



Standard Operating Procedures (SOPs) for the Identification, Referral and Prosecution of Human Trafficking cases in Papua New Guinea



IOM International Organization for Migration

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ACRONYMS AND IMPORTANT TERMS

CIMC	Consultative Implementation & Monitoring Council
FSVAC	Family & Sexual Violence Action Committee
ICSA	Immigration & Citizenship Service Authority
ILO	International Labour Organization
TiPNAP	National Action Plan to Combat Trafficking in Persons in Papua New Guinea
NHTC	National Human Trafficking Committee
NGO	Non –Governmental Organization
OPP	Office of the Public Prosecutor
RPNGC	Royal Papua New Guinea Constabulary <i>Note that throughout this document Police and RPNGC will be used interchangeably.</i>
SOPs	Standard Operating Procedures for the Identification and Protection of Victims of Human Trafficking and Prosecution of Traffickers in Papua New Guinea
TiP	Trafficking in Persons <i>Note that throughout this document, the terms TiP or Trafficking in Persons will be used interchangeably with Human Trafficking.</i>
VoT	Victim(s) of Trafficking <i>Note that throughout this document the terms VoT, Victim or Victim of Trafficking will be used interchangeably.</i>
VLO	Victim Liaison Officer employed with the Office of the Public Prosecutor (OPP)
UNICEF	United Nations Children's Fund

1. INTRODUCTION

1.1 TRAFFICKING IN PERSONS IN PAPUA NEW GUINEA

Trafficking in persons (**TiP**) is a global phenomena and highly lucrative organized crime that flourishes in the face of weak laws, penalties and enforcing mechanisms.

In the past, PNG has received international scrutiny for its lack of action towards addressing trafficking in persons and has been described as a source, transit and destination country for men, women and children subjected to sex trafficking, domestic servitude and forced labor¹. From 2008 – 2012, the United States Department of State Annual Trafficking in Persons Report designated PNG with a Tier 3 ranking which indicated that the PNG Government did not comply with the minimum international counter-trafficking standards.

TiP takes many forms in PNG, for instance both foreign and PNG women and girls are subjected to sex trafficking. Child labour is a serious problem with young girls often employed or forced into being companions for men, making them extremely vulnerable to sex trafficking. In addition, certain customary practices permit parents to customarily negotiate and force their daughters into arranged marriages. In terms of forced labour, there are both foreign and PNG women forced into domestic work and men and boys are often trafficked for forced labour in the logging and mining industry, especially by foreign companies².

The Project to combat Trafficking in Persons in Papua New Guinea: *‘Technical Assistance to Strengthen Legislation, Prosecution Efforts, and Protection Measures to Combat Trafficking in Persons in Papua New Guinea’* (the Project) aims to further contribute towards improving access for victims of trafficking (**VoTs**) in PNG to protection and justice, in particular through the development of a sustainable national mechanism that brings together all related government and Non-Government Agencies that aim to prevent and respond to TiP.

The Project is implemented by the Department of Justice and Attorney General (**DJAG**) and the International Organization for Migration (**IOM**), with funding support to Monitor and Combat Trafficking in Persons from the U.S Department of State.

¹ 2015 US Department of State- Trafficking In Persons Report
<http://www.state.gov/j/tip/rls/tiprpt/countries/2015/243511.htm>

² Summarised from 2015 US Department of State- Trafficking In Persons Report

In response to the increase in Human Trafficking, the PNG Government through the National Human Trafficking Committee (**NHTC**) developed the *Papua New Guinea Trafficking in Persons National Action Plan - 2015-2020 (TiPNAP)*. The TiPNAP is a work plan containing a list of priority activities aimed at preventing human trafficking, protecting VoTs and prosecuting offenders. The main objectives of the TiPNAP are;

- (I) Prevention: Awareness Raising, Information Management and Research
- (II) Protection: Identifying and Providing Protection Assistance to victims of trafficking
- (III) Prosecution: Build Capacity of Law Enforcement
- (IV) Policy: Enhance Trafficking in Persons Policy Framework and Institutional Enforcement.

The *Standard Operating Procedures on the Identification and Protection of Victims of Trafficking (SOPs)* is established to ensure that VoT's are provided with support and assistance, in line with a **human rights** and **victim centered approach**. The NHTC endorsed the SOPs on 03rd November, 2015.

The development of the SOPs is an activity under Objective II of the TiPNAP - ***Protection: Identifying and Providing Protection Assistance to victims of trafficking***. The SOPs is a handbook which has been developed in consultation with NHTC member agencies. The SOPs operates as a guide and sets out the processes which must be used by State Agencies and non-government organizations and communities to:

- Identify VoTs
- Assist in the Protection and Rehabilitation of VoTs
- Arrest and Prosecute person's who commit the criminal offence of Human Trafficking

PNG law enforcement agencies and DJAG are dedicated to working in collaboration to ensure the effective identification, appropriate assistance, investigation and prosecution of cases of human trafficking. Close co-ordination is also necessary among Government and Non-Government Agencies such as;

- Immigration & Citizenship Service Authority (**ICSA**),
- PNG Customs,
- Department of Foreign Affairs (**DFA**),
- Department of Labour and Industrial Relations (**DLIR**),
- National Fisheries Authority (**NFA**),
- Department of National Planning & Monitoring (**DNPM**),
- Provincial Governments and
- International organizations, Non-Governmental Organizations (**NGOs**) and
- Faith Based Organizations (**FBOs**).

Protection of a victim begins with victim identification. The failure to identify VoTs often results in their continued exploitation, and their inability to access the assistance and protection which is a basic human right. Victim identification is also essential as it enables authorities to gather information and evidence necessary to bring traffickers to justice. Once the VoT have been identified, the State must then address the immediate needs of the VoT, including any physical and psychological harm inflicted on the VoT. Recovery is followed by safe and voluntary return to their home community or to an alternative place if their home is not suitable or has been compromised. Once the VoT has been settled, sustainable protection solutions can help the VoT to recover and re-integrate into society by becoming self-sufficient participants in the economic and social life of their communities.³

A victim centered approach takes into account the individual needs of the victim (and/or potential victims) and tailors protection responses accordingly. The obligation to protect VoTs lies with the State; however other non government agencies also play a significant role in supporting the State to protect victims. Coordination between State Agencies and non-State agencies is critical in effectively combating the transnational crime of human trafficking, as is strong bilateral and regional cooperation.

1.2 PRINCIPLES FOR PROTECTION AND ASSISTANCE FOR SURVIVORS OF TIP

Based on relevant human rights principles and the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, and recommended practices and guidelines regarding human rights and trafficking; the following key principles should guide all assistance and protection measures for victims of trafficking:

1.2.1 Respect for and Protection of Human Rights

Trafficking in persons represents a grave violation of human rights, one that takes away the dignity of the trafficked person. Helping and protecting victims requires a “*human rights based approach*” to ensure that victims are assisted and the perpetrators prosecuted. Officials who deal with the victims should be empathetic and understand the concerns and issues from the perspective of the victim. To this end, decisions and future plans should be based on the “*best interests of the victim*”. Victims have the right to be protected, consulted and informed on all actions being taken on their behalf.

³ Much of substance and language of these SOPs are taken directly from both *IOM's Training Module on Return and Reintegration* as well the *Bali Process's Policy Guides on Victim Identification and Protecting Victims of Trafficking*, Bali Process, 2015. PNG has been a party to the Bali Process on People Smuggling, Trafficking Person, and Related Transnational Crime.

1.2.2 Victim Centered Approach

The victim is at the center of any response to TiP, including within the National Referral Mechanism to assist victims. This requires that the:

- victim should not be detained, charged or prosecuted for irregularly entering or remaining in a State or other illegal acts including crimes he/she has committed as a direct result of being trafficked;
- victim should have access to adequate physical and psychological healthcare;
- services to trafficking victims are provided on the basis of the informed consent of the victim;
- information and communication regarding the victim must be treated with due regard for the victim's right to confidentiality and privacy;
- Victim should be provided with access to effective and appropriate legal assistance.

1.2.3 Multi-Disciplinary Approach

An effective National Referral Mechanism⁴ for TiP requires a multi-disciplinary and interagency approach to enable an appropriate response that will address the complexities of human trafficking and allow for the protection of victims and efficient law enforcement responses.

1.2.4 Best Interests of the child

PNG has signed and ratified the 1989 *Convention on the Rights of the Child (CRC)*, which is the main international legal instrument on the protection of children and embodies four general principles:

- (1) The **best interests** of the child shall be a **primary consideration** in all actions affecting children (Article 3);
- (2) There shall be **no discrimination** on the grounds of race, colour, sex, language, religion, political or other opinions, national, ethnic or social origin, property, disability, birth or other status (Article 2);
- (3) States Parties recognize that every child has the inherent **right to life** and shall ensure to the maximum extent possible the **survival** and **development** of the child (Article 6);
- (4) Children shall be assured the **right to express their views freely** in all matters affecting them, their views being given due weight in accordance with the child's age and level of maturity (Article 12).

⁴ The National Referral Mechanism is a Stakeholder Network that exist in PNG, which is used by State Agencies, International Organisations, NGOs and FBO to refer and provide assistance with cases related to TiP, and other cases involving the breach of human rights.

The “*best interests*” is a term used to describe the overall well-being of a child which can be determined by a range of factors such as their age, the level of parental involvement, and the experiences or circumstances that the child has been exposed to. When determining the best interests of a child it is important to ensure that all considerations are consistent with the CRC.

In cases of where a child is a VoT, it is crucial to incorporate the ‘*best interests*’ principle and to consult the child (in accordance with their age and level of maturity) when determining a durable solution for their care and protection. A best interest determination should include a risk assessment to determine whether family reunification is suitable. Furthermore, different alternatives should be considered which take into account the child’s voluntary repatriation to and re-integration in her/his country or place of origin or resettlement, and integration in a third country.

1.2.5 Do No Harm

The ‘*do no harm*’ principle aims to ensure that the ends do not justify the means. When developing a national response to TiP, it is important to ensure a consistent victim-centered and rights-based approach in order to avoid certain strategies, interventions and campaigns which may adversely affect the rights or safety of victims of trafficking and other vulnerable or marginalized groups.

1.2.6 Confidentiality and Personal Data Protection

In order to ensure that a victim is adequately protected from further harm, it is imperative that a confidentiality framework is in place within relevant agencies to protect the data and information provided by the victim. The victim’s personal data (name, age, sex, address) and details of their trafficking experience should not be shared or publicized under any circumstances without the victim’s informed consent. Protection of the victim’s data ensures that they are not put at further risk of abuse by perpetrators.

1.2.7 Voluntary Participation and Informed Consent of Beneficiary

Requesting informed consent and establishing voluntary participation is of paramount importance in the provision of services and assistance to victims of trafficking to ensure that victims are aware of all processes and implications and understand the options available to them. It is preferable to obtain written (rather than verbal) consent of a victim, following a detailed explanation by the service provider of the purpose of collecting the information and how it will be processed.

