection. This risk may be acute for those tools that relate to specific *modus operandi* of traffickers or that speak to law enforcement investigative techniques. For those tools that are less sensitive, governments and civil society organizations may not share them because they overlook their utility for other stakeholders. There may also be concerns that material is not sufficiently robust to be publicly released and shared or there may be insufficient time, resources, and/or technology to make materials publicly available or available online. In some cases, not sharing materials may also be due to competition or tension between institutions or organizations.

Another difficulty is in drawing comparisons between victim identification materials, which vary widely in purpose, length, format, target users, who is to be identified, the stage at which identification takes place, and other parameters. There is no "one-size-fits-all" model for high quality victim identification. Each country or organization/institution needs tools responsive to their situation and in line with the country's legal system and victim identification framework. A tool (or combination of materials) that may yield strong results in one country/context or for one organization/institution may be ineffective or even harmful in another. Moreover, what constitutes an effective tool or resource in one country depends very much on the nature of trafficking in persons in, from, and to that country as well as the legislative, policy, and programmatic framework that is in place. Effectiveness also relates to the intended user including their specific roles and responsibilities *vis a vis* victim identification and their capacity and sensitivity for applying the tool in practice. In some cases, material that is deficient may, in practice, be more effective than higher-quality material that is not used. The analysis offered below must be read with these considerations in mind.

Finally, as this is a desk review, it was not possible to assess how these victim identifications materials are used in practice, including their effectiveness in enhancing and increasing high quality and sensitive victim identification and referral. Assessing the use and application of these tools and resources requires on the ground interactions with first responders, practitioners, and trafficking victims, which was beyond the scope of this analysis.

3. About victim identification

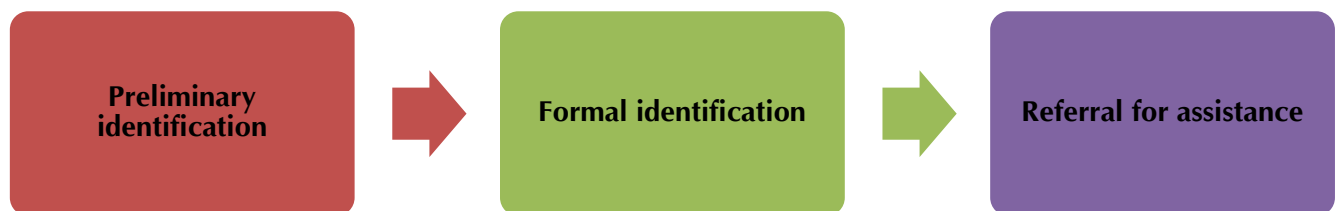
To consider what gaps exist in the body of victim identification tools and resources, it is useful to start with an understanding of the complexities involved in victim identification. This section introduces the identification process as the foundation for analyzing gaps in available victim identification tools and resources.

3.1 The process of victim identification

Victim identification is a series of interactions – a process – which cumulatively lead to an individual being identified as a trafficking victim or a presumed trafficking victim by relevant authorities and referred for assistance. Which institutions are designated responsible for victim identification is determined by the legal and administrative framework and may include first responders such as police, prosecutors, multi-disciplinary teams (MDTs), task forces, victim identification agencies, social workers, and healthcare workers. The threshold for victim identification varies substantially from country to country, as do the rights and protections afforded to formally identified trafficking victims.

Identification may be reactive (for example, when a trafficking victim or family member seeks to be identified and assisted), or proactive (for example, when police, social workers, border officials, or labor inspectors initiate interventions, investigations, or inspections to identify trafficking victims in the course of their work). When authorities do not proactively identify trafficking victims, the number of victims who are formally identified and assisted is limited. The availability of high-quality tools and resources should support enhanced and proactive victim identification.

Figure #1. Preliminary identification, formal identification, and referral for assistance



Broadly speaking, the process of victim identification is comprised of three stages – preliminary identification, formal identification, and referral for assistance, as outlined in Figure #1.

- *Preliminary identification:* Before formal identification takes place, an individual is preliminarily assessed to be a presumed trafficking victim, based on various signals and risk factors that arise in observation, interactions, and conversations with the individual. Those assessed to be a presumed trafficking victim should, if they consent, be referred for assistance and protection and further assessment (that is, formal identification).
- *Formal identification:* This is the official determination that a person is a victim of trafficking. This designation is generally a first step in referral for various forms of assistance. Formal identification may also trigger a legal or criminal justice process against alleged traffickers.
- *Referral for assistance:* Once formally identified by relevant authorities, the trafficking victim should, if they consent, be referred for consultation or further action, including assistance and reintegration or legal remedies.

Different tools and resources are needed for intervention at these different stages. For example, preliminary identification may involve a screening tool to make an initial assessment if someone is

a trafficking victim. This screening tool may be comprised of just a few questions and observations (for example, in situations where contact is likely to be brief, like a healthcare facility, at a border, or among street involved youth). Tools used for formal identification, however, will require more detailed and structured questions as part of a more intensive and comprehensive interview and assessment process.

Identification processes may differ in the case of trafficked children, for whom additional protection obligations apply. Good practice is to apply the presumption of minority age for those who appear to be children until determined otherwise. Identification processes for children require contacting and involving relevant child protection authorities (usually state social workers) and applying a set of protective measures and specific approaches. If a child is not assessed to be a trafficking victim, they should nonetheless be referred to child protection agencies to address their needs and vulnerabilities.

Not all victim identification follows this prescribed pathway. Victim identification may also be informal, that is, when an individual meets the criteria of a trafficking victim, but they are identified by professionals without the legal authority to make this determination (such as NGO service providers). In such cases, professionals may refer them for formal identification and assistance, if they consent, or assist the trafficking victim without formal designation as a trafficking victim. The extent to which this is possible and advisable differs from country to country and, in particular, in relation to whether someone is in a country of destination or origin, as legal rights and entitlements vary accordingly.

Identification may take place at various stages of a trafficking victim's trafficking experience and post-trafficking life, as outlined in Figure #2. Each of these stages involve different opportunities to identify trafficking victims, as outlined in Table #1. Trafficking victims may also self-identify at any of these stages.

Figure #2. When and where trafficking victim identification may take place

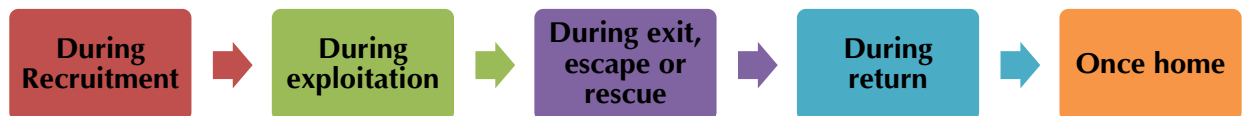


Table #1. Examples of opportunities to identify trafficking victims at different stages of their trafficking and post-trafficking experience

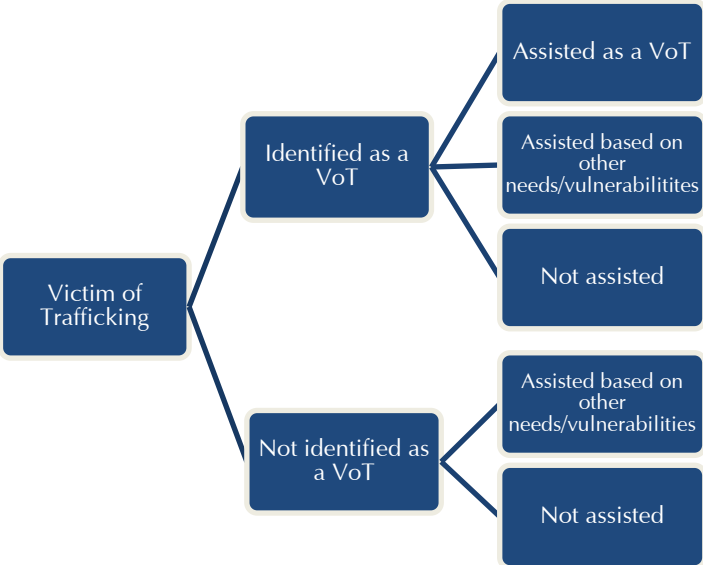
Stage of the trafficking experience	Example of where victims may be identified
During recruitment	In the recruitment process, during pre-departure orientation, during transportation and while in transit, upon arrival
During exploitation	At the site of exploitation (for example, at a factory, on a fishing vessel, in a private home, or at other places of work), in public places (for example, on the street, at the market, where workers gather), during transportation or movement by one’s exploiter, while seeking assistance (for example, when accessing healthcare or social services)
During exit, escape or rescue	When seeking help from police or other first responders, during a raid and rescue operation, when calling hotlines
During return to one’s country or community	At the border upon departure from destination country, at the border in a transit country, at the border upon arrival in one’s home country, during travel, upon return to one’s home community
Once home in one’s country or community	In one’s country or community of origin (for example, at a government administration office when accessing services, at a medical clinic, when seeking a job, when replacing identity documents), by a service provider during reintegration, while being assisted in a shelter, hospital, or elsewhere

3.2 Identification pathways and challenges

Across the different stages of identification, there are different pathways into and that result from identification procedures and determinations. These are outlined in in broad brush strokes in Figure #3.

Those who are formally identified as trafficking victims may, with their consent, be referred and assisted, either with TIP-specific services or with more general forms of assistance. Some formally identified trafficking victims, however, may not be referred for assistance or may decline to be assisted. Some victims may initially decline to be identified but then change their minds at a later stage. A challenge arises in such cases when the identification process in a given country does not allow for subsequent identification and referral. In practice, this can mean that victims who are not initially identified may not have access to identification pathways later and, accordingly, remain unidentified and unassisted.

Figure #3. Pathways of identification and non-identification for victims of trafficking



Some trafficking victims may recognize that their situation and experience constitute human trafficking and self-identify as victims of trafficking, even seeking out formal identification and assistance. However, many trafficking victims will not know that they have been trafficked or know about opportunities for intervention and therefore will remain unidentified and unassisted.

Some victims may not wish to be identified and even actively avoid or evade identification for different reasons. Some victims do not wish to be designated a “victim”; they may not think of themselves as victims but instead see themselves as “unlucky” migrants. Others may decline to be identified because the formal victim identification process involves assistance that they do not want or in a format that they do not wish to receive it (for instance, because it requires staying in a shelter or living apart from family). Identification may also require return to their country of origin, which they may wish to avoid, hoping instead to find work in the destination country. Some victims do not trust the authorities and do not believe that identification will translate into any tangible benefit for them.⁸

It is also possible that trafficking victims will not be formally identified, even once they have been preliminarily identified. The threshold for victim identification is high in many countries. Accordingly, people who meet the criteria of a trafficking victim according to the international law may not be assessed as such in the domestic anti-trafficking framework and legislation. These unidentified trafficking victims may be unassisted or may even be criminalized for actions that directly resulted from being trafficked (such as irregular migration or illegal work). Such instances of missed identification and misidentification (and the very serious implications of these mistakes for those victims) highlight the importance of a trafficking victim’s right of appeal when they are not identified as a victim of trafficking.

Whether a victim identification outcome is advantageous or detrimental to the identified person depends on a range of factors, including the decisions and needs articulated by that individual, including at different stages of their post trafficking lives. For example, being identified as a trafficking victim and assisted in the anti-trafficking framework is a good outcome if the trafficking victim, once formally identified, voluntarily accepts to receive the assistance offered to them and this assistance responds to their needs and situation. For an individual who declines to be identified and assisted as a trafficking victim, a preferable outcome may be to remain unidentified and unassisted or to be unidentified and assisted based on other needs or vulnerabilities rather than as a trafficking victim. Similarly, identification cannot be considered a beneficial outcome when formal identification exposes victims to further harm, either during the identification process itself or as a result of what does (or does not) happen next.

⁸ A. Brunovskis and R. Surtees, *Leaving the past behind? When victims of trafficking decline assistance* (Washington, D.C.: NEXUS Institute and Oslo: Fafo, 2007); R. Surtees, *After Trafficking: Experiences and Challenges in the (Re)integration of Trafficked Persons in the Greater Mekong Sub-region* (Washington, D.C.: NEXUS Institute and Bangkok: United Nations Inter-Agency Project on Human Trafficking, 2013); R. Surtees and T. Zulfahary, *Seeing the Unseen: Barriers and Opportunities in the Identification of Trafficking Victims in Indonesia* (Washington, D.C.: NEXUS Institute, 2018).

4. The historical development of victim identification tools and resources globally

Identification begins with a common understanding of who is to be identified, which is provided by the international legal definition of the crime of trafficking in persons as outlined in the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (the “*Trafficking Protocol*”), which was adopted by General Assembly resolution 55/25 in 2000.⁹ After the *Trafficking Protocol* entered into force in 2003, countries began to pass national legislation to meet their obligations and implement the provisions of the *Trafficking Protocol*.¹⁰ At the international level, the 2002 *Recommended Principles and Guidelines on Human Rights and Human Trafficking* provided practical, rights-based policy guidance on the protection trafficking victims, including victim identification.¹¹

Regional instruments addressing trafficking in persons directly or indirectly address victim identification. These include the 2002 South Asian Association for Regional Cooperation (SAARC) *Convention on Preventing and Combating Trafficking in Women and Children for Prostitution*,¹² which requires states parties to enable authorities to effectively conduct inquiries, investigations and prosecution of offences and the 2005 Council of Europe (CoE) *Convention on Action Against Trafficking in Human Beings*, which provides detailed measures on victim identification, including special measures for the identification of child trafficking victims.¹³ In 2015, the *Association of Southeast Asian Nations (ASEAN) Convention Against Trafficking in Persons, Especially Women and Children* (ACTIP) entered into force, calling on states parties to establish national guidelines or procedures for the proper identification of trafficking victims as well as that identification by one country will be respected by other ASEAN member states.¹⁴ Against this backdrop of international and regional instruments, tools and resources for victim identification were developed.

Victim identification tools are materials that provide practical guidance on the process of screening a person for trafficking in persons, as well as steps in the identification and referral process. These include checklists, lists of indicators, referral directories, screening tools, and standard operating procedures (SOPs). Victim identification resources are materials that provide information relevant to understanding the process and procedures for the identification and referral of trafficking victims, including, for example, guidelines, handbooks/manuals, guidance on national referral mechanisms (NRMs), and toolkits.¹⁵ Multiple tools may be captured within the same individual material, for example, when tools are included or annexed in resources about identification.

⁹ The *Trafficking Protocol* is one of three protocols supplementing the 2000 *United Nations Convention against Transnational Organized Crime*.

¹⁰ As of March 2020, 176 countries had ratified the *Trafficking Protocol* and 168 countries had legislation in place that criminalizes trafficking in persons broadly in line with the *Trafficking Protocol*. “Chapter XVIII,” Status of Treaties, United Nations Treaty Collection, accessed March 31, 2020, <https://bit.ly/3fHaUqn>; UNODC, *Global Report on Trafficking in Persons* (Vienna: United Nations Office on Drugs and Crime, 2018), 45; U.S. Department of State, *2019 Trafficking in Persons Report* (Washington, D.C.: U.S. Department of State, 2019), 6.

¹¹ OHCHR, *Recommended Principles and Guidelines on Human Rights and Human Trafficking* (Geneva: Office of the UN High Commissioner for Human Rights, 2002), Guideline 2 and Guideline 8.

¹² “Convention on Preventing and Combating the Trafficking in Women and Children for Prostitution,” opened for signature January 5, 2002, *Global Database on Violence Against Women*, <https://bit.ly/2Lg0AaY>.

¹³ “Convention on Action Against Trafficking in Human Beings,” opened for signature May 16, 2005, *Council of Europe Treaty Office*, No. 197, <https://bit.ly/35OKLBz>. See also the European Union issued Directive 2011/36/EU, which calls specifically for the development of common indicators for the identification of victims of trafficking. European Union, “Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims,” April 5, 2011, <https://bit.ly/3fEWjMg>.

¹⁴ “Convention Against Trafficking in Persons, Especially Women and Children”, opened for signature November 21, 2015, *ASEAN Statement and Communiqués*, <https://bit.ly/2SXIMH7>.

¹⁵ See Annex #2: Terms and concepts.

The first publicly available victim identification tools and resources were developed in 2004 in Europe, the year that the Organization for Security and Cooperation in Europe Office for Democratic Institutions and Human Rights (OSCE/ODHIR) published its handbook on national referral mechanisms, which included a model set of indicators to identify trafficking victims.¹⁶ In 2005, two European-based NGOs developed resources on the identification and assistance of trafficking victims, which included practical victim identification tools for law enforcement and other practitioners, including indicators to identify child trafficking victims.¹⁷ And, in 2006, various international organizations and UN agencies developed resources supporting the identification of trafficking victims.¹⁸ In 2007 and 2008, some governments in Asia, including India, the Philippines, Thailand, Viet Nam, published formal tools and resources¹⁹ as did UN agencies and IOs.²⁰

¹⁶ OSCE-ODHIR, *National Referral Mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons, A Practical Handbook* (Warsaw: OSCE Office for Democratic Institutions and Human Rights, 2004).

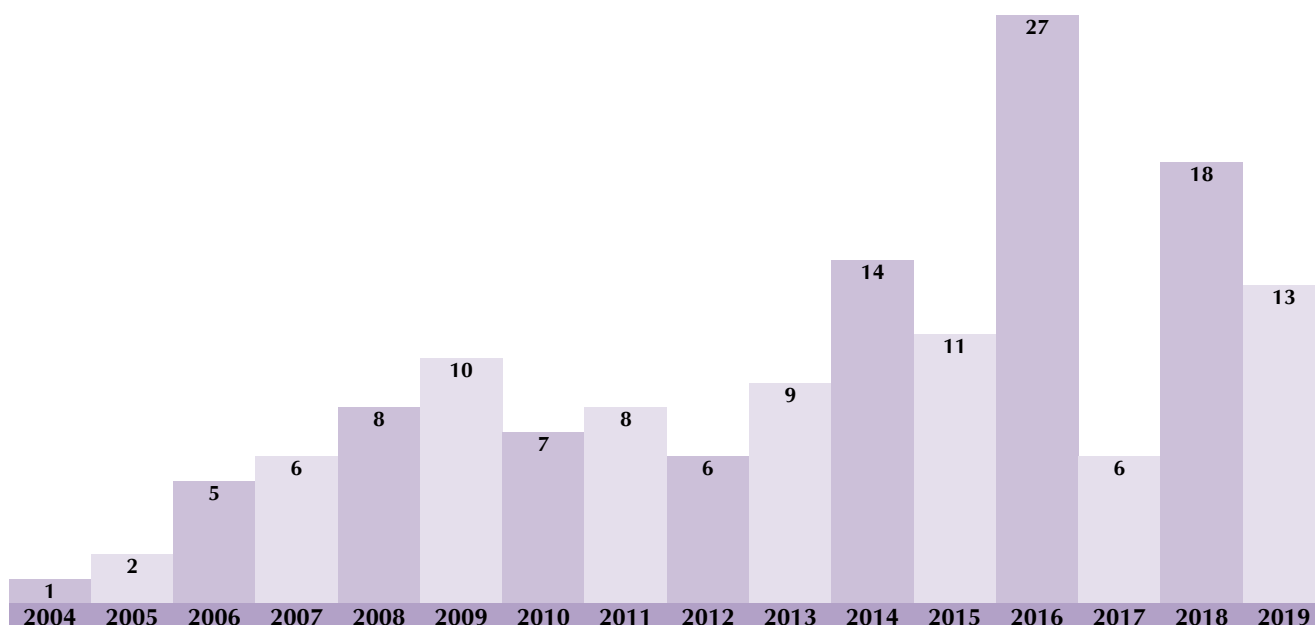
¹⁷ Anti-Slavery International, *Protocol for Identification and Assistance to Trafficked Persons and Training Kit* (London: Anti-Slavery International, 2005); Save the Children Italy, *Development of a child rights methodology to identify and support child victims of trafficking* (Rome: Save the Children Italy, 2005).

¹⁸ A. Andreani et al., *Anti-Trafficking Training for Frontline Law Enforcement Officers: Training Guide*. (Vienna: International Centre for Migration Policy Development, 2006); M. Dottridge, *Reference Guide on Protecting the Rights of Child Victims of Trafficking in Europe* (New York: United Nations Children's Fund, 2006); IOM, *Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking* (Geneva: International Organization for Migration, 2006); UNICEF, *Guidelines on the Protection of Child Victims of Trafficking* (New York: United Nations Children's Fund, 2006); UNODC, *2006 Toolkit to Combat Trafficking in Persons* (Vienna: United Nations Office on Drugs and Crime, 2006).

¹⁹ Government of India and UNODC, *Standard Operating Procedures (SOP) On Investigating Crimes of Trafficking for Forced Labour* (New Delhi: Government of India and United Nations Office on Drugs and Crime, 2008); Government of India and UNODC, *Standard Operating Procedures (SOP) On Investigating Crimes of Trafficking for Commercial Sexual Exploitation* (New Delhi: Government of India and United Nations Office on Drugs and Crime, 2007); IACAT, *Philippine Guidelines for the Protection of Trafficked Children* (Manila: Inter-Agency Council Against Trafficking, 2008); MOL and MSDHS, *Operational Guidelines on the Prevention, Suppression, Assistance and Protection of Trafficked Persons for Labour Purposes* (Bangkok: Ministry of Labour and Ministry of Social Development and Human Security, 2008); MOLISA, *Policies and Regulations on Social Assistance Services for Returned Women and Children - Victims of Human Trafficking* (Hanoi: Ministry of Labor, Invalid and Social Affairs, 2008); MSDHS, *MSDHS Preliminary Interview Form for Screening Victims of Trafficking (on land and sea)* (Bangkok: Ministry of Social Development and Human Security, 2008); MSDHS, *Scope and Elements of Identification of Trafficked Persons* (Bangkok: Ministry of Social Development and Human Security, 2008); P.M. Nair, *Trafficking Women and Children for Sexual Exploitation: Handbook for Law Enforcement Agencies in India* (New Delhi: UN Development Fund for Women and United Nations Office on Drugs and Crime, 2007).

²⁰ C. Bellini, S. Di Giglio and A. Di Maio, *Acting for stronger private-public partnerships in the field of identification and support of child victims and at risk of trafficking in Europe* (Rome: Save the Children Italy, 2007); Florida Department of Education, *ESOL Handbook on Human Trafficking: Collaborating to End Modern-Day Slavery* (Tallahassee: Florida Department of Education, 2007); IOM, *Screening Interview Form of the International Organization for Migration for the Identification of Victims of Trafficking* (Geneva: International Organization for Migration, 2008); IOM, *The IOM Handbook on Direct Assistance for Victims of Trafficking* (Geneva: International Organization for Migration, 2007); P. Ulshoefer and P. Daru, *Psycho-Social Rehabilitation of Children Withdrawn from Trafficking and Other Worst Forms of Child Labour* (Geneva: International Labour Organization, 2007); UNODC, *2008 Toolkit to Combat Trafficking in Persons* (Vienna: United Nations Office on Drugs and Crime, 2008).

