

**Uniform Guidelines for
the Identification and Referral
of Victims of Human Trafficking
within the Migrant and
Refugee Reception Framework
in the OSCE Region**

GUIDELINES

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**Office of the OSCE Special Representative and Co-ordinator
for Combating Trafficking in Human Beings**

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Structure of the Guidelines

These uniform Guidelines constitute a set of practical measures designed to enhance the identification of victims of human trafficking by front-line professionals engaged in migrant and refugee reception procedures in the OSCE region. These Guidelines supplement and should be considered in conjunction with the report of the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) “From Reception to Recognition: Identifying and Protecting Human Trafficking Victims in Mixed Migration Flows – A Focus on First Identification and Reception Facilities for Refugees and Migrants in the OSCE Region”.¹

Section I of the document outlines the **background and rationale** behind the development of the Guidelines and gives an overview of selected OSCE commitments addressing migration-related human trafficking challenges and trends. It also presents the methodology that was used for the drafting of these Guidelines.

Section II lays out **essential pre-requisites** that would ensure the operational viability of the Guidelines, and summarizes key principles that users of these Guidelines are encouraged to follow when working with presumed and/or identified² victims of human trafficking.

Section III looks into **potential scenarios and actions** required for the initial identification³ of victims of trafficking in human beings during the three distinct stages of reception procedures. The provided **examples** illustrate how such initial identification can lead to formal identification and the attribution of the status of victim of human trafficking, thus underlining the value of a **uniform multi-agency approach** in overcoming current obstacles to identification.

Section IV provides a Standard Operating Procedure for the formal identification of victims of human trafficking. It also promotes an alternative ‘social path’ for such identification that ensures that victims’ right to assistance is not made conditional on their willingness to participate in legal proceedings.⁴

Finally, **Section V** offers a number of **specific recommendations on how best to apply the Guidelines** along the transit migration routes within the OSCE region.

1. OSCE, From Reception to Recognition: Identifying and Protecting Human Trafficking Victims in Mixed Migration Flows – A Focus on First Identification and Reception Facilities for Refugees and Migrants in the OSCE Region, 2017. Available at: <https://www.osce.org/secretariat/367061?download=true> [accessed 20 November 2018].
2. For the purpose of these Guidelines, any person for whom there are grounds to believe that he or she may have been or are currently in a situation of human trafficking should be regarded as a presumed victim of trafficking. An identified victim of trafficking is a person who has been formally attributed the status of victim of human trafficking within the respective legislative or operational framework.
3. The initial identification of a victim of trafficking in human beings is based on the premise that there are grounds to believe that the person may have been or is currently in a situation of human trafficking.
4. Decision No.1107, Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later, PC.DEC/1107/Corr.1, 6 December 2013.

I | Background and Rationale

The issue of human trafficking in migration flows has been prioritized by the OSCE. The OSCE *Action Plan to Combat Trafficking in Human Beings*⁵ draws attention, *inter alia*, to the root causes of trafficking in human beings as found in countries of origin as well as of destination. The Action Plan calls on participating States to raise awareness about trafficking among immigration authorities, consular and diplomatic personnel, as well as vulnerable groups of people such as migrants and internally displaced persons. It also recommends countries of origin to promote social-economic and political stability, as well as the reduction of trafficking supply factors. In addition, countries of destination are called upon to address unprotected, informal and often illegal labour in order to achieve a balance between the demand for cheap labour, possibilities for regular migration, and adequate protection of migrant workers' rights. The 2007 OSCE Ministerial Council Decision on 8/07 on Combating Trafficking in Human Beings for Labour Exploitation (MC.DEC/8/07) recognizes that persons with irregular immigration status are likely to be more vulnerable to trafficking for labour exploitation, thus calling on participating States to "improve data collection and analysis of the nexus between trafficking for labour exploitation and migration and share such information with other OSCE participating States."

According to the 2013 *Addendum* to the OSCE Action Plan,⁶ participating States are called upon to pay special attention to unaccompanied and separated children, child asylum-seekers, refugees and internally displaced persons, and children left behind by migrating parents. Moreover, participating States are reminded of the need to engage with relevant institutions to promote the identification of trafficked persons among migrants, including asylum seekers, as well as the protection of their rights. These specific human trafficking commitments are linked to the wide array of OSCE commitments on migration governance.⁷

The 2016 OSCE Ministerial Council Decision on OSCE's Role in the Governance of Large Movements of Migrants and Refugees (MC.DEC/3/16) "encourages the OSCE executive structures, within existing mandates and available resources, to continue their work on the issue of migration, including by reinforcing activities leading to the exchange of best practices and enhancing dialogue and co-operation with Partners for Co-operation, in a manner that complements the activities undertaken by other relevant international organizations and agencies".