1.2.8 Gender Sensitivity

When managing cases of TiP it is important to ensure that the support and assistance provided to victims is carried out in an appropriate manner which is responsive to the gender differences and disparities of women, girls, men and boys.

1.3 STAKEHOLDERS INVOLVED IN COUNTER TRAFFICKING IN PNG

The Counter Human Trafficking Framework in PNG has significantly progressed since 2012, at the level of legislation and at the level of strategic planning and operational responses, resulting in the development of the National Referral Mechanism and increased coordination between respective State agencies. In PNG, there is now a National Human Trafficking Committee composed of State Agencies and NGOs which work closely in combating TiP, these key agencies and NGOs will be responsible for the implementation of the SOPs.

National Human Trafficking Committee (NHTC) is composed of representatives of various institutions mandated to monitor and enforce human trafficking laws under the *Criminal Code* and other related legislations, and to coordinate TiP policy implementation and report on the progress of human trafficking issues in the country. The NHTC is co-chaired by the Department of Justice and Attorney General (**DJAG**) and **IOM**.

State Agencies

Consultative Implementation and Monitoring Council (CIMC) through the Family and Sexual Violence Action Committee (**FSVAC**) plays an important role in the Co-ordination of service provision for VoTs in Phase 2 - Recovery phase in the SOP especially in terms of protection and rehabilitation of the VoTs through:

- Psycho-social support
- Medical (Family Support Centers)
- Shelters
- Counseling
- Welfare (in partnership with DFCDR)
- Legal Aid (Protection orders)
- Re-integration process

Papua New Guinea Customs (PNG Customs) has responsibility for three key functions:

- Border and community protection;
- Trade Facilitation; and
- Revenue collection.

The *Customs Act* 1951 empowers customs to control, supervise and authorise all forms of conveyances, persons and cargo that move in and out of PNG. PNG Customs carries out essential counter-trafficking functions through the border and community protection and preventing transnational crimes such as TiP.

Papua New Guinea Defense Force (PNGDF) has a vital role in counter trafficking efforts through its capacity for surveillance of the land and sea borders. Surveillance exercises may lead to the identification of trafficked persons or incursions into PNG territory (though not all such incursions will relate to human trafficking).

Department of Justice and Attorney General (DJAG) is the lead coordinating State agency for Human Trafficking Policy implementation, monitoring and reporting. The Office of the State Solicitor is an independent office within DJAG which is responsible for the provision of specific legal advice with relation to TiP matters, while the lead coordinating functions are carried out through the Legal Policy and Governance Branch of DJAG.

Royal Papua New Guinea Constabulary (Police) plays a vital role in the assessment, investigation and reporting of TiP cases and criminal matters in general, as well as the core function of keeping the community safe and enforcement of laws.

Papua New Guinea Immigration and Citizenship Services Authority (ICSA) is empowered under the *Migration Act 1978*, with the management of PNG's Borders and ensuring compliance with all persons entering and leaving the country. ICSA ensures that all the necessary processes required for migration under the *Migration Act 1978* are complied with. In terms of human trafficking, ICSA works closely with officers from other PNG law enforcement agencies in monitoring, investigation and identification of VoTs and referral of traffickers.

National Fisheries Authority (NFA) is empowered under the *Fisheries Management Act 1998* to regulate and oversee the development of the Fisheries Sector. The NFA is an important contact point in the identification of VoTs within the fishing industry, particularly in relation to illegal fishing activities.

National Maritime Safety Authority (NMSA) is primarily concerned with Maritime Safety and Marine Pollution Control. Apart from ensuring that the vessels meet the safety standards required by PNG's relevant legislations, the NMSA are an important link or contact point in the identification of vessels and person's involved in human trafficking as well as in the identification of VoTs.

Department of National Planning and Monitoring (DNPM) is a central State Agency that advises the Government on strategic development; development policy, planning and programming; foreign aid coordination and management; and monitoring and evaluation of national

development projects and programs. In PNG, human trafficking is a development issue and DNPM provides essential policy advice and assistance in counter trafficking matters.

Office of the Public Prosecutor (OPP) has the primary responsibility of prosecuting offenders and works closely with the Police in prosecuting offenders who have been charged and arrested for the Criminal Offence of Trafficking in Persons under Section 208C of the *Criminal Code Amendment Act 2013*.

Non – Government Agencies

International Organization for Migration (IOM) is the leading inter-governmental organization in the field of migration and works closely with governmental, intergovernmental and non-governmental partners. IOM has worked on counter-trafficking activities within PNG since 2010 and is operational in 10 provinces. IOM operates the Stop Human Trafficking Hotline and is able to provide basic assistance and reintegration support to victims of trafficking.

Salvation Army is a Christian denominational church and an international charitable organization which is present in 127 countries. The Salvation Army plays a key role in raising awareness of human trafficking within communities across PNG and providing basic assistance to VoTs.

2. DEFINING TRAFFICKING IN PERSONS

2.1 INTERNATIONAL LEGAL FRAMEWORK

TiP is a crime which appears in different forms, and exhibits different characteristics across regions. Men, women and children are exploited in a range of industries including agriculture, construction, care and hospitality, domestic work, entertainment and sports, forestry, fishing, mining, and textiles. People may be exploited when they move across international borders or within their own countries. Although there are many factors which make people vulnerable to trafficking, groups who are particularly at risk include undocumented migrants, ethnic minorities, and unaccompanied children. Factors such as poverty, unemployment, gender inequality, lack of access to education opportunities and resources and the absence of systematic birth registration may increase vulnerability to trafficking.

Anyone can be a VoT, regardless of their age, sex, gender, sexual orientation, nationality, ethnic or social origin, disability, or circumstances. The *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking in Persons Protocol)* is a wide-ranging international agreement which is aimed at addressing the crime of TiP, especially women and children, on a transnational level. It creates a global language and legislation to define TiP, assist VoTs; and prevent TiP. The *Trafficking in Persons Protocol* also establishes the parameters of judicial cooperation and exchanges of information among countries.

The *Trafficking in Persons Protocol* provides an international definition of the crime of ‘trafficking in persons’ is as follows:

“Trafficking in Persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

Table 1: Elements Necessary for Identifying an Adult VoT:

ACT		MEANS		PURPOSE		
Recruitment, Transport, Transfer, Harbouring or Receipt of Persons	+	Threat or use of force Coercion Abduction Fraud Deception Abuse of power or vulnerability Giving payments or benefits	+	Exploitation including: Prostitution of others Sexual exploitation Forced labour Slavery or similar practices Removal of organs Other types of exploitation	=	ADULT HUMAN TRAFFICKING

Table 2: Elements Necessary for Identifying a Child VoT:

(It is important to note that the ‘means’ (i.e. how the act is carried out) is not relevant in child trafficking.)

ACT		PURPOSE		
Recruitment Transport Transfer Harbouring or Receipt of persons	+	Exploitation including: Prostitution of others Sexual exploitation Forced labour Slavery or similar practices Removal of organs Other types of exploitation	=	CHILD HUMAN TRAFFICKING

At the regional level, PNG is an active party to initiatives such as the ‘*Bali Process on People Smuggling, Trafficking in Persons and related transnational crime*,’ the ‘*Asia Pacific Group on Money Laundering and the Pacific Immigration Directors’ Conference*’ (PIDC). PNG legislation criminalizing human trafficking is consistent with the PNG Government’s adherence to these initiatives.

The criminalization of human trafficking is an approach that the State has taken towards fulfilling PNG’s international commitments as signatory to relevant international conventions, in particular:

- The Universal Declaration of Human Rights, 1948
- The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) 1979;
- The International Labour Organization (ILO) Convention 182 – *Elimination of Worst Forms of Child Labour*, and
- ILO Force Labour Convention 1930 (No. 29); and
- The Convention on the Rights of the Child, 1989
- The Universal Periodic Review (UPR).

2.2 PAPUA NEW GUINEA'S LEGAL FRAMEWORK

2.2.1 PNG's Constitution

Division 3 of the *Constitution of the Independent State of Papua New Guinea*⁵ guarantees the Basic Rights of all persons within PNG, regardless of the person's nationality. These Fundamental Rights include;

- Right to Freedom – Section 32
- Other rights and Freedoms – Section 33
- Right to Life – Section 35
- Freedom from Inhumane Treatment –Section 36
- Protection of the Law – Section 37

Though the *Constitution* does not expressly prohibit human trafficking, it does guarantee a number of fundamental rights and freedoms which are internationally recognized through the *Universal Declaration of Human Rights*.

2.2.2 PNG's Criminal Code

In 2013, the PNG *Criminal Code*⁶ was amended through *Criminal Code (Amendment) Act No 30 of 2013* to cater for the offence of human trafficking in line with the international definition of trafficking in persons provided in the *Trafficking in Persons Protocol*. Section 208C of the *Criminal Code* provides that the offence of TiP occurs when or is perpetuated by:

(1) Any person who recruits, transports, transfers, conceals, harbours, or receives any person by—

- (a) Threat; or***
- (b) Use of force or other forms of coercion; or***
- (c) Abduction; or***
- (d) Fraud; or***
- (e) Deception; or***
- (f) Use of drugs or intoxicating liquors; or***
- (g) The abuse of office; or***
- (h) The abuse of a relations of trust., authority or dependency; or***
- (i) The abuse of a position of vulnerability ; or***

⁵ The Constitution of the Independent State of Papua New Guinea - http://www.paclii.org/pg/legis/consol_act/cotisopng534/

⁶ The Criminal Code can be found at http://www.paclii.org/pg/legis/consol_act/cca1974115

- (j) ***The giving or receiving of payment or benefits to achieve the consent of a person having control over another person, with the intention that the other person will be subject to exploitation, is guilty of a crime.***

Section 208B of the *Criminal Code* defines **exploitation** as:

“the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour, or services, slavery or practices similar to slavery, servitude or the removal of organs.”

The legal definition of the human trafficking offence in the PNG *Criminal Code* closely follows the internationally accepted definition. A fundamental understanding of the definition of “trafficking in persons” is necessary in order to identify and protect VoTs.

Sentencing of Persons charged for Trafficking in Persons

Where a person is arrested and charged for TiP under Section 208C of the *Criminal Code*, severe penalties will be placed upon the offender. The penalty for TiP also acts as a deterrent to others intending to commit the offence.

<i>Provision Under the Law</i>	<i>Penalty</i>
TiP penalty under Section 208C of the <i>Criminal Code</i>	Imprisonment for a term not exceeding 20 years.