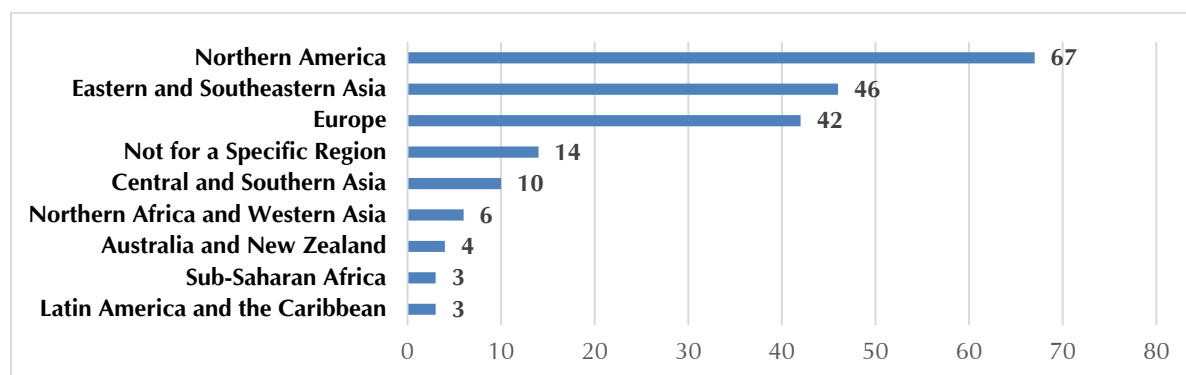
Figure #4. Timeline for the development of publicly available victim identification tools and resources²¹



From 2009 onward, more tools and resources were developed and disseminated by national governments, IOs and NGOs globally, with an increase in the number released in 2014 and 2015, as outlined in Figure #4. There was a noteworthy spike in 2016, when 27 victim identification tools and resources were published around the world. From 2017 to 2019, an additional 37 tools and resources were made publicly available: six in 2017, 18 in 2018, and 13 in 2019.

While victim identification tools have been created for countries around the world, those from some countries and regions are more accessible to the public than from others. Figure #5 shows that the majority of the tools and resources identified are focused on victim identification in Northern America (n=67) (particularly the United States). Roughly the same number are focused on victim identification in Europe (n=42) as are focused on Eastern and Southeastern Asia (n=46).

Figure #5. Regional focus of the 183 victim identification tools and resources included in the compendium²²



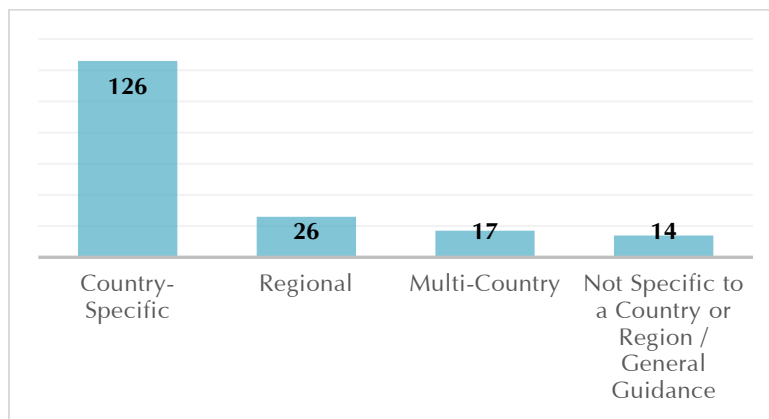
²¹ The year of publication was not available for 32 of 183 tools/resources, most of which (n=27) are from Northern America (the United States and Canada).

²² Because some tools are intended for use in more than one region, the total number exceeds the number of discrete tools and resources in the compendium. For countries included in each region, please see Annex #4: Regional groupings by country.

In some regions, the development of victim identification resources has been more recent. Most in Asia (70%) have been published since 2015. The few tools published in Latin America and Africa have been developed since 2016. This contrasts with Europe, where the majority (60%) were published before 2015. Those developed in Northern America were published in roughly equal numbers before and after 2015.

Most of the publicly available identification tools and resources (n=126) are country-specific. Some are multi-country (n=17). Others (n=26) are designed in line with the mission or work of specific regional bodies and international organizations. This includes entities formulating and implementing regional counter-trafficking policies and activities such as the European Union (n=12), OSCE (n=4), Council of the Baltic Sea States (n=1), Association of Southeast Asian Nations Commission on the Promotion and Protection of the Rights of Women and Children (ASEAN-ACWC) (n=3), Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) (n=1), Association of Southeast Asian Nations Senior Officials Meeting on Transnational Crime (ASEAN-SOMTC) and COMMIT in partnership (n=1), and the Bali Process (n=4).²³

Figure #6. Geographic focus of the 183 victim identification tools and resources included in the compendium



There are also fourteen tools and resources that are not specific to a country and/or region but are written broadly as guidance that may be applied and tailored in different settings. These may be helpful to counter-trafficking actors as resources in and of themselves or be used as a foundation in the development of other victim identification tools and resources.²⁴ Most (ten of 14) were developed before 2016

²³ Please see Annex #3 for descriptions of the regional bodies and international organizations that are referenced in this review.

²⁴ ILO, *Eliminating and Preventing Forced Labour: Checkpoints App* (Geneva: International Labour Organization, 2016); ILO SAP-FL, *Combating Forced Labour: A Handbook for Employers & Businesses* (Geneva: ILO Special Action Programme to combat Forced Labour, 2015); ILO, *ILO Indicators of Forced Labour* (Geneva: International Labour Organization, 2012); ILO, *Operational Indicators of Trafficking in Human Beings* (Geneva: International Labour Organization, 2009); IOM, *Screening Interview Form*; IOM, *IOM Handbook on Direct Assistance*; IOM, UN.GIFT and LSHTM, *Caring for Trafficked Persons: Guidance for Health Providers* (Geneva: International Organization for Migration, United Nations Global Initiative to Fight Human Trafficking and London: London School of Hygiene & Tropical Medicine, 2009); Sedex, *Guidelines on Operational Practice & Indicators of Forced Labour* (London: Sedex, 2017); UNICEF, *Guidelines on the Protection of Child Victims*; UNODC, *Detailed Human Trafficking Indicators List* (Vienna: United Nations Office on Drugs and Crime, 2016); UNODC, *First Aid Kit for Use by Law Enforcement First Responders in Addressing Human Trafficking* (Vienna: United Nations Office on Drugs and Crime, 2009); UNODC, *2008 Toolkit to Combat Trafficking in Persons*; UNODC, *2006 Toolkit to Combat Trafficking in Persons*; UNODC and UN.GIFT, *Anti-Human Trafficking Manual for Criminal Justice Practitioners* (Vienna: United Nations Office on Drugs and Crime and Geneva: United Nations Global Initiative to Fight Human Trafficking, 2009).

5. Framework for analysis

The following analysis examines the 54 victim identification tools and resources publicly available in English for different countries in Asia (listed in Annex #1).²⁵ As not all tools and resources are publicly available, it is not possible to determine what exists or is missing in each country in Asia. It is also not possible to assess whether a country has coherent, comprehensive, and mutually reinforcing materials to support victim identification across institutions and organizations.

Rather, this review offers an overview of issues and considerations identified through an analysis of this body of publicly available victim identification materials. This sample of available tools and resources is diverse, with different purposes, intended users, intended target groups, and settings of application. Existing materials offer insight into what is useful and helpful in identification tools and resources, as well as the different ways that identification may be approached. Because victim identification is approached differently in each country and each country is at a different stage in developing and implementing its victim identification response, this analysis offers guidance on issues and considerations for practitioners to pay attention to in their work.

Analysis is framed around the following key questions and considerations:

- 5.1 What tools and resources are available in Asia?
- 5.2 What is the purpose of available tools and resources?
- 5.3 Who is the intended user of available tools and resources?
- 5.4 Who and what forms of trafficking are being identified by tools and resources?
- 5.5 At which stages of trafficking are tools and resources to be used?
- 5.6 Who developed the materials and how?

²⁵ Asia includes: Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan); Southern Asia (Afghanistan, Bangladesh, Bhutan, India, Iran, Maldives, Nepal, Pakistan, Sri Lanka); Eastern Asia (China, Hong Kong SAR, Macao SAR, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea); Southeastern Asia (Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Singapore, Thailand, Timor-Leste, Viet Nam); and Western Asia (Armenia, Azerbaijan, Bahrain, Cyprus, Georgia, Iraq, Israel, Jordan, Kuwait, Lebanon, State of Palestine, Oman, Qatar, Saudi Arabia, Syrian Arab Republic, Turkey, United Arab Emirates, Yemen). Please see Annex #4: Regional groupings by country.

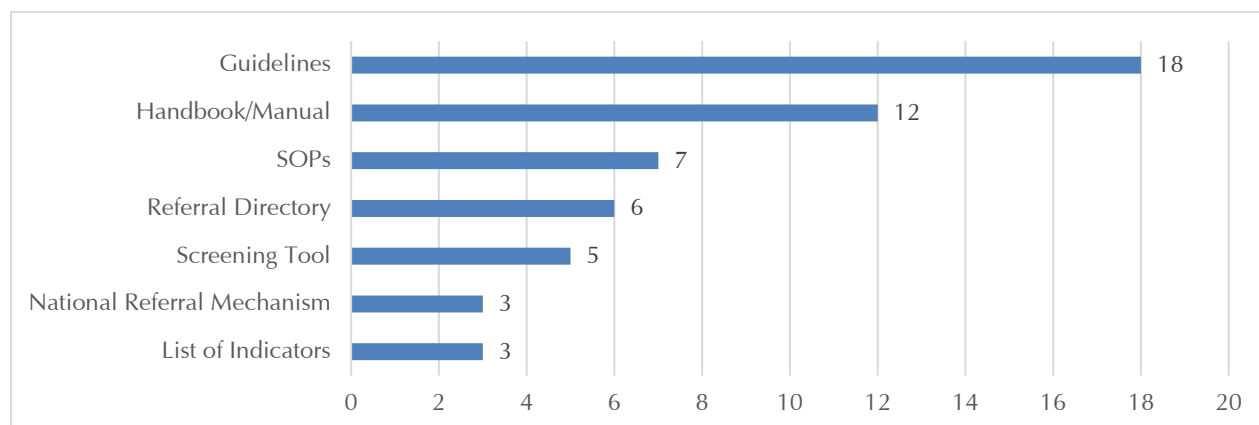
5.1 What tools and resources are available in Asia?

Fifty-four tools and resources designed to identify trafficking victims in Asia are included in this analysis. Because victim identification is approached differently in each country and countries are at different stages in their identification response, these tools and resources vary widely.

Of the 54 publicly available identification materials, 33 address victim protection generally, with victim identification addressed as a sub-topic. These include guidelines (n=18), handbooks/manuals (n=12), and guidance on national referral mechanisms (n=3). Some also include tools (for example, a victim assistance handbook that includes guidance on and practical tools for identification).

Twenty-one standalone tools for victim identification are aimed at initial and formal screening procedures; these are screening tools (n=5), referral directories (n=6), standard operating procedures (n=7), and lists of indicators (n=3). The following chart illustrates this breakdown.

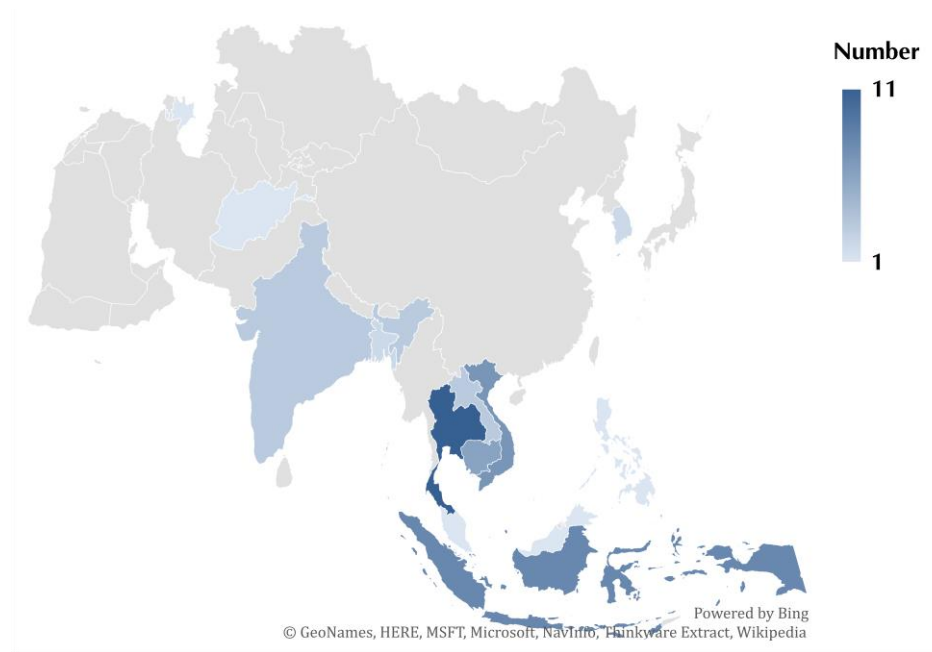
Figure #7. The 54 victim identification tools and resources in or applicable to Asia



Some tools and resources (n=44) are country-specific, aimed at the identification and referral process in the country. These country-specific materials have been developed by governments, as well as by international/UN agencies and civil society. The remaining ten tools and resources provide guidance for member states of regional bodies and international organizations like COMMIT, ASEAN, and the Bali Process.²⁶

²⁶ ASEAN and COMMIT Member States are from Southeastern Asia. Bali Process Member States come from Central Asia, Southern Asia, Eastern Asia, Southeastern Asia, and Western Asia, as well as Australia and New Zealand, and Northern Africa. Please see Annex #3 for a list of Member States of ASEAN, COMMIT, Bali Process, and other regional bodies and IOs.

Map #1. Countries in Asia with publicly available victim identification tools and resources



Thirty countries in Asia are reportedly implementing formal victim identification tools,²⁷ but many of these government-produced official documents are not publicly available. We were able to locate relevant tools from only fourteen countries, with some countries having developed multiple tools and resources.²⁸ We also identified several countries where identification materials are currently being developed but are not yet finalized or public. Most of the 44 discrete country-specific tools are for countries in Southeastern Asia (n=32), while a handful are from Southern Asia (n=6), Eastern Asia (n=4), and Western Asia (n=2). Table #2 provides country-by-country details regarding the Asian countries with victim identification resources that the public can access.

²⁷ These are Afghanistan, Azerbaijan, Bahrain, Bangladesh, Brunei Darussalam, Cambodia, China, Cyprus, Georgia, Hong Kong SAR, India, Israel, Jordan, Kazakhstan, Lao PDR, Macao SAR, Malaysia, Mongolia, Nepal, Pakistan, Philippines, Qatar, Republic of Korea, Saudi Arabia, Singapore, Sri Lanka, Thailand, UAE, Viet Nam, and Yemen. U.S. Department of State, *2019 Trafficking in Persons Report*.

²⁸ This includes: Afghanistan (n=1), Azerbaijan (n=1), Bahrain (n=1), Bangladesh (n=2), Hong Kong SAR (n=2), India (n=3), Republic of Korea (n=2), Cambodia (n=6), Indonesia (n=8), Lao PDR (n=3), Malaysia (n=1), Philippines (n=1), Thailand (n=11), and Viet Nam (n=7). While there are 44 discrete publicly available country-specific tools and resource, three resources apply to the destination country (Thailand) as well as countries of origin (Cambodia, Lao PDR and Viet Nam) and two are bilateral government SOPs (between Cambodia and Viet Nam and between Thailand and Viet Nam) and are listed in both places, accounting for the 49 country-specific tools listed in Table #2.

Table #2. Overview of publicly available country specific victim identification tools and resources in Asia

Country	Number identified	Description
Afghanistan	1	<ul style="list-style-type: none"> A training manual including guidance on victim identification developed by the government High Commission to Combat Trafficking in Persons and Smuggling of Migrants and a UN agency.²⁹
Bangladesh	2	<ul style="list-style-type: none"> Two interrelated tools for victim identification and assistance, developed by a civil society organization.³⁰
India	3	<ul style="list-style-type: none"> Two standard operating procedures (SOPs) on victim identification and assistance developed by the government and UN agencies, A handbook for law enforcement agencies including guidance on victim identification developed by the government and a UN agency.³¹
Eastern Asia		
Hong Kong SAR	2	<ul style="list-style-type: none"> A handbook on victim identification and assistance and a toolkit for victim identification, both developed by civil society organizations.³²
Republic of Korea	2	<ul style="list-style-type: none"> Two referral directories for Korean victims trafficked abroad developed by a civil society organization.³³
Southeastern Asia		
Cambodia	6	<ul style="list-style-type: none"> Government SOPs for the identification and repatriation of trafficking victims between Cambodia and Viet Nam; A protection policy and minimum standards that includes guidance on the process of identification from the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSVY); A referral directory developed by MOSVY and a civil society organization; SOPs on the reintegration of male trafficking victims including victim identification, from MOSVY and a UN agency; A handbook on the repatriation and reintegration of Cambodian trafficking victims identified in and returning from Thailand developed by the government of Thailand; and Government victim identification guidelines from the National Committee for Counter Trafficking in Persons (NCCT).³⁴

²⁹ High Commission on TIP and IOM, *Trafficking in Persons and Smuggling of Migrants Training Manual – Afghanistan* (Kabul: High Commission to Combat Trafficking in Persons and Smuggling of Migrants and International Organization for Migration, 2018).

³⁰ Winrock International, *Human Trafficking Victim Assessment Tool* (Washington, D.C.: Winrock International, 2015); Winrock International, *ACT Trafficking in Persons Survivor Services Guidelines: From Identification to Reintegration* (Washington, D.C.: Winrock International, 2014).

³¹ Government of India and UNODC, *SOP on Investigating Crimes of Trafficking for Forced Labour*; Government of India and UNODC, *SOP on Investigating Crimes of Trafficking for Commercial Sexual Exploitation*; P.M. Nair, *Handbook for Law Enforcement Agencies in India*.

³² Civil Society Anti-Human Trafficking Task Force Hong Kong, *Handbook on Initial Victim Identification & Assistance for Trafficked Persons* (Hong Kong SAR: Civil Society Anti-Human Trafficking Task Force Hong Kong, 2018); Liberty Asia, *Victim Identification Toolkit* (Hong Kong SAR: Liberty Asia, 2016).

³³ WHRIK, *2019 Leaflet for South Korean Victims of Prostitution and Sex Trafficking Abroad* (Seoul: Women's Human Rights Institute of Korea, 2019); WHRIK, *2018 Leaflet for South Korean Victims of Prostitution and Sex Trafficking Abroad* (Seoul: Women's Human Rights Institute of Korea, 2018).

³⁴ Government of Cambodia and Government of Vietnam, *Standard Operating Procedures for the Identification and Repatriation of Trafficked Victims* (Phnom Penh: Government of Cambodia and Hanoi: Government of Viet Nam, 2009); MOSVY, *Policy and Minimum Standards for the Protection of Trafficking Victims* (Phnom Penh: Ministry of Social Affairs, Veterans and Youth Rehabilitation, 2009); MOSVY and Chab Dai, *Referral Directory: Services for Returned Migrants and Survivors of Trafficking* (Phnom Penh: Ministry of Social Affairs, Veterans and Youth Rehabilitation and Chab Dai, 2012); MOSVY and IOM, *Standard Operating Procedures on the Provision of Reintegration Support to Male Victims of Trafficking* (Phnom Penh: Ministry of Social Affairs, Veterans and Youth Rehabilitation and International Organization for Migration, 2012); MSDHS and JICA, *Repatriation Handbook for Foreign Victims of Trafficking: Repatriation Flow and Procedures from Thailand to Cambodia* (Bangkok: Ministry of Social Development and Human Security and Tokyo: Japan International Cooperation Agency, 2019); NCCT, *Guidelines on Forms and Procedures for Identification of Victims of Human Trafficking for Appropriate Service Provision* (Phnom Penh: National Committee for Counter Trafficking in Persons, 2015).

Indonesia	8	<ul style="list-style-type: none"> • Two guidelines for frontline officers and law enforcement engaged in victim identification and protection by a UN agency; • SOPs for services for victims of trafficking from the Ministry of Women’s Empowerment and Child Protection (MOWECP); • Two handbooks on victim protection developed by the MOWECP and a UN agency; • Two referral directories developed by a civil society organization in partnership with the government; and • Victim identification guidelines for village-based multi-disciplinary teams (MDTs) developed by a civil society organization in partnership with the government.³⁵
Lao People’s Democratic Republic	3	<ul style="list-style-type: none"> • The national referral mechanism including guidance on victim identification, • Victim identification guidelines from the Ministry of Public Security (MPS), • A handbook on the repatriation and reintegration of victims from Lao PDR identified in and returning from Thailand developed by the government of Thailand.³⁶
Malaysia	1	<ul style="list-style-type: none"> • A list of indicators for frontline officials developed by the Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants (MAPO).³⁷
Philippines	1	<ul style="list-style-type: none"> • Guidelines on the protection of children that outline the process of victim identification, developed by the Inter-Agency Council Against Trafficking (IACAT).³⁸
Thailand	11	<ul style="list-style-type: none"> • A training manual for law enforcement developed by a UN agency that includes the formal government screening tool for victim identification; • A screening tool for victim identification from the Ministry of Labor (MOL); • Government screening tool for victim identification developed by the Ministry of Social Development and Human Security (MSDHS); • Government operational guidelines on the provision of assistance and protection to trafficking victims, including the procedure for victim identification from the MOL and MSDHS; • A brochure from the MSDHS on the preliminary identification of trafficking victims;

³⁵ IOM, *Guidelines for Frontline Officers in Assisting Witnesses and/or Victims of Trafficking in Sukabumi District* (Jakarta: International Organization for Migration, 2016); IOM, *Guidelines for Law Enforcement and the Protection of Victims of Trafficking in Handling Trafficking in Persons Cases* (Jakarta: International Organization for Migration, 2009); MOWECP, *SOP of Integrated Services for Witnesses and/or Victims of Crime of Human Trafficking* (Jakarta: Ministry of Women’s Empowerment and Child Protection, 2010); MOWECP and IOM, *Handbook on Service Mechanisms for Witnesses and/or Victims of Trafficking in Persons in Indonesia* (Jakarta: Ministry of Women’s Empowerment and Child Protection and International Organization for Migration, 2019); MOWECP and IOM, *Guidelines of the Mechanism of Services for the Witness and/or Victims of Trafficking: A Handbook for the Assistance of Witnesses and/or Victims of Trafficking* (Jakarta: Ministry of Women’s Empowerment and Child Protection and International Organization for Migration, 2016); NEXUS Institute, *2018 Directory of Services for Indonesian Trafficking Victims and Victim/Witnesses: West Java and Jakarta* (Washington, D.C.: NEXUS Institute, 2018); NEXUS Institute, *Identification and Referral of Trafficking Victims in Indonesia: Guidelines for frontline responders and multi-disciplinary teams at the village level* (Washington, D.C.: NEXUS Institute, 2018); NEXUS Institute, *2016 Directory of Services for Indonesian Trafficking Victims and Exploited Migrant Workers: Jakarta and West Java* (Washington, D.C.: NEXUS Institute, 2016). The IOM *Guidelines for Law Enforcement and the Protection of Victims of Trafficking in Handling Trafficking in Persons Cases* (2009) were updated in 2017 but was not available for review in English.

³⁶ Government of Lao PDR, *National Referral Mechanism* (Vientiane: Government of Lao PDR, 2019); MPS, *Trafficking in Person Victim Identification Guideline* (Vientiane: Ministry of Public Security, 2016); MSDHS and JICA, *Repatriation Handbook for Foreign Victims of Trafficking: Repatriation Flow and Procedures from Thailand to Lao PDR* (Bangkok: Ministry of Social Development and Human Security and Tokyo: Japan International Cooperation Agency, 2019).

