

A Toolkit for guidance in
designing and evaluating
counter-trafficking programmes

**Harnessing accumulated
knowledge to respond to
trafficking in persons**



Acknowledgements

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This document is a publication of the Inter-Agency Coordination Group against Trafficking in Persons (ICAT). It is an initial set of practical tools developed jointly by the member agencies of ICAT to address an issue identified by ICAT members as being critical for the international community to tackle in order to better respond to trafficking in persons and improve the impact of anti-trafficking activities, through discussing common design and evaluation issues.

ICAT was established in response to a United Nations Economic and Social Council (ECOSOC) resolution in 2006 (2006/27), requesting intergovernmental agencies to work together to strengthen technical assistance provided to countries in the area of human trafficking. A resolution of the United Nations General Assembly in March 2007 confirmed the importance of eliminating “gaps and overlaps” in the anti-trafficking efforts of intergovernmental agencies and requested the United Nations Secretary-General to develop interagency coordination in order “to enhance cooperation and

coordination and facilitate a holistic and comprehensive approach by the international community to the problem of trafficking in persons” (A/RES/61/180). ICAT is a policy forum taking such an approach to prevent and combat trafficking in persons, and promote protection and support of victims of trafficking.

As a product of inter-agency cooperation, the document reflects the expertise and experience of six international organizations and entities forming the ICAT Working Group: the International Labour Organization (ILO), the International Organization for Migration (IOM), the United Nations Office of the High Commissioner for Human Rights (OHCHR), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children’s Fund (UNICEF), and the United Nations Office on Drugs and Crime (UNODC), as well as ICAT’s partner organizations, the International Centre for Migration Policy and Development (ICMPD) and the Organisation for Security and Co-operation in Europe (OSCE).



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For feedback on this first set of tools and how it might be revised, expanded or otherwise improved in future editions, please write to: icat@unodc.org



Introduction

Introduction

This document builds on a discussion paper developed by the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) on the current state of evaluation practice in the field of trafficking in persons (TIP).¹ The discussion paper was informed by a literature review that incorporated the findings of several meta-evaluations and a survey among anti-TIP stakeholders. A key finding from the discussion paper focused on gaps in the design of counter-TIP programmes. In many cases, the authors found that such programmes, and the underlying activities, failed to reflect upon and use accumulated knowledge in counter-TIP and other fields, including findings and lessons learned from existing evaluations. This contributed to similar and repeated shortcomings in programme design that were limiting the value added by counter-TIP evaluations.

The ICAT discussion paper and consultation process concluded that the field lacked appropriate tools and resources with which to capture, analyse and employ accumulated knowledge in the sector. In response, ICAT has developed an initial accessible and easily

employable set of tools that practitioners could use to put sectoral learning to work and improve their counter-TIP programmes. These tools are intended to help strengthen programme design, inform planning for evaluation, and engender formative and summative learning. It is hoped that the wide use of such tools leads to more effective programmes that, together with their evaluation, would contribute to further building the evidence base of “what works” to respond effectively to TIP.

The remainder of this document is divided into two parts. In Part I, section 1 provides a general overview of counter-TIP programming design issues, and highlights the value of (a) drawing on behaviour change and good practice and (b) considering the potential for interventions to, negatively, displace rather than reduce trafficking – an important issue for prevention programmes and prosecutorial responses. Section 2 provides an overall starting point for the design of counter-trafficking interventions, outlining a series of questions to help map the specifics of individual TIP patterns and identify the most appropriate set of responses.

¹ ICAT “Issue Paper No. 4: Pivoting toward the Evidence: Using accumulated knowledge and a shared approach to monitoring, evaluation and learning to build effective counter-trafficking responses” (forthcoming).



Introduction

Introduction

In Part II, sections 3-9 elaborate on seven types of counter-TIP activities. Each section contains (a) a brief discussion of lessons learned; (b) a set of questions aimed at

assisting in programme design; and (c) a non-exclusive set of possible indicators for measuring progress in responding to TIP. These sections are:

- Section 3. Raising awareness of trafficking risks and responses
- Section 4. Improving livelihoods as an alternative to risky migration
- Section 5. Strengthening the legal framework on trafficking in persons
- Section 6. Building criminal justice capacity to respond to trafficking in persons
- Section 7. Promptly and accurately identifying and referring trafficked persons
- Section 8. Providing support and durable solutions for trafficked persons
- Section 9. Developing national plans of action against trafficking in persons

The document does not cover all aspects of the response to trafficking in persons, but focuses on those: (a) that have been most

common to date and (b) for which there is a body of accumulated knowledge (both from within and outside of the counter-TIP sector).



Introduction

→ How to use this document

Introduction

How to use this document

ICAT has developed this document for use by (a) staff of government, non-government, international and private sector organizations involved in developing and prioritizing counter-trafficking interventions and (b) staff of funding agencies involved in appraising project and programme proposals.²

The intention is not to provide a pro-forma template for project/programme design but to highlight key lessons learned and key questions for consideration in designing and evaluating anti-trafficking responses. In particular, based on broad sectorial experience, the document encourages reflection by the reader on issues that might prevent an intervention from achieving its intended outcome(s).

Readers are encouraged to use the material alongside their own experience and factors relating to the particular context in which they are working. For each type of intervention, it is recommended that readers review the lessons learned then assess their intended activities by considering the subsequent set of questions. In some cases, the answers to these questions may suggest the need to modify the envisaged approach, or to add complementary activities; in others, consideration of the questions may reveal that the approach itself is unlikely to lead to the desired result, and alternatives need to be considered.³

²A project is defined as a temporary undertaking with a defined start and end point and specific objectives that, when attained, signify completion. A programme is a group of related projects managed in a coordinated way, usually to obtain benefits not available from managing the projects individually. A programme may or may not have a specified end date (<http://pmtips.net/blog-new/difference-projects-programmes>). This paper addresses the design of both programmes and projects. For simplicity, the term programme has generally been used.

³For example, analysis may highlight that, for a planned capacity-building activity, the preconditions for the beneficiary trainees to implement skills learned in formal training programmes are not in place. In this case, designers would need to reflect on whether it is possible to influence these preconditions (such as frequent staff rotation), or whether resources might ultimately be better allocated elsewhere.



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➔ How to use this document

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How to use this document

Where insufficient information is available to answer a particular question, the reader might consider whether an additional activity should be added to the intervention to generate this information. For example, there may be an absence of baseline data on which to assess the relevance of an intervention and measure progress over the life of the intervention.

In some cases, only some of the questions in a particular section may be relevant. In others, a planned intervention might cut across the types of activities described in this tool and the reader may wish to draw

on questions from more than one section. For example, a programme to promote calls to a new TIP telephone hotline might draw on aspects of the sections on awareness-raising and the section on victim identification.

At the end of each section, there is a suggestive and non-exhaustive list of indicators for consideration in measuring change in relation to the particular intervention type. The paper does not specifically focus on attribution, that is, the extent to which changes can be ascribed to a specific project or programme.



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Developing effective responses to trafficking in persons

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Part I.

Section 1.

Overview

Questions to consider

There are no universally agreed estimates on the size of the trafficking problem. The best available information, however, suggests that:

- We appear to be identifying only a small proportion of trafficked persons.⁴
- The number of traffickers that have been identified and successfully prosecuted is in turn a small proportion of those investigated.⁵
- Not all identified victims are receiving assistance in line with their human rights. Access to remedies for victims of trafficking remains particularly limited.

There is also little evidence that traditional prevention programmes have been effective in reducing the number of people being drawn into trafficking.⁶

⁴A range of different organizations have collected data on TIP and related phenomena such as forced labour. In all cases, the data suggest that only a small proportion of victims are being identified. For example, estimates of people in situations of forced labour range from 21 million to 45 million, depending on the data collection and methodology. Against this background, 63,251 TIP victims were detected and recorded in 103 countries across the world between 2012 and 2015 (UNODC, *Global Report on Trafficking in Persons 2016* (United Nations publication, Sales No. E.16.IV.6). These figures are not directly comparable, since not all victims of forced labour have been trafficked. The size of the discrepancy, however, suggests significant gaps in identification.

⁵Data collected for the UNODC Global Report on Trafficking in Persons 2016, for example, indicates that on average 26 per cent of those investigated are convicted in first instance.

⁶Neither extensive document review nor widespread canvassing of counter-trafficking practitioners has identified peer-reviewed examples of a prevention project that has succeeded in reducing the number of people entering trafficking situations in overall terms (ICAT, (2016) "Pivoting toward the Evidence: Building effective counter-trafficking responses using accumulated knowledge and a shared approach to monitoring, evaluation and learning").

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Part I.

Section 1.

Overview

➔ Questions to consider

➔ For more information

A considerable number of counter-TIP programmes, including many prevention programmes, are based on assumptions that are not supported by existing research evidence.⁷ Common, often unarticulated, assumptions that appear to inform many counter-TIP programmes include:

- Increasing people's awareness of TIP will lead to a reduction in risky behaviour.⁸
- Reducing TIP in one geographic location or among one criminal group alone will reduce the level of trafficking overall (rather than displace it to another location or criminal group).⁹
- Knowledge and skills learned in training workshops will directly translate into effective practical action in response to TIP.¹⁰

While themselves diverse, none of these three assumptions is routinely supported by behavioural science research or experience in responding to other forms of organized crime, such as trafficking in illicit drugs. Indeed, there are numerous examples to the contrary for all three.¹¹ Despite this, counter-TIP responses have often been developed that rely on these assumptions, whether or not they are made explicit. In particular, a review of prevention programme designs highlighted a failure to consider the possibility that programme actions might displace the TIP problem rather than reduce it and the implications this would have for programme logic.

⁷ICAT, op. cit (2016).

⁸There is an extensive body of evidence that increased awareness of risk does not necessarily lead to changes in behaviour. See, for example: Singal, J. (2014) "Awareness Is Overrated" available from: <http://nymag.com/scienceofus/2014/07/awareness-is-overrated.html>

⁹The unintended effect of crime prevention programmes that successfully reduce crime in their target area is known as crime displacement and has been observed in programmes targeting both low level and organized crime. Displacement is said to occur if crime reduction in the target area leads to crime increases elsewhere. These increases may occur in neighbouring areas, or with different targets, crime types, tactics or offenders. Types of displacement include: temporal (change in time), tactical (change in method), target (change in victim), territorial (change in place), and functional (change in type of crime). Reppetto, T. A. (1976) "Crime prevention and the displacement phenomenon". *Crime and Delinquency*, 22, 166-177, cited in Farrington and Welsh *Effects of improved street lighting on crime: a systematic review*. Home Office research study 251. London: Home Office

¹⁰See, for example, response to ICAT Stakeholder Survey: Evaluating Anti-Trafficking Responses, summarized in ICAT (forthcoming).