5. PC.DEC/557, 24 July 2003.

6. Decision No.1107, Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later, PC.DEC/1107/Corr.1, 6 December 2013.

7. Building on the Helsinki Final Act – which lays the foundations for the OSCE work on migration management – the OSCE participating States have agreed on a number of commitments, including the Helsinki 1992 Concluding Document, 1999 Istanbul Charter for European Security, the 2005 Ljubljana MC Decision No. 2/05 on Migration, and the 2009 Athens MC Decision No. 5/09 on Migration Management.



The 2017 Ministerial Council Decision on Strengthening Efforts to Combat All Forms of Child Trafficking, Including for Sexual Exploitation, as well as Other Forms of Sexual Exploitation of Children (MC.DEC/7/17) expresses “concern that children in migration flows, particularly unaccompanied minors, can be particularly vulnerable to human trafficking and sexual exploitation”. It encourages participating States “to raise public awareness on the vulnerabilities of children in migration flows to all forms of child trafficking”, to increase the capacity and broaden the scope of first line responders to identify child victims of trafficking, and to provide children with protection and appropriate assistance and referrals for legal assistance, effective remedies and other services as applicable.

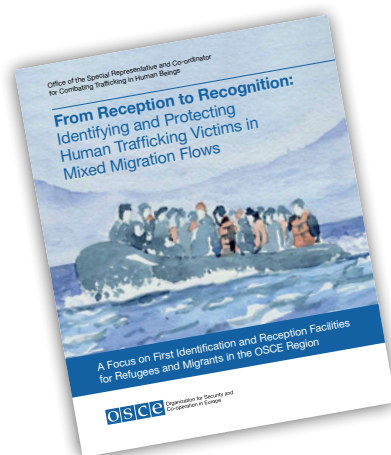
Finally, the 2018 Ministerial Council Decision on Strengthening Efforts to Prevent and Combat Child Trafficking, Including of Unaccompanied Minors (MC.DEC/6/18) recognizes that “collaboration among States, first line responders and civil society, can further help safeguard children, including those who are unaccompanied, from being subjected to human trafficking” and commends those participating States that “adopt special legislative and other measures for the early identification, reception and protection of children vulnerable to human trafficking, including unaccompanied minors”. It also calls on the participating States to implement a number of practical steps to ensure the protection of child victims of trafficking, including those who are unaccompanied.

Against this backdrop and drawing upon almost two years of fact-finding field missions and ad hoc expert research at the grass-roots level in the European countries most impacted by the present situation, in December 2017, the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) published the report “From Reception to Recognition: Identifying and Protecting Human Trafficking Victims in Mixed Migration Flows – A Focus on First Identification and Reception Facilities for Refugees and Migrants in the OSCE Region” (hereinafter referred to as “Report”). The Report focuses on the challenges and opportunities within the full spectrum of anti-trafficking responses undertaken in the migrant and refugee reception phase as they have been experienced in those OSCE participating States most affected by the current crisis.



Although the primary focus of first responders has been on providing humanitarian aid, including the provision of accommodation, food and medical assistance, the Report argues that a harmonized and co-ordinated, multi-agency architecture is necessary to address the needs of trafficking victims, as well as to mitigate the risk of human trafficking to potential victims amongst the migrant and refugee population, irrespective of their status or claims.

In this light, the OSR/CTHB, after consultation with relevant stakeholders from the participating States most affected by the current migration and refugee crisis and the OSCE Field Operations in South-Eastern Europe, and building on the findings and recommendations of the Report, has developed these OSCE-wide Guidelines to facilitate better co-ordinated, harmonized and victim-centred identification of human trafficking cases within mixed migration flows. Based on the outcomes of discussions held at OSR/CTHB-led workshops conducted in Skopje, Athens and Catania during 2018, the Guidelines should serve as a concrete blueprint of recommended identification and referral modalities related to presumed victims of trafficking in mixed migration flows, recommendations that can be adapted to the respective legislative and operational framework of OSCE participating States. While aiming to offer a uniform approach to these identification and referral modalities, these Guidelines reflect first and foremost the migrant and refugee reception realities along the Mediterranean and Western Balkan migration routes.



Publication by OSCE: [From Reception to Recognition: Identifying and Protecting Human Trafficking Victims in Mixed Migration Flows – a Focus on First Identification and Reception Facilities for Refugees and Migrants in the OSCE Region](#)

II | Underlying Conditions and Considerations

It is possible that various types of practitioners may identify victims of human trafficking at different stages and during different procedures applicable to arriving migrants and refugees.⁸ The establishment and effective functioning of a victim identification regime in the first reception and identification centres for refugees and migrants (RICs) in the OSCE region requires sustainable training and sensitization efforts that are targeted at all actors involved in reception procedures, including police, border management authorities, medical and welfare professionals, prosecutors, cultural mediators, interpreters and RIC personnel.