³⁷ MAPO, *Trafficking in Persons Information Card* (Kuala Lumpur: Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants, n.d.).

³⁸ IACAT, *Philippine Guidelines*.

		<ul style="list-style-type: none"> • Three government handbooks that outline the process of repatriation of trafficking victims from Thailand to Cambodia, Lao PDR, and Viet Nam, developed by the MSDHS; • Identification guidelines from the MSDHS, MOL, and Royal Thai Police (RTP); • Government SOPs on the identification and return of victims of trafficking between Thailand and Viet Nam; and • Operational guidelines for MDTs that include the formal government screening/identification tool.³⁹
Viet Nam	7	<ul style="list-style-type: none"> • A manual on victim identification and referral developed by a technical assistance project; • Government SOPs for the identification and repatriation of trafficking victims between Cambodia and Viet Nam; • Guidance for border guards and marine police on the identification of trafficking victims, from the Ministry of National Defense; • Guidance on the identification, receipt, and repatriation of trafficking victims from the Ministry of Public Security, Ministry of National Defense, Ministry of Labor, War Invalids and Social Affairs and Ministry of Foreign Affairs; • A handbook on the repatriation and reintegration of Vietnamese trafficking victims identified in and returning from Thailand developed by the government of Thailand; • Government SOPs on the identification and return of victims of trafficking between Thailand and Viet Nam; and • A referral directory for returned women and child trafficking victims developed by the government.⁴⁰
Western Asia		
Azerbaijan	1	<ul style="list-style-type: none"> • A counter-trafficking handbook including guidance on trafficking victim identification, developed by a UN agency in partnership with the government.⁴¹
Bahrain	1	<ul style="list-style-type: none"> • A handbook on the national referral mechanism including guidance on trafficking victim identification, developed by the National Committee for Counter Trafficking in Persons (NCCTIPs).⁴²
Total	49	While there are 44 discrete country-specific tools and resources, three resources apply to the destination country (Thailand) as well as the countries of origin

³⁹ M. McAdam, *Training Manual: Countering Human Trafficking in the Thai Fishing Industry* (Bangkok: International Organization for Migration, 2016); MOL, *Thailand Ministry of Labor Forced Labor Assessment* (Bangkok: Ministry of Labour, n.d.); MOL and MSDHS, *Operational Guidelines*; MSDHS, *MSDHS Preliminary Interview Form*; MSDHS, *Scope and Elements of Identification of Trafficked Persons*; MSDHS and JICA, *Repatriation Handbook (Thailand to Cambodia)*; MSDHS and JICA, *Repatriation Handbook (Thailand to Lao PDR)*; MSDHS and JICA, *Repatriation Handbook for Foreign Victims of Trafficking: Repatriation Flow and Procedures from Thailand to Viet Nam* (Bangkok: Ministry of Social Development and Human Security and Tokyo: Japan International Cooperation Agency, 2019); MSDHS and MPS, *Standard Operating Procedures for the Identification and Return of Victims of Human Trafficking between Thailand and Viet Nam* (Bangkok: Ministry of Social Development and Human Security and Hanoi: Ministry of Public Security, 2013); MSDHS, RTP and MOL, *Referral system for victims of trafficking: New guidelines for victim identification by multi-disciplinary teams* (Bangkok: Ministry of Social Development and Human Security, Royal Thai Police and Ministry of Labour, 2016); MSDHS and JICA, *MDT Operational Guideline for the Protection of Victims of Human Trafficking* (Bangkok: Ministry of Social Development and Human Security and Tokyo: Japan International Cooperation Agency, 2013).

⁴⁰ AAPTIP, *Manual on Identification, Support and Referral of Potential Victims of Labour Trafficking* (Hanoi: Australia-Asia Program to Combat Trafficking in Persons, 2018); Government of Cambodia and Government of Vietnam, *SOPs*; MOD, *Circular Regulating Measures Of The Border Guard And The Marine Police In The Prevention Of The Sale Of People* (Hanoi: Ministry of National Defense, 2013); MPS et al., *Joint Circular on the Procedure for and Cooperation in Identification, Receipt, and Repatriation of Victims of Human Trafficking* (Hanoi: Ministry of Public Security, Ministry of National Defense, Ministry of Labor, War Invalids and Social Affairs and Ministry of Foreign Affairs, 2014); MSDHS and JICA, *Repatriation Handbook (Thailand to Viet Nam)*; MSDHS and MPS, *SOPs*; MOLISA, *Policies and Regulations on Social Assistance Services*.

⁴¹ IOM and Government of Azerbaijan, *Counter Trafficking Handbook* (Baku: International Organization for Migration and Government of Azerbaijan, 2016).

⁴² NCCTIPs, *The National Referral Mechanism for Victims of Trafficking in Persons* (Manama: Bahrain National Committee for Combating Trafficking in Persons, 2017).

		(Cambodia, Lao PDR, and Viet Nam) and are listed in both places. Two are bilateral government SOPs (between Cambodia and Viet Nam and between Thailand and Viet Nam) are counted in both places, accounting for 49 tools and resources in this table.
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Ten of the 54 identification tools and resources were developed by regional bodies and international organizations for their member states, as outlined in Table #3. These ten provide general guidance for the implementation of national level tools and resources, offering consistency within and between countries. This is particularly salient in the case of ASEAN Member States (AMS) as this guidance should support the implementation of ACTIP at a national level.

Table #3. Victim identification tools and resources developed by regional bodies

Regional body	Number identified	Description
ASEAN-ACWC	3	<ul style="list-style-type: none"> Practitioner toolkit aimed at the implementation of the regional guidelines on victim protection including identification, Regional guidelines and procedures on addressing the needs of trafficking victims including victim identification, and Gender sensitive guidelines on assisting women victims of TIP.⁴³
ASEAN-SOMTC and COMMIT	1	<ul style="list-style-type: none"> One regional tool for trafficking victim identification, developed with support from UN agencies and technical assistance projects⁴⁴
Bali Process	4	<ul style="list-style-type: none"> Four resources that present victim-centered approaches to victim identification, including practical tools⁴⁵
COMMIT	1	<ul style="list-style-type: none"> Trafficking victim identification guidelines for COMMIT Member States⁴⁶
Civil society	1	<ul style="list-style-type: none"> An application (app) for use in identifying trafficking victims in countries of the Greater Mekong Sub-region (GMS)⁴⁷

Key issues and findings: Availability of identification of tools and resources

A key finding from this review of 54 publicly available victim identification materials in Asia is that the overall coverage is incomplete. As detailed below, the shortfalls are evidenced in a variety of ways. As an initial matter, many countries do not seem to have developed victim identification materials for use by their country's practitioners, making it difficult to understand how they identify trafficking victims. Still other countries have not tailored existing and regional identification materials for their respective country contexts. Our research found shortcomings regarding public availability of identification materials in Asia and a geographic imbalance among existing publicly

⁴³ ASEAN-ACWC, *Practitioners' Model Implementation Toolkit for the ACWC Regional Guidelines and Procedures to Address the Needs of Victims of Trafficking in Persons* (Jakarta: ASEAN Commission on the Promotion and the Protection of the Rights of Women and Children, 2019); ASEAN-ACWC, *Regional Guidelines and Procedures to Address the Needs of Victims of Trafficking in Persons* (Jakarta: ASEAN Commission on the Promotion and the Protection of the Rights of Women and Children, 2018); ASEAN-ACWC, *Gender Sensitive Guideline for Handling Women Victims of Trafficking in Persons* (Jakarta: ASEAN Commission on the Promotion and the Protection of the Rights of Women and Children, 2016).

⁴⁴ ASEAN-SOMTC and COMMIT, *Identifying Victims of Trafficking and Associated Forms of Exploitation: Common Indicators for First Responders* (Jakarta: Association for Southeast Asian Nations and Bangkok: Coordinated Mekong Ministerial Initiative against Trafficking, 2016).

⁴⁵ Bali Process, *Assisting and Interviewing Child Victims of Trafficking: A Guide for Law Enforcement, Immigration and Border Officials* (Bangkok: Bali Process RSO, 2018); Bali Process, *Quick Reference Guide*; Bali Process, *Enhancing a Victim-Centered Approach: A study guide for practitioners for identifying, assisting and protecting victims of trafficking in the Asia-Pacific region* (Bangkok: Bali Process RSO, 2016); Bali Process, *Policy Guide on Identifying Victims of Trafficking: An introductory guide for policy makers and practitioners* (Bangkok: Bali Process RSO, 2015).

⁴⁶ COMMIT, *Victim Identification and Referral Mechanisms: Common Guidelines for the Greater Mekong Subregion* (Bangkok: Coordinated Mekong Ministerial Initiative against Trafficking, 2016).

⁴⁷ Mekong Club and United Nations University, *Apprise* (Hong Kong SAR: Mekong Club and Tokyo: United Nations University, 2019).

available tools and resources. There appear also to be gaps in availability of materials in relevant languages.

Not all victim identification materials are publicly available: As described previously, we identified and were able to access only 54 tools and resources from fourteen countries in Asia, although the 2019 *Trafficking in Persons Report*, notes the use of victim identification tools in 30 of the 49 countries of Asia (and nine countries are in the process of developing tools for victim identification).⁴⁸ Institutional authors – both government and non-government – of identification materials that are not shared publicly should consider why they are not made publicly available. Reticence to share materials may be because of competition between institutions or organizations; concerns that material is not sufficiently robust to be released; or concerns that traffickers will misuse tools and resources to evade detection, including by coaching victims to avoid being positively identified during screenings. Other reasons may be insufficient time, resources, and/or technology to make materials publicly available or available online. Nevertheless, there are significant benefits of wider sharing and availability of identification materials (of a non-sensitive nature): to raise awareness of and ensure consistency and quality of victim identification approaches between institutions and between countries; to use or adapt existing tools and resources rather than developing new tools and resources from scratch; to avoid wasted resources and duplication within and between countries; to strengthen quality and effectiveness of tools by sharing lessons learned in their design and implementation; the ability to learn from what has been done (including mistakes made and lessons learned); and to promote transparency of criteria and procedures for victim identification, referral, and assistance options. Given that ACTIP requires mutual recognition of trafficking victims identified within ASEAN, countries need a clear understanding of each other’s victim identification procedures, as well as referral and assistance options.

Availability of identification tools and resources: Key issues and findings

- Not all victim identification materials are publicly available.
- There is uneven coverage and geographical imbalance in available materials.
- The availability of materials in relevant languages is unclear.

There is uneven coverage and geographical imbalance in available materials: A number of countries lack victim identification materials that are publicly available in English. As noted above, identification tools are used in 30 of 49 countries of Asia, which means that there 19 countries without formal identification materials. The majority of country-specific tools we did identify are from Southeastern Asia, suggesting a dearth of identification materials, at least publicly available, in other parts of Asia. This geographical imbalance is also reflected in the tools and resources developed by regional bodies for their member states (n=10), which are largely representative of Southeastern Asia.⁴⁹ This may be due to greater availability of CTIP funding in Southeastern Asia or a function of decisions about where to locate counter-trafficking activities and our own institutional relationships, which are largely focused in Southeastern Asia. Even within Southeastern Asia we found that the availability of tools and resources differs substantially. Some countries have several identification tools and resources (notably, Cambodia, Indonesia, Thailand, and Viet Nam), while other countries in Southeastern Asia have few to none. Filling this gap should be a priority for countries where identification materials are lacking or otherwise deficient.

⁴⁸ These nine countries are Bhutan, Kuwait, Kyrgyzstan, Maldives, Myanmar, Nepal, Tajikistan, Timor-Leste, and Turkey. U.S. Department of State, 2019 *Trafficking in Persons Report*. Please see Annex #5: Excerpts from the 2019 TIP Report relevant to identification.

⁴⁹ The only partial exception being those materials produced by the Bali Process, the membership of which is primarily, but not exclusively, countries in Southeastern Asia.

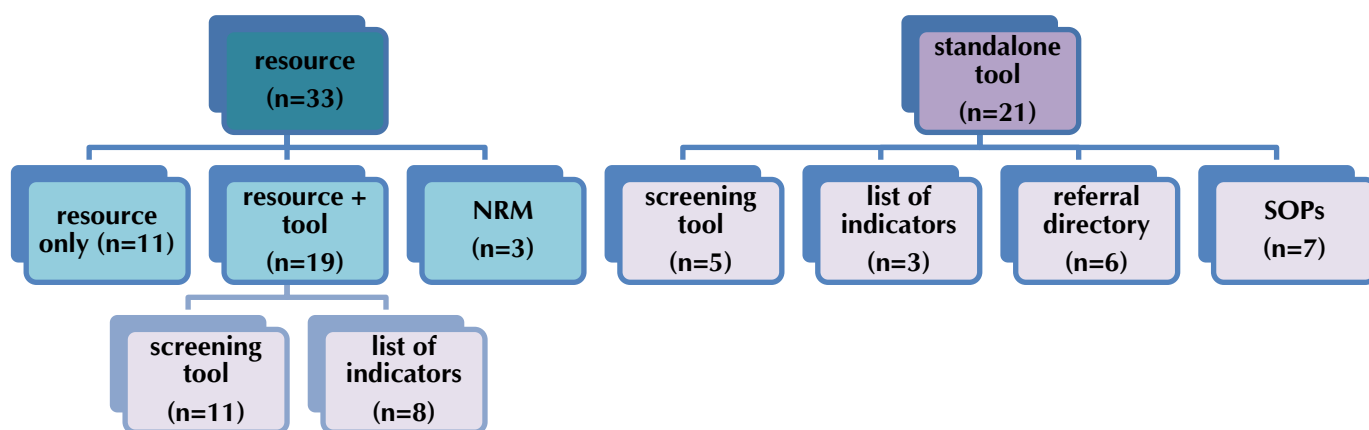
The availability of materials in relevant languages is unclear: Some regional resources are translated into multiple languages, supporting consistency between countries and allowing their use in destination countries when victims may originate from many different origin countries. The tools and resources identified for this analysis are available in English and country-specific tools are available in the main national languages of the relevant countries. It is unclear how many are also available in minority languages or other languages that might be needed to improve the identification of trafficking victims. Thus, governments should identify what languages a country's identification materials should be translated into and ensure multi-lingual availability.

5.2 What is the purpose of available tools and resources?

Different materials have different roles and purposes *vis-a-vis* victim identification. Some resources cover identification and referral within a broader discussion of victim protection and may include practical tools (for example, a screening tool or a list of indicators) to support identification. Others are standalone operational tools. Even within these broad-brush strokes, the nature and content of tools and resources vary widely. In Southeastern Asia, identification materials include formal screening tools (Thailand), victim identification guidelines (Cambodia, Indonesia, Lao PDR, and Thailand), a list of indicators (Malaysia), SOPs (Cambodia, Indonesia, Thailand, Viet Nam), guidance on the national referral mechanism (Cambodia and Lao PDR), guidance on victim identification and services (Cambodia, Philippines, Thailand, and Viet Nam), referral directories (Cambodia, Indonesia, and Viet Nam), and handbooks on repatriation (from Thailand to Cambodia, Lao PDR, and Viet Nam). Tools and resources that exist in Asia outside of Southeastern Asia include SOPs (India), guidance on the national referral mechanism (Bahrain), guidance on victim identification and services (Afghanistan, Azerbaijan, Bangladesh, Hong Kong SAR, and India), and referral directories (Republic of Korea).

Thirty-three (of 54) resources available for review address victim protection more generally (including guidelines, handbooks or manuals and guidance on national referral mechanisms). Twenty-two (of 33) include practical identification tools (such as lists of indicators and screening tools) alongside more general information and guidance. Eleven (of these 33) provide general treatment of the topic and lack practical, operational tools for identification. These eleven include four regional victim identification guidelines; one regional toolkit on identification; guidance on identifying and referring trafficking victims in Cambodia, Philippines, Thailand, and Viet Nam; and a handbook on for law enforcement agencies in India that includes general information on victim identification during rescue operations.

Figure #8. Overview of 54 publicly available victim identification materials in Asia



The 21 standalone tools (screening tools, lists of indicators, referral directories and SOPs) are primarily designed for individual countries, detailed, and tailored to the specific context and legal framework. Most (n=16) are for use in (or for victims from) specific countries, including Bangladesh (screening tool), Cambodia (referral directory and SOPs), India (two sets of SOPs), Indonesia (SOPs and two referral directories), Malaysia (list of indicators), Republic of Korea (two referral directories), Thailand (SOPs, two screening tools and one list of indicators), and Viet Nam

(a referral directory). Two are for use in multiple countries (SOPs for Cambodia and Viet Nam, and for Thailand and Viet Nam). Three standalone identification tools are regional and general in scope, including a list of indicators, a screening tool, and a mobile phone app.

The 54 tools and resources relate to different stages of the victim identification process, as detailed in Figure #9. Many materials mirror the full process of identification and referral, while others focus only on identification itself.

Figure #9. Purpose of the 54 publicly available identification tools and resources in Asia

10 tools & resources	Preliminary identification		
8 tools & resources	Preliminary identification →	Formal identification	
36 tools & resources	Preliminary identification →	Formal identification →	Referral for assistance

Key issues and findings: Purpose of identification tools and resources

In reviewing available materials, it is apparent there are gaps in the overall treatment of victim identification in many countries in the region. Each country approaches identification differently, employing different tools and resources. While most identification materials address the full process of identification and referral, some do not link identification to referral nor offer practical guidance at these stages. There is also an overarching assumption in existing identification materials that the identification process will lead to a positive determination (that the person is a trafficking victim) and little guidance on what to do in the case of a negative determination (when the person is assessed not to be a trafficking victim) or in the case of a false negative (when a victim is incorrectly determined *not* to be a victim). Another shortfall is the lack of guidance in materials on sensitive and trauma-informed conduct on the part of identifying actors.

Purpose of identification tools and resources: Key issues and findings

- Different materials address varying aspects of identification and referral.
- Most materials link identification to referral, but do not always offer sufficient operational information.
- Tools and resources assume positive victim identification.
- There is limited guidance in the case of a false negative.
- Insufficient guidance is provided for users on sensitive, trauma-informed screening.

Different materials address varying aspects of identification and referral: There is not one agreed model of how to approach victim identification and, as such, not one “right” set of tools and resources. Rather, it is important to consider what combination of identification materials exists within a country and how these may interact and complement one another, as well as how they operate within the specific legal system of the country. In spite of variation, victim identification materials should offer as much guidance as possible about the full process of victim identification (including positive and negative determinations) and practical, operational tools (such as lists of indicators or screening tools) to instruct the user and guide the identification process in practice. Identification material should outline the steps and relevant actors in the identification process and provide tools to be used in real world situations. Lack of practical, on the ground guidance is a gap. Because not all materials are publicly available, we cannot assess to what extent this is the case in any one country in Asia. However, some countries like Thailand and Indonesia have seemingly complimentary and mutually reinforcing tools and resources between institutions and

organizations. Another issue in some countries is the presence of more than one tool or resource performing the same or a similar function, raising questions about potential duplication and consistency of approach between institutions and organizations.

Most materials link identification to referral but do not always offer sufficient operational information: Many tools and resources (36 of 54) include information on the full process of identification (preliminary identification, formal identification, and referral for assistance). For example, three handbooks to repatriate and reintegrate trafficking victims from Thailand are “one-stop reference documents”, about identification, repatriation, and reintegration of foreign victims from Cambodia, Lao PDR, and Viet Nam. Similarly, one victim identification toolkit in Hong Kong SAR describes the identification process, identification protocols and questionnaires and information about support services. Another handbook from Hong Kong SAR details the legal framework for and process of identification and provides practical tools and information about referral services. Materials with coverage of the full identification process increase the likelihood of trafficking victims being effectively referred for further support and protection.

Identification materials vary significantly in their capacity to be practically implemented or operable. Some provide detailed descriptions from preliminary and formal identification to referral and, in some cases, even return or reintegration. By contrast, others fail to provide clear guidance for practitioners to improve their ability to identify and refer victims. One government guideline in Lao PDR described the steps after preliminary identification in only the broadest terms, instructing all potential first responders to coordinate with relevant organizations to provide support and protection as well as to prosecute the perpetrators. Similarly, some materials lack guidance on steps to be taken on the basis of a positive identification (when the person is identified as a trafficking victim). And the 19 materials that include referral information range in detail, from listing service provider phone numbers to comprehensive directories that include contact and location details, explanation of services and information about eligibility for services (for example, whether the service provider works with adults and/or children, males and/or females, trafficking victims and/or other vulnerable persons).

By contrast, some identification materials do not connect to further steps and actions, nor elaborate on the possible outcomes that may result once the identification process has been completed. Ten (of 54) materials focus only on preliminary identification and eight focus on the preliminary and formal identification processes, but not referral. While not surprising for regional tools and resources, this may hamper the utility of country-specific tools and resources, as concrete guidance is needed to ensure trafficking victims are not only identified but also receive assistance and protection. For example, the government screening tool in Thailand asks the first responder to make recommendations for assistance but does not provide any information about requirements for the referral process. If concrete guidance does not accompany a tool, those using the tool may not be aware of their role in referral and/or will not refer victims as a matter of practice. Given that preliminary identification should lead to formal identification and referral for assistance (if the victim consents), materials should offer sufficient guidance on these steps. The above points notwithstanding, an identification tool or resources may be extremely valuable in practice even if it does not address the whole process of identification. Lack of comprehensiveness should not necessarily be taken to mean lack of usefulness or effectiveness. This though needs to be assessed in practice and requires on the ground knowledge of the effectiveness of specific identification material, including how it fits into the overall identification and referral process in a country.

Tools and resources assume positive victim identification: Most tools and resources assume a positive identification outcome (that the person is a victim of trafficking). There is lack of information and guidance on what happens in the case of a negative conclusion (when a person is

found *not* to be a trafficking victim, including when they may still have protection needs). Only six of the 54 tools and resources specifically provide information about what should happen in the case of a negative conclusion (government identification guidelines in Cambodia, Lao PDR, and Viet Nam, SOPs for services and identification guidelines for MDTs in Indonesia, and a handbook on victim identification and assistance in Hong Kong SAR). However, some of this information is quite limited and general. For example, the government victim identification guidelines in Lao PDR note simply that if the person is not a TIP victim, the legal procedures and concerned laws and regulations must be followed. An additional six (of 54 materials) indirectly address steps to be taken when individuals are not identified as trafficking victims, for example, by providing a list of service providers that assist other types of vulnerable persons or noting that they should still be provided with assistance (operational guidelines for MDTs and for government officials in Thailand, identification guidelines for law enforcement in Indonesia, two referral directories for Indonesia, and a manual on identification and referral of victims in Viet Nam). People who are not identified as trafficking victims often still have protection and assistance needs and lack of guidance in the case of a negative conclusion is a gap. Identification materials should clearly and effectively explain this possible outcome and link individuals to services that are available for people in need of protection.

There is limited guidance in the case of a false negative: Identification tools may trigger a false negative (that is, when the victim answers in ways that suggest they are not a trafficking victim or when the victim is incorrectly determined *not* to be a victim). A negative screening does not definitively preclude the possibility that someone is a trafficking victim as victims may not answer questions faithfully or completely because of fear, mistrust, or trauma. Some victims may initially not wish to be identified but change their mind at a later stage. This may involve declining identification in the destination country but needing assistance and protection once home or initially declining identification and assistance once in the place of origin but wanting/needing it at a later stage during reintegration. The option for later identification and referral (either in the destination country or once home) is an important aspect of enhancing victim identification efforts but is lacking in existing tools and resources. And yet there is almost no attention to the risk of a false negative in existing identification materials, or guidance on how this is to be handled by users. There is also limited guidance on how this may be addressed in practice including options for re-screening, postponing identification for victims who are not in a position to be screened, and appeal options in the case of negative determinations.

