

After Trafficking

Experiences and Challenges in the (Re)integration of Trafficked Persons in the Greater Mekong Sub-region



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After Trafficking

**Experiences and Challenges in the (Re)integration of
Trafficked Persons in the Greater Mekong Sub-region**

Author: Rebecca Surtees, NEXUS Institute

United Nations Inter-agency Project on Human Trafficking (UNIAP)

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Foreword

We, the six COMMIT governments of the Greater Mekong Sub-region (Cambodia, China, Lao PDR, Myanmar, Thailand and Vietnam) would like to sincerely thank all of the individuals, NGOs, International Organisations and donor nations, and in particular, the NEXUS Institute and the report's author, Rebecca Surtees, for their tireless efforts in bringing this report on the (re)integration of human trafficking victims in the Greater Mekong Sub-Region to fruition.

In 2009, the end of the second year of the COMMIT Special Plan of Action II (2008-2010), we, the six COMMIT governments, identified improving (re)integration assistance as one of the highest anti-trafficking priorities for the Mekong Sub-region. Following this, in 2010, a regional working group of IOM, the NEXUS Institute, Save the Children, UNIAP, UNICEF and World Vision was convened to provide united support to our governments to (a) map out existing (re)integration assistance mechanisms in the region, and (b) get perspectives from actual victims of trafficking regarding their post-trafficking experiences and needs. In addition, a series of national practitioner forums were held in our six countries throughout late 2010 to map out and analyse existing (re)integration assistance mechanisms in the region. These consultations laid the foundations for the development of this report, and marked the beginning of an on-going effort by us, the COMMIT governments, to improve (re)integration experiences, as well as overall services and aftercare to victims of trafficking and their families.

As we, the COMMIT governments, continue to increase our focus and allocation of resources to the crucial task of ending the trafficking of persons, sound, in-depth research such as this will continue to be one of the most important tools in combatting the crime. It is because of this type of research that we have been able to better understand the plight of victims of this terrible crime, and by gaining this understanding, are able to continually improve and further develop our (re)integration services and aftercare to trafficking victims and their families.

This report will provide guidance to us and anti-trafficking practitioners alike in the planning of future assistance services to victims, and where to allocate resources in the region. Continued strong partnerships between governments, anti-trafficking practitioners and researchers will ensure an effective, evidence based approach to counter-trafficking, and most importantly, to the provision of care to the victims.



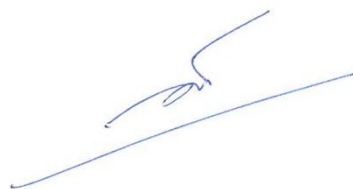
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Chair of Cambodia COMMIT Taskforce
Taskforce



Mr. Chen Shiqu
Coordinator of China COMMIT



Mrs. Thoummaly Vongphachanh
Deputy Head of Lao COMMIT Taskforce



Pol. Brig. Gen. Win Naing Tun
Chair of Myanmar COMMIT Taskforce



Mr. Vichien Chavalit
Head of Thai COMMIT Taskforce
Taskforce



Col. Le Van Chuong
Steering Member of Vietnam COMMIT

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Rebecca Surtees
Senior researcher
NEXUS Institute

Acronyms and abbreviations

AT	Anti-Trafficking
COMMIT	Coordinated Mekong Ministerial Initiative Against Trafficking
CRC	Convention on the Rights of the Child
DSW	Department of Social Welfare
DSDW	Department of Social Development and Welfare
GMS	Greater Mekong Sub-Region
GO	Government Organisation
HIV	Human Immunodeficiency Virus
IO	International Organisation
IOM	International Organisation for Migration
MoSVY	Ministry of Social Affairs, Veterans and Youth Rehabilitation
MOU	Memorandum of Understanding
NGO	Non-Governmental Organisation
NRM	National Referral Mechanism
SOPs	Standard Operating Procedures
TRM	Transnational Referral Mechanism
TRP	Temporary Residence Permit
UN	United Nations
UNCRC	UN Convention on the Rights of the Child
UNIAP	United Nations Inter-agency Project on Human Trafficking
UNICEF	United Nations Children’s Fund
USD	United States Dollar
VoT	Victim of Trafficking
VND	Vietnamese Dong

Executive summary

Introduction

(Re)integration is a process that involves many steps after the individual's exit from trafficking. Ideally trafficked persons are identified and provided with a range of services to support their social and economic (re)integration. Many trafficked persons interviewed for this study were assisted and supported in these ways. Others were not fully supported through these stages but nonetheless did receive assistance that was valuable toward their recovery and (re)integration. Interviews with trafficked persons yielded many positive examples and experiences, including the important role played by various actors and agencies and (re)integration services in recovery and (re)integration processes.

Nonetheless, many trafficked persons in the Greater Mekong Sub-region (GMS) did not have access to these "ideal" pathways and their experiences following their emergence from trafficking further exacerbated their ordeals. Many were neither identified nor assisted as victims of trafficking, which meant they did not receive support to aid in their recovery and sustainable (re)integration. Some trafficked persons received some forms of assistance but not the full package they required (and were entitled to) to move on from their trafficking experience and (re)integrate into society. Equally important, some preferred not to be assisted and declined some or all support offered to them. Understanding these diverse and complex post-trafficking trajectories sheds light on a wide range of issues and dynamics at play in the (re)integration processes in the GMS. It also highlights both the strengths and weaknesses of existing (re)integration mechanisms and processes.

The study was based on in-depth interviews with 252 trafficked persons about their experiences of (re)integration, including successes and challenges, as well as future plans and aspirations. The trafficked persons interviewed for this study came from all six countries in the GMS and included men, women and children, trafficked for various forms of forced labour, sexual exploitation, begging and/or forced marriage. The study included persons who had been identified and assisted, as well as those who were not identified and/or did not receive assistance.

This research study was undertaken in the context of the a region-wide (re)integration initiative under Project Proposal Concept 5 (PPC5) within the 2nd COMMIT Sub-regional Plan of Action (2008-2010), which sought to assess the effectiveness of (re)integration processes and structures in the region. It continued under the 3rd COMMIT Sub-regional Plan of Action (2011-2013) under Area 3, Protection. While the study is intended for anti-trafficking policymakers and practitioners in the GMS, these findings also have relevance for practitioners and policy makers in other countries and regions who are seeking to enhance their anti-trafficking response, in line with the interests and experiences of trafficked persons.

Research methodology, data collection and ethical issues

Research methodology and approach

The research study focused on mapping victims' post-trafficking experiences as a means of understanding (re)integration experiences and challenges. In-depth data collection was undertaken with a diverse sample of trafficking victims, to learn about their pre-trafficking

conditions, migration and trafficking experiences, assistance needs, concerns and future aspirations. While some attention was paid to the specifics of their trafficking experience, the main focus was on understanding and analysing (re)integration processes, recognising the wide variation in experiences between respondents. Interviews equally focused on understanding how trafficked persons perceived and experienced these processes. Data was collected according to a standardised questionnaire, although researchers adapted their lines of inquiry according to the specifics of the individual's experiences. Standardised probes assisted researchers in maintaining commonality and consistency in terms of lines of inquiry.

Interviews were undertaken by national researchers in each country after being trained by the lead researcher. All researchers had past experience in interviewing vulnerable populations, including trafficking victims, and, in addition, were trained and supervised by the lead researcher and national field supervisor. Interviews were translated by an accredited translator and validated by the national field supervisor. Validated interview/transcripts were then sent to the lead researcher based in Bangkok for data cleaning, entry and analysis. Data analysis followed the principles of thematic analysis, using the data analysis software NVivo9®.

Sampling frame

Respondents were sought from four categories of trafficked persons: 1) Identified and assisted trafficking victims; 2) Unidentified but assisted trafficking victims; 3) Identified but unassisted trafficking victims; and 4) Unidentified and unassisted trafficking victims. The sampling frame was the starting point in conceptualising how to reach a wider range of trafficked persons, thereby affording an understanding of a broader set of assistance needs.

The intention was to capture a diverse sample of respondents as a lens into the widest range of (re)integration experiences and needs and also to capture, to the extent possible, an in-depth understanding of different variations of such experiences. The purpose of the study was not to capture a representative sample; this study makes no claim of representativity.

About the respondents

Research was conducted with 252 former victims of trafficking (VoTs) in each of the six GMS countries. While most respondents were interviewed in their country of origin (at various stages of (re)integration), some were interviewed while being assisted in the country of destination. Trafficked persons interviewed were nationals of Cambodia (62), China (8), Lao PDR (28), Myanmar (79), Thailand (9) and Vietnam (66). They were females (174) and males (78); adults (145) and children (107).

The majority of respondents were trafficked within the GMS region – Cambodia (16), China (59), Lao PDR (3), Myanmar (8), Thailand (102) and Vietnam (17). However, others were trafficked to various destination countries external to the region including; Malaysia (41), Indonesia (4), Singapore (4), Hong Kong, China (2), Israel (2), Japan (2), Taiwan, China (2), Yemen (2), Italy (1) and the United Kingdom (1). The number of destinations (n=266) exceeds the number respondents (n=252) as some trafficked persons were exploited in more than one destination country.

Respondents were trafficked for labour (123), sexual exploitation (62), forced marriage (35), begging and street selling (20), and a combination of labour and sexual exploitation (2). Seven

escaped before being exploited, and in three instances, the form of trafficking is unknown as trafficked persons did not wish to discuss details of their trafficking experience.

Ethical issues and considerations

Sampling was approached carefully and cautiously, and was done in close cooperation with local anti-trafficking organisations and institutions. Only if an ethical channel could be identified to reach out to these hard to reach and vulnerable persons was this group approached. Respondents were, under no circumstances, persuaded or pressured to participate in the study and they were given time before the interview to decide whether they were willing.

Only children aged 13 years and older were included in the sample for direct interviews. At the same time, due to the complicated nature of the study, the research team sought additional safeguards in involving children as respondents. Wherever possible, older children (nearing the age of majority) were interviewed. In other cases, adults who had been trafficked as children were interviewed. This approach was taken because of the greater capacity of youth and adults to detail and reflect upon their experiences. This method was also utilised to avoid unduly taxing younger children who may have found the questionnaire challenging and stressful. In all countries, at least one researcher (and generally more than one) had previous experience interviewing vulnerable children, including trafficking victims. Researchers were further trained in the context of this study in the ethical interviewing of trafficked children.

Compensation was determined in each country, consistent with local conditions and the individual's situation. Researchers clearly outlined to respondents the intention of the compensation – e.g. for time, travel, lost earnings, etc. In some cases, when deemed more appropriate, compensation was provided in the form of a small “gift” (e.g. some food items or snacks), to thank respondents for their time and involvement.

Research limitations

Access to respondents differed by country. There is an unequal distribution of cases between countries and nationalities in the sample. In some countries it was difficult to ethically approach trafficked persons; in other cases, trafficked persons declined to be interviewed.

Time factor. Respondents included both persons who had been recently trafficked, and others whose trafficking experiences had occurred sometime in the past. This was necessary to take into account the long term nature of the (re)integration process, to learn about experiences and needs across this temporal trajectory. However, this means that some policies, practices and procedures have changed since these trafficked persons were (un)identified and/or (un)assisted.

Representativity. The study was not representative nor does it claim to be. The intention was to learn from as wide a range of trafficked persons as possible, to better understand their various (re)integration pathways and to see what needs to be done to better meet their (re)integration needs. Because this is not a representative sample, numbers cannot be extrapolated to draw conclusions to the broader population of trafficked persons.

Framing the discussion and defining the terms and concepts

What is (re)integration?

(Re)integration is the process of recovery, and economic and social inclusion following a trafficking experience. It includes settlement in a safe and secure environment, access to a reasonable standard of living, and mental and physical well-being, opportunities for personal, social and economic development, as well as access to social and emotional support. A central aspect of successful (re)integration is the empowerment of trafficking victims. Support towards the development of skills that will allow victims to gain independence and self-sufficiency, and to be actively involved in their recovery and (re)integration are key goals for any quality (re)integration programme.

What is assistance?

“Assistance” refers to formal anti-trafficking assistance, provided by national and international NGOs, IOs and state bodies as well as more generalised assistance (i.e. non-trafficking specific assistance), provided by state agencies (e.g. social services, child protection agencies, health departments), NGOs or IOs. For the purpose of this research, assistance is considered any support provided at home or abroad that was helpful to the trafficked person.

Other terms and concepts

Trafficking in persons. Trafficking in this study refers to the generally-accepted definition established in international legal documents, including the United Nations’ *Protocol to Prevent, Suppress and Punish Trafficking in Persons* (also known as the UN TIP Protocol or the Palermo Protocol). The Protocol defines trafficking in human beings in article 3a as;

[...] recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

Trafficking victim. This refers to Persons who qualify as victims of trafficking in persons in accordance with Article 3 of the UN Protocol or a country’s national trafficking legislation.

Child. Anyone under the age of 18 years.

Child protection. Preventing and responding to all forms of child abuse, exploitation or violence.

Identification. The process by which an individual is determined to be “trafficked”. This is a formal identification procedure by someone with the right/authority to make this determination.

Re-trafficking. When a trafficked person exits one trafficking situation and then subsequently enters another one.

Service provider. Organisations that provide one or more of the range of services needed by and provided to trafficking victims.

Shelter. Premises that provide temporary or longer term accommodation to trafficking victims and that are recognised within formal or informal referral mechanisms of the country.

Key Findings Section 1 - Challenges in the (re)integration process

Issue 1.1. Going unassisted

Large numbers of trafficked persons were unassisted (or inadequately assisted).

Assistance was often indicated as being integral to the recovery and (re)integration of trafficked persons. Many trafficked persons described positive and helpful assistance experiences, both in countries of destination and origin. Nonetheless, large numbers of trafficked persons in the GMS went unassisted following their trafficking experience. In the study sample, 113 trafficked persons were unassisted in the country of destination; 45 were unassisted in their country of origin; and 39 received no assistance either at home or abroad.

The number of those in need of assistance increased substantially when including the number of trafficked persons who were formally identified as trafficked but “basically assisted” – that is, they received only the most basic support/assistance following identification. For example, it was common for trafficked persons to be assisted in returning to their home countries, but this assistance only consisted of being sent home without any further support or follow-up. Others initially received a humanitarian package (e.g. clothes, basic food stuffs) but nothing beyond that. While technically assisted, this very limited support should be considered more a part of return assistance (or initial crisis intervention) and not (re)integration assistance. The number of trafficked persons who fit within this category was significant – 45 trafficked persons interviewed for this study.

Trafficked persons went unassisted for a variety of reasons. In some cases, being unassisted was a function of the assistance framework itself – for example, lack of identification and referral, (un)availability of services (including funding issues) or programme criteria. In other cases, being unassisted was related to the individual perspective, choices and knowledge of trafficked persons – for example, not being aware of assistance, discomfort in asking for assistance or acceptance of bad working/migration experiences. In general, there were seven key reasons why trafficking victims went unassisted:

1. Being unidentified
2. No services were available – abroad or at home
3. Services were not available for some types of victims
4. Trafficked persons were not referred for assistance
5. Trafficked persons were not aware of available assistance
6. Discomfort in asking for assistance
7. Accepted bad experiences as normal; “it’s normal for people like me”

Going unassisted meant not having received any formal support following one's trafficking experience. Not only was it frequently stressful for individual victims, but it also directly impeded (re)integration outcomes and potentially exposed them to additional vulnerabilities that could have led to further exploitation and even re-trafficking. Going unassisted generally meant trafficked persons returned to the same (or a very similar) situation that made them vulnerable to trafficking in the first place. There were also social and interpersonal implications, with trafficked persons and their families often experiencing high levels of distress, or even trauma. Having to cope on one's own was challenging and stressful, and it sometimes left trafficked persons in very fragile positions – both socially and emotionally.

Issue 1.2. Declining assistance

Some trafficked persons declined some or all forms of (re)integration assistance.

In 37 instances, trafficked persons made decisions that involved some aspect of declining (re)integration assistance. In some cases, trafficked persons refused some type of assistance (e.g. legal assistance or vocational training). In more extreme cases, trafficked persons declined to be assisted altogether. Of particular significance was that many trafficked persons were in very difficult economic and social circumstances after trafficking and would have benefited from assistance but nonetheless declined this support. In addition, a number of respondents said that they would have preferred to decline assistance but were not in a position to decline anything given their dire situation.

Understanding reasons for declining assistance is of significance in ensuring that (re)integration interventions are responsive to the needs of a wide range of trafficked persons. There were various reasons why trafficked persons declined assistance. Some were linked to the trafficked persons' personal and family situation; others were a function of how the assistance framework was designed and implemented; in still others cases, trafficked persons were essentially "declined" by service providers. Reasons for declining assistance included:

1. Declining assistance because of individual and family circumstances

- 1.1 Did not need assistance; managed on their own
- 1.2 Wanted to reunite with their families
- 1.3 Feelings of shame, embarrassment, discomfort
- 1.4 Issues of trust
- 1.5 Not in a position to make decisions when assistance was offered
- 1.6 Feelings of obligation, gratitude, being indebted

2. Declining assistance because of issues in the assistance framework

- 2.1 Cannot afford assistance; need to earn money
- 2.2 Assistance does not meet their needs
- 2.3 Concerned about the conditions of assistance
- 2.4 Assistance was "identifying"
- 2.5 Wanted to stay and work; assistance meant going home

3. Service providers "declined" trafficking victims

- 3.1 Lack of resources and funding shortages
- 3.2 Programmes not designed to assist "that type of victim"

- 3.3 Victims require a service that the organisation/institution does not provide
- 3.4 Assistance not offered in that area/region

Issue 1.3. Forced assistance

Assistance was not always voluntary; some trafficked persons were forcibly assisted.

Not all (re)integration assistance and support was voluntary. Some trafficked persons were “forcibly assisted”. In some cases, they were not provided with full information about what assistance entailed, meaning their consent was not informed. In other cases, trafficked persons were not offered the opportunity to decline assistance, in spite of trafficking victims having the right in all countries in the GMS to decline assistance. The two main types of “forced assistance” generally centred around shelter stays, both in countries of origin and destination.

Being “forcibly assisted” for long periods of time was a source of considerable stress for many trafficked person, regardless of being assisted at home or abroad. In many situations when trafficked persons were forcibly assisted, there was a lack of appropriate services and support provided. Certainly this was the case when trafficked persons were held in prisons, police stations and detention facilities. However, this was also the case for many trafficked persons who faced compulsory shelter stays, both abroad and at home. As a result, some trafficked persons experienced and described this forced assistance as a “waste of time.”

Trafficked persons were also generally anxious to return home to their families and communities in order to move on from their trafficking experience. As a result, long, compulsory shelter stays had enormous potential to delay and even undermine recovery and (re)integration. This was particularly pressing in the case of trafficked children who were not uncommonly amongst those who were forcibly assisted, sometimes for long periods of time.

Forced assistance also did a great deal to compromise trust and confidence in service providers who, some felt, had given them incomplete or inaccurate information about assistance and/or prevented them from making an informed decision about assistance. When trust was compromised, this had a long term impact on victim’s relationship with assistance programmes and service providers. This initial mistrust may have potentially compromised their willingness to seek out or accept other assistance in future, even in situations of acute need.

Issue 1.4. Weak referral, coordination and cooperation

Inadequate national and transnational referral mechanisms.

Models of national referral in each GMS country varied significantly, as did their stages of development, scope and extent of implementation. Moreover, transnational referral mechanisms varied within the region – with quite structured government-to-government referral procedures between some countries, and less articulated and implemented procedures between others.

While recognising these differences, interviews with trafficked persons found that, overall, there were inadequate referral, coordination and cooperation between agencies and institutions, between countries as well as when assisting trafficked persons within a country.

There were two main issues at hand:

1. *Lack of referral and cooperation from country to country (transnational referral mechanisms)*, including unassisted return, inadequate referral of cases transnationally, lack of cooperative case planning and management and administrative procedures prior to return.
2. *Lack of referral and cooperation within a country (national referral mechanisms)*, including lack of referral/cooperation between anti-trafficking organisations and institutions within a country, and a lack of referral/cooperation between anti-trafficking organisations/institutions and the general social assistance framework.

Issue 1.5. Inadequate provision of information

Not fully informed about status as “trafficking victim” and their rights to assistance.

Key to ensuring that trafficking victims are adequately supported in the (re)integration process is making certain that they are actively engaged in, and fully informed about, decisions and options in their post-trafficking lives. This requires that full information be provided to individuals about their status as trafficking victims, their rights and the various forms of assistance available to them at home and abroad (including where and how to access it). This needs to be done in ways that take into account issues including, but not limited to, age, education, language, capacity and state of mind. It is also important to allow time for victims to process the information in order to make informed and carefully considered decisions. Victims should also be informed about their immediate assistance options, and given the choice to access support options at a later date should they decide to decline initial support.

While some trafficked persons were fully informed about their trafficking status and options, many trafficked persons were not aware of their formal, legal status as trafficking victims and the rights that this entitled them to, either in the destination country or at home.

Lack of awareness of their status and the associated rights was attributable to two main factors:

1. *Lack of complete and comprehensible information provided about trafficking status, rights and assistance options.*
2. *Barriers to understanding information provided about their status and assistance options*, including language barriers, lack of exposure to and experience of assistance options, issues of comprehension, age and stage of development, state of mind or never having been formally identified as trafficked.

Issue 1.6. Administrative requirements and procedures.

Some regulations and procedures undermined victim autonomy and (re)integration.

Some procedures in the formal (re)integration process may, in fact, serve to impede (re)integration success as well as potentially violate trafficked person’s rights. In some cases,

these were formal and obligatory administrative procedures. In other cases, these were standard practices rather than legally or administratively required. These procedures included:

1. *Obligatory return to home community.* In some countries, trafficked persons were required to return to their home community after trafficking. Tied intimately with this was the requirement that trafficked persons (including adult victims) were “returned” to their family who received, and in some cases, “signed” for them. It was unclear why this procedure was necessary, particularly in the case of adults for whom such procedures were, arguably, infantilising and undermine their autonomy and right to self-determination.
2. *Involvement of local authorities in the return of trafficking victims.* Returning and receiving trafficked persons involved the (generally highly visible) presence of officials in the family home and village environment, including being escorted and accompanied home or being received by the village chief upon return home. In many instances the visibility of this return process essentially “outed” people as victims of trafficking (or at least as vulnerable or failed migrants) to their families and communities. This process, at minimum, violated their right to privacy and confidentiality, and at worst, had the potential to cause enormous harm in terms of safety and security, as well as long term discrimination and ostracisation within their families and communities.

Issue 1.7. Resources, funding and sustainability

(Re)integration is under resourced by national governments and foreign donors.

Interviews with trafficked persons highlighted the overall lack of resources for (re)integration support within government departments and by NGOs and IOs. In many instances, access to assistance was limited as a result of a lack of resources for (re)integration. Resource gaps in (re)integration work were due to:

1. *Lack of government resources for (re)integration work.* Some (re)integration assistance was provided by national governments in the GMS. This also included, in some cases, more general assistance schemes that were mobilised to support trafficked persons, such as medical care for the socially vulnerable, vocational training programmes, poverty reduction schemes, job placement agencies, formal and informal education programmes and social welfare. However, no government in the region offered (and funded) a comprehensive package of (re)integration support for trafficked persons and follow-up case monitoring was not assured.
2. *Inadequate resources within NGOs and IOs funded by foreign donors.* In large part, (re)integration assistance programmes were funded by external sources (foreign donors, international organisations and United Nations agencies) and implemented by non-governmental organisations (NGOs) and international organisations (IOs). Services offered by NGOs and IOs were typically better resourced than government services and assistance was generally more comprehensive. Staff working for NGOs and IOs seemed to have more contact with trafficked persons over time, suggesting resources were used to hire case workers and manage/monitor cases in the long term. However, these

programmes were sometimes also affected by limited resources and funding shortages, limiting trafficked persons' access to comprehensive (re)integration support.

Key Findings Section 2 - Issues in the provision of individualised (re)integration services

Issue 2.1. Lack of individualised support

(Re)integration assistance was not always tailored to individual needs and situations.

Many organisations offered a standard package of assistance to all beneficiaries. However, for a number of trafficked persons, the services and support they received (and the way these services were designed) was not sufficiently tailored to their individual needs, situation, interests or capacities. There were a number of factors that contributed to the lack of individualised assistance in many programmes and institutions. These generally centred around inadequate attention and time spent working with trafficked persons to assess their specific situation, needs and interests. These include:

1. Lack of individual needs assessments
2. Inadequate time spent assessing needs
3. Limited beneficiary participation
4. Limited communication between destination and origin countries

There were two main consequences of the lack of individualised services for trafficked persons, either assistance was ill fitting (it did not meet the needs of trafficked persons), or individually tailored assistance was unavailable. Both had long term (and negative) implications for (re)integration outcomes.

Issue 2.2. Lack of comprehensive services

Comprehensive services were not available to all trafficked persons.

Many trafficked persons described how a comprehensive package of individualised services and support contributed to their successful (re)integration. Of the trafficked persons interviewed for this study, 73 received what could be categorised as comprehensive (re)integration support. However, overall, many trafficked persons did not receive a comprehensive package of (re)integration services following their trafficking experience. More commonly trafficking victims were "under-assisted," in that they received some (sometimes many) forms of assistance but not a comprehensive set of services tailored to their individual needs and situations.

The provision of a full package of services varied greatly by organisation, institution and country. Nonetheless, there were three main patterns identified in terms of who did (and did not) generally have access to comprehensive (re)integration services in the region.

1. *Comprehensive services were available in shelters but not communities.* Comprehensive (re)integration services were generally more widely available through shelter-based programmes with a raft of assistance offered according to individual needs. Less

common was comprehensive support when trafficked persons returned to live in their homes/communities.

2. *Limited (re)integration assistance for trafficked men and boys.* In a number of cases, trafficked males were officially recognised as trafficked, but subsequently received very limited support. In a handful of cases, men and boys were identified as trafficking victims, but went completely unassisted. Even when trafficked men were assisted, this assistance was generally far from comprehensive. Assistance to men was often geared toward return and basic needs rather than long term (re)integration. Some men essentially received support to return home – a combination of transportation, and in some cases, brief shelter stays with few to no services while there (i.e. “basically assisted”). Of note, trafficked boys were also “basically assisted” or “under-assisted”. Only 5 trafficked boys received what could be considered comprehensive (re)integration assistance. Their cases stood in sharp contrast to many girls of the same age (sometimes with very similar trafficking experiences) who generally received more comprehensive shelter based care.
3. *Comprehensive services varied by organisation and institution.* The quality and extent of (re)integration services received by trafficked persons was also significantly influenced by which organisation and/or institution was involved in supporting them. Trafficked persons within a country received different levels and quality of care relative to where they lived (i.e. which organisations or institutions were working in their area) and who had come into contact with them (i.e. the organisation that identified them). In many instances trafficked persons with very similar experiences and needs received vastly different levels of support depending upon which agency was assisting them.

Failure to take into account the full range of assistance needs was, in many cases, directly correlated with (re)integration setbacks and even, in some cases, longer term (re)integration failure. This highlights the need for minimum standards for (re)integration assistance and support.

Issue 2.3. Lack of appropriate accommodation

Accommodation options were not always safe, satisfactory or affordable.

One measure of successful (re)integration was that trafficked persons had a suitable place to live in the short and long term. This meant housing that was safe, affordable and of a satisfactory standard. In the short term, accommodation needs were met for some trafficked persons through the provision of shelters. That being said, not all trafficked persons had access to (even temporary) housing in the immediate aftermath of trafficking. Some trafficked persons were accommodated in prisons, jails and detention centres rather than appropriate shelter facilities. This was particularly common for trafficked men, for whom facilities were generally not available. However, it was also an issue in some destination countries where trafficked women and children also stayed in jails and police stations.

While residential programmes are an important model of assistance, they are generally intended as a short term (or sometimes interim) measure. To support and realise (re)integration, it is necessary to identify longer term accommodation options. For most

trafficked persons this meant returning to live with their families in their communities of origin – e.g. to live with parents, spouses, children, siblings or extended family. However, housing was not always available to returning trafficking victims. Even when available, housing was not always safe, satisfactory or affordable. Trafficked persons faced a raft of barriers to appropriate accommodation, including:

1. No place to live
2. Home was not safe
3. Unsatisfactory living conditions
4. Housing was not affordable.

Issue 2.4. Poor physical health and well-being

Not addressing the health/medical needs compromised (re)integration.

Trafficked persons had a wide range of (often very serious) health problems and medical needs. This was the case for male and female victims, as well as adults and children regardless of the form of trafficking suffered, although often health needs were specific to the nature of exploitation. Causes of health problems for trafficked persons included the following:

1. Violence and abuse suffered while trafficked
2. The impact of living and working conditions while trafficked
3. Limited access to medical care while trafficked
4. Insufficient access to medical services after trafficking

When trafficked persons received medical care, this was often key to their recovery and (re)integration success. By contrast, being physically unwell had a (negative) impact on many aspects of life and factored into a constrained (re)integration process. Health problems, left unaddressed (or inadequately addressed), significantly impeded (re)integration success for many trafficked persons. Poor health and medical problems impacted trafficked persons in different ways but most significantly in the following ways:

1. Medical care costs led to economic problems, including debt
2. Health problems inhibited victims' ability to work
3. Poor health had a negative effect on victims' sense of well-being

Issue 2.5. Stress, anxiety, depression and trauma

Inadequate provision of psychological support and counselling meant feeling unwell.

Many trafficked persons described feeling “unwell” at some stage of their post trafficking lives. They described feeling stressed and angry; anxious and depressed; desperate and hopeless. Being psychologically “unwell” had two main sources – 1) difficulties caused by trafficking and 2) difficulties faced when trying to recover from and move on from trafficking.

Many trafficked persons talked about the importance of being able to share their experiences with others, and receiving encouragement and support. Those who had had access to counselling often found this an important type of assistance. Some trafficked persons talked

about wanting the opportunity to speak with someone about their problems and identified this lack of opportunity as a gap in the available assistance.

In some cases, trafficked persons received psychological counselling and support. There were some trained professionals who were qualified to provide psychological support and counselling in the region. Some programmes employed an “in-house” professional psychologist or counsellor. However, this was not the norm and this form of assistance was not always readily available to trafficked persons in the region. Issues in the provision of psychological support and counselling included:

1. Limited access to psychological support or counselling
2. Too few professionals trained in psychological support and counselling
3. Lack of specialised psychological support to trafficked children
4. Language barriers; counselling in a foreign language

Issue 2.6. Legal and administrative issues

Trafficked persons faced problems in resolving legal and administrative issues.

Trafficked persons faced a range of legal and administrative issues post trafficking, both in countries of destination and at home. Some were a direct function of trafficking – for example, needing to replace lost documents taken while trafficked. Others, for example divorce and custody issues, were not a direct product of trafficking, but, when left unaddressed, adversely effected (re)integration outcomes. In some cases, administrative issues were those of the individual trafficked persons; in other cases, needs were related to family members, particularly children. The main issues included:

1. Identity documents and other forms of legal registration
2. Civil/birth registration of trafficking victims and their children
3. Residence registration
4. Permits and registration when staying abroad
5. Certification as a trafficking victim
6. Other legal issues, such as divorce and child custody

Critically, resolving these issues were complicated by various barriers, including complicated, confusing and sometimes circular procedures; high (often prohibitive) costs; obstructive and sometimes discriminatory behaviour of authorities and various practical barriers (such as travel to an administrative centre, loss of income when not able to work and needing childcare when dealing with these issues).