Essential Conditions for the Effective Implementation of the Guidelines

The effective implementation of the present Guidelines is conditional on the application of the following measures:

- ✔ Appointing a local CTHB (Combating Trafficking in Human Beings) Co-ordinator;
- ✔ Setting up a local Multi-Agency Committee for the assessment of THB cases, initiated and chaired by the local CTHB Co-ordinator;
- ✔ Appointing an RIC CTHB Focal Point;
- ✔ Appointing CTHB Focal Points in every agency involved in reception procedures;
- ✔ Establishing channels of communication between agency CTHB Focal Points, the RIC CTHB Focal Point, and the local CTHB Co-ordinator;
- ✔ Developing or utilizing already available unified THB indicators, as well as tools for the assessment of risks and immediate needs of presumed victims of human trafficking;
- ✔ Ensuring access to both interpretation and cultural mediation services at all stages of reception procedures;
- ✔ Ensuring adequate and safe space for in-depth (second-line) interviews with presumed victims of trafficking;
- ✔ Ensuring availability of trained second-line interviewers from both law enforcement and welfare services;
- ✔ Ensuring availability of local safe accommodation outside RICs for both male and female presumed victims of trafficking to mitigate possible risks of re-victimization or intimidation by their traffickers.

8. For more details, see: OSCE, From Reception to Recognition: Identifying and Protecting Human Trafficking Victims in Mixed Migration Flows – A Focus on First Identification and Reception Facilities for Refugees and Migrants in the OSCE Region, 2017. Available at: <https://www.osce.org/secretariat/367061?download=true> (accessed 20 November 2018).

In addition, with regard to presumed child victims of trafficking in human beings:

- ✓ Appointment of a legal guardian who represents the child in all procedures concerning presumed child victims of human trafficking;
- ✓ Availability of second-line interviewers from both law enforcement and welfare services who are specifically trained to conduct interviews with child victims of human trafficking;
- ✓ Availability of local safe accommodation outside RICs that is appropriate for both male and female presumed child victims of human trafficking.

! To the extent possible, the implementation of the above measures should draw on existing local capacities and expertise without creating additional positions or parallel structures.

- ✓ Wherever possible, local CTHB Co-ordinators should operate at the local level within the framework of a national referral mechanism (NRM).
- ✓ Whenever possible, local CTHB Co-ordinators should not represent a law enforcement agency.

Fundamental principles when working with presumed/identified victims of human trafficking

In addition to establishing the necessary infrastructure for protecting victims, certain overarching principles of victim interaction must be upheld. All procedures planned for and applied to presumed and/or identified victims of trafficking should adhere to the following:

1. They should embed a human-rights, gender and age-sensitive approach;
2. Presumed and/or identified victims of human trafficking should be well-informed about their rights, obligations and respective procedures in a language and manner they understand;
3. Privacy and confidentiality should be respected at all stages, and access to case information should be granted only on a “need to know” basis;
4. Presumed victims of human trafficking should be provided with all necessary protection and assistance until a final decision on their formal status has been taken;
5. Protection and assistance provided to presumed and/or identified victims of trafficking in human beings should not be conditional on their willingness to participate in criminal proceedings.

III | Initial Identification of Human Trafficking Victims at First Reception and Identification Centres for Migrants and Refugees

This Section outlines scenarios and suggested actions in the context of the initial identification and referral of victims of human trafficking in mixed migration flows at the borders of OSCE participating States. To ensure their sustainability and maximum impact, such actions should be embedded in national referral mechanisms if these have been formally established, or national reception procedures for refugees and migrants if national referral mechanisms are not yet in place.

Initial identification of presumed victims

“Initial identification” represents a threshold after which additional investigations should be conducted to determine whether a presumed victim of trafficking can be formally designated as a victim of trafficking. The initial identification of victims of trafficking in human beings presents a number of barriers and difficulties, especially in the context of the first reception and identification procedures. Many victims do not recognize themselves as such, since they may be in a transportation, post-recruitment or pre-exploitation phase, and thus it is possible that no exploitation has occurred yet. Others, particularly undocumented migrants, may avoid identifying themselves to authorities due to fear of deportation, retaliation by their traffickers, or because their behaviour has been pre-conditioned by religious rituals or beliefs that have been imposed upon them. In some cases, the victim may have a relationship with the trafficker, or may fear stigmatization, especially if the abuse they have suffered was sexual in nature. To reflect these scenarios, *a unified set of identification indicators should be developed* and appropriately adjusted to the specific context of the reception procedures.