Aggravating Factors

The penalty for TiP can be increased by the circumstances of the exploitation. These circumstances are called *aggravating factors to the offence*. The aggravating factors are listed below;

<i>Provision under the Law & Aggravating Factor</i>	<i>Penalty</i>
Section 208C (2) of the <i>Criminal Code</i> - Where the VoT is a person under the age of 18 years at the time the offence is committed:	Imprisonment for a term not exceeding 25 years.
Section 208C(3) of the <i>Criminal Code</i> - Where the offender subjects the VoT to circumstances that; i. Could result in the death of the VoT; or ii. Results in the death of the VoT	Imprisonment for life.

Aggravating factors in the TIP offence enable Prosecutors in the OPP to submit for higher penalties when sentencing the offender.

3 OBJECTIVES AND STRUCTURE OF THE STANDARD OPERATING PROCEDURES (SOPs)

3.1 OBJECTIVES

The Objectives of the SOPs are as follows:

- To ensure the effective identification and protection of victims within the National Referral Mechanism⁷ to provide appropriate assistance.
- To ensure the protection and non re-victimization of victims from the time of identification to reintegration.
- To institutionalize specific steps for the provision of assistance and protection to VoTs
- To ensure expeditious and effective law enforcement including the conviction of offenders.

3.2 STRUCTURE OF THE SOPs

The SOPs provide a step-by-step guide to all agencies involved in the identification and provision of assistance and protection to VoTs. The SOPs was developed through a consultative process with all relevant stakeholders, including endorsement from the NHTC, and represent guidelines for all officials who have a basic knowledge and experience in the application of the provisions of the substantive and procedural laws relating to TiP. The SOPs has been categorized in the following four phases:

Phase One: Identification and Rescue

Phase Two: Recovery

Phase Three: Return

Phase Four: Reintegration

⁷ The National Referral Mechanism is a Stakeholder Network that exist in PNG, which is used by State Agencies, International Organisations, NGOs and FBO to refer and provide assistance with cases related to TiP, and other cases involving the breach of human rights.

4. STANDARD OPERATING PROCEDURES

PHASE 1: IDENTIFICATION AND SCREENING

4.1.1 Victim Identification

Failure to identify VoTs promptly and properly is likely to result in their further abuse, exploitation, and denial of their rights, including their right to be assisted and protected. The longer the identification process takes, the more difficult recovery and reintegration of victims will be. For this reason, victim identification is a necessary precursor to protection measures.

In terms of the implementation of laws and policies, victim identification will enable the State to effectively achieve the prevention, prosecution and protection objectives set out in the *Trafficking in Persons Protocol*. Therefore, in establishing comprehensive anti-trafficking policies, programs and other measures, special attention should be paid to victim identification as a necessary component of fulfilling obligations set out in the Protocol.

The identification process leads to the recognition of a person's victim status and the prompt provision of assistance and protection services, such as:

- medical and other health services;
- accommodation;
- food and basic needs, counseling;
- psychosocial care; and
- other additional assistance.

Beyond protecting VoTs, the PNG Government also has several other interests in identifying VoTs. Victim identification is a key means of identifying crimes and the criminal networks behind them. Where VoTs are identified and receive appropriate protection and support, they can become key witnesses who can support the criminal justice process. Where VoTs go unidentified, criminal networks can continue with impunity and valuable evidence can be lost. Transnational organized crimes such as TiP can allow other crimes, such as money laundering and corruption, to flourish and consequently hamper economic development and social progress. PNG has an interest in preventing and addressing forced labour, which can have the follow-on effect of reducing employment opportunities and wages and eroding conditions for other workers in the country. Combating TiP is therefore an essential means of ensuring not only the safety and security of individuals, but also the health of societies.

Table 3: Primary Indicators

There are two main indicators for identifying a victim of trafficking:

- 1) A person lacks control—inability to walk away from his/her situation
- 2) Conditions of exploitation (e.g. sexual exploitation, forced labor).

A list of indicators for different trafficking situations is available as an Annex to the SOPs.

It is important to note that indicators of trafficking are generalized and therefore exceptions may exist in different circumstances. The purpose of the initial identification of a victim is to provide a preliminary indication of the status of the individual as a victim of trafficking so that they may be provided with assistance and protection and also to initiate an investigation.

4.1.2 Who Can Identify Victims of Trafficking?

The identification of VoTs is rarely a conclusive, point-in-time event, but rather a process that may involve the following phases:

1. Initial screening that suggests a person might be a VoT. This may be done by anyone who comes into contact with the presumed victim, and results in referral to the appropriate authorities.
2. Presumption by appropriate authorities that there are sufficient indicators to suggest the person may be a victim of trafficking and should therefore be given access to initial assistance and protection.
3. Verification by appropriate authorities that the person is a victim of trafficking. This may result in the person being entitled to more comprehensive assistance and protection services. It may also coincide with the investigation and prosecution of alleged traffickers.
4. Confirmation that the person is a victim of the crime of TiP, as a result of the conviction of a trafficker. This phase may only apply in some jurisdictions, and the fact that the crime of 'trafficking in persons' cannot be successfully prosecuted does not mean that a person is not a victim.

Identification of VoTs can occur as a result of reactive investigations following direct reporting by a victim, his or her family or others. Identification can also occur proactively, as a result of Police or other actors - such as border or labour officials - carrying out investigations and being

equipped to identify VoTs in the course of their work. Increasing efforts to proactively identify VoTs is preferable instead of relying solely on reactive identification.

However in terms of the initial identification, anybody in the community, including relatives, friends and peers, can play a role in victim identification, particularly during the initial screening phase. NGOs including civil society organizations, medical professionals, workers' unions and recruitment agencies can be an invaluable source of information, and can play a key role in identifying and referring presumed VoTs to appropriate authorities. However, Government has the primary responsibility in the identification of VoTs. Authorities including law enforcement agencies (Police, Immigration Officers, Customs Officers, Labour Inspectors, Prosecutors, Judicial officers), social and community workers, Provincial Government Officers, and consular officers can also play a role in identifying VoTs.

In PNG, the following official entities are responsible for victim identification:

- Police
- PNG Customs
- ICSA
- PNG Defense Force
- NFA
- Department of Labour & Industrial Relations
- Department for Community Development and Religion
- Provincial Governments and District Authorities
- Department of Health

Although there are officers within respective state agencies listed above who work in identifying VoTs, **anyone in general can report to the Police or any other authority (responsible for identifying VoTs) if they observe that a person has been trafficked and exploited.** If a person is a VoT then they can contact a relative or anyone that can help them, and ask them to report the incident to the Police, or they can report the matter themselves.

4.1.3 Initial Information/Complaint

The initial information or complaint is the beginning of the process in identifying a case of human trafficking and assisting victims, and therefore efforts to process this information should be streamlined to ensure the best outcome for VoTs.

Complaints or information on human trafficking can be brought to the attention of the;

- Police (Transnational Crime Unit)
- Department of Labour & Industrial Relations
- Immigration and Citizenship Services Authority (Borders Branch)
- Department for Community Development & Religion
- Lukautim Pikinini Office)
- Embassies and Consulates
- Stop Trafficking Hotline (operated by IOM)
- International Organizations (e.g. United Nations)
- NGOs (NGOs both within and outside PNG)
- FSVAC members
- NHTC members
- Relatives/parents of the victims
- Organisations that provide victim support services
- health workers
- Security firms (e.g. G4S, Black Swan)
- Transport and Entertainment sector employees
- Faith Based Organisations
- Community leaders

All complaints of human trafficking received should be reported to the Police through the general complaints division, so that the case is properly registered. All complaints or information on VoT must also be brought to the attention of the Transnational Crime Unit in the Criminal Investigation Division to pursue further investigations and to liaise with other stakeholders to assist the victims.

4.1.4 Rescue

Reported complaints or information on suspected TiP case are important for prevention and detection and intelligence gathering. In the majority of TiP cases, victims do not have freedom of movement as they are often being held against their will in an area which may be unfamiliar to them. As such VoTs may need to be rescued by Police or other law enforcement authorities.

If no rescue is necessary proceed to PHASE 2 – RECOVERY

Once the Police -Transnational Crimes Unit is informed of there is a potential TiP case, it will then;

- arrange for the appropriate search warrants,

- devise a rescue plan and liaise with other Police units and relevant agencies to execute the warrant,
- rescue victims,
- search premises for evidence, interview victims and any person related to the case; and
- arrest suspects.

In terms of the actual rescue, the respective Police Officer in Charge or Investigating Officer is responsible for assessing the case and the requirements of the rescue operation and will determine which provincial teams should respond. The Provincial Police Commander will then develop a pro-active plan and give direction to a Police Officers on the ground or where necessary a Mobile Squad Unit to conduct the rescue operation and coordinate with other related investigation units and key authorities (shelter, medical, legal).

There are cases where persons in vulnerable groups are involved. In a case where the victim falls into a vulnerable group, the following measures will be considered by the Police, before the rescue of the victim(s):

- Female officers/ and social workers will be requested to participate if women and /or children are involved; and the
- Police Officers on the ground, the Investigating Officer or relevant Police Mobile Squad that conducts the rescue should be accompanied by the Criminal Investigation Division and/or the Sexual Offenses Squad (in cases of suspected sexual exploitation)

VICTIMS ARE NOT TO BE TREATED AS OFFENDERS AND SHOULD BE SEPARATED FROM SUSPECTS

4.1.5 Initial Screening

Prior to a formal interview with a VoT, a Police Officer or a trained officer from the intercepting agency⁸ (female officer for female victims) will conduct a pre-interview assessment using a standard screening form. If there is no trained staff within the intercepting agency then the agency should contact the Police for assistance with the screening. The purpose of conducting a screening is to assist in identifying potential victims (age, gender, source community, and transit point, indicators of abuse and trauma and especially evidence of exploitation (both sexual and labour) in a range of premises). **(Annex 2 – Screening Form).**

⁸ The Intercepting Agency is the agency that has initially identified the VoT and is providing assistance to the VoT

Following an initial screening, the intercepting agency should report the case to the Stop Human Trafficking Hotline (**7100 7777**) and in the case of a confirmed victim of trafficking; the case should be referred to Police.

4.1.6 Screenings at Entry Points

At land, air and maritime entry points, if a law enforcement officer (e.g. Customs, ICSA, NFA etc.) suspects that an arriving or departing person may be involved in trafficking or smuggling, either as a victim or perpetrator, the officer should refer the matter to a senior officer at the post for consultation and a secondary screening.

If the supervisor has any reason to suspect the persons involvement in trafficking, the case should then immediately be referred to the Police (TCU or CID) for further investigation and action and the case should be reported to the Stop Human Trafficking Hotline (**7100 7777**) or at the nearest Police Station. **Go to Phase 2.**

4.1.7 Identification of Needs

In order to determine the safety and security needs of the victim, an initial assessment should be conducted by a trained officer (female officer for female victims). Special attention should be paid to determining the physical safety of the victim (and her/his family) and an assessment of protective measures should be conducted, which is done by completing a needs assessment form which should in turn result in an assistance plan.⁹

The VoTs needs will vary depending on the case and the victim's specific needs. The victim may be a PNG citizen, foreign national or a child. Where the victim is a foreign national, a translator must be made available, and this can be done by contacting the Stop Human Trafficking Hotline (**7100 7777**), or by informing the embassy / consulate¹⁰ or IOM.