Issue 2.7. Economic needs

Current economic assistance models did not always lead to an improved economic situation.

Economic assistance was often the primary need identified by trafficked persons upon exit from trafficking and/or upon their return home. Trafficked persons needed to work and earn money to support themselves and their families, as well as to redress economic problems that resulted from being trafficked. Many victims of trafficking migrated originally because of economic

problems and needs at home. For many, their economic situation had further deteriorated since and as a result of being trafficked. Some had incurred debt to fund their migration and had been unable to pay off this debt due to their trafficking experience. Others incurred debt to pay for their travel home or as a ransom to be freed from their trafficking situation. Many trafficked persons were unable to work after trafficking because of illness or injury, or being unable to find work. This meant that they were not able to earn money, often compounding their economic difficulties by incurring debt (or further levels of debt).

In some cases, economic empowerment programmes were well-designed and implemented by economic empowerment specialists. They were based on knowledge of the local labour market needs, and access to (high quality) vocational training and staff who had experience working with trafficked persons to build their capacity (and confidence) to meet labour market needs. These programmes had well-thought-out processes, such as: exit exams upon completion of training, apprenticeship programmes, job readiness programmes, piloting skills before funding a business, offering business management training, etc.. Some were also offered ancillary support – like literacy classes, counselling and life skills – that further enhanced work place skills (and long term outcomes/success). These programmes were also monitored for a longer period and, when needed, additional support and counselling was provided.

However, in other cases, economic empowerment efforts were less well-designed, and as a consequence, less effective. Economic empowerment was complex and involved a raft of challenges, listed and discussed below, any of which could directly inform the individual's opportunities for success (or failure).

1. Lack of professional capacity in economic empowerment work
2. Vocational training was unavailable or did not provide a satisfactory level of skill
3. Limited training and job options; limited attention to individual interests/skills
4. Economic plans did not align with the local economic situation
5. Business training was not offered, under-supported or ill conceived
6. Lack of economic opportunities – in home communities, new communities and abroad
7. Few options for trafficked persons with special needs
8. Inadequate attention to other assistance needs, including the needs of victims' families
9. Lack of confidence in one's own capacity
10. Practical barriers to economic empowerment
11. Limited monitoring of and support to economic empowerment

Issue 2.8. Pursuing legal cases

Victims' rights and best interests were not always protected in the legal process.

Many trafficked persons were involved as victim/witnesses in legal proceedings against their traffickers – criminal cases and compensation claims, abroad and at home. In some cases, trafficked persons were interested in being involved in legal cases, generally in the context of compensation claims. Some were also concerned about justice and that their trafficker(s) be punished for what they had done to them. In some cases, trafficked persons described positive experiences as victim/witnesses whereby their rights were protected in the legal process and they were able to speak out against their exploiters.

However, in spite of some positive experiences and outcomes, trafficked persons also identified a number of issues and problems in the legal process, based on their experience and involvement as victims/witnesses. These included:

1. Lack of full information and informed consent; no option to decline to be involved
2. Long, compulsory shelter stays during legal proceedings abroad
3. (Unnecessarily) long legal proceedings
4. Re-interviewing and providing multiple statements
5. Not being regularly updated and informed about the legal process
6. Risks to victims/witnesses
7. Delays and complications in receiving compensation
8. Maltreatment by law enforcement and legal actors
9. No funds available for costs incurred by victims/witnesses
10. Stress, fear, anxiety of being victims/witness
11. Language barriers

It merits particular mention that many of these cases involved trafficked children, which raises important questions about how the rights and best interests of children were (and were not) protected in the legal process.

Issue 2.9. Unsafe and insecure

Safety and security issues were barriers to (re)integration.

An unsafe and unpredictable social environment was not conducive to recovery and (re)integration after trafficking. In a noteworthy number of cases, trafficked persons faced very real safety and security problems after escaping their trafficking experience. For some, this involved risks to their physical safety and well-being, including exposure to threats or violence by persons involved in their trafficking, or acting on behalf of their trafficker. In other cases, trafficked persons faced safety and security issues in their personal environment – from their family or the broader community. In still other cases, trafficked persons had not been violated or threatened but they feared that this would happen, a source of considerable stress for trafficked persons as well as their families. Violence suffered by trafficked persons had a very direct and tangible effect on their physical well-being. There was also the psychological effect of this violence (and the threat of violence) as well as the fear of potential retribution.

Issue 2.10. Working with families

Failure to recognise the family context and assistance needs undermined (re)integration.

The family environment to which trafficked persons returned was an important variable in terms of successful (re)integration. Family dynamics and relationships had the potential to either support or undermine the (re)integration process. In supportive settings, family did a great deal to smooth the trafficked persons' (re)integration. When relations were more difficult, the family was, at times, a barrier to (re)integration success. There were two main areas of need in terms of working with trafficking victims and their families to ensure successful (re)integration.

1. *Managing and mediating relations within the family.* Trafficked persons faced a variety of different family situations when returning home, some positive, some negative. Even

in the best circumstances and most positive family contexts, the post-trafficking period often involved challenging interpersonal relations between victims and their families. Moreover, these relationships often changed (for better or worse) over the course of the (re)integration process. Tensions and problems, when they existed, often inhibited trafficked persons' ability to move on from the trafficking experience, and to (re)integrate into their families and communities. There were different sources of tension within families that required consideration, and often, also intervention – i.e. tensions and conflict because of economic difficulties and tensions in interpersonal relationships.

2. *Meeting the assistance needs of family members.* In some cases, it was the assistance needs of family members that were paramount. A myriad of these family assistance needs were identified, but priority issues included: economic assistance (due to unemployment, debt and/or low salaries), healthcare, education, the psychological impact of trafficking on family members, and alcohol and substance abuse. Some families had assistance needs that were pre-existing, and in some cases, had contributed to their being trafficking. In these cases, the pre-emptive provision of such assistance to vulnerable families may have prevented the person from being trafficked altogether. Some problems were related to, and caused directly by, the individual's trafficking experience. In these cases the family members essentially became "secondary victims of trafficking".

Some organisations did take into account the family situation of trafficked persons. In some cases they assisted family members, or referred them to other agencies for assistance. In many instances, this was an important contributor to (re)integration, or in galvanising (re)integration successes. However, many assistance programmes did not have the scope or resources to assist the family members of trafficking victims directly, and many also did not refer their cases to other agencies or institutions for support. Not taking into account the assistance needs of victim's family members impacted (sometimes very immediately and directly) (re)integration success. Some trafficked persons intended to migrate again because they were unable to meet the needs of family members. Others were simply unable to move forward in a positive way because of these often urgent family assistance needs.

Issue 2.11. Case management and monitoring

Adequate time, ancillary support and on-going monitoring is needed for sustainable (re)integration.

(Re)integration was a long term process. It generally took years before sustainable (re)integration was realised, and along the way, trafficked persons often faced "setbacks" and "failures", which risked undermining their efforts to recover and move on from trafficking. In some cases, when faced with setbacks in the (re)integration process, trafficked persons felt that they had limited options, which led them to make decisions that negatively impacted their (re)integration. Some felt that they had no alternative but to migrate again, potentially putting them at risk of exploitation or even re-trafficking.

Case management, including on-going monitoring work, played an important role in anticipating and addressing issues and problems faced by trafficked persons over the course of the (re)integration process in the following ways:

1. Backstopped (re)integration
2. Led to referrals
3. Contributed to a better understanding of (re)integration

Some organisations or institutions in the region monitored beneficiaries for two to three years, conducting regular follow up on cases, and as importantly, were available to victims in periods of crisis. That being said, the long term management of cases and on-going contact was not the norm for many trafficked persons. Indeed many respondents reported that, once home, they had limited and sometimes no further contact with assistance organisations or social support institutions. Assistance was often a “one-off” service or short term assistance.

Issue 2.12. Language barriers

Victims faced language barriers in the provision of (re)integration support.

Some trafficked persons faced language barriers in the provision of (re)integration assistance. There were different ways that language was an issue, including:

1. *Language barriers in destination countries.* Language barriers posed an obstacle when trafficked persons were assisted abroad, as service providers often did not share a common language with and/or did not speak the language of programme beneficiaries.
2. *Language barriers at home.* Some trafficked persons faced language barriers when assisted in their own country – e.g. when trafficked persons were from an ethnic minority and did not speak the majority language.
3. *Limited language skills and literacy.* In some cases, trafficked persons had lost (or never developed) language abilities after spending many years exploited in a foreign country. This was especially an issue for trafficked children who did not have sufficient education or opportunity at home to acquire fluency or even functional literacy. Language was also a barrier for children born of trafficking. Having been born and raised for a time abroad, many did not speak (or speak fluently) the national language when they returned home.

The inability to communicate with trafficked persons necessarily inhibited the provision of services, which, by implication, negatively affected (re)integration outcomes. In some assistance programmes interpretation services were available. However, this was far from practical in the long term. It was not only cumbersome but also very expensive, and meant that communication was only possible when an interpreter was available. In other situations, service providers relied on trafficked persons to provide interpretation for one another. This practice intruded on trafficked persons who were already coping with difficult experiences. It also meant that all discussions of assistance needs went through a third person in the shelter (the victim/“interpreter”), which breached confidentiality and anonymity, and likely inhibited trafficked persons’ willingness to divulge their needs and experiences. Sharing and being able to communicate in a common language was also an important factor in building trust and rapport

between trafficked persons and service providers. Moreover, some forms of assistance cannot be provided appropriately or effectively through interpretation – e.g. counselling, education and training.

Key Findings Section 3 - Issues in the philosophies, capacities and behaviours of practitioners and authorities working on (re)integration

Issue 3.1. Rules, requirements and restrictions

Some programme rules and restrictions undermined victim autonomy and empowerment.

Assistance programmes involved many rules, requirements and restrictions that did not always seem to be consistent with the needs and/or situation of shelter beneficiaries. Careful consideration is needed to establish when these rules and requirements contributed to effective programming, and by implication, (re)integration success, versus when they served to undermine the autonomy of trafficked persons, and arguably, worked against their empowerment. In some cases, rules and restrictions seemed to be less about fostering a functional communal living space and more about maintaining control over trafficked persons. As importantly, many rules and restrictions were negatively experienced by beneficiaries, which equally factored into their empowerment and (re)integration outcomes.

While rules, requirements and restrictions varied by organisation/programme and country, there were some common issues raised throughout the region, including:

1. *Restricted freedom of movement.* In many cases, trafficked persons stayed in closed shelters and were unable to leave the facility. Such restrictions on freedom of movement were striking when shelters were, in principle, intended to support the trafficked persons' (re)integration in society and yet they prevented their interactions with family and community. Separation from family and community, which was a feature of the closed shelter approach, served to undermine (re)integration. Trafficked persons described feelings of stress, frustration and anxiety as a result of being literally locked in shelters.
2. *Restrictions and control over personal contacts.* Trafficked persons, both at home and abroad, often had very limited contact with family members while in shelter programmes. Even in countries of origin, home visits were generally irregular and many trafficked persons were not able to receive visitors (or only limited visits). Given that strong and positive family relationships were often the cornerstone of successful (re)integration, it was striking how little investment was made in some programmes to foster a more positive relationship between trafficked persons and their families throughout shelter stays. Lack of contact with family was perhaps most striking and potentially debilitating in the case of trafficked children whose relationship with their family would (or should) be central to their (re)integration process. When communication was allowed, it was often quite controlled – e.g. including the confiscation of mobile phones and limited (or monitored) use of telephones. Intimate

relationships were also controlled – e.g. limited contact with friends from home or boyfriends/girlfriends while assisted.

3. *Daily schedule and structure.* Some shelters had very structured timetables and schedules for residents. This was the case for adults as well as children. Many trafficked persons expressed frustration and discomfort with very rigid schedules. Some spoke about how they had enjoyed more freedom over their daily life while trafficked than while being assisted.
4. *Use of discipline and punishment.* Trafficked persons spoke about discipline and punishments when they broke rules or did not behave in ways that the shelter staff approved of. This was the case for both adults and children. In some cases, trafficked persons were scolded and reprimanded for mistakes they made or even for “infractions” like laughing when they should not. In others cases, more active forms of punishments were used, including being obliged to clean toilets or staff offices. Some trafficked persons were required to do tasks that had little to do with their recovery and (re)integration or the positive functioning of the shelter.

There is a need to carefully consider and (regularly) evaluate the rules and restrictions in place in (re)integration programmes, including how they impact overall effectiveness in advancing the recovery and (re)integration of beneficiaries. An evaluatory approach to rules, requirement and restrictions was also important when some processes seem to be less about supporting (re)integration and more about meshing with administrative procedures. Other rules and restrictions seem to be, at least in part, about controlling victims’ movements (i.e. closed shelters) because service providers fear professional repercussions if trafficked persons leave shelters. In still other cases, it might be argued that rules and restrictions were about exerting control over victims and “rehabilitating” them. Rules and requirements should be regularly evaluated by the shelter manager and staff, with inputs from shelter residents. Rules and requirements should be developed in conformity with national law and regulations on minimum standards for (re)integration of trafficked persons. External monitoring and evaluation should also be undertaken. Beneficiaries should be involved in the development and tailoring of any rules and restrictions, including being able to express how these may affect them (negatively or positively). This opportunity was not apparent amongst trafficked persons interviewed for this study.

Issue 3.2. Quality of care

Poor quality assistance and limited professional capacity in some (re)integration programmes.

In some cases, trafficked persons described receiving high quality services and being assisted by highly skilled and competent (re)integration professionals. This was the case for various forms of assistance received, both in countries of destination and origin. However, this was not always the case and the quality of care received differed quite substantially between countries, as well as between organisations and institutions within a country. In a significant number of instances, trafficked persons described services that were of poor (even sub-standard) quality and/or practitioners with less than satisfactory professional capacities and qualifications.

1. *Professional capacity of service providers.* In some cases, poor quality of care was linked to, and sometimes limited to, the capacity of services providers to offer (re)integration services. Some service providers did not seem to have a firm grasp as to what constituted human trafficking. Even amongst more knowledgeable and experienced (re)integration professionals there were gaps in their educational background and professional capacity. Throughout the region there was an inadequate supply of professionally trained social workers and psychologists. The prolific use of (often untrained) volunteers also impacted the provision of high quality professional care. There were also seemingly no codes of conduct or ethical/legal principles in place, nor were there systems of professional monitoring and accountability.
2. *Quality of (re)integration support and services.* Respondents also described having received poor quality assistance. This observation was made throughout the region, although it varied by country and organisation. Some trafficked persons were accommodated in substandard shelters, with poor living conditions and where the adequate provision of even the most basic needs was often lacking and trafficked persons reported not receiving services while in residence. Reports of poor quality services were not unique to shelter programmes, and proved to be a broader issue across the full range of service areas.

(Re)integration services need to adhere to a minimum standard of care, and yet throughout the region, such standards were generally lacking. The wide variation in service provision within individual country's (e.g. between victims, by region or by organisation) was evidence that, even where standards existed, they were not fully (or evenly) implemented. There also needed to be professional care standards and codes of conduct for all practitioners working directly with trafficked persons, including volunteers (as well as ancillary staff like interpreters, drivers and administrative staff).

Issue 3.3. Insensitivity, discrimination and maltreatment in care

Instances of insensitivity, discrimination and maltreatment while in care.

Trafficked persons were generally well treated by staff; respondents reported many instances of a very high standard of care and sensitivity from assistance staff. Nonetheless, a number of trafficked persons reported far less positive experiences while being assisted including, in some cases, detrimental behaviours and attitudes on the part of anti-trafficking professionals and service providers. In some instances, this involved facing discrimination and disrespectful behaviour; in other instances, this involved verbal and physical abuse.

1. *Discrimination and insensitivity.* Trafficked persons reported instances of discrimination and insensitive treatment by staff in assistance programmes. In at least some cases, trafficked persons felt that service providers discriminated against them and looked down on them as "bad girls" and "prostitutes". Others spoke about being called "victims," and being negatively perceived and badly treated as a result. A number of trafficked persons described what they felt was unequal treatment by staff with some beneficiaries receiving better treatment and support. Trafficked victims assisted alongside other vulnerable groups reported being treated more poorly than non-trafficked beneficiaries.

2. *(Verbal and physical) abuse.* In a very small number of cases, trafficked persons were abused while in assistance programmes. Such instances must be of great concern to all practitioners and policymakers working in the sector. These abuses were all the more egregious because some cases involved children. Most commonly trafficked persons were subjected to verbal abuse, which went far beyond discrimination and insensitivity. In two instances trafficked children were physically abused while in care.

The impact of discrimination, maltreatment and abuse on trafficked persons, individuals who were often already deeply traumatised by their experience, cannot be overstated. In the short term, this worked against their recovery, preventing them from regaining a sense of control and safety in their lives. It also contributed to stress, anxiety, depression and on-going trauma for many trafficked persons. In the longer term, these poor (or some cases extremely negative) experiences of assistance impacted trafficked persons' trust in service providers and officials more generally, which would likely translate into a reluctance or resistance to seeking out or accepting assistance in the future, even at the risk of (re)integration setbacks or failure. Of particular concern were that many instances of discrimination, insensitivity and abuse involved children for whom the impact was likely to be greater than adults, and who had less developed coping skills to manage and overcome these experiences.

Key Findings Section 4 - Critical issues in the (re)integration of trafficked children

Issue 4.1. Children's trafficking experiences

Trafficked children endured varied forms of exploitation, were trafficked from young ages and suffered extreme abuse.

Trafficked children accounted for approximately 40% of the study's respondents and appeared in each country's sample – Cambodia (21), China (7), Lao PDR (18), Myanmar (29), Thailand (3) and Vietnam (29). This included 24 boys and 83 girls. These children were primarily trafficked within the region, although in a handful of cases the children were trafficked to neighbouring countries, namely Malaysia and Indonesia.

Trafficked children were trafficked for sexual exploitation (37), labour exploitation (23), begging and street selling (12), forced marriage (5) and for both sexual and labour exploitation (2). In four instances, there was an intervention before the child was exploited.

While the experiences and lives of these children were diverse, there were some common issues and patterns that emerged. Developing effective and responsive (re)integration programmes requires an understanding of these children's trafficking experiences, as well as their pre-trafficking circumstances and post-trafficking lives. Critical issues, with very direct impacts on (re)integration outcomes, included:

1. *Exploited from a young age.* Children were exploited from very young ages – six years of age and under (4), 7-9 years (13), 10-12 years (15), 13-14 years (24), 15-17 years (49) and unknown (2). This necessarily impacted their physical and psychological

development. Moreover, separation from their families or support networks from young ages necessarily impacted their sense of identity, security and well-being.

2. *Experienced and witnessed extreme violence while trafficked.* All trafficked children suffered violence while trafficked, regardless of the form of exploitation. This included physical, sexual and psychological violence. Moreover, trafficked children described witnessing extreme violence and abuse of others with whom they were trafficked.
3. *Harsh working and living conditions while trafficked.* Trafficked children suffered physical problems as a result of the harsh and sometimes brutal working and living conditions to which they were exposed. While all of the children faced problems, these differed in scale relative to the type of trafficking to which they were subjected.
4. *Long periods of exploitation and multiple trafficking experiences.* Trafficked children spent long periods of time trafficked, literally years in many cases. In some cases, trafficked children faced multiple trafficking experiences.
5. *Negative experiences of family (or no experience of family).* Some children returned to positive and healthy families that supported their (re)integration. However, other trafficked children had negative experiences in their families prior to being trafficked, which included, most commonly, parents who were abusive and/or who abused drugs and alcohol. In some cases, family members were complicit in trafficking. A small number of trafficked children had little to no experience of family, having been trafficked at very young ages and socialised in a trafficking environment.

Issue 4.2. Gaps in specialised services for children

Children had assistance needs that were not always met.

Trafficked children, by virtue of their age, maturity and trafficking experience, had specific and often specialised assistance needs. Some (re)integration organisations were specialised in supporting the (re)integration of trafficked children and offered comprehensive and tailored services to children of different ages and at different stages of development. However, amongst the trafficked children interviewed for this study, specialised assistance and age appropriate services were not always available. In some cases, (re)integration services for children did not differ substantially from those for adults and most children did not describe assistance tailored to their individual needs as children. Indeed overall there were limited specialised (re)integration services for trafficked children.

Issues in the provision of child-specific (re)integration support centred around various different service areas including:

1. Appropriate accommodation for trafficked children
2. Medical assistance
3. Psychosocial support and counselling
4. Education, including integration into formal schooling
5. Life skills education
6. Vocational training

7. Economic assistance (to the trafficked child/youth or their family)
8. Legal assistance and support during legal proceedings
9. Family mediation and counselling
10. Case management and follow-up after (re)integration
11. Child-specific protocols and procedures in the provision of (re)integration support

Issue 4.3. Children of trafficked persons

Assistance needs of children left behind and children born of trafficking.

Children were very directly affected by the circumstances faced by their trafficked parents who typically faced a raft of issues upon their return. Some of these issues included: economic problems, stress and trauma, physical injuries and/or illness, tensions and problems within the family environment, as well as issues of safety and security. Difficulty in coping with these (re)integration challenges had a direct impact on their children, including their opportunities for a safe and healthy family and social environment.

There were two main categories of children of trafficked persons identified in this study who required (re)integration support – children left behind by migrating parent(s) and children born of trafficking. While these children had many similar needs and issues, there were also some important distinctions between the two groups.

1. *Children left behind.* Many trafficked persons had children when they migrated, leaving them behind to be cared for by the remaining parent or relatives. In returning home, parents and children faced three key challenges in terms of reintegration into family and community: 1) economic problems after trafficking; 2) tensions in relation to trafficked parents; and 3) stigma and discrimination against the trafficked parent.
2. *Children born of trafficking.* A particular sub-group of trafficked children who required further specialisation in terms of (re)integration were those born of trafficking experiences – that is, when their mothers were in trafficking situations. This occurred most typically when women were trafficked for forced marriage and the child was fathered by the “husband,” or when women were trafficked for sexual exploitation and had a child fathered by their trafficker or client. Children born of trafficking needed specific support and assistance to integrate into the family and community of their mother, with five main issues faced during (re)integration: 1) the physical and psychological impact of trafficking, 2) relationships and maternal attachment, 3) family reactions to children born of trafficking, 4) community reactions to children born of trafficking and 5) access to assistance and integration opportunities.

Conclusion

Trafficked persons throughout the GMS region have suffered diverse and often very complex and traumatic trafficking experiences. Many of these individuals have received a range of assistance and support in their post-trafficking lives, in order to help them overcome and move on from their experiences. Many trafficked persons have experienced very positive post-trafficking pathways including successful, long term (re)integrations. Much can be learned from these experiences and “successes” in the design of future (re)integration programming and policies.

In spite of these important successes, too many trafficked persons had far less positive post-trafficking experiences and were not provided (re)integration support and assistance that might have been central in recovering and (re)integrating after trafficking. One significant finding of this research was that the (re)integration process does not always run smoothly, or in accordance to the standards and principles drafted at the national or international level. Much can be garnered from these less successful experiences. Of particular importance is how to use these negative experiences to improve and enhance future work on the (re)integration of trafficked persons. These findings are a starting point for moving forward in this direction. In the broadest of brush strokes, improvements and changes should centre on the following themes and issues:

Challenges in the (re)integration process. The assistance needs of a substantial number of trafficked persons were not met because of the current design and implementation of the (re)integration response. This included large numbers of victims going unassisted or under-assisted, others who (in spite of acute need) chose to decline assistance and more who were forcibly assisted. Tackling issues like the lack of information, weak referral systems, administrative barriers and a lack of resources, will be important steps towards addressing these challenges and issues. However, also needed is careful consideration of the overarching (re)integration framework in each country, including how existing programmes and policies do (and sometimes do not) support successful (re)integration outcomes. Tracking and addressing challenges in a country's (or region's) (re)integration programming and policies should be ongoing and needs to engage (a diverse sample of) trafficked persons.

Issues in the provision of individualised (re)integration services. In all service areas and in spite of some strong programming, there remains space for improvement and further development. Making these improvements will involve training and capacity building of programme staff, as well as professional commitment and adequate (re)integration resources. It will also require flexibility to ensure appropriateness and relevance of services for a diverse sample of trafficked persons. Improvements will require monitoring the (re)integration of individual trafficked persons, and as importantly, national level monitoring of (re)integration assistance by government agencies. All programme implementation and monitoring should increasingly be developed according to ethical standards, which, ideally, should also be enshrined in national laws.

Issues in the philosophies, capacities and behaviours of practitioners and authorities working on (re)integration. Practitioners and service providers are the most important resource in any (re)integration programme. (Re)integration is a complex and labour intensive process which requires highly skilled, sensitive, ethical and committed professionals to work with trafficked persons over the long term. This in turn requires investment in professional development and capacity of (re)integration service providers. Building the capacity and skills of service providers can have a very immediate impact on (re)integration outcomes. Systems of accountability are needed to ensure all professionals working on (re)integration adhere to the highest professional and ethical standards. Also important is the provision of support to service providers; ensuring their physical and psychological well-being will be an important aspect of ensuring high quality care.

Critical issues in the (re)integration of trafficked children. While children in the region have been widely exposed to human trafficking, the response to their specific needs and situation does not always seem to be adequately developed. Greater attention (and resources) are needed to the specific and yet diverse needs of trafficked children, in order to more adequately support them through the recovery and (re)integration process. This will involve not only improving the capacity of anti-trafficking professionals working with children, but also mainstreaming trafficking into the social protection framework which should, in principle, be equipped with specialised skills and resources for working with vulnerable children. Critically, trafficked children should be involved in the development and monitoring of (re)integration programmes, to the extent that they wish to be. Only with their participation and input will (re)integration programmes and policies be capable of meeting their needs and interests.

Introduction

(Re)integration is a process that involves many steps after the individual's exit from trafficking. In an ideal situation, trafficked persons were identified as trafficked at the site of exploitation or after escape, provided with initial (voluntary) assistance abroad and then assisted to return to their home country or community where they were provided a range of services to support their social and economic (re)integration. Another "ideal" variation was individuals who were identified as trafficked in the destination country and provided with assistance to integrate into that society. In both scenarios, practitioners interacted with trafficking victims in ways that afforded them the protection that they were entitled to and which was guaranteed under law.

Many trafficked persons interviewed for this study were assisted and supported in these ways. Others were not fully supported through these stages but nonetheless did receive assistance that was valuable toward their recovery and (re)integration. Interviews with trafficked persons yielded many positive (re)integration examples and experiences, including the important role played by various actors, agencies and (re)integration services in their recovery and (re)integration processes.

Nonetheless, many trafficked persons in the Greater Mekong Sub-region (GMS) did not have access to these "ideal" pathways, and their experiences following a trafficking experience were neither linear nor simple. Many trafficked persons in the GMS went unidentified and unassisted as trafficking victims, which meant they did not receive support to aid in their recovery and sustainable (re)integration. Many went unidentified in the destination country and were deported or had to find (and fund) their own way home, ending up in debt as a consequence. Some were identified and returned, but faced problems with their families and communities, complicating (re)integration and even sometimes leading to re-migration. Some trafficked persons received some forms of assistance but not the full range of services that they required (and were entitled to) to move on from their trafficking experience and (re)integrate successfully into society. Equally important was the finding that some trafficked persons went voluntarily unassisted, choosing to decline some or all of the support offered to them. Understanding these diverse and complex post-trafficking trajectories sheds light on a wide range of issues and dynamics at play in the (re)integration processes in the GMS. It also highlights both the strengths and weaknesses of existing (re)integration mechanisms and processes.

The central focus of the study was to understand the individual (re)integration experiences of trafficked persons – what was positive, what was less successful and what might be done in the future to either replicate good practices or avoid problematic ones. Importantly, the focus of the interviews was not only on what anti-trafficking actors did (or intended to do) but rather on how victims themselves understood and experienced these interventions. For example, it was not only about what support and assistance was provided, but about how victims perceived, experienced and valued that support and assistance, and how it did (and sometimes did not) contribute to their (re)integration experience. By presenting the real life experiences and needs of trafficked persons, it allows practitioners and policy makers to develop the foundations of forthcoming (re)integration policies and programmes in the GMS based on the first-hand accounts of those affected.

The study was based on in-depth interviews with 252 trafficked persons about their experiences of (re)integration, including successes and challenges, and future plans and aspirations. Trafficked persons interviewed for this study came from all six countries in the GMS and included men, women and children, trafficked for various forms of forced labour, sexual exploitation, begging and/or forced marriage. The study included persons who had been identified and assisted, as well as those who were not identified and/or did not receive assistance. Findings are centred around the gaps and issues that trafficked persons themselves identified in speaking about their experiences after leaving their trafficking situation, and the challenges they faced as they sought to move on from trafficking and (re)integrate into society.

Findings presented in this study should not be read as specific to any one country but rather as a reflection of the overarching issues identified throughout the region. As importantly, the findings are not reflective of any one organisation or institution but rather as an overview of general patterns documented in multiple cases and contexts throughout the region, and in some cases, further afield.

In presenting the experiences and feedback of trafficked persons, the intention is not to unduly criticise anti-trafficking professionals or the anti-trafficking efforts being undertaken in the region. Rather, the intention is to give voice to trafficked persons in the design and implementation of (re)integration responses, and in so doing, to learn what works and what needs improvement in terms of (re)integration from the perspective of trafficked persons. Listening to and learning from trafficked persons can be of great help in assisting organisations and institutions seeking to better support trafficked persons in moving on from their trafficking experiences. These findings and recommendations are offered in the interest of improving programming and policies, and sustaining the commitment of the anti-trafficking sector to (re)integration efforts in the region.

This research study was undertaken in the context of the a region-wide (re)integration initiative under Project Proposal Concept 5 (PPC5) within the 2nd COMMIT Sub-regional Plan of Action (2008-2010), which aimed to assess the effectiveness of (re)integration processes and structures in the region.¹ It continued under the 3rd COMMIT Sub-regional Plan of Action (2011-2013) under Area 3, Protection. While the study is intended for anti-trafficking policymakers and practitioners in the GMS, these findings also have relevance for practitioners and policy makers in other countries and regions who are seeking to enhance their anti-trafficking (re)integration responses, in line with the interests and experiences of trafficked persons.

¹ The (re)integration initiative was undertaken in the six GMS countries, with the support of the COMMIT governments. It was comprised of three phases: 1) a desk review of (re)integration services in the region; 2) national practitioner forums, collecting information on existing services and procedures for (re)integration in the Mekong region as well as the perspectives of service providers; and 3) primary research with trafficked persons on their experiences of (re)integration (and associated services) in the Mekong region. It was intended to support the governments and civil society in the six GMS countries in further strengthening and targeting their (re)integration support to victims of human trafficking. The initiative aimed to analyse the effectiveness of (re)integration processes and structures from the point of view of trafficked persons and the service providers that support them, uncovering whether and to what extent services currently offered to trafficking victims and their families are meeting their (re)integration needs, including any unmet assistance needs. It was overseen by a Regional Working Group comprised of Save the Children UK, World Vision International, the International Organization for Migration (IOM), the United Nations Children's Fund (UNICEF), NEXUS Institute and the United Nations Inter-Agency Project on Human Trafficking (UNIAP). Please see UNIAP et al. 2012 for the results of phase 2's national practitioners' forums.