¹¹See footnotes 8, 9 and 10.



Part I.

Section 1.

Overview

Questions to consider

In practice, responding effectively to and reducing TIP requires action or behaviour change among at least one of the following groups:

- Perpetrators of trafficking in persons
- Criminal justice respondents
- Service providers
- Policymakers
- Businesses: private companies that, knowingly or unknowingly, have trafficked labour in their supply chains
- Consumers: both governments and the general public who directly or indirectly purchase and consume products and services that are the produce of trafficking victims
- Victims of trafficking
- Potential victims: people at risk of being trafficked

Given the importance of behaviour change, there is particular value in drawing on behavioural science in designing and evaluating counter-TIP responses. This, and other cross-cutting considerations in developing counter-trafficking responses, are highlighted below.

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Questions to consider in designing any counter-trafficking intervention

1. Whose behaviour is this intervention aiming to change and in what ways?
2. What barriers exist to the adoption of the desired behaviour by the target group? Do these barriers include identifiable structural factors, and/or social and cultural factors?
3. What potential exists for crime displacement, that is the relocation of TIP (or traffickers) as a result of counter-trafficking efforts? For example, how easily can trafficking networks adjust their operations to (a) target different individuals and/or communities; (b) use or take advantage of different migration pathways; and/or (c) replace network members who have been arrested or prosecuted?
How is this likely to affect the impact of the intervention on trafficking in persons?



Questions to consider in designing any counter-trafficking intervention

4.

Do the implementing agency and its partners have sufficient topical expertise and resources to implement the programme as planned (for example, in behaviour change, systemic capacity-building, criminal justice responses, livelihood options, direct services)? If not, what additional partners, personnel and resources are needed? How can they best be brought into the planning and implementation process?

5.

What external factors (for example, lack of cooperation from other countries in responding to common TIP patterns) may contribute to or interfere with a programme/intervention? How will these be addressed or mitigated?

6.

How will measurement, evaluation and learning (MEL) be integrated into the intervention to track progress toward goals, understand impact/effectiveness, and strengthen and improve?





Part I.

Section 2.

Mapping and identifying responses to trafficking in persons

➔ Lessons learned

➔ Specific questions

➔ For more information

Mapping and identifying responses to trafficking in persons

Traditionally, responses to trafficking in persons have been categorized according to the three “P”s of prevention, prosecution and protection with the more recent addition of a fourth, partnerships. As previously highlighted by ICAT, this has tended to create a silo effect in intervention designs, with many programmes either focused exclusively on prevention or protection or prosecution, or treating these areas as separate and distinct, without flow or interaction among them.

Further, within the “4P” framework, the term prevention has traditionally been used narrowly to refer to the addressing of factors perceived to make individuals or communities more vulnerable to trafficking, e.g. poverty,

lack of local economic opportunities, and/or lack of awareness.¹² A more traditional understanding of crime prevention – that is, the attempt to reduce and deter crime and criminals – may offer an expanded set of options under the prevention heading and the opportunity to develop programmes that cut more readily across the “4P” categories.¹³

This section is intended to encourage and assist programme designers to reflect on the specific trafficking pattern(s) being targeted by the planned intervention, and the precise package of responses that is likely to have the most impact on addressing this pattern. This leads on to the discussion of specific activity types in sections 3-9.

¹²This sector has only more recently recognized the critical role that the demand for goods and services that may have been produced by trafficked persons contributes to the crime of TIP – and the role that interventions in this area could play in TIP prevention (ICAT, 2014).

¹³CTI Reviews (2016) *Criminal Law for the Criminal Justice Professional: Law, Criminal Law*, p.13.



Part I.

Section 2.

Mapping and identifying responses to trafficking in persons

➔ **Lessons learned**

➔ Specific questions

➔ For more information

1.

Several meta-evaluations of trafficking prevention programmes, as well as extensive canvassing of counter-TIP stakeholders, have failed to identify independently verified examples in which TIP has been reduced by “supply side” approaches, that is, approaches that work wholly or predominantly to reduce the vulnerability of individuals to being trafficked.¹⁴

2.

Trafficking in persons involves multiple and varied patterns, for example:

- The exploitation of minors in prostitution in a context of social tolerance for this practice.¹⁵
- Trafficking for the purpose of organ removal, which has its origins in the gap between the demand for organs and the legally available supply.
- Trafficking of domestic workers, facilitated by the failure of policy frameworks to create protection and remedy under the labour laws and provide safe legal channels for migrant domestic workers.
- The trafficking of refugees and asylum seekers fleeing persecution in their country of origin, without documentation, adequate resources or community support, and with the assistance of smugglers.

3.

These trafficking patterns have distinct sets of contributing factors and require differentiated preventative solutions.

¹⁴ICAT, op. cit (2016).

¹⁵See: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14363&>



Part I.

Section 2.

Mapping and identifying responses to trafficking in persons

Lessons learned

Specific questions

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Specific questions to consider in mapping and identifying responses to trafficking in persons might include:

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1.

What is the specific trafficking pattern or patterns the intervention is seeking to prevent?

- How are victims recruited? By whom? From where?
- How are victims transported? By whom? From where to where?
- What is the exploitative purpose?
- What allows traffickers and trafficking networks to maintain the victim in a situation of exploitation? (This might include: deprivation of liberty, threats against the individual or their family, debt, delayed payment, withholding of documents)
- What factors increase the vulnerability of an individual or a community to TIP? What, if any, factors distinguish victims from other members of their community?¹⁶ To what extent are these factors systemic (e.g. exploitation of a particular ethnic group)?

2.

What factors underlie this trafficking pattern? Specifically:

- What factors allow traffickers/trafficking networks to commit this crime?
- What factors allow traffickers/trafficking networks to profit from this crime?
- What factors allow traffickers/trafficking networks to mask or escape detection for this crime?
- What factors allow traffickers/trafficking networks to avoid prosecution for this crime?
- What factors allow people to justify actions that are considered by the law as TIP?

¹⁶This requires comparative data. Victims may, for example, be poorly educated in general terms but not in relation to their communities.



Specific questions

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Section 2.

Mapping and identifying responses to trafficking in persons

Lessons learned

Specific questions

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Specific questions to consider in mapping and identifying responses to trafficking in persons might include:

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3. Which of these factors are realistically within the scope of the counter-TIP programme?

4. Which of these factors can realistically be addressed in a way that will impact the TIP problem? (While issues such as poverty and corruption might be enabling factors, for example, is it realistic for the programme to have sufficient impact on these to affect the targeted TIP pattern(s)?)

5. What opportunities exist to increase the difficulty of committing this crime (e.g. disruption strategies such as outreach to places where traffickers recruit, community reporting mechanisms, counter-advertisements in places or platforms where traffickers advertise)?¹⁷

¹⁷A disruption strategy is an instrument of pro-active policing that aims to disrupt the ability of criminals to carry out a crime. There are several types of disruption strategies, including: (a) overt surveillance of suspected criminals to hinder their ability to undertake criminal activity; (b) repeated targeting of criminal groups with minor or administrative infringements; and (c) measures to impede the modus operandi of the criminal group such as those described in the main text.



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Section 2.

Mapping and identifying responses to trafficking in persons

Lessons learned

Specific questions

For more information

Specific questions to consider in mapping and identifying responses to trafficking in persons might include:

3/3

6.

What opportunities exist to:

- “Crowd out” the criminal market involved in this pattern (e.g. by creating safe recruitment pathways into which employers and/or migrants may self-select, thus making exploitative pathways unprofitable)
- Reduce the rewards for the traffickers. This includes preventing goods produced by trafficked labour entering into global supply chains through (a) more effective monitoring of private sector supply chains and (b) tightened safeguards in government procurement practice
- Target the profits made by traffickers through active use of money-laundering/proceeds of crime instruments?

7.

What opportunities exist to increase the risk to traffickers? For example, can risk be increased by building the capacity of criminal justice actors, labour inspectors and other respondents to identify, address and punish this specific crime type? (See section 6 for discussion of the role of criminal justice capacity-building.)

8.

What opportunities exist to reduce social tolerance for the action of traffickers and trafficking networks, or social norms that facilitate acceptance of exploitative practice? (Such norms might range from (a) expectations on children to contribute to the family income, to (b) discrimination against different groups (women, foreigners, different ethnic groups, women in prostitution), to (c) failure to recognize domestic work or work in other service sectors as forms of employment encompassing basic labour rights)



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Developing specific interventions against trafficking in persons

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Part II.

Section 3.

Raising awareness of trafficking risks and responses

➔ Lessons learned

➔ Specific questions

➔ Evaluation

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Raising awareness of trafficking risks and responses

The underlying premise for awareness-raising activities is that the target group in question lacks awareness of some aspect of trafficking in persons and that this represents a binding constraint on their ability to take appropriate action in response. Awareness-raising activities may have a range of objectives, including: (a) discouraging migration that involves a risk of trafficking in persons;

(b) promoting safe migration alternatives; (c) promoting reporting and self-reporting of trafficking cases to, for example, a hotline; and (d) promoting boycotts of products made by forced labour or “boycotts” of ethically made products. Each of these examples involves the target group not just acquiring awareness but also acting on it.



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Section 3.

Raising awareness of trafficking risks and responses

➔ **Lessons learned**

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1.

There is limited evidence about what impact the significant investment in awareness-raising programmes in the counter-trafficking sector has achieved, particularly with respect to TIP prevention.

2.

Evaluation of awareness-raising initiatives to date has highlighted common gaps in relation to:

- Ascertaining existing levels of awareness among the target population
- Identifying the desired actions to be taken by the target population as a result of raised awareness
- Identifying and addressing barriers to the target group taking these desired actions
- Articulating the linkages between these desired actions and an impact on trafficking in persons, including any assumptions underlying these linkages
- Assessing the outcomes of interventions¹⁸

3.

These shortcomings could be avoided, or greatly reduced, by locating awareness-raising activities within wider behaviour change initiatives, drawing on the wealth of experience and expertise in the field of behavioural science.

¹⁸Van der Laan, Peter H., Monika Smit, Inge Busschers, Pauline Aarten (2011) "Cross-border Trafficking In Human Beings: Prevention and Intervention Strategies for Reducing Sexual Exploitation." *Campbell Systematic Reviews*, Oslo, Norway: The Campbell Collaboration; Berman, Jacqueline and Phil Marshall (2011) *Evaluation of the International Organization for Migration and Its Efforts to Combat Human Trafficking*. Oslo, Norway: The Norwegian Agency for Development Cooperation; and a review of 77 project/programme evaluations held In Walk Free Foundation's project evaluation database.