In cases involving child victims (below 18 years), an immediate referral should be made to Child Protection Services in the Department of Community Development Religion and Youth and the

⁹ Following the establishment of the shelter a comprehensive case management plan needs to be developed

¹⁰ Person assisting should note that they can contact the relevant Embassy/Consulate if they are able to determine a VoTs nationality from the language the VoT speaks.

child should not be interviewed unless a legal guardian or Child Protection representative is present.

In cases where there are significant identified mental health concerns for a victim (especially if a victim does not appear to understand or respond to questioning) then an FSVAC member should be contacted and a counselor should be engaged.

Foreign Victims:

For victims with no appropriate language knowledge, the use of a translator is essential to ensure accurate information is provided to authorities. Before any process of identification commences, it should be established whether there is a need for a (preferably trained) interpreter and, if so, one should be provided. Assistance with interpreting services can be found through the National Court Interpreting service (324 5798) or by calling the Stop Human Trafficking Hotline (7100 7777) for assistance.

4.1.8 International Cases

Examples of complaints regarding transnational or international TiP cases in PNG may include:

- a) PNG citizens who may be trafficked overseas and require assistance or protection.
- b) Non-PNG citizens who may be trafficked within PNG land and/or maritime borders.

For PNG citizens who may be trafficked overseas, they may be identified by a range of authorities in the destination country. Once VoT has been identified in the destination country then the VoTs case should be referred to DFA or DJAG. Cases of PNG citizens trafficked abroad may also be reported to law enforcement authorities by family members and embassies or consulates regarding PNG citizens overseas who are seeking urgent assistance or protection.

In the case of non-PNG citizens who are trafficked inside PNG territory, complaints related to a human trafficking case may be received by Police, ICSA, Customs or NFA during routine law enforcement/border management activities particularly at major air and sea ports. Non-PNG citizens may also be identified by embassies and consulates, NGO actors and other government stakeholders.

For international cases involving victims who are not PNG citizens, ICSA (under the direction of the Chief Migration Officer) may identify and rescue VoTs during regulatory border

management activities or when immigration intelligence is received regarding suspected unlawful migrants/ VoTs. ICSA should also notify the Department of Foreign Affairs of any cases involving non-PNG citizens. If in the course of their activities, ICSA identifies PNG citizens who may be VoTs then they should refer such cases to Police.

In cases where VoTs (who are not PNG citizens) are identified and rescued by ICSA, the Deputy Chief Migration Officer (**DCMO**) Borders Branch will assess the situation and determine the process to address the needs of the victim. ICSA will develop a pro-active plan and coordinate with representatives of the relevant government and NGO stakeholders (shelter, medical, legal) to coordinate a rescue operation and for the arrest of suspects.

In international cases where ICSA has intervened, a trained immigration officer (female officer for female victims) will conduct a pre-interview assessment to confirm the crime of human trafficking and record a detailed statement from the victim/ trafficker.

In circumstances where a rescued foreign VoT has overstayed their PNG visa, he/she will be exempted from both the visa fee and penalty under two circumstances:

- 1) all attempts to recover due visa charges from offenders are exhausted;
- 2) a written request is made to ICSA by Police confirming that he/she is a victim of human trafficking.

If the DCMO (Border Branch) is of the opinion that a person is involved in a trafficking case, and if the victim has clearly expressed his/her intention to proceed with a full investigation of the case, the DCMO may take details of the case as “registering a complaint.” After the complaint has been registered, the case should immediately be referred to the Transnational Crime Unit of the Police further for investigation and action.

In the event that a VoT does not wish to pursue a complaint against the perpetrator/trafficker or to be involved in the prosecution case, immediate steps should be taken to inform the relevant embassy/consulate and IOM to expedite and assist with the repatriation of the victim to their country of origin.

Where ICSA has formed the opinion that the VoT has violated the *Migration Act* 1978 as a direct result of being trafficked (e.g. if they have engaged in forced prostitution or undocumented forced labour) he/she should not be treated as an offender under *Migration Act* 1978.

Where the VoT decides to proceed with a complaint against the trafficker then the necessary procedures will be followed by Police to initiate an investigation. If required, the victim should be referred to a Safe House by either ICSA or Police by contacting 1-tok Kauselin Helpim Hotlain (7150 8000) or the Stop Human Trafficking Hotline (7100 7777) or through CIMC/FSVAC members.

PHASE 2: RECOVERY

VoTs endure many kinds of abuse. This abuse may begin from the day they leave their village or town, during their travel and transit, and finally upon arrival at their final destination and while employed. VoTs are also susceptible to further harm should they attempt to escape from their exploitative environment at any stage of their trafficking ordeal. This abuse may be physical, verbal, sexual, emotional and psychological. VoTs may be forced or coerced into drug or alcohol abuse. The victims' abusers may be their recruitment agent, employers, relative or even others who should be providing protection for them. Taking into consideration the complexity of the trafficking experience, it is very important that all VoTs be offered medical and psychosocial care. It must be noted that VoTs may not always share their full stories for various reasons; Care Providers should endeavor to be proactive, sensitive and always ready to screen and identify any sign of trauma, both physical and mental.

The first response to the victim of a crime of trafficking is a **psycho-social response** that helps the victim cope with the often traumatic impact of the crime;

- It treats the victim-survivor as a person, and with dignity;
- It ensures they are safe and not harmed further;
- It informs them about what is going to happen next; and
- It provides for their immediate needs of food, shelter, clothing and any medical needs.

It is the duty of all those who come in contact with VoTs, during the time of first information and rescue, to coordinate and integrate all their activities so that none of the victims needs and concerns remain unaddressed. **A well-coordinated first response ensures that the 'best interests' of the victim are of primary concern.**

4.2.1 Guiding Principles in the Recovery Process

- Take time to assess carefully each VoT, to ensure that the VoT feels safe and comfortable before making any intervention, and keep in mind that each VoT may react differently to similar trafficking experiences.
- Observe more closely and regularly those VoTs who show signs of suicide or self-inflicted injury, hurting others, and also those showing symptoms of significantly reduced cognitive ability (ability to judge situations and make decisions).
- Assure the VoT that medical information will be kept confidential, and follow through with ensuring that no medical information is released or accessed by third parties.
- Take time to provide medical information to the VoT so she/he is fully informed of the tests and results.
- Use the proper means to obtain Informed consent from victims prior to carrying out medical testing or providing treatment.
- Always present a detailed introduction briefing: and provide information on what services are available, why they are important, and the benefits obtained. Motivate VoTs to ask questions and to raise their concerns. The effectiveness of the briefing introduction will determine the compliance and willingness of the beneficiaries to follow all procedures/services offered. Explain about the advantages of obtaining free medical services while available as health services may sometimes be a luxury.
- Disseminate information on HIV & AIDS, STI/STD, and hygiene. In most cases, VoTs have mild medical conditions, such as anemia, irregular menstruation and asymptomatic urinary tract infections. These findings often indicate negligence with their basic hygiene and poor living conditions during their trafficking experience, thus suggesting more serious psychosocial problems.
- Provide the option for group activities, as they are a very effective form of psychosocial therapy. Interaction among VoTs promotes a sense of not being alone and helps VoTs to accept their situation and make peace with themselves, thus accelerating the recovery process. Where necessary conduct group activities among VoTs with similar backgrounds (for example, VoTs who were trafficked into prostitution) as this similarity will induce understanding and openness among them.
- Give copies of all medical tests and results to VoTs and provide a referral letter to a doctor for follow up medical care at their home village when necessary.
- Identify special medical and psychological situations early (for example, pregnancy, medical emergency, severe mental health problems, etc) as special treatment may be needed immediately, in terms of treatment room, intervention and so on. Try to locate and contact the VoTs closest relative as soon as possible.

- The role of a social worker from the outset is to ensure that VoTs are properly screened, to provide them with complete information as to what kind of services are available and where agreed, refer medical, psychological and legal cases, and to ensure that the VoTs overall needs are met.
- The psychosocial problems faced by VoTs cannot be fully resolved during their recovery period. Therefore, assessment of VoTs during the reintegration period is important. Consider whether the VoT is accepted into their family and community which are indicators of the victim's recovery.

4.2.2 Immediate Needs

Immediate response to urgent needs

The first response to the victim of a crime of trafficking is a psycho-social response that helps the victim cope with the often traumatic impact of the crime.

- It treats the victim-survivor as a person, and with dignity.
- It ensures they are safe and not harmed further.
- It informs them about what is going to happen next.
- It provides for their immediate needs of food, shelter, clothing and any medical complaints.
- It is the duty of all those who come in contact with victims of trafficking, during the time of first information and rescue, to coordinate and integrate all their activities so that none of their needs and concerns remain unaddressed.

A well-coordinated first response ensures that the 'best interests' of the victims are respected.

For recovery of both men and women, the *Family Support Centers* provide medical and assistance for VoTs. Many of the family based NGO's that are part of the network of providers under the FSVAC are also all very useful resources to connect to in providing recovery services to VoTs.

Potential needs include;

- Food and clothing
- Pain / discomfort
- Medical problem
- Severe anxiety / Stress
- Psychological support
- Counseling
- Safety concerns especially in relation to self and family members.

- Legal illiteracy and need for support and guidance

4.2.3 Medical Care

The intercepting agency will ensure that the victim is referred for appropriate medical care immediately after rescue. It must be ensured that valid consent is obtained before medical examination. However in a situation where the person's life is in danger and the consent cannot be obtained, before any medical care providers may provide required medical treatment to save the victim's life. For female victims and in cases involving sexual exploitation – victims should be referred to a Family Support Centre immediately.

4.2.4 Age Verification

If the VoT appears to be a child (below 18 years) he/she should be referred to the Director of the Lukautim Pikinini Office and arrangements should be made for medical examination to determine the age of the victim. If there is doubt about the age, the presumption should be that the victim is a child. All cases of child victims and adult victims (whose age is known or unknown and who are initiating a complaint) shall be referred to a member of the FSVAC for assistance.

4.2.5 Shelter Referral

There may be some victims who require shelter support and it is necessary to have shelters ready for referral of victims. When victims are rescued, the Police or welfare officers should make interim arrangements to send the victim to a place of safety, including a shelter. Victims should not be detained at a Police Station or placed in an immigration detention center.

Shelters should meet minimum standards and provide:

- Adequate, safe and secure temporary living environment for victims;
- Adequate, safe and secure working environment for shelter staff;
- Facilitate stabilization of the victim to prevent further harm and enable maximum recovery;
- Well-trained staff working in a collaborative, interdisciplinary manner to provide a comprehensive continuum of care for victims; and
- Quality protection and assistance to victims based on individualized case service plans.