Research methodology, data collection and ethical issues

Research methodology and approach

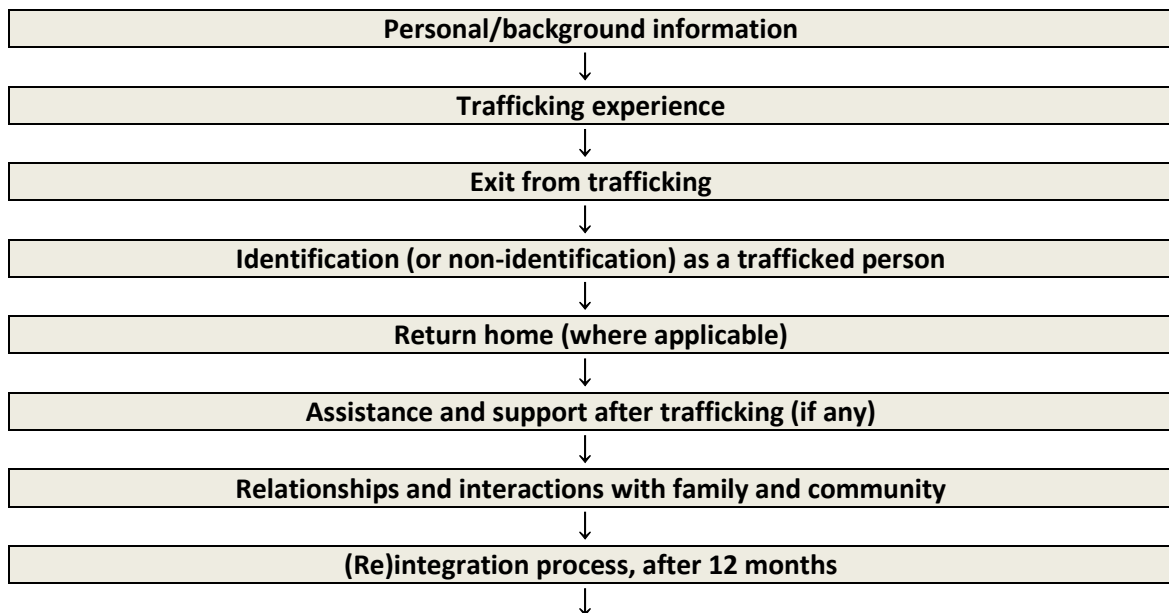
The research study focused on mapping victims' post trafficking experiences as a means of understanding (re)integration experiences and challenges. The research focused on learning about (re)integration from the perspective of trafficking victims.²

In-depth data collection was undertaken with a diverse sample of trafficking victims, to learn about their pre-trafficking conditions, migration and trafficking experiences, assistance needs, concerns and future aspirations. While some attention was paid to the specifics of the trafficking experience, the main focus was on understanding and analysing (re)integration processes, recognising the wide variation in experiences between respondents. Interviews equally focused on understanding how trafficked persons perceived and experienced these processes.

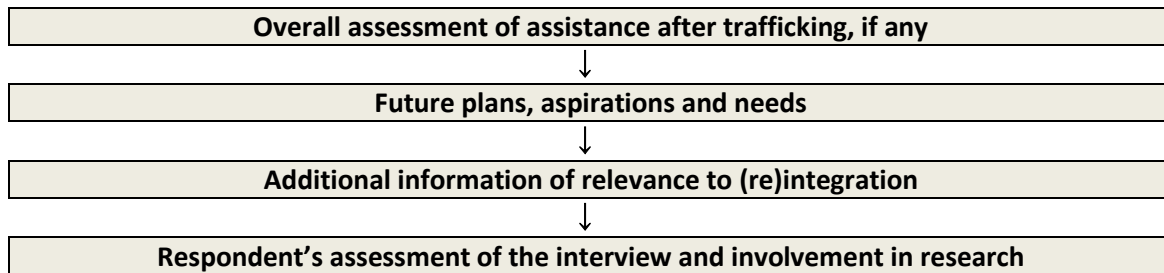
Data was collected according to a standardised questionnaire, although the approach was semi-structured in that researchers adapted their lines of inquiry according to the specifics of the individual's experiences. Standardised probes assisted researchers in maintaining commonality and consistency in terms of lines of inquiry.

To understand the different paths and trajectories of trafficked persons in the GMS, main lines of inquiry for the interviews were centred on the following topics and stages of life.

Figure #1. Research lines of inquiry



² This study does not provide an overview of the national frameworks and policies for victim assistance currently in place but rather looks at how individual trafficking victims experienced these programmes and policies. Information about the (re)integration frameworks in each countries was collected in the context of phase 2 of this initiative. Please see UNIAP at al 2012 for an overview of this information.



Interviews were conducted with trafficked persons from a cross-section of ages, sexes, nationalities, ethnicities, forms of trafficking, destination countries and at varying stages of the (re)integration process, in their home countries or in destination countries. The intention was to capture a diverse sample of respondents as a lens into the widest range of (re)integration experiences and needs, while also trying to capture, to the extent possible, an in-depth understanding of different variations of these experiences. The purpose of the study was not to capture a representative sample; this study makes no claim of representativity.

Interviews were undertaken by national researchers in each country after being trained by the lead researcher. Interviews were conducted in the national language, although some interviews took place through translation when respondents did not speak the national language. All researchers had past experience with interviewing vulnerable populations, including trafficking victims. In addition, researchers were trained and supervised by the lead researcher and a national field supervisor. Interviews were translated by an accredited translator and validated by the national field supervisor in each country. Validated interview transcripts were then sent to the lead researcher based in Bangkok for data cleaning, entry and analysis. Data analysis was done using the data analysis software NVivo9®, following the principles of thematic analysis.

During data collection, the lead researcher was in regular contact with the national field supervisor in each country, as well as individual researchers. Regular debriefings took place to allow for quality control of the data, to discuss and address any issues faced in interviewing and data collection, to further refine the national sampling frame and to deal with any practical or ethical issues that arose. Upon completion of data collection, a final debrief was conducted with each national research team to learn about their experiences, and to learn from assessment and analysis of the data they had collected.

Preliminary findings were also shared with practitioners and policy makers in each of the COMMIT countries through national stakeholder meetings held in December 2012 and January 2013. Feedback and suggestions from these meetings were used to validate the findings, and where relevant, incorporated into the report. A draft version of the report was also shared with each of the COMMIT governments and select organisations and institutions for additional feedback and clarifications prior to final publication.

Sampling frame

Most current research on human trafficking is drawn from samples of identified and assisted trafficking victims. Far less is known about trafficked persons who were never identified as trafficked and/or those who were never assisted. What little is known about unidentified and

unassisted victims suggests systematic differences between trafficked persons who have been identified/assisted and those who have not.³

Moreover, there has been limited empirical research conducted on trafficking for labour, forced marriage and begging. Additionally, certain profiles of victims – for example, men, the elderly and boys – are also under-considered in current research. This means that much of what we know about trafficking is specific to trafficking for sexual exploitation (of women and children) and may not be representative of other forms of exploitation.

In an attempt to avoid, at least in part, such sampling biases and limitations, respondents were sought from four categories of trafficked persons. These were:

1. Identified and assisted
2. Unidentified but assisted
3. Identified but unassisted
4. Unidentified and unassisted.

These are outlined in more detail in the table below.

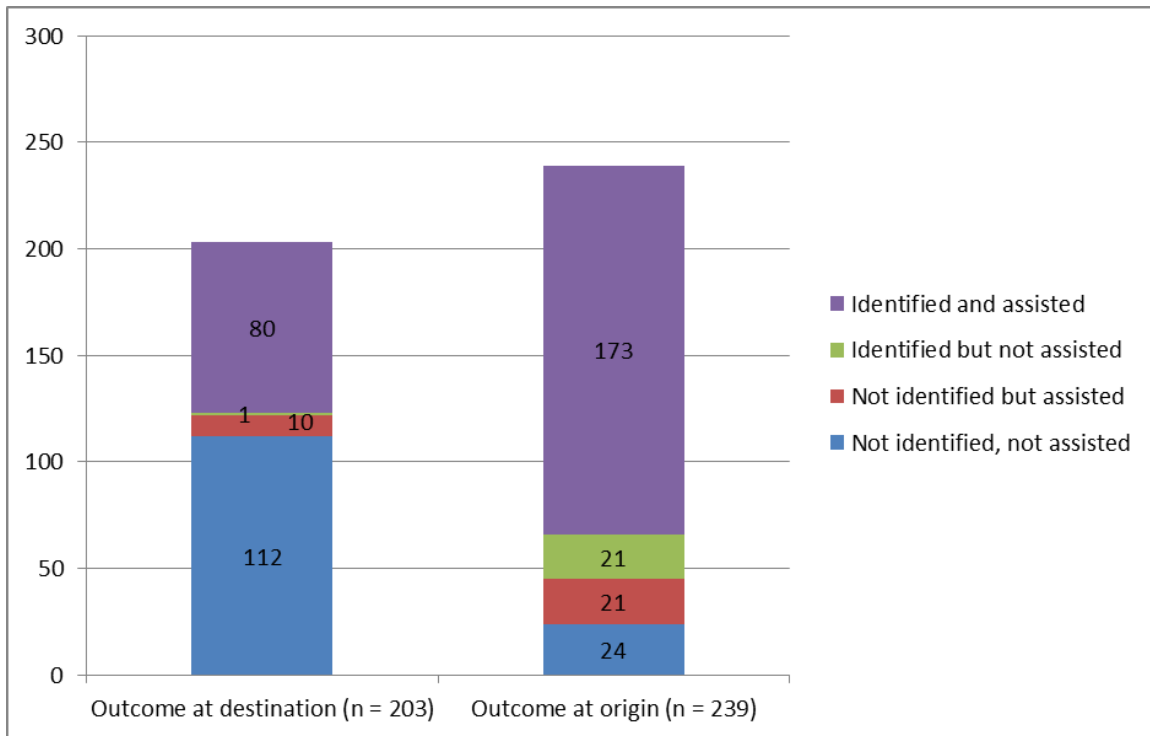
Table #1. Regional sampling frame. COMMIT regional (re)integration study		
	Identified	Unidentified
Assisted	Trafficked persons who are identified as trafficked by anti-trafficking stakeholders and assisted within the anti-trafficking (AT) framework or the more general social assistance system.	Trafficked persons who have not been identified as trafficked but have received formal assistance, whether anti-trafficking assistance or within social assistance programmes.
Unassisted	Trafficked persons who have been identified as trafficked but not assisted within the anti-trafficking or general social assistance framework. This includes the following variations: 1) being identified but assistance was not offered or available, 2) being identified but did not need assistance, and/or 3) being identified but declined assistance.	Trafficked persons who are never identified as trafficked and never assisted within the anti-trafficking framework or more generally through non-trafficking service providers.

The above sampling frame was the starting point in conceptualising how to reach a wider range of trafficked persons, thereby affording an understanding of a broader set of (re)integration pathways and assistance needs. However, the categories of respondents were generally not mutually exclusive and victims fell into different categories during their post-trafficking lives or related to the various assistance options, which were (and were not) available. Many respondents fall under more than one category within the sampling frame. For example, some

³ Please see: Brunovskis and Surtees 2007: 150–51.

trafficked persons were unidentified and unassisted in the country of destination, but were identified and assisted upon their return home. Some were identified and assisted abroad, but then declined to be assisted in their own country upon returning. Other trafficked persons initially declined to be identified and/or assisted but later sought out assistance.

The details of the final sampling frame is summarised in Figure #2 below.⁴



About the respondents

Research was conducted in each of the six GMS countries, with 252 former victims of trafficking (VoTs).⁵ While most respondents were interviewed in their country of origin (at various stages of (re)integration), some were interviewed while being assisted in the country of destination. The specific breakdown of the national samples in each country is outlined in Table #2 below.

Table #2: Overview of national level sampling in each country

Country of research	Number of national VoTs interviewed	Number of foreign VoTs interviewed
Cambodia	61	0
China	8	0

⁴ Outcome at destination totals 203 cases because in 49 cases respondents were internally trafficked. Outcome at origin totals 239 cases because, in 13 cases, the respondents had not returned to their home country yet.

⁵ A total of 268 interviews were conducted in the six GMS countries, of which 16 were excluded from the sample. These individuals were victims of other forms of crime (e.g. rape, sexual assault) or were irregular migrants who were misidentified (but assisted) as trafficking victims.

Lao PDR	24	0
Myanmar	70	0
Thailand	9	14 (from Cambodia, Lao PDR, Myanmar)
Vietnam	66	0
Total (n=252)	238	14

Nationality of respondents. Trafficked persons interviewed for this study were nationals of Cambodia, China, Lao PDR, Myanmar, Thailand and Vietnam. The majority were nationals of Myanmar, Vietnam and Cambodia, accounting for 82% of the study's respondents.

Table #3. Trafficked persons' country of origin	
Cambodia	62
China	8
Lao PDR	28
Myanmar	79
Thailand	9
Vietnam	66
Total	252

Countries of destination. The majority of respondents were trafficked within the GMS. Thailand, China and Malaysia were the primary countries of destination, cumulatively accounting for 75.9% of the destination countries. In addition, some individuals were trafficked within their own country – a total of 44 trafficked persons were exploited internally, of which 37 were children. The details of internal trafficking are presented in Table #4 below. However, some trafficked persons were exploited in other countries, as presented in the table below, and findings are reflective of issues in these various countries both within and beyond the GMS.

Table #4. Trafficked persons' country of destination⁶	
Cambodia	16 (10 Cambodians internally trafficked; 6 foreign nationals)
China	59 (8 Chinese nationals internally trafficked; 51 foreign nationals)
Hong Kong, China	2 (GMS nationals)
Indonesia	4 (GMS nationals)
Israel	2 (GMS nationals)
Italy	1 (GMS nationals)
Japan	2 (GMS nationals)
Lao PDR	3 (3 Laotians internally trafficked)

⁶ The number of destinations (n=266) exceeds the number respondents (n=252) as some trafficked persons were exploited in more than one destination country while trafficked.

Malaysia	41 (GMS nationals)
Myanmar	8 (8 Myanmar nationals internally trafficked)
Singapore	4 (GMS nationals)
Taiwan, China	2 (GMS nationals)
Thailand	102 (2 Thai nationals internally trafficked; 100 foreign nationals)
Vietnam	17 (13 Vietnamese nationals internally trafficked; 4 foreign nationals)
United Kingdom	1 (GMS national)
Yemen	2 (GMS nationals)
Total	266

Personal characteristics of trafficked persons. Trafficked persons interviewed for this study were women and men, adults and children. The breakdown of their individual characteristics is summarised in Table #5, below.

Table #5: Profiles of trafficked persons interviews	
Total number of respondents	252 trafficked persons
Sex	78 – male 174 – female
Age (when trafficked)	145 – adults 107 – children (under 18 years when trafficked) ⁷
Marital status	82 – married (including 4 common-law) 131 – unmarried 35 – separated/divorced 2 – widowed 2 – unknown

Ethnicity. Respondents for this study were sought from both minority and majority groups. The composition of ethnicity in each country is outlined in Table #6, below.

Table #6. Ethnicity	
Country of origin/nationality	Ethnicity included in the sample
Cambodia	Khmer (56), Vietnamese (3), Cham (1), Unknown (2)
China	Han (5), Hui (1), Unknown (2)
Lao PDR	Lao Lum (18), Lao Theung (4), Lavad/Lao Lum (1), Kamou (1), Soy/Lao Theung (1), Unknown (3)
Myanmar	Bamar (47), Shan (8), Kayin (6), Bamar/Shan (4), Chin (2), Pa-Laung (2), Kayah(1), Mon (1), Pa O (1), Larhu/Rakhine (1), Bamar/Rakhine (1), Bamar/Indian (1), Bamar Kayin (1), Thai/Bamar (1),Unknown (2)

⁷ Age refers to the age when the child was trafficked. Child respondents in this study were trafficked at various ages – i.e. trafficked as babies through to 17 years of age. At the time of interviewing for this study, some respondents were still children (n=55). Interviews with formerly trafficked children were conducted only with children 13 years of age and above. The majority (n=41) were between the ages of 15 and 17. However, others had since become adults (n=52). Please see section 4.1 for age disaggregated data about trafficked children interviewed for this study.

Thailand	Thai (9)
Vietnam	Kinh (50), Dao (5), Hmong (2), San Diu (2), Dzaio Tuyen (1), Kho Mu (2), Nung (1), San Chi (1), Tay (1), Unknown (1)

Forms of trafficking. Respondents for this study were exploited for different forms of trafficking, as outlined in Table #7, below.

Table #7. Form of trafficking	
Sexual exploitation	61 (including 9 who escaped before being exploited)
Labour	123 ⁸ (including 5 who escaped before being exploited)
	Agriculture/plantation – 14
	Construction – 13
	Domestic work – 25
	Factory – 35
	Fishing – 37
	Service sector (shops, restaurant) – 8
Forced marriage	35 (including 4 who escaped before being exploited)
Begging and street selling	20
Sexual exploitation and labour	3
Escaped before exploited⁹	7
Unknown¹⁰	3
Total	252

Ethical issues and considerations

Trafficked persons interviewed for this study included both those who had been identified and assisted and those who had not. This was done to access the widest range of experiences and assistance needs to support the design of improved (re)integration policies and programmes. At the same time, it was understood that not all categories of respondents would be easily found for research purposes in each country. Categories such as “unidentified” and/or “unassisted” have not typically come into contact with the anti-trafficking framework, thus they constitute “hidden” or “hard to reach” populations. This element of the study created considerable practical, and more importantly, ethical obstacles to overcome in researching these four categories of respondents.

Sampling was approached carefully and cautiously, and was done in close cooperation with local anti-trafficking organisations in each country and field site. Particular attention was paid to respecting the privacy, confidentiality and safety of research respondents (as well as researchers). Only if a safe and ethical channel could be identified to reach out to these “hard to

⁸ The forms of labour exceed 123 because some trafficked persons were exploited for different forms of labour over the course of their trafficking experiences.

⁹ These women/girls escaped from their traffickers before they could be exploited but all indications were that they would have been trafficked into prostitution or forced marriage.

¹⁰ The focus of the interviews was on victims’ experiences post-trafficking (i.e. exit, identification, return, assistance, (re)integration) and respondents were not required to discuss their trafficking experience. Indeed within the research protocol and introduction they were explicitly offered the option not to speak about their trafficking experience. As a result, in some cases, it was not clear for what form of exploitation the respondent was trafficked.

reach” and vulnerable persons was this group approached. Conducting research in communities was undertaken only with the utmost attention to these concerns. Where risks were identified, interviews did not take place. Respondents were, under no circumstances, persuaded or pressured to participate in the study and they were given time before the interview to decide whether they agreed or not.

Each interview began with a detailed process of informed consent, which included an explanation of what the interview would involve, the questions that would be asked, their right to decline to answer any questions or end the interview at any time, and assurances of confidentiality. In the case of children, consent was gained from the child, as well as, where appropriate, the parent or guardian. All interviews were strictly confidential, and transcripts were shared only with the lead researcher. Interviewers were obligated to respect the confidentiality of all respondents in adherence with international data protection legislation, and signed a confidentiality agreement within the framework of the research project.

Confidentiality was assured to all research participants except in situations where it was likely that they intended to harm themselves or others. A response plan was developed in the event that respondents disclosed a need for protection – for example, abuse within the family setting where they were (re)integrated or in institutional care where they were assisted.

Researchers were equipped with current referral information about services and agencies providing different types of support and assistance. All respondents were offered referral sheets as part of the interview process. In some cases, researchers played a more proactive role in facilitating referrals including contacting service providers on respondents behalf (at their request), providing a phone (or funds for a phone call) to allow respondents to call service providers for assistance and/or following-up with service providers (with the respondent’s consent) to ensure that their requests had been received and were being addressed.

Any issues or difficulties that arose in the context of the data collection were immediately communicated to the field supervisor, who in turn, contacted the lead researcher overseeing the study.

Ethical issues when researching children. Sampling involved research with both adults and children. It was considered important to include children in this study to ensure that their (re)integration experiences and needs were also represented, as they constitute a seldom-researched group. While providing a more complete picture of victims’ (re)integration experiences, involving children in the research created a raft of additional ethical considerations.

Only children aged 13 years and older were included in the sample for direct interviews. Due to the complicated nature of the study, the research team sought additional safeguards before involving trafficked children as respondents. Wherever possible, older children (nearing the age of majority) were interviewed. In other cases, adults who had been trafficked as children were interviewed about their experience. This approach was taken because of the greater capacity of older youths and adults to detail and reflect upon their experiences. This was also done to avoid unduly taxing younger children who may have found the questionnaire challenging and stressful.

In all countries at least one researcher (and generally more than one) had previous experience interviewing vulnerable children, including trafficking victims. Researchers were further trained in the ethical interviewing of children in the context of this study. Only researchers with past experience of interviewing children conducted interviews with them. In the case of children, there was a more detailed process of informed consent, with the additional requirement that consent also be given by the child's parent/guardian, wherever possible/appropriate.

Interview location. Interviews were conducted in different settings and locations, depending on the country and the specific sampling frame. Interviews took place in a private, quiet and confidential setting. Appropriate interview sites differed from respondent to respondent, based on their specific situation, including whether they were an identified or unidentified victim of trafficking (or an assisted or unassisted VoT). This included, in some cases, the shelter where a respondent was living or the office of the organisation that was assisting a respondent. It also included interviewing in a respondent's home or in a public space. Some respondents preferred to be interviewed away from their family/community environment, outside the vision of traffickers or brokers, etc.

Selection of the interview site was undertaken jointly by the researcher and respondent, with all due attention given to any potential ethical or security/safety issues. However, the researcher (and field supervisor) was responsible for anticipating, weighing and presenting the benefits as well as possible (negative) consequences of various locations.

Compensation. Compensation can potentially create a pressure to participate in research in ways that may compromise informed consent. At the same time, some respondents may not be able to participate in a study when some compensation is not provided.

Researchers arranged interviews in ways that were more convenient for trafficked persons – i.e. after working hours, traveling to their homes or communities, in shelters, in a neutral location and so on. Nonetheless, funds were sometimes needed to cover the transportation and food costs of respondents (and those accompanying them) who agreed to be interviewed outside of their home setting. Compensation was determined in each country, consistent with local conditions and the individual's situation. Researchers clearly outlined to respondents the intention of the compensation – e.g. for time, travel, lost earnings and so on. In some cases, when appropriate, compensation was provided in the form of a small “gift” (e.g. food items or snacks), to thank respondents for their time and involvement.

Research limitations

Access to respondents differed by country. There is an unequal distribution of cases between countries and nationalities in the sample. In some countries it was difficult to ethically approach trafficked persons; in other cases, trafficked persons declined to be interviewed. That being said, while smaller numbers of victims were interviewed in some destination countries, it was nonetheless possible, to some extent, to learn about the assistance and protection response in those countries through the lens of foreign victims identified and assisted there.

Time factor. Respondents included persons who had been recently trafficked and others whose trafficking experiences had occurred in the past. This was necessary to take into account the

long term nature of the (re)integration process, to learn about experiences and needs across this temporal trajectory. However, this meant that some policies, practices and procedures had changed since these trafficked persons were (un)identified and/or (un)assisted.

Representativity. The study was not representative nor does it make any claim to be. The intention was not to be representative but to learn from as wide a range of trafficked persons as possible in order to better understand their various (re)integration pathways, and to see what needs to be done to meet their (re)integration needs. The sample included all forms of trafficking and all profiles of victims. It also included identified and unidentified victims, as well as assisted and unassisted victims in an effort to diversify the sample. In some cases, numbers and statistics are presented in the study. Because this is not a representative sample, numbers cannot be extrapolated to draw conclusions about the broader population of trafficked persons. The numbers are used only to highlight the presence of a particular issue within the study's sample. For example, numbers/statistics about assistance and non-assistance highlights the presence and relevance of these categories of trafficked persons in the region, but not the statistical scope or representation.

Framing the discussion and defining the terms and concepts

What is (re)integration?

(Re)integration is the process of recovery, and economic and social inclusion following a trafficking experience. It includes:

- settlement in a safe and secure environment,
- access to a reasonable standard of living,
- mental and physical well-being,
- opportunities for personal, social and economic development, and
- access to social and emotional support.

A central aspect of successful (re)integration is the empowerment of trafficking victims, supporting them to develop skills toward independence and self-sufficiency, and to be actively involved in their recovery and (re)integration.¹¹

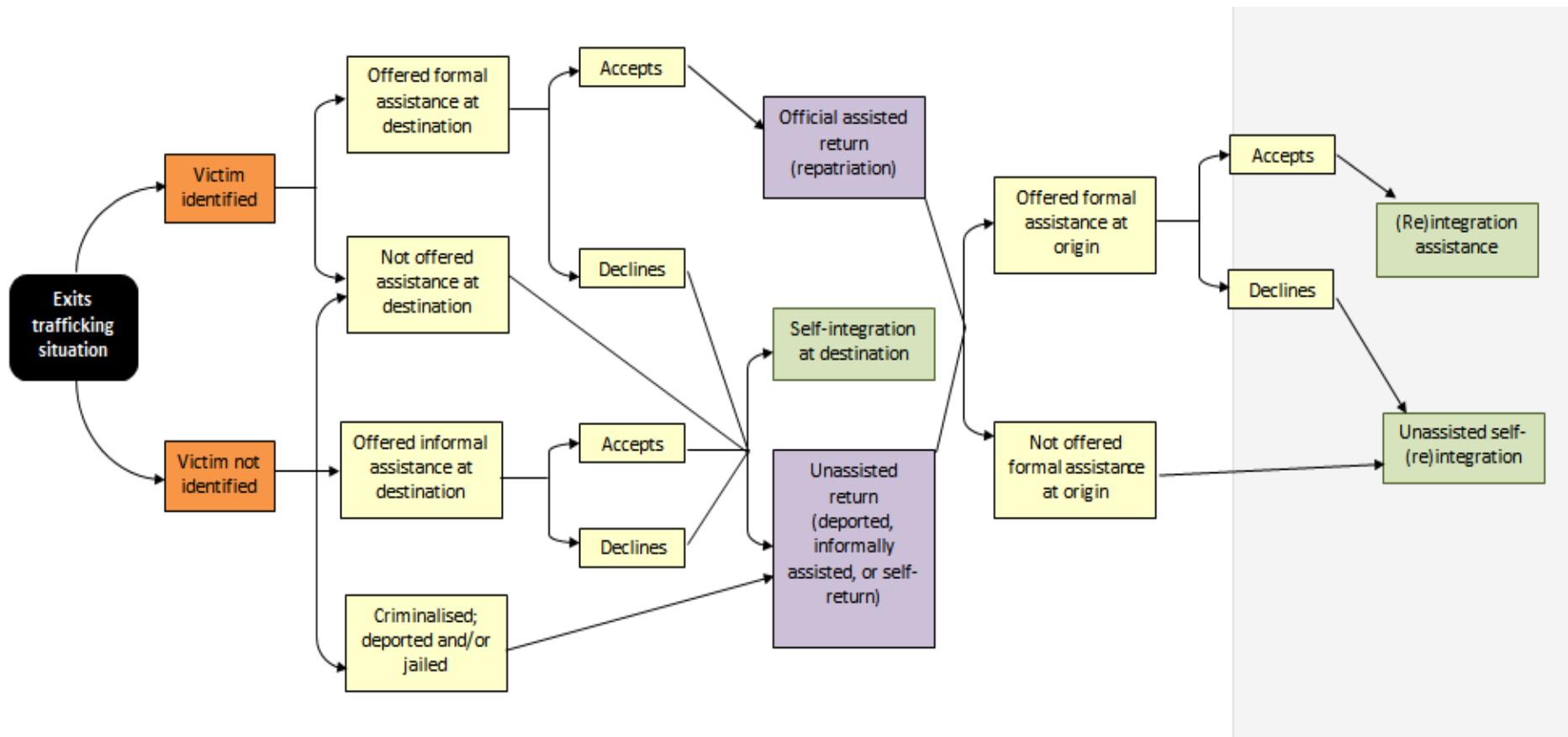
Trafficked persons may be (re)integrated in different settings, depending upon their individual needs, interests and situations. Different options might include:

- *Reintegration in the home community.* When the individual returns to their family and/or community of origin in his/her country of origin.
- *Reintegration in a new community in the home country.* When the individual integrates into a new community in the individual's country of origin.
- *Integration in a new country.* When the individual integrates in a new community and new country.

¹¹ Adapted from Surtees, R. (2008) *Re/integration of trafficked persons – how can our work be more effective*. Brussels: KBF & Vienna/Washington: NEXUS Institute.

Diagram #1 illustrates some of the trajectories that trafficked persons may travel, with variable experiences and access to identification and various forms of intervention and (re)integration assistance.

Diagram #1. Avenues of (non)identification and (non)assistance after trafficking



Meaningful (re)integration is a complex and costly undertaking, often requiring a full and diverse set of services for trafficking victims (and sometimes also their families) who themselves have widely differing short- and long term physical, psychological, social and economic needs. Victims are trafficked for a wide range of purposes, and the nature and impact of exploitation is often context specific and highly individual. This means, in practice, that their assistance and (re)integration needs are also highly individual and often also very complex.

There are specific outcomes which cumulatively constitute “successful (re)integration”. These include those outlined in Table #8 below.

Table #8. What is successful (re)integration in the GMS?¹²	
(Re)integration outcomes	Description
Safe, satisfactory and affordable accommodation	Access to a safe, satisfactory and affordable place to live, whether provided by an organisation, institution or privately arranged.
Physical well-being	Healthy physical condition and a general sense of physical well-being.
Mental well-being	Mental well-being including self-esteem, confidence and self-acceptance.
Legal status	Having legal status as a citizen (i.e. having been registered at birth) and access to her/his identity documents, or in the case of foreign trafficking victims, being provided with temporary or permanent residency. This may include issues of legal guardianship in the case of children.
Safety and security	Being physically safe and well, including safety from exposure to threats or violence by the trafficker, or by others within the family or community/country.
Economic well-being including professional employment and economic opportunities	A satisfactory economic situation – for example, the ability to earn money, support family members and so on – as well as access to economic opportunities, which might include employment or income generation activities.
Education and training opportunities	Access to school re-enrolment, educational and training opportunities, including formal and informal schooling, professional/vocational training, life skills and so on. This is of particular importance for children under the minimum level of schooling.
Healthy social environment and interpersonal relationships	Positive and healthy social relations, including <i>vis a vis</i> peers, family, spouses/intimate partner and the community. This includes not being exposed to discrimination, stigma, marginalisation and so on. Key, in the case of children, is stable family relationships (and ideally reunification) or other family based options.
Best interests assured in the legal process	The individual’s involvement in the legal/judicial process related to the trafficking experience being undertaken in their

¹² Adapted from Surtees, R. (2010) *Monitoring anti-trafficking re/integration programmes. A Manual*. Brussels: KBF & Washington: NEXUS Institute.

	best interests and with their informed consent.
Well-being of victims' families and dependents	The overall well-being of trafficked persons' dependents, including children, spouses, parents, siblings and so on.

Often key in achieving successful (re)integration outcomes, as presented above, is the provision of appropriate, adequate, sensitive and high quality assistance to trafficked persons. The nature of these services is discussed below.

What is assistance?