Insufficient guidance is provided for users on sensitive, trauma-informed, culturally and linguistically appropriate screening: Trauma-informed techniques are important when screening and identifying trafficking victims (for example, being nonjudgmental, using active listening, ensuring transparency, engaging in rapport-building, and fostering empowerment). Identification materials should be designed to be sensitive, trauma-informed, and culturally and linguistically appropriate to be able to uncover vulnerabilities and factors that indicate trafficking. Many of the 54 tools and resources lack sufficient guidance for users on how to engage sensitively and appropriately with trafficking victims (including different types of victims) during the identification process. Guidance is also needed on how to navigate barriers to victim disclosure (including fear, the impact of trauma, and lack of trust). Lack of guidance for users on these key aspects of implementation not only risks missed or mis-identification but also places enormous pressure on professionals to navigate the complexities and sensitivities involved in victim identification. Training and capacity building should also accompany written guidance on conducting sensitive, trauma-informed, and culturally and linguistically appropriate screening.

5.3 Who is the intended user of available tools and resources?

Typically, initial steps to identify victims are primarily undertaken by first responders (that is, those who in their professional capacity encounter individuals who may be in trafficking situations and who are professionally tasked with identifying and referring presumed trafficking victims). This most commonly involves law enforcement and criminal justice officials (for example, police, prosecutors, immigration officials, border officers, or labor inspectors) or multi-disciplinary teams that commonly include law enforcement. However, victim identification may also be conducted by different service providers (most commonly social workers, but also healthcare provider and shelter providers) and diplomatic and consular officials. In addition, there are various individuals, institutions, and organizations that may be in a position to identify trafficking victims, but for whom it is not their primary role or responsibility. Trafficking victims may also self-identify and therefore benefit from tools designed for their own use. The majority (n=48) of the 54 victim identification tools and resources are designed for individuals, organizations, or institutions that are formally tasked with victim identification. Six tools and resources are designed specifically for trafficking victims themselves, to facilitate their self-identification and self-referral for assistance as trafficking victims.

Intended users of the various materials are described using different terms, with different levels of specificity. As shown in Table #4, some materials target “service providers” generally, whereas others indicate a more specific intended user such as “social workers” or “health officers”. Some tools are intended for “first responders” and “frontline officers” which is a broad and opaque category.

Table #4. Intended users as specified in the 54 publicly available victim identification materials⁵⁰

Specified intended user of identification material	Number of materials
Agencies tasked with TIP ⁵¹	11
Border police and immigration officials	6
Community leaders and religious leaders	2
Diplomatic missions and consular agencies	1
First responders, frontline agencies	12
Health professionals	1
Judges	2
Labor inspectors	1
Law enforcement including Ministry of Interior	13
MDTs (multi-disciplinary teams)	6
NGOs (without further specification)	4
Prosecutors	2
Social workers (including case managers, shelter staff) and service providers	12
Teachers	1
Trafficking victims (self-identification)	6
Not specified	7
Total	87

⁵⁰ Some tools and resources specified multiple intended users, therefore the total tools and resources disaggregated by intended user exceeds 54.

⁵¹ For example, Ministry of Interior; Ministry of Foreign Affairs; Ministry of Labor, War Invalids and Social Affairs; Ministry of National Defense; Ministry of Public Security; Ministry of Social Affairs, Veterans and Youth Rehabilitation; Ministry of Social Development and Human Security; Ministry of Women’s Affairs; and National TIP Committee/Commission.

Key issues and findings: Intended users of identification materials

A key finding from the sample of available victim identification materials is that many do not specify the intended user and some key identification stakeholders are not included at all. Many also do not differentiate between the roles and responsibilities of various users. We were unable to determine whether and how existing victim identification materials have been disseminated to intended users, nor what orientation or training those users have been given to use these specific tools and resources in their work.

Intended users of materials are not specified or are unclear:

Some tools and resources clearly and precisely specify intended users. Others, however, would benefit from further specification and precision. Many of the materials in the sample are designed broadly for “frontline officers” or “first responders”, but often do not define who is included in this category. Depending on the country and context, this might imply a wide range of different professionals (including social service providers, child-protection officials, law enforcement, border guards, and medical personnel) working within varying occupational and societal contexts and having different roles, responsibilities, and authorities. Even the narrow category of “service providers” encompasses different professional fields (for example, medicine, social work, psychology, law), different professional mandates and responsibilities and different interactions with trafficking victims. Two tools categorize the intended users in very general terms: “officials tasked with collecting evidence of trafficking in persons” and “a range of domestic agencies”; some tools (n=10) do not specify the intended user at all. The absence of clear specification makes it difficult for intended users to assess when material is targeted at them. Conversely, tools that do not clearly identify the intended user may be utilized by actors in ways that were not intended (for example, when a victim identification tool is used to identify persons working irregularly) or simply be unhelpful in practice (for example, because the indicators offered are not fit for purpose). If information about the intended users is not immediately clear from the outset but requires a reading through of the content, then the tool or resource is less likely to be accessed by those for whom it is intended.

Some identification materials list intended users that are then not addressed in subsequent instructions or discussions. One resource from Hong Kong, for example, lists a range of intended users (for example, service providers, the police, immigration officials, teachers, health authorities,) and provides detailed information for most, but not all, of the intended practitioners. In other cases, resources include sections for practitioners that are not mentioned among the stated target users. For example, one regional resource targets law enforcement agencies, social workers, health officers, service providers, and frontline agencies dealing with TIP cases but also includes guidance for prosecutors and judges in some sections. Where content is not sufficiently calibrated to the target audience, it is unlikely to be applied by them in practice.

Identification materials are not available for some key users: Some potential users are missing or underrepresented in victim identification materials analyzed for this review. For example, only one manual from Viet Nam specifies labor inspectors as the target user and only two resources in India and Indonesia include prosecutors as intended users. One resource from Viet Nam includes guidance on victim identification for diplomatic and consular officials, among other target users.

Intended users of identification materials: Key issues and findings

- Intended users of materials are not specified or are unclear.
- Identification materials are not available for some key users.
- There is insufficient differentiation between roles and functions of different intended users.
- Instructions and guidance vary for users in the implementation or adaptation of materials.
- Dissemination of tools and resources to intended users is unclear.

Only a few resources target border police and immigration officials (a regional guide on interviewing child victims, a training manual in Afghanistan, a referral directory in Cambodia, a resource on identification from a civil society organization in Hong Kong SAR, guidance on victim identification from the government in Viet Nam, SOPs for Cambodia and Viet Nam). And only three resources for law enforcement include the coast guard and maritime law enforcement officials (two in Viet Nam and one in Thailand). Tools have also not been designed exclusively for other user groups able to identify trafficking victims (for example, diplomatic and consular officials, those engaged in reviewing asylum applications, health care professionals, humanitarian workers responding to conflict and emergencies, members of armed forces, among others). This gap in specifically targeted tools requires remedy and stands in contrast to identification materials in other regions.

There is insufficient differentiation between roles and functions of different intended users: Most materials reviewed do not distinguish between users whose primary responsibility is victim identification, and those for whom it is a secondary or ancillary function. Some professionals may not be formally tasked with victim identification but may do so, at least initially or preliminarily, by virtue of the nature of their work (for example, as health professionals, outreach workers, administrators of state services, or representatives of trade unions). In determining what tools and resources are needed, and how they are to be framed, countries and regional bodies should consider which institutions and organizations within a country's anti-trafficking response have an indirect or secondary role in victim identification and what guidance and parameters may be needed to guide their efforts. Some intended users may work with vulnerable persons who may also be trafficking victims (for example, homeless youth, street involved children, victims of violence) but these professionals may not be trained or specialized in trafficking and they may also have only limited opportunities to conduct preliminary screenings. In such cases, identification tools should be brief and easy to use. Careful prescription and limits are required as to which institutions and organizations should or *should not* engage in preliminary victim identification. Those determined to be appropriate will then need to be supported by those who, in their authorized/legal capacity as competent authorities, are responsible for screening trafficking victims, including through the development of relevant tools and resources. In short, when categories of individuals are determined to have a role to play in victim identification, there is scope for the development of more specific, contextualized tools. Moreover, specific roles and responsibilities in this regard require careful thought and clearly articulated boundaries.

Instructions and guidance on implementation of materials varied: Some materials we reviewed offer meaningful and useful instructions to intended users. For example, various materials (a victim identification handbook from Hong Kong SAR, government victim identification guidelines in Cambodia, government identification guidelines in Thailand, identification and referral guidelines for MDTs in Indonesia) detail the steps in the identification process and how to apply specific tools in that process (including guidance on interacting with and interviewing presumed trafficking victims and information to make referrals for assistance). In other cases, however, insufficient guidance is provided to the user in the implementation or adaptation of materials in their work. For example, some materials are structured around the legal elements that are required to flag a case of trafficking in persons (act, means, purpose).⁵² While tools should be grounded in the relevant legal framework, simply listing the elements of TIP or including general lists of indicators require first responders to tailor and adapt "on the spot", which may not be realistic or reasonable. When identification material is not sufficiently tailored and calibrated to an intended user and/or

⁵² On the basis of the UN *Trafficking Protocol*, the act (*what is done*) can include recruitment, transportation, transfer, harboring, or receipt of persons; the means (*how it is done*) can include threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim; and the purpose (*why it is done*) is exploitation, which under the UN *Trafficking Protocol* includes exploiting the prostitution of others, sexual exploitation, forced labor, slavery or similar practices, and the removal of organs.

does not provide specific instructions on its use in practice, it may not be immediately applicable in a real world context and able to support effective and appropriate identification.

While some materials include highly specific instructions and guidance on their use in line with the skills and capacities of the intended users, others are not adapted for application by their intended users. This assumes that the user has requisite initiative, capacity, and training to adapt content to the individual context, and a sufficient level of supervision and guidance to do so effectively. Content and guidance should be developed based on an informed understanding of the skills and capacities of those users. The extent to which instructions for implementation or adaptation are utilized on the ground and to what effect is beyond the scope of this study. What can be noted, however, is that many identification materials do not provide the user with sufficient guidance implement the tool, or to adapt the tool for their use.

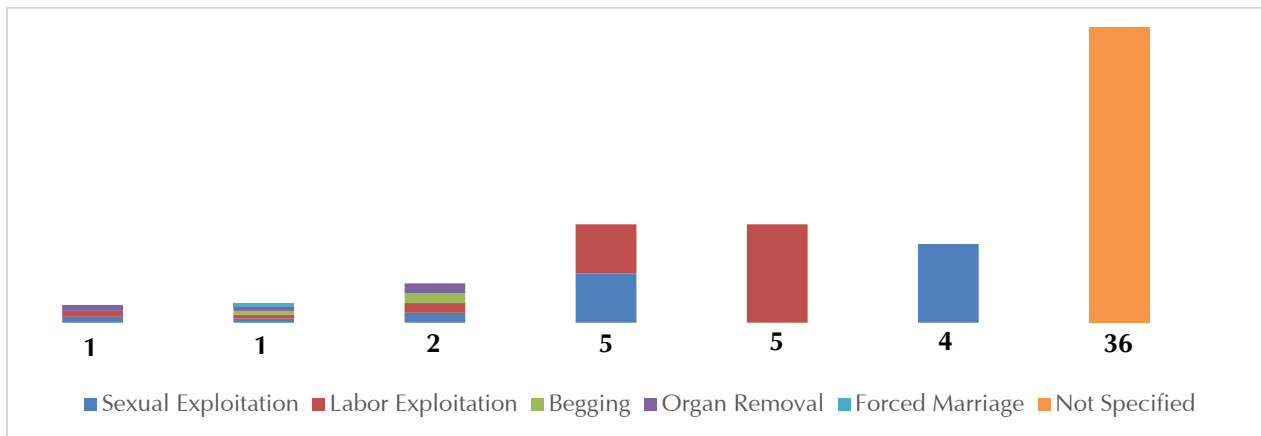
Dissemination of tools and resources to intended users is unclear: It is unclear from materials we reviewed whether and how they have been disseminated to their intended users and what orientation or training those users have been given to use these specific tools and resources in their work. It is not possible to establish this from a desk review, but this is nonetheless an important consideration in ensuring that identification tools reach the users that they have been designed for and that they are, in turn, equipped to implement them in practice and in a victim-sensitive way.

5.4 Who and what forms of trafficking are being identified by the tools and resources?

The question of who a tool is intended and designed to identify and for what forms of trafficking exploitation are central in understanding its practical value. Most of the 54 materials in Asia reviewed for this analysis are not tailored to identify victims of specific forms of trafficking (sexual exploitation, labor exploitation, forced marriage, begging, organ removal) or to identify a specific victim profile (according to age, gender, or other characteristics). These findings are discussed in turn below.

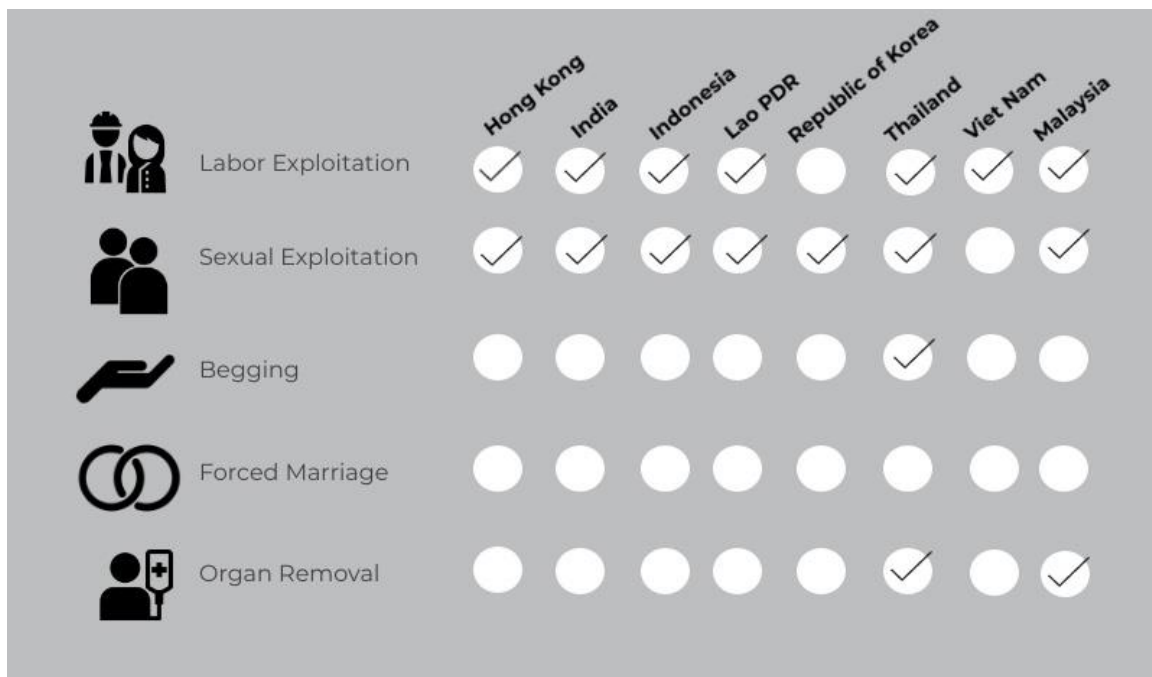
Thirty-six (of 54) are not tailored to identify victims of a specific form of trafficking. Eight (of 36) are regional, intended for adaptation by national governments in developing country-specific tools. The remaining 28 (of 36) are country-specific and include general information about identification, lists of indicators, and/or questions to be asked, consistent with the legal criteria of act, means, and purpose, but without specifying the form of TIP. The other 18 (of 54) bring a greater focus to one or more forms of trafficking and are tailored to or include information to identify victims of specific forms of exploitation (for example, lists of indicators or tailored questions). Five materials are for the identification of victims of trafficking for labor exploitation, while four are to identify victims of trafficking for sexual exploitation. The other nine (of 18) include more than one form of exploitation, addressing both labor exploitation and sexual exploitation, in some cases alongside begging (n=3), organ removal (n=4) and forced marriage (n=1), as illustrated in Figure #10.

Figure #10. Forms of trafficking specified in the 54 identification tools and resources



Two of the 18 materials that focus on a specific form (or forms) of trafficking are regional; 16 are country-specific and identify varying forms of trafficking. Figure #11 shows that Thailand has tools and resources that cover more specific forms of exploitation than other countries.

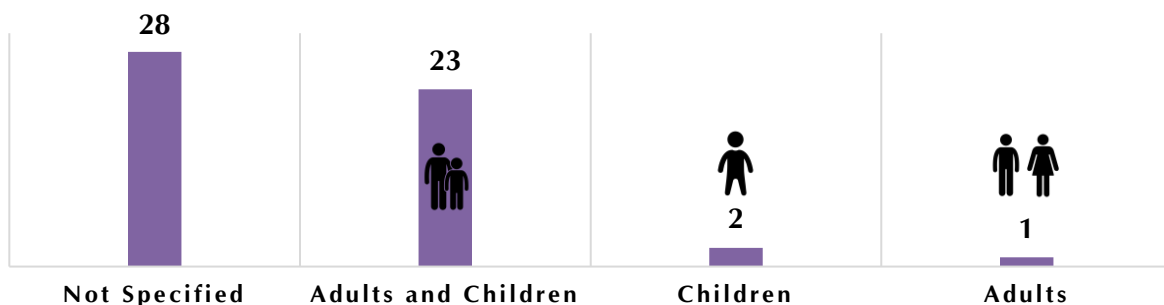
Figure #11. Forms of trafficking included in available tools and by country



The likelihood of identification is increased when materials are tailored to consider different characteristics that may depart from some common assumptions about who victims of trafficking are. Not all victims are female. Not all victims are young. Not all victims are foreign nationals in the country of exploitation, nor is all trafficking transnational and involving irregular movement. While many materials reviewed for this analysis include statements that recognize the nuance and importance of, for example, age and gender in identifying trafficking victims, the majority are often quite general.

Approximately half (28 of 54) of materials reviewed do not indicate if they are to identify adult and/or child victims, but seem to be implicitly intended for use with adults. Twenty-three tools and resources are explicitly for the identification of both adult and child trafficking victims. One is specifically for adult victims and two are specifically to identify children.

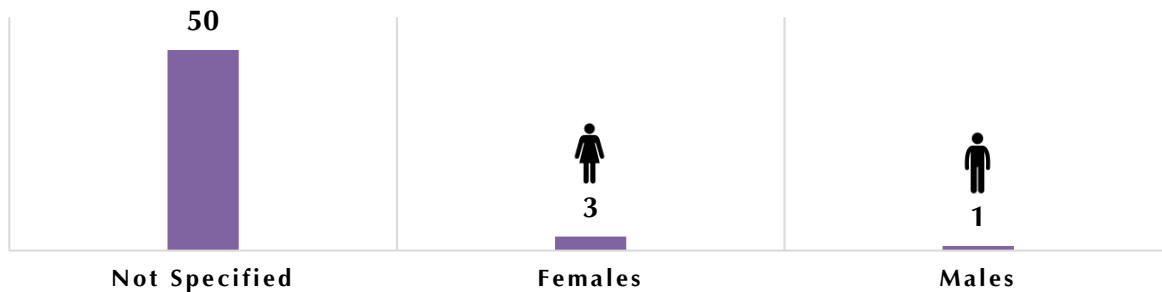
Figure #12. Identification tools and resources, disaggregated by attention to children and/or adults



Only four (of 54) resources state that they are designed for the identification of trafficking victims of a particular gender (a handbook for law enforcement in India on the identification of women trafficked for sexual exploitation, SOPs for the reintegration of male victims in Cambodia, a referral

directory for returned women and children in Viet Nam, and gender sensitive guidelines for the identification and assistance of trafficked women in ASEAN countries). The remaining 50 materials do not indicate that they are targeting victims of a specific gender.

Figure #13. Identification tools and resources, disaggregated by attention to gender



Key issues and findings: Who and what forms of TIP are identified by tools and resources

From what available tools show us, victim identification resources are not always sufficiently tailored to diverse sets of trafficking victims, forms of trafficking, and/or trafficking situations. Tools that have been made available for practical use generally provide non-comprehensive coverage of identification guidance *vis-a-vis* the various forms of trafficking in persons, different characteristics of victims, and numerous other key variables and differentiations. Another shortfall is the absence of tools specific to different contexts and situations where trafficking may occur, for example, in conflict and crises settings. Given that victim identification differs by country and context, all resources require local adaptation and calibration to be practically applicable, including considering variations within any one country or setting. These are gaps that should be addressed in the design and implementation of future identification tools or amendment of existing ones.

Identification materials need to be better tailored to different forms of trafficking and victim characteristics: Victim identification materials analyzed for this review are not always sufficiently tailored to different profiles of trafficking victims, forms of trafficking, and/or trafficking situations. Even those that are focused on a specific form of trafficking may need further targeting and tailoring to support effective identification. Additional adjustments and specifications may be needed to tailor identification to and within particular economic sectors. Indicators and screening questions will vary, for example, when screening Vietnamese garment workers in Cambodia versus Indonesian fishers at sea or Filipino construction workers in Saudi Arabia. Yet we found only one resource specific to a defined economic sector (a training manual for law enforcement in Thailand to identify trafficking in the fishing sector).

Other identities and characteristics may also be relevant in the design of victim identification tools and may also change and evolve over time. There are indications in some countries, for example, that persons with intellectual disabilities are at risk of trafficking, as are some subgroups of adolescents and young people (for example, youth in foster care or juvenile justice systems, those experiencing abuse, youth who run away, and those who are unstably housed or homeless). Victim specificities need to inform the design of tools and resources, while also ensuring that victims who fall outside of those specificities are not overlooked in identification approaches. An additional consideration is that options to develop very specific, tailored tools may be constrained in lower resource countries. How to support effective identification in the face of these constraints requires attention by those designing and implementing tools, as well as from those overseeing the development of identification materials in a country.

There is limited tailoring of materials to identify victims of some forms of trafficking exploitation:

Lesser-studied or more recently recognized forms of trafficking exploitation (such as begging, organ removal, and forced marriage) are generally not addressed in publicly available identification materials. This results in little or no guidance to aid understanding or recognition of these forms of trafficking. Such a shortcoming means that victims of these forms of exploitation are less likely to be identified and protected. Notably, for example, despite increasing awareness and reports of trafficking for forced marriage in Asia, it is included in only one regional resource, alongside other less considered forms of trafficking such as begging and organ removal. Begging and organ removal are included in the formal screening and interviewing tool in Thailand alongside other forms of trafficking, although without specific indicators. In general, we found a significant gap in coverage for identification purposes of some forms of trafficking exploitation.

Child-specific identification materials are lacking:

The identification process for trafficked children is not the same as for adults. And yet identification resources analyzed for this review are generally not child-specific or sensitive to children’s unique needs and sensitivities.