Whenever feasible, initial identification should activate the following measures and safeguards:

- 1 Separate presumed victim(s) from the group and provide for a private, safe space;
- 2 As soon as possible provide an interpreter and a cultural mediator;
- 3 Promptly address immediate basic needs;
- 4 Provide presumed victim(s) with concise printed information on the identification procedure and rights of victims of trafficking in human beings in a language and form they understand;
- 5 Inform the local CTHB Co-ordinator, who can make arrangements for the second-line interview with trained professionals;
- 6 If a presumed victim does not consent to speak to a law enforcement second-line interviewer, the local CTHB Co-ordinator should ensure that the second-line interview is conducted by a trained welfare professional;
- 7 The procedures should address gender, age and cultural sensitivities in an adequate manner;
- 8 In the case of presumed child victims, inform child protection/relevant authorities to ensure the preservation of the best interests of the child and initiate the immediate appointment of a legal guardian.

Stages of Reception Procedures and Initial Identification of Presumed Victims of Human Trafficking

There are a number of opportunities in the reception process for “initial identification” to occur. For clarity, the RIC model of migration flows management is divided into three distinct operational stages of the reception procedure:

01



Stage 1 extends from the initial contact between a migrant or refugee and a reception representative (currently mainly at sea borders) to the moment the migrant reaches an RIC;

02



Stage 2 covers a migrant’s or refugee’s reception and stay at an RIC until just before the assessment of his/her asylum request is initiated;

03

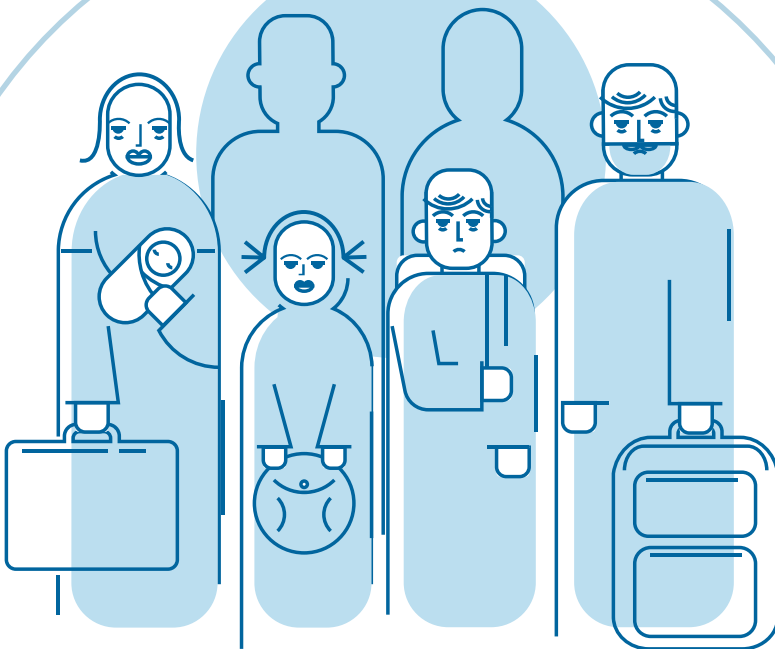


Stage 3 commences with the asylum interview and continues until a decision on the status of a migrant/asylum seeker is taken.

The above-mentioned stages require direct and regular interaction between migrants/asylum seekers and different front-line professionals. These front-line professionals, if adequately trained, should be able to identify potential indicators of trafficking in human beings.

✔ As soon as a presumed victim of trafficking is initially identified, the Standard Operating Procedure for the Formal Identification of Trafficked Victims described in Section IV should be activated.

✔ Irrespective of the relevant details, every case of a presumed victim of human trafficking should be reported immediately to the local CTHB Co-ordinator.



Stage 1



The first stage of reception procedures commences with the first contact with a migrant or refugee, be it on board a rescue boat or at a land entry point, and is concluded with the transportation of a rescued person to a reception and identification centre. During this stage, several different front-line responders may have an opportunity for an initial identification of presumed victims of human trafficking, including:

On board a rescue boat (if applicable)

➤ Possible initial identification by coastguards or/and law enforcement authorities. Whenever possible, welfare professionals should also be present and assist with such identification.

At disembarkation/at land entry points

➤ Possible initial identification by coastguards, law enforcement authorities, welfare professionals, interpreters, or cultural mediators.

During on-site information briefings

➤ Possible initial identification by professionals responsible for on-site information briefings.

During initial registration

➤ Possible initial identification by professionals involved in initial registration procedures.