“Assistance” in this context refers to formal anti-trafficking assistance, provided by national and international NGOs, IOs and state bodies, as well as more generalised assistance (i.e. non-trafficking specific assistance) provided by state agencies (e.g. social services, child protection agencies and health departments), NGOs or IOs. For the purpose of this research, assistance is described as any support provided at home or abroad which was helpful to the trafficked person in his/her recovery from trafficking.

There is a distinction between formal and informal assistance. Formal assistance is provided by organisations and institutions, including community and religious groups. By contrast, informal assistance is provided by family and friends, and within the community. While this research largely focuses on formal assistance opportunities (within the anti-trafficking framework or more generalised social services), it is also important to consider how more informal mechanisms and coping strategies have and can play a role in the (re)integration process.

All assistance (formal and informal; trafficking specific and more generalised; structured and *ad hoc*) has an important role to play in the recovery and (re)integration of trafficked persons. Which assistance is most effective and appropriate depends on a range of individual and socio-economic factors, as well as the stage of victims' post-trafficking experience. Moreover, the different types of assistance are often complimentary and mutually reinforcing; access to different (and complimentary) types of assistance can be important in supporting (re)integration.

The types of formal assistance needed for recovery and (re)integration after trafficking differ according to whether the individual is in the initial crisis stage or later on in the transition or (re)integration phase. They may include some or all of the services listed in Table #9 (below).

Table #9: Comprehensive (re)integration services

- **Accommodation**, including shelter, transition and independent housing options
- **Medical assistance**, including both general and specialised services, emergency and longer term care
- **Psychological assistance**, including both individual or group counselling and therapy, emergency and longer term care
- **Education and professional/vocational training**, including formal education, education reinsertion/reenrolment programmes, informal education, tutoring and “catch-up classes”, life skills, vocational training, etc.
- **Economic opportunities**, such as job placement, micro/small business development

(including loans/grants), income generating activities, etc.

- **Legal and administrative assistance**, including document processing, accessing state services and involvement in civil procedures (e.g. divorce, child custody)
- **Support with legal proceedings**, including advice in criminal and civil procedures, support for victims/witnesses and assistance with victim compensation claims
- **Family mediation, counselling and support**, including counselling of various family members, dealing with family tensions and conflicts, provision of guidance and skills building on good parenting, child care and child/adolescent development.
- **Humanitarian assistance/support**, including food, clothing and financial assistance
- **Case management (including monitoring and follow-up)**
- **Assistance to secondary beneficiaries (e.g. victims' children, siblings, parents)**

Other terms and concepts

Trafficking in persons. Trafficking in this study refers to the generally-accepted definition established in international legal documents, including the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons*¹³ (also known as the UN TIP Protocol or the Palermo Protocol). The Protocol defines trafficking in human beings in article 3a as:

[...] recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.¹⁴

Moreover, article 3c states that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of the same article.

Trafficking victim. This refers to persons who qualify as victims of trafficking in persons in accordance with Article 3 of the UN Protocol, or a country’s national trafficking legislation.

The term “victim” has generated much debate in that it, arguably, implies powerlessness, rather than resilience. However, in a human rights framework, “victim” highlights the abuse and injustice suffered and the responsibility of the perpetrator. Likewise, in the context of (re)integration, the term “victim” highlights victims’ right to protection as well as the responsibilities of government and civil society to afford this protection. As such, in this study, “victim” denotes someone who has been the victim of a crime and does not refer to the person’s agency or any other characteristics.

¹³ Also known as the Palermo protocol, this protocol is one of the three protocols that supplements the UN Convention on Trans-national Organised Crime, adopted by the UN General Assembly on November 15, 2000.

¹⁴ Please see United Nations (2000) *Protocol to Prevent, Suppress and Punish Trafficking in Persons*. New York: UN General Assembly.

The term “trafficked person” is also used interchangeably with “trafficking victim”, in the context of on-going discussions about appropriate terminology and framing of the issue. That being said, this framing is for the purpose of this report, and in practice, each trafficked individual has the right to characterise herself/himself in the manner of her/his choosing. The terms “trafficking” and “trafficking victim” may not be appropriate or comprehensible to some trafficked persons. Some may not see their experience as trafficking; others may not understand the term; still others may object to the term “trafficking” or do not wish to be referred to as “victims”.¹⁵

Child. Anyone under the age of 18 years.¹⁶

Child protection. Preventing and responding to all forms of child abuse, exploitation or violence.

Identification. The process by which a VoT is determined to have been “trafficked”. This is a formal identification procedure by someone with the right/authority to make this determination. Some countries require a government authority to provide formal trafficking status to victims. This means that trafficked persons may be informally identified by an NGO but not formally identified by the government.

Re-trafficking. When a trafficked person exits one trafficking situation and then subsequently enters another one. Someone may leave trafficking, return home and then be re-trafficked. Equally, someone may exit a trafficking experience and be re-trafficked in the country of destination. Being moved from one site of exploitation to another does not constitute re-trafficking even when the situation involves different exploitation scenarios and traffickers.

Service provider. This refers to organisations that provide one or more of the range of services needed by and provided to trafficking victims. This includes shelters/accommodation, medical care, legal assistance, psychological assistance, assisted return, family mediation, vocational training, job placement/economic programmes, educational opportunities and case monitoring. Service providers may be from NGOs, GOs and IOs and may be dedicated to anti-trafficking or may work on social assistance generally.

Shelter. Premises that provide temporary or longer term accommodation to trafficking victims and which are recognised within formal or informal referral mechanisms of the country.

¹⁵ Please see Brunovskis & Surtees 2007 and Surtees 2007.

¹⁶ In terms of children, the Palermo Protocol specifies, in article 3c, that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of the same article. The protocol, in article 3d) also stipulates a child as anyone under 18 years of age.

KEY FINDINGS SECTION 1

Challenges in the (re)integration process



A group of irregular Cambodian migrants being returned from Thailand through a process whereby trafficked persons can go unidentified and unassisted

Issue 1.1. Going unassisted

Large numbers of trafficked persons were unassisted (or inadequately assisted).

Being unassisted (and inadequately assisted)

Assistance was often reported as being integral to the recovery and (re)integration of trafficked persons. Many trafficked persons described positive and helpful assistance experiences, both in countries of destination and origin, as seen in the case studies below. Nonetheless, large numbers of trafficked persons in the GMS were unassisted following their trafficking experience. In the study sample, 113 trafficked persons were unassisted in the country of destination; 45 were unassisted in their country of origin; and 39 received no assistance either at home or abroad.

Table #10. Going unassisted in the GMS

Unassisted at destination	55.7% (113 of 203) ¹⁷
Unassisted at origin	18.8% (45 of 239) ¹⁸
Unassisted at both origin and destination	20.5% (39 of 190) ¹⁹

GOOD PRACTICE:

POSITIVE ASSISTANCE EXPERIENCES BOTH AT DESTINATION AND ORIGIN

One Cambodian man trafficked to Malaysia for work aboard a fishing boat was initially arrested by police and charged with illegal migration. However, staff from the Cambodian embassy visited the prison and recognised him as a trafficking victim. The embassy worked alongside a Cambodian NGO to secure his release and arrange for his return. In Cambodia he was identified as a trafficking victim and given money to travel to his village. Shortly thereafter another assistance organisation visited him in his village and offered him different forms of assistance. He asked to be trained as a barber and they arranged for him to attend a training course in a nearby town. He then received some funds to buy barber tools and has since set up a barber shop in his home village. He is able to support himself with this job and enjoys the work.

One Laotian woman received comprehensive assistance after her return from Thailand where she was trafficked for sexual exploitation. She was accommodated in a shelter where she received a range of services. She studied to become a beautician, and after completion, was provided with a small grant to open her own salon. Her business is doing well and she is now able to support herself and send money home to help her parents.

In addition to being unassisted, there were also a number of trafficked persons who were formally identified as trafficked but “basically assisted,” in that they received only the most basic support following identification. For example, it was not uncommon for trafficked persons to be assisted to return to their home country from abroad, but then be sent home without any

¹⁷ 49 cases were not applicable because they were internally trafficked.

¹⁸ 13 cases were not applicable because they had not returned to their home country yet.

¹⁹ 62 cases were not applicable because trafficked persons were not in both destination and origin countries.

further support or follow-up. Others initially received a humanitarian package with some emergency goods (e.g. clothes, basic food stuffs) and nothing beyond this. While technically “assisted,” this very limited support should be considered more as a part of return assistance (or initial crisis intervention) and not comprehensive (re)integration assistance. The number of trafficked persons who fit within this category was significant – 45 trafficked persons interviewed for this study.

Table #11. Unassisted and under-assisted	
Unassisted	Basic assistance
No assistance of any kind	Transportation home <i>and/or</i> Food and clothing <i>and/or</i> Small financial grant <i>and/or</i> Temporary stay in transit shelter

In a large number of instances, receiving “basic assistance” was not significantly different from being unassisted. Even with this intervention trafficked persons had significant assistance needs and faced serious barriers to sustainable (re)integration, often quite similar to those of unassisted victims. The case studies below illustrate “basic assistance.”

CASE STUDIES:

VICTIMS WHO WERE IDENTIFIED AND RECEIVED ONLY BASIC ASSISTANCE

One man from Myanmar, trafficked for fishing, was detained by Thai officials and deported to Myanmar. Although not identified as trafficked abroad, he was identified upon arrival in Myanmar. After giving a statement to the police, he was provided with a bag of basic needs. He returned to his home community where he lives with his family. He received no further support.

One Cambodian man trafficked for fishing described how he received initial humanitarian support – i.e. rice, clothes and other basic necessities – but nothing beyond this.

One Vietnamese girl was trafficked to China for forced marriage. She was identified by the police in China who coordinated her return home with Vietnamese authorities and facilitated her repatriation. She returned to Vietnam but never received any additional assistance beyond this return support.

Trafficked persons who were “unassisted” or “basically assisted” were not only missed by anti-trafficking organisations, but also by other assistance organisations and state bodies that provide assistance and support to vulnerable persons. Many of the trafficked persons interviewed for this study might have qualified for other forms of assistance – from state agencies or non-governmental assistance programmes – that could have supported their (re)integration process.

By contrast, in some instances, trafficked persons did have access to other forms of (non-trafficking) support that was of importance in their recovery and (re)integration. One Vietnamese woman, trafficked to China for forced marriage, was certified as a poor household

by local authorities, which entitled her to various forms of assistance including free education for her children.

Reasons for going unassisted

Trafficked persons went unassisted for a variety of reasons. In some cases, being unassisted was a function of the assistance framework itself – for example, lack of identification and referral, (un)availability of services (including funding issues) or programme criteria. In other cases, being unassisted was related to the individual perspective, choices and knowledge of trafficked persons – for example, not being aware of assistance, discomfort in asking for assistance or acceptance of bad working/migration experiences. In general, there were seven key reasons why victims for this study went unassisted:

1. Being unidentified
2. No services were available – abroad or at home
3. Services were not available for some types of victims
4. Trafficked persons were not referred for assistance
5. Trafficked persons were not aware of available assistance
6. Discomfort in asking for assistance
7. Accepted bad experiences as normal; “it’s normal for people like me”

1. Being unidentified. To some extent, going unassisted was a function of being unidentified, and large numbers of victims in the region were unidentified at some stage of their post-trafficking lives. Many trafficked persons came into contact with authorities at various stages of their post-trafficking lives but experienced “missed identification” – i.e. being unidentified by an official/authority who should have recognised them as trafficked but did not.²⁰ Some trafficked persons were unidentified in the destination country, some continued to be unidentified after returning home. As a consequence, they generally did not know they were entitled to assistance as trafficked persons and/or what assistance might be available them. Of the study respondents, numbers identified vs. unidentified in the sample can be found in Table #12, below. Experiences of unidentified victims are also described in the case studies below.

Table #12. Going unidentified in the GMS

Unidentified at destination	60.1% (122 of 203) ²¹
Unidentified at origin	18.8% (45 of 239) ²²
Unidentified at both origin and destination	16.8% (32 of 190) ²³

²⁰ “Missed identification” refers to situations in which trafficked persons came into contact with individuals and institutions (e.g. law enforcement, service providers, etc.) who should have the capacity to identify trafficking cases or, at minimum, to recognise signals of vulnerability and risk that are often synonymous with trafficking but did not identify them as trafficked (or potentially trafficked).

²¹ 49 cases were not applicable because they were internally trafficked or escaped before being trafficked/exploited.

²² 13 cases were not applicable because they had not returned to their home country yet.

²³ 62 cases were not applicable because trafficked persons were not in both destination and origin countries.

CASE STUDIES:
VICTIMS WHO WERE NEVER ASSISTED DUE TO NEVER BEING IDENTIFIED

One Cambodian man, trafficked to Thailand for labour, was never identified nor assisted. He was arrested at his work site and then deported. He was not identified by authorities in Thailand nor by Cambodian authorities upon his return. He returned on his own to his village. When asked about whether people in his situation knew where to go for assistance, he explained that he did not know and neither did other people in his village. In his village there were no organisations that offered support to people in need. He had never heard of anyone receiving such assistance.

One Vietnamese woman, trafficked to China for sexual exploitation, managed to contact her family in Vietnam who travelled to China and rescued her without contacting authorities in either country. When she returned home she lived with her parents and worked as she had before trafficking. Soon after, she married and she currently lives with her husband and children. She did not receive assistance, and did not know what assistance might be available to persons with experiences like hers. The support she received was from her family.

2. No services were available – abroad or at home. In some cases, trafficked persons went unassisted because no assistance was available to them at the time of their exit from trafficking. As noted above, some trafficked persons went unassisted abroad; others at home; others both at home and abroad.

Some respondents had been trafficked a number of years previously, and at the time of their return, there were no anti-trafficking services available.²⁴ This generally impeded or delayed their (re)integration. Lack of assistance appears to have been addressed in some countries, with a greater number of recently returned trafficking victims having received assistance. However, gaps continue to persist, with some recently returned trafficked persons having also gone unassisted.

In some countries, there was an overall dearth of anti-trafficking assistance options available to trafficked persons. Moreover, the general assistance framework, which could have potentially been mobilised to support (some or all of) the needs of trafficked persons, was largely insufficient.

In other instances, assistance was unavailable to trafficked persons because of funding constraints. This was an issue, to some extent, throughout the region and for both state agencies and programmes run by NGOs and IOs. In a number of instances, trafficked persons had been in contact with service providers but funding shortages meant that they were not be provided with (re)integration assistance. For some trafficked persons, this was a temporary delay in support and they received services later on. However, for others, this meant not being assisted at all.

²⁴ Of note is that these individuals were typically not referred for other (general) forms of support that might have been available through state agencies or other assistance programmes. This highlights the importance of referrals and communication between anti-trafficking practitioners and assistance organisations and institutions. For further discussion of this issue, please see *Issue 1.4. Weak referral, coordination and cooperation.*

Availability (or unavailability) of services was also, in part, a geographic issue. In many countries in the region there was an uneven geographical distribution of (re)integration services (and indeed services/assistance generally) throughout the country. Therefore, going unassisted was not uncommonly a function of one's area of origin/(re)integration. If no services were available in the area where trafficked persons were (re)integrated, they went unassisted – or at best, were “under-assisted”. This may be understandable in the case of assistance organisations that work in specific areas. However, state social services should, in principle, cover all areas of a country. The reality was that in most cases, state agencies lacked resources to provide (re)integration services throughout countries. Moreover, lack of resources for travel and communication meant that more remote communities were less likely to receive adequate coverage in terms of assistance. These situations are illustrated by the case studies below.

CASE STUDIES:
THE UNAVAILABILITY OF POST-TRAFFICKING ASSISTANCE

One Vietnamese woman, trafficked to Hong Kong as a domestic worker, reported her case to the village head when she returned home, after which she was interviewed by security officers about her experience. However, it was only four years after her return that she was contacted by the provincial social welfare department and provided with financial assistance – 750, 000 VDN and 4 million VDN (approximately 36USD and 190USD respectively). One year later she was offered the opportunity to attend training courses on agriculture, human trafficking and coping strategies to overcome bad experiences.

One woman from Myanmar trafficked to Thailand for sexual exploitation had received some initial assistance but required additional support. However, when she contacted the organisation, they informed her that they could not provide support at that time due to funding shortages in their programme. They did not direct her to another organisation for support.

3. Services were not available for some types of victims. Assistance programmes sometimes had criteria that some trafficked persons did not fulfil, and as a consequence, were not eligible for assistance. Generally, target groups were limited to women and/or children trafficked for sexual exploitation. In some cases, service providers did not seem to assist those outside of these target groups – for example, men and boys trafficked for labour, boys and girls trafficked for begging, women trafficked for forced marriage and so on. This was, in some cases, an organisational issue, whereby individual organisations or institutions did not extend their assistance broadly. In other cases, organisations were restricted by donors in terms of who they were permitted to assist – for example, limiting services to children and youth or victims of trafficking for sexual exploitation. Some trafficked persons were not able to access assistance because they did not meet such criteria.

This was commonly the case for trafficked males, who until very recently, were not legally recognised as trafficking victims in some countries.²⁵ That being said, in some cases, assistance was offered to men in spite of the existing legal and policy framework. Even in countries that

²⁵ In Cambodia (since 2008), Myanmar, Thailand and Vietnam (since 2012), men are included as trafficking victims within national anti-trafficking legislation. China and Lao PDR address forced labour in their penal code, which includes men. Neither country has an anti-trafficking law. Lao PDR also has a women and children's protection act (2004), which doesn't include men.

recognised trafficking in males, assistance programmes were generally not widely available to this group of trafficked persons and/or were less developed and comprehensive in terms of the (re)integration services offered.²⁶

The form of trafficking was another factor in terms of being assisted (or unassisted) in some countries. For some trafficked persons, lack of assistance was linked to their form of exploitation. In countries where labour trafficking was not recognised or under-recognised, assistance was generally unavailable to those trafficked for this form of exploitation.

CASE STUDIES: SERVICES NOT AVAILABLE FOR SOME TYPES OF VICTIMS

One woman from Myanmar, trafficked to China for forced marriage, faced a housing crisis sometime after her return home. However, the institution responsible for assistance in her area did not assist her when she contacted them and she did not understand why. She contacted the researcher who interviewed her for this study and asked for her help in contacting the service provider on her behalf. The service provider explained that this victim did not fit their criteria for assistance; they only assisted those who were HIV+, those who returned pregnant and those who had returned from trafficking with children.

One Vietnamese man was trafficked to China for labour in a brick factory. He escaped and made his way home to Vietnam. At the time, the Vietnamese trafficking law was in the process of being revised to include trafficking in men, and some organisations were working to develop assistance options to go along with this legislative change. He was offered assistance by the department of labour and an international organisation that it was working with. He received training and some funds to start animal breeding in his home community.

One Myanmar man trafficked aboard a fishing boat in Thailand received no assistance at home or abroad. He was held in a detention centre abroad for two months and then deported. He was identified by the anti-trafficking police at home but was not offered services. He explained that when he returned home, no one told him that he could get help.

4. Trafficked persons were not referred for assistance. Even when trafficked persons were formally identified, this did not always translate into being assisted, abroad and/or at home. A number of trafficked persons were unassisted in spite of having been identified at some stage of their post-trafficking lives. Twenty three respondents interviewed for this study were formally identified (at origin and/or at destination) but went completely unassisted, as illustrated in the case studies below.²⁷

In some cases it seemed that the authorities knew about trafficked persons' negative migration experiences but did not recognise these as "trafficking." In other cases, they did not seem to have the resources or programmes to provide support to trafficked persons. A number of

²⁶ This is discussed in further detail in: *Section 2, Issue 2.2. Lack of comprehensive services.*

²⁷ All trafficked persons interviewed for this study were provided with information about assistance options and, where required, referred for assistance. In some cases, researchers contacted service providers on respondents' behalf, at their request and with their consent. Therefore, unassisted trafficking victims had access to assistance options because of the research protocol. However, available assistance was not always appropriate or sufficient for the needs of these individuals.

trafficked persons were unassisted for a number of years, but were then contacted and offered assistance. One Vietnamese woman, for example, was assisted only ten years after her return from being trafficked abroad. It seemed that, with increased prioritisation of anti-trafficking efforts in the region, (re)integration support became available and was offered to these individuals.

Trafficked persons highlighted the importance of information and referral options. One Vietnamese woman trafficked to China for forced marriage had never heard about assistance options prior to the interview for this study, in spite of having been home for several years. She was very interested in assistance options and asked for information about how to get in contact with the relevant agencies (she was provided with referral information). She also stressed the need to enhance information about assistance options, noting: “We need to be informed officially and widely about what kind of services trafficked person would be assisted with. Where should we go to ask for information?”.

This further highlighted the importance of general assistance options. It is unclear why these individuals did not have access to other forms of support given their often acute vulnerability. Referrals to general assistance and services should have been possible in some cases and yet generally did not take place. This raises important questions about the referral process within countries, whether between government institutions or more broadly to include civil society, as further discussed in *Section 1 (please see: Issue 1.4. Weak referral, coordination and cooperation)*.

CASE STUDIES:

VICTIMS NOT REFERRED TO SERVICES IN SPITE OF BEING IDENTIFIED

One woman from Myanmar, trafficked to China for forced marriage, was identified by the anti-trafficking police upon her return and interviewed about her experience. However, they did not inform her about assistance options, nor did they refer her case to an organisation to follow-up with her. She explained that no one had contacted her and she was not told that she could ask for help from any organisations or institutions. She had never heard of any available assistance and was not familiar with the various agencies she might be able to contact for help.

One Vietnamese woman, trafficked for forced marriage, went unassisted for many years after her return from China. When she first got back, she was in contact with the commune level authorities, which should have instructed her on completing and submitting the form for anti-trafficking assistance. However, as she saw it, “they didn't care” and so she did not have access to information about assistance options. She received assistance only ten years after her return.

One Cambodian woman was trafficked to Malaysia as a domestic worker through a formal employment agency in Cambodia. In Malaysia she was badly abused by two employers as well as by the staff of the employment agency before she was finally sent home. The employment agency escorted her to the airport in Malaysia and received her in Cambodia. She never came into contact with officials in Malaysia and was never formally identified there. In Cambodia, she returned to her village where she was contacted by an assistance organisation that identified her as trafficked. She has not been assisted, however, because the organisation was unable to support her request for raising animals.

5. Trafficked persons were not aware of available assistance. Overall, large numbers of trafficked persons were unaware of where they might find help, both in destination countries and at home. Even trafficked persons who had been assisted had a very limited sense of the assistance options that might be available to them. They generally knew only the name of the organisation assisting them, and were unaware of other organisations or institutions that they may be able to turn to for assistance needs, now or in the future.

In some cases, victims did not know where to turn to for help because they were unidentified and had no contact with service providers and/or authorities. Generally, these individuals made their own way home and did not come into contact with any information about possible assistance options, even once they arrived home. As discussed above, even when they had been formally identified as trafficked, they were not always aware of the assistance options available to them. One Cambodian man trafficked for labour explained that he and his family did not know where trafficked persons could go for help.

“I do not know where to find assistance; there is no organisation that can help me. My relatives also do not know. For other people, I think they might not know because I heard that they faced the same situation as me but they did not know where to find assistance.”

In some cases, trafficked persons only became aware of assistance options after proactive campaigning and outreach by assistance organisations. More than one trafficked persons described learning about anti-trafficking assistance only after some time and at the initiative of assistance organisations. In some cases, family members heard about these services and referred them for support.

It is worth considering to what extent a lack of knowledge of assistance is specific to trafficked persons, or whether assistance is generally not visible to vulnerable people in the region. Many trafficked persons had no previous experience of any form of assistance, arguably making it less likely that they would seek out or be aware of options for support following their trafficking experience.

Some trafficked persons may be less likely to know about opportunities for assistance. For example, trafficked children and youth may have limited knowledge of where and from whom they might be able to access assistance and support. Deference to age and authority may further inhibit their ability or willingness to contact these institutions or organisations, even if they were aware of the option.

CASE STUDIES:
VICTIMS NOT AWARE OF AVAILABLE SERVICES

One woman from Myanmar, trafficked to China for forced marriage, had many assistance needs following her return that had not been resolved. She explained that she was not aware that she had the right to get assistance from organisations and government departments.

One Vietnamese woman, trafficked to China for forced marriage, reported her case to the police but they did not provide her with information about assistance. She explained to the researcher that she did not know until being interviewed that trafficked persons like her could be assisted.

One man trafficked to Thailand for fishing was identified upon his return to Myanmar and testified in a case against his trafficker. The police helped him with transportation when he needed to appear in court, driving him to the court, and also provided him with food. However this was the extent of his assistance. When asked whether he had problems that he could not get help with, he explained that he did have assistance needs but that nobody had told him about any assistance that he was entitled to, and he did not know where to go for assistance.

6. Discomfort in asking for assistance. A number of trafficked persons knew where to go for assistance but were uncomfortable to do so, as illustrated in the examples below. Some described feeling too shy or ashamed to ask for help. One Cambodian man, trafficked aboard fishing boats in Malaysia and Thailand, needed money to raise animals. However, he had not received it because the organisation that assisted him to return home had not asked him about his additional assistance needs, and as he put it, he dared not ask for assistance from them. In another instance, a boy trafficked internally within Myanmar for labour, was asked about his assistance needs. He explained that he had never asked for help because he felt ashamed to do so. Instead he was trying to work hard and save his own money.

In other cases, trafficked persons were uncomfortable discussing their trafficking experience with assistance agencies and decided not to pursue assistance to avoid having to talk about what had happened.²⁸ One woman trafficked from Cambodia to Malaysia as a domestic worker wanted to receive some additional training as a tailor to improve her skills and be able to run a small business. However, she had not been asked about her assistance needs and she was not comfortable to approach organisations because she was afraid that the assistance organisations would ask her to recall her “miserable experiences in Malaysia.”

7. Accepted bad experiences as normal; “it’s normal for people like me.” Some trafficked persons, in describing their trafficking experiences, seemed to accept exploitation and difficult conditions as a normative part of their working life. They did not always see trafficking as dramatically different from their previous migration or work experiences. Others recognised that their trafficking experience was exploitative but had what might be described as a fatalistic perspective, seeing themselves as “unlucky.” Having framed their experiences in these terms, their needs and options for assistance were perhaps less obvious to them.

²⁸ This is discussed in more detail in *Section 1, Issue 1.2. Declining assistance.*

CASE STUDIES:
VICTIMS ACCEPTED BAD EXPERIENCES AS NORMAL

One Thai man trafficked to Israel for agricultural work described being frustrated when other workers on the farm contacted authorities to rescue them. The other workers described the working conditions as unbearable, and the police and assistance organisation also explained that he was exploited. However, he explained that he wanted to continue working because, even though the situation was hard, he was able to work and earn money.

One Chinese woman, who was trafficked internally for prostitution as a girl, explained that when she first heard about trafficking, she did not know what it meant nor that it applied in her case. As she put it: "I think I was just unlucky."

One man from Myanmar, trafficked aboard a fishing boat in Thailand, went unassisted in both Thailand and Myanmar. He was neither offered assistance nor did he seek it out. As he explained, he accepted what had happened as his fate and went on with life as best he could.

The impact of going unassisted

Going unassisted meant not having received any formal support following one's trafficking experience. Not only was it frequently stressful for individual victims, but it also directly impeded their (re)integration outcomes and potentially exposed them to additional vulnerabilities that could have led to further exploitation and even re-trafficking. Going unassisted generally meant trafficked persons returned to the same (or a very similar) situation that made them vulnerable to trafficking in the first place. It was often economic issues and vulnerabilities that were highlighted in interviews with unassisted (or under-assisted) victims following their return. Additionally, in many cases, their economic situations had worsened as a consequence of trafficking because they had not remitted or returned with money, and had often incurred debt – sometimes for migration or return, and sometimes as the family's means of coping when no money was sent home while the individual was trafficked. In many of these cases, support would have helped to alleviate at least some of these (often urgent) economic issues.

There were also social and interpersonal implications, with trafficked persons and their families often times being highly distressed, even traumatised by the trafficking experience. Some tensions were related to economic problems; some were a result of coming to terms with trafficking exploitation and the impact of separation while trafficked. Having to cope on one's own was very often challenging and stressful, and had the potential to leave trafficked persons in extremely fragile positions – both socially and emotionally – as illustrated in the case studies below.

CASE STUDIES:
THE IMPACT OF GOING UNASSISTED

One Cambodian man, trafficked for labour in Thailand, described his life since his return home. He lived with his family as before and had returned to work in a stone quarry, but received only Riel 5,000 a day [\$1.25 USD], which was less than before he left for Thailand (he had received Riel 7,500 [\$1.88 USD] in the past). Moreover, working at the stone quarry was even harder than before. He found some better paid work in construction but it was irregular: “My family including my wife and parents feel a lot of pity for me as they knew that I encountered difficulty in Thailand and returned with no savings.”

One boy trafficked aboard a fishing boat in Thailand faced serious economic problems in his family after returning to Myanmar. While he was working after his return, his earnings were not enough. Family expenditures were higher than the family’s income, and his mother had to borrow money, which meant they were now in debt.

One Vietnamese woman, trafficked to China for forced marriage, explained that her bad experience had caused many problems within her family, most significantly in terms of her relationship with her husband. They eventually divorced.

One woman, trafficked from Myanmar to Thailand for labour, spoke about worsened economic conditions since being trafficked and how her parents often fought about money.

Going unassisted (or inadequately assisted) sometimes meant needing to migrate again to meet the economic needs of the family, as a means of managing their difficult situation. A number of trafficked persons were, at the time of the interview, making plans for re-migration, as illustrated in the following cases.

CASE STUDIES:
NEEDING TO MIGRATE AGAIN AFTER BEING TRAFFICKED

One Cambodian man who was trafficked to Thailand, had plans to migrate again because of his economic difficulties: “I have a plan to leave again... I want to work in a factory in Thailand to carry squids from which I can make a lot of money”.

One woman from Myanmar who was trafficked to Thailand for labour, faced difficulties at home that led her to consider migrating again. As she explained, the family business was not going well and her parents were not in good health. In particular she wanted to earn money for her mother’s eye treatment. If she was unable to find help with this problem, she planned to migrate again.

One young woman from Myanmar, trafficked to China for forced marriage, had received no assistance since returning. Her situation was very dire – she didn’t have a regular job and her financial situation was extremely poor. She sometimes went without food. She talked about her sadness and frustration. She was considering migrating in the hopes of finding better opportunities.

The above discussion notwithstanding, some trafficked persons who were unassisted (or under-assisted) managed in different ways to overcome their trafficking experiences and (re)integrate successfully in society. For example, one Vietnamese woman trafficked to China for marriage was now married and had a child with her husband. Her husband was working, and relations within her family were healthy and positive. She intended to take a course in bridal make-up so that she could open a salon. However, she did not need assistance for this. She explained that she could reach her goal on her own and could also rely on her family for support.

While these cases were not the norm – most unassisted victims faced many serious challenges to their (re)integration over the years – exploring these individual experiences in more detail could potentially provide helpful indications in terms of alternative means of supporting and reinforcing (re)integration success. Factors which helped victims overcome their trafficking experiences without receiving any formal assistance included time, (positive and healthy) family dynamics, informal support, social context and so forth. At the same time, each case was different and involved a myriad of factors that uniquely impacted (re)integration trajectories (and impacted them differently over time).

Issue 1.2. Declining assistance

Some trafficked persons declined some or all forms of (re)integration assistance.