Twenty-one tools indicate that they are for use in identifying both adult and child trafficking victims. Nonetheless, despite statements referring to children and their needs and best interest, many do not specifically consider the unique needs and risks associated with trafficked children or provide clear guidance on their identification and referral (e.g. specific indicators or questions with which to identify child trafficking victims). One resource for law enforcement in Indonesia includes a section on special attention to child victims of trafficking and notes child-specific considerations, including the need to use child-friendly language. However, it does not explain what this means in practice or how to apply indicators to situations of child trafficking. Rather, indicators are narrowly constrained to the legal definition of trafficking without adjustment for child victims. Similarly, one SOP from Cambodia notes that identifying trafficking children requires acting in the best interest of the child and in accordance with the United Nation’s *Convention on the Rights of the Child* (CRC) but without further detail. Another resource (guidelines for MDTs in Thailand) provides guidelines for conducting interviews with children (including the use of child-friendly language, building rapport, and speaking in a comforting tone of voice), but not specific questions to use to identify child victims. Only two materials are designed specifically for use with child victims (guidelines on from the Philippines and one regional resource to assist and interview trafficked children).

Overall, identification materials analyzed for this review place a great deal of responsibility on first responders to develop and ask questions in a child-friendly manner when identifying child

Who and what forms of TIP are identified by tools and resources: Key issues and findings

- Identification materials need to be better tailored to different forms of trafficking and victim characteristics.
- There is limited tailoring of materials to identify victims of some forms of trafficking exploitation.
- Child-specific identification materials are lacking.
- Most tools and resources lack gender-specific guidance.
- Male trafficking victims are overlooked in identification tools and resources.
- Some tools and resources entrench gender norms, assumptions, and stereotypes.
- Language barriers arise in the application of identification materials.
- Materials that focus on irregular migration may lead to missed identification opportunities.
- Some indicators may indicate situations other than trafficking in persons.
- There is an absence of tools specifically to identify trafficking victims in other populations or contexts.
- Cultural considerations are largely unaddressed in tools and resources.

trafficking victims. This, in turn, assumes a high level of training, capacity, sensitivity, and perhaps creativity on the part of first responders. This level of specialized capacity is not necessarily reasonable to expect without targeted capacity building and, as such, may not be readily available when these skills are needed. This highlights the need for specific and comprehensive identification tools for trafficked children that include concrete guidance on using clear, child-friendly language and behavior, which can be put to use by first responders with varying degrees of skill and training. There is also a need for new resources to address specific legal requirements in the case of trafficked children, including a duty of care, even in cases when the child is not trafficked but has other protection needs. Countries should take steps to fill gaps in identification materials in the region by producing tools and resources dedicated to articulating child-friendly and child-sensitive techniques to use in the identification of trafficked children.

Most tools and resources lack gender-specific guidance: There is an overall need for more effective engagement on how gender impacts victim identification in the identification materials reviewed. Some tools include statements about gender sensitivity or short sections on specific gender-related vulnerabilities. Others contain boilerplate gender-mainstreaming statements, reference to the *Beijing Platform for Action*,⁵³ or footnotes noting that boys and men can also be vulnerable to all forms of trafficking. While materials acknowledging or advocating for gender analysis and inclusivity may be assumed to be gender-sensitive, they often do not provide helpful application of these concepts. Gender inclusivity requires practical guidance to apply these concepts in practice, including when it may be necessary to make gender distinctions to enhance victim identification. This omission pushes the responsibility for gender analysis, adaptation, and strategic inclusion onto practitioners in the field who may or may not have the needed skills, understanding, and experience. For example, regional identification guidelines note that victim identification procedures and referral services must be gender-sensitive and responsive but provide no further explanation of how to achieve this nor how identification and responses may be impacted by or tailored to gender. While it is important to acknowledge the need for gender analysis and inclusivity, omitting meaningful treatment of these issues in regional and national material means that professionals in the field are less likely to address these issues sensitively, resulting in victims being treated inappropriately and perhaps also misidentified or unidentified. Thus, lack of specific gender-specific guidance in the practical implementation of identification tools is a gap that needs attention by those tasked with developing or amending identification materials.

Male trafficking victims are overlooked in identification tools and resources: When identification materials reviewed for this analysis mention gender, it is almost exclusively in relation to women and girls. Only one SOP in Cambodia specifically for the reintegration of male victims includes a very brief treatment of identification of males. Some resources mention the risk of trafficking for men and boys or note that boys and men are often under-identified. For example, one regional resource discusses differing vulnerabilities of males and females, noting that male victims can also be victims of forced marriage and sexual exploitation. Nonetheless, while such inclusions are helpful, materials go no further in specifying what this means in practice nor how to operationalize such observations in practice. There is also little practical guidance in terms of distinctions between males trafficked for different forms of exploitation and differences in identifying men as compared to boys. There is, overall and throughout the region, a glaring lack of clear and practical tailored guidance to assist frontline responders in the identification of male victims of trafficking. This gap means that tools and resources do not always sufficiently equip first responders to undertake their work in identifying and referring male trafficking victims.

⁵³ The *Beijing Platform for Action* from UN Women is global policy framework and blueprint for action for empowering women.

Some tools and resources entrench gender norms, assumptions, and stereotypes: Some resources in this sample seem implicitly focused on the identification of women and girls, for instance, because they include case studies that address only female trafficking victims. Lack of diversity may reinforce a focus on female victims and male perpetrators and exclude victims who are boys, men, or queer-identifying individuals. Materials intended as general guidance for all trafficking victims but simultaneously render boys, men, and queer-identifying people invisible can normalize the assumption, among practitioners and victims alike, that trafficking victims are only women and girls. This, in turn, may reinforce regressive assumptions and biases on the part of first responders and lead to a failure to identify victims that do not fit within a narrow, often culturally constructed understanding of who is a trafficking victim. Further, it may mean that tools and resources may not be accessed by those who would benefit from them. For instance, self-identification tools may not seem relevant or helpful to potential victims who fall outside of those norms.

Identification materials considered in this analysis generally lack guidance on identifying trafficking victims of varying sexualities and gender identities. Specific considerations may apply when a trafficking victim is not cisgender⁵⁴ or heterosexual, including unique vulnerabilities during identification. Social and cultural biases and assumptions about female vulnerability can lead gay and transgender individuals trafficked for sexual exploitation to be overlooked as victims in the identification process and even criminalized as offenders under anti-prostitution laws. Specific risks arise for gay or transgender victims in countries where same-sex sexual relationships are illegal, and these risks may be heightened in the identification process. There is a need for greater attention to how gender identities and sexuality impact victim identification and how tools and resources can be designed to contribute to better identification practices.

Language barriers arise in the application of identification materials: Language constitutes a considerable barrier in the identification of foreign nationals in destination countries, as well as for trafficking victims in their home countries who do not speak the majority language. Some of the Tools reviewed provide guidance regarding how to identify a victim who does not speak the language of the first responder such as the use of professional interpreters who are impartial, appropriately trained, and well briefed about their roles and responsibilities, as well as clearly explaining the role of interpreters to presumed victims. However, materials analyzed in this review do not address language barriers in any detail. Some tools from countries outside of Asia use visual language to address language barriers and address differences in literacy, a strategy that merits consideration across the Asian region. No reference is made to sign language in any of the tools and resources, nor is guidance offered on how to interact with victims who may be hearing impaired or non-verbal.

Materials that focus on irregular migration may lead to missed identification: Many tools reviewed are focused on transnational trafficking. For example, one set of guidelines for law enforcement in Indonesia provides an identification checklist in three parts (part A focuses on recruitment in the origin country, transportation and transit, and exploitation in the country of destination, while parts B and C focus on exploitation in the destination country). Many materials also focus on irregular migration (including in relation to documents and border crossings) that may, in a *de facto* sense, lead to a heavy focus on transnational trafficking as well as overlooking trafficking victims who have migrated legally. If identification materials focus heavily on irregular entry or stay as potential indicators for trafficking in persons, users may erroneously assume that regular migrants or citizens are not trafficking victims. When indicators pertain to irregularity of

⁵⁴ Cisgender denotes a person whose gender identity corresponds with their birth sex. Cisgender female refer to a biological female who also identifies as a female; cisgender male refers to a biological male who also identifies as a male.

movement (denoted by non-possession of travel or identity documents or possession of falsified or fraudulent documents), irregular status may be conflated with potential victimhood, overlooking the trafficking of migrants who are in regular situations, who may even be migrating on the basis of state sanctioned or designed labor migration programs that make them vulnerable to exploitation. However, not all tools and resources make these distinctions and clarifications, raising questions about whether trafficking that does not involve irregular entry or stay will be as readily identified as that which does. Accordingly, there is a gap in the available materials to support the identification of trafficking victims who are regular migrants or who are not migrants.

Some indicators may indicate situations other than trafficking in persons. Moreover, indicators are only meant as a basis for further inquiry and do not, on their own, constitute conclusive determinations of victim status. For instance, indicators that focus on migration status, reluctance to disclose information, and missing or falsified travel documents may suggest trafficking in persons, but they also may be relevant in situations of migrant smuggling, or un-facilitated irregular migration. Accordingly, indicators should be sufficiently qualified and the limitations of applying indicators sufficiently explained. This is particularly important in resources for law enforcement officers who may be more likely than other first responders to interpret components of the victim's situation (such as illegal border crossings or use of falsified documents) through a criminal lens and respond in a way that is punitive rather than protection-oriented. This illustrates the importance of applying the presumption that a person who *could be* a victim of trafficking *is* a victim of trafficking.

There is an absence of tools specifically to identify trafficking victims in other populations or contexts: Trafficking victims may be found within broader vulnerable groups or populations and in a range of contexts, including within mass migration flows, among refugees, in disasters and other crises. However, identification of trafficking victims among other vulnerable persons presents specific challenges. When the landscape shifts and how trafficking takes place changes, identification resources are not always available to effectively recognize victims.⁵⁵ When existing identification mechanisms break down because of conflict or crises (including virus outbreaks), and/or when conflict and crises shift how trafficking may occur and how it may be identified, a different set of tools may be needed. This review of publicly available identification resources in Asia did not yield any examples of materials tailored to conflict and crises, despite the region being impacted by various refugee crises, natural disasters, and epidemics. Existing tools and resources are largely offered for “best case scenarios” but may not be useful when trafficking goes up and systems go down. This raises question of whether existing tools and resources are applicable or adaptable to these unique situations. Identification materials, therefore, are needed to screen for trafficking in situations of crisis, conflict, or disaster (natural or manmade).

Cultural considerations are largely unaddressed in tools and resources: Cultural norms may impact whether a victim feels comfortable sharing their story with a first responder of a different background (social, cultural, national, or ethnic), someone of the same or opposite gender, or how they interact with someone of varying ages. Cultural norms also inform behaviors and mannerisms that may impact how a presumed victim interacts with a first responder (for example, eye contact, body posture, or reactions to silence). Not only are these cultural chasms relevant for foreign nationals in a destination country but also for country nationals who come from minority ethnicities, cultures or religions and/or are culturally different from a first responder. Several

⁵⁵ A. Brunovskis and R. Surtees, “Identifying trafficked migrants and refugees along the Balkan route. Exploring the boundaries of exploitation, vulnerability and risk,” *Crime, Law and Social Change*, 72 (2019): 73-86; A. Brunovskis and R. Surtees, *Vulnerability and exploitation along the Balkan route: Identifying victims of human trafficking in Serbia* (Oslo: Fafo and Washington, D.C.: NEXUS Institute, 2017); M. McAdam, *Countering Trafficking in Persons in Conflict Situations: Thematic Paper* (Vienna: United Nations Office on Drugs and Crime, 2018).

materials reviewed note cultural considerations as a potential barrier in the identification process, including how these may differ from situation to situation and on a case-by-case basis. However, guidance is largely missing on the myriad cultural sensitivities that may come into play during identification as well as how such challenges are to be addressed. Most materials included in this analysis do not include sufficiently detailed or practical information on how to navigate cultural barriers during victim identification, including variation between different cultures.

5.5 At which stages of trafficking are tools and resources to be used?

As discussed above (and outlined in Figure #2 and Figure #14), the identification of a trafficking victim may take place at various stages of their trafficking and post-trafficking experience. This includes

- during recruitment;
- while exploited and at the site of exploitation;
- during exit, escape, or rescue;
- during return to one’s country or community; or
- once in home country or community.

Each of these stages will involve different opportunities to identify trafficking victims, which may, in turn, require different tools and resources. Trafficking victims may also self-identify at any stage of the trafficking experience or their post-trafficking lives. Figure #14 and Table #5 illustrate these and describe country resources corresponding to these different stages.⁵⁶

Figure #14. The stage of trafficking at which victim identification may take place



Table #5. Available identification materials in relation to different stages of trafficking and post trafficking life⁵⁷

At which stage of TIP	Number	Description
During TIP exploitation	4	A training manual for law enforcement in Thailand, to identify victims trafficked for fishing while exploited, including a list of indicators, ⁵⁸ two referral directories for South Korean victims of sexual exploitation in foreign countries, ⁵⁹ and a mobile phone application for first responders to screen migrant workers in the GMS for exploitative working conditions ⁶⁰
During exit or escape	4	Two SOPs and one handbook for use by law enforcement in India for victim identification during and after raids or rescues and guidance on identification from the government in Viet Nam that includes during rescue ⁶¹
During return	6	Government SOPs on the identification and return of victims between Cambodia and Viet Nam; guidance on identification from the government in Viet Nam on identification of returning victims; government SOPs on the identification and return of victims between Thailand and Viet Nam;

⁵⁶ These “stages” refer to approximate chronological periods of the individual trafficking experience and will not necessarily be universal to all victims. These stages are not the same as the legal elements of the crime of trafficking in persons.

⁵⁷ Materials that address more than one stage are counted in each stage at which they are intended to be used, accounting for the total exceeding 54 discrete materials.

⁵⁸ M. McAdam, *Training Manual*.

⁵⁹ WHRIK, *2019 Leaflet*; WHRIK, *2018 Leaflet*. These referral directories could also potentially be used during exit or escape from trafficking.

⁶⁰ Mekong Club and United Nations University, *Apprise*.

⁶¹ Government of India and UNODC, *SOP on Investigating Crimes of Trafficking for Forced Labour*; Government of India and UNODC, *SOP on Investigating Crimes of Trafficking for Commercial Sexual Exploitation*; MPS et al., *Joint Circular*; P.M. Nair, *Handbook for Law Enforcement Agencies in India*.

		and three handbooks for MDT members involved in the repatriation and reintegration of trafficking victims from Thailand, to Cambodia, Lao PDR and Viet Nam ⁶²
Once home	11	A manual on the identification of trafficking victims in Viet Nam, guidelines for identification and assistance of trafficking victims specific to one district in Indonesia, a referral directory for trafficking victims who have returned home to Viet Nam, a referral directory for trafficking victims who have returned home to Cambodia, SOPs on the reintegration of male victims who have returned home to Cambodia, guidance on identification from the government in Viet Nam that includes information on identification of victims who self-report once they are home, two referral directories for Indonesian trafficking victims in Indonesia and guidelines for village-based MDTs to identify trafficking victims who have returned to their communities in Indonesia, and two screening tools intended for service providers working with returned victims in Bangladesh ⁶³
Not specified	31	Various tools and resources provide guidance on victim identification that is not focused on or tailored to a specific stage of victims' trafficking or post-trafficking lives.

Key issues and findings: Stage of trafficking at which tools and resources are used

Overall guidance on victim identification is broad. From the available sample of identification materials, there seems to be an underlying assumption that resources that broadly cover identification are applicable and sufficient for victim identification at all stages of trafficking and in a range of contexts, which is not necessarily the case. We found that most available victim identification materials are general and not tailored to match specific identification opportunities and case-specific variables arising during different stages of trafficking or after trafficking. This is a serious gap that should be addressed in the development or modification of tools and resources. None of the materials reviewed in this analysis are designed for identification prior to exploitation, likely because of the implicit risks and the potential for negative consequences. We also found limited materials tailored to other stages of TIP – during exploitation, during return and once home. Few materials support self-identification by victims.

⁶² Government of Cambodia and Government of Vietnam, *SOPs*; MPS et al., *Joint Circular*; MSDHS and MPS, *SOPs*; MSDHS and JICA, *Repatriation Handbook (Thailand to Cambodia)*; MSDHS and JICA, *Repatriation Handbook (Thailand to Lao PDR)*; MSDHS and JICA, *Repatriation Handbook (Thailand to Viet Nam)*. Because they also provide some information on reintegration, these handbooks could also be used after trafficking exploitation has ended.

⁶³ AAPTIP, *Manual on Identification, Support and Referral*; IOM, *Guidelines for Frontline Officers*; MOLISA, *Policies and Regulations on Social Assistance Services*; MOSVY and Chab Dai, *Referral Directory*; MOSVY and IOM, *Standard Operating Procedures*; MPS et al., *Joint Circular*; NEXUS Institute, *2018 Directory of Services*; NEXUS Institute, *Guidelines for frontline responders and MDTs*; NEXUS Institute, *2016 Directory of Services*; Winrock International, *Victim Assessment Tool*; Winrock International, *Survivor Services Guidelines*.

Identification materials are not tailored to specific stages of trafficking in persons: Most materials included in this review (31 of 54) broadly cover victim identification without providing focused attention and guidance to any specific stage (or stages) during trafficking or after trafficking. Each stage has unique entry points and opportunities to identify victims. Moreover, victims may exhibit different characteristics and behaviors at each stage of their trafficking experience and post-trafficking life. Understanding this gap is valuable in directing countries and practitioners to develop and offer concrete guidance to specific users in relation to victim identification at different stages. For example, country-level guidance may be needed for border officials to screen returning migrants or deportees for indications of trafficking in persons, or for service providers and community leaders to screen migrant workers who return home for signs of exploitation, including screening individuals after some time has passed.

Stage of trafficking at which tools and resources are used: Key issues and findings

- Identification materials are not tailored to specific stages of trafficking.
- There are risks and challenges in identifying trafficking victims during recruitment.
- There are limited materials targeting identification of victims during exploitation.
- Few tools and resources focus on identification during return.
- There is a lack of tools and resources to identify victims once home.
- Few tools and resources support self-identification.

There are risks and challenges in identifying trafficking victims during recruitment: None of the 54 materials included in this review seek to identify victims prior to exploitation. There are acknowledged risks and the potential for negative and unintended consequences when identifying victims prior to exploitation. While this may serve to protect some victims, there is also the risk that this could lead to the violation of rights (including the rights of persons who are not trafficked). For instance, use of preventative screening tools at a border to identify individuals who may be in the first stage of trafficking may result in individual border officials exercising their discretion and subjective assessments to make determinations, possibly infringing on the agency and right to movement of individuals who are not in fact being trafficked.⁶⁴ Some organizations, including in Asia, screen what are deemed suspicious cases at the border. However, their tools are not publicly available for review, making it difficult to assess the extent to which they provide for identification pre-exploitation, or indeed may hamper movement of people who are not trafficking victims. In some cases, identification tools may be discriminatory or may be applied in discriminatory ways (for instance, where they encourage directly or indirectly the prevention of certain people, such as women in particular age ranges, from migrating) or when they encourage the forced assistance of someone who does not consent to be identified and/or assisted

In the case of transnational trafficking (for example, when a migrant person is encountered at a border) the individual's status as a trafficking victim is often premised on an exploitative outcome of migration, which, in most cases, has not yet taken place and is not known to the individual.⁶⁵ Whether or not an individual can be formally identified as a trafficking victim prior to exploitation will depend on the relevant legal framework in a country, as well as the intelligence available in a given circumstance. Some jurisdictions may require that exploitation has taken place to determine that trafficking in persons has occurred, notwithstanding that international law allows for TIP to be

⁶⁴ J. Ham, M. Segrave and S. Pickering, "In the Eyes of the Beholder: Border enforcement, suspect travelers and trafficking victims," *Anti-Trafficking Review*, 2 (2013): 55-56.

⁶⁵ S. Molland, "Editorial: Human rights at the border," *Anti-Trafficking Review*, 2 (2013): 3-14. See also M. McAdam, "Who's Who at the Border? A rights-based approach to identifying human trafficking at international borders," *Anti-Trafficking Review*, 2 (2013): 33-50. Whether or not formally identified as trafficking victims, individuals identified at this stage (during recruitment) to be at risk of trafficking should be afforded assistance and protection accordingly.

established based on the intention to exploit the victim. Even when domestic trafficking legislation aligns with international trafficking law, in practice, exploitation is generally the strongest way to prove the final element (purpose) of a trafficking crime.⁶⁶

There are limited materials targeting identification of victims during exploitation: Only four tools included in this review focus on victim identification during exploitation and are intended for users in a position to identify trafficking victims while still exploited (in the fishing industry in Thailand, victims of trafficking for sexual exploitation in the Republic of Korea and a regional resource). The lack of publicly available tools for identifying victims while they are exploited is notable. A wide range of entry points for victim identification are missed in publicly available tools for all forms of trafficking and in many different settings. Accordingly, there is a need to develop and implement victim identification materials that can be used to identify trafficking victims who are in a trafficking situation. This might include, but are by no means limited to, identification materials for labor inspectors to conduct preliminary screening when monitoring different work sites, fisheries and port authorities when in contact with fishers, for healthcare providers to screen those accessing health services or who may encounter various forms of trafficking including for organ removal and commercial surrogacy, for outreach workers and law enforcements working in prostitution arenas or with street involved children, for immigration authorities when processing work documents for migrant workers, among many others.

Few tools and resources focus on identification during return: Six materials included in this analysis mention immigration officials and border police as intended users (a regional resource from the Bali Process and country-specific materials from Afghanistan, Cambodia, Hong Kong SAR, and Viet Nam). However, only one (guidelines from the government in Viet Nam) is specifically designed for officials to use during the return process (for example, at the border in a transit country, when departing the destination country or at the border upon return home). Only six tools reviewed specifically address return, three of which are for multi-disciplinary team (MDT) members in Thailand involved in the repatriation and reintegration of trafficking victims to Cambodia, Lao PDR, and Viet Nam. The other three (of six) are government SOPs for the return of victims between Cambodia and Viet Nam and between Thailand and Viet Nam, and one resource from Viet Nam that on victim identification for diplomatic and consular officials and border guards, among other target users. This is notable given that research suggests opportunities for screening for trafficking in persons during the return of migrant workers and in deportation processes.⁶⁷ Outside of Asia there are also limited materials designed for identification during the return stage. Materials are needed for victim identification during the return phase, calibrated for specific users; taking into consideration the countries from, through, and to which returns of victims of trafficking take place; and where identification opportunities may arise.

There is a lack of tools and resources to identify victims once home: Because many trafficking victims may not come into contact with first responders during return or once home, there is a need to enhance how victims themselves can be informed and educated about their status as trafficking victims and how to be formally identified and access assistance. Many trafficking victims self-return and may not know that they are trafficking victims or that they are eligible for assistance and protection (especially if some time has passed since their trafficking experiences). Of the 54 materials available for review, ten (from Bangladesh, Cambodia, Indonesia, and Viet

⁶⁶ A.T. Gallagher and M. McAdam, *Issue Paper: The Concept of "Exploitation" in the Trafficking in Persons Protocol* (Vienna: United Nations Office on Drugs and Crime, 2015).

⁶⁷ See, for example, R. Surtees, *In African waters. The trafficking of Cambodian fishers in South Africa* (Geneva: International Organization for Migration and Washington, D.C. NEXUS Institute, 2014), 137-139; R. Surtees, *After Trafficking*; R. Surtees and T. Zulfahary, *Seeing the Unseen*, 44-46; UNIAP, *Human Trafficking Sentinel Surveillance: Viet Nam-China Border 2010* (Bangkok: United Nations Inter-Agency Project on Human Trafficking, 2011); UNIAP, *Human Trafficking Sentinel Surveillance: Poipet, Cambodia 2009-2010* (Bangkok: United Nations Inter-Agency Project on Human Trafficking, 2010).