Part II.

Section 3.

Raising awareness of trafficking risks and responses

➔ Lessons learned

➔ **Specific questions**

➔ Evaluation

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Specific questions to consider in developing awareness-raising initiatives might include:

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1. Who is the specific target group for the intervention?
2. What behaviour is the intervention trying to change or reinforce among the target group? What action do you want them to take?
3. How will these changed behaviours or actions contribute to reducing TIP (e.g. through reducing the number of new victims, identifying existing victims, increasing reporting on TIP cases)?
4. What evidence is available to suggest these actions will contribute to the desired outcomes?¹⁹
5. What is the existing level of awareness among the target group(s)?

¹⁹For example, if the campaign is promoting regular migration, is this demonstrably safer than irregular migration? Although in theory regular migration reduces migrant vulnerability to exploitation, this may not always be the case in practice. Regular migration channels sometimes place workers into significant debt, effectively binding them to the workplace, even where conditions are highly exploitative. Furthermore, where there are no functioning avenues of redress, legal migrants may still be arrested and deported by authorities, or have no recourse in terms of recovering withheld earnings, etc. See, for example, Viet Nam Ministry of Public Security and International Organization for Migration (2013), Research report on internal trafficking and trafficking for forced labour in Viet Nam.



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Raising awareness of trafficking risks and responses

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Specific questions to consider in developing awareness-raising initiatives might include:

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6.

What barriers exist to the target group(s) adopting the desired behaviours or actions?

For example:

- Are there cultural or social norms discouraging the desired behaviour?
- If, for example, the programme wishes to encourage consumers to buy products that are ethically produced, is sufficient reliable information on ethical production available?
- If a campaign aims to discourage risky migration, do community members perceive realistic alternatives?

7.

How will the planned intervention or programme address these barriers?

8.

What are the most trusted information sources for the target group? Is it, for example, particular members of the community, certain social media sites or a particular NGO/INGO?

9.

Should the target group be segmented and, if so, how? For example, are separate messages or information sources needed for children and youth, men and women, ethnic minorities, different language groups, those with different education or literacy levels?



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Section 3.

Raising awareness of trafficking risks and responses

➔ Lessons learned

➔ Specific questions

➔ **Evaluation**

Indicator category	Sample indicators	Possible data collection methods
<i>Baseline data:</i> This looks at the availability of data to inform the development of awareness-raising activities	Availability of data on existing knowledge, attitudes, intentions of target group	Existing research, household or intercept surveys
	Availability of data on risky and protective actions in relation to trafficking in persons	
<i>Reach:</i> How many people have been reached by, or exposed to the activity? This does not assess the extent to which people have taken on board the awareness-raising messages.	Number of participants in an awareness-raising session	Awareness session records
	Number of people exposed to a mass media campaign	Mass media data Household or intercept surveys ²⁰
	Number of people exposed to programme materials	Household or intercept survey
	Number of materials distributed (proxy indicator)	Programme records

²⁰Intercept surveys are conducted in person, generally in a public place such a street corner, “intercepting” people who pass.

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Raising awareness of trafficking risks and responses

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Indicator category

Sample indicators

Possible data collection methods

<p><i>Changes in knowledge, attitudes and intended actions:</i> Extent to which knowledge, attitudes or intended actions have changed as a result of the activity. This does not assess the likelihood of this change resulting in change in behaviour (and cannot be used as a proxy indicator for this)</p>	<p>Changes in number of target group that, e.g.</p> <ul style="list-style-type: none"> • Can name three warning signs for trafficking (knowledge) • Know the number of an anti-TIP or safe migration hotline (knowledge) • Would employ a returned victim of trafficking (attitude) • Would not buy something produced by forced labour (attitude) • Report they would seek additional qualifications before migrating (intended action) • Report they would take three measures to make their migration less risky (intended action) • Report they would consider placing their name on an organ donation register (intended action) 	<p>Pre and post-test questionnaires (for training sessions)</p> <p>Baseline and endline household or intercept surveys</p>
<p><i>Retention of changes:</i> Extent to which changes have been retained over time. This may be particularly important with regard to changes in attitudes and intended action where the effects of, for example, a training or community meeting might diminish over time.</p>	<p>Changes in the above indicators 6-12 months after the activity was completed</p>	<p>Follow-up with training participants</p> <p>Follow-up household or baseline survey</p>



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Section 3.

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Indicator category	Sample indicators	Possible data collection methods
<p><i>Changes in action/behaviour:</i> Extent to which activity has resulted in a change in action or behaviour. This does not measure the extent to which this changes impacts on trafficking. It may be used as a proxy indicator if the link between the action and the reduction in trafficking is sufficiently robust (e.g. based on verified assumptions).</p>	<p>Increase in people migrating through legal channels</p> <p>Increase in people contacting a migration centre before departure</p> <p>Increase in valid calls to TIP hotline</p>	<p>Records held by the organization concerned</p>
<p><i>Impact on trafficking in persons:</i> This assesses the actual impact on the trafficking problem.</p>	<p>Reduction in number of persons trafficked</p> <p>Elimination of TIP networks</p> <p>Exit and sustainable reintegration of trafficked persons</p>	<p>Longitudinal studies involved mixed methods (qualitative and quantitative)²¹</p>

²¹Such studies tend to be expensive and time-consuming, and should only be conducted on mature programmes after demonstrating programme readiness for them (Zimmerman, Cathy et al. (2015) *Safer labour migration and community-based prevention of exploitation: The state of the evidence for programming*, London School of Hygiene and Tropical Medicine).



Part II.

Section 4.

Improving livelihoods as an alternative to risky migration

➔ Lessons learned

➔ Specific questions

➔ Evaluation

➔ For more information

Improving livelihoods as an alternative to risky migration

The primary rationale behind the promotion of increased livelihood options, as a counter-trafficking strategy, is that increasing income levels will reduce the likelihood of people undertaking (internal or external) migration that might involve a risk of trafficking or other forms of exploitation. Examples of activities

to increase livelihoods include: (a) promotion of new income generating activities such as handicrafts; (b) vocational training and placement; (c) micro-credit programmes; and (d) programmes to increase the profitability of existing enterprises.



Part II.

Section 4.

Improving livelihoods as an alternative to risky migration

➔ **Lessons learned**

➔ Specific questions

➔ Evaluation

➔ For more information

1.

There is very little evidence that the promotion of livelihood options as a stand-alone activity has been an effective strategy in preventing trafficking.²²

2.

Examples of challenges to improving livelihoods as a TIP prevention strategy are:

- Potential migrants do not regard the livelihood options as compelling alternatives to migration.
- Livelihood programmes tend not to reach those most vulnerable. A specific example is micro-credit programmes that are targeted at those most likely to repay the loans, almost by definition not the most vulnerable in a community.²³
- Livelihood is only one of many considerations in decisions to migrate.
- The number of potential migrants is too large for trafficking to be addressed in this way, particularly as traffickers can often readily move to target other vulnerable people and communities.²⁴

3.

The connection between poverty and risky migration lacks strong evidence. There is evidence that (a) factors such as proximity to roads and borders with richer countries play important roles in (risky) migration patterns and (b) in raising expectations, increased incomes and increased education levels can also lead to risky migration.²⁵

²²This section refers to livelihood improvement as a stand-alone activity. There may be a role for promoting livelihood options as, for example, part of a wider package of activities, always keeping in mind the potential for displacement.

²³Michael Dottridge, trafficking prevention consultant, pers. comm.

²⁴See, for example, Moen, H. and C. Wiik (2008) *Utrygg trafikk. Kartlegging av internasjonale trender innen menneskehandel*. Norwegian Agency for Development Cooperation (Norad). Oslo.

²⁵See United Nations Inter-Agency Project (UNIAP) (2009), *Human Trafficking Sentinel Surveillance*, Poipet (Cambodia-Thailand), Bangkok and Chamberlain, J., et al. (2001) *Trafficking of Women and Children in the Lao PDR: Initial Observations*. Bangkok: UNIAP, 2001.



Specific questions

Specific questions to consider in developing livelihood programmes as a TIP prevention strategy might include:

1/2

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Section 4.

Improving livelihoods as an alternative to risky migration

➔ Lessons learned

➔ **Specific questions**

➔ Evaluation

➔ For more information

1.

What is the employment/income level at which community members intending to migrate would decide not to do so?

2.

Can the intervention realistically raise employment/incomes to this level?

3.

Are there other factors contributing to risky migration decisions that might not be related to livelihoods (e.g. desire for adventure among youth)?

4.

What potential exists for crime displacement, that is, how easily can traffickers move their operations to target different individuals and/or communities, should the vulnerability of the programme's target group decrease?²⁶

²⁶See footnote 10.



Specific questions

Specific questions to consider in developing livelihood programmes as a TIP prevention strategy might include:

2/2

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Section 4.

Improving livelihoods as an alternative to risky migration

➔ Lessons learned

➔ **Specific questions**

➔ Evaluation

➔ For more information

5.

Is it possible to define the target group in a manner that might increase the likelihood of impact? For example, might it be possible to provide alternative livelihood options to (potential) perpetrators? Could more be achieved by refocussing available resources to provide improved livelihood opportunities for the reintegration of trafficked persons, as a more defined and discrete target group?

6.

Is there a role for promoting livelihood options as part of a wider package of activities, for example, to encourage hope among the target community that migration is not the only pathway to a better life?²⁷

²⁷Recent evaluations in the Horn of Africa have highlighted the role of hope in migration decisions. Even where knowledge of migration risk is high, this is often outweighed by brokers seen as offering the hope of a better life. See, for example, Research Communications Group (2016) "Independent Evaluation of IOM Project: A Protection Project: Supporting governmental and non-governmental partners to protect migrants' human rights along the East African Route" (DCI-MIGR/2011/107), Porirua.



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Section 4.