Declining (re)integration assistance

A number of trafficked persons declined (re)integration assistance following their trafficking experience.²⁹ In 37 instances,³⁰ trafficked persons made decisions that involved some aspect of declining assistance and support. In some cases, trafficked persons refused some type of assistance (e.g. legal assistance or vocational training). In more extreme cases, trafficked persons declined to be assisted altogether.

Of particular significance was the fact that many of the trafficked persons who declined assistance were in very difficult economic and social circumstances post-trafficking, and would have benefited from assistance but chose nonetheless to decline. In addition, a number of respondents said that they would have preferred to decline assistance but were not in a position to decline anything given their dire situation.

Understanding the reasons for declining assistance is an important aspect of ensuring that (re)integration interventions are responsive to the needs of a wide range of trafficked persons. There were various reasons why trafficked persons declined assistance. Some reasons were linked to trafficked persons' personal and familial situations; others were a function of how the assistance framework was designed and implemented; in still other cases, trafficked persons were essentially "declined" by service providers.

In some cases, trafficked persons faced multiple barriers to accepting assistance. For example, a Cambodian man who was trafficked for work on a fishing boat in Indonesia declined assistance not only because the available assistance did not meet his needs (he was offered vocational training but had requested capital for a small business), but also because of his personal/family situation (he needed to work and earn money for his family as his wife was pregnant and unable to work).

The reasons for declining assistance are listed and then discussed below.³¹

1. Declining assistance because of individual and family circumstances

1.1 Did not need assistance; managed on their own

1.2 Wanted to reunite with their families

²⁹ In all countries in the GMS, trafficked persons have the legal right to decline assistance. However, in practice, this was not always practiced. It is, therefore, likely that more instances of declining assistance would have occurred had trafficked persons been permitted to do so. Indeed in a number of interviews, trafficked persons said that they would have preferred not to have been assisted, especially those who were "forcibly assisted" in shelters.

³⁰ The research instrument did not specifically explore patterns of declining assistance; this issue emerged organically in discussions about assistance and (re)integration. However, as the question was not asked systematically, it is possible that more trafficked persons declined some form of assistance than is mentioned here.

³¹ Many of these reasons for declining assistance were corroborated by service providers and authorities during national feedback consultations for this study. In addition, a study of reintegration of victims of trafficking for sexual exploitation in Cambodia also noted instances of declining assistance, with many of the reasons for this aligning with these regional findings. Please see Miles et al. 2012. These findings are also consistent with a study on why some trafficked persons declined assistance conducted in the Balkans. Please see Brunovskis & Surtees 2007.

- 1.3 Feelings of shame, embarrassment and discomfort
- 1.4 Issues of trust
- 1.5 Not in a position to make decisions when assistance was offered
- 1.6 Feelings of obligation, gratitude, being indebted

2. Declining assistance because of issues in the assistance framework

- 2.1 Could not afford assistance; needed to earn money
- 2.2 Assistance did not meet their needs
- 2.3 Concerned about the conditions of assistance
- 2.4 Assistance was “identifying”
- 2.5 Wanted to stay and work; assistance meant going home

3. Service providers “declined” trafficking victims

- 3.1 Lack of resources and funding shortages
- 3.2 Programmes were not designed to assist “that type of victim”
- 3.3 Victims required a service that the organisation/institution does not provide
- 3.4 Assistance was not offered in the area/region

1. Declining assistance because of individual and family circumstances. For many trafficked persons, their personal and family situations played a significant role in their decision to decline assistance.

1.1 Did not need assistance; managed on their own. Some trafficked persons were able to (re)integrate into society without being formally assisted. They were able to manage on their own economically, socially and emotionally. In many cases, this was largely because they could draw on the support of (some or all of) their family members. For example, one Vietnamese woman trafficked to China for sexual exploitation, described how she declined to join a self-help group in her community. In part, this was because her husband did not like this type of activity. It was also because, as she put it, her life was now stable and she did not need the support. Similarly, one Myanmar woman trafficked to China for forced marriage was offered financial assistance after her return, but chose not to take the money. As she explained, she was doing well and did not need the support.

In some cases, trafficked persons accepted assistance but would have had the resources to cope on their own if assistance was not forthcoming. One Thai man, trafficked to Israel for labour, was offered assistance on his return. This included assistance in establishing his farm. When asked how he assessed the assistance he had received he said that it had been useful, but that he had planned to develop his farm whether he received the assistance or not. He had been able to remit some money while trafficked, which meant he had resources to draw upon during (re)integration.

1.2 Wanted to reunite with their families. Trafficking often meant very long separations from family members – sometimes many years. Therefore, it was not surprising that so many trafficking victims expressed such urgency in (immediately) going home after trafficking. The desire to see one’s family members was paramount; being unable to do so was a source of great stress, anxiety and depression.

Assistance that required being away from one's family after a trafficking experience as a prerequisite was not generally well-received. Many trafficked persons declined various forms of assistance offered to them because it meant being separated from their families and away from their communities. This was particularly common for offers of assistance in the form of shelter programmes, but it was equally problematic for offers of training programmes or jobs in neighbouring cities. This urgency to return home was often amplified in situations where trafficked persons had been (often forcibly) assisted – i.e. compulsory stays abroad or as part of the return in their home country. One woman from Myanmar who was trafficked to China for forced marriage was required to stay in China for one year while her family was traced and documents processed. She was also involved in giving testimony in a case against her exploiter. In Myanmar, she was required to stay in shelters before going home. For her, the most helpful assistance she received was being returned to her family. When asked about the least helpful assistance, she spoke about being forced to stay in shelters and not being allowed to return home. She described being stressed during these shelter stays and worried about whether her parents would still be alive when she was finally able to return home.

Equally relevant was trafficked persons' desire to fulfil their family responsibilities. As a result, they were often unable and unwilling to accept assistance that involved being separated from and unable to care for them. This was not only about financial support but also about filial or parental duty. Many trafficked persons had dependents (children, spouses, parents or siblings) who relied on them not only financially but also for emotional support and as care givers. For example, one Cambodian woman trafficked to Thailand was offered a range of assistance options from a shelter programme after returning home, including training and help in setting up a small business. She declined because she wanted to immediately reunite with her family, particularly her children. Similarly, one Cambodian man trafficked onto a fishing boat was offered assistance to train as a mechanic after he returned, but he eventually decided to refuse this support, explaining that he desperately wanted to be with his wife and to look after his children.

In some cases, trafficked persons accepted assistance because their options were so constrained and it was the only means of supporting their (re)integration. However, they suffered a great deal as a result of being separated from their family members and would have benefited from assistance which better accommodated their family responsibilities and their emotional need to return home – that is, options for assistance within or nearer to their family and community.

CASE STUDIES:

TRAFFICKED PERSONS WERE ANXIOUS TO REUNITE WITH THEIR FAMILIES

One Vietnamese woman, trafficked to Cambodia for prostitution, was offered vocational training. However, it involved staying in a shelter in another town. She declined because she had small children to look after and she did not want to be separated from them.

Another Vietnamese girl, trafficked to China for sexual exploitation, initially accepted the option to stay at a shelter following her return home to Vietnam. There she received healthcare, psychological counselling, training and various others forms of (re)integration support. However, after three months she left the programme to return home to care for her parents who were in poor health.

1.3 Feelings of shame, embarrassment, discomfort. Trafficked persons sometimes felt embarrassed and ashamed about their trafficking experience and needing assistance. Thus, declining assistance was sometimes about redressing and distancing themselves from these feelings and reactions.

Shame and embarrassment because of trafficking and being victimised. Many trafficked persons interviewed for this study expressed discomfort and embarrassment about having been victimised by traffickers. One Vietnamese woman, who had been trafficked to China for forced marriage, declined to be involved in a self-help group in her community as she was embarrassed about what had happened to her and was too afraid to talk about it with others, even those who had also been deceived and exploited in similar ways. Similarly, one woman from Myanmar, trafficked to China for forced marriage, explained that accepting assistance was not always easy for trafficked persons. Some felt shy and were ashamed of what they had been through and for needing assistance.

For some, being called (or seen) as a victim was jarring. Some were saddened by this terminology. One woman from Myanmar trafficked to China for forced marriage described being referred to as a “victim-woman” while staying in a shelter after her return to Myanmar. She had not heard the expression before and asked other residents in the shelter about the meaning. She described feeling very sad when she learned what this term meant. Others expressed anger over this categorisation, as one woman trafficked to China from Myanmar for forced marriage explained:

I felt insulted by the meaning. We were sold but we were not victims. I don't want to be called “victim” and I feel so angry. I don't like it.

Such reactions resulted in barriers and resistance to accepting assistance (as well as negative feelings about assistance and toward some service providers).

Being assisted also meant talking about their trafficking experiences, which, for many trafficked persons, was difficult. A number of trafficked persons spoke about feeling ashamed of what they went through while exploited and not wanting to relive this. Feelings of shame and discomfort were also an issue in deciding whether to accept specific forms of assistance. Talking about their experience – e.g. in counselling sessions and group discussions – was not appealing for some trafficked persons and a number declined this type of support as a result.

Discomfort with being assisted. Shame and embarrassment was also linked, in some cases, to needing assistance. A number of trafficking victims spoke about wanting to stand on their own and solve their problems themselves. When talking about future plans, they did not intend to seek out assistance but felt they could realise their goals on their own. One Vietnamese woman, trafficked to China for forced marriage, had managed on her own following her return and planned to continue in this way. Her long term plan was to learn how to do make-up in order to open a bridal make-up salon. Despite the availability of assistance options, she chose not avail of any. As she put it, she didn't need any assistance to realise this ambition.

In some cases, trafficked persons were resistant to the idea of assistance because it made them feel badly about themselves for needing this support. One Cambodian man, trafficked to Thailand for labour, had not been identified nor assisted in either Thailand or Cambodia, and

had not sought out assistance. He explained that he felt embarrassed to request assistance from others.

However, it is also worth considering whether the way that assistance was framed and offered also contributed, to some degree, to these feelings and resistance. To the extent that this was the case, it should be possible to offer assistance in different ways, to mitigate feelings of shame and embarrassment. Highlighting one's rights to assistance may be one approach. Alternatively, it may prove beneficial when approaching formerly trafficker persons to focus less on victimisation and more on migration or other elements of their plans, decisions, aspiration and experience in terms of how services are framed, presented and offered.

Issues of shame and discomfort were also an issue for trafficked persons who had accepted assistance. Not all trafficked persons felt immediately comfortable with this decision (or even for some time afterward). For many trafficked people, being assisted was something that required some processing and adjustment, which took time. One Vietnamese man, who was trafficked to China for work in a brick factory, received assistance upon his return to Vietnam but described feeling initially uncomfortable about receiving assistance.

1.4 Issues of trust. Trust was a critical factor in decisions to decline (or accept) assistance for both trafficked persons (and their families). In some cases, trust was linked to their trafficking experiences in that they feared that assistance was not “real” and they would be cheated or trafficked again. In other cases, lack of trust was because of trafficked persons’ past, negative experiences of assistance, which informed how they viewed assistance options and service providers.

Assistance was not “real”; feared being cheated again. Some trafficked persons were suspicious of the assistance offered to them and did not completely trust that assistance was “real”. In a number of cases, in more than one country, trafficked persons described being frightened of being tricked or cheated again, including being re-trafficked. In some cases, this led trafficked persons to decline assistance; in other cases, they accepted support, but with some trepidation. One Laotian woman explained that some of the women with whom she had been trafficked declined assistance because they did not trust the organisation:

They did not want to go [to stay at the shelter] as they were afraid that they would not come back if they had to stay in the shelter.

In some situations, it was the family of trafficked persons who made the decision to decline assistance. Trafficked persons talked about their families’ anxiety about them being elsewhere, including the fear of them being re-trafficked. One Vietnamese woman returned home after being trafficked to China and was offered assistance to attend vocational training. However, the course was being offered in another city (50 km from her home) so her parents did not allow her to go. After her trafficking experience they insisted on her staying close to home and under their protection. Another Vietnamese woman also lived with her parents after her return. They told her not to worry about anything; that they would take care of her and her daughter, who was born of her trafficking experience. For the first three months following her return they did not allow her to leave the house for fear that she would be re-trafficked or hurt in some way.

Concerns about re-trafficking and being abused again were reasonable given that many trafficking experiences started in much the same way as offers of assistance were generally framed – being offered help to improve one’s life. That so many assistance offers were shelter based likely exacerbated concerns about assistance because the individual would be far from their family and community, with people they did not know and with whom they had no existing relationship or reasons for trust.

Not all trafficked persons were allowed to decline assistance, as some were “forcibly assisted” – e.g. through compulsory shelter stays abroad and at home.³² One girl from Myanmar, trafficked to Thailand to sell flowers and candy on the street, was identified by Thai officials and placed in a shelter based assistance programme. This girl described being frightened when she was first taken to the shelter because she was worried that she would be trafficked again. She was also frightened that she would never see her parents again. Some trafficked persons spoke about how they would have declined assistance if they had been given that option because they were afraid and suspicious of the offer.

Bad assistance experiences; broken promises. For some trafficked person, (lack of) trust was a function of past negative assistance experiences. Some trafficked persons had been badly treated when assisted previously or had received poor assistance. This was particularly an issue for trafficked persons returning from destination countries where they had been forcibly assisted or had gone unassisted (i.e. detained).

For others, lack of trust was linked to broken promises by assistance providers. One girl from Myanmar was trafficked to Thailand to sell candy on the street. Her family situation was assessed to be problematic so she was accommodated in a residential programme upon her return to Myanmar. However, she wished to visit her family and had been promised that she would be allowed to do so by one service provider she met when she first came home. She had not met this person again, and had not been allowed to visit her family since her return. She described how this broken promise made her suspicious of what other professionals told her. She felt she had been “cheated” by this person and suspected others would also “cheat” her.

Building trust. Trust could be built or repaired, and in some cases, trafficked persons overcame their suspicion and lack of trust which sometimes led them to accept assistance. However, this was not automatic and generally took some time. One girl trafficked internally within Vietnam for factory labour was provided various services to support herself and her family. She was supported to return to school, and her family was also assisted with a small business grant to improve their economic situation. When asked if she had any concerns about assistance she described being worried at the start because she didn’t understand why the organisation was helping her. She worried that she might be tricked and end up trafficked once again. It took one year before she came to completely trust the organisation and their commitment to helping her and her family.

Gaining the trust of trafficked persons was also often a function of focused and concerted efforts on the part of assistance organisations. One Vietnamese girl trafficked for prostitution was highly suspicious of assistance she was offered by a shelter programme. The organisation visited her on a number of occasions to offer support, but she was reticent to accept after her

³² For further discussion, please see *Section 1, Issue 1.3. Forced assistance.*

trafficking experience and declined on a number of occasions. She agreed only after she met with the staff a number of times and visited the shelter to better understand the assistance being offered and what life in the shelter would entail. Another Vietnamese woman was offered assistance in a shelter programme after she returned home, but her family did not want her to go to the shelter. Staff from the state social welfare department encouraged her family to reconsider and invited her mother to visit the shelter and learn more about the programme and the opportunities this assistance presented to her daughter. When her mother came back, she told the family that it was a good place and allowed her daughter to be assisted in this (re)integration programme.

1.5 Not in a position to make decisions when assistance was offered. Some trafficked persons, when offered assistance, were not in a position at that stage to make an informed decision about assistance and their longer term (re)integration needs. Having just left their trafficking situation, many were anxious to get home to their families and did not wish to think or make plans beyond this. Many were also stressed and even traumatised, and not able to sufficiently process information about their status, and the options and opportunities for assistance available to them. One boy who was trafficked from Myanmar to Malaysia explained how upon his return home he was offered assistance in finding a job but did not accept because, as he put, “I could not decide anything yet.” Similarly, one Thai woman trafficked to Japan for sexual exploitation was assisted to return home, and contacted by social workers about a week after her return. The social worker offered her some assistance options, including funds to start a career. However, she explained that she was unstable at that time because of the stress and anxiety related to her trafficking experience and did not feel well positioned to make any decisions about her future at that stage. She did, however, say that she planned to contact the social worker again for more details when she was feeling better and ready to think about her future.

1.6 Feelings of obligation, gratitude, being indebted. Some trafficked persons expressed concerns about the “obligation” and “debt” that they felt being assisted entailed. Some thought that once they accepted assistance, they were bound to the organisation and would be required to somehow repay that obligation and “debt.” For example, one young woman from Vietnam was offered the option of studying in Ho Chi Minh City, and described being happy when her parents agreed to let her go. At the same time, she expressed some reservations about the assistance she was receiving at the time of the interview. As she put it, she sometimes felt indebted to the organisation, which made her feel uncomfortable and uneasy.

In other cases, it was family and community members who expressed concern about the potential obligation that accepting assistance involved. One girl who was trafficked internally within Vietnam for labour, agreed to accept assistance from one organisation. When asked whether she had had any concerns about accepting assistance, she said that she was worried because her neighbours thought that the organisation would force her to work for them in exchange for the assistance she was given.

Some assistance programmes required beneficiaries to participate in the programme in some capacity – e.g. to raise awareness about trafficking as peer educators, and so forth. Some trafficked persons were unable to fulfil this requirement because of their work and other commitments, and not all of those interviewed were entirely comfortable with this

requirement. In other instances, it may be that trafficked persons declined assistance because they did not wish to be involved in this component of the programme.

2. Declining assistance because of issues in the assistance framework. Some reasons for trafficked persons declining assistance were directly linked to how the assistance frameworks were designed and implemented. The assistance frameworks did not always take into account the specific and individual needs of trafficked persons, and as such, meant some trafficked persons declined (or wanted to decline) assistance.

2.1 Could not afford assistance; needed to earn money. Many trafficked person could not take advantage of assistance because of their economic situation. Most trafficked persons, particularly those with dependent family members, needed to earn money immediately to support their families or to at least contribute to the family income. In some situations, earning money involved re-migrating for work – sometimes within the country and sometimes abroad.

Declining assistance was also often due to the need to pay back debts incurred during the trafficking experience. For some victims, debts were incurred as part of their initial migrations, while, for others, it was incurred through the need to fund their own returns home. Other debts preceded the trafficking experience and only increased during trafficking. In other cases, debts were incurred by the victim’s family to cover basic needs when trafficking victims were unable to remit money while exploited. Regardless, addressing debt was an immediate concern and priority for most trafficked persons.

In some cases, trafficked persons declined more comprehensive forms of assistance – like training and education in a shelter programme – and requested only immediate assistance in finding a job.

CASE STUDIES:

TRAFFICKED PERSONS COULD NOT “AFFORD” TO ACCEPT ASSISTANCE, THEY NEEDED TO WORK

One Vietnamese girl, trafficked to Cambodia for prostitution, was certified by authorities as a trafficking victim upon her return to Vietnam and offered assistance. She accepted financial assistance but not an apprenticeship because she needed to earn money to feed her children.

One Laotian woman, trafficked to Thailand for sexual exploitation, was offered shelter based assistance upon her return to Lao PDR. She declined this shelter support but asked the organisation to help her find a job so she could earn money to support her family. The organisation found her a job in a local restaurant.

One Cambodian man explained that he would migrate again but not to the country where he had previously been trafficked. His family was short on income and he was planning to migrate to Malaysia or South Korea. He was willing to do any work to earn money.

2.2 Assistance did not meet their needs. In a large numbers of instances, trafficked persons were offered assistance that did not meet their individual needs, and which did not take into account their specific situations. Overall, these decisions related to shelter based models (which they assessed to be unsuitable) and the types of services offered (which were not what they needed or requested).

Shelter based model of assistance was unsuitable. Much assistance offered to trafficked persons came within the framework of shelter programmes, and some trafficked persons declined assistance precisely because they did not want to stay in a shelter.³³ In these cases, the model of assistance was unsuitable for their individual situation and needs – namely, because they had a family to return to and obligations at home. One Laotian girl explained that she had declined to stay in a shelter because she was anxious to get home and find a job as her family was poor. Her anxiety was amplified by having had to stay for some time in a shelter in Thailand prior to her return home.

Some trafficked persons declined assistance because they did not want to be accommodated in a shelter. One Vietnamese woman was offered an apprenticeship through a shelter programme but she did not want to live in the shelter. She asked to live independently while training and also to work part time while apprenticing so that she could earn some income. The organisation had not replied to her request at the time of the interview.

In other cases, trafficked persons were uncomfortable with the terms and conditions of shelter programmes.³⁴ Some accepted shelter based assistance but only because it was their only option for support. Community based alternatives were seldom available to the trafficked persons interviewed for this study. One Vietnamese woman, assisted in a shelter upon her return home, described being generally unhappy at the shelter because of the very restrictive environment and many rules. She detailed a wide range of regulations that interfered with her daily life. She had accepted because she did not have any alternative as this was her only provided option for (re)integration services.

Individual needs were not met with the services offered. Some programmes offered services that did not align with the individual needs and circumstances of trafficked persons.³⁵ One common issue was that the trainings and economic opportunities that were available were limited and not necessarily in line with their specific skills, interests, capacities or the local economy.³⁶ One Vietnamese woman was offered the opportunity to attend vocational training but declined because she did not have the capital to set up a business after finishing the training. She explained that, for her, assistance in finding a job would have been more helpful. Similarly, one Cambodian man was offered vocational training but could not attend because of his family situation. Some capital to set up a small shop would have fit better with his specific situation and needs.

In some instances, trafficked persons had special assistance needs which were not met through available (re)integration services. They declined because the assistance on offer was not consistent with their individual situation and capacities. One Vietnamese woman, when asked about the assistance she had been offered explained as follows:

³³ This was also noted in a recent study of shelter based versus community based services in Cambodia (Mauney & Rachana 2012).

³⁴ For a discussion of rules and restrictions in shelter programmes, please see *Section 3, Issue 3.1. Rules, requirements and restrictions.*

³⁵ Please see *Section 1, Issue 2.1. Lack of individualised support.*

³⁶ For further discussion of issues and limitation in economic empowerment initiatives, please see *Section 2, Issue 2.7. Economic needs.*

I got an offer from the provincial [social welfare department] to attend a tailoring or electronics course in [a nearby] town or a tailoring course in [a shelter] but I decided to remain in the village to do farming because I am illiterate.

Similarly, the family of one Vietnamese boy who was trafficked internally to sell flowers on the street, was offered assistance in setting up a fish farm. The boy's father declined the assistance as he was ill and could not engage in this type of work. He did, however, accept financial assistance to build a house and to cover his son's school fees.³⁷

2.3 Concerned about the conditions of assistance. For some trafficked persons the conditions attached to accepting assistance served as a deterrent. Some trafficked persons were concerned about the conditions linked to economic empowerment programmes – e.g. loans that needed to be paid back, profits that they were required to earn and so on. One woman from Myanmar, trafficked to China for forced marriage, was offered financial support to open a shop upon her return home. However, she was concerned about the investment involved. She worried that the business would fail and she would end up in debt. As a result, she refused the offer of support.

Some programmes required paying back school and training fees if trafficked persons did not complete courses successfully. One Chinese woman trafficked internally for prostitution received vocational training but was obliged to repay the tuition if she did not successfully complete the course. This had been a source of stress for her while attending the training. While she did eventually pass her exam, she said that in hindsight she might not have accepted this assistance, especially as she had been unable to find a good job based on her training. Similarly, one Vietnamese girl, trafficked internally for prostitution, was assisted in a shelter programme where beneficiaries were obliged to repay any school fees should they drop out of the programme. She felt this was an unreasonable condition and would be difficult for many poorer families to do. She was concerned that some poor families would not accept assistance for their children as a result of this condition.

2.4 Assistance was “identifying.” Some trafficked persons declined assistance because receiving the assistance had the potential to identify them to others as “trafficked.” Trafficked persons were concerned about being “identifiable” to others – namely, to family and their community, or to the authorities and those responsible for their trafficking.

Identifiable to family and community. Many trafficked persons kept their trafficking experience a secret or revealed only a portion of what had happened to them to their family or community. Therefore, to be assisted had the potential to identify them as “trafficked”, which they felt carried potentially negative outcomes.

Some worried about being seen as a trafficking victim, which, for women and girls, was often tantamount to prostitution. Certainly there was concern about stigma and discrimination that might result should their trafficking experience become known to their family and/or community. One Vietnamese woman trafficked to Singapore for prostitution was contacted by a volunteer working in her community after her return to offer assistance. When staff came to her

³⁷ The issue of individualised assistance is discussed in more detail in *Section 2, Issue 2.1. Lack of individualised support.*

home, neighbours began to gossip and learned about her story. As a result, she was looked down upon and treated in an unfriendly way.

In other cases, trafficking meant having failed at migration when so many others had succeeded, which also carried the potential to cause stigma and discrimination (or embarrassment and shame). One Cambodian man exploited abroad explained that he was both pitied and mocked by neighbours upon his return because of his exploitation:

Some villagers had pity on me because I did not get paid for my work. Some villagers mocked me because I could not get out of the poverty... A few of the villagers said that I was not able to go further and not able to earn anything.

Other trafficked persons were worried about being assisted, which could cause others to look down on them or be jealous of the assistance they received, both of which could cause tensions in family and community relations. One Vietnamese woman was “outed” as assisted because her brother reported her case to the authorities who did not respect confidentiality in her case and the information spread throughout the community. As she explained, she lived in a small community where nothing could be concealed. One Cambodian man trafficked aboard a fishing boat in Thailand received some assistance when he returned home. Some neighbours were happy for him as they knew that he was deceived and came home without money, and so they felt it was fair for him to receive help. Others, however, were jealous that he received that assistance. In another instance, a Vietnamese woman, trafficked to China for forced marriage, described how she faced discrimination and stigma from some members of the community because of assistance she received:

I faced some bad rumours from [a few people] as they said how I, a trafficking victim, could get such valuable support. They even looked down on me and gave me a complex such that I avoided going out.

Identifiable to authorities. Others were concerned about being identifiable to the authorities. In some cases, this was because they had migrated illegally and were worried about being fined or arrested for this infraction. One man from Myanmar, when asked whether people knew where to go for assistance, highlighted that it was not only about knowing where to seek assistance but also whether they would be willing to accept it. Because they had left the country illegally, he explained, many worried that they would be fined or arrested when they came home. Therefore they avoided contact with officials, including when that meant having to decline assistance.

In other cases, however, they were concerned about being required by authorities to bring a case against their trafficker. One Myanmar man agreed to be interviewed for the study but, when asked whether he would agree to be contacted again, expressed concern that this would make him visible to the authorities. He said that he had not had any contact with the police since returning and did not want to open a legal case. This was, on the one hand, because he did not want to “make any problems”. On the other hand it was because he did not have the money to participate in legal proceedings as he and his family were living hand to mouth and could not afford to take the time off of work that this process would entail.

Identifiable to traffickers and brokers. Numerous trafficked persons expressed concern that being assisted would bring them to the attention of brokers and traffickers that lived in or

nearby their communities. They feared that being assisted might be misconstrued as having made a statement to authorities, or cooperating with them in a case against their traffickers, which could lead to retribution. For example, one woman from Myanmar who was trafficked to China for forced marriage, returned home to live with her husband. She declined most forms of assistance because she and her husband feared that this would draw attention to her. They were afraid of the trafficker who was in jail and yet continued to threaten the family. Another woman, trafficked from Myanmar to Malaysia for work on a plantation, explained that many trafficked persons did not want to seek out help because they feared their exploiters. She said that they worried that something might happen to them if they asked for help; that they would be hurt or even killed by the people who had trafficked and exploited them.

2.5 Wanted to stay and work; assistance meant going home. In some cases, being identified and assisted translated into being sent home. However, having migrated for work (often having paid substantial amounts of money and incurring debt to fund that migration) and being sent home without having earned money was not a “solution.” For this reason, many trafficked persons tried to avoid being identified and assisted. One Myanmar man trafficked to Thailand aboard a fishing boat, suffered serious violence while aboard the boat. He escaped but was pursued by his traffickers. In spite of being at great risk he did not go to the police as he knew that this would mean going back to Myanmar. Instead he asked around for help in finding another job working in Thailand. Similarly, one Vietnamese woman trafficked to Hong Kong as a domestic worker was returned to Vietnam after being identified. When asked what assistance she most needed when she left her trafficking experience, she said to be assisted to find a well-paid job in Hong Kong. Returning home with debt and not having earned anything while away was a source of great personal stress and embarrassment for her, and it had caused a great deal of tension and conflict in her family.

When assistance abroad included the opportunity to work and save/remit money, trafficked persons seemed less resistant to accepting assistance. In some destination countries, foreign trafficking victims have increasingly been allowed to work while staying abroad, which, arguably, increased their willingness to be assisted. One Thai man trafficked to Israel was identified in a raid by law enforcement and a local NGO. He was initially very upset about the “rescue” because he was reconciled to the conditions of work and had managed to remit some money. He therefore wanted to stay and work on the farm, and not be rescued. It was only because he was promised help in finding a good job in the destination country – i.e. with appropriate work conditions and a fair wage – that he accepted to be assisted. This option to work in the destination country was also available to some trafficked persons in Thailand, while serving as victim/witnesses in legal cases against their traffickers.

3. Service providers “declined” to assist trafficking victims. In some cases, trafficked persons were unable to receive support and services from assistance organisations and institutions. In essence, trafficked persons were “declined” by service providers and went unassisted.³⁸ It is important to consider how the way that assistance programmes are designed and implemented may act as barriers to assistance in ways that essentially mean that service providers are the one’s doing the “declining”.

³⁸ Please see *Section 1, Issue 1.1. Going unassisted* for a more detailed discussion.

3.1 Lack of resources and funding shortages. Some programmes lacked resources to assist all trafficked persons they encountered. In some cases, this meant shelters not having sufficient capacity to assist victims at the time that they requested support. In a number of instances, trafficked persons were asked to wait several months for space to become available in a shelter. However, they were not assisted or referred to other organisations in the interim, or provided with an alternative. One Laotian woman was identified by an assistance organisation doing outreach and awareness raising work about trafficking in her home community. She was interviewed and offered assistance, which she accepted. However, she had to wait three months before being admitted into the programme as the organisation did not have space at that time. Her family received only a bag of rice in the meantime.

In other cases (as discussed above), some programmes and state agencies faced resource issues, which meant not having the resources to assist all trafficked persons with whom they came into contact. In still other cases, some types of services were simply unavailable to trafficked persons. One woman from Myanmar, trafficked to Thailand for sexual exploitation, explained her frustrations because no assistance was available to her after returning home.

I did not receive any assistance yet except being sent back home. [The organisation] provided assistance to those who came back before me but they do not provide any assistance now. They said that they now have a shortage of funds.

3.2 Programmes were not designed to assist “that type of victim.” As discussed earlier,³⁹ some organisations or institutions had criteria that did not include all trafficked persons, which left some trafficked persons unassisted. The typical target group for services was women and/or children, trafficked for sexual exploitation. In some cases, this was the decision of the organisation, which had a specific mandate/mission and did not (or could not) offer assistance more broadly. In other cases, organisations were restricted by donors in terms of who they were permitted to assist – for example, trafficked children, victims of sexual exploitation, only women and so forth. One boy in Myanmar described receiving assistance after his return by a child protection agency. They explained to him that they were able only to assist children, which meant not everyone in the community who had been trafficked could receive their help.

