



COMMIT

COORDINATED MEKONG MINISTERIAL INITIATIVE AGAINST TRAFFICKING



IDENTIFYING VICTIMS OF TRAFFICKING AND ASSOCIATED FORMS OF EXPLOITATION: COMMON INDICATORS FOR FIRST RESPONDERS

The below indicators to support rapid and accurate victim identification were developed by the ASEAN and COMMIT Member States, with support from AAPTIP, IOM, ILO and UN-ACT, and adopted by both the ASEAN Senior Officials Meeting on Transnational Crime and the COMMIT Senior Officials Meeting in 2016. The initial screening of possible cases of trafficking will depend on a number of the indicators being apparent, and also the severity of those indicators in a possible given case. Observation of severity of one indicator in a given scenario may lead to the observation of others on investigation.

The visual signs and initial indicators can be used by frontline officials and other first responders in seeking to establish whether a situation may require further investigation as a possible case of trafficking or related exploitation. The list is not exhaustive. Its purpose is not to be definitive but to provide a structure and impetus for States to develop their own, more detailed and tailored identification frameworks for national application.

1. VISUAL SIGNS WARRANTING FURTHER INQUIRY

Front line officials and other first responders may encounter a situation that causes concern as a possible site of trafficking or related exploitation. The (usually visual) signs that could trigger concern and a decision to make further inquiries (such as interviewing a potential victim) might include:

Signs of control/surveillance (e.g. fences, cameras, weapons)

Signs of fear/distress/depression/psychological abuse

Demonstrates lack of familiarity with environment/situation

Inability/unwillingness to communicate (e.g. language barriers, no mobile phone, instructed on what to say)

Age/status of potential victims (e.g. unaccompanied children, persons appearing to be under minimum legal age for situation/place of work, children in an inappropriate situation)

Signs of physical abuse, physical damage, poor physical condition

Working environment appears unusually dangerous with reference to the person's age/condition

Conditions on the job appear to be very poor (e.g. working very long hours, no breaks, no time off)

Living conditions appear to be very poor (e.g. food, sleeping arrangements, large numbers living at the place of work)

2. BASIC SCREENING QUESTIONS FOR FRONT LINE OFFICIALS/FIRST RESPONDERS

Front line officials and other first responders may encounter a person they wish to speak to in order to establish whether there is cause to consider that person a possible victim of trafficking. The following questions (all of which should be asked in order to obtain an overall picture of the situation) should help to determine whether there are indeed indications of a possible case of trafficking or related exploitation that require follow-up and referral. Note that the threshold for determining whether a person may be a victim of trafficking should be much lower when the person is or may be under the age of eighteen years. Front line responders must also accept that persons being questioned may not be prepared to respond immediately and/or in full.

1. The person was paid nothing or less than what they expected or were promised.

Has the person not been paid - or paid less than what they expected or were promised?

2. The person's expected or promised payment/ability to access money has been withheld or deducted.

Has the person's expected or promised payment been withheld or deducted?

3. The person is in a job/situation different than he or she expected or was promised.

Is the person in a job/situation that was different to the one he or she expected or was promised?

4. The conditions of the job and/or living conditions are different to those expected or promised.

Are the conditions of the job (such as working hours, time off) and/or the living conditions different to those expected or promised?

5. The person has been made to feel scared or unsafe at the workplace/situation.

Has anyone at the workplace/situation made the person feel scared or unsafe (for themselves or their families)?

6. The person has been tricked or forced to do something they did not want to do.

Has anyone tricked or forced the person to do something they did not want to do?

7. The person has been pressured to have sexual contact with someone.

Has the person been pressured to have sexual contact with someone?

8. The person/the person's family owes money or other benefits to their employer or others who helped them to get a job/in a situation.

Does the person (or their family) owe any money or other benefits to their employer or anyone who helped them to get a job/in a situation?

9. The person, or others in the workplace/situation, has been harmed or threatened with harm.

Has the person - or others in the workplace or situation - been harmed or threatened with harm?

10. The person has been made to feel that they can't leave their workplace/situation or the place where they live.

Has the person been told (or been made to feel) that they can't leave their workplace/situation or the place where they live?

11. The person is not in possession of their identification papers.

Have the person's identification papers been taken away or withheld?

12. The person has been prevented from contacting anyone outside their place of work/situation.

Has the person's ability to communicate with the outside world been restricted?

13. The person's basic needs are not being met.

Does the person have access to food, medical services, privacy, and other basic needs?