Improving livelihoods as an alternative to risky migration

Lessons learned

Specific questions

Evaluation

For more information

Evaluating activities: increasing livelihood options as an alternative to risky migration

1/2

Indicator category	Sample indicators	Possible data collection methods
<i>Baseline data:</i> This looks at the availability of data to inform the development of livelihood activities.	Availability of data on differentials between existing level of livelihoods and livelihood levels at which target group would not undertake risky migration	Household survey
<i>Reach:</i> How many people have been reached by programmes to increase their livelihoods. This does not assess the extent to which people have benefitted from these programmes.	Number of participants provided with vocational training	Training records
	Number of people matched to employment opportunity	Tracking of programme beneficiaries
	Number of people provided with assistance in establishing own business	Tracking of programme beneficiaries
<i>Changes in livelihoods:</i> Extent to which livelihood activities have changed as a result of the activity. This does not assess the effects of this change on vulnerability to risky migration and/or trafficking (and cannot be used as a proxy indicator for this).	Changes in number of target group that <ul style="list-style-type: none"> Have obtained new paid employment Have established a new business 	Tracking of programme beneficiaries
	Changes in income levels of programme participants	



Part II.

Section 4.

Improving livelihoods as an alternative to risky migration

➔ Lessons learned

➔ Specific questions

➔ **Evaluation**

➔ For more information

Evaluating activities: increasing livelihood options as an alternative to risky migration

2/2

Indicator category	Sample indicators	Possible data collection methods
<i>Retention of changes in livelihoods:</i> Extent to which the above have been retained over time. This is particularly important with regard to self-employment activities initiated using a cash injection (e.g. loan to buy stock for a small shop).	Changes in the above indicators at 12 and 24 month intervals after start-up	Follow-up with programme participants
<i>Changes in migration:</i> Extent to which activity has resulted in a change in action or behaviour. This does not measure the extent to which this change impacts on trafficking.	Fall in migration by target group (or their dependents) ²⁸	Household surveys, community records
<i>Impact on trafficking in persons:</i> This assesses the actual impact on the trafficking problem.	Reduction in the number of persons being trafficked from within the catchment area of existing criminal networks	Longitudinal studies involved mixed methods (qualitative and quantitative) ²¹

²⁸Timing should take account of seasonal migration patterns.



Part II.

Section 5.

Strengthening the legal framework on trafficking in persons

➔ Lessons learned

➔ Specific questions

➔ Evaluation

➔ For more information

Strengthening the legal framework on trafficking in persons

The central tenet of the United Nations Trafficking in Persons Protocol is for its 170 States Parties to criminalize, in national law, an act defined as “trafficking in persons”.²⁹ The underlying premise for work to strengthen the legal framework is that a strong legal framework is a foundation stone for an effective response to trafficking in persons, both for the apprehension and prosecution of perpetrators and also to support prompt

identification of, and provision of assistance to victims. Examples of activities to strengthen the legal framework on TIP include: (a) developing or revising law on trafficking in persons; (b) harmonizing other parts of the legislative framework with TIP legislation; (c) developing rules and regulations for the implementation of legislation; and (d) establishing international cooperation agreements on TIP.

²⁹As at 13 December 2016.



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Section 5.

Strengthening the legal framework on trafficking in persons

➔ **Lessons learned**

➔ Specific questions

➔ Evaluation

➔ For more information

1.

At least 146 countries in the world now criminalize all or most forms of trafficking in persons, compared to just 33 countries in 2003.³⁰ Furthermore, there appears to be a correlation between the amount of time a jurisdiction has had trafficking legislation in place and an increase in prosecutorial implementation of that law.³¹

2.

At the same time, there is increasing recognition that, in order to be effective, both the protection and prosecutorial components of TIP criminal legislation need to be supported and complemented by other parts of the legal framework.

3.

Ideally, traffickers should be prosecuted for as many counts on an indictment as the evidence will sustain. It is often more viable for practitioners – particularly those without dedicated expertise or sufficient resources – to secure convictions using non-TIP articles of the criminal code due to, for example, common evidential challenges in trafficking prosecutions or a strategic decision to ensure swift and effective criminal justice action against a trafficker. This may, however, have a number of undesirable consequences, including the inability of trafficked persons to access appropriate services and that any criminal justice action under non-TIP laws may not show up in counter-TIP data.

4.

Another challenge is to set punishments sufficiently high to act as a deterrent, while ensuring that fundamental principles of justice are upheld.

³⁰UNODC (2014) “Global Report on Trafficking in Persons 2014: Executive Summary”, p.45, available from: https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP14_ExSum_english.pdf

³¹UNODC “Global Report on Trafficking in Persons 2016”, op. cit .



Specific questions

Specific questions to consider with respect to the legal framework on trafficking in persons might include:

1/3

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Section 5.

Strengthening the legal framework on trafficking in persons

➔ Lessons learned

➔ **Specific questions**

➔ Evaluation

➔ For more information

1. Do TIP definitions in the national legislation align with the definition in the TIP Protocol?
2. Does the national legal framework provide for the prompt and accurate identification of trafficked persons and their referral to support services?
3. Does the law provide for appropriate treatment of victims (foreign and domestic) in line with their rights as a victim of trafficking in persons and/or a victim of crime?
4. Are other laws and regulations already in place that can be used to prosecute TIP? How effective are they?
5. Is counter-TIP legislation harmonized with other relevant national laws and policies, including those relating to immigration? For example, does the TIP legislation include a savings clause to ensure that application of the law respects international human rights and humanitarian and refugee law, including the principle of *non-refoulement* found therein?



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Section 5.

Strengthening the legal framework on trafficking in persons

➔ Lessons learned

➔ **Specific questions**

➔ Evaluation

➔ For more information

Specific questions to consider with respect to the legal framework on trafficking in persons might include:

2/3

6.

Are all forms of employment, including domestic work and other forms of employment in the service sector, covered and adequately protected by labour laws?

7.

Are there agreements in place between labour sending countries and labour receiving countries to (a) facilitate the legal supply of workers in line with labour market realities and (b) provide effective protection and access to remedy for these workers?³²

8.

Does the legal framework provide for international cooperation at both formal (e.g. mutual legal assistance, extradition) and informal levels?

9.

Are TIP offences predicate for financial investigation and confiscation powers, and does the law otherwise enable the forfeiture of all forms of instruments used in the commission of TIP?

10.

Do laws support the role of appropriate non-criminal justice actors to participate in legal processes, for example, identification and referral by labour and health inspectors or front-line non-governmental organizations who may come into contact with trafficked persons?

³² If appropriate, are there also agreements to facilitate cross-border marriage in line with demographic realities?



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Section 5.

Strengthening the legal framework on trafficking in persons

➔ Lessons learned

➔ **Specific questions**

➔ Evaluation

➔ For more information

Specific questions to consider with respect to the legal framework on trafficking in persons might include:

3/3

11.

Does the national counter-TIP legal framework cover companies as legal persons, including their obligations with respect to the use of trafficked labour in their supply chains?

12.

Are rules, regulations and other guidance, such as investigative operating procedures and prosecutorial guidelines, in place to support the effective implementation of national legal frameworks?

13.

Does national expertise exist and is it readily available to support the challenges raised at case level by legal concepts and evidential issues common to TIP crimes?

14.

Which legal concepts in the definition of trafficking in persons cause the most difficulty in any specific jurisdiction? How are these currently understood and operationalized by (a) law enforcement and (b) prosecutors?



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Section 5.

Strengthening the legal framework on trafficking in persons

Lessons learned

Specific questions

Evaluation

For more information

Indicator category	Sample indicators	Possible data collection methods
Ratification of major international legal agreements relating to TIP:	<ol style="list-style-type: none"> 1. United Nations Convention against Transnational Organized Crime 2. Protocol to Suppress, Prevent and Punish Trafficking in Persons especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime 3. Convention on the Rights of the Child 4. Optional Protocol to the Convention on the Rights of the Child Protocol on Sale of Children, Child Prostitution and Child Pornography 5. Convention on the Elimination of All Forms of Discrimination Against Women 6. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families 7. United Nations Convention against Corruption 8. ILO Convention No. 29 - Convention Concerning Forced or Compulsory Labour 9. Protocol of 2014 to the Forced Labour Convention, 1930 10. ILO Convention No. 105 - Convention Concerning the Abolition of Forced Labour 11. ILO Convention No. 182 – Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour 12. ILO Convention No. 189 – Domestic Workers Convention 13. 1951 Convention Relating to the Status of Refugees and its 1967 Protocol 14. United Nations International Covenant on Economic, Social and Cultural Rights 15. United Nations International Covenant on Civil and Political Rights 	Online registry of countries ratifying these agreements



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Section 5.

Strengthening the legal framework on trafficking in persons

Lessons learned

Specific questions

Evaluation

For more information

Indicator category	Sample indicators	Possible data collection methods
Incorporation of the key provisions of above instruments into national law	As per details in individual instruments	Review of legal frameworks
Criminalization and proportionate penalties for TIP-related crimes	<ul style="list-style-type: none"> Trafficking in all its forms Slavery and servitude Forced labour Exploitative labour Child labour Commercial sexual exploitation of children Debt bondage Forced marriage Sexual exploitation including the exploitation of the prostitution of others 	Review of legal frameworks
Support for effective trafficking-related investigations and prosecutions	<ul style="list-style-type: none"> TIP included as predicate offence in laws related to organized crime and money-laundering Legal framework enables tracing, seizure and confiscation of proceeds of TIP-related crimes and for the repatriation of assets traced to and confiscated within other jurisdictions Legal framework enables mutual legal assistance and extradition in trafficking cases Jurisdiction over individuals and legal persons in respect of all TIP-related offences within State jurisdiction and possibly extra-territorial jurisdiction. 	Review of legal frameworks



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Section 5.

Strengthening the legal framework on trafficking in persons

➔ Lessons learned

➔ Specific questions

➔ **Evaluation**

➔ For more information

Indicator category	Sample indicators	Possible data collection methods
Victims right to support and protection	<ul style="list-style-type: none"> • Protection from further harm, including through respect for their identity and privacy • Non-punishment (victims are not detained, charged or prosecuted) for offences committed as a consequence of being trafficked • Reflection period to consider whether they wish to cooperate with criminal justice action • Shelter in a dedicated, secure and open facility at the victim's discretion • Assistance and support, including medical assistance, information and independent legal advice • Special and additional measures for child victims of trafficking, including enshrining the principle of the "best interests of the child" in national law • No distinction between the rights of national and non-national trafficked children • Alternatives to mandatory return to country of origin 	Review of legal frameworks
Victims have right to legal assistance and access to remedy	<ul style="list-style-type: none"> • Right of access to free independent legal advice • Right to information on their legal rights as well as on relevant court and administrative proceedings • Protection of victims' privacy and identity in appropriate cases, taking into account the right of accused persons to a fair trial • Access to adequate and effective remedies, including real and effective access to compensation for harm and restitution for loss suffered as a result of having been trafficked 	Review of legal frameworks



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Section 5.