Trafficked men and boys were in some situations “declined” by service providers because they did not fit the criteria of their programme, or were not legally recognised as trafficking victims. In some cases, this may also be a function of gender assumptions whereby males are perceived as less vulnerable than females, and thus, in less need of assistance.⁴⁰

3.3 Victims required a service that the organisation/institution does not provide. Available (re)integration services did not always align with trafficking victims’ needs which meant, in many cases, assistance organisations “declined” requests for assistance from trafficked persons. One Cambodian woman, trafficked to Malaysia as a domestic worker, was contacted upon her return and offered legal assistance to pursue compensation from her employer. However, her main priority was finding a job, a service that the organisation did not provide, nor did they refer her to another organisation/institution for such support. She went unassisted as a consequence.

³⁹ Please see: *Section 1, Issue 1.1. Going unassisted.*

⁴⁰ This is also discussed in *section 2, Issue 2.2. Lack of comprehensive services* and *Section 1, Issue 1.1 Going unassisted.* This issue is also discussed in Surtees 2008b.

In some instances, trafficked persons requested very specific assistance to meet their individual needs or aspirations but were “declined” by service providers because this was not a part of their standard package of services. In one instance, a woman asked to receive cows but the organisation was only able to offer pigs; in another case, a woman wanted to attend a foreign language course (she planned to open a souvenir shop in an area with many foreign tourists) but the agency was not able to offer this type of course at that stage.

3.4 Assistance was not offered in that area/region. As discussed earlier, in many countries there was an uneven geographical distribution of (re)integration services, which meant that some trafficking victims were declined in a *de facto* sense because agencies and institution did not offer services in their home community. State agencies, which in principle were responsible for serving all regions within a country, generally lacked the resources to do so. This was particularly acute in more remote communities where outreach and service provision involved additional costs in terms of staff time and resources for on-going contact (e.g. transportation, telephone communication and so on).

**VICTIM EMPOWERMENT LESSON LEARNED:
DECLINING AND ACCEPTING ASSISTANCE CAN BE TEMPORARY; OFFERS OF ASSISTANCE
SHOULD BE ONGOING AND WITHOUT PRESSURE**

Decisions about accepting and declining assistance sometimes changed over time, in response to evolving life circumstances and the availability of different services. Trafficked persons made different decisions about assistance at different stages of their post-trafficking lives, highlighting the importance of assistance opportunities being visible and available to formerly trafficked persons whenever (and wherever) they need these services. Equally important was that trafficked persons knew that they could access assistance after having initially chosen to decline – that offers of assistance were open and on-going.

Some trafficked persons who initially declined assistance later came to accept this support; thus, their declining assistance was temporary. For some, this was a function of time and reflection, and arguably, also of trust and comfort. Having had time to recover from their experience of exploitation, they were better equipped to make decisions about their future and the various assistance options on offer. Others accepted assistance at a later stage because their life circumstances had changed since their initial return home. Some, who had not formerly needed assistance, found themselves in a position of requiring support. In some cases, the initial return to live with one’s family was not viable, which led them to return to accept assistance they had previously declined.

By contrast, some trafficked persons who initially accepted assistance later left programmes that they did not find useful or suitable in their recovery and (re)integration. Some trafficked persons dropped out of programmes or did not complete a course or service; some entered shelters but ended up leaving. Some trafficked children dropped out of school because they needed to work to help contribute to their family income. Some also declined because the conditions and circumstances of assistance were constraining, problematic or not flexible enough for them.

An additional issue was that some trafficked persons who initially declined assistance eventually

accepted it because they felt pressured by service providers to do so. In some countries, trafficked persons spoke about feelings of politeness or obligation to accept the assistance offered in spite of having previously declined it. In some instances, social and cultural pressures meant trafficked persons felt that they were unable to decline assistance.

Even in a highly constrained assistance environment, trafficked persons made decisions and took actions to essentially decline assistance. This was particularly striking when trafficked persons were in closed shelter programmes where they were in essence “forcibly assisted.” Many talked about the pressure and stress of being in closed shelter facilities, where they were often offered services that did not meet their needs. They spoke about wanting to leave these programmes, and not being permitted to do so. Some trafficked persons escaped from these facilities or opted for deportation as a preferred alternative. In essence, this can be seen as declining assistance.

Understanding declining and accepting of assistance

Through the development and monitoring of individual (re)integration plans, service providers have a unique opportunity to understand why some trafficked persons accepted or declined different forms of assistance. On-going case monitoring is another means of tracking this behaviour. However, this will only be relevant for trafficked persons who have been identified and who have come into contact with the assistance framework. It is equally critical to understand the situation of trafficked persons who are not identified and not assisted. Most critically, it is important to consider whether trafficked persons who declined assistance have different assistance needs than are currently being offered through existing programmes, in order to design programmes and policies that more accurately respond to their situations and interests.

Issue 1.3. Forced assistance

Assistance was not always voluntary; some trafficked persons were forcibly assisted.

Forced assistance in the GMS

Not all (re)integration assistance and support was voluntary. Some trafficked persons were “forcibly assisted.” In some cases, this meant that they were not provided with full information about assistance, meaning their consent was not informed. In other cases, trafficked persons were not offered the opportunity to decline assistance. This was the case in spite of victims having the right in all countries in the GMS to decline assistance.⁴¹ Amongst trafficked persons interviewed for this study the two main types of “forced assistance” generally centred around shelter stays, both in countries of origin and destination.

1. Forced shelter stays in destination countries
2. Forced shelter stays upon return home

1. Forced shelter stays in destination countries. Some trafficking victims were forced to stay in destination countries for some time after their exit from trafficking. In many cases, this was because of their involvement as victim/witnesses in legal proceedings against their traffickers, which was generally, if not forced, then strongly “encouraged.” Forced stays abroad were also linked to the process of family tracing or identity verification prior to returning home. This process was often long and time consuming, and victims spent months (sometimes years) waiting for this procedure to be completed.⁴²

“Forced” stays abroad were generally arranged in shelters. Shelter stays in some destination countries were often arranged in closed shelter facilities where trafficked persons received various forms of assistance, but were most often unable to leave the shelters (or leave only when accompanied) for the duration of their stay. Many of those accommodated in shelters abroad were children.

In the case of other destination countries, forced stays involved being kept in prisons, detention centres and other criminal justice facilities during this processing period, where they received little to no assistance or support. This included some trafficked children.

Whether in shelters, detention centres, police stations or other facilities, compulsory stays abroad were typically very long – often many months and even years.⁴³ This contrasted sharply

⁴¹ This issue was raised in national consultations for this project where preliminary findings were shared with national stakeholders from government and civil society. In all consultations, stakeholders maintained that legally trafficked persons have the right to decline assistance, although this did not always happen in practice.

⁴² Family tracing was time consuming because not all trafficked persons had permanent addresses or telephone numbers where their families could be reached. In other cases, families had moved during the time that they were abroad. In some cases, victims’ did not divulge their correct name, address and contact details because they did not wish to return home and/or have contact with their family. In some cases, family tracing was constrained by a lack of financial and human resources.

⁴³ The issue of being forcibly assisted came into particular focus in a handful of interviews with respondents who had been identified and assisted as trafficked but who were, in fact, not trafficking victims. In one instance a woman from Myanmar migrated to Thailand with her husband for work. They were both arrested by police and the wife referred

with more ideal assistance pathways in which (safety and security permitting) stays abroad were short term while the return home was arranged.

While long shelter stays are not preferred, there are some situations in which trafficked persons may need to stay abroad for a longer period of time. When this is the case, assistance needs to be offered as part of the first step in the (re)integration of beneficiaries. This should also be in coordination with service providers in the country of origin prior to their return. However, this generally did not seem to be the case for most trafficked persons interviewed for this study who stayed in shelters abroad. Assistance, when offered during these compulsory stays (and assistance was not available in all destination countries⁴⁴), was not generally focused on (re)integration in spite of the very long periods of time that trafficked persons were accommodated there. Assistance staff did not seem to work with trafficked persons to develop an individualised (re)integration plan, nor did they seem to tailor assistance to the individual needs of each trafficked persons.

CASE STUDIES:

TRAFFICKED PERSONS WERE “FORCIBLY ASSISTED” IN SOME DESTINATION COUNTRIES

One woman from Myanmar, trafficked to China for forced marriage, escaped and went to the police to explain what had happened. The police understood the situation and brought charges against her trafficker. However, she was unable to return home immediately while her identity was confirmed and her family was traced in Myanmar. She waited one year for this process to be resolved, after which she was accompanied to the border by Chinese police officers.

When asked how to improve assistance, one woman trafficked from Myanmar to Thailand for labour, focused on long shelter stays abroad. She recommended expediting trafficked persons’ return home as they were generally very anxious to see their families, and were distressed when obliged to stay in shelters abroad for long periods.

One Cambodian man trafficked to Malaysia for fishing escaped and went to the authorities for help. He and his colleagues contacted their families, who in turn, contacted an assistance organisation at home that coordinated their return. However, in spite of having been trafficked, they were not officially screened as trafficking victims by the Malaysian authorities and were detained as irregular migrants in a detention centre for one month before being sent home.

One boy from Myanmar, trafficked to Malaysia for begging, was arrested by the authorities who he asked for help in returning to Myanmar. He was held in a detention centre for five months before being returned home.

to the shelter for trafficking victims and the husband deported as an irregular migrant. Her husband returned home literally years before she did; she was assisted for two years in a shelter in Thailand before being returned home.

⁴⁴ In destination countries where trafficked persons were accommodated in prisons and detentions centres, no assistance was generally available.

GOOD PRACTICE:
ALTERNATIVES TO COMPULSORY STAYS IN CLOSED SHELTERS ABROAD

Trafficked men assisted in Thailand were, in some cases, permitted to work while staying at state shelters. The shelter staff assisted them in finding good jobs and obtaining legal registration as migrant workers. Men typically stayed in the shelters but were able to move about freely. In cases where trafficked men had legal documentation (e.g. worker registration), they were able to live off-site, typically in accommodation provided by their employer. Many men spoke about the importance of this opportunity to work while being assisted abroad, and also of the importance of freedom of movement during this time. For many, this was the most important form of support they received.

Thai men trafficked to Israel were assisted by a local organisation to bring a legal case against their traffickers. While awaiting the legal process, they were assisted to find good, fairly paid jobs. They lived in an open shelter provided by the organisation and were able to move about freely.

2. Forced shelter stays upon return home. In some countries, trafficked persons were forcibly assisted after returning home. This generally involved compulsory shelter stays prior to being returned to their families. Often there was little rationale for these compulsory stays, or at least no rationale was clearly explained to the affected trafficked persons. Moreover, in a large number of cases, these forced stays were not accompanied by services or assistance, further negating their appropriateness and relevance.

CASE STUDIES:
TRAFFICKED PERSONS WERE “FORCIBLY ASSISTED” AT HOME

One Thai boy, trafficked for fishing, was assisted to return to Thailand and then referred to a shelter for assistance. He explained that when he arrived in Thailand he was told that he would first be taken to a shelter for a week and then he would be able to go home. He was also told that he would receive legal assistance in prosecuting the trafficker. In fact he stayed many months at the shelter against his will. He attempted to escape because he did not want to stay there: “It turned out that I stayed in the shelter for seven or eight months... I did not understand why I had to stay for such a long time at the shelter.”

One woman, trafficked to China from Myanmar for forced marriage, was frustrated at being required to stay so long in shelters after her return home. She spent 27 days in one shelter, an additional 20 days in another and another 20 days in a third shelter. During this time she received no services and was not allowed to leave the facilities.

One woman from Myanmar, when asked how practitioners could improve assistance to trafficked persons, recommended reducing the days spent in shelters after return, especially as there was nothing to do there.

Forced assistance in one’s home country was particularly common amongst trafficked children. In some cases, this appeared to be because of problems in the family – e.g. substance abuse and violence. In other instances, trafficked children were essentially forced by circumstance to stay

in shelters because services were not available to them while living at home or through more general social services and assistance agencies.

The impact of forced assistance

Being “forcibly assisted” for long periods of time was a source of considerable stress for many trafficked person, regardless of being assisted in their home country or abroad. In many situations when trafficked persons were forcibly assisted there were not appropriate services and supported provided. Certainly this was the case when trafficked persons were held in prisons, police stations and detention facilities. But it was also the case for many trafficked persons who faced compulsory shelters stays abroad and at home. As a result, some trafficked persons experienced and described this forced assistance as a “waste of time.”

Trafficked persons were also generally anxious to return home to their families and communities, and to move on from their trafficking experience. As a result, long, compulsory shelter stays had enormous potential to delay and even undermine recovery and (re)integration. This was particularly pressing in the case of trafficked children who were commonly amongst those who were forcibly assisted, sometimes for long periods of time.

Forced assistance also did a great deal to compromise trust and confidence in service providers who, some respondents felt, had given them incomplete or inaccurate information about assistance and/or prevented them from making an informed decision about assistance. When trust was compromised, this had a long term impact on victims’ relationship with assistance programmes, and carried the potential to compromise their willingness to seek out or accept other forms of assistance in future, even in situations of acute need.

CASE STUDIES: TRAFFICKED PERSONS WHO WERE UNHAPPY ABOUT FORCED ASSISTANCE

One woman who returned to Myanmar from China after being trafficked for forced marriage was required to stay in three different shelters in three different cities for more than a month after her return. She was stressed by the delay in going home and described her shelters stays as “a waste of time” and “unhelpful.”

One young girl from Myanmar was trafficked to Thailand to sell flowers and candy on the street. She was rescued by the police and assisted in a shelter for children. She stayed for six months as she was not permitted to return home until she had testified against her exploiters. She described being upset at the shelter: “I was not happy and I always cried because I wanted to go back home.” She testified several times and was subsequently returned to Myanmar.

Issue 1.4. Weak referral, coordination and cooperation

Inadequate national and transnational referral mechanisms.

National and transnational referral, coordination and cooperation

The objective of national and transnational referral mechanisms is to ensure that all victims of trafficking (national and foreign; international and internally trafficked) have access to and receive adequate support and protection, as outlined in the Palermo Protocol and relevant national legislations. Assistance and protection is to be offered and available from the point of initial identification, through the whole process of return and referral, and toward recovery and sustainable (re)integration.

Models of national referral⁴⁵ in each country of the region varied significantly as did their stages of development, scope and extent of implementation. Moreover, transnational referral mechanisms⁴⁶ varied within the region – with quite structured government to government referral procedures between some countries, and less articulated and implemented procedures between others.

While recognising these differences, interviews with trafficked persons throughout the region found that, overall, there was inadequate referral, coordination and cooperation between agencies and institutions between countries, and as well as when assisting trafficked persons within a country. There were two main issues, which are listed and then discussed below:

1. Referral and cooperation from country to country (transnational referral mechanisms)
2. Referral and cooperation within a country (national referral mechanisms)

1. Referral and cooperation from country to country (transnational referral mechanisms). Many countries in the region have developed procedures and mechanisms for the return and repatriation of trafficked persons. However, transnational referral (or country to country coordination) involves more than the return process. It also involves appropriate case management and referral – i.e. cooperative case planning and management while victims are abroad and appropriate referral of cases during return. This is especially important when trafficked persons have been assisted for some time in destination countries, and therefore, will have received a raft of services that ideally should have realised some outcomes toward their recovery and longer term (re)integration. In some cases, it may also require on-going communication after the trafficked person has returned home, in the event that additional information or advice is needed.

⁴⁵ National referral mechanism (NRM) are the co-operative framework through which state actors fulfil their obligation to protect and promote the human rights of trafficked persons in strategic partnership with civil society and other actors in the field. It refers to the full process of national level referral from initial identification to assistance and protection involving cooperation between different government institutions and non-governmental actors.

⁴⁶ Trans-national referral mechanisms (TRMs) involves referral from initial identification, through return and assistance between countries of transit, destination and origin and involves cooperation between different government institutions and non-governmental actors. TRMs are designed to ensure the comprehensive assistance and trans-national support of trafficking victims.

In some cases, referral between countries was well-arranged and involved strong cooperation and coordination between the origin and destination country. As a result, trafficked persons were well-supported throughout the process, receiving essentially seamless service and support.

**GOOD PRACTICE:
STRONG REFERRAL PROCESSES CONTRIBUTED TO RECOVERY AND (RE)INTEGRATION**

One Thai man, trafficked to Israel for labour, initially stayed abroad to work, but later decided to return home. The assistance organisation made the return arrangements. Before leaving, the organisation asked whether he wanted to receive any help at home, and asked for his consent to refer his case to a service provider in Thailand. He agreed and upon arrival in Thailand he was met at the airport by the staff of an assistance organisation that interviewed him about his trafficking experience, and the assistance he required. He was assisted to return home and a state social worker followed up with him about his long term assistance needs.

In other cases, however, transnational referral was weak and trafficked persons suffered as a consequence of a lack of cooperation and coordination between agencies and institutions in countries of origin and destination. Some of the issues faced by trafficked persons in the transnational referral process are discussed below. They included: 1) unassisted return, 2) inadequate referral of cases transnationally, 3) lack of cooperative case planning and management, and 4) administrative procedures prior to return.

Unassisted return. Being unassisted in the return process was stressful for trafficked persons. Many individuals interviewed for this study self-returned, facing problems and stresses along the way. The stress of self-returning (or receiving only minimal direction/assistance to return) stood in sharp contrast to situations when trafficked persons were assisted, and where appropriate, accompanied during the return process. For example, one woman from Myanmar, trafficked to China for forced marriage, was assisted to return home, including being accompanied by police officials. She described being well-cared-for along the way, which made her feel safe and secure, and being transferred to authorities in her home country who then assisted and accompanied her for the rest of her journey home.

Inadequate referral of cases transnationally.⁴⁷ Some trafficked persons, despite being identified, were not referred to counterparts in origin countries. In some cases, they were sent home (or to the border) unaccompanied and had to make their own way home without any information about whom they might contact for help upon arrival in their home country. In other cases, trafficked persons were accompanied to the border and sent home with some basic information about where to go and who might be able to help but not supported through this process. One Vietnamese woman, trafficked to Hong Kong for domestic work, was identified in the destination country and returned home. She was not, however, provided with any support in navigating her return to Vietnam and went unidentified upon entering the country through the international airport. She paid for her own transportation to her village. She was only identified when she reported her case to the authorities in her community.

⁴⁷ There are various MOUs that exist between the COMMIT governments on a bilateral basis as well as with non-COMMIT governments. Copies are available on the UNIAP website (http://www.no-trafficking.org/resources_laws_regional.html). However these agreements, while committing to the protection of trafficked persons, are written in broad terms and do not generally include details of how this protection should be implemented in practice.

In a number of cases in more than one country, it was private citizens who referred trafficked persons for support once they had crossed the border into their home country. One woman from Myanmar, trafficked to China for forced marriage, was accompanied by the police to the Myanmar border and assisted to exit China. She was not, however, informed about any assistance she might receive in Myanmar or how to proceed home. It was a man she met at the border who told her about the shelter and that she might find help there. Similarly, a Cambodian woman, trafficked to Thailand, returned on her own to Cambodia and only learned about assistance through a street vendor who saw that she was in a difficult situation.

That being said, referral mechanisms between some countries were more developed and generally involved a more structured process including case management coordination, assisted returns and referral of case files. Some trafficked persons benefitted from this more structured return process, which was an important step in (re)integration, and arguably, factored into their future trust of service providers and authorities.

Lack of cooperative case planning and management while victims were abroad. There are currently efforts underway to improve case management between countries of destination and origin, and substantial advances have been made.⁴⁸ Some trafficked persons described meeting with case workers in advance of their return and making plans for their (re)integration in their home country.

Nonetheless, in some destination countries, trafficked persons were accommodated for long periods of time and were provided with services geared toward longer term recovery. However, services did not always dovetail with options and opportunities at home.⁴⁹ There appeared to be limited consideration of long term (re)integration pathways, including in terms of developing assistance and (re)integration plans in coordination with service providers in the country of origin. For example, vocational training offered in shelters abroad generally did not line up with viable employment and entrepreneurial opportunities at home. It was also unclear to what extent education was in line with formal education curricula in trafficked persons' country of origin.

Administrative procedures prior to return. Prior to return it was necessary, in many cases, to verify victims' identities and trace their families. It was also sometimes necessary to process travel documents for return. In many cases, such procedures were slow, which led to long delays in returning trafficked persons. One Laotian woman was returned to her home country through the formal government to government return procedure. Prior to her return, however, her parents and village chief were traced and obliged to sign documents verifying her identity and residence in her home village. Similarly, one girl from Myanmar trafficked to China for forced marriage, was identified by the police in China who initiated her return home. It took one month

⁴⁸ These include, for example, cross border case management meetings held between the departments of social welfare in Thailand and Myanmar as well as between Thailand and Lao PDR. There are also the recently agreed (in 2013) bilateral SoPs for case management and the repatriation and (re)integration of trafficking victims between Thailand and Myanmar.

⁴⁹ In some destination countries, no assistance was offered to trafficked persons. Thus, the first stages of transnational referrals – initial identification and assistance – were never realised. This was the case, for example, for men trafficked aboard fishing boats who were detained in prisons and detention centres in Malaysia and Indonesia prior to their return (or deportation) to their home country.

for the authorities to receive an approval letter from officials in her home country, during which time she stayed at the police station.

2. Referral and cooperation within a country (national referral mechanisms). In some cases, referrals within a country worked well and trafficked persons were able to access a comprehensive package of (re)integration services as a result. That being said, in many cases, there was limited referral of cases between assistance agencies and institutions within a country. When it did occur, it was often more “accidental” than systematic.⁵⁰

A functioning national referral mechanism requires links and coordination between anti-trafficking organisations and institutions. It equally requires tapping into the existing social protection and general assistance framework in a country offered by state agencies, NGOs and IOs. Identifying good programmes and partners for support helps to ensure a high quality of assistance in different service areas and also allows for the timely provision of assistance. Referral is also generally more cost effective than providing all services in-house. Expanding the scope of referral partners to general services providers can also contribute to cost effectiveness and sustainability. Thus, national referral processes should involve the two following components:

- Referral between anti-trafficking organisations and institutions within a country; and
- Referral between anti-trafficking organisations and more general assistance organisations within a country

Referral between anti-trafficking organisations and institutions within a country. Generally, anti-trafficking service providers tended to offer a range of services “in house,” essentially a “one-stop” service centre. When they did not have “in-house” services, trafficked persons often did not receive this form of support. There was limited referral of cases between assistance organisations and institutions within countries.

For some trafficking victims, there was a lack of referral and cooperation between (re)integration assistance organisations. In a number of instances, in more than one country, trafficked persons waited several months to enter an assistance programme either because the shelter was full or because the organisation lacked funds to offer services at that time. In none of these instances were individuals referred to another (re)integration organisation to receive assistance. In other cases, trafficked persons received “uncomprehensive assistance” because an organisation lacked the resources to provide a full package of (re)integration services⁵¹. In these instances they also did not coordinate with and refer trafficked persons to other organisations and agencies to facilitate access to other (re)integration services and support.

Moreover, “in-house services” were not always of the highest quality. For example, economic empowerment programmes were sometimes unsuccessful because their staff (although experts in other fields) did not have the skills to effectively implement and monitor economic assistance

⁵⁰ No country in the region has a formal national referral mechanism and NGO, IO and GO stakeholders in many countries consulted during national consultations for this study reported a general lack of information and knowledge about assistance available from other organisations and institutions that could be accessed to support sustainable (re)integration of trafficked persons.

⁵¹ Please see table #9: Comprehensive (re)integration services for a list of what may constitute a full package of (re)integration services.

schemes. Similarly, some organisations offered counselling services by staff who had not been educated and trained in this field of work instead of outsourcing psychological assistance services to a specialised organisation or institution. In many countries, there were also limited referrals from assistance agencies to state agencies for services such as medical care, vocational training, social services and so forth.

In addition, there were inadequate referrals of cases between government departments in different fields of work. There was, in some countries, significant gaps in referral between departments of social work/social welfare (often the lead agency in (re)integration work) and other government sectors/departments that should provide some component of (re)integration support – such as departments of health, vocational training, employment or education. In only a few cases did state agencies cooperate with one another in the provision of services. More commonly trafficked persons went “under-assisted” because of a lack of referral between state agencies. In some cases, there was also a lack of referral from law enforcement to social services or other assistance departments. Administrative authorities to whom trafficked persons reported their cases upon returning to their countries of origin also sometimes did not refer them to other agencies for assistance.

In countries where referrals and coordination did take place, it ensured that trafficked persons received comprehensive (re)integration assistance. In one country covered in this study, there seemed to be clear referral procedures between the state social services, and other services providers (state and NGO/IO), who in turn, reached out to trafficked persons to identify their assistance needs.

GOOD PRACTICE:

FUNCTIONING REFERRAL BETWEEN ASSISTANCE ORGANISATIONS AND INSTITUTION WORKING ON ANTI-TRAFFICKING

One Vietnamese woman returned home and reported her case to the commune authorities. Shortly thereafter she was contacted by staff of the state social work department. She received various forms of assistance as a result of this referral, including vocational training, accommodation, a stipend while in training, financial support for her family and assistance in finding a job after completing her training.

CASE STUDIES:

LACK OF REFERRAL BETWEEN ANTI-TRAFFICKING ASSISTANCE ORGANISATIONS

One woman, trafficked from Myanmar to China for forced marriage, was identified by the anti-trafficking police upon her return home. She described being well-treated by the authorities during her interview, but she heard nothing further from them nor did they refer her for assistance.

One Laotian woman was returned home and referred for assistance. The assistance organisation screened her and offered her assistance, but was unable to assist her immediately. She waited for three months because the organisation was waiting to receive funds for the shelter.

Referral between anti-trafficking organisations and more general assistance organisations within a country. Given that all organisations, governmental and non-governmental alike, were working with limited resources, cooperation and coordination between organisations was of paramount importance. Including the widest number of professionals from all sectors in anti-trafficking efforts served to ensure access to a wide range of (high quality) services. Cooperation between agencies not only augmented assistance options, but also served to avoid duplication of services and conserve resources.

There was, in most countries, a general lack of cooperation and referral between organisations specialised in anti-trafficking (re)integration and those that provided a range of relevant services that trafficked persons could have benefitted from. For example, in many cases, vocational training programmes were provided directly by anti-trafficking organisations on-site at their shelters or facilities. In some cases, these were well-run programmes with qualified instructors and good training results. In other cases, though, trafficked persons reported not having attained a sufficient level of professional skills and competency to find (or keep) a job, or run a small business. In such cases, accessing state run or privately provided training programmes might have been more effective.

In some cases, there was a lack of referrals even within assistance organisations themselves. Larger organisations which worked on a range of development and assistance issues, including but not limited to anti-trafficking, did not always coordinate services within the organisation and amongst its various programmes in ways that could enhance or backstop (re)integration support to trafficked persons. For example, some trafficked persons might have benefitted from community development initiatives or other protection programmes being run by the same organisation which, in the context of anti-trafficking work, offered them (sometimes less than comprehensive) (re)integration services.

By contrast, in some countries, there were stronger links between anti-trafficking and general assistance frameworks, which in some cases led to trafficked persons receiving training at professional school and colleges rather than directly from anti-trafficking organisations. Some were state-run programmes; others were private courses.⁵² In other instances, trafficked persons received services from a range of different institutions and anti-trafficking assistance organisations.

GOOD PRACTICE:

REFERRAL AND COOPERATION BETWEEN ANTI-TRAFFICKING ASSISTANCE ORGANISATIONS AND GENERAL ASSISTANCE PROVIDERS

One Vietnamese woman received financial assistance from the department of labour, and agricultural implements from the department of social welfare. She also received training in vegetable growing techniques from the staff of a state agricultural station, and funds from state social welfare to buy vaccines for her pigs and chickens. She was also referred to an anti-trafficking programme, which assisted her with various services, including vocational training.

⁵² Professional training programmes should ensure a sufficient level of professional skills as well as result in a state recognised certificate/accreditation.

In some countries, trafficked persons had access to some government services either as a trafficking victim or as a socially vulnerable individual (official designations sometimes given to trafficked persons). Trafficked persons had, in principle and depending on the country, access to medical care, financial assistance, education, legal assistance, etc., services which were often key to their (re)integration. Access to such services sometimes required being certified as a trafficked person or someone who was socially or economically vulnerable. The administrative requirements differed by country. Some of these services are summarised in Table #13, below.

Table #13. Assistance available to vulnerable people from state agencies	
Country	Form of assistance available from state agencies
Cambodia	Public hospitals are available to socially vulnerable persons, including trafficked persons
	Free legal aid for poor persons
	Free education for nine years
	National Employment Agency includes a registry where people can register and request information about and support in finding a job
China	Public hospitals are available to socially vulnerable persons, including trafficked persons
	Free education for nine years (primary school)
	Social security for poor people, including trafficking victims
	Legal aid for trafficking victims
	Vocational training programmes
Lao PDR	Public hospitals are available to socially vulnerable persons, including trafficked persons
	Free education from primary school to high school (twelve years)
	Legal aid for trafficked victims
Myanmar	Public hospitals are available to socially vulnerable persons, including trafficked persons
	Free primary school education
	Free identity documents
	Vocational training programmes
Thailand	Public hospitals are available to socially vulnerable people, including trafficked persons
	Social security for registered migrants
	Free education for six years
	Legal aid for trafficking victims
	Vocational training programmes
Vietnam	Free school tuition for primary school
	Legal aid for vulnerable persons, including trafficking victims
	Free medical insurance for poor households
	Loans from the social policy bank

Expanding the types of services and assistance that trafficked persons have access to within the general assistance framework (e.g. as a category of vulnerable persons) would go some way towards increasing the access of trafficked persons to support. For example, in Vietnam, legal aid is free of charge to specific groups of people (e.g. the elderly persons with disabilities), a

service that has recently been expanded to include other vulnerable groups like trafficked persons.

Some trafficked persons received their most helpful assistance through general assistance programmes as opposed to anti-trafficking (re)integration programmes. Indeed in a number of cases, trafficked persons were unidentified but assisted through general assistance programmes and agencies. This highlights that some (and sometimes many) assistance needs can be met with existing services, and by existing programmes and agencies.

Receiving assistance from a more general social assistance organisation or institution has the additional benefit of potentially concealing the reason that the person received assistance. When human trafficking (or at minimum, failed migration) translates into stigma or discrimination against trafficked persons, there are strategic advantages to offering less visible and thereby “identifying” assistance.

Referral to general social services was also a means of addressing the needs of family members of trafficking victims, which, as will be discussed below,⁵³ were often key in the (re)integration success of victims. This included access to health services, education, employment and so on.

That being said, attention is needed to ensure appropriate and sensitive care is provided to trafficked persons within the general social protection framework. For example, it will be necessary to train and educate general service providers in the specific situations and experiences of trafficked persons, and how to appropriately, sensitively and ethically work with them (including the specifics of working with trafficked children). While assistance needs may overlap, working with this target group involves some specific skills and sensitivities. This can be done through targeted support and training from anti-trafficking specialists, as well as on-going cooperation and support. For example, medical staff who do not have expertise in the field of anti-trafficking can be trained by anti-trafficking service providers to enhance their capacity in working with trafficked persons, to ensure treatment meets appropriate sensitivity and ethical standards. It may also be that general service providers are not specialised in working with trafficked children (or vulnerable children generally) and may require training from specialists in child protection and child trafficking.