**** If there is difficulty in finding shelter for the VoT, then the Stop Human Trafficking Hotline may be able to assist (7100 7777)**

The Police will liaise with protection service providers (e.g. FSVAC members) regarding the care, guardianship, medical and psychiatric treatment of the victim and following assessment and family verifications, victims may return home or stay with relatives or friends where it has been determined to be safe/appropriate.

In the cases where the perpetrator is known to the victim, measure will need to be taken by the officer assisting the VoT to make an application under the *District Courts Act* for a Magistrate to issue an Interim Protection Order (**IPO**) to protect the victim from the perpetrator. The status of the “*focal person*” needs to be legally determined and come into effect by an amendment to the existing legal provisions.

Once a victim has been referred to a Family Support Centre, an assessment will be conducted and a referral can be made to a Safe House or an appropriate agency (e.g. IOM or Salvation Army) who can complete a referral and assistance form to determine the services and protection measures to be provided. FSVAC should also be notified of the case if appropriate. The victims consent must be sought in agreeing to any assistance and a consent form should be signed.

4.2.6 Interviewing of Victims

Following formal identification; interviews should take place only after the consent of the victim has been sought and the victim is briefed on his/her options and potential next steps. Victims are not under any obligation to cooperate and may decline to be interviewed and/or any assistance. If the victim is a foreign national, appropriate information should also be made available in writing and translated into a language that the victim understands.

Operational experience has shown that victims focus on three particular areas before deciding on whether to act as witnesses in a human trafficking prosecution case:

- The personal safety of the victim, the victim’s family and other persons close to him or her;
- Confidentiality and the risk of disclosure to the family or other persons close to the victim or in the media – this fear of stigma in cases involving sexual exploitation always exerts a powerful influence on the victims decision-making process; and
- Fear of being in the physical presence of the trafficker(s). For the victims, this is a genuine and sometimes debilitating fear, particularly for those who have been subjected to sexual and physical abuse.

Prior to being interviewed, an explanation must be provided to the victim so the he/ she understands;

- That there is no legislation which guarantees the protection of victims or witnesses in PNG. (Refer to 4.2.5 page 30 for IPO)
- Providing information on the crime and the perpetrators is necessary
- Information provided may be subject to disclosure requirements.
- Legal options to seek justice for the crimes committed against them.
- The court process and procedures and of the physical presence of the trafficker at the trial.
- The importance of providing a Written Statement for the Court proceedings, and the consequences of not providing a Written Statement.
- Steps to be taken to guarantee personal safety (and of family) including (potential) shelter stay and conditions of stay.

Where the victim is willing to proceed with a complaint /cooperate (nationals / non-nationals) the steps in Table 4 are to be followed;

Table 4: -Steps to be taken where victims decide to proceed with a complaint

Decides to proceed with complaint / Cooperate (National)	Decides to proceed with complaint / Cooperate (Foreign National)	Decides <u>not</u> to proceed with complaint / Cooperate/ (National)	Decides <u>not</u> to proceed with complaint / Cooperate (Foreign National)
1. Information provided on evidence gathering process 2. Information provided on the judicial process 3. Testimony and protection options given 4. Information provided on the assistance (stay in a shelter)	-Same as national (Steps 1-4) -Visa extension -Return after trial	-Information provided on assistance available and the conditions of such assistance.	-Return (pending risk assessment).

PHASE 3: RETURN

4.3.1 Return

The facilitated return of trafficking victims entails close coordination throughout the entire journey, whether the travel is domestic or international. Unless the victim declines assistance, it is recommended that the returning victim be accompanied throughout the entire process (when traveling by land or by sea). Victims returning by air should be escorted to the plane (at departure) and received and accompanied (at transit and destination points) to ensure continuous protection. This facilitated process should continue until such time that the victim is received by responsible parties at the destination.

4.3.2 Primary Considerations: Voluntary & Safe

Primary considerations for successful returns are:

- *Voluntariness* – though there may not be provisions within the law to allow for the indefinite stay of the victim in the destination city or country, a victim should not be forced to return to their place of origin, as there may well be compelling reasons why the victim does not wish to return, e.g. fear of reprisals by traffickers or punitive measures imposed by the home state or governing authority. Efforts should be made to provide all necessary assurances that the victims protection and well-being are paramount so that the victim can reach an informed decision on returning. If the victim does have a well-founded fear of reprisal upon return, these should be investigated accordingly.
- *Documentation* – establishing identity is mandatory for any international travel and is crucial to the return and reintegration process. As many victims do not have adequate documentation (documentation may have been altered, destroyed, outdated, or lost) efforts must be made to secure appropriate documentation by contacting family members, national authorities or consulate/embassy representatives. Additionally, transit or other temporary visas may be required.
- *Escorts* – the entire return procedure should take place within the protection principles to ensure the VoTs safety and dignity is upheld. At a minimum this requires the following:

Overland transport: escorted transfer from the shelter or safe house to the final destination or until a designated party or agency receives the victim. At no time should the victim be left unaccompanied. In situations of domestic return (to the household,

village, or town of residence), a transfer can take place at a nearby location between the responsible authorities to a previously screened and verified party, i.e. family member, NGO, or local social welfare representative. For cross-border overland returns, a designated local agency responsible for facilitating continuing care and shelter in the home country and/or transfer to the victims final destination will usually oversee the transfer.

Air-transport: escorted transfer from the shelter or safe house to the airline departure point. Prior arrangements should be made to ensure safe and smooth check-in, to include escort assistance through airline check-in, customs and immigration, and check-in at the boarding gate. The airline should be given prior notification that the VoT is traveling with special assistance and that hand-over to designated personnel (normally a designated official from a previously screened international organization, NGO or government official) is required at both transit points (where required) and at the final destination. Upon arrival, the victims should be received as soon as possible after disembarking from the aircraft. Depending on the level of security clearance of the receiving party, this may take place at the aircraft door or directly after clearing customs and immigration. In either scenario assistance should be provided to ensure smooth arrival and exiting procedures at the airport and transport to receiving shelter or home.

4.3.3 Return Checklist

A return checklist (the checklist may vary slightly depending on the mode of travel):	
·	Does the VoT have appropriate documentation to travel, i.e. passport or authorized travel documentation from home country?
·	Does the VoT need any transit visas? (If direct routing is not possible.)
·	Does the VoT have any medical conditions that warrant special attention for air or overland travel? Is the VoT pregnant?
·	Does the VoT have money for expenses during transit such as food, water, or other incidentals?
·	Does the VoT have copies of the travel documents, in the event that originals are lost or stolen?
·	Has the VoT been given full details of the travel route and does the VoT have contact names and information in case assistance is needed during transit, in addition to those assisting on arrival?
·	Have receiving agencies and transit assistance (if required) been arranged?
·	Have receiving agencies and those who may be assisting during transit been given up-to-

date flight information? Have they confirmed receipt of such information?
<ul style="list-style-type: none"> Have contingency arrangements been made if the VoT refuses to travel on the specified date and/or refuses to board connecting flights during transit
<ul style="list-style-type: none"> Has departure been confirmed to transit and receiving agencies once the VoT has begun the journey?

4.3.4 Return of Victim to Province of Origin

In the event that a PNG citizen needs to be repatriated to their province of origin or to an alternative location nominated by the victim (in the event that his / her province of origin is not suitable/safe) then the intercepting agency should make arrangements for repatriation.

4.3.5 Return of Foreign Victim to Country of Origin

- Following the VoT identification process the intercepting agency/ Police inform ICSA that the victim is a foreign national. ICSA will inform the victim's embassy / consular representative.
- If a victim does **not** wish to proceed with a complaint then it is important that their return/repatriation to their country of origin is initiated (in consultation with ICSA) as soon as possible. The victim should be referred to ICSA for repatriation assistance to avoid normal removal proceedings applicable to an offender. ICSA should take immediate steps to inform the relevant embassy (or in the case where there is no embassy in PNG, then DFA should be notified to assist the victim for immediate repatriation.
- If the foreign victim wishes to proceed with a complaint, then ICSA will assess and provide clearance for the victim to remain in the country if required.¹¹ **Follow Phases Two - Four.**
- A return risk assessment should be conducted for all VoTs prior to making their travel arrangements. If a foreign victim expresses security concerns about returning to their country of origin then these concerns should be disclosed to the authorities in the country of origin (with the consent of the victim) or a relevant NGO/UN agency that provides assistance to VoTs.

¹¹Depending on the time it takes to arrange and coordinate a safe assisted voluntary return journey (considering health as well as security issues), it may be necessary to secure safe accommodation for the victim in the interim period. If accommodation in suitable Seif Haus cannot be established, the Stop Human Trafficking Hotline (7100 7777) should be contacted for assistance.

- Authorities in the receiving country must be consulted on the potential travel arrangements (and any other issues) and the return procedures confirmed before the date of return is set.
- The Shelter must be informed that travel arrangements have been made. Immigration documents are to be processed through an embassy/consular representative. Pre-departure information and assistance must be provided to VoT and ICSA should provide clearance and an escort to facilitate the safe return of the victim.
- In the event that the victim has to transit through a third country *en route* to their country of origin then an escort should be provided or transit assistance through an organization such as IOM, this measure will ensure victims safety.
- Victim can then be processed and received by authorities in their country of origin.

Note: The victim should be returned to the country of origin only if it is established that this is not a threat to his/her safety. If this cannot be done, the options for change of residence or accommodation in a third country should be considered (in compliance with PNG law).

4.3.6 Return of PNG Citizens Trafficked Overseas

In the event that a PNG citizen is trafficked overseas and the PNG Citizen has been identified by the authorities of the sending country¹² as a VoT, or in the event that the family of the VoT has a strong belief or evidence that their family member is a VoT or subject to exploitation then the following steps can be taken:

- The PNG family member may contact DFA and ICSA who will notify the embassy or consulate.
- If the victim does not have freedom of movement and/or is under threat, the embassy will send an official request to the authorities for intervention / to conduct a rescue.
- Following referral, urgent needs will be met by the embassy / IOM
- The victim will be screened by embassy / IOM to establish status. A victims return (including escort), transportation, reintegration arrangements will be made through the High Commission/embassy and with ICSA and relevant authorities in the sending country (with IOM's assistance where necessary).

After return continue from **Phase 2**.

¹² The *Sending Country* is the country that the PNG Citizen VoT is trafficked to. The *Receiving Country* is PNG.

PHASE 4: REINTEGRATION

4.4.1 Reintegration

The reintegration of the victim is a process used to reintegrate, resettle or re-introduce the VoT back into their community or home environment.

Depending on the extent of the harm and abuse suffered by the victim, successful “reintegration” may be perceived very much as an open-ended process, which ideally, has been initiated through support provided in a shelter or safe-house prior to the victims return. Such support might include:

- medical attention;
- psychosocial support;
- life skills development training, and
- Job-skills training, among others.