Nam) that support identification and referral once trafficking victims have returned to their home countries or communities. This a gap given that very many countries in Asia are countries of origin for trafficking victims. This highlights the need for materials to identify trafficking victims once they are home, including some time after their trafficking experience has ended. This will require mainstreaming trafficking screening with various community-based fields including social protection, healthcare, education, and community administration.

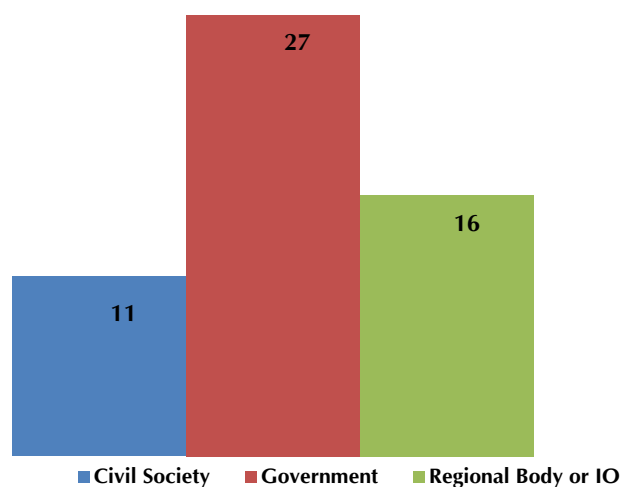
Some victims may initially decline to be identified or assisted but change their mind at a later stage. This may involve declining identification in the destination country but needing assistance and protection once home or initially declining identification and assistance once back in the place of origin but wanting/needing it at a later stage during reintegration. The option for later identification and referral (either in the destination country or once home and after some time has passed) is an important aspect of enhancing victim identification efforts but guidance is lacking in many of the publicly available identification tools and resources.

Few tools and resources support self-identification: Given that so many trafficking victims do not come into contact with first responders in the destination country, during return or once home, there is a need to consider how to better support victim self-identification at all stages of trafficking and post-trafficking life. And yet very few materials are intended for trafficking victims to self-identify. Only six (of 54) tools reviewed are for victims to self-identify (from Cambodia, Indonesia, Republic of Korea, and Viet Nam) and are generally for the stage of exit or escape or after trafficking exploitation has ended. Some materials include guidance for officials on the identification of victims who self-report but are not targeted to victims themselves. Questions arise as to what tools might be suitable to inform and educate trafficking victims about their status as trafficking victims while exploited and encourage them to come forward to seek and accept identification or assistance. This includes how to ensure that tools that support self-identification and self-referral can be put into the hands of currently or formerly trafficked persons. Consideration should also be given to how such materials might be tailored to self-identification during the different stages of trafficking, including once victims are home in their communities and even after some time has passed. Self-identification tools also need to be tailored to specific situations including different stages of trafficking, different national contexts, forms of trafficking, and profiles of victims.

5.6 Who developed the materials and how?

Understanding the development and testing process is useful in assessing the quality and rigor of victim identification tools and resources. It provides insight into how and why certain identification issues are treated as they are, including matters of methods, assumptions, scope, and gaps. It is also essential information for those who may wish to adapt a tool or resource for their own use and may speak to the extent to which tools or resources are taken up by state actors in their identification work. However, few victim identification tools and resources describe in detail how they were developed, including who worked on them; the process of development; and any validation procedures, testing, or piloting. Of the 54 tools and resources available for review, 30 do not explain how they were developed, while 24 include varying levels of detail, ranging from a few sentences about the project in which they had been developed, to more substantial discussions of the development process. These publicly available identification materials were developed by different organizations and institutions in various capacities, including civil society, government and regional bodies, or international organizations. Some of the country-specific tools and resources (including some formal government instruments for identification) were developed by international organizations and civil society, although often in partnership with or endorsed by the national government.

Figure #15. Type of organization or institution that developed the 54 publicly available identification tools and resources



Eleven tools and resources were developed by civil society actors (both independently and in partnership with government), including five referral directories (in Cambodia, Republic of Korea and Indonesia), two handbooks on identification and assistance in Hong Kong SAR, guidelines for village-based multidisciplinary teams to refer trafficking victims for identification and assistance in Indonesia, two screening tools intended for service providers in Bangladesh, and one mobile app to screen trafficking victims in supply chains. Four of the eleven provide some information about the development process.

Twenty-seven were developed by national governments (including independently, in partnership with an international organization or with support from a foreign government). These include national referral mechanism guidance, instruments from the formal government identification procedures (such as SOPs), and guidelines on implementing the formal government identification

procedures and for referring trafficking victims. Fourteen of these 27 materials include some information about the development process.

Sixteen were developed by regional bodies and international organizations. Ten were developed by regional bodies (ASEAN, Bali Process and COMMIT) while UN agencies developed other materials including two guidelines and a training manual for victim identification in Indonesia, in partnership with the government; one victim identification manual in Viet Nam in partnership with a technical assistance project; a handbook in Azerbaijan, in partnership with the government; and a handbook for law enforcement agencies in India. Six of 16 provide some information about how they were developed.

Key issues and findings. Who developed the materials and how

From our available sample, identification materials vary significantly in the extent to which they explain the process by which they were developed. When sufficient information about the development process is not included, those who are using it (whether to identify and refer victims or in adapting and developing other tools and resources) may assume they are relying on material that is grounded in evidence, guided by experience in practice, and drafted to respond to identified needs. Similarly, if the process of testing and validation (if any) is not explained, users will be unaware of the risks and limits of the tools and may adapt and apply them in ways that are ineffective, inappropriate, or even harmful. Sufficient information should be provided for the user to assess the tool or resource. Lack of information about the development, testing and validation of identification tools and resources is a gap that needs addressing. We also found that many tools lack ethical guidance and codes of conduct.

Most tools and resources do not explain how they were developed: Most victim identification materials available for review (30 of 54) do not explain how they were developed including the approach and information used. For example, some countries produce a list of indicators for first responders but without explanation (in the tool or supplemental material) of how the indicators were determined. Some guidelines include indicators or a screening tool but without explanation of what this is based on. Twenty-four tools and resources reviewed

include varying levels of detail, ranging from a few sentences about the project in which they had been developed, to more substantial discussions of the development process. Some materials note that they have been revised but often do not explain the review process or the nature of and reasons for revisions. Some tools and resources from other regions offer useful examples and guidance on how to clearly present the development process.

Content of identification materials is not evidence-based: It is not always clear in publicly available identification materials the extent to which they are informed by evidence. Few identification materials refer to the research or information on which they are based (for example, consultation with trafficking victims or practitioners). Some guidance and instructions seem to be assumption-based rather than empirically-based. For example, one resource for law enforcement in Indonesia recommends that trafficking victims be interviewed by officers of the same gender to create a sense of comfort and security for the victim. However, this determination will depend on the individual experiences and preferences of the victim (as well as less considered experiences of victimhood), which need to be carefully understood, including how these differ from victim to victim. Males who have been sexually assaulted or abused by other males may be frightened to be

Who developed the materials and how: Key issues and findings

- Most tools and resources do not explain how they were developed.
- Content of identification materials is not evidence-based
- The development of identification materials varies in rigor.
- Not all materials include ethical guidance and codes of conduct.

enclosed in a room with a male official, female victims may not be naturally comfortable with female officers, and transgender or otherwise queer-identifying trafficking victims may have had experiences that impact how they respond to officials of different genders. Development of tools and resources requires research and engagement with trafficked persons, first responders, and other practitioners to understand the unique gaps and opportunities for identification with different categories of trafficking victims and in relation to different trafficking experiences.

The development of identification materials varies in rigor: How identification materials included in this review were developed varies significantly. Victim identification tools and resources once developed should be tested and validated and revised, including over time. Validity tests whether an identification tool is measuring what it is supposed to measure; reliability tests whether the measurements are consistent. Both are important measures and integral in assessing the quality and effectiveness of identification materials. What information exists about the development of materials reveals a wide variation in rigor. Some tools and resources are based on evidence (for example, research or consultation with trafficking victims and practitioners) and then tested and validated. For example, the development of regional guidelines on victim protection was a multi-year, multi-country participatory process, involving technical experts, practitioners, and ACWC representatives from the ten ASEAN Member States. Feedback and inputs were solicited in written form as well as through various workshops and seminars. Similarly, victim identification guidelines for village-based MDTs in Indonesia were developed based on research with trafficking victims and practitioners and then piloted by MDTs in the three villages in three different districts for more than one year. Feedback was gathered during monthly mentoring sessions with MDTs and a final workshop with village MDT members and national and subnational government representatives (province, district, sub-district, and village).

By contrast, the development process for other materials reviewed does not seem to be evidence-based or informed by the experiences and knowledge of trafficking victims or practitioners. Most materials do not explain the evidence that undergirds them or if they have been tested and validated. The development and implementation of rigorous and useful tools require significant input and testing from the individuals intended as their users and the victims they are designed to identify. Thorough insight into the utility, effectiveness, and appropriateness of victim identification tools and resources can only be realistically gained by understanding how, if at all, they are applied and experienced in practice, and with what results.

Not all materials include ethical guidance and codes of conduct: Thirty-five (of 54) identification materials analyzed for this review include some information on ethical considerations or codes of conduct, although with different levels of detail. Some offer only very general guidance. For example, handbooks on repatriation and reintegration of trafficking victims from Thailand include a one-page graphic about the rights of trafficking victims to receive protection but do not explain how to determine if a victim wishes to receive protection or the process of informed consent. Other resources offer quite detailed and specific information about the ethical issues that may arise during identification and how to address them. For example, one resource for victim identification in Hong Kong SAR includes information from the World Health Organization (WHO) *Ethical and Safety Recommendations for Interviewing Trafficked Women*, as well as a victim's Charter of Rights. Guidelines for identification in Lao PDR note the importance of victim's informed consent in identification and that victims must be informed of the benefits that they are entitled to, how long the process interview is, as well as risks and other factors linked to the interview. The guidelines outline principles of confidentiality, non-discrimination, behaviors of the interviewer and provide guidance on conducting a victim-friendly interview. Some materials also include codes of conduct or ethical procedures. For example, guidelines for village-based multi-disciplinary teams (MDTs) in Indonesia include a set of ethical principles to guide identification efforts including informed consent procedures as well as a detailed code of conduct for MDT

members. By contrast, 19 (of 54) materials included in this review do not include ethical guidance at all. The application of ethical guidance and/or codes of conduct in identification and referral processes is tied intimately with capacity building considerations. Users require not only the technical capacity to identify victims of trafficking, but also to do so ethically and appropriately.

6. Conclusions and Recommendations

Our analysis of the 54 publicly available victim identification tools and resources in Asia found concerning gaps in materials available to practitioners to aid them in effectively identifying victims of trafficking. Because one of the most direct ways to improve the effectiveness of counter-trafficking responses is to improve the capability of relevant actors to identify victims of all forms of human trafficking, it is important to address these shortcomings.

Our findings point to what exists and what is missing in terms of publicly available, English language victim identification materials in Asia. This leads us to offer recommendations as to what regional and national bodies and officials, at a minimum, should do to create, strengthen, or supplement existing materials to begin to fill these gaps. However, our conclusions and recommendations are based on a desk review of identification materials in Asia, which cannot shed light on implementation in practice. Accordingly, there is also a need for field-based research to determine whether and how these tools and resources are applied in practice, by whom, and to what effect.

Conclusions and recommendations for developing, adapting, or amending identification resources are offered to two categories of practitioners and policymakers. First, they are offered to government policymakers and practitioners responsible for developing new tools and resources, or who are tasked with review, validation, evaluation, and adaptation of existing victim identification materials. Civil society organizations within a country, as well as technical experts supporting these efforts will also find these recommendations relevant to their work. These recommendations will also be relevant for the work of those beyond the trafficking sphere who may also be involved in victim identification (including, for instance, child protection experts and agencies).

Second, officials and stakeholders in a position to use identification resources in their work in practice will be well-served to consider these recommendations. Primarily this includes those who are tasked with victim identification as part of their role and responsibilities, namely first responders (including police officers, labor inspectors, immigration officials, and social workers) who identify, refer, and assist victims in their daily work, as well as non-state actors who support them.

Many recommendations are also offered to governments as funders of projects or activities involving victim identification. There is an urgent need to develop or adapt tools and resources in countries and contexts that do not have them including allocating sufficient resources so that they are developed with sufficient rigor, grounded in evidence and in line with relevant ethical standards and codes of conduct.



6.1 Recommendations about the availability of identification tools and resources in Asia

Despite there being various victim identification tools and resources in the region, there is a gap in overall availability and geographical coverage. To reduce gaps in the availability of identification resources, we make the following recommendations.

Ensure victim identification materials are publicly available and widely shared, whenever possible. Governments should make non-sensitive victim identification tools and resources publicly available for use and adaptation by other government and civil society actors within and between countries. Only keep resources confidential based on assessment of the risks involved in

their publication (for example, because they relate to specific *modus operandi* used by traffickers or speak to law enforcement investigative techniques). Publicly available identification materials should be widely disseminated. Promote transparency of criteria and procedures for victim identification, referral, and assistance options.

Address the geographical imbalance in available tools and resources. Given that coverage of available resources is not uniform across the region, we recommend that governments, in consultation with key stakeholders, determine what materials, if any, may be needed to supplement existing tools and resources in a given country, region, or sub-region, and determine how to best address identified gaps and deficiencies, whether through creation of new tools and resources or adaptation of existing material.

Ensure that identification materials are available in relevant languages. Governments should make victim identification materials available in multiple languages in their country, with due consideration to majority and minority languages as well as languages commonly spoken by foreign victims identified in the country. They should also consider translating tools and resources to allow for use and adaptation of best practice examples across and within countries, institutions, and organizations.



6.2 Recommendations about the purpose of available victim identification tools and resources

Tools and resources have different roles and purposes *vis-a-vis* victim identification, whether because they are general to victim protection and assistance more broadly, or more specific to a practical aspect of identification. Regardless they should include sufficient detail and guidance to support the identification and referral of trafficking victims in relation to their stated purpose. The following recommendations are outline adjustments and improvements needed.

Clearly state the purpose of identification tools and resources. Those designing victim identification tools and resources should ensure that the purpose is clearly stated and readily understood including how it should be implemented in practice. Each tool should have a clear and specific purpose that is quickly and readily understandable to the intended user.

The content of tools and resources with a similar purpose should be aligned. Professionals tasked with the development or revision of materials should ensure that materials with the same purpose and intended users are aligned in terms of content, to ensure consistency and quality, and for the benefit of users and across institutions. This requires working over periods of time and with a range of stakeholders to determine what constitutes appropriate and effective content; based on evidence; and on the ground learning, including testing and validation. Over time, it should be possible to arrive at some consensus as to effective and appropriate content of materials with a similar purpose.

Ensure tools and resources explain and offer guidance on the full identification and referral process. Identification tools and resources are most effective when they clearly articulate possible steps and outcomes, for persons who are identified as victims of trafficking and those who are identified not to be. Those tasked with designing identification materials should align them with the victim identification process and, whenever possible, offer practical and operational guidance in relation to preliminary identification, formal identification, and referral for assistance. Ensure that referral options are clearly explained including when available assistance differs for victims (for example, by sex, age, nationality, form of exploitation). Tools and resources must contain

sufficient detail, including contact information of relevant service providers and eligibility criteria, so that users are able to meaningfully implement referral steps based on identification.

Explain and provide guidance in the case of negative identification as well as positive victim identification. Professionals developing identification materials should clearly outline possible outcomes (both when someone is and *is not* determined to be a trafficking victim) and the requisite steps to be followed by the user in relation to different outcomes. This requires including information about protection and referral options for those determined to be trafficking victims as well as for those determined not to be a trafficking victim but who may nonetheless have protection needs. Guidance is also needed in terms of a false negative (that is, when a victim of trafficking is incorrectly determined *not* to be a victim) including the option of re-screening and/or to postpone screening until the person is better able to respond. Governments should also implement procedures for a victim's right to appeal in case of a negative victim determination.



6.3 Recommendations about the intended user of available tools and resources

Designing a tool or resource for victim identification requires assessing not only if it is fit for purpose and aligns with the victim identification process in the country, but also if it is usable by the users it targets and offers sufficient guidance to be operationalized on the ground. The following recommendations are intended to better tailor identification materials to intended users.

Ensure that identification resources are available and appropriate for all professionals with a role in victim identification. Governments should determine which professionals are involved in victim identification efforts and develop materials to support them in their work. They should determine the specific category of intended users and clearly differentiate between the roles and functions of any different intended users. Different “frontline officers” or “first responders” may work within varying occupational and societal contexts and have different roles, responsibilities, and authorities. This also requires designing tailored tools and resources on the basis of an assessment of the specific skills, capacities, and roles of target users in the victim identification process. This includes assessing whether specific tools and resources are needed by those for whom victim identification is a secondary or ancillary function of their professional role. Countries should ensure that they develop tools that are sufficiently tailored to specific users.

Provide clear and specific instructions about the intended user and the implementation of materials. Professionals engaged in developing identification materials should be clear and specific about the intended user and design materials that are practical and easy to use for those administering them. This should include validating and testing identification materials with a cohort of intended users and those who are to be identified, making adjustments based on lessons learned. Include sufficiently detailed guidance, as well as clear and explicit instructions so materials can be readily operationalized on the ground. Guidance and training should not be one-off but built into institutional procedures. Specific expertise is needed to ensure that the nuanced definition of trafficking in persons is translated into guidance that is applicable to the identification of victims in practice and based on a strong understanding of what trafficking in persons is (and is not).

Provide guidance for users on sensitive, trauma-informed screening. Identification tools and resources should be sensitive, trauma-informed, and culturally and linguistically appropriate to be able to uncover vulnerabilities and factors that indicate trafficking in persons. Users should be provided with useful guidance in the application of these materials. This guidance should be clear

and practical and applicable to the real-world situations in which victim identification takes place. Those developing tools and resources should engage with practitioners and trafficking victims to validate tools and resources and ensure that they are sensitive and appropriate.

Ensure widespread dissemination of tools and resources to intended users. Government officials must put in place a dissemination strategy to ensure that those for whom victim identification is a primary responsibility have access to materials that they need to identify trafficking victims. This may include dissemination to various government officials or nongovernmental representatives at various levels and across the country. Ensure that identification resources are shared with the intended users in a format that is accessible and most appropriate to their work (whether electronic or in hard copy).

Strengthen the capacity of users to apply identification material. Capacity building is important in the design and effective implementation of identification material. Ensure that persons engaged to develop identification materials, whether government officials or nongovernmental representatives, have a strong understanding of what is and *is not* trafficking in persons, in line with the international definition and national legal framework. Draw on this specific expertise to ensure that the nuanced definition of trafficking in persons is reflected in materials that are practically applicable. Operationalize the legal elements of the definition of trafficking by offering practical guidance on how to apply it in practice in relation to the intended user's role and function in victim identification. Provide appropriate training to intended users on victim identification including being child-friendly, gender sensitive and trauma informed. Offer guidance, instruction, and training on an on-going basis to allow for improved identification practice and skills over time and to ensure that staff turnover does not result in reduced capacity at an institutional level. In some cases, this might involve formal training workshops, whereas in other cases it might be one-on-one mentoring or technical support.

Sensitize users on TIP and ensure appropriate behavior and treatment in interactions with trafficking victims. When identification materials are used without guidance and training, it can cause victims stress and even re-traumatization. It may also translate into misidentification or missed identification. All first responders, whether government officials or nongovernmental representatives, engaged in victim identification should be sensitized to the impact of trafficking in persons and equipped with skills to interact sensitively with trafficking victims, including the use of trauma-informed techniques, as well as child-friendly and gender-sensitive approaches. Tools and resources should include sufficiently detailed and practical guidance on sensitive screening and interviewing, including for trafficked children, so that responsibility does not rest with the user to self-determine how to interact sensitively with trafficking victims.



6.4 Recommendations on the identification of different victims and victims of different forms of trafficking

Identification differs according to the form of trafficking and the range of characteristics of individuals who are exploited for different forms of trafficking. This variation is overlooked in many existing identification resources, elevating the risk that victims are missed in the identification process. There are various overlapping considerations involved in the identification of different categories and profiles of trafficking victims, each with individual experiences and needs. As victim identification differs by country and context, to be practically applicable, resources should also be adapted and calibrated to local contexts. There is also a need to question prevailing assumptions about who a trafficking victim is and opportunities for identification. It is recognized that there are many nuances that must be thoughtfully addressed to tailor the content

of and guidance in victim identification materials to make it relevant, useful, and effective. The following recommendations seek to address these various gaps.

Develop and implement tools and resources to identify victims of all forms of exploitation.

Authors of victim identification materials should tailor content to make it relevant, useful, and effective in recognizing the many forms of trafficking exploitation suffered by trafficking victims. Tools and resources should be tailored to specifically address relevant forms of trafficking, including variations within those forms of exploitation. Tools are also needed to identify less considered forms of trafficking, such as forced marriage and begging, as well as organ removal and exploitation in criminal activities. Countries should determine which forms of exploitation occur in the relevant country context but are not addressed in existing identification materials and then prioritize the development or modification of identification materials to these specific forms of exploitation. Assess entry points to identify victims in relation to different forms of trafficking and specific sectors where those forms take place and accommodate these in the design of identification materials.

Strengthen child-specificity and sensitivity in the development and tailoring of identification materials.

Countries should develop material dedicated to identifying child trafficking victims. Child-friendly tools and resources (including with guidance on the use of child-friendly language) should be prioritized to support the identification and referral of child victims of trafficking. They should be tailored to the skills and capacity of targeted users to be readily applicable without requiring adaptation beyond their capacity. Such materials should also trigger and support the efficient engagement of a child representative to support the child during identification, referral, and other procedures. Governments should engage child protection experts in the design, review, and validation of tools and resources for the identification and referral of child trafficking victims. It is also important to ensure that identification materials for child victims are linked to child protection services so that users can readily access service providers for referral processes, even when they are not identified as trafficking victims

Provide practical guidance on gender-inclusivity. Resources that acknowledge or advocate for gender analysis and inclusivity are insufficient unless they are supplemented by practical guidance for practitioners on adapting these concepts to practice, including when it may be necessary to make gender distinctions to enhance victim identification. Guidance is needed on how gender inclusion can be implemented in practice. This requires ensuring that first responders understand that trafficking victims may be male, female, transgender, or non-cisgender. Ensure gender-based considerations reflected in identification tools and resources are evidence-based and informed by analysis of relevant gender dimensions, including in identifying male victims in addition to female, transgender, and non-cisgender victims.

Ensure that male victims are not overlooked in identification materials or processes. Those designing or modifying identification materials must pay equal attention to male and female victims including offering guidance on how to practically ensure that males are not overlooked. This will also require attention to the identification of men versus boys as well as males exploited for different forms of trafficking in persons. Ensure tools and resources are adapted and responsive to the particular challenges and needs associated with identifying and referring male trafficking victims.

Ensure that tools and resources do not entrench gender norms, assumptions, and stereotypes.