GOOD PRACTICE:

TRAFFICKED PERSONS BENEFITTED FROM NON-TRAFFICKING ASSISTANCE PROGRAMMES

One Vietnamese woman, trafficked to China for forced marriage, was a single mother of three children with many assistance needs. She was assisted both by an anti-trafficking organisation, and through services to socially vulnerable persons. When assessing the assistance she had received she felt that the most helpful assistance had been getting certified as a “poor household” as this meant she received a small monthly subsistence allowance (300,000 VND per month [approx. 15 USD]) and her children were exempted from paying school fees. She also received access to housing through another general assistance programme. By contrast, she felt that the vocational training she had received from an anti-trafficking shelter programme was

⁵³ Please see: *Section 2, Issue 2.10. Working with families.*

less helpful as it did not help her to find a job and improve her economic situation.

One Chinese boy, trafficked internally for labour in a brick factory, was assisted by his village chief to access various services when he returned home. The village chief accompanied him to the local authorities and assisted him in applying to receive a basic living allowance (140 Yuan or approx. 22 USD per month) and assistance in rebuilding his family home. He also received some basic food items and applied for an identity card.

**ETHICAL LESSON LEARNED:
ETHICAL AND LEGAL PRINCIPLES IN REFERRAL PROCEDURES**

Interviews with trafficked persons highlighted important ethical issues that arose when trafficked persons' cases were referred between agencies and institutions. Cases of trafficked persons should be treated confidentially, and yet interviews with trafficked persons revealed that there were various instances when sensitive and confidential information was available to authorities and services providers, without the consent or knowledge of trafficked persons.

Ethical considerations also arose in terms of administrative procedures that required divulging private and confidential information to acquire formal certification as trafficked persons or to access services as trafficked persons. Administrative procedures need to be designed and implemented in ways that take into account ethical considerations and the risk of trafficked persons being "outed," thus exposing them to discrimination and/or stigmatisation.

Monitoring the implementation of NRMs and TRMs plays an important role in safeguarding the ethical (and legal) obligations of protecting trafficked persons. NRM and TRM procedures and processes should be developed with the input of formerly trafficked persons and should be regularly monitored and evaluated.

As part of NRM processes, there is a need to develop a minimum standard of (re)integration services that trafficked persons should receive, including where and how such assistance/services can be accessed. This minimum standard of (re)integration assistance should also be used as a tool in monitoring and evaluating (re)integration services in each country and the effective and appropriate functioning of the NRM.

Information about assistance and services from other organisations/institutions, as well as in other countries where relevant, should be a mandatory part of any NRM or TRM procedure. There is a need to map (re)integration assistance services within NGOs, IOs and state sectors for each country – from specialised anti-trafficking organisations, to more general assistance options. This should be regularly updated and disseminated to service providers, authorities, as well as directly to trafficked persons themselves.

Issue 1.5. Inadequate provision of information

Not fully informed about status as “trafficking victim” and their rights to assistance.

Being fully informed about their status and rights

Key to ensuring that trafficking victims are adequately supported in the (re)integration process is ensuring that they are actively engaged in, and fully informed about, decisions and options in their post-trafficking lives. In some instances, trafficked persons reported being fully informed about their trafficking status and briefed about assistance options:

Police officers in China and Myanmar treated me well. They gave me all of the information that I should know (- Woman from Myanmar, trafficked to China for forced marriage).

The police and the assistance organisation came to the plantation to take us out and arrested the employer. They told us that they came to help... The police told me that if I wanted to work he could help looking for a better job and employer for me with fair salary and that I did not have to worry... The police and the assistance organisation let us choose whether we wanted to get a new job or go home. They helped us to prosecute the employer (- Thai man trafficked to Israel for labour).

This requires that full information be provided to individuals about their status as a trafficking victim, their rights and the various forms of assistance available at home and abroad (including where and how to access it). This needs to be done in ways that take into account issues of age, education, state of mind, language, capacity, maturity and so on, and which also allows trafficked persons time to process this information in order to make informed and carefully considered decisions. It is also important that they understand how this assistance can be accessed both at present and at a later stage. This may require not only a practical change in how information flows take place, but in some cases, a change in the institutional or organisational mind set encompassing the organisation’s responsibility to convey (full and comprehensible) information to trafficked persons.

Equally important is that information be disseminated by a range of possible interlocutors, including outreach workers, social workers, medical personnel, law enforcement, embassy and consular staff, community volunteers and so forth. This requires equipping these individuals and organisations with the skills, information and materials to inform victims of their rights and options in a comprehensible and clear way. Trafficked persons should, ideally, be involved in determining what and how information can best be shared with (different profiles of) trafficked persons, at different stages of their post-trafficking life.

However, many trafficked persons were not aware of their formal, legal status as trafficking victims and the rights that this entitled them to, either in the country of destination or in their home country. When asked whether they had a message for practitioners to help improve services, some trafficked persons focused on the issue of availability of information and stressed the need for complete disclosure about their rights and assistance options:

If the organisation wants to assist trafficking victims, it must consciously assist and provide clear information about assistance to victims (- Cambodian girl trafficked internally for prostitution).

The assistance organisations should clearly explain about the assistance that I can get but I do not know that I have the right to receive assistance (- Myanmar woman trafficked to China for forced marriage).

This organisation should have been clearer about what exactly they were offering and what we needed to do. Sometimes I think I would not have [accepted] if it had known what it was like (- Chinese woman trafficked internally for prostitution).

At identification, many trafficked persons were not fully informed of their trafficking status or their rights. In some cases, considerable time passed before they were informed about their situation. Some never understood whether or not they had been trafficked, even after passing through the identification and assistance processes. This was the case for both adults and child trafficking victims.

When researchers provided information about assistance options to trafficked persons as part of the protocol for this study, many respondents were surprised to learn that they were entitled to assistance from the government, and that assistance organisations were also available to provide support. This was the case even for persons who had been formally identified and was an issue, albeit to varying degrees, in all countries included in the study. For example, one woman trafficked to Thailand for labour had a wide range of assistance needs upon her return to Myanmar. Most pressingly, she needed a sewing machine and a quilting machine to earn a living. However, she had not asked for any assistance as she was unaware that she could ask for this support from the authorities or organisations. She explained:

I did not get in touch with [the assistance organisation], they only came to me once. I did not know that I can go to them for assistance.... Do they really provide assistance? I don't think so. I only relied on my siblings.

Further, in discussing assistance they had received many trafficked persons framed it more in terms of a “privilege” or “a gift” rather than as a legal right and entitlement as a victim of human trafficking. One woman trafficked from Myanmar to China received a small amount of financial assistance when she returned home. She was told only that this was a “gift from the capital.” Even the most basic rights – like being allowed to stay in contact with family members while staying in shelters – was often treated as a “special privilege” rather than a right. One girl from Myanmar was accommodated for several months in a shelter in Thailand while a case was pursued against her trafficker. She was anxious to contact her mother who she had been able to regularly call while trafficked but not since being assisted. Her mother was given permission by the shelter staff to call her but she was the only one in the shelter who was allowed to receive calls from her family. She talked about being very grateful for this privilege and how she worried that it would be taken away from her if her mother called too often.

Lack of awareness of their status and the associated rights was attributable to two main factors:

1. Lack of complete and comprehensible information provided about trafficking status, rights and assistance options; and
2. Barriers to understanding information provided about their status and assistance options.

1. Lack of complete and comprehensible information about trafficking status, rights and assistance options. A large number of trafficked persons described an overall lack of clear and comprehensible information in their interactions with authorities and service providers. Making clear their victim status was of the utmost importance – both at identification and at later stages of assistance. Further, many trafficked persons were concerned about being criminalised for actions related to their trafficking – irregular migration, prostitution or working illegally.

Many trafficking victims reported receiving insufficient and/or unclear information when they were identified and deciding about assistance options and their future. Social workers and other practitioners generally did not sufficiently explain what it meant to be a trafficking victim. This included failing to provide information about what this status did (and did not) entitle them to in terms of support and what would happen as part of the assistance process. There was also not always clear information given about the assistance that trafficking victims were entitled to receive, and as important, what they could choose to opt out of.

In some cases, trafficked persons received no information about assistance options. This included victims who had been formally identified and returned through government channels. In many cases, the referral sheets that researchers provided to trafficked persons (which listed different types of assistance available to them as trafficking victims) were the first time they had heard about assistance options and received information in written form, which they could take away and refer back to later. Another issue was that trafficked persons had limited information about other (non-trafficking) programmes and organisations that might be able to provide assistance. This meant that in some cases victims were limited to the services of one organisation (and its network) rather than being offered the full range of services and options available in a country.

In addition, the information provided to trafficked persons was not always complete or entirely accurate. Some said they would have declined assistance had they been fully informed of what the assistance entailed.

CASE STUDIES:
INFORMATION ABOUT TRAFFICKING STATUS WAS NOT COMPLETE OR COMPREHENSIBLE

One girl from Myanmar was identified in Thailand, and then assisted to return home. However, the return process was confusing and stressful because she was not informed about the trip. She explained that it would have been better if they had been told about the trip, how they would travel, that they would pass immigration check points, how long the trip would take and anything they would encounter along the way. She also wished she had been informed about the shelter in Myanmar, including why they would go there, how long they would have to stay and what they would do there. This information, she felt, would have made the process much easier and less stressful.

One Vietnamese woman, trafficked to China for forced marriage, was offered the opportunity to join a self-help group in her commune with other women who had been trafficked. She was hesitant as she did not understand the purpose of the group and how it would benefit her. When she attended a meeting, the group leader also did not explain about the group and she had not seen the leader since. At the time of the interview she still did not understand the purpose of the group and had decided not to attend further meetings.

One Vietnamese woman trafficked to China for forced marriage was assisted only some time after her return to Vietnam. As she explained, even though she had reported her case to the local administration, they did not tell her anything about available assistance options nor had they provided her with the forms needed to request assistance as a trafficked person.

One Laotian woman trafficked to Thailand explained how the police did not give correct information about the legal process and the length of her shelter stay: "After staying here for one week, I started to talk with other [women] who were here before me and I found out that I will have to be here longer than what the police told me. They said they were told that they would be here only a few days but in fact they had already been here for six or seven months."

Trafficked persons also expressed concerns about the limited communication they had with services providers at various stages of assistance of their (re)integration. The provision of information was needed regularly throughout the (re)integration process. However, a large number of trafficking victims, after being offered or requesting assistance, described long waiting periods without communication. Some never received a reply to their assistance requests. This was further complicated by the fact that they did not feel comfortable to follow-up on their request with service providers. Some felt that the lack of information and communication signalled a lack of interest in helping them. In other instances, the lack of clear information and communication undermined trust and confidence in the service provider. This highlights a lack of transparency amongst (re)integration organisations and institutions vis a vis the persons they are working to support.

CASE STUDIES:
LIMITED COMMUNICATION WITH SERVICES PROVIDERS

When asked whether there were any problems that she could not get help with, one Laotian woman explained that she had asked the service provider for some assistance for her family to breed animals but had not received an answer: “I don’t know what they think about it... I would like to know the reason why the project could not provide me with what I asked.”

One Cambodian woman described feeling that the assistance organisation was not genuinely interested in assisting her because they were not always clear in the information they shared with her: “They did not seem to want to help me because they did not give me clear information about the assistance... If the organisation wants to assist, it must consciously assist and provide clear information about assistance to the victims.”

One woman, trafficked to China for forced marriage, was assisted temporarily in a shelter upon her return to Myanmar. When she arrived at the shelter she was not informed about how long she would stay and what she would do there. She had been told by another assistance organisation that they would take her home but her return was quite delayed, which led her to not trust them in the long term.

2. Barriers to understanding information provided about their status and assistance options. In some cases, lack of understanding was not about inadequate communication but was rather a function of other barriers and factors on the part of trafficked persons themselves. Barriers included:

- Language barriers
- Lack of exposure to and experience of assistance options
- Issues of comprehension
- Age, maturity and stage of development
- State of mind
- Never being identified

Language barriers. In many cases trafficked persons faced language barriers in terms of receiving and fully understanding information about their rights and assistance options. In some cases, this was an issue for foreign nationals in destination countries where service providers did not speak their language. Even when trafficked persons had a reasonable command of the language in the destination country, they may not have fully understood more complex issues that require greater linguistic competency, such as human trafficking, human rights and assistance options.

Language barriers were also an issue for ethnic minorities in their own country who did not speak the majority language. When asked what message she had for practitioners to better assist trafficked persons, one minority woman from Myanmar explained that information about assistance was needed in her community, in her language. As she explained, all information (posters and brochures) was written in Myanmar language and so people did not understand it. She stressed the need for information in many languages and from people who could speak these languages, which in her community meant the Shan, Pa-O and Pa-laung languages.

While translation/interpretation was sometimes available, it was not always the case. There were also issues of quality; some practitioners consulted during national consultations for this study highlighted the need for more professionally trained interpreters/cultural mediators to work with trafficked persons when conveying information about their rights and opportunities. This would also require ensuring adherence to ethical standards by any interpreters/cultural mediators involved in communicating with trafficked persons.

Lack of exposure to and experience of assistance options. Because so many victims originated from countries and communities where social assistance was underdeveloped, their exposure to and knowledge of services and assistance was generally also limited. Some victims expressed surprise that such services and assistance programmes existed, many never having received assistance or support in the past. This influenced the extent to which they understood that assistance was available to them as trafficking victims, as well as their ability to access this support.

In addition, many victims originated from rural areas and may not have had access to information about assistance options (or indeed access to assistance options generally). This highlights the role to be played by community interlocutors – i.e. village leaders, medical staff, teachers, religious leaders – in both identifying and providing accessible information to trafficked persons, and perhaps in some cases also facilitating initial contact with assistance organisations.

Issues of comprehension. Information provided did not always take into account issues of comprehension capacity on the part of trafficked persons. Some trafficked persons had little to no education, including limited literacy, and did not seem to fully understand the trafficking designation nor the concept of their right to protection and assistance.

Age, maturity and stage of development. Information about trafficking and being a trafficking victim did not seem to always have been calibrated to the specific situation of individual children. A number of trafficked children in this study described not understanding terms such as “trafficking” and “victim.” They also did not always grasp the significance and implications of being a trafficked person. For example, one girl from Myanmar, trafficked to Thailand for prostitution, was rescued in a raid by the Thai police. After being identified as a trafficking victim she was sent to a children’s shelter where the staff informed her that she was a “victim.” However, she explained that at that time, she did not understand what the word “victim” meant. Similarly, one Chinese boy trafficked internally for begging, did not know if he was a trafficking victim. He thought that he was identified by the police as a victim of kidnapping and received assistance because of his physical disability.

State of mind. In some cases, trafficked persons’ state of mind impacted their ability to understand and process information. This seemed to be particularly the case initially following a trafficking experience when trafficked persons described feeling stressed and confused. At this point in their (re)integration, they were unable to fully process information about their status and rights. One Laotian woman, trafficked to Thailand, was initially put in prison and then transferred for assistance at an anti-trafficking shelter. Even when she was told of her status, she did not fully comprehend the meaning and what this meant for her in practice. She explained that when she was in jail, the policewoman told her that she was a victim of

trafficking but she didn't know what human trafficking was and described being confused. Similarly, one Vietnamese man, trafficked for labour, described being initially confused when authorities identified him as "trafficked" and explained the assistance that he could receive. At the time of the interview, he could not remember the details of what had been discussed or offered.

This highlights the importance of considering information-sharing procedures through the lens of victim's experience, adjusting how and when information is given relative to the physical and psychological condition of each trafficked person. As noted earlier, in some situations, some trafficked persons were not in a position to understand and make decisions about assistance when first identified, leading some to decline assistance.

Never being identified. Many trafficked persons returned home without ever being identified as trafficked. As a result, many were unaware of their status as trafficked persons and their assistance options. This means that messages about assistance for trafficking victims are less likely to reach this group, and when they do, are less likely to resonate with these individuals as they will not necessarily see themselves as trafficking victims and are not likely to understand that they are entitled to this form of support.

Issue 1.6. Administrative requirements and procedures

Some regulations and procedures undermined victim autonomy and (re)integration.

Administrative requirement and procedures

There are some procedures in place which are a part of the formal (re)integration process, but which may actually serve to impede (re)integration success, as well as potentially violate trafficked persons' rights. In some cases, these were formal and obligatory administrative procedures. In other cases, these were informal practices rather than legally or administratively required. These procedures included:

1. Obligatory return to home community
2. Involvement of local authorities in the return of trafficking victims.

1. Obligatory return to home community. In some countries, trafficked persons were required to return to their home community after trafficking. Tied intimately with this was the common requirement that trafficked persons (including adult victims) needed to be “returned” to their families who received, and in some cases, “signed” for them. It was unclear why this procedure was necessary, particularly in the case of adult victims. Such procedures were, arguably, infantilising for adult victims, undermining their autonomy and right to self-determination.

Certainly the importance of family and community should not be discounted in the (re)integration process, and in many cases, trafficked persons wanted only to return home. This was a common theme in many interviews across all countries. That being said, returning home should only occur when it is desired by the trafficked person, and advisable to do so – i.e. when it has been assessed as safe and advisable. In practice, family and security assessments did not always (or even commonly) take place and many trafficked persons were returned to less than safe family (and community) settings.⁵⁴

Moreover, there were also trafficked persons who were returned home even when they preferred to integrate into another community. One woman in Myanmar was staying at a shelter when she was interviewed but explained that she would soon be returned to her home community. She wanted to stay in the capital, to live and work there, but she had been told that she was not permitted to do so, that she was required to return home to live in her community.

While trafficked persons should have had the right to decide where they lived after trafficking, residency procedures in many countries – e.g. about house registration and so on – served as a barrier.⁵⁵ One Chinese woman was trafficked to Beijing for prostitution where she lived for many years, even after leaving her trafficking situation. She had since returned to live in her home community but wished to return to live in Beijing but was unable to do so because it was difficult to change residency for herself and for her family. Without formal residency she would face many challenges not least that her daughter would not be able to attend school.

⁵⁴ Please see *Section 2, Issue 2.9. Unsafe and insecure for a discussion of safety and security issues.*

⁵⁵ These procedures around residency apply to everyone; they are not specific to trafficked persons. However, they pose additional complications and challenges in the case of trafficked persons.

Some trafficked persons were able to arrange temporary residence while studying or working in another community. However, this also involved (sometimes confusing or intimidating) administrative requirements as well as costs. One Laotian woman who was trafficked to Thailand for prostitution was assisted in a shelter programme upon her return home. She was required to process the necessary documents to be able to study and live in the shelter in the capital. This involved having the village chief and district officer sign documents for her, which she found confusing and difficult. After completing her training and the shelter, she moved to a village where she lived with her boyfriend. There she had to arrange a temporary residence permit with the village chief for which she needed to pay a fee every three months.

2. Involvement of local authorities in the return of trafficking victims. Returning and receiving trafficked persons involved the (generally highly visible) presence of officials in the family home and village environment. Trafficked persons described being escorted and accompanied home and how this drew the attention to them within their communities. In some cases, it was the village chief who received trafficked persons upon their return home. In other cases, the return involved officials or assistance organisations escorting the individual home and informing the village leader about the individual's return (and in some cases, also informing him about his/her trafficking experience). In many instances this visible return process essentially "outed" people as trafficked (or at least vulnerable or a failed migrant) to their family and community, which at minimum, violated their right to privacy and confidentiality, and at worst, had the potential to cause significant harm in terms of safety and security as well as discrimination.

Other trafficked persons described less invasive procedures, which did not involve formal receipt and accompaniment and explained how this was, for them, a preferable approach. One Myanmar boy, for example, was assisted to return to Myanmar. He was received by the service provider who contacted his father to collect him from the nearest town so that his story would not become known to his community. This highlights the need for alternative procedures for victims' return that do not identify persons as trafficked to their family and/or community.

It was not only an issue of the return itself but also subsequent follow-up, which often involved contact with local authorities. One Laotian woman returning from trafficking abroad explained how administrative procedures identified her in her community. The village chief knew about her trafficking experience because the assistance organisation needed him to sign a document to allow her to live in the shelter. Another girl described how the assistance organisation called her village chief to ask whether she would like to receive assistance rather than communicating with her directly.

ETHICAL LESSON LEARNED:

LEGAL AND ETHICAL IMPLICATIONS OF ADMINISTRATIVE PROCEDURES

As discussed above, administrative procedures can raise a raft of ethical issues, particularly in terms of trafficked persons' right to privacy, anonymity and confidentiality, as well as issues of safety and security. There is a need to review and amend administrative procedures, rules and practices that negatively impact trafficked persons. These changes should be made in consultation and with the inputs of trafficking victims.

Existing procedures also pose potential risks to trafficked persons if they are not accompanied by codes of conduct for relevant staff and ethical protocols such a confidentiality, anonymity,

privacy and best interests of the victim, especially in the case of a child. For example, if officials and authorities are not bound by a duty of confidentiality in handling cases, they may share private information that could “out” trafficked persons in their families and communities without their consent, leading to discrimination and stigmatisation. One woman in Myanmar described how her village chief referred publically to the mother of her friend (with whom she had been exploited) as “the trafficking victim’s mother.”

There is a need to develop ethical protocols for the handing of all cases throughout the various stages of (re)integration, including the return to the community. In one instance, a Laotian girl returned to her community, described how the organisation spoke with the village chief about keeping her experience confidential and how this was very important to her. All staff and personnel who come into contact with trafficked persons must be trained in these ethical protocols, including community leaders, administrators, drivers, translators and so on.

Issue 1.7. Resources, funding and sustainability

(Re)integration is under resourced by national governments and foreign donors.

Resources and funding issues

Interviews with trafficked persons highlighted the overall lack of resources for (re)integration support within government departments and by NGOs and IOs. In many instances, access to assistance was limited as a result of a lack of (re)integration resources. Resource gaps in (re)integration work were due to:

1. Lack of government resources for (re)integration work
2. Inadequate resources within NGOs and IOs funded by foreign donors

1. Lack of government resources for (re)integration work. Some (re)integration assistance was provided by national governments in the GMS. This included both shelter-based and community-based anti-trafficking assistance. It also included, in some cases, more general assistance schemes that were mobilised to support trafficked persons, such as medical care for the socially vulnerable (including trafficked persons), vocational training programmes, poverty reduction schemes, job placement agencies, formal and informal education programmes, social assistance for the socially vulnerable and so on.⁵⁶

However, while trafficked persons received (re)integration services and support from government agencies and institutions, no government in the region offered (and funded) a comprehensive package of (re)integration support for trafficked persons, and follow-up was not assured. For example, when asked what assistance he had received since returning home to Myanmar, one boy explained that a social worker had visited him once and given some money (18,000 kyats or 20 USD) and some piglets. He had not met with this social worker (or any other assistance provider) since.

Interviews with trafficked persons revealed assistance gaps that were a function of inadequate resources. This gap was generally acknowledged by government representatives during national consultations for this study. There was an overall consensus that increased funds should be allocated to (re)integration services by governments in the region as well as referrals to existing services, where possible and appropriate.

Lack of budget and resources was also problematic in terms of the amount of staff working on the issue, and the resources those few who were working on the issue had at their disposal to manage and monitor cases. State social workers play a critical role in the provision of assistance to trafficked persons and managing their cases in the long term. However, state social workers were generally far less visible in the assistance experiences of trafficked persons than NGO and IO staff. In many countries, respondents had not had contact with state social workers but had been in touch with NGO staff.

⁵⁶ However, for the most part, trafficked persons were assisted within the anti-trafficking assistance framework and these more generalised resources and programmes were not generally accessed. There appeared to be inadequate referral between the anti-trafficking assistance framework and other, potentially overlapping, assistance programmes/frameworks. This is discussed in more detail in *Section 1, Issue 1.4 Weak cooperation, coordination and referral.*

Interactions at the field level were often very limited. Typically state social workers lacked resources to provide adequate (or sometimes any) assistance to trafficked persons. In some cases they also lacked the resources to even travel to visit potential beneficiaries in their homes, especially when victims originated from more distant villages and communities. A number of trafficked persons spoke about limited contact with social workers – being visited only once or very irregularly. In some cases this was likely a function of inadequate staff and a lack of resources (e.g. funds for transportation, communication, etc.).

The deficiency of professionally trained state social workers working at the community level meant in practice that many trafficked persons were initially contacted and interviewed by volunteers from organisations like women’s unions and other community based, state funded groups.⁵⁷ Lack of community level staff meant that, in addition to initial outreach and identification, assistance and even longer term monitoring were often conducted by such organisations and/or by staff working in a voluntary capacity. This was particularly significant in the case of trafficked children whose assistance needs were generally more complex and long term and whose family and community situation needed monitoring to ensure their on-going well-being and protection.

Not uncommonly government assistance was subsidised by foreign donors, international organisations and/or supplemented by services and assistance provided by NGOs and IOs. Moreover, NGOs and IOs often paid governments to provide services like medical care and training to trafficked persons they were assisting rather than national governments providing these services to trafficked persons themselves.

2. Inadequate resources within NGOs and IOs funded by foreign donors. In large part, (re)integration assistance programmes were funded by external sources (foreign donors, international organisations and UN agencies) and implemented by NGOs and IOs.

Services offered by NGOs and IOs were typically better resourced than government services, and assistance provided was generally more comprehensive. Staff working for NGOs and IOs seemed to have more contact with trafficked persons over time, suggesting resources were used to hire case workers and manage cases over the long term. For example, one Laotian woman was assisted initially in a shelter programme but had since left and was working in a small beauty salon. She was in regular contact with the social worker in charge of her case and her (re)integration was to be monitored regularly for three years. Similarly, one Cambodian man who had been home for a few years was still in intermittent contact with the NGO that had assisted him. However, these programmes were also sometimes affected by limited resources and funding shortages, constraining trafficked persons’ access to on-going (re)integration support and case management.

⁵⁷ Reliance on volunteers to undertake professional social work and counselling responsibilities raises the issue of quality of care (please see *Section 3, Issue 3.2. Quality of care*) as well as ethical principles and codes of conduct to guide this work.

KEY FINDINGS SECTION 2

Issues in the provision of individualised (re)integration services



A psychosocial counsellor from the Cambodian NGO Transnational Psychosocial Organization (TPO) offers counselling home visits to client victims of trafficking.

Issue 2.1. Lack of individualised support

(Re)integration assistance was not always tailored to individual needs and situations.

Individualised support and causes of non-individualised assistance

Trafficked persons reported a range of short and long term assistance needs that were directly related to and often caused by their trafficking experience. Other needs were linked to their pre-trafficking vulnerabilities and needs, problems that often had contributed to being trafficked. Still other assistance needs were linked to their family situations, including the assistance needs of family members. Addressing these various and complex needs was often central to whether (and to what extent) trafficked persons successfully (re)integrated after their trafficking experience.

Assistance needs were often times relatively consistent from case to case. As a result, many organisations offered a standard package of assistance to all beneficiaries.⁵⁸ However, for a noteworthy number of trafficked persons, the services and support they received (and the way these services were designed) was not sufficiently tailored to their individual needs, situation, interests or capacities. Trafficked persons stressed the importance of tailored and individualised support when describing their experiences of (re)integration for this study. When asked whether she had a message for practitioners to help them improve services to trafficked persons, one Cambodian woman trafficked domestically for prostitution, stressed the importance of treating victims as individuals and tailoring services to each persons' unique situation. She said that she would like organisations to help victims like her but also to understand that each victim has his or her own needs. She explained that there are no blanket solutions to helping all victims, and that each person need to have their needs individually assessed by organisations.⁵⁹

There were a number of factors that contributed to the lack of individualised assistance in many programmes and institutions in the region. These generally centred on inadequate attention and time spent working with trafficked persons to assess their specific situation, needs and interests. These four causes are listed and then discussed in more detail below.

1. Lack of individual needs assessments
2. Inadequate time spent on assessing needs
3. Limited beneficiary participation
4. Limited communication between destination and origin countries

1. Lack of individual needs assessments. In part, the lack of individualised services appeared to be due to weak (or non-existent) procedures for needs assessments. In many cases, individual needs assessments were done very cursorily as a “one time only” exercise. In other cases, a systematic and individualised needs assessment was simply not done. This was an issue in both

⁵⁸ What constituted a “standard package of assistance” varied from organisation to organisation as well as between countries. This also differed depending upon whether assistance was offered within a shelter programme or within the community and whether it was being provided to an adult or a child. Please see table #9 for a summary of what services constitute a comprehensive package of (re)integration services.

⁵⁹ This is consistent with findings from other studies that stress the importance, of individualised care in realising sustainable (re)integration (Devine 2009; Miles et al 2012; Reimer et al. 2007; Surtees 2008a).

countries of destination and origin. Generally, trafficked persons described being asked by organisations “what they needed,” but very little time was spent with individuals to understand their specific needs and situation, and to explore with them what might be most effective means of supporting their unique (re)integration process. For example, one Cambodian man trafficked aboard a fishing boat, was offered assistance after returning home. He described meeting with the social worker and being offered assistance from a list of pre-defined options, none of which were based on his specific economic or social situation:

After identifying me [as a trafficking victim], the [assistance organisation]...asked me to choose between a motorcycle, water pump machine, a bicycle or 150 USD. At that time, I decided to choose a motorcycle.

Most service providers did not seem to employ a systematic approach or standard tool in conducting needs assessments. Systematic needs assessments appeared to be more common in shelter programmes. However, even in shelter programmes, individual situations and needs were not always carefully considered. In a number of interviews, trafficked persons described being offered (and accepting) services and training that were not necessarily in line with their needs and they did not seem to have received adequate guidance from case workers to better orient their decisions and choices. In some instances, trafficked persons requested very specific assistance to meet their individual needs or aspirations but were “declined” by service providers because this was not a part of their organisation’s standard package of services.

Capacity building is needed in terms of conducting individual needs assessments and in designing individual (re)integration plans, including how this differs in the case of trafficked children. Also necessary in some cases is a shift in institutional or organisational mind set to more individualised, tailored and case specific (re)integration assistance.

CASE STUDIES:

ASSISTANCE OFFERS WERE NOT TAILORED TO INDIVIDUAL NEEDS AND SITUATION

One young man from Vietnam was trafficked to China for labour. When he returned he wanted to take automobile repair course but this option was not available through the agency that offered him assistance. Instead he was offered the opportunity to work in a leather export company or to be trained in repairing motorcycle. Neither option appealed to him nor did he feel that they presented him with viable employment options. He declined the assistance.

One Laotian girl accepted to be assisted in a shelter programme after her return and began taking vocational training courses at the recommendation of shelter staff. However, she had very limited education and her family wanted her to have the opportunity to study. This option, however, had not been discussed with her by shelters staff and it was only when her family intervened and requested this specific support that it was made available to her.

One Laotian woman entered a shelter programme at home where she was offered various types of vocational training. She decided to train in baking. After a couple of weeks she called home and told her mother about the training. Her mother said that this might not be a viable skill for her if she wished to work in her home community where such a business was unlikely to succeed. The viability of employment in her community after being trained in baking had not been adequately explored by staff.

One Cambodian woman was trafficked for sexual exploitation. She received assistance in learning hairdressing, make-up skills and English language. When asked whether there was some form of assistance that she needed but didn't receive, she explained that she had hoped to take a course to learn some basic computer skills, but the organisation did not offer this type of assistance.

2. Inadequate time spent on assessment (and re-assessment). Even when individual needs assessments did take place, limited time was generally spent on this aspect of work. This was commonly a one-time meeting in which a predetermined set of services were offered and chosen from. Trafficked persons generally did not describe discussing the appropriateness and feasibility of the various assistance options with service providers, or service providers offering to explore alternative assistance options that might better suit them. They also did not generally describe exploring what opportunities they themselves wanted, or being given time to reflect on these various options.