A primary goal of the reintegration process to facilitate the “reintegration” of the victim into his/her community, this is done to diminish the vulnerability for re-victimization and to achieve stability in community a community that the victim feels safe in.

Reintegration may simply be achieved by successfully seeing through the transfer of a VoT from a protective shelter environment to her or his place of domicile where the victim reenters the supportive environment of family, friends and community. In such instances, it is unlikely that the victim will suffer significant physical or psychological trauma unless this has been determined by a professional.

In many other instances, however, the process of reintegration is an ongoing process that seeks to develop the prospects of an individual to reassume a productive life in society. To achieve this objective, a range of material and other support assistance may be required to facilitate the assimilation back into society. It is important for victims to be linked to appropriate agencies for the social reintegration process which, owing to the psychological trauma inflicted by the trafficking experience, can prove overwhelming and stressful, as victims seek to reestablish the social support networks and self-confidence in the community setting.

Regardless of the socioeconomic background of the individual, the “process” of reintegration begins with the mental preparation – both in terms of overcoming any trauma that may have resulted from the trafficking experience and in terms of addressing anxiety that may

exist at the prospect of returning home to family and friends following such a horrible experience. Such apprehension is common, particularly when the trafficked migrant left with hopes and aspirations of contributing financially to the well-being of the family members left behind. The victim's perception of having "failed" in this effort often overrides any concerns over personal well-being and results in diminishing self-esteem. Victims of trafficking suffer feelings of shame, self-hate, worthlessness, and ignorance, among others. Ongoing counseling and involvement in specialized activities can greatly contribute to the recovery of the victim and the building of self-esteem. As the victim increasingly comes to terms with his/her situation and demonstrates improving self-esteem, other activities can be provided to the victim to address those preconditions that may have contributed to the vulnerability of being trafficked

It is important that links are developed with agencies in the victim's home community or country that can provide reintegration support. Types of reintegration services that are provided include:

- Psychosocial assistance
- Social welfare assistance
- Vocational training
- Peer-to-peer support
- Provision of non-formal education
- Provision of soft loans or microcredit
- Support for schooling
- Legal assistance

The following steps can be taken for the reintegration of VoTs in PNG:

- For successful reintegration, the intercepting agency or Safe House should prepare the victim mentally and physically for their return and assist in the elimination of some of the preconditions that contributed to the susceptibility of being trafficked.
- Reintegration assistance can be provided to victims by contacting the Stop Human Trafficking Hotline (7100 7777). The hotline can assist in the coordination of reintegration by contacting relevant government and NGO actors in the area that the VoT will be returning to, and can support the victim to access psychological counseling, life-skills training, group therapy and other methods of psychosocial assistance (as available) which can assist in the recovery of the victim.
- In situations where the reintegration with family members and the home community may not be possible (because of direct complicity to the exploitation of the victim or where a history of domestic violence exists) it is necessary to find alternative reception

arrangements for the returning victim. In this instance, it is necessary to (in consultation with a victim) find alternative arrangements for the victim to return to which are safe and where the victim will feel comfortable to rebuild their life.

5. CRIMINAL PROCEEDINGS AND PROSECUTION

5.1 INVESTIGATION BY THE POLICE (PRE- TRIAL)

Police investigations seek to determine evidence of the offence of human trafficking: Activity (buying, transporting, and recruiting). Means (threats, deception and inducement): Purpose (exploitation): Evidence gathering and investigation is conducted by the investigating officer (IO) (in consultation with other relevant law enforcement officers) and should build the case through a victim centered approach (described below).

TiP is a complex organized crime and a continuing offence, all material and non-material (corroborating) evidence (eg: other testimonies, supporting documentary evidence, mobile phone records, video, photographs etc) will need to be collected and provided to the Police.

Note that the gathering of evidence is the statutory obligation of Police.

Intimidated witnesses are defined as ‘anyone’ whose quality of evidence is likely to be diminished by reason of fear or distress in connection with testifying in proceedings excluding the accused person. The Victim Liaison Officer (VLO at OPP) must be informed by the investigating Police officer of all intimidated witnesses as they are vulnerable persons. It is an obligation of the investigator to identify and locate all relevant witnesses. Investigator should record comprehensive statements from the witnesses. At all times voluntariness of the witnesses must be ensured.

5.1.1 Committal Process

Once a criminal charge or charges are laid against an individual or group for human trafficking related offences the matter is listed before the committal magistrate and police prosecutors take carriage of the matter.

The investigator has a period of 3 months to complete his investigations, compile the Police brief and present the completed brief in triplicate to the Committal Magistrate. While awaiting completion of investigations the accused will be either kept in remand at a Correctional Institution or may be released on bail by the National Court. During this waiting period the accused may be brought to the committal court every 2 weeks for the renewal of his warrant of

remand or to answer to his bail as part of his bail conditions and to be advised on the status of investigations. Investigators should complete their investigations at the earliest possible opportunity to avoid the charges against the accused being struck out and the accused released.

Before providing Police Brief's to the Committal Magistrate, the investigator should discuss the brief with the OPP to obtain their views on the sufficiency of evidence.

After the Police Brief is completed and received by the Committal Magistrate, the accused or his lawyer may request time to go through the Police File and consider whether to make an application for the case to be dismissed for insufficiency of evidence. If so, then a date is set for the accused to advise of his position. If a sufficiency of evidence application is made, the court will hear both parties and will rule on the issue of sufficiency of evidence and whether the matter is to be committed to the National Court.

State witnesses in trafficking cases and victims do not have to be present during the committal proceedings.

Even if cases are committed to the National Court, criminal proceedings can be delayed furthermore if the accused through his lawyer files a judicial review application which he is entitled to do if he is aggrieved with the decision as being prejudicial or unfair.

5.2 BAIL

Bail is determined by the National Court and is dependent upon the nature of the offence(s), the likelihood of the suspect fleeing justice, potential for intimidation, re-victimization.

5.3 PROSECUTION (AFTER INVESTIGATION)

Police can play an important role even at the stage of prosecution. Therefore, the investigating officer should ensure that:

- A Police Brief with a Committal Certificate issued by the committal magistrate is provided to OPP after the matter is committed to the National Court.
- All logistical issues to ensure the availability of State witnesses are in order.

- State witnesses and the Victim(s) is/are informed and are available for a prosecutor to interview them before trial;
- State witnesses and victim(s) is/are informed and are available on the trial date.
- State witnesses and the Victim(s) is/are provided the necessary protection before, during and after the trial.
- All their original notes of conversations with the victim(s) and witnesses and their observations are kept properly and are readily available in the event that these documents need to be referred to during trial.

The VLO will inform the victim and State Witnesses on testifying in court, with the assistance of counselors and the shelter staff. The VLO will inform the witnesses regarding court processes (by getting witnesses on time, briefing and debriefing them). As victims and witnesses are fearful and anxious of Court and legal proceedings, a VLO may guide them through the process.

Once the case is referred to the National Court, the Public Prosecutor is vested with the ultimate discretion to determine whether this case is prosecuted or not based on the evidence in the case and public interest.

If the matter is considered fit for trial, the Court is advised accordingly and the matter is pre-trialed and listed for trial at the National Court

If the matter is not fit for trial, the Public Prosecutor may request for additional evidence before setting the matter for trial or he may file a Nollie Prosequi¹³, where the case will be withdrawn and reinstigated when the required evidence is available.

Victim and State witnesses should be advised at the outset that if there is an acquittal OPP does not have a right to appeal the decision on verdict however OPP can appeal against sentence if the sentence imposed on the offender/trafficker is inadequate.

5.4 TRIAL

Victim and witness protection pre-supposes a number of measures to be considered during the trial. Examples include:

- Physical protection

¹³ a formal notice of abandonment by a plaintiff or prosecutor of all or part of a suit.

- Use of private lawyers
- Use of screen, technology (CCTV, video) to present testimony
- Escort of victim, witness to and from court
- Use of interpreters
- Exclusion of general public from court (in camera)

Application should be made by the State for an expeditious and early trial in accordance to the circumstances.

In the case of a victim whose case is on trial, the OPP will need to consider seeking orders from the Court regarding costs relating to the victims repatriation to be made by the perpetrator.

5.5 POST-TRIAL

Depending on the risk assessment, additional security measures may have to be implemented after the trial.

Following trial, the OPP is not obligated to ensure the protection of State witnesses including the VOTs. All threats, intimidation or assaults against the State witness's person or property should be reported as a fresh complaint to the Police for criminal action to be taken against the accused or those acting under his instructions. Civil action can also be taken against the accused in the form of restraining or preventive orders.

Following the trial, reintegration support e.g. social support, vocational training / income generation is offered to victims by relevant authorities/NGOs. However, as resources may be limited, it is essential to give the victim a realistic picture of the options and possibilities available, and not to give rise to unrealistic expectations that could be detrimental to the reintegration process.

Any concerns related to the safety and security of the victim in returning to their home community (in PNG) or country of origin should be shared with the Police and the authorities in both the sending and receiving country.

6. CONCLUSION

6.1 SUMMARY

Trafficking in Persons (**TiP**) is a serious crime with grave human rights implications. The Government of Papua New Guinea is committed to combating this TiP through the *Trafficking in Persons National Action Plan (TiPNAP)* and the SOPs.

The SOPs is PNG's first cooperative framework through which Government Agencies can protect and promote the human rights of trafficked persons, by coordinating their efforts in a strategic partnership with International Organisations and civil society.

The development of the SOPs is a primary objective under the TiPNAP and aims to prevent trafficking, protect survivors and prosecute traffickers. Although PNG is not a party to the *Trafficking in Person Protocol*, the PNG Government is dedicated to the development and implementation of Counter- Human Trafficking Mechanisms, such as the SOPs.

The primary objectives of the SOPs are in line with the *PNG Constitution* and the Vision 2050; to create a safe, secure and prosperous Papua New Guinea by the year 2050.

INDICATORS OF EXPLOITATION

GENERAL INDICATORS FOR TRAFFICKING IN PERSONS

There are two main indicators for TiP:

- 1) A person lacks control—unable to walk away from his/her situation
- 2) Conditions of exploitation.

The table below describes characteristics of the first dictators, which is described as a lack of control.

LACK OF CONTROL
<ul style="list-style-type: none"> • Passport, travel, identity or employment documents held by someone else (the VoT will only have copies of his or her documents and not originals) • With international trafficking, unable to communicate in the language of the destination country • Physical injuries • Not allowed to make or receive calls – limited contact with family or social contact • Limited or no freedom of movement or only if accompanied • High degrees of control and surveillance by their supervisor (including physical and psychological abuse and/or fines) • Dependent on the supervisor for services such as transportation, accommodation, food and so on • Living at the workplace
CONDITIONS OF EXPLOITATION
<ul style="list-style-type: none"> • Having to pay off a debt to their supervisor or agent for transportation, documents, residence, food or protection (debt bondage) • Not allowed access to earnings, low pay or only allowed to keep a small part of their earnings • Not having an employment contract or only having a falsified one • Doing a job or service which is different from that advertised or expected may have been tricked or coerced • Injuries or impairments typical of certain jobs • No days off or holiday time • Lack of access to medical care • Working excessive hours • Working for someone different than originally expected

Indicators of specific forms of exploitation

There are however indicators that are very specific to certain forms of exploitation associated with TiP. The following indicators relate to specific forms of exploitation that are listed in the Trafficking in Persons Protocol as well as within the *Criminal Code*.