Avoid simplistic and general statements about gender sensitivity and inclusiveness and instead mainstream gender sensitivity considerations in materials in ways that users are able to understand and implement in the application of identification tools. Consider assumptions about gender and trafficking in persons (namely, that trafficking only involves female victims) and how these can be

addressed and overcome in the identification of victims. Consider gender norms in the local context in which identification materials will be used and how these may inform their application in practice and make adjustments accordingly.

Consider and assess different vulnerabilities and characteristics in the process of victim

identification. In creating identification materials to address current gaps, generate evidence (on an on-going basis) about how different persons may be more or less identifiable as trafficking victims depending on their characteristics and vulnerabilities. Ensure that these vulnerabilities and characteristics are specifically addressed in identification materials and procedures understood by first responders. Re-assess what characteristics and vulnerabilities may need to be considered in identification tools and resources as well as the identification process itself. Authors of identification resources should be guided by evidence in developing or modifying content of identification tools and resources.

Identify and address language barriers in the identification process. Trafficking victims may not be fluent in the language of the country or community where they are being identified, either because they are foreign nationals or because they speak a minority language within their own country. We recommend that governments, regional bodies, and others, in designing tools and resources, determine which languages and dialects are spoken by people being screened as trafficking victims and assess how to overcome language barriers. Translate all tools and resources into relevant languages and engage interpreters or multi-lingual first responders where possible to support the use of identification materials. Plan and budget for translations into relevant languages. Consider the use of visual languages in tools and resources and include information on how to interact with hearing-impaired and non-verbal trafficking victims and those with intellectual or physical disabilities. Include guidance for the intended user on how to implement the tool or resource with presumed victims who do not speak the language used in the tool.

Pay equal attention to victims of all nationalities including each country's own citizens. Some tools and resources focus on identification of transnational cases and foreign nationals. This focus risks overlooking trafficking victims who are citizens. Countries should ensure a focus on foreign nationality does not detract from the identification of trafficked country nationals. Ensure that tools and resources respond to trafficking in persons as it exists in the country context, including both transnational and domestic trafficking. Countries should develop resources that also protect their own citizens. Draw on local expertise in the creation of identification materials so that the context in which they are to be implemented is understood and informs their development and reaches all potential victims regardless of nationality.

Ensure that users understand that indicators may point to situations other than trafficking in persons. Some resources that include indicators do not sufficiently describe how to use them. Authors of tools should clarify the limitations of indicators, explaining that they are a basis for further inquiry and not conclusive in and of themselves. It should also be clarified to users that indicators may point to situations other than trafficking in persons, such as smuggling of migrants. Emphasize in identification materials that a person should be referred and assisted until a formal determination of TIP can be made.

Leverage tools and mechanisms used to identify other vulnerable groups. Country officials and others need to be enabled to identify more victims in the context of mixed populations during the course of other interventions and interactions with authorities. Accordingly, there is a need to also consider synergies with additional entry points such as migrant complaint mechanisms, screening of victims of gender-based violence, screening of refugee and migrants, and screening in conflict and crises response. This may also include, for example, tools to detect labor violations; tools for use in emergencies or conflict settings; and tools to identify victims of violence or abuse, all of

which might be further expanded or developed, or otherwise cross-referenced to counter-trafficking tools. Identification tools for other vulnerable groups that do not set out to identify trafficking *per se* could be strengthened in order to do so. This provides a valuable opportunity to leverage the fullest range of personnel and resources and should be conducted in collaboration with non-trafficking stakeholders and communities.

Address cultural considerations in tools and resources. Cultural competence is key in trauma-informed interventions and supports effective identification. And yet most identification materials do not provide adequate guidance on addressing cultural considerations in the identification process. More emphasis should be placed on the role that cultural considerations may play in presenting obstacles to victim identification and how to overcome these challenges. Countries should determine which forms of trafficking exploitation and victim profiles may involve cultural or ethnicity elements, and tailor the relevant tools and resources to those specificities. Take into consideration factors relating to the social, cultural, religious, and/or ethnicity context and how these inform identification procedures and practice.



6.5 Recommendations about identification tools and resources for use at different stages of TIP

Interactions with victims during different stages of their trafficking experience create unique entry points and opportunities for identification. At different points in their trafficking experience and post-trafficking lives, victims may exhibit different characteristics and behaviors that require tailored identification guidance. There will be a number of case-specific variables to consider, including the form of trafficking involved; how trafficking takes place in the country; whether it is a country of origin, transit or destination; the receptivity of an individual to being identified as a victim; and the relevant legal framework for identification and protection. The following recommendations aim to address these considerations.

Develop tools and resources for all stages of TIP. Countries should fill existing gaps by providing identification guidance for human trafficking cases generally and also create materials that will accentuate opportunities for victim identification at specific stages of trafficking or in different scenarios over time. Consider at which stage (or stages) of trafficking a tool or resource is to be applied and tailor it specifically to that stage and attendant variables. Ensure that tools and resources are available for victim identification at all stages of the trafficking experience and victims' post trafficking lives. Identification resources should clarify to users the stage (or stages) of trafficking at which they are intended for use. Draw on existing tools and resources (regional and from other countries) to develop materials to enhance victim identification at all stages of the trafficking experience.

Develop tools and resources to support self-identification by victims. Tools for self-identification are few and far between. Consider and analyze the contexts in which victims of trafficking may self-identify, so as to identify potential entry points for self-identification and pathways for strengthening identification and referral. It is important to ensure that these resources can be put into the hands of those in trafficking situations or for whom trafficking has ended. This will require learning from trafficking victims on how this can be done safely and effectively. Engage with trafficking victims who self-identified in different contexts and scenarios, to gain their insights about how they were able to self-identify and what could have supported their earlier or easier self-identification. Learn also from trafficking victims who did not self-identify to understand why this was not possible and how this might be addressed. Develop self-identification tools and resources in languages and at a level that can be understood by a range of different trafficking

victims. Ensure that tools and resources for self-identification include information about rights to assistance and protection and how practically victims can access these.

Offer guidance on identification for victims who initially decline to be identified. Countries should make clear the option for victims to be identified and referred at a later stage (either in the destination country or once home). Those developing identification resources and guidance should include guidance on how practitioners may follow up with victims or provide information to victims to access identification and assistance options at a later stage. Trafficking victims should be provided with written information about how to trigger formal identification should they so choose, provided in an accessible language and format that they can take away with them for future reference. Ensure that users and victims themselves are aware of the victims' right to be identified and referred even if some time has passed since their trafficking experience.



6.6 Recommendations about the development of identification tools and resources

There exists a range of quality and rigor in the development of victim identification tools and resources to be used by practitioners. This variation can have significant implications for the potential value of an identification tool in practice. It is important for professionals who rely on identification materials to be able to evaluate the relative quality of the guidance therein. The following recommendations are intended to enable practitioners to recognize and ensure the quality and rigor of identification resources that they rely upon for identification guidance.

Be transparent and explain fully how tools and resources were developed. Those developing victim identification resources should include detailed descriptions of how they were developed including the process of review and validation, any process of revision or updates, input provided by former victims of trafficking and first responders into the material, and the method used for testing and evaluating their use. Because victim identification is not a "one-size-fits-all" process, the development of resources should reflect how the material was tailored for use in practice in the context(s) in which it is to be used. Include guidance for others to be able to adapt the tools and resources for other contexts and target populations. Clearly explain any limitations in the development and application of victim identification tools and resources.

Ensure that tools and resources are evidence-based and rigorous. Governments should ensure that tools and resources are based on robust evidence of identification processes and experiences. Research is needed trafficking victims' first hand experiences of identification, including the real-world settings in which trafficking victims are encountered and the nature of these identification interactions and opportunities. Professionals engaged in the development or modification of identification materials should engage with practitioners and trafficking victims in this process.

Engage practitioners and former victims in the development and evaluation of victim identification materials. Professionals engaged in the development or modification of victim identification materials should learn from practitioners and former trafficking victims about their experiences of victim identification and how tools and resources work in practice, including the validity and reliability of existing identification tools and resources. Tools should be tested and validated in real world situations and then evaluated over time to ensure that they are effective and victim centered.

Incorporate ethical considerations and codes of conduct into victim identification materials. To address gaps in the treatment of ethical issues in identification materials reviewed, authorities

should ensure that resources address ethical issues and comply with ethical standards that are applicable in the country or context and are informed by best practice standards. Consult trafficking victims about their identification experiences in practice to learn what ethical guidance is needed to enhance appropriate conduct in identification efforts. Engage with TIP experts in the relevant country or context to ensure that resources sufficiently reflect ethical considerations applied to practical TIP issues and scenarios, including issues such as not publicly revealing information (e.g. through the media) about victims of trafficking who have been identified by law enforcement; gaining informed consent of victims in the identification process and in their referral for protection and assistance services; and addressing what should be done if a victim does not give their informed consent.

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Annexes

- Annex #1. The 54 victim identification tools and resources in or applicable to Asia
- Annex #2. Terms and concepts
- Annex #3. Regional bodies and international organizations
- Annex #4. Regional groupings by country
- Annex #5. Excerpts from the 2019 TIP Report relevant to identification

Annex #1. The 54 victim identification tools and resources in or applicable to Asia

Key

- Not available online

AAPTIP (2018) <i>Manual on Identification, Support and Referral of Potential Victims of Labour Trafficking</i> [Viet Nam]	-
ASEAN-ACWC (2019) <i>Practitioners' Model Implementation Toolkit for the ACWC Regional Guidelines and Procedures to Address the Needs of Victims of Trafficking in Persons</i>	-
ASEAN-ACWC (2018) <i>Regional Guidelines and Procedures to Address the Needs of Victims of Trafficking in Persons</i> [ASEAN]	-
ASEAN-ACWC (2016) <i>Gender Sensitive Guidelines for Handling Women Victims of Trafficking in Persons</i> [ASEAN]	https://asean.org/wp-content/uploads/2012/05/FAASN_gender_8_email_R_EV.pdf
ASEAN-SOMTC and COMMIT (2016) <i>Identifying Victims of Trafficking and Associated Forms of Exploitation: Common Indicators for First Responders</i> [ASEAN and GMS]	http://un-act.org/publication/view/identifying-victims-trafficking-associated-forms-exploitation-common-indicators-first-responders/
Bali Process (2018) <i>Assisting and Interviewing Child Victims of Trafficking: A Guide for Law Enforcement, Immigration and Border Officials</i> [Bali Process]	https://www.baliprocess.net/regional-support-office/guide-on-assisting-and-interviewing-child-victims-of-trafficking/
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Bali Process (2016) <i>Enhancing a Victim-Centered Approach: A Study Guide for Practitioners for Identifying, Assisting and Protecting Victims of Trafficking in the Asia-Pacific Region</i> [Bali Process]	https://www.baliprocess.net/UserFiles/baliprocess/File/RSO-CIFAL-curriculum%20Enhancing%20a%20Victim-Centered%20Approach_A4_Final_2017-02-14_for-web.pdf
Bali Process (2016) <i>Policy Guide on Identifying Victims of Trafficking</i> [Bali Process]	http://un-act.org/wp-content/uploads/2016/01/Policy-Guide-on-Identifying-Victims-of-Trafficking.pdf
Civil Society Anti-Human Trafficking Task Force Hong Kong (2018) <i>Handbook on Initial Victim Identification & Assistance for Trafficked Persons: Screening Tools & Referral Directory</i> [Hong Kong SAR]	https://drive.google.com/file/d/12XCUJrfyUIH4a_NjLF0pwgq3IBxvBvMV/view
COMMIT (2016) <i>Victim Identification and Referral Mechanisms: Common Guidelines for the Greater Mekong Sub-Region</i> [GMS]	http://un-act.org/publication/view/victim-identification-referral-mechanisms-common-guidelines-greater-mekong-sub-region/
Government of Cambodia and Government of Viet Nam (2009) <i>Standard Operating Procedures for the Identification and Repatriation of Trafficked Victims</i> [Cambodia, Viet Nam]	http://un-act.org/wp-content/uploads/2015/11/SOP-Vietnam-Cambodia.2009.pdf
Government of India and UNODC (2008) <i>Standard Operating Procedures (SOP) On Investigating Crimes of Trafficking for Forced Labour</i> [India]	https://www.unodc.org/documents/human-trafficking/India_Training_material/SOP_-_Investigation_-_Forced_Labour.pdf
Government of India and UNODC (2007) <i>Standard Operating Procedures (SOP) On Investigating Crimes of Trafficking for Commercial Sexual Exploitation</i> [India]	https://www.unodc.org/documents/human-trafficking/India_Training_material/SOP_on_Investigation_of_Crimes_of_Trafficking_for_Commercial.pdf

Government of Indonesia and IOM (2019) <i>Handbook on Service Mechanisms for Witnesses and/or Victims of Trafficking in Persons in Indonesia</i> [Indonesia]	–
Government of Lao PDR (2019) <i>National Referral Mechanism</i> [Lao PDR]	–
High Commission to Combat Trafficking in Persons and Smuggling of Migrants and IOM (2018) <i>Trafficking in Persons and Smuggling of Migrants Training Manual</i> [Afghanistan]	https://reliefweb.int/sites/reliefweb.int/files/resources/tip_training_manual_final_27_march_2018.pdf
IACAT (2008) <i>Philippine Guidelines for the Protection of Trafficked Children</i> [Philippines]	http://www.iccwtnispncanarc.org/upload/pdf/3709341553Philippine%20Guidelines%20for%20the%20Protection%20of%20Trafficked%20Children.pdf
IOM (2016) <i>Guidelines for Frontline Officers in Assisting Witnesses and/or Victims of Trafficking in Sukabumi District</i> [Indonesia]	–
IOM (2016) <i>Training Manual: Countering Human Trafficking in the Thai Fishing Industry</i> [Thailand]	https://thailand.iom.int/sites/default/files/document/publications/%5BEN%5D%20Training%20Manual%20on%20Countering%20Trafficking%20in%20Thai%20Fishing%20Industry.pdf
IOM (2009) <i>Guidelines for Law Enforcement and the Protection of Victims of Trafficking in Persons Cases</i> [Indonesia]	https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=91193
IOM and Government of Azerbaijan (2016) <i>Counter-Trafficking Handbook</i> [Azerbaijan]	http://iom.az/publications/files/HANDBOOK_ENG.pdf
Liberty Asia (2016) <i>Victim Identification Toolkit</i> [Hong Kong SAR]	https://static1.squarespace.com/static/53038dd2e4b0f8636b5fa8c3/t/5747ca714c2f85be64f0473f/1464322756170/toolkit+version+20160526+hq.pdf
Mekong Club and United Nations University (2019) <i>Apprise</i> [GMS]	https://www.apprise.solutions/home
MAPO (n.d.) <i>Trafficking in Persons Information Card</i> [Malaysia]	–
MOD (2014) <i>Circular Regulating Measures Of The Border Guard And The Marine Police In The Prevention Of The Sale Of People</i> [Viet Nam]	https://www.global-regulation.com/translation/vietnam/2955710/circular-no.-78-2013-tt-bqp%253a-regulating-measures-of-the-border-guard-and-the-marine-police-in-the-prevention-of-the-sale-of-people.html
MOL (no date) <i>Thailand Ministry of Labor Forced Labor Assessment</i> [Thailand]	https://www.chiangmaihealth.go.th/cmpho_web/document/170508149422465159.pdf
MOL and MSDHS (2008) <i>Operational Guidelines on the Prevention, Suppression, Assistance and Protection of Trafficked Persons for Labour Purposes</i> [Thailand]	–
MOLISA (2008) <i>Policies and Regulations on Social Assistance Services for Returned Women and Children - Victims of Human Trafficking</i> [Viet Nam]	–
MOSVY (2009) <i>Policy and Minimum Standards for the Protection of Trafficking Victims</i> [Cambodia]	http://un-act.org/wp-content/uploads/2015/12/MS_Policy-ENG-2009.pdf
MOSVY and Chab Dai (2012) <i>Referral Directory: Services for Returned Migrants and Survivors of Trafficking</i> [Cambodia]	https://static1.squarespace.com/static/55a81f9be4b01a30079bb9d3/t/55b94818e4b05df3c5765beb/1451889783893/Referral+Guide+Eng

MOSVY and IOM (2012) <i>Standard Operating Procedures on the Provision of Reintegration Support to Male Victims of Trafficking</i> [Cambodia]	–
MOWECP (2010) <i>SOP of Integrated Services for Witnesses and/or Victims of Crime of Human Trafficking</i> [Indonesia]	–
MOWECP and IOM (2016) <i>Guidelines of the Mechanism of Services for the Witness and/or Victims of Trafficking: A Handbook for the Assistance of Witnesses and/or Victims of Trafficking</i> [Indonesia]	–
MPS (2016) <i>Trafficking in Person Victim Identification Guideline</i> [Lao PDR]	–
MPS, MOD, MOL, MOLISA and MFA (2014) <i>Joint Circular on the Procedure for and Cooperation in Identification, Receipt, and Repatriation of Victims of Human Trafficking</i> [Viet Nam]	https://vanbanphapluat.co/joint-circular-01-2014-ttl-tl-bca-bqp-bldtbxh-bng-identification-receipt-repatriation-victims-of-human-trafficking
MSDHS (2008) <i>Scope and Elements of Identification of Trafficked Persons</i> [Thailand]	http://un-act.org/wp-content/uploads/2015/07/RTG_ScopeElements_of_Victim_ID1.pdf
MSDHS (2008) <i>Thailand MSDHS Preliminary Interview Form for Screening Victims of Trafficking (on land and sea)</i> [Thailand]	–
MSDHS and JICA (2019) <i>Repatriation Flow and Procedures from Thailand to Cambodia</i> [Cambodia, Thailand]	https://www.jica.go.jp/project/thailand/016/materials/ku57pq00001yw2db-att/repatriation_handbook_01.pdf
MSDHS and JICA (2019) <i>Repatriation Flow and Procedures from Thailand to Lao PDR</i> [Lao PDR, Thailand]	https://www.jica.go.jp/project/thailand/016/materials/ku57pq00001yw2db-att/repatriation_handbook_02.pdf
MSDHS and JICA (2019) <i>Repatriation Flow and Procedures from Thailand to Viet Nam</i> [Thailand, Viet Nam]	https://www.jica.go.jp/project/thailand/016/materials/ku57pq00001yw2db-att/repatriation_handbook_03.pdf
MSDHS and MPS (2013) <i>Standard Operating Procedures for the Identification and Return of Victims of Human Trafficking between Thailand and Viet Nam</i> [Thailand, Viet Nam]	http://un-act.org/wp-content/uploads/2015/11/SOP-Vietnam-Thailand.2013.pdf
MSDHS, MOL and RTP (2016) <i>Referral system for victims of trafficking: New guidelines for victim identification by multi-disciplinary teams</i> [Thailand]	–
MSDHS and JICA (2013) <i>MDT Operational Guideline for the Protection of Victims of Trafficking</i> [Thailand]	https://www.jica.go.jp/project/thailand/016/materials/ku57pq00001yw2db-att/mdt_guideline_practical_version.pdf
NCCT (2015) <i>Guidelines on Forms and Procedures for the Identification of Victims of Human Trafficking for Appropriate Service Provision</i> [Cambodia]	http://un-act.org/publication/guidelines-on-forms-and-procedures-for-identification-of-victims-of-human-trafficking-for-appropriate-service-provision/
NCCTIPs (2017) <i>Bahrain National Referral Mechanism for Victims of Trafficking in Persons</i> [Bahrain]	http://lmra.bh/portal/files/cms/downloads/english_attachment/tnrmfvotip_en.pdf
NEXUS Institute (2018) <i>Directory of Services for Indonesian Trafficking Victims and Victims/Witnesses: West Java and Jakarta</i> [Indonesia]	https://nexushumantrafficking.files.wordpress.com/2018/12/Directory-of-Services-2nd-Edition-English-FINAL.compressed.pdf

NEXUS Institute (2018) <i>Identification and Referral of Trafficking Victims in Indonesia. Guidelines for frontline responders and multi-disciplinary teams at the village level</i> [Indonesia]	https://nexushumantrafficking.files.wordpress.com/2018/12/Identification-and-Referral-Guidelines-July-2018.compressed.pdf
NEXUS Institute (2016) <i>Directory of Services for Indonesian Trafficking Victims and Exploited Migrant Workers: West Java and Jakarta</i> [Indonesia]	https://nexushumantrafficking.files.wordpress.com/2016/05/directory-of-services-nexus-final-2016.pdf
UNIFEM and UNODC (2007) <i>Trafficking Women and Children for Sexual Exploitation: Handbook for Law Enforcement Agencies in India</i> [India]	https://www.unodc.org/documents/human-trafficking/India_Training_material/Handbook_for_Law_Enforcement_Agencies_in_India.pdf
WHRIK (2019) <i>Leaflet for South Korean Victims of Prostitution and Sex Trafficking Abroad</i> [Republic of Korea]	https://www.stop.or.kr/multicms/multiCmsUsrcList.do?category=wp&srch_menu_nix=cQdZfk88&srch_mu_lang=CDIDX00023
WHRIK (2018) <i>Leaflet for South Korean Victims of Prostitution and Sex Trafficking Abroad</i> [Republic of Korea]	https://www.stop.or.kr/multicms/multiCmsUsrcList.do?category=wp&srch_menu_nix=cQdZfk88&srch_mu_lang=CDIDX00023
Winrock International (2015) <i>Human Trafficking Victim Assessment Tools</i> [Bangladesh]	–
Winrock International and Action for Combatting Trafficking in Persons Program (2014) <i>ACT Trafficking in Persons Survivor Services Guidelines</i> [Bangladesh]	–

Annex #2. Terms and concepts

Unless otherwise stated, the definitions below have been elaborated for the purpose of this review or are based on existing definitions and understandings as cited below.

A **victim of trafficking (VoT)** is a person who has experienced and/or is experiencing conduct set out in Article 3 of *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol)* or relevant domestic legislation. A **presumed**

(or **potential**) **trafficking victim** is a person who has been screened and positively identified as a victim of trafficking but not formally identified as such. **Trafficking in persons (TIP)** is:

the recruitment, transportation, transfer, harboring 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 labor or services, slavery or practices similar to slavery, servitude or the removal of organs.⁶⁸

While this review focuses on trafficking in persons, some tools and resources refer also or instead to **forced labor**, which is “all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily”.⁶⁹

Protection is one of the three Ps of the anti-trafficking response, aimed at protecting victims of trafficking. It is generally comprised of the process of **identification, referral, and assistance, including reintegration**. It also refers to each government’s role in taking affirmative steps to assess risks and ensure the safety of each victim. Victim protection measures should be **victim-centered** (that is, the priorities, needs, and interests of the victim are at the center of the process) and **trauma-informed** (that is, the physical, social, and emotional impacts of trauma on the victim are understood and considered in the process).

Identification is the process by which an individual is identified as a trafficking victim or a presumed trafficking victim. **Formal identification** is the process or decision that results in an official state determination that a person is a victim of trafficking in persons, while **informal identification** is the process or decision that results in a person being considered to be a victim of trafficking outside the formal identification process of a state.

Referral is the act of referring a trafficking victim (or presumed trafficking victim) for further screening and/or further action, including assistance and reintegration or legal remedies.

Assistance refers to voluntary measures, programs, and services aimed at the recovery of trafficked persons, provided by the state, non-governmental organizations (NGOs), and international organizations (IOs), in countries of destination, transit, and origin. Assistance may be trafficking-specific or more general forms of assistance offered as part of general state services, such as child protection systems or services for the socially vulnerable. Assistance might include, but is not

⁶⁸ “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,” opened for signature November 15, 2000, <https://bit.ly/2YUPuAm>.