During transportation to an RIC

➤ Possible initial identification by accompanying personnel.



- ✓ If an initially identified presumed victim of trafficking is not willing to be referred to the respective agency CTHB Focal Point, information about the case should be shared with the local CTHB Co-ordinator.
- ✓ If a presumed victim of trafficking is initially identified by coastguards or/and law enforcement CTHB focal point(s) themselves, consent for further collaboration should be obtained from the presumed victim. If no consent is given, information about the case should be shared with the local CTHB Co-ordinator.

At disembarkation, two interpreters, one paramedic, and two police officers receive a group of migrants and refugees. The group gets on a bus to be transported for initial registration and fingerprinting procedures. In the bus, an interpreter spots a man distributing passports to three women sitting close to one another. They do not look into the man's eyes and seem exhausted and apathetic. The interpreter describes what he has just observed to the rest of the professional team. The police officers inform their respective CTHB Focal Point, who immediately liaises with the local CTHB Co-ordinator. At the police station, the men are shown to a different room than the women. During the individual registration process, a female interpreter and a female welfare professional assist with interviewing each of the pre-identified women. They explain to them what human trafficking is, and inform them about the rights of victims of human trafficking. After receiving this information, one of the women says that she and the other two women are relatives and that they have been forced to work for a man in order to pay their families' debts. None of the women is under the age of 18. The woman agrees to give more details to a female police officer, but maybe at a later time. Finally, the three women are accompanied to safe accommodation outside the RIC and given a chance to rest before second-line interviews are conducted.



Stage 2



Stage 2 of the reception procedure commences with registration at a first reception and identification centre and extends to the day of the asylum interview. During this stage, presumed victims of human trafficking may be identified on the following occasions:

Initial registration at the RIC

➤ Possible initial identification by personnel responsible for registration by means of THB-specific questions during the registration procedure.

Second-line information provision at the RIC

➤ Possible initial identification by personnel specifically tasked to deliver second-line briefings, which include THB-specific information to increase the probability of self-identification.

Medical and psychosocial screening at the RIC

➤ Possible initial identification by medical and psychosocial personnel through applicable THB-specific questions during screening and/or subsequent provision of relevant assistance.

While being hosted at the RIC

➤ Possible initial identification by any RIC professional during their interaction with migrants (as for instance, when providing individual hygiene kits or food, or offering other services).

An RIC psychologist has finished her shift and is heading towards her car when she observes that one of the RIC's houses used by migrants is locked from the outside with a heavy chain. She goes back to the medical centre and calls her security colleagues. Two adolescent boys are found in the house, bound and beaten. The RIC CTHB Focal Point and the boys' guardians are immediately notified. The boys insist that nobody should call the police. The RIC CTHB Focal Point liaises with the local CTHB Co-ordinator and provides information about the boys' profiles. The boys are transferred to a local hospital to receive medical care and then to a shelter for boys run by a local NGO. In a week's time, two welfare professionals trained to communicate with children carry out second-line interviews, in which interpreters, cultural mediators and the boys' guardians are involved. The local Multi-Agency Committee examines the case without the participation of its law enforcement members. Nonetheless, law enforcement colleagues are immediately informed of the identity of the perpetrators as revealed through the interview. They are later arrested.



Stage 3



This stage of the reception procedure begins with the **asylum interview** (conducted while a migrant or a refugee is still hosted by the RIC) and lasts until the local authorities issue a definitive decision on the migrant's status (e.g., granting asylum, initiating a voluntary return procedure, applying a forced return procedure, etc.). At this stage, it is possible that presumed victims of human trafficking are identified under the following circumstances:

Asylum interview

- Possible initial identification by members of the interview board through THB-specific questions embedded in the interview procedure.
- The interview should be attended by the Asylum Service CTHB Focal Point or, in the case of multiple parallel interviews taking place at the same time, an Asylum Service professional specifically trained in THB indicators.
- If a presumed victim of human trafficking is identified during the interview, the Asylum Service CTHB Focal Point should inform the local CTHB Co-ordinator, who should subsequently arrange a second-line interview with a trained professional.

Voluntary return

- Possible initial identification by personnel in charge of voluntary return procedures.
- The personnel responsible for the voluntary return procedures should notify their Agency CTHB Focal Point.

Forced return

- Possible initial identification by personnel in charge of forced return procedures.
- The personnel responsible for the forced return procedure notify their Agency CTHB Focal Point.

- ✔ In the case of the identification of a presumed victim of trafficking, the voluntary return or the forced return procedures should be put on hold to allow for the formal identification of the person.
- ✔ A mandatory risk assessment should be conducted.
- ✔ In the case of a presumed child victim of trafficking, such a return risk assessment should always be based on determining the best interests of the child.