Strengthening the legal framework on trafficking in persons

➔ Lessons learned

➔ Specific questions

➔ **Evaluation**

➔ For more information

Evaluating progress: strengthening the legal framework

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Indicator category	Sample indicators	Possible data collection methods
International cooperation supported through agreements in place between countries sharing TIP patterns	<ul style="list-style-type: none"> • Mutual legal assistance • Extradition • Exchange of operational information and intelligence • Joint investigation teams • Safe return of trafficked persons 	Review of legal frameworks
Other parts of legal framework consistent with, and support laws against TIP	<ul style="list-style-type: none"> • Fundamental principles and rights at work are reflected in national laws and extend to all workers regardless of their nationality, migration status or any other factors³³ • Labour laws cover all forms of employment, including domestic work and work in other service sectors • Regulations in place governing the work of recruitment agencies 	Review of legal frameworks

³³ See: http://www.ilo.org/declaration/info/publications/WCMS_467653/lang-en/index.htm



Part II.

Section 6.

Building criminal justice capacity to respond to trafficking in persons

➔ Lessons learned

➔ Specific questions

➔ Evaluation

➔ For more information

Building criminal justice capacity to respond to trafficking in persons

Criminal justice responses aim to identify, prosecute, and convict perpetrators and to secure justice and remedy for victims of crime. The rationale behind building criminal justice capacity is that increasing the risks to traffickers and reducing the rewards will lead to TIP becoming a less profitable criminal activity, thus reducing its scope. Criminal justice responses also uphold the rule of law and play an important normative function in creating an environment in which TIP is unequivocally recognized as unacceptable within a society.

Examples of activities to strengthen criminal justice capacity on TIP include: (a) enhancing knowledge and application of difficult legal concepts related to trafficking in persons;

(b) the development of a specialist response, including specially trained prosecutors and investigators; (c) training of front-line officials to identify cases of trafficking; (d) establishment of joint investigative teams to support investigations across more than one legal jurisdiction; and (e) the use of proactive investigative techniques, such as covert surveillance, phone taps, informants and undercover operations.³⁴ Increasing attention is also now being given to financial approaches, both as a form of investigation and as a means of reducing the profits of trafficking by targeting the proceeds of this crime through freezing and confiscation of assets, and forfeiture of instruments of TIP (such as vehicles and communications equipment).

³⁴ Proactive investigation can help reduce dependency on victim testimony and at the same time assist investigators in going up the chain to identify owners and masterminds, so as to take down networks.



Part II.

Section 6.

Building criminal justice capacity to respond to trafficking in persons

➔ **Lessons learned**

➔ Specific questions

➔ Evaluation

➔ For more information

1.

Although there has been a widespread increase in the number and variety of successful trafficking prosecutions since the TIP Protocol came into effect, there is little evidence that the significant resources invested in training programmes for criminal justice actors is impacting on the size and reach of TIP networks.

2.

At present:

- Investigations of trafficking remain highly dependent on the testimony of victims, many of whom are reluctant to come forward.
- Many investigations target low-level individuals and not high-level network organizers or leaders, or entire networks.
- Data collection and reporting on criminal justice largely focuses on the number of investigations and prosecutions without distinguishing between low-level and high-level criminals, or providing information on the extent to which networks are being targeted.
- Criminal justice officials in countries of origin have noted particular difficulties in targeting those at the end of the trafficking chain, who often stand to make the most profit and may be complicit in the most egregious forms of exploitation and abuse.
- Victims continue to be punished for crimes undertaken as a result of being trafficked.
- There is strong interest among many practitioners for detailed case and practice information regarding how counterparts investigate and prosecute trafficking in persons in other jurisdictions.



Part II.

Section 6.

Building criminal justice capacity to respond to trafficking in persons

➔ Lessons learned

➔ Specific questions

➔ Evaluation

➔ For more information

3.

Few programmes have attempted to measure behaviour change among participants in criminal justice sector capacity-building workshops over time.³⁵ Programme evaluations have, however, frequently highlighted high rates of turnover and rotation among criminal justice personnel as a major barrier to effective capacity-building efforts.

4.

Trafficking in persons is a complex crime to investigate and some governments may see this as a low return on investment in view of limited resources to fight all crimes.³⁶

³⁵Among evaluations reviewed in Berman and Marshall, 2016. Further, ICAT survey respondents expressed reservations about the utility of stand-alone training workshops as a means of building criminal justice capacity.

³⁶An official from a higher income country involved in a highly successful and much publicized cross-border investigation, for example, privately told the author that they are unlikely to pursue a similar case due to resource demands.



Part II.

Section 6.

Building criminal justice capacity to respond to trafficking in persons

➔ Lessons learned

➔ **Specific questions**

➔ Evaluation

➔ For more information

Specific questions to consider in developing capacity-building programmes for the criminal justice response might include:

1/4

1.

Does the criminal justice system in question have the foundations in place to support an effective criminal justice response to TIP? This might include, for example:

- Recruitment, rotation and promotion policies
- Use of force policies
- Investigative resources – vehicles, fuel, communications equipment
- An independent judiciary
- A strong commitment to fundamental processes of fair trial, such as burden of proof
- Police, prosecutors and judges with the skills to properly analyse the law and apply the facts to the elements of the charge
- Functional procedures for cooperation between different parts of the criminal justice system and between the criminal justice system and other key actors (health, labour, child services)

2.

What particular pattern(s) of TIP do trainees encounter? What specific forms of the crime do they need to know how to address?



Part II.

Section 6.

Building criminal justice capacity to respond to trafficking in persons

➔ Lessons learned

➔ **Specific questions**

➔ Evaluation

➔ For more information

Specific questions to consider in developing capacity-building programmes for the criminal justice response might include:

2/4

3.

Have there been any successfully prosecuted cases in the jurisdiction? What are the most common characteristics of these cases? What landmark cases exist to raise the quality of prosecutorial response?

4.

What are the key knowledge, skill and attitudes that trainees need to gain and employ in responding effectively the particular pattern(s) of trafficking they face? For example:

- Applicable laws and regulations
- Characteristics and signs of the crime of trafficking and trafficking victims
- Investigation planning and decision-making
- Range of investigative techniques (including reactive, proactive, disruption, financial investigation)
- Victim interviewing techniques
- Risk assessment in respect of victims
- Knowledge of, and willingness to cooperate with, other relevant stakeholders such as NGOs
- Skills to effectively present evidence at trial, anticipate defences and persuasively respond



Specific questions

Part II.

Section 6.

Building criminal justice capacity to respond to trafficking in persons

Lessons learned

Specific questions

Evaluation

For more information

Specific questions to consider in developing capacity-building programmes for the criminal justice response might include:

3/4

5.

Do training participants have the prerequisite skills to absorb the knowledge and undertake the actions that the training aims to impart and encourage?

6.

What influence does the training provider have on candidate selection? Is there an opportunity to increase the likelihood of suitable candidates, for example by setting specific criteria, or by implementing a two-level training programme with only the top trainees in the first level progressing to the second?³⁷

7.

What barriers exist to implementation of learning and how might these barriers be overcome? These barriers might include: (a) loss or rotation of trained personnel; (b) lack of investigative resources; (c) operational priorities that do not include TIP;³⁸ (d) corruption/complicity; and (e) gaps in procedures for intra-agency and inter-agency cooperation.

8.

Is there scope for ongoing mentoring to assist trainees in putting skills into practice and maintaining the new practices over time?

³⁷Other issues may include whether selected candidates have a history of warnings, formal dismissal, corruption or are suspected by reliable sources of being involved in trafficking.

³⁸One reason for this may be that TIP is often poorly reflected in crime statistics upon which many police chiefs determine the allocation of limited resources.



Part II.

Section 6.

Building criminal justice capacity to respond to trafficking in persons

➔ Lessons learned

➔ **Specific questions**

➔ Evaluation

➔ For more information

Specific questions to consider in developing capacity-building programmes for the criminal justice response might include:

4/4

9.

How does the proposed training programme fit with the other training programmes?

- Is there a training/capacity-building strategy for the country/region concerned? If so, how do the proposed training activities fit with this strategy? Will it form part of a national accreditation system?
- How does the training fit with other training programmes implemented or planned?
- Will the training be linked to a training institution?
- If the programme involves train-the-trainers (TOT), what measures are in place to (a) ensure TOT graduates have developed the appropriate training skills and (b) support trainers to provide further training – resources, mentoring, etc.?



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Section 6.

Building criminal justice capacity to respond to trafficking in persons

Lessons learned

Specific questions

Evaluation

For more information

Indicator category	Sample indicators	Possible data collection methods
<i>Reach:</i> How many people have been reached by, or exposed to, the capacity-building activity? This does not assess the extent to which people have taken on board the training.	Number of participants in a training session	Training session records
<i>Participant satisfaction:</i> The extent to which programme participants were satisfied with the capacity-building programme. This is useful for activity design but cannot be used as a proxy for achievement of learning outcomes.	Proportion of participants who expressed satisfaction with training content, methodology, duration, location, etc.	Post-training evaluation
<i>Changes in knowledge, attitudes, skills and intended actions:</i> Extent to which knowledge, attitudes or intended actions have changed as a result of the activity. This does not assess the likelihood of this change resulting in application of learning (and cannot be used as a proxy indicator for this).	<p>Changes in number of trainees that, for example:</p> <ul style="list-style-type: none"> • Can name three indicators of TIP (knowledge) • Can identify the approved action on encountering a potential victim of trafficking (knowledge) • Would employ a returned victim of trafficking (attitude) • Demonstrate they have learned skills to interview victims of trafficking (skills) • Report they can apply the training to their work (skills) • Report that they will apply the knowledge and skills learned in their work (intended action) 	<p>Pre and post-training questionnaires</p> <p>Demonstration of skills in simulations</p>



Part II.

Section 6.

Building criminal justice capacity to respond to trafficking in persons

Lessons learned

Specific questions

Evaluation

For more information

Evaluating progress: building capacity for a criminal justice response

2/2

Indicator category	Sample indicators	Possible data collection methods
<i>Retention of changes in knowledge, attitudes, skills and intended action:</i> Extent to which the above have been retained over time.	<ul style="list-style-type: none"> Changes in the above indicators at least 12 months after the activity was completed Number of participants still in a position to use their skills at least 12 months after the training 	Follow-up with training participants
<i>Changes in action/behaviour:</i> Extent to which activity has resulted in a change in action or behaviour. It does not measure the extent to which this changes impacts on trafficking. This may be used as a proxy indicator if the link between the action and the reduction in trafficking is sufficiently robust	<ul style="list-style-type: none"> Increase in number of cases being investigated, prosecuted, convicted Proportion of those cases in which more than one link in the TIP chain has been prosecuted Increase in satisfaction expressed by victims in their treatment by the criminal justice system Reduction in the number of successful cases relying on victim/witness testimony 	Court records, analysis of police crime reports and investigative actions, case analysis Victim satisfaction surveys
<i>Impact on trafficking in persons:</i> This assesses the actual impact on the trafficking problem.	<ul style="list-style-type: none"> Increase in the number of victims assisted to exit their situation Reduction in number of people being trafficked Elimination of TIP networks Disruption of TIP networks 	Longitudinal studies involved mixed methods (qualitative and quantitative) ²¹



Part II.