⁶⁹ “Forced Labour Convention,” opened for signature June 10, 1930, *Information System on International Labour Standards*, CO29, <https://bit.ly/35QCSvn>. The 2014 *Forced Labour Protocol* to the 1930 *Forced Labour Convention* emphasizes the link between forced labor and trafficking and construes the definition of forced labor to entail human trafficking for the purpose of forced labor.

limited to accommodation/housing, medical care, psychological assistance, education, vocational training, life skills, employment and economic empowerment, legal assistance, transportation, and family mediation/counseling.⁷⁰

Reintegration is the process of recovery and social and economic inclusion following a trafficking experience. It includes settlement in a safe and secure environment; access to a reasonable standard of living; mental and physical well-being; opportunities for personal, social, and economic development; and access to social and emotional support. Reintegration may involve return to the victim's family and/or community of origin, integration in a new community, or integration in a new country depending on the individual's specific needs and interests. Reintegration takes place at different levels: at an individual level, in the family environment, within the wider community, and within formal society. Specific outcomes may cumulatively indicate successful reintegration including: having a safe, satisfactory and affordable place to live; physical well-being (including health); mental well-being (including health); legal status; access to justice; safety and security; economic well-being; educational and training opportunities; healthy social environment and interpersonal relationships; and well-being of victims' families and dependents.⁷¹

For the purpose of this review, a **tool** provides practical guidance on the process of screening a person for trafficking in persons, as well as steps in the identification and referral process. In some cases, multiple tools may be captured within the same material. For instance, screening tools and SOPs may contain checklists and indicators. Examples of victim identification tools include:

- **Checklist:** a list of things to be done or points to consider, which, in the process of identifying victims of trafficking, could include indicators of trafficking in persons and/or procedural steps/requirements to ensure that appropriate consent is obtained and referrals are made for assistance;
- **List of indicators:** a set of characteristics or factors that may signal that an individual is a victim of human trafficking;
- **Referral directory:** a resource that provides information to first responders and/or trafficking victims about who may be identified as a trafficking victim, what services are available and how to access assistance;
- **Screening tool:** a checklist, questionnaire or list of questions to be used to determine if someone is a victim of trafficking;
- **Standard operating procedures (SOPs):** detailed, written instructions to guide users through steps to take in undertaking complex institutional or organizational operations in an efficient, uniform, and high-quality way and in compliance with relevant laws and regulations.

For this review, a **resource** provides information relevant to understanding a particular subject (for example, human trafficking situations, causes, contexts, consequences and/or responses thereto). Victim identification resources provide information about the process and procedures for the identification and referral of trafficking victims. In some cases, there is an overlap between victim identification tools and resources (for example, when tools are included in sections related to identification or may be annexed in the different types of resources set out below). Examples of victim identification resources include:

⁷⁰ R. Surtees, *Supporting the Reintegration of Trafficked Persons. A Guidebook for the Greater Mekong Sub-Region* (Washington, D.C.: NEXUS Institute and Bangkok: UN-ACT and World Vision, 2017); R. Surtees, *After Trafficking*.

⁷¹ R. Surtees, *Re/integration of trafficked persons: how can our work be more effective?* (Washington, D.C.: NEXUS Institute and Brussels: King Baudouin Foundation, 2008), 11. See also R. Surtees et al., *Going Home: Reintegration of Trafficking Victims in Indonesia* (Washington, D.C.: NEXUS Institute, 2016), 14; R. Surtees, *After Trafficking*.

- **Guidelines:** a resource used to inform understanding towards the development of policy or a course of action;
- **Handbook/manual:** a type of reference work or collection of instructions that provides ready reference and answers on a specific topic;
- **National referral mechanism:** a cooperative framework through which state actors fulfil their obligations to protect and promote the human rights of trafficked persons, coordinating their efforts in a strategic partnership with civil society.
- **Toolkit:** an assembly of tools and materials related to a specific topic.

A range of individuals representing various institutions and organizations may have a role to play in the process of victim identification, referral, and assistance. This might include:

- **Administrative staff:** an individual tasked with administrative tasks within the government or a non-governmental organization at the local, district, provincial, or national level;
- **Border official:** a government (or quasi-government) official who controls entry into and/or exit from a sovereign state via land, sea, or air borders;
- **Criminal justice practitioner:** a person employed by a state agency or non-state entity who works within the state's system of enforcing criminal laws and administering justice, including through the court system and in legal processes;
- **Diplomatic and consular officer:** a government official who works at a foreign embassy or consular office who interacts with nationals and agents of their own state and/or of the host state, in order to fulfil consular or diplomatic functions;
- **Employer:** a person who provides work (whether paid, unpaid, contract-based or permanent, legal or illegal) to another person;
- **First responder or frontline responder:** a person who, in their professional capacity, encounters individuals who may be in a situation of trafficking in persons and is professionally tasked to identify and refer presumed trafficking victims;
- **General public:** people who are not directly engaged in counter-trafficking work and do not have any specialist knowledge or insight about trafficking in persons, but who may encounter victims of trafficking in the course of their daily lives;
- **Health care worker/provider:** a person (or entity) who, in their professional capacity, provides any kind of service to restore or maintain physical, mental, or emotional well-being (including doctors of medicine, nurses, dentists, psychologists, psychiatrists, and other health care specialists);
- **Hotline staff:** individuals who work, whether on a paid or voluntary basis, at a government or non-government agency that receives phone calls in relation to potential trafficking situations;
- **Immigration official:** government (or quasi-government) official responsible for enforcing immigration law, including by examining travel and identity documents of persons entering or exiting a country via its land, air, and sea borders;
- **Law enforcement officer:** a government employee responsible for enforcing the law, including by preventing crime, investigating perpetrators, and identifying and protecting victims;
- **Port authority:** a government or quasi-government entity with powers to control, operate and manage ports;
- **Service provider:** a person who in the course of their work for a government or non-government entity provides direct services to beneficiaries in need of them (for example, healthcare worker, psychologist, social worker, or lawyer);
- **Social worker:** a person who works for state or non-state organizations to help individuals, families, groups, or communities by providing services directly or supporting people to

access services, including, but not limited to, economic, social, legal, and healthcare services;

- **Teacher:** a person who teaches, whether in a public or private school, university, or other educational institution.

These professionals may work for different organization and institutions in different sectors of society. This might include:

- **Civil society:** the space for collective action around shared interests, purposes, and values, generally distinct from government and commercial for-profit actors; civil society includes charities, development NGOs, community groups, women's organizations, faith-based organizations, professional associations, trade unions, social movements, coalitions, and advocacy groups;⁷²
- **Government:** the individuals and institutions that govern a country;
- **International organization (IO):** an organization established by a treaty or other international instrument governed by international law, such as a Memorandum of Understanding (MoU), that has Member States and possesses its own international legal personality, including, but not limited to, the United Nations (UN);
- **Regional body:** an organization or entity whose membership is based on defined geography, such as geopolitical unions and economic blocs.

⁷² "Civil Society," Social Determinants of Health, World Health Organization, accessed March 31, 2020, https://www.who.int/social_determinants/themes/civilsociety/en/.

Annex #3. Regional bodies and international organizations

Regional bodies are organizations and entities whose membership is based on defined geography, such as geopolitical unions and economic blocs. Regional bodies are often established to foster cooperation and political and economic integration or dialogue among states within a set geographical boundary. An international organization has been established by a treaty or other instrument governed by international law (such as an MoU), that has Member States and possesses its own international legal personality.

Association of Southeast Asian Nations (ASEAN) is an intergovernmental organization aimed primarily at promoting economic growth and regional stability among its members. Member States: Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, Viet Nam

The **Bali Process** is a forum for policy dialogue, information sharing, and practical cooperation to help the region address the consequences of people smuggling, trafficking in persons, and related transnational crime. Member States: Afghanistan, Australia, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, DPR Korea, Fiji, France (New Caledonia), Hong Kong SAR, India, Indonesia, Iran, Iraq, Japan, Jordan, Kiribati, Lao PDR, Macau SAR, Malaysia, Maldives, Mongolia, Myanmar, Nauru, Nepal, New Zealand, Pakistan, Palau, Papua New Guinea, Philippines, Republic of Korea, Samoa, Singapore, Solomon Islands, Sri Lanka, Syrian Arab Republic, Thailand, Timor-Leste, Tonga, Turkey, UAE, United States, Vanuatu, Viet Nam

Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) is a high-level policy dialogue addressing human trafficking in the Greater- Mekong Sub-region (GMS). Member States: Cambodia, China, Lao PDR, Myanmar, Thailand, Viet Nam

Council of Europe (CoE) is an international organization whose stated aim is to uphold human rights, democracy, and the rule of law in Europe. Member States: Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom

European Union (EU) is political and economic union with member states that are located primarily in Europe. Member States: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden

Organization for Security and Co-operation in Europe (OSCE) is a security-oriented intergovernmental organization. Member States: Albania, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Holy See, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Mongolia, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, United Kingdom, United States, Uzbekistan

South Asian Association for Regional Cooperation (SAARC) is the regional intergovernmental organization and geopolitical union of states in South Asia. Member States: Afghanistan, Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan, Sri Lanka.

Annex #4. Regional groupings by country

For the purposes of this review and the related compendium, we used UN Regional Designations in the 2017 Sustainable Development Goals (SDG) Report and Statistical Annex.

Map #2. Countries and regions addressed in this review.⁷³

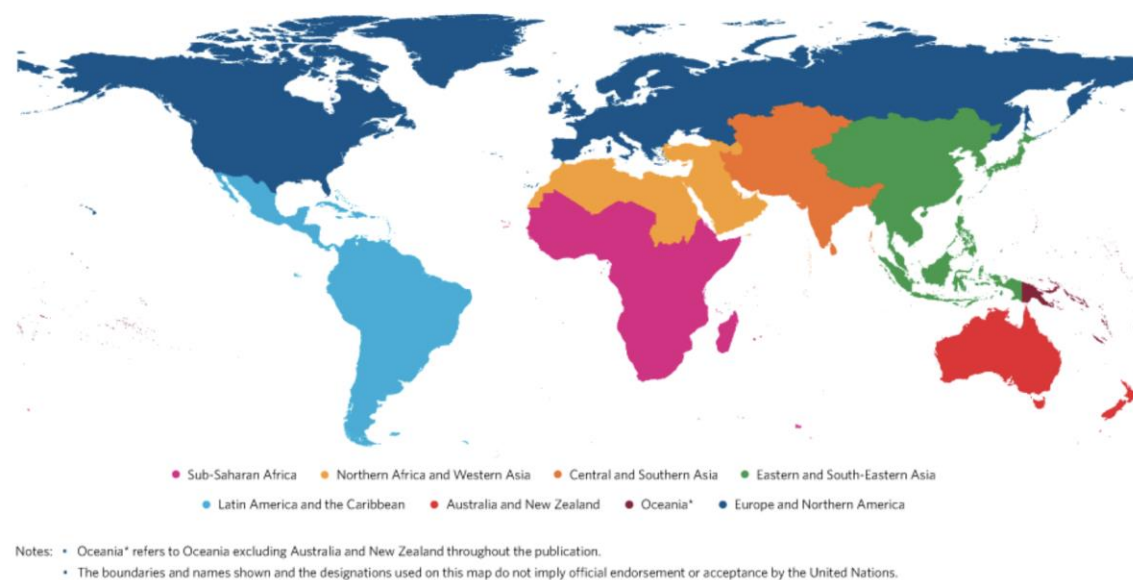


Table #6. Countries by region in Asia

Central Asia
Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan
Southern Asia
Afghanistan, Bangladesh, Bhutan, India, Iran (Islamic Republic of), Maldives, Nepal, Pakistan, Sri Lanka
Eastern Asia
China, Hong Kong SAR, Macao SAR, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea
Southeastern Asia
Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, Timor-Leste, Viet Nam
Western Asia
Azerbaijan, Armenia, Bahrain, Cyprus, Georgia, Iraq, Israel, Jordan, Kuwait, Lebanon, State of Palestine, Oman, Qatar, Saudi Arabia, Syrian Arab Republic, Turkey, United Arab Emirates, Yemen

⁷³ UN (2017) *SDG Indicators: Regional groupings used in 2017 Report and Statistical Annex*. New York, United States: United Nations.

Annex #5. Excerpts from the 2019 TIP Report relevant to identification

The table below contains excerpts on victim identification practices, tools, and resources, extracted directly from the U.S. Department of State (2019) *Trafficking in Persons Report* (2019 TIP Report), and is based on its assessment of victim identification practices.⁷⁴

Central Asia	
Kazakhstan	Law enforcement units mandated to address migration or trafficking issues had a formal system to identify trafficking victims among at-risk persons, such as undocumented migrants or persons in prostitution; nonetheless, officials' efforts to identify foreign victims and victims of labor trafficking remained limited.
Kyrgyzstan	The government did not adopt standard identification procedures (SOPs) or a national referral mechanism (NRM) that were initially drafted in 2017; experts have cited these gaps as an impediment to identifying and assisting victims.
Tajikistan	The government reported it began to implement the 2014 victim protection law, which set forth a national referral mechanism in 2016, but for most of the reporting period the referral mechanism was inconsistent with victim protection provisions. Authorities remained without a formal system for identifying trafficking victims and referring them to services. Nonetheless, in 2018, a legislative reform working group developed draft guidelines for victim identification, which it submitted to the government for approval.
Turkmenistan	Authorities remained without formal written procedures to identify victims or refer them to care providers, but they informally referred suspected trafficking victims to an international organization for services.
Uzbekistan	The government lacked a standardized process to proactively identify victims from vulnerable populations and refer those victims to protective services, especially those subjected to internal trafficking, which led to the penalization of potential victims, particularly those in prostitution.
Southern Asia	
Afghanistan	The government did not use systematic victim identification procedures during the reporting period. In partnership with an international organization, the high commission published a training manual for law enforcement, NGOs, and community leaders on trafficking victim identification. With international assistance, the high commission also finalized and published a national referral mechanism for victim care and began to implement an online database to register trafficking victims for assistance.
Bangladesh	The Ministry of Home Affairs (MHA), the government's lead agency for combating trafficking, had SOPs for proactive trafficking victim identification; however, the government did not report how widely officials disseminated or used these SOPs. Some police officers used a checklist to proactively identify victims when they came into contact with commercial sex establishments; however, the government did not formally adopt or disseminate the checklist, and its use was inconsistent.
Bhutan	The government maintained minimal victim identification and protection efforts. The government did not report data on efforts to identify trafficking victims. The government did not identify any trafficking victims the previous reporting period. With an international organization, the government continued to draft and finalize SOPs on victim identification and referral.
India	In December 2017, the National Human Rights Commission created and published SOPs for combating human trafficking.
Iran (Islamic Republic of)	The government failed to identify and protect trafficking victims. The government did not screen for trafficking among detained migrants pending deportation or among victims of sexual abuse and persons in prostitution.
Maldives	The government did not formally adopt SOPs for victim identification, protection, and referral that National Security Council (NSC) had finalized in 2016; the Ministry of Economic Development (MED) attributed the lack of adoption to the Anti-Trafficking National Steering Committee's failure to meet during the reporting period. Although the Maldives Police Service (MPS) had disseminated the SOPs to its officers in the past, other government agencies were not aware of these SOPs, at times resulting in the deportation of potential victims without screening or investigation.
Nepal	The government did not have SOPs for victim identification and referral to services, although Nepal Police Women's Cells (NPWC) had internal guidelines on the identification and treatment of victims

⁷⁴ U.S. Department of State, *2019 Trafficking in Persons Report*.

	and the Ministry of Women, Children, and Senior Citizens (MWCSC) continued drafting SOPs on victim identification, referral, and data collection.
Pakistan	The government reported some law enforcement, immigration, and social service personnel had SOPs for the identification of trafficking victims within their respective departments; however, it was unclear how widely officials disseminated and employed these SOPs.
Sri Lanka	The government had standard operating procedures (SOPs) for the identification and referral of potential victims to services, but they did not implement them uniformly; both the government and members of civil society stated the capacity of local officials to identify trafficking victims remained low, especially among women in prostitution.
Eastern Asia	
China	The Ministry of Public Security (MPS) maintained written instructions promulgated in 2016 for law enforcement officers throughout the country aiming to clarify procedures for identifying trafficking victims among individuals in prostitution and forced or fraudulent marriage.
Hong Kong SAR	Police, immigration, and customs officials utilized a two-tiered victim identification mechanism to screen vulnerable populations; the government introduced the mechanism to 12 more police districts in 2018 so that it covered all districts.
Macao SAR	Authorities had formal victim identification procedures, an operational referral process, and standardized screening questionnaires that could guide law enforcement, immigration, and social services personnel to screen individuals vulnerable to trafficking. Officials distributed questionnaires to suspected illegal workers to promote self-identification.
DPR Korea	The government did not report any protection efforts. Government authorities did not report identifying any victims or providing protective services, nor did it permit NGOs to provide these services.
Japan	The government maintained insufficient efforts to protect victims, including by again failing to formally identify victims of trafficking within the Technical Intern Training Program (TITP) and among hundreds of children in commercial sexual exploitation. Authorities relied upon formal manuals instituted by an Inter-Ministerial Liaison Committee in 2010 encouraging government bodies to develop broad protection measures for trafficking victims. National Police Agency officials also reported consulting an International Organization for Migration (IOM)-developed handbook to identify and refer victims to available protective services. In practice, interagency stakeholders followed disparate, often insufficient victim identification procedures.
Mongolia	National Police Agency investigators reported using a trafficking risk assessment checklist containing 11 questions to proactively identify victims among vulnerable populations; in practice, NGOs indicated victim identification and referrals were not sufficiently systematic and often depended largely on the awareness and initiative of individual officers.
Republic of Korea	Government officials used the Guidelines for the Identification of Sex Trafficking Victims to identify victims and refer them to support services. However, observers reported some officials did not adequately implement identification procedures and the government did not have formal guidelines for the identification of labor trafficking victims.
Southeastern Asia	
Brunei Darussalam	The government decreased efforts to protect victims. The Human Trafficking Unit (HTU) continued to report it employed standard operating procedures (SOPs) to identify potential trafficking victims when apprehending persons in prostitution and when accompanying immigration and labor officials on operations where trafficking was suspected. Police, immigration, and labor officers, who would be most likely to encounter potential trafficking victims, reported they also used these SOPs.
Cambodia	Despite maintaining victim identification guidelines developed by the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) in early 2017, victim identification, referral, and repatriation efforts remained disparate and underdeveloped across law enforcement agencies.
Indonesia	The government did not have SOPs for proactive victim identification and referral to rehabilitation services.
Lao PDR	Officials reported implementing National Victim Protection Guidelines, including in border areas with significant vulnerability to trafficking.
Malaysia	The government reported each of the five law enforcement agencies followed agency-specific standard operating procedures (SOPs) to identify trafficking. However, observers reported the SOPs lacked basic indicators that would allow officials to proactively and accurately identify trafficking victims and instead focused on the role and responsibility of the officer once a victim was referred to law enforcement.
Myanmar	The government reported ongoing efforts to establish a national referral mechanism with the help of an international organization.

Philippines	The government continued to implement formal procedures to identify trafficking victims in the Philippines and overseas and to refer them to official agencies or NGO facilities for care.
Singapore	Police, labor, and immigration officials had standard operating procedures for identifying victims, and the government had a victim referral process among government officials, civil society organizations, and foreign embassies.
Thailand	Multi-disciplinary Teams, which comprised government agencies and NGOs, utilized standard screening guidelines to formally identify victims and refer them to services.
Timor-Leste	For the fourth consecutive year, the Ministry of Justice reported continued efforts to develop standard operating procedures on victim identification.
Viet Nam	The government maintained common victim identification criteria as part of the Coordinated Mekong Ministerial Initiative against Human Trafficking (COMMIT) and maintained its own formal procedure for victim identification, but it did not proactively or widely employ either mechanism among such vulnerable groups as women arrested for prostitution, migrant workers returning from abroad, and child laborers.
Western Asia	
Armenia	First responders did not use standard indicators to screen vulnerable populations and experts continued to report a lack of proactive identification and a reliance on victims to self-identify.
Azerbaijan	The government had standard operating procedures (SOPs) for victim identification but first responders, including law enforcement, immigration, and social services personnel, were either unaware of the procedures or did not consistently follow or understand them.
Bahrain	The government continued to employ and distribute its NRM designed to proactively identify trafficking victims, ensure proper documentation of cases, refer cases to the Ministry of Interior (MOI) and public prosecutor's office for an official determination as a trafficking case, and provide adequate protective provisions to victims until case resolution or voluntary repatriation. Officials distributed the 30-page, bilingual English-Arabic NRM booklets to all relevant ministries and nongovernmental stakeholders, and trainers from two international organizations, with governmental financial and in-kind support, continued to provide trainings to key stakeholders on its effective implementation.
Cyprus	A multi-disciplinary national referral mechanism provided standard operating procedures for identifying and referring victims to services, including an operational manual and written guidance for first responders.
Georgia	The government continued to use and disseminate guidelines for victim identification, including the proper treatment of victims, screening for indicators at border posts, and victim-centered interview practices. A multi-disciplinary national referral mechanism provided standard operating procedures for officially identifying and referring victims to services.
Iraq	The government remained without government-wide victim identification guidelines for all relevant officials or first responders who came in contact with potential trafficking victims among vulnerable groups, including undocumented foreign migrants and persons in prostitution.
Israel	The government continued to circulate trafficking victim identification guidelines widely to relevant ministries.
Jordan	The government continued to utilize a national victim referral mechanism to refer identified victims to care, including an NGO-run shelter, and cases to the anti-trafficking unit for investigation.
Kuwait	Officials ratified a national referral mechanism in 2018 that aimed to improve intergovernmental coordination, provide training for judicial and prosecutorial personnel, and expedite criminal charges in forced labor cases; however, the government did not implement this revised mechanism during the reporting period.
Lebanon	The government did not formally adopt draft procedures for the identification and referral of victims to NGO services; in practice, officials continued to identify and refer trafficking victims to care on an ad hoc basis.
Oman	The government lacked formalized identification and referral procedures.
Qatar	Government shelter officials did not customarily use established protocols to proactively screen vulnerable individuals for trafficking indicators. Some officials reportedly used a manual to proactively identify human trafficking victims, but law enforcement personnel and other government entities did not report proactively screening for any trafficking indicators among domestic workers, a vulnerable population typically isolated and mostly excluded from protections under labor laws.
Saudi Arabia	The government published information pertaining to trafficking indicators on relevant government websites, and distributed leaflets with similar material to all official stakeholders, but it did not have a standardized mechanism to identify victims and refer them to care.
Syrian Arab Republic	The government did not identify or protect trafficking victims.
Turkey	The government solicited feedback from civil society on a draft handbook on victim identification for first responders and other relevant actors and observers reported improved government cooperation with civil society, but in previous years, experts and civil society actors expressed concern that the

	government's victim protection efforts were not sufficiently inclusive of NGOs, including funding of independent organizations and the government's exclusion of some NGOs from identifying and providing services to victims.
United Arab Emirates (UAE)	While the government had standard procedures for victim identification among foreign workers, officials did not regularly employ these procedures and continued to rely predominantly on third-party referrals to identify victims, including from foreign embassies, religious institutions, or tips received through government hotlines, smartphone applications, and the internet.
Yemen	Although formal standard operating procedures for proactive identification of trafficking victims existed, efforts to implement or train law enforcement on these procedures were suspended due to the prolonged unrest.