During his asylum interview, a man explains that he left his country for political reasons. In one of the transit countries, a smuggler sold him and another twenty people to a landowner, who exploited them for about three months before he managed to escape. He had no money to cross the sea and so agreed to steer a boat with seven migrants to Greece. The Asylum Service professional informs the Asylum Service CTHB Focal Point. The Asylum Service CTHB Focal Point informs the local CTHB Co-ordinator, who arranges for two welfare professionals to accompany the man to a quiet and safe room for an interview.

Example scenario

IV | Formal Identification

The social path for the formal identification of trafficked victims

The number of identified victims of human trafficking, including those in mixed migration flows, is still very low when compared to the estimated total number of victims of human trafficking.⁹ As a consequence, this situation directly impacts not only the effective and timely protection of victims' human rights, but also the prosecution of traffickers.

Currently, in many participating States, individuals must be formally identified as victims of trafficking by law enforcement officials in order to access services and assistance. However, for many reasons victims are often reluctant to co-operate with law enforcement authorities. Thus, practitioners who come into contact with a presumed victim of human trafficking may encounter one of the two following situations:

Presumed victim gives consent to collaborate with law enforcement

Presumed victim does NOT give consent to collaborate with law enforcement

In the event that assistance to a victim is dependent on his or her formal status in the criminal proceedings, it is possible that the presumed victim who does not agree to collaborate with law enforcement authorities is overlooked and does not receive critical assistance to avoid further re-victimization.

To address this problem and enhance both the identification of trafficking victims and prosecution responses to the crime of human trafficking, there is a need to adopt a *more inclusive first-level identification regime* that supplements traditional law enforcement-centred identification. This is a “*social path*” for the formal identification of victims of human trafficking. This approach has the benefit of building positive, assistance-based relationships with victims, relationships that can actually improve future co-operation in investigations. Systems that make assistance conditional on co-operation can alienate and isolate victims.

✓ When a presumed or formally identified victim does not express willingness to collaborate with law enforcement authorities, the designated welfare authorities should notify law enforcement of the circumstances of the case under consideration without disclosing any personal data about the victim.

9. For example, see: International Organization for Migration (IOM), Global Trafficking Trends in Focus: IOM Victim of Trafficking Data 2006-2016 (2017). Available at: https://www.iom.int/sites/default/files/our_work/DMM/MAD/A4-Trafficking-External-Brief.pdf (accessed 26 February 2019).

The social path to the formal identification of victims of human trafficking involves the attribution of the status of victim of human trafficking:

- a. by designated welfare authorities;**
- b. outside the context of criminal proceedings;**
- c. irrespective of a presumed victim's willingness to collaborate with law enforcement authorities.**



Standard Operating Procedure for the Formal Identification of Trafficked Victims

The suggested procedure for the formal identification of victims of trafficking in human beings in the current framework of first reception and identification centres for refugees and migrants in the OSCE region constitutes the following steps:

- 1 As soon as a field professional identifies a presumed victim of trafficking in human beings, the respective Agency CTHB Focal Point should be notified and informed of the profile of the presumed victim (e.g., gender, age, spoken language). The Agency CTHB Focal Point then should notify the local CTHB Co-ordinator and pass on the available information about the presumed victim's profile.
- 2 The local CTHB Co-ordinator, based on the presumed victim's initial profile, should communicate with the relevant services, including transportation, interpretation/cultural mediation, and accommodation, to make all of the necessary arrangements. While these arrangements are being made, the presumed victim should be offered a safe, quiet, and private space provided by the respective referral agency.
- 3 The referral Agency CTHB Focal Point should accompany the presumed victim to her/his safe accommodation and address the presumed victim's immediate basic needs, including providing the presumed victim with information about identification procedures and the rights of victims of trafficking in human beings. Provisions should be made to ensure the presumed victim's access to all necessary medical and psychological support.
- 4 As soon as the presumed victim is settled and his/her basic needs have been addressed, a second-line interview should be carried out by a trained second-line interviewer(s) in a safe space that ensures privacy. If the presumed victim does not wish to be interviewed by a law enforcement representative, the second-line interview should be conducted by a trained welfare professional only.
- 5 It is suggested that the second-line interview be carried out by two professionals (either one law enforcement officer and one welfare professional, or two welfare professionals). If necessary, an interpreter and a cultural mediator should also be present. Interviews with presumed child victims of human trafficking should be conducted in the presence of the legal guardian they have been assigned. If needed, the interview may be stopped and resumed later due to the mental or physical state of the presumed victim.