As the list of exploitation types in the *Criminal Code* is non-exhaustive, indicators of some other forms of exploitation increasingly encountered in practice are also set out below. It is important to remember that the victim's relationship to their employer is not relevant and does not affect the culpability of the employer.

Exploitation of the prostitution of others and forms of other sexual exploitation

It is important to recognize that not all people working in the sex industry are VoTs. Indicators are used in order to differentiate between a presumed VoT who is being exploited and person that is a sex worker.

The table below illustrates the indicators that can be used to differentiate between a presumed VoT and a person that is not a VoT.

Presumed VoT	Indicators
	cannot refuse to service clients, to carry out specific sexual acts or to have unprotected sex
	does not receive money directly from clients/receives only a small portion of the fee paid by clients to employers or intermediaries
	is forced/coerced to use or not use specific types of contraception
	Is forced/coerced to receive medical/pregnancy testing
	Is under the age of 18 years or appears to be a minor
	Is of a foreign nationality

Where one of more of the indicators above are observed to occur and directly affect a person, then the matter needs to be reported to the Police or to one of the agencies or officers listed in page 18.

Forced Labor

There are several sectors in which trafficking for forced labor is believed to most frequently in PNG. These sectors or industries include;

- Mining & Petroleum Sector
- Construction Industry
- General Services provided by businesses
- Logging Industry
- Plantation or Large Scale Commercial Agriculture

- (General) Manual Labour
- Commercial Fishing

The table below contains indicators that can be used to identify if a person working in any of the above sectors or industries may be a VoTs.

	Indicators
Presumed VoT	Has different work conditions, compared to other persons working in the same or similar industries and as a result of those working conditions, the person cannot leave their employment
	Works long hours
	Has few days off
	Receives very low payment or no payment at all
	Works in dangerous conditions (including physically dangerous and unsanitary).
	Is under the age of 18 years or appears to be a minor.
	Is of a foreign nationality
	Cannot speak English or any other language to communicate (this is useful, especially in terms of people found to be working on fishing vessels and on construction sites)

Trafficking for the purpose of Domestic Servitude

Domestic workers perform work within their employers' households, and provide services such as cooking, cleaning, child-care, elder care, gardening and other household work. Domestic workers may or may not live in their employer's homes. People who have been trafficked for domestic servitude commonly work 10 to 16 hours a day for little to no pay.¹⁴

The table below provides a list of indicators that can be used to determine if a person has been trafficked for domestic servitude.

	Indicators
Presumed VoT	Receives poor quality/substandard food and shows signs of malnourishment
	Works long/excessive hours
	Has no private space, or private space is inadequate
	Is confined or denied social interaction and/or never leaves the house without their employer
	Is subject to insults, abuse, threats, violence and/or assaults
	Pays a recruitment fee
	Is under the age of 18 years or appears to be a minor

¹⁴ Domestic Work - <http://www.traffickingresourcecenter.org/labor-trafficking-venues/industries/domestic-work>

	Is of a foreign nationality
	In the case of Foreign Nationals - Cannot speak English or any other language to communicate; or
	In the case of PNG Citizens – Has minimum (primary School) education or no formal education.

The most common form of domestic servitude which occurs in PNG happens when a person brings another person from their village and forces that person to work. It is common for a person to bring teenage girls or women from their villages, with a promise that they will send the person to school or provide that person with something. However once the person arrives in a town or urban area they are made to carry out domestic work and most commonly baby sit with little or no payment for any of the work that is done.

In most cases the person who trafficks the other person and exploits them into domestic servitude is a relative. In almost all cases the VoT, is female and either under aged or has little or no formal education. VoTs who are trafficked into domestic servitude, find it very difficult to leave because of the cultural expectations placed on them.

Although this form of domestic servitude is seen as a norm by many people in PNG, it is still a form of human trafficking and must be reported. However it must also be noted that it is very difficult to prosecute, such cases of TiP.

Trafficking for the purpose of forced, servile or early marriage

Forced marriage is arranged, but without the consent of all parties and occurs when a person is made to marry another person through the use of force, threat or intimidation. Child marriage is also a forced marriage; however it is usually characterized by the marriage of a female child to either another male child or to an older male.

	Indicators
Other people	Receive cash or other 'gifts' were paid to a third party to bring about the marriage
	A marriage contract was negotiated by people other than the married parties and/or without their involvement or agreement
	There are signs of family discord, violence or abuse;
Presumed VoT	Is forced into a situation of labour, domestic servitude or sexual exploitation
	Has received/is to receive virginity testing
	Has other relatives who were forced into marriage
	Displays signs of depression, self-harm, social isolation or substance abuse;

	Is under the age of 18 years or appears to be a minor
	Is a foreign National

Trafficking for the purpose of exploitation in begging and criminal activities

TiP for the purpose of forced criminal exploitation is an increasingly significant phenomenon in PNG. Trafficking for forced criminal activities and begging occurs when a person is recruited, transported and exploited by either a person or a criminal gang to range of illegal activities, such as:

- Begging
- Pick pocketing & petty theft
- Use as mules or dealers of illegal narcotic's
- Other related criminal activities.

	Indicators
Presumed VoT	Is punished if he or she does not collect or steal enough.
	Lives with others who perform the same or similar activities.
	Does not understand the purpose of activities or their illicit nature.
	Is under the age of 18 years or appears to be a minor; or
	Is a elderly or; Is physically or mentally handicapped.

Children - Begging and Crime

Article 3(a) of the *Trafficking in Persons Protocol* defines child trafficking as the "*recruitment, transportation, transfer, harboring and/or receipt*" of a child for the purpose of exploitation. It should be noted that in PNG, many children (especially those in settlements) are at risk of being trafficked for begging and illegal activities. This trend is also similar in other countries. Trafficked children may be sexually exploited, used in the armed forces and drug trades, and in child begging.¹⁵ UNICEF has found that children who are forced to beg by third parties are often removed from their families, surrender the majority of their income to their exploiter, endure unsafe work and living conditions, and are at times maimed to increase profits.¹⁶

¹⁵ I.L.O, UNICEF, and UN.GIFT (2009). "Training Manual to Fight Child Trafficking in Children for Labour, Sexual and Other Forms of Exploitation – Textbook 1: Understanding Child Trafficking"(PDF). February 9th 2012.

¹⁶ Action to Prevent Child Trafficking Report." UNICEF, 2006.

RAPID SCREENING FORM TO IDENTIFY VICTIMS OF TRAFFICKING

Name of interviewer :

Basic information of migrant:

INDICATION OF HUMAN TRAFFICKING? **YES / NO**

1. Name : M / F
2. Place and DOB :
3. Age : Adult/ Child
4. Address :
5. Date of interview :

IF YES, please circle type: FORCED LABOUR
SEXUAL EXPLOITATION
FORCED MARRIAGE
DEBT BONDAGE
ORGAN REMOVAL

Action	Means	Exploitation
<p>Who arranged your travel from your home village?</p> <ul style="list-style-type: none"> Recruitment agent Smuggler Family/ relative Friend Self Other: 	<p>Since you left your home village have you experienced any of the following?(circle all that apply)</p> <ul style="list-style-type: none"> Threats Deception/fraud Abduction Coercion Other: 	<p>While working, did you/ were you:</p> <ul style="list-style-type: none"> Receive full wages? Yes / No Physically abused? Yes / No Verbally abused? Yes / No Sexually abused? Yes / No Have your travel documents confiscated? Yes / No Restricted in movement? Yes/No
<p>Did you accumulate debt in order to travel?</p> <p>If yes, how much?</p> <p>What type of work were you promised on arrival?</p> <p>What were promised work conditions?</p>	<p>Was the type of work you were promised different than work on arrival? Yes/No</p> <p>Were work conditions different than promised? Yes/No</p>	<p>Did you have ability to walk away? Yes/No</p> <p>If NO, why not? (circle all that apply)</p> <ul style="list-style-type: none"> Debt? Threats to self? Threats to family? No documents? Freedom of movement denied?

Short chronology (briefly describe work conditions) and other relevant remarks

IOM Mission in _____

Individual ID: _____



Victim of Trafficking: Screening Interview Form

IOM Mission in _____

Confidential

INFORMED CONSENT

Has the individual been informed that IOM and/ or (name of partnering organization) reserves the right to share her/ his individual case data for assistance purposes and only with IOM missions and partnering organizations involved in direct assistance? (Yes/ No)

Has the individual further been informed that IOM reserves the right to make a limited disclosure of non-personal data based on the information collected at the interview to law enforcement for the purpose of rescuing other victims that remain under the control of traffickers or preventing other potential victims from being trafficked? (Yes/ No)

Has the individual further been informed that IOM reserves the right to use (only anonymous, aggregate) data for research purposes? (Yes/ No)

Has the individual's full and informed consent been obtained to conduct the screening interview based on information given regarding the role of the organization, the voluntary nature of the interview and the use of the information provided by the individual as outlined above ?

Note: Informed consent is necessary for all services, such as medical examination and procedure, health assessments, assisted voluntary returns and reintegration assistance.
(Yes/ No)

If the individual is a minor, has the consent of the parent(s)/ guardian(s) been obtained? (Yes/ No)

Signature of interviewer: _____

Date: _____

Registration Data

IOM Individual ID: _____

First name(s): _____

Family name(s): _____

Sex: (M/ F)

Country of birth: _____

Place of birth: _____

Last place of residence in country of origin: _____

Date of birth: _____
date):

Is date of birth an estimate? (Yes/ No)

Age (In number of years): _____

Citizenship: _____

Ethnicity: _____

Identity document (Type, country, number and expiry _____)

Case and Interview Data

Type of referring organization/individual: (NGO/ International organization/ Law enforcement/ Immigration/ Government/ Embassy/ IOM Mission/ Hotline/ Self-referral-walk-in/ Family/ Friend/ Client/ Other/ NA/ NK)

Specify - Name:

- **Location:**

Screening date: (dd-mm-yyyy)

Screening location:

First name and family name of Interviewer:

Name of Organization/ Institution:

Contact Details of interviewer:

Address and telephone number of referring organization:

Interviewee's language:

Interpreter? (Yes/ No)

First name and surname of interpreter:

If Minor, first name and family name(s) address(es) and telephone number of parent(s) or guardian(s):

PROCESS: ENTRY INTO TRAFFICKING**1.0. How did the individual enter the process (Indicate multiple options if necessary)?**

(Kidnapping/ Sold by member of family/ Sold by non-family member/ Adoption/ Educational opportunity/ Family visit/ Friend visit/ Labour migration/ Marriage/ Tourism/ Other/ NA/ NK)

1.1. If OTHER, please specify:

2.0 Did entry in to the process involve recruitment? (Yes/ No)

2.1 If YES, how was contact initiated between the individual and her/his recruiter?

(Personal contact/ Employment agency/ Travel agency/ Internet advertisement/ Newspaper advertisement/ Radio advertisement/ Television advertisement/ Other/ NA/ NK)

2.1.1. If OTHER, please specify:

3.0. If labour migration, what activity did the individual believe s/he was going to be engaged in following arrival at the final destination

(indicate multiple options if necessary)?