Section 7.

Promptly and accurately identifying and referring trafficked persons

➔ Lessons learned

➔ Specific questions

➔ Evaluation

➔ For more information

Promptly and accurately identifying and referring trafficked persons

The primary rationale for programmes to support the prompt and accurate identification of trafficked persons, and their referral to appropriate services is to assist trafficked persons to exit trafficking situations, realize their rights, and access services with a view to sustainable reintegration. Victim identification may also provide the basis for investigation and prosecution of perpetrators and trafficking networks, as well as important data to inform preventive activities and policy development.³⁹

Examples of activities to improve identification and referral of trafficked persons include: (a) establishment of common identification guidelines for all stakeholders responsible for victim identification, accompanied by appropriate training; (b) routine screening of migrants held in immigration detention centres to identify those who may have been trafficked; and (c) development of national referral mechanisms.⁴⁰

³⁹Such data, will of course be limited to information about victims who have been identified which is a particular subset of trafficking victims whose characteristics may not be consistent with trafficking victims generally.

⁴⁰A National Referral Mechanism (NRM) is a framework for identifying victims of human trafficking and ensuring they receive the appropriate support. The basic aims of an NRM are to ensure that the human rights of trafficked persons are respected and to provide an effective way to refer victims of trafficking to services. See OSCE (2004) "National Referral Mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook" p. 15. Available from: <http://www.osce.org/odihr/13967?download=true>



Part II.

Section 7.

Promptly and accurately identifying and referring trafficked persons

➔ **Lessons learned**

➔ Specific questions

➔ Evaluation

➔ For more information

1.

Best available data suggests that we are currently identifying only a small proportion of trafficked persons.⁴¹

2.

In some countries, identification efforts are limited by the fact that current legislation does not cover all forms of trafficking or all possible victims.

3.

Research with victims and feedback from victim support agencies also indicates that a proportion of victims avoid formal identification because it does not necessarily meet their needs/address their issues (section 8).

4.

Data suggest that we may not necessarily be looking in the right places (or for the right people) in an effort to identify cases of TIP.⁴²

5.

Many victims report multiple incidents of missed identification before escaping or exiting.⁴³

6.

Although significant progress has been made in the establishment of national referral mechanisms, the nature and range of services available to trafficked persons are still often dependent on factors such as age, sex, type of exploitation, how they were identified and, in particular, by whom.

⁴¹ See footnote 5

⁴² In 2009, for example, the reported number of trafficked persons identified globally was 49,105 (United States State Department's Trafficking in Persons Report, 2010). The United Nations Inter-Agency Project (UNIAP)'s sentinel surveillance programme on the Thai-Cambodia border estimated that around than 30 per cent of the 70,000 migrants being deported across that border each year were victims of trafficking (UNIAP (2009), "Human Trafficking Sentinel Surveillance, Poipet", Bangkok). This suggests that victim identification globally could have been significantly increased simply by screening deportees at one border point between Thailand and Cambodia during that year.

⁴³ Surtees, R. (2013). "After Trafficking: Experiences and Challenges in the (Re)integration of Trafficked Persons in the Greater Mekong Sub-region", Bangkok: UNIAP/NEXUS Institute, available from: <http://un-act.org/publication/view/trafficking-experiences-challenges-reintegration-trafficked-persons-greater-mekong-sub-region/> accessed 14 November 2016.



Part II.

Section 7.

Promptly and accurately identifying and referring trafficked persons

➔ Lessons learned

➔ **Specific questions**

➔ Evaluation

➔ For more information

Specific questions to consider in supporting the prompt and accurate identification and appropriate referral of trafficked persons.

1/3

1.

What trafficking patterns exist in the programme area?

2.

What are the opportunity points within these patterns to identify trafficked persons at transit, destination and origin? These might include:

- Self-identification (e.g. through a hotline in both destination and origin areas, or approaches to service providers or counter-TIP organizations at destination or on return to communities)
- Reporting by others including members of the public
- Identification by labour, fisheries or health and safety inspectors, co-workers and clients at sites where exploitation occurs
- Monitoring of vulnerable sectors by law enforcement agencies, either alone or in partnership with relevant counterparts
- Outreach to children at risk, including children living on the street, child beggars, children engaged in criminal activity
- Routine screening in detention facilities for irregular migrants abroad
- Screening of deported migrants
- Identification by medical professionals during physical or mental health consultations
- Screening at borders and on border patrol, both en route to destination and on return home



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3.

What mechanisms are in place to support identification through each of these channels? For example:

- Legal frameworks covering all forms of trafficking in persons – internal and cross-border
- Common victim identification guidelines and other resources for identifying cases of trafficking
- Means of communication between foreign victims and local responders, if applicable
- Right of access to work sites for key agents, including right of unannounced inspection by labour and health and safety officials

4.

What actors have the authority to (a) identify presumed victims of trafficking and (b) formally designate a person as a victim of trafficking?

5.

Is there a national referral mechanism in place?

- If so, is it functioning effectively?⁴⁴
- If not, are there informal referral mechanisms in place?
- Are there referrals and complementarity between asylum procedures/assistance for refugees and government assistance programmes for victims of trafficking?

⁴⁴ For example, is cooperation institutionalized for all actors, are roles and responsibilities defined, training and capacity building provided, and systems in place for monitoring, evaluation and review?



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6.

What barriers exist to identification of trafficked persons? These might include:

- Knowledge and understanding of identifying actors (frontline responders)
- Level or targeting of resources
- Language barriers
- Cultural impediments
- Operational priorities
- Corruption/complicity
- Victim unwillingness to come forward due to, for example, fear of identifying actors, fear of criminal sanction, fear of retaliation, lack of services perceived as suitable, return/deportation or stigmatization by the community

7.

How can these barriers be overcome?

8.

Are data on how victims are identified, collected, analysed and used to inform and strengthen targeting? If not, how can data be found and used to improve identification activities?

9.

Is victim experience analysed to highlight other points during their trafficking experience where they might have been identified but were not? If not, how can this information be collected and used to inform identification policies and programmes?



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Indicator category	Sample indicators	Possible data collection methods
Numbers of victims identified and assisted	<ul style="list-style-type: none"> Number of victims identified Number of victims assisted to exit their situation Number of victims referred to services Number of migrants identified through screening and inspection 	Consolidated records of agencies responsible for identification
Number of TIP cases reported	<ul style="list-style-type: none"> Legitimate calls reporting TIP cases to hotline⁴⁵ 	Hotline records
Number of victim identification activities	<ul style="list-style-type: none"> Frequency and coverage of screening in detention centre by government Frequency and coverage of screening in detention centre by NGOs Frequency and coverage of screening at border points Frequency and coverage of unannounced labour and health inspections 	Consolidated records of agencies responsible for identification
Coverage of victim identification activities	<ul style="list-style-type: none"> Number of different stakeholder groups identifying victims/active in National Referral Mechanisms Location and geographic distribution of stakeholders involved in victim identification 	
Gaps in identification processes	<ul style="list-style-type: none"> Number and proportion of cases in which victims could have been identified prior to actual identification (e.g. prior contact with an identifying agent) 	Victim interview data

⁴⁵Crank calls are a significant issue for many hotlines.



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The primary rationale behind the provision of support to trafficked persons is to assist in their recovery and sustainable reintegration. Further, reducing the size of the trafficking problem requires not only the prevention of new cases by, for example, addressing those conditions and circumstances that increase people's vulnerability to trafficking, but equally, the sustainable exit of victims currently in trafficking situations. Improved services for trafficked persons also

increase the likelihood that other victims will be willing to come forward.

Examples of initiatives to strengthen support and access to durable solutions for trafficked persons include: (a) development of core standards for the provision of services to trafficked persons; (b) strengthening the status and capacity of social workers; and (c) the establishment of a State fund to provide compensation for victims of trafficking.

Victim of crime

According to Annex A of the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985), "victims" means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States, including those laws proscribing criminal abuse of power.

A person may be considered a victim, under this Declaration, regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted and regardless of the familial relationship between the perpetrator and the victim. The term "victim" also includes, where appropriate, the immediate family or dependents of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization.⁴⁶

⁴⁶International Centre for Migration Policy Development (2006) "Guidelines for the Development and Implementation of a Comprehensive National Anti-Trafficking Response", p. 11-12. Available from: http://www.icmpd.org/fileadmin/ICMPD-Website/ICMPD-Website_2011/Capacity_building/THB/Publications/Guidelines_for_the_Development_and_Implementation_of_a_Comprehensive_National_Anti-Trafficking_Response_500_kb.pdf.



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1.

Research with victims and feedback from victim support agencies confirm that noteworthy numbers of victims choose not to come forward to, or accept assistance from, authorities or other service providers. Reasons for this include:

- Restriction in “shelters” that function as detention facilities that victims are not free to leave
- Mandatory return to country of origin
- The risk of stigmatization by authorities/community when labelled or identified as victims of trafficking, particularly for those exploited in prostitution
- Unsuitable services or services that do not meet their needs (such as vocational training that does not lead to realistic employment options)
- A need to provide economically for dependents
- Lack of trust in authorities/service providers
- Fear of retribution from traffickers
- Non-self identification as or with the status of “victim”
- Lack of opportunities to recover unpaid wages or seek justice and compensation from traffickers⁴⁷

2.

For those who do come forward there is very little data available as to their level of satisfaction with services provided to them or the extent to which assistance has contributed to their recovery and sustainable reintegration.

⁴⁷ Surtees, op. cit.



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3.

Victims have indicated that compensation, even in the form of unpaid wages, can provide major rehabilitative benefits in economic terms and research has also suggested a role for compensation in reducing the sense of trauma experienced by victims.⁴⁸ Access to compensation, however, is currently extremely limited.

4.

Many States do not provide a reflection period for victims of trafficking to decide whether or not to cooperate with criminal justice authorities, even though this can potentially benefit both the victim and the criminal justice response.⁴⁹

5.