Further, to the extent that needs assessments did take place, these were generally undertaken at the outset of assistance and not reassessed and adjusted at later stages in the response to the individual's unique (re)integration experience. These assessments were generally a one-off visit by a service provider rather than a first step in the design, implementation and revision of the individual's (re)integration plan. However, (re)integration plans should be regularly reviewed and revised by cases workers in consultation with trafficked persons, in order to respond to evolving situations and needs that emerge over time.

That being said, in some instances, case workers followed cases more closely and (re)integration plans were adapted and adjusted based on an on-going review and reassessment of trafficked persons needs at a later stage.

**GOOD PRACTICE:
VICTIMS WHOSE NEEDS WERE ASSESSED (AND REASSESSED)
OVER THE COURSE OF (RE)INTEGRATION**

One young man trafficked internally within Myanmar for labour described regular contact and individualised assistance. The service provider meets with him every three months to see how things are going and to discuss any problems or needs that have come up since they last met. He explained that for him this type of on-going contact and support was very important to his (re)integration.

One Thai woman, who was trafficked for prostitution to Japan, was in regular contact with her social worker. The social worker called her from time to time to see how she was doing and if she had any assistance needs. She had a chronic medical condition that required medication so the social worker also checked to ensure that she had access to the medication she needed.

3. Limited beneficiary participation. Beneficiary participation is needed in the design and implementation of each person's re/integration plan to ensure that it is designed and implemented according to their needs, interests and capacities.⁶⁰ This generally starts with the initial interview/needs assessment where a preliminary (re)integration plan is developed with the beneficiary. Equally important is that the implementation of the (re)integration plan is monitored on a regular basis in collaboration with the beneficiary.

Case workers did not always seem to have consulted with individual trafficking victims/programme beneficiaries in the design of their individual (re)integration plan beyond the most basic discussion of needs. As a consequence, in a numbers of cases, services seemed to have been designed based on the perceived (rather than the actual needs) of trafficked persons. Interviews with trafficked persons yielded very few instances where they were engaged in formal needs assessments or case planning processes. Where such needs assessments took place, they generally seemed to have been done without the involvement of beneficiaries.

Actively involving trafficked persons in the design, implementation and monitoring of their individual (re)integration plan requires an environment in which trafficked persons can comfortably share their needs, interests and thoughts with service providers. This was not always the case. Some trafficked persons described feeling uncomfortable in talking about their trafficking experience, their current assistance needs and also in requesting or accepting assistance from service providers.

Beneficiary participation was a new model of working in some countries and amongst some agencies, and will require concerted effort, training and reflection to ensure that it is embedded in how (re)integration is undertaken in the future. There currently does not appear to be a culture of participation in many state agencies and many assistance organisations. Fostering this culture requires a change amongst service providers and victims alike, which will be an on-going process. This will also need to include equipping practitioners with tools and training on how to conduct a needs assessment in a participatory manner, as well as the provision of on-going support and mentoring of staff in this process of enhanced and meaningful participation.

Beneficiary participation is equally important in the case of trafficked children, which requires engaging with children in a child appropriate and sensitive way, to assess their needs and work with them to design their (re)integration plan. This child-centred perspective and capacity was lacking in many instances. Some trafficked children spoke explicitly about their lack of participation and involvement in identifying their needs and making decisions about their own (re)integration.

All engagement with trafficked persons must be done according to methodologies that best support their participation. This differs from situation to situation (including when working with trafficked children) and careful attention is needed to avoid barriers, and develop methods that ensure strong victim participation. Barriers to beneficiary participation identified in this study included issues of language, discomfort and fear, education/comprehension, motivation, trauma and so forth. Other potential barriers also need to be identified and addressed to ensure the

⁶⁰ At a higher level, trafficked persons should also be consulted in the design of (re)integration programmes and policies (including SOPs and minimum standards of care) to ensure that these take into account the real life needs , experiences and perspectives of trafficked persons.

collaborative development of (re)integration plans based on the real needs of trafficked persons. Different approaches will be needed depending on the specific topic and process being undertaken. Attention to how to best engage children in the participation process – i.e. sensitively, ethically, effectively and appropriately – will also be critical.

CASE STUDIES:

LIMITED BENEFICIARY PARTICIPATION IN IMPLEMENTING (RE)INTEGRATION PLANS

One Cambodian man, trafficked to Thailand for labour, described a miscommunication between himself and the assistance organisation when they came to assess his needs. This led to him being offered services that were not what he wanted or needed. The assistance organisation arranged for him to attend vocational training but he was unable to do so because he was still recovering from his trafficking injuries, and the training was in a field of work that he was not interested in. His wife was also pregnant and he needed to work to support his family. He wanted to set up a small grocery shop in his village for which he needed capital. Instead he received some animals to raise, all of which died. When asked if there was some problem he could not get help with, he expressed frustration saying: “They did not understand my situation at all.”

One girl from Myanmar expressed frustration at not having been actively involved in decision making about her assistance and life. She explained that when assistance staff came to meet her they spoke only to her mother and did not consult with her.

4. Limited communication between destination and origin countries. Many trafficked persons, by virtue of being assisted abroad, should have undergone a needs assessment to design and offer appropriate services prior to their return home, which ideally should act as a first step in their longer term (re)integration. Part of this assessment would necessarily be an understanding of the individual’s situation in their home country. As such, communication between service providers in the destination and origin countries was also a key element of individual planning of cases/case management to make sure that the services offered at destination linked to options and opportunities at home. However, trafficked persons described having very little contact with case workers from countries of origin prior to their return home. To the extent that there was communication between countries of origin and destination, this appears to have occurred between service providers and without the involvement of trafficked persons.

Consequences of unindividualised assistance

There were two main consequences of the lack of individualised services for trafficked persons, either assistance was ill-fitting (it did not meet the needs of trafficked persons), or individually tailored assistance was unavailable. Both had long term implications for (re)integration outcomes, as discussed below.

Consequences of ill-fitting assistance. Inadequate attention to individual needs meant that some (re)integration support was what can only be described as “ill-fitting”. In a number of cases, beneficiaries received assistance that was different from what they requested and needed. As a consequence, it did not meet their individual needs, and largely failed to support their (re)integration. For example, one Cambodian man trafficked aboard a fishing boat in Malaysia, was identified and assisted to return home. He asked the assistance organisation to support him

in setting up a tuk-tuk business. Instead they gave him a water pump. The water pump broke and he did not have the resources to fix the machine. He was unemployed, which caused economic problems in his family as well as tensions and led to discrimination in his community. Another Cambodian man requested a ploughing machine for his rice fields but the one he received was too small for his land and soon broke. He did not have the money to repair it and the assistance organisation did not follow-up with him to assess his situation over time. Similarly, a Cambodian woman trafficked to Malaysia as a domestic worker received legal assistance to claim compensation from her employer. However, she most urgently needed help in finding a job, which the service provider could not help with, nor did they refer her to another agency for assistance with job placements.

In other cases, services provided were in line with what trafficked persons had requested but they did not align with their individual capacities, skills and prospects. In some cases, victims received vocational training in a field of work for which they had no capacity or motivation. This meant that they spent quite some time – months and even years – in training, but upon completion lacked the requisite skills to find a job or run a business in that field. One Vietnamese woman trafficked to Cambodia for prostitution had returned home many years earlier and had managed to (re)integrate on her own. At the time of the interview she was running a small café, while raising her young son on her own. She had been offered the opportunity to apprentice through an assistance organisation, but was unable to avail because she needed to care for her son and take care of her business. As a result, she had not received any assistance to date. Of note was that she was offered the opportunity to apprentice (in another field of work) but not services that may have been more suitable to her current work and life situation – e.g. business management training, a grant or loan to expand her café, assistance for her son and so on. Conducting thorough needs assessments (and reassessments) would have anticipated these results and allowed for a reorientation of assistance and support.

Consequences of unavailable assistance. Some victims requested services that were not available, which meant that they either received services that did not meet their needs (i.e. ill-fitting, see above) or they went unassisted. One Vietnamese woman trafficked to China for prostitution had requested a foreign language course to help her run a souvenir stall in a major tourist destination on Vietnam. However, this type of training was not available through the vocational training centre and so she was not given this opportunity. Similarly, one Cambodian woman trafficked to Malaysia for domestic work requested support to raise cows but the assistance organisation said that they could only help her with pig breeding. She was told to wait to see if it might be possible to access this type of assistance and had not received any support or information since. Another Cambodian woman needed funds to buy seeds and pesticides for farming. She requested this support but was told by the assistance organisation that they were only able to help her with training as a tailor or hair dressing.

Individualised assistance was of particularly urgency in cases when trafficked persons had special needs that could not be met by the standard package of assistance. Some trafficked persons had very specific needs and situations that merited attention and tailoring of services, as well as on-going case management – e.g. physical disabilities, mental disabilities, chronic health conditions, lack of literacy and numeracy, and so on. Lack of services to meet these specific (and often quite challenging) needs meant many of these trafficked persons were unassisted, under-assisted or inappropriately assisted.

VICTIM EMPOWERMENT LESSON LEARNED:
THE IMPLICATIONS OF A LACK OF INDIVIDUALISED SUPPORT

There are important questions to be asked about how imprecise or ill-fitting assistance impacts the individual and their (re)integration. For example, a poorly designed business venture does not only lead to a failed business (and likely also economic problems) but it also has other potential “fall-out,” such as a negative impact on trafficked persons’ self-confidence, or decreased standing in the family or community. It is worth considering in all cases if/how assistance has unintended or negative consequences that increases vulnerability. Equally relevant is whether “ill-fitting” support not only fails to support (re)integration but actually undermines it.

When services did not meet the individual needs of trafficked persons, this led to feelings of frustration and depression on the part of some victims. It also sometimes led to lack of motivation in the (re)integration process. One woman from Myanmar was assisted in a Thai shelter for two years after her rescue from labour trafficking. At the shelter she attended a sewing training but was unenthusiastic about the training because she did not like to sew. Moreover, she was still not adequately skilled to make clothes in spite of the training. Having returned to Myanmar she faced many problems because she did not have a skill to enable her to find a job or run a business. She described feeling “hopeless.” There were also impacts in terms of trafficked persons’ relationship to and feelings about assistance programmes. There was a negative impact on trust in service providers in a numbers of cases which, in the long term, may lead them to decline or not seek out future assistance, even when it is urgently needed.

Lack of individualised assistance also meant that, in practice, some assistance was “wasted” on trafficked persons. This is a concern in all circumstances but is particularly one when NGOs, IOs and government agencies report inadequate funds available for (re)integration support.

That being said, there were also some positive examples of individualised services, where service providers consulted with and adapted their services to the needs of trafficking victims. Such tailored and responsive interventions played critical roles in contributing to (re)integration. One Myanmar man trafficked to Thailand for labour was rescued and assisted in a shelter while he pursued a legal case against his trafficker. He described his time in the shelter as positive as he was treated well by the shelter staff and received assistance with all of his needs. Most important for him was being able to earn (and save) money doing construction work, a job the shelter staff had helped him to find.

Issue 2.2. Lack of comprehensive services

Comprehensive services were not available to all trafficked persons.

Lack of comprehensive services

A comprehensive set of services was often central in (re)integration success. Table #14 provides a summary of the differences between comprehensive and non-comprehensive (re)integration assistance.

Table #14. Typical package of comprehensive and noncomprehensive assistance	
Comprehensive assistance	“Under-assisted”⁶¹
Assistance to return home	Assistance to return home
Accommodation or housing support	Basic needs – i.e. food, clothing
Basic needs – i.e. food, clothing	Vocational training
Medical care	Small business grant or provision of animals for animal raising
Counselling	Financial assistance
Education	
Life skills	
Vocational training	
Job placement or small business grant	
Financial assistance	
Case management and monitoring	
Assistance to family members, if needed	

Many trafficked persons described how a comprehensive package of individualised services and support contributed to their successful (re)integration. Of the trafficked persons interviewed for this study, 73 received what could be categorised as comprehensive (re)integration support.⁶² Some examples are discussed in the case studies below.

However, overall, many trafficked persons did not receive a comprehensive package of (re)integration services following their trafficking experience.⁶³ More commonly trafficking

⁶¹ Cases were coded as “under-assisted” when trafficked persons had unmet assistance needs and problems which they identified as unaddressed.

⁶² This did not mean that they received all services listed in Table #14. Trafficked persons had different experiences and situations and not all trafficked persons required the full set of services available. As such, what constituted “comprehensive” in one case was not the same as in another. Being “Comprehensively assisted” refers to situations when an individual received assistance that comprehensively met their specific and individual (re)integration needs.

⁶³ There is no commonly agreed standard for what constitutes comprehensive (re)integration assistance in the region. Within the framework of this research, however, comprehensive support was considered to be that which contributed to various successful (re)integration outcomes (please see table #8) and included accommodation, medical assistance, psychological assistance, education and professional/vocational training, economic opportunities, legal and administrative assistance, support with legal proceedings, family mediation, counselling and support, humanitarian assistance/support, case management (including monitoring and follow-up) and assistance to secondary beneficiaries (e.g. victims’ children, siblings, parents) (please see table #9). Please see ‘Framing the discussion’ for a discussion of what constitutes successful (re)integration and the associated (re)integration assistance.

victims were “under-assisted” – i.e. they received some (sometimes many) forms of assistance, but not a comprehensive set of services tailored to their individual needs and situation.⁶⁴

Some trafficked persons were assisted in destination countries (most commonly in shelters) where they received a package of services but went “under-assisted” in their own countries, which meant that they did not have the support they often needed for (re)integration. Some received services in their home countries but not all of the services that they needed to successfully (re)integrate into their families/homes.

Trafficked persons often had multiple (and sometimes very complex) needs, but organisations tended to assist with only one (or some) of these problems and needs. In some cases, assistance organisations were explicit with trafficked persons about the gaps in their services and their inability to offer a comprehensive package of (re)integration support.

**GOOD PRACTICE:
TRAFFICKED PERSONS RECEIVED COMPREHENSIVE SERVICES WHICH CONTRIBUTED
TO (RE)INTEGRATION**

One Cambodian man trafficked to Thailand for work in a food processing factory was rescued when the Thai and Cambodian police conducted a joint raid on the factory. After being screened and identified as a trafficking victim, he was referred to a shelter and a case was opened against his trafficker. He stayed at the shelter for three months during which time he was able to work. He described being treated well, with respect and dignity, by the assistance staff. He was escorted to the Cambodian border by embassy staff and accommodated overnight in a transit centre before being given money to go home to his village. Once home he received some initial support and then was later provided with some pigs to raise as a means of income generation. He also worked in construction. He was living again with his family and relations within his family and community were good.

One Thai man, trafficked to Israel for agricultural labour, was assisted in Israel in initiating a compensation claim against his employer for outstanding wages. He was also assisted in finding a properly paid job, and was provided with accommodation and various other services. Upon his return to Thailand he was met by a social worker who provided him with some financial assistance to return home. Shortly afterward a state social worker visited his house and talked with him about his assistance needs. As he intended to return to farming he was provided with a grant, which he spent on tools, seed and other farming implements.

⁶⁴ This differs from “basically assisted”, which refers to only the most basic, emergency assistance. Please see Table #11 for more details.

CASE STUDIES:

TRAFFICKED PERSONS WHO WERE UNDERASSISTED FACED CHALLENGES IN (RE)INTEGRATION

One Cambodian woman received legal assistance to claim compensation from her trafficker but no vocational training or support in finding a job or setting up a small business, which meant she had to cope economically on her own. When asked about her economic situation, she explained that she survived by selling fruit and baked goods in a local school.

One Laotian girl, trafficked abroad, was returned home to live with her family who was very poor and had a range of needs. The services offered, however, were *ad hoc* and limited – she received funds to attend school, some training in mushroom planting and also some rice for her family. However, the family did not receive economic assistance, which would have helped them to address their overall economic situation, and which in turn, would have gone some way in supporting her (re)integration.

One Vietnamese woman trafficked to Hong Kong as a domestic worker was unassisted for several years, but eventually received some financial assistance from the state social welfare department. She was then involved in a self-help group, which included an agricultural training course and coping strategies to overcome bad experiences. However, she still did not have access to healthcare and needed a loan to set up her small business. Her previous attempt at animal raising had ended badly when her ducks and chickens died of disease.

One girl trafficked internally within Myanmar for labour was assisted to return to her family and received funds with which her family bought a pig. She was also included in a community based child protection programme. She was grateful for the help she had received but explained that this was far from comprehensive and insufficient to meet her needs: “My family needs much assistance since we are very poor. We need a paddy field. We need cows to work. We need a home and we also need money. The assistance is not enough but I am happy receiving this small assistance.”

Issues in the provision of comprehensive (re)integration support

The provision of a full package of (re)integration services⁶⁵ varied greatly by organisation, institution and country. Nonetheless, there were three main patterns identified in terms of who did (and did not) generally have access to comprehensive (re)integration services in the region. These are listed and then discussed in more detail in the following sections.

1. Comprehensive services available in shelters but not communities
2. Limited (re)integration assistance for trafficked men and boys
3. Comprehensive services varied by organisation and institution

1. Comprehensive services available in shelters but not communities. Comprehensive (re)integration services were generally more widely available through shelter-based programmes, with a raft of assistance offered according to individual needs. Table #15 below provides a summary of the general differences in services offered in shelter vs. community based programmes.

⁶⁵ Please see table #9 for an overview of what may constitute a full package of (re)integration services.

Table #15. Typical differences in services offered in shelter vs. community based programmes	
Shelter based services	Community based services
Accommodation	Humanitarian support (basic food and clothing)
Basic needs – i.e. food, clothing	Financial assistance
Medical care	Vocational training
Counselling (sometimes psychological assistance)	Job placement or small business grant
Education	
Life skills	
Vocational training	
Job placement or small business grant	
Leisure activities	

Trafficked persons accommodated in shelter programmes throughout the region generally described quite a complete package of services, usually available for a period of one to two years, consistent with the long term nature of (re)integration. For example, one Vietnamese girl who had been trafficked to China was assisted for 18 months in a shelter in Vietnam after her return home. She described receiving a range of services while accommodated there, including vocational training, life skills, yoga classes, medical care, making handicrafts and leisure activities. When she completed her training, the shelter staff helped her to find a job and she was very satisfied with her life.

That being said, not all shelters were geared toward meaningful (re)integration. Many offering shorter term programmes and services were far from comprehensive. For example, one woman from Myanmar who returned home from having been trafficked to China for forced marriage described being shuttled between different shelters for almost a month, but not receiving any services or training while there.

Importantly, not all trafficked persons were offered the option of being assisted in shelter programmes. This was particularly acute in the case of male trafficking victims⁶⁶ but also for some women and children as well. As importantly, many trafficked persons were unable or unwilling to accept shelter-based assistance. A shelter based model of care was unsuitable for many trafficking victims in the GMS, both women and men, adults and children, for various reasons and many declined this type of assistance. This usually meant that they did not receive the comprehensive care they needed to recover and move on from trafficking.

Six common reasons why victims did not accept shelter-based care:

1. Wanted to return home to their family
2. Having family members to care for
3. Urgently needing to earn money
4. Did not wish to live in a shelter
5. Their families did not permit them to live in a shelter
6. Did not trust service providers

⁶⁶ There were exceptions to this; some destination countries offered shelter programmes for trafficked men. However, in other destination countries, trafficked men were more commonly kept in prisons and detention centres, even when recognised as trafficking victims.

Indeed for a noteworthy number of trafficked persons, a shelter-based model of care was directly at odds with how they needed (and wanted) to be assisted. In many cases, trafficked persons went unassisted or inadequately assisted because comprehensive services were not available to them unless they stayed at a shelter.

Some organisations had policies that required that victims stay at the shelter while being assisted and would not assist trafficked persons who were unable or unwilling to do so. This was particularly relevant for trafficked children in that, in some cases, families agreed to shelter stays for their children because it was the only way that they could ensure them the support and assistance they needed after trafficking. However, shelter stays are not preferred when children have a (healthy) family to whom they can return and who can support the (re)integration process.

CASE STUDIES:

SOME TRAFFICKED PERSONS DID NOT ACCEPT OR HAVE ACCESS TO SHELTER PROGRAMMES WHICH MEANT NOT RECEIVING COMPREHENSIVE SERVICES

One Thai woman trafficked to Europe for sexual exploitation returned from abroad stressed and uncomfortable about going immediately home. However, she was not offered the option to stay at a shelter. As she explained: "I felt awkward about being asked by my neighbours about my experience overseas. I didn't know what to tell them because I came back empty handed and I did not want people to know what kind of work I did when I was away...I felt that I did not want to go home right away because I was not ready to meet people in my village. I did not want to be asked any questions. I thought that there should be a place like temporary shelter like [when I was abroad] where I can stay for a while before returning home".

One Cambodian woman declined shelter based assistance but requested support that would allow her to live and work with her family. She asked for agriculture implements but had received no reply to her request. Some time had passed since she had made her request and she felt it was unlikely she would receive any support unless she accepted shelter-based care.

One Cambodian girl was trafficked to Vietnam for begging. After returning home she lived with her mother, father and siblings as she had before and returned to school. She was able to resume her life in her family and community without many difficulties. Two years later, she was offered the opportunity to go and study in a shelter. Her school fees and living expenses would be completely covered by the organisation until she finished her studies. The organisation did not, however, agree to pay her school fees while remaining at school in her village and living with her family. Her family accepted the assistance as the best means of ensuring that she was able to continue her education.

One girl trafficked to Thailand from Myanmar for selling candy on the street initially returned home to her village but received no support while living there. She was then offered the opportunity to study but this required staying at a shelter for vulnerable women and girls in another city. She and her family accepted because there was no alternative for her to go to school while staying in her village.

One woman, trafficked internally within China for prostitution, was initially assisted in a shelter programme that also worked as a social enterprise. After some time, she wanted to live outside

the shelter, but to continue to work for the social enterprise. She was not permitted to do so and eventually left the programme because of this restriction.

Some organisations did offer community based services to trafficked persons and these went some way toward supporting their (re)integration needs. However, often trafficked persons who were assisted within their communities did not have access to what can reasonably be seen as comprehensive (re)integration support. Commonly, the community based assistance that was offered focused on vocational training and job placement or small business development. Access to other services – such as counselling, life skills training and medical care – were generally limited for those living in their communities, even when these services were essential to their recovery and (re)integration.

**CASE STUDIES:
COMMUNITY BASED SERVICES OFFERED TO TRAFFICKED PERSONS WERE
TYPICALLY LESS COMPREHENSIVE**

One Laotian woman who was trafficked abroad explained that, when she returned home, the assistance organisation came to her home to discuss her assistance needs. She was offered the option of staying in a shelter where she would receive a raft of support, including accommodation, medical care, counselling, vocational training, a small business grant, life skills coaching and so forth. As a married mother of one she did not want to stay in a shelter in another town for several months, away from her child. Instead she was offered the option of receiving a tailoring course in her village, and was later provided with the business implements to set up her own tailoring shop in her home.

One Cambodian man, who was exploited abroad for labour and suffered injuries while trafficked, was unable to work for many months as a result of his injuries. Even two years after trafficking he continued to suffer the physical impact of these injuries. However, he did not receive medical assistance from service providers. He received funds to raise ducks.

2. Limited (re)integration assistance for trafficked men and boys⁶⁷. One category of trafficking victims that was under (or inadequately) assisted was trafficked men and boys. In a number of cases, trafficked males were officially recognised as trafficked but received only very limited support. In a handful of cases, men were identified but went unassisted altogether. Some of their experiences are described the case studies below. Even when trafficked men were assisted, this assistance was generally far from comprehensive, as is summarised in Table #16 (below).

Table #16. Patterns of assistance to trafficked men and boys⁶⁸

“Basically assisted”	“Under-assisted”	“Comprehensively assisted”
19 (including 6 boys)	29 males (including 13 boys)	10 males (including 5 boys)

⁶⁷ Lack of services to male trafficking victims was also noted as an issue amongst practitioners working on (re)integration in the GMS region (please see UNIAP et al 2012: 11-12) and in national consultations as part of this (re)integration study. A recent study of services in Cambodia made similar observations (Mauney & Rachana 2012).

⁶⁸ The total number of trafficked men interviewed for this study was 78, some of whom went unassisted in the destination country, at home or at both destination and origin.

In many cases, assistance to men and boys was geared more toward return and basic needs rather than long term (re)integration. Some males, including boys, essentially received support to return home – a combination of transportation, and in some cases, brief shelter stays with few to no services while there. That is, they generally fell within the category of “basically assisted.”

Many men received some assistance in the destination country – generally shelter-based care while involved as victims/witnesses in legal cases against their traffickers. While staying in shelters they generally had access to medical care, vocational training and job placements. This commonly also involved assistance to return to their home country, including in some cases, being received upon their repatriation and assisted with some funds to return to their home villages/towns. However, upon arrival in their home countries services were generally minimal, sometimes non-existent.

In some origin countries, services for trafficked men and boys were more widely available, but even these were typically short term in nature or often “once off” offers of support. Commonly they were given humanitarian supplies upon return and after a short period of time some sort of economic support to help with farming (e.g. water pump, plough) or setting up a small business. Vocational training was sometimes offered, but only rarely. Trafficked men generally did not receive services such as counselling or medical care, except in more extreme cases, and case management and monitoring was often little to non-existent.

In some countries, this lack of comprehensive support to trafficked males was a function of the legal and administrative framework, which until recently, did not recognise male trafficking victims. In other countries, however, such restrictions did not apply and the reason for this lack of assistance was less clear. Certainly there seemed to be a gender dimension to this approach, with the assumption that women were more vulnerable than men, and therefore, more in need of assistance. Some service providers demonstrated this bias, as demonstrated by one respondent’s comments: “men can stand on their own.” Such attitudes and assumptions may also influence to what extent trafficked men will feel able and comfortable to seek out or accept assistance.⁶⁹

It is also worth considering to what extent there may be cultural and social barriers in providing assistance to trafficked males, especially in community settings. With most social workers and service providers being women, it may not always be appropriate to be alone with men, which is what is required when conducting counselling or monitoring cases. Attention is needed to examine if and how cultural barriers may have impeded the provision of assistance to trafficked males in different countries.

CASE STUDIES:

TRAFFICKED MEN WENT UNASSISTED OR UNDERASSISTED IN THE (RE)INTEGRATION PROCESS

One Cambodian man trafficked for labour wished to be assisted to earn an income through animal husbandry, but had not been offered assistance: “The assistance that I would like to have was money to buy cows to raise for their calves. But I have not received it because there has no organisation that assisted me with what I wanted... I wanted to be assisted but they have never

⁶⁹ For further discussion of this dynamic, please see Surtees 2008b.

asked me what types of assistance I needed.”

One man from Myanmar, trafficked aboard a fishing boat in Thailand contacted an NGO for help and was subsequently rescued by the Thai police. He was accommodated in a shelter for almost two years while participating in a court case against his trafficker. He was assisted to find a job while there, and was eventually successful in his court case and awarded compensation. He was then assisted to return to Myanmar by state social workers and accommodated for three nights in a shelter before being given funds to travel to his home village. Since arriving in his village, he had been unassisted.

One Cambodian man, who was trafficked onto a fishing boat, was provided with a water pump and his son, also trafficked for fishing, was provided with a motorbike. The assistance was one-off and he had not had contact with the assistance organisation since.

One Laotian man was trafficked to Thailand for labour and identified by authorities in Thailand and sent to stay at a shelter. After one month, government officers from his home country came to collect him and other trafficked persons and assist them in returning. They went to a transit centre in Vientiane for one night, and then went home. He had received no further assistance.

One man from Myanmar, trafficked to Thailand for work on a fishing boat, was assisted after being rescued by the Thai police. A case was opened against his trafficker in Thailand but without success and he was accompanied by state social workers on his return to Myanmar. He stayed for four days in a Church where he was provided with food and clothes. He was then given money for transportation home (15,000 kyats, approx. 17 USD) to his village.

Of note was that trafficked boys were also “basically assisted” or “under-assisted.” Only 5 trafficked boys interviewed in this study received what could be considered comprehensive (re)integration assistance. Their cases stood in sharp contrast to many girls of the same ages (sometimes with very similar trafficking experiences) who generally received quite comprehensive shelter-based care. Even when comparing assistance of boys and girls receiving community-based care, trafficked girls seemed to receive more services than trafficked boys. For example, one Laotian girl trafficked to Thailand for labour when she was 14, was identified and assisted in Thailand then assisted to return home. Once home she was assisted to reenrol in school and received horticultural training and equipment. By contrast, a Laotian boy, trafficked to Thailand for labour at age 16, was picked up by the police and kept in jail before being sent back to the border. When he returned home, he received a water pump and nothing more.

The above instances notwithstanding, some trafficked men and boys were able to receive more comprehensive support geared toward (re)integration. For example, one Myanmar man returned from Malaysia with injuries suffered while trafficked in a factory in Malaysia. He was unable to work when he returned home and had no money to pay for medical care. The assistance organisation supported him, taking him to the hospital and paying for his treatments while there. They also provided him with medicine and medical care since then. He received support to raise animals including receiving ten goats and training in animal husbandry and agriculture. At the time of the interview, the organisation continued to follow his case.

3. Comprehensive services varied by organisation and institution. Access to comprehensive assistance was not evenly offered to all trafficked persons. The quality and extent of (re)integration services received by trafficked persons was also significantly influenced by which organisation and/or institution was involved in supporting them.

Trafficked persons within a country received different levels and quality of care relative to where they lived (i.e. which organisations or institutions were working in their area) and who had come into contact with them (i.e. the organisation that identified them). In many instances trafficked persons with very similar experiences and needs received vastly different levels of support depending upon which agency was assisting them. “Aung” and “Win” were both trafficked to Thailand for work on fishing boats. Both were rescued in Thailand and assisted to return to Myanmar. Upon arrival home they each went to their respective villages. “Aung” received quite comprehensive support following his return. By contrast, “Win”, who lived in another area of the country, went largely unassisted, having only received some funds to return home and some humanitarian supplies.

Some programmes also had a specific target group, which excluded some victims, or victims of some forms of trafficking, as well as not providing support to the family as a whole. As a result, some victims received a comprehensive package of high quality services, while others received little to no support. One boy trafficked internally within Myanmar for labour received some financial assistance, assistance with his school fees and some poultry to raise. Other needs went unmet, like economic assistance to his parents, a bicycle to travel to school and so on. The assistance organisation explained to him that they were unable to solve all of the problems that children faced and also were not in a position to help adults because they worked exclusively with children.

The importance of comprehensive care

Failure to take into account the full range of assistance needs was, in many cases, directly correlated with (re)integration setbacks, and in some cases, longer term (re)integration failure. This highlights the need for minimum standards for (re)integration assistance and support. A minimum service package should be developed by governments and should be made available to all trafficking victims who wish to receive this support. As important to ensuring that comprehensive (re)integration services are accessible to all victims, is maintaining the availability of adequate funds and referrals, as well as coordination to other service providers in offering services.

Issue 2.3. Lack of appropriate accommodation

Accommodation options were not always safe, satisfactory or affordable.

Access to appropriate accommodation

One measure of successful (re)integration was that trafficked persons had a suitable place to live in the short and long term. This meant housing that was safe, affordable and of a satisfactory standard.

In the short term, accommodation needs were met for some trafficked persons through the provision