6 If it is planned to audio-record the interview, the presumed victim should be asked for her/his consent to this.

7 After the second-line interview is completed, the presumed victim should be accompanied back to his/her safe accommodation and continue to receive all necessary medical and psychological support.

8 The data collected during the second-line interview should be communicated to the local CTHB Co-ordinator in the form of a report compiled by the second-line interviewer(s).

9 If the presumed victim wishes to acquire the status of victim of trafficking in human beings and has given her/his consent to collaborate with law enforcement authorities, the local CTHB Co-ordinator should take the case to the local Multi-Agency Committee, which should then take a decision on the attribution of status.

10 If the presumed victim wishes to acquire the status of victim of trafficking in human beings, but has not given her/his consent to collaborate with law enforcement authorities, the local CTHB Co-ordinator should still communicate the case to the local Multi-Agency Committee. In such cases, law enforcement authorities should also be informed of the circumstances of the case, but without being given access to the presumed victim's personal data. They should consider investigating the case without involving the presumed victim.

11 The attribution of the status of victim of trafficking in human beings should activate an in-depth needs assessment procedure that aims at establishing the victim's immediate and long-term needs. The results of this needs assessment should serve as a basis for a case-specific protection and assistance plan developed by welfare professionals. Unified needs assessment tools should be developed to support this procedure. If the plan requires special protection measures, such measures should be developed and implemented by law enforcement authorities.

12 If the presumed victim does not wish to acquire the status of victim of trafficking in human beings, the local CTHB Co-ordinator should file the case and liaise with the RIC CTHB Focal Point. The presumed victim should be transported to and accommodated at the RIC, where she/he should continue to receive assistance as a vulnerable individual.



✓ In cases of presumed child victims of human trafficking, law enforcement authorities should have full access to all available information, provided the requirements applicable to child victims of trafficking as described above on page 11 have been met.

✓ The optimal timeframe for completing the aforementioned procedure is one week.

V | Applicability of the Guidelines within the “Transit Route” Paradigm

A considerable number of migrants and refugees transit through the Western Balkans on route to central and northern Europe.¹⁰ A number of reception facilities have been established along this route to facilitate the management of these mixed migration flows.

It is highly likely for law enforcement and welfare professionals working at land borders and at the reception centres established along the Western Balkan route to come into contact with victims of human trafficking, as well as with traffickers using the route for exploitation purposes. The Standard Operating Procedure for the identification, referral, protection and assistance of victims of trafficking, as well as the underlying considerations, approaches and principles guiding the reception procedures described in the previous sections are equally applicable to the so-called “transit route” paradigm.

However, with regard to migrants in transit, special attention should be given to the initial stage of the reception procedures, since in many instances, a presumed victim of human trafficking may be initially identified at a considerable

distance from the closest reception facilities. To increase the probability of a timely identification of presumed victims of human trafficking as well as to ensure that they are properly informed and effectively protected, it is strongly recommended that land border task forces include welfare professionals, interpreters, and cultural mediators.













- ✔ Irrespective of the relevant details, every case of a presumed victim of human trafficking should be reported immediately to the local CTHB Co-ordinator.
- ✔ When a presumed victim of human trafficking is identified at a land border, she/he should be provided with a temporary safe and private space while the local CTHB Co-ordinator makes the necessary arrangements for safe accommodation away from the reception centre. As soon as safe accommodation is found, the presumed victim of trafficking should be transferred there immediately and the Standard Operating Procedure for the Formal Identification of Trafficked Victims described in Section IV should be activated.

10. For example, see: International Centre for Migration Policy Development (ICMPD), *Trafficking along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*, 2018. Available at: https://www.icmpd.org/fileadmin/1_2018/Bridging_the_Gap_between_Migration__Asylum_and_Anti-Trafficking.pdf (accessed 26 February 2019).



ANNEX 1

Stages of reception procedures and subsequent opportunities for the identification and referral of presumed THB victims, at both land and sea borders

		When & Where
Stage 1		On board a rescue boat
		At disembarkation / At reception centres after crossing land borders
		During the provision of on-site information
		During initial registration (before entering RIC)
		During transportation to RIC
Stage 2		During registration at RIC
		During the provision of second-line information at RIC
		During medical and psychosocial screening at RIC
		While hosted at RIC
	Stage 3	
		During voluntary return procedures
		During forced return procedures