Assistance tends to be short term and not geared toward reintegration. Reintegration options offered further tend to show a service provider preference for returning trafficking survivors to the original communities, where they may face many of the same issues that caused them to leave in the first place. Few programmes appear to offer (a) permanent residency or safe relocation as an option for trafficking survivors who are irregular migrants, or (b) safe migration as a livelihood option for internal victims or international victims who may have returned home.⁵⁰

⁴⁸See, for example, Feldthusen, B., Hankivsky, O., & Greaves, L. (2000) "Therapeutic consequences of civil actions for damages and compensation claims by victims of sexual abuse" *Canadian Journal of Women and the Law*, 12, 66–116.

⁴⁹UNODC (2008). "Toolkit to Combat Trafficking in Persons", p. 305.

⁵⁰Article 7 of the TIP Protocol states that each State Party shall consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases.



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6.

Monitoring of reintegration is limited and short-term. Among other consequences is a difficulty in assessing the long-term sustainability of livelihood options.

7.

Irregular arrivals to a country may not receive information on, or have access to, asylum procedures.⁵¹

8.

All children are guaranteed rights under the Convention of the Rights of the Child, including the right to be treated according to their best interests. With this in mind, it is important that (a) support programmes for trafficked children are integrated within the broader child protection framework and (b) access for all vulnerable children to protection and support services guaranteed under the CRC is not made contingent on their designation as victims of trafficking.⁵²

⁵¹ Access to asylum procedures for victims of trafficking should not be contingent on cooperation in criminal justice procedures, nor be made available only after those proceedings are finalized. Victims of trafficking who are found to be refugees may also be eligible for resettlement in cases where, for example, the host country cannot protect them from retaliation by their traffickers, or when there are no prospects for recovery from the trauma and physical injuries suffered. See UNHCR, (2011) Resettlement Handbook.

⁵² See, for example, UNICEF Innocenti Research Centre (2011) "Child Trafficking in the Nordic Countries: Rethinking strategies and national responses", available from: <https://www.unicef-irc.org/publications/654/>



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Specific questions to consider in providing support and durable solutions for trafficked persons.

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1.

Does the victim support system have the basic building blocks in place to sustain effective rights-based assistance to trafficked persons? This might include, for example:

- An appropriate legal framework for victim assistance (section 5)
- Effective identification mechanisms (section 7)
- Appropriately trained professionals to offer assistance.
- Standard operating procedures, and minimum standards of care for the provision of services to victims, in line with international legal obligations
- Available support, including: (a) secure accommodation for those victims who desire it (and from which victims have the right to leave); (b) physical and mental health care; (c) protection from retribution; and (d) legal representation
- Functional and non-coercive procedures for cooperation between victim support agencies and the criminal justice system
- A comprehensive package of services over the longer term to meet the range of needs, accompanied by case management systems including ongoing needs and reintegration plan assessment
- Specialized support programmes for trafficked children

2.

Is there a national referral mechanism in place? If so, to what extent does this ensure that services provided to trafficked persons are not dependent on the organization that identified them or the place where they were identified?



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3.

What checks and balance are in place to ensure victim support agencies are (a) qualified to provide each of the services they are providing and (b) operating in line with agreed standard operating procedures/ethical principles? Are there mechanisms for identifying and reporting problems (complaints mechanisms, staff supervision processes, etc.)?

4.

What processes are in place to support self-identification of needs and desired services, specifically with regard to:

- Victim involvement in the initial needs assessment and design of reintegration plan (joint goal setting)
- Victim involvement in ongoing case management decisions
- Provision for victims to offer (anonymous) feedback on services provided?

5.

What options are available to victims, in practice with respect to:

- Access to legal aid
- Access to trained and culturally appropriate interpreters
- Access to compensation
- Protection for victims/witnesses and their families before, during and after court proceedings
- Access to asylum procedures?



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6.

What options are available to victims, in practice with respect to:

- Medical care
- Counselling
- Education and life-skills
- Vocational training and placement
- Housing and access to basic services and support
- Sustainable self-employment
- Placement in a new job in the country of destination
- Safe migration?

7.

What barriers exist to reintegration of victims? How will these barriers be overcome?



Evaluating progress: providing support and durable solutions for victims of trafficking

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Indicator category	Sample indicators	Possible data collection methods
Number and proportion of victims participating in decisions about services provided to them.	<ul style="list-style-type: none"> Number and proportion of victims working with service providers on a voluntary needs assessment and joint goal setting for support and reintegration Number and proportion of victims with the opportunity to provide anonymous feedback on services provided Number of changes made to service provision based on victim feedback At least 80 per cent of clients have a written plan of support, services, and a timeline with evidence of client input <p><i>N = # of client case files with written plan and evidence of client-led/input</i> <i>D = Total # of clients</i></p>	Service provider documentation Victim interviews Feedback forms
Number and proportion of victims receiving voluntary care linked to the needs identified in an assessment	<ul style="list-style-type: none"> Safe accommodation Medical care Psychosocial care Legal advice 	Service provider documentation Victim interviews
Number and proportion of victims offered and receiving employment assistance	<ul style="list-style-type: none"> Vocational training, by a qualified provider, linked to market realities Job placement at destination Job placement at source Business start-up loans or grants Safe, monitored migration At least 80 per cent of clients have stable employment and income 12 months after programme exit <p><i>N = # of clients that report or have documented evidence of stable income</i> <i>D = Total # of clients</i></p>	Service provider documentation Victim interviews Post-programme discussions with clients Administrative income data



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Indicator category	Sample indicators	Possible data collection methods
Return	<ul style="list-style-type: none"> Number and proportion of victims whose return home was consistent with international protection standards (assessment, family tracing, voluntary) All clients returned to country of origin score 4-5 on measures of voluntarism (consistent with United Nations principles) <p><i>Sample measures of voluntarism: Who made the decision?</i></p> <ul style="list-style-type: none"> Client Client in consultation with case worker/NGO staff NGO staff Client in consultation with IO staff IO staff Court order 	<p>Tracking of programme beneficiaries</p> <p>One-on-one discussions with clients using a closed-end set of questions related to decision-making and options chosen</p>
Client feedback/satisfaction	<ul style="list-style-type: none"> Quality of services, as assessed by victims At least 80 per cent of clients provide feedback on available supports and services <p><i>N = # of clients with documented feedback D = Total # of clients</i></p>	<p>Victim interviews and feedback forms</p> <p>Confidential comment boxes</p> <p>Online surveys</p> <p>One-on-one and group discussion sessions</p>
Reintegration	<p><i>Number and proportion of victims whose reintegration indicates a sustainable solution</i></p> <ul style="list-style-type: none"> At 6 months At 12 months At 24 months 	<p>Follow-up with victims through in-person or phone interviews</p>



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Indicator category	Sample indicators	Possible data collection methods
Post-reintegration stable accommodation	<p>At least 70 per cent of clients provided with relocation support have documented stable housing</p> <p>N = # in client case files with documented stable housing D = Total # of clients</p>	<p>In-person or phone interviews with clients</p> <p>Review of professional assessments in case files</p>
Client-led programme improvement	<p>At least three programme updates based on client feedback made in programme years 1-2</p>	<p>Organizational or programme quality improvement plans informed by client feedback</p>
Victim support in relation to the criminal justice process	<ul style="list-style-type: none"> • Number and proportion of identified victims who have received legal counselling • Number and proportion of identified victims who have filed criminal complaints • Number and proportion of identified victims who have filed for compensation • Number and proportion of victims awarded compensation • Number and proportion of victims receiving compensation 	<p>Service provider documentation</p> <p>Victim interviews</p>



Part II.

Section 9.

Developing National Plans of Action against trafficking in persons

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Developing National Plans of Action against trafficking in persons

The underlying premise behind the development of a National Plan of Action (NPA) to combat TIP is that it provides a tool to plan, prioritize, coordinate and measure the response to trafficking. NPAs can be extremely

useful in (a) identifying a range of different activities that need to be undertaken against trafficking; (b) highlighting the role of different organizations; and (c) generally providing an overall framework for the national response.



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1.

Available data suggest that anti-TIP activities at country level are not always guided by, or aligned with, a country's NPA. Some governments, for example, have reported on the national response to TIP without reference to the National Plan.

2.

Further, some NPAs are less plans and more lists of activities with no clearly defined targets and limited prioritization.

3.

A significant proportion of NPAs are not accompanied by a budget for implementation.

4.

Other observed gaps in relation to the development and implementation of NPAs against TIP include:

- A lack of evidence or data informing the selection of interventions
- Failure to assign responsibility for activities to specific actors
- Omission of key risks and assumptions
- Lack of clearly defined targets
- Lack of a monitoring and evaluation framework⁵³

⁵³In a review of National Plans in 11 countries under UNODC's GLO.ACT programme (2016), for example, only four were informed by data, only five had measurable indicators (mostly output based), none articulated risks and assumptions and none were fully budgeted.



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Section 9.

Developing National Plans of Action against trafficking in persons

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Specific questions to consider in developing National Plans of Action⁵⁴

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1.

If there have been national plan(s) to date on TIP, to what extent have they been an effective planning and monitoring tool for the country's TIP responses?

- Are national plans an effective planning and monitoring tool for the country in other sectors? If so, under what circumstances?

2.

Which key stakeholders (core Ministries, IOs, NGOs, donors, beneficiaries) will be engaged in the process of developing, implementing and reporting on the NPA?

- Which of these stakeholders will be engaged in provision of ideas for the NPA and which will have a decision-making role?

3.

Which entity will oversee implementation, coordination, monitoring and reporting of the NPA?

- Does this entity have the capacity to perform this task (staffing, understanding of TIP, resources)?
- If the entity is a multisectoral committee, what measures are in place to ensure consistency of representation?

⁵⁴These questions are intended as guidance for the development of NPAs. Guidance on the content of NPAs can be found in International Centre for Migration Policy Development (2006) "Guidelines for the Development and Implementation of a Comprehensive National Anti-Trafficking Response", available from: http://www.icmpd.org/fileadmin/ICMPD-Website/IC-MPD-Website_2011/Capacity_building/THB/Publications/Guidelines_for_the_Development_and_Implementation_of_a_Comprehensive_National_Anti-Trafficking_Response_500_kb.pdf



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Developing National Plans of Action against trafficking in persons

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Specific questions to consider in developing National Plans of Action

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4.

What data is available to inform the development of the NPA? This might include data on TIP patterns and trends, research studies, evaluations of the implementation of previous NPA(s) and other counter-TIP programmes.