(Agricultural work/ Begging/ Child care/ Construction/ Domestic work/ Factory work/ Fishing/ Low-level criminal activities/ Military service/ Mining/ Prostitution/ Restaurants and hotel work/ Study/ Small street commerce/ Trade/ Transport sector/ Other/ NA/ NK)

3.1. If OTHER, please specify:

3.2. If FACTORY WORK, please specify manufacturing sector:

4.0. What was the individual told would be their benefits following arrival at final destination?

4.1. Salary (Equivalent in USD per month)

4.2. Other benefits:

5.0. In which month/year did the individual enter into the process?**6.0. Minor at time of entry into the process: (Yes/ No)****7.0. From which place/country did the individual enter into the process?**

8.0. What place/country is the last (or intended) destination?

9.0. Did the individual travel alone? (Yes/ No)

9.1. If NO, who did the individual travel with (indicate multiple options if necessary)?

(Husband/ Wife/ Partner/ Relative/ Friend/ Recruiter/ Transporter/ Unknown persons/ Other/ NA/ NK)

9.1.1. If OTHER, please specify:

10.0. Did the individual spend any time in transit place(s)/ country(ies)? (Yes/ No)

10.1. If YES, please specify in chronological order:

10.2. Did s/he engage in any activity in this place(s) country(ies)? (Yes/ No)

10.3. If YES, which activity in first/only transit place/ country:

(Agricultural work/ Begging/ Child care/ Construction/ Domestic work/ Factory work/ Fishing/ Low-level criminal activities/ Marriage/ Military service/ Mining/ Prostitution/ Restaurants and hotel work/ Study/ Small street commerce/ Trade/ Transport sector/ Unemployed/ Other/ NA/ NK)

10.3.1. If OTHER, please specify:

10.3.2. If FACTORY WORK, please specify manufacturing sector:

10.4. If MORE PLACES/COUNTRIES in which individual engaged in activity, please add respective places/country(ies)/activity(ies) below:

11.0 Were any of the following means used to control the individual?

Physical abuse	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Psychological abuse	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Sexual abuse	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Threats to individual	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Threat of action by law enforcement	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Threats to family	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
False promises/deception	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Denied freedom of movement	(Yes/Partial/No/NA/NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Giving of drugs	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Giving of alcohol	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Denied medical treatment	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Denied food/drink	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Withholding of wages	(Yes/Partial/No/NA/NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Withholding of identity documents	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Withholding of travel documents	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Debt bondage	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
Excessive working hours	(Yes/ No/ NA/ NK)	If YES, who by? (Recruiter/ Transporter/ Harboured/ Receiver/ Other-specify)
If OTHER means of control, specify:		

THE EXPLOITATION PHASE

12.0. What activity has the individual undertaken since her/his arrival in the last destination (Indicate multiple answers if necessary)?

(Agricultural work/ Begging/ Child care/ Construction/ Domestic work/ Factory work/ Fishing/ Low-level criminal activities/ Marriage/ Military service/ Mining/ Prostitution/ Restaurants and hotel work/ Study/ Small street commerce/ Trade/ Transport sector/ Unemployed/ Other/ NA/ NK)

12.1. If OTHER, please specify:

12.2. If FACTORY WORK, please specify manufacturing sector:

13.0. How old was the individual when the activity began? (Age)

13.1 How long did the only/ most significant activity occur? (Years/ Months/ Weeks/ Days and/or hours)

14.0. Were any of the following means used to control the individual during the activity?

Physical abuse	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Psychological abuse	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Sexual abuse	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Threats to individual	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Threat of action by law enforcement	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Threats to family	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
False promises/deception	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Denied freedom of movement	(Yes/ Partial/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Giving of drugs	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Giving of alcohol	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Denied medical treatment	(Yes/ Regular/ Occasional/ Only in emergency cases/ No/ NA/NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Denied food/drink	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Withholding of wages	(Yes/ Partial /No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Withholding of identity documents	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Withholding of travel documents	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Debt bondage	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Excessive working hours	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
<u>If exploited for prostitution (sexual exploitation):</u>		
Denial of freedom to refuse client	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Denial of freedom to refuse certain acts	(Yes/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
Denial of freedom to use a condom	(Yes/ Partial/ No/ NA/ NK)	If YES, who by? (Receiver/ Exploiter/ Clients/ Other- specify)
If OTHER means of control, specify:		

15.0. Did the individual experience exploitation? (If NO, proceed to 16.0) (Yes/ No/ NA/ NK)**16.0. If NO exploitation took place, was there any indication of a real and substantial threat of exploitation? (Yes/ No/ NA/ NK)****16.1. If YES, what were the reasons that exploitation never took place? (Rescue/ Escape/ Other/ NA/ NK)****16.1.1. If OTHER, please specify:****CORROBORATIVE MATERIALS****17.0. Additional corroborative materials**

Police or other official reports	(Yes/ No/ NA/ NK)
Identity documents	(Yes/ No/ NA/ NK)
Travel documents	(Yes/ No/ NA/ NK)
Medical reports	(Yes/ No/ NA/ NK)
Copies of employment contract or recruitment offer	(Yes/ No/ NA/ NK)
Personal writings by the individual	(Yes/ No/ NA/ NK)
Hotline reports	(Yes/ No/ NA/ NK)
Other	(Yes/ No/ NA/ NK)

If OTHER, please specify:

DECISION

18.0. Is the individual a VICTIM of TRAFFICKING? (Yes/ No)

18.1. Please justify the decision made in 18.0:

19.0. Decision made by whom (Specify name(s)):

20.0. If the individual is a victim of trafficking, was the type of trafficking in-country or transnational? (In-country/ Transnational/ Both)

21.0. If the individual is a victim of trafficking, is s/he eligible for the IOM VoT assistance Programme? (Yes/ No)

21.1. If NO, why? (Does not meet project criteria/ Has deportation order/ Suspected infiltrator/ Other)

21.1.1. If OTHER, please specify:

22.0. If the individual is eligible for the IOM VoT assistance programme, is s/he willing and able to accept assistance? (Yes/ No)

22.1. If NO, what are the reasons? (Please specify all that apply)

(Does not trust IOM or partnering organization/ Is afraid/ Is self-sufficient/ Wants to apply for asylum/ Wants to stay in the country/ Other)

22.1.1. If OTHER, please specify:

23.0. If the individual is NOT a victim of trafficking, is s/he in need of assistance? (Yes/ No)

23.1. If YES, what is the individual's situation? (Please specify all that apply)

(In need of emergency medical assistance/ Irregular status/ Victim of sexual or gender-based violence/ Other)

23.1.1. If OTHER, please specify:

If YES, please refer the individual to the appropriate service agency.

24.0. Additional Remarks:

FAMILY SUPPORT CENTRES IN PNG

Family Support Centre (Alotau)

P O Box 402 , ALOTAU
Milne Bay Province
Telephone: 641 1200
Facsimile: 641 0040

Contact: Sr. Chelsea Maigini
Job Title: Sister in charge

Minj Family Support Centre

P O Box 36, Minj
Western Highlands Province
Telephone: 731 92995
Facsimile:

Contact: Agnes Kerry
Job Title: Project Coordinator

Family Support Centre (POMGH)

c/-Medical Social Work Dept
Free Mail Bag 1, BOROKO
National Capital District
Telephone: 324 8245/6
7167557 (Digicel)

Facsimile: 325 0342

Contact: Ms. Priscilla Agelavu/Ms. Tessie Soi
Job Title: POMGH FSC Coordinator

Mt. Hagen Family Support Centre

P O Box 36, Mt. Hagen
Western Highlands Province
Telephone: 540 1841
737 91422 (Digicel)
Facsimile: 542 2127

Contact: Ms. Edith Namba
Job Title: Coordinator/Supervisor

Simbu Family Support Centre

P O Box 346, Kundiawa
Simbu Province
Telephone: 535 1066/
Facsimile: 535 1250

Contact: Sr. Maryanne Siune
Job Title: Sister in charge

Kerowagi Family Support Centre

PO BOX 602, Kundiawa
Simbu Province
Telephone: 731 27902
73127902
Email: lynagene@gmail.com

Contact: Lina Gene
Job Title: District Health Officer

Women and Children Support Centre

P O Box 457, LAE
Morobe province
Tele/Fax: 473 2205 / 472 6070
Facsimile: 472 3015

Contact: Dr. Lincoln Menda
Sr. Anastasia Wakon
Job Titles: Director/ Sister in charge

Maprik Family Support Centre

P O Box 395, Wewak
East Sepik Province
Telephone: 458 1387
72958633/73664666 (Digicel)
76930368 (BMobile)
Facsimile: 458 1314

Contact: Mr. Raymond Pohonai
Job Title: Project Coordinator

Tari Support Centre

PO BOX
Southern Highlands Province
Telephone: 720 12229
Facsimile:

Contact: Maurizio Ricci
Job Title: Coordinator

Mendi Family Support Centre

Mendi General Hospital
P O Box 67
Mendi—SHP
Telephone:
Facsimile:
Email: stellawragg@hotmail.com

Contac: Stella Wragg
Job Title: VSO Worker—FSC Mendi

Goroka Family Support Center

Goroka Hospital
P O Box 392, Goroka
Eastern Highlands Province
Telephone: 532 1076
Facsimile: 532 1081

Madang Family Support Centre

Madang hospital
P O Box 2030, Madang
Telephone: 422 2022
Facsimile: 422 3716

Vanimo Family Support Centre

P O Box 331, Vanimo
Sandaun Province
Telephone: 457 1107/ 1080/1093
Facsimile: 457 1167

Contact: Francis Petos
Job Title: FSC Health Officer

Buka Family Support Centre

Buka Hospital
P O Box 188
Buka – Autonomous Region
Telephone: 973 9166
Facsimile: 973 9975

Contact: Sr. Essah Barnabas
Job Title: FSC Co-ordinator

Arawa Family Support Centre

c/Buka Hospital
P O Box 188
Buka – Autonomous Region

Contact: Claire Kauro
Job Title: FSC Co-ordinator