Actors

Referral

Coastguards, law enforcement personnel, welfare professionals, interpreters, cultural mediators	Identifying professional informs his/her Agency CTHB Focal Point; Agency CTHB Focal Point informs local CTHB Co-ordinator
Personnel responsible for reception of migrants at disembarkation, or reception centres after crossing land borders	Identifying professional informs his/her Agency CTHB Focal Point; Agency CTHB Focal Point informs local CTHB Co-ordinator
All personnel responsible for providing on-site information	Identifying professional informs his/her Agency CTHB Focal Point; Agency CTHB Focal Point informs local CTHB Co-ordinator
Law enforcement personnel, welfare professionals, interpreters, cultural mediators, appointed legal guardians of unaccompanied minors	Identifying professional informs his/her Agency CTHB Focal Point; Agency CTHB Focal Point informs local CTHB Co-ordinator
Personnel responsible for transportation to RICs	Identifying professional informs his/her Agency CTHB Focal Point; Agency CTHB Focal Point informs local CTHB Co-ordinator
Personnel responsible for registration at RICs	Identifying professional informs RIC CTHB Focal Point; RIC CTHB Focal Point informs local CTHB Co-ordinator
Personnel responsible for providing information at RIC	Identifying professional informs RIC CTHB Focal Point; RIC CTHB Focal Point informs local CTHB Co-ordinator
Personnel responsible for medical and psychosocial screening at RIC	Identifying professional informs RIC CTHB Focal Point; RIC CTHB Focal Point informs local CTHB Co-ordinator
All personnel working at RIC	Identifying professional informs RIC CTHB Focal Point; RIC CTHB Focal Point informs local CTHB Co-ordinator
Asylum services personnel, law enforcement personnel, interpreters, cultural mediators; guardians of unaccompanied minors	Identifying professional informs his/her Agency CTHB Focal Point; Agency CTHB Focal Point informs local CTHB Co-ordinator
Personnel responsible for voluntary return procedures	Identifying professional informs his/her Agency CTHB Focal Point; Agency CTHB Focal Point informs local CTHB Co-ordinator
Personnel responsible for forced return procedures	Identifying professional informs his/her Agency CTHB Focal Point; Agency CTHB Focal Point informs local CTHB Co-ordinator

ANNEX 2

Pathways to Attribute the Status of Victim of Trafficking in Human Beings (VoT)

- ✓ Initial identification of a presumed victim by a field professional;
- ✓ Field professional informs her/his Agency CTHB Focal Point;
- ✓ Agency CTHB Focal Point informs local CTHB Co-ordinator;
- ✓ If a presumed victim does not wish to be attributed the status of VoT, local CTHB Co-ordinator files the case for further analysis and possible follow-up, and liaises with RIC CTHB Focal Point, who ensures that adequate assistance is provided to the person in question during her/his subsequent stay at RIC;
- ✓ If a presumed victim wishes to be attributed the status of VoT, two options are to be considered.



Presumed victim gives consent to collaborate with law enforcement

Presumed victim does not give consent to collaborate with law enforcement

Second-line interview

The local CTHB Co-ordinator organizes a second-line interview conducted by both law enforcement and welfare professionals. If the presumed victim is a minor, their guardian should be present. An interpreter or/and cultural mediator is present if needed.

The local CTHB Co-ordinator organizes a second-line interview conducted by two trained welfare professionals. Law enforcement is notified of the circumstances of the case without the personal data of the presumed victim being disclosed. If the presumed victim is a minor, their guardian should be present. An interpreter or/and cultural mediator is present if needed.

Presumed victim's decision on VoT status & local Multi-Agency Committee

Presumed victim decides on whether she/he wishes to be officially identified as VoT:

A) If the presumed victim wishes to acquire the status of VoT, the local CTHB Co-ordinator takes the case to the local Multi-Agency Committee. Both law enforcement and welfare professionals participate in the Committee's case conference.

A) If the presumed victim wishes to acquire the status of VoT, the local CTHB Co-ordinator takes the case to local Multi-Agency Committee. Only welfare professionals participate in the Committee's case conference. Law enforcement is notified of the circumstances of the case.

Individual protection and rehabilitation plan

The local Multi-Agency Committee decides on an individual protection and rehabilitation plan. Upon receiving the victim's consent, the plan is communicated to all interested parties.

B) If the presumed victim does not wish to acquire the status of VoT, the local CTHB Co-ordinator refers the case to the RIC's psychosocial personnel for further support and assistance. Law enforcement is notified of the circumstances of the case.

B) If the presumed victim does not wish to acquire the status of VoT, the local CTHB Co-ordinator refers the case to the RIC's psychosocial personnel for further support and assistance. Law enforcement is notified of the circumstances of the case.

The presumed victim

is transported to and accommodated back at the RIC where she/he continues to receive assistance as a vulnerable individual.

The Organization for Security and Co-operation in Europe (OSCE) works for **stability, prosperity** and **democracy** in 57 States through political dialogue about shared values and through practical work that makes a lasting difference.

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