5.

What budget is available to implement the NPA? (Government, donor, private sector)

6.

What is the process for prioritizing activities in line with the available budget?⁵⁵

7.

How should the NPA be structured, for example, using the 4P framework, or in terms of specific patterns of TIP and exploitation in the country?

⁵⁵To facilitate the budgeting process, consideration may be given to dividing activities into action items and “business as usual”, that is, activities that will continue irrespective of the NPA (for example, activities such as increasing school enrolment that are commonly addressed under other plans). One example of this approach is the New Zealand Plan of Action to Prevent People Trafficking, available from: <https://www.immigration.govt.nz/documents/about-us/plan-of-action-to-prevent-people-trafficking.pdf>.



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Indicator category	Sample indicators	Possible data collection methods
Accountability	<ul style="list-style-type: none"> • Clear assignment of responsibility to a specific organization or entity (such as multisectoral committee) to oversee and coordinate implementation of NPA • Clear assignment of responsibility to a specific organization or entity (such as a multisectoral committee) to report on NPA implementation • Clear assignment of responsibility to a specific organization or entity to oversee monitoring of NPA implementation • Clear assignment of responsibility to a specific organization or entity for each activity contained in NPA 	NPA
Budget	<ul style="list-style-type: none"> • Each NPA activity budgeted • Budget provision made for NPA implementation • Budget is realistic • Budget provision made for role of organization or entity responsible for NPA monitoring and reporting 	NPA, Government/donor budgets
Partnerships and coordination	<ul style="list-style-type: none"> • Inclusion of all key actors in NPA (including NGOs) • Clear processes in place for coordination of NPA implementation, including regular multidisciplinary cross-sectoral meetings • Clear processes for engagement of external funders to ensure support for counter-TIP activities in line with NPA priorities. 	NPA
NPA logic	<ul style="list-style-type: none"> • Clear and relevant objectives • Clear linkages between activities and objectives • Assumptions and risks articulated 	NPA
Monitoring and evaluation	<ul style="list-style-type: none"> • Clear, relevant and measurable indicators • Monitoring and evaluation component or accompanying plan 	NPA



For more information

- ➔ Awareness-raising
- ➔ Legislative framework
- ➔ Criminal justice responses
- ➔ Victim identification and support
- ➔ Referrals
- ➔ Preventing trafficking in persons
- ➔ National Plans
- ➔ Monitoring and evaluation

Awareness-raising

Marshall, Phil. Re-Thinking Trafficking Prevention: A Guide to Applying Behaviour Theory, Asian Development Bank, Manila, 2011. Available from: <https://www.adb.org/sites/default/files/publication/29907/rethinking-trafficking-prevention.pdf>

Legislative framework

ICAT. ICAT Issue paper No. 1, The International Legal Frameworks concerning Trafficking in Persons, 2012. Available from: [http://www.ungift.org/doc/knowledgehub/resource-centre/ICAT/ICAT Policy Paper 1 The International Legal Instruments.pdf](http://www.ungift.org/doc/knowledgehub/resource-centre/ICAT/ICAT%20Policy%20Paper%201%20The%20International%20Legal%20Instruments.pdf)

Office of the High Commissioner for Human Rights. Recommended Principles and Guidelines on Human Rights and Human Trafficking, 2002. Available from: <http://www.ohchr.org/Documents/Publications/Traffickingen.pdf>

UNODC. Legislative Guide for the United Nations Convention against Transnational Organized Crime and the Protocols thereto. Available from: <https://www.unodc.org/unodc/en/treaties/CTOC/legislative-guide.html>

International Framework for Action to Implement the Trafficking in Persons Protocol, 2009(1). Available from: [https://www.unodc.org/documents/human-trafficking/Framework for Action TiP.pdf](https://www.unodc.org/documents/human-trafficking/Framework%20for%20Action%20TiP.pdf)

Model Law against Trafficking in Persons, 2009(2). Available from: [https://www.unodc.org/documents/legal-tools/Model Law TiP.pdf](https://www.unodc.org/documents/legal-tools/Model%20Law%20TiP.pdf)



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- ➔ Awareness-raising
- ➔ Legislative framework
- ➔ **Criminal justice responses**
- ➔ Victim identification and support
- ➔ Referrals
- ➔ Preventing trafficking in persons
- ➔ National Plans
- ➔ Monitoring and evaluation

Criminal justice responses

ARTIP (Asia Regional Trafficking in Persons Project)/ASEAN. Progress Report on Criminal Justice Responses to Trafficking in Persons in the ASEAN Region, 2011. Available from: http://www.artipproject.org/progress-report/Progress%20Report_Criminal%20Justice%20Responses%20to%20TIP%20in%20the%20ASEAN%20Region_2011.pdf

Refugee Protection and Human Trafficking: Selected Legal Reference Materials. Available from: <http://www.unhcr.org/refworld/docid/498705862.html>

UNODC. Needs Assessment Toolkit on the Criminal Justice Response to Human Trafficking, 2010. Available from: https://www.unodc.org/documents/human-trafficking/Needs_Assessment_Toolkit_ebook_09-87518_June_2010.pdf



For more information

- ➔ Awareness-raising
- ➔ Legislative framework
- ➔ Criminal justice responses
- ➔ **Victim identification and support**
- ➔ Referrals
- ➔ Preventing trafficking in persons
- ➔ National Plans
- ➔ Monitoring and evaluation

Victim identification and support

ICAT. ICAT Issue Paper, Providing Effective Remedies for Victims of Trafficking in Persons, 2016. Available from: http://icat.network/sites/default/files/publications/documents/Ebook%20ENG_0.pdf

ILO. Operational indicators of trafficking in human beings, 2009. Available from: http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_105023.pdf

Indicators of Forced Labour, 2012. Available from: http://www.ilo.org/global/topics/forced-labour/publications/WCMS_203832/lang-en/index.htm

IOM, UNHCR. Framework Document – Developing Standard Operating Procedures to Facilitate the Identification and Protection of Victims of Trafficking and Persons at Risk of Being Trafficked, 2009. Available from: https://www.iom.int/jahia/webdav/shared/shared/mainsite/microsites/IDM/workshops/ensuring_protection_070909/pres_martensklug.pdf

Surtees, R. *Monitoring anti-trafficking re/integration programmes. A manual*, Brussels: The King Baudouin Foundation, 2010. Available from: <https://www.kbs-frb.be/en/Virtual-Library/2011/295118>

UNHCR. Handbook for Repatriation and Reintegration Activities, 2004. Available from: <http://www.refworld.org/docid/416bd1194.html>

Guidelines on International Protection No. 7: The Application of Article 1A (2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees to VoTs and Persons at Risk of Being Trafficked, 2006. Available from: <http://www.unhcr.org/refworld/docid/443679fa4.html>

Guidelines on Determining the Best Interests of the Child, 2008. Available from: <http://www.unhcr.org/refworld/docid/48480c342.html>

Resettlement Handbook, 2011. Available from: <http://www.unhcr.org/4a2ccf4c6.html>



For more information

- ➔ Awareness-raising
- ➔ Legislative framework
- ➔ Criminal justice responses
- ➔ Victim identification and support
- ➔ **Referrals**
- ➔ **Preventing trafficking in persons**
- ➔ National Plans
- ➔ Monitoring and evaluation

Referrals

ICMPD. Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons in Europe, 2010. Available from: <http://www.icmpd.org/our-work/capacity-building/trafficking-in-human-beings/publications/guidelines-for-the-development-of-a-transnational-referral-mechanism-for-trafficked-persons-in-europe-trm-eu/>

OSCE. National Referral Mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook, 2004. Available from: <http://www.osce.org/odihr/13967?download=true>

Preventing trafficking in persons

Anti-slavery Think Tank (Liberty Asia). From Experience: How to Combat Slavery in Our Generation, 2014. Available from: https://static1.squarespace.com/static/53038dd2e4b0f8636b5fa8c3/t/530b1588e4b032b4d4b3260e/1393235336032/How-to-Combat-Slavery-in-Our-Generation_Anti-Slavery-Think-Tank_FINAL-23Feb2014.pdf

ICAT. Preventing Trafficking in Persons by Addressing Demand, 2014. Available from: http://www.ungift.org/doc/knowledgehub/events/ICAT_Demand_paper_-_FINAL.pdf



For more information

- ➔ Awareness-raising
- ➔ Legislative framework
- ➔ Criminal justice responses
- ➔ Victim identification and support
- ➔ Referrals
- ➔ Preventing trafficking in persons
- ➔ **National Plans**
- ➔ **Monitoring and evaluation**

National Plans

Guidelines for the Development and Implementation of a Comprehensive National Anti-Trafficking Response. Available from: [http://www.icmpd.org/fileadmin/ICMPD-Website/ICMPD-Website_2011/Capacity_building/THB/Publications/Guidelines for the Development and Implementation of a Comprehensive National Anti-Trafficking Response 500 kb.pdf](http://www.icmpd.org/fileadmin/ICMPD-Website/ICMPD-Website_2011/Capacity_building/THB/Publications/Guidelines_for_the_Development_and_Implementation_of_a_Comprehensive_National_Anti-Trafficking_Response_500_kb.pdf)

Monitoring and Evaluation Handbook for National Action Plans against Trafficking in Human Beings, 2011. Available from: [http://www.icmpd.org/fileadmin/ICMPD-Website/ICMPD-Website_2011/Capacity_building/THB/Publications/Monitoring and Evaluation Handbook ENGLISH.pdf](http://www.icmpd.org/fileadmin/ICMPD-Website/ICMPD-Website_2011/Capacity_building/THB/Publications/Monitoring_and_Evaluation_Handbook_ENGLISH.pdf)

Monitoring and evaluation

ICAT. ICAT Issue Paper, *Pivoting toward the Evidence: Building effective counter-trafficking responses using accumulated knowledge and a shared approach to monitoring, evaluation and learning*, 2016. Available from: <http://icat.network/>

Creative Associates International, Inc. *An Evaluation Framework for USAID-Funded TIP Prevention and Victim Protection Programs*. Washington DC: Social Transition Team, Office of Democracy, Governance and Social Transition, USAID, 2009. Available from: http://pdf.usaid.gov/pdf_docs/Pnadr431.pdf

IOM. *Handbook on Performance Indicators for Counter-Trafficking Projects*, 2008. Available from: [http://www.iom.int/jahia/webdav/shared/shared/mainsite/published_docs/brochures and info sheets/pi handbook 180808.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/published_docs/brochures_and_info_sheets/pi_handbook_180808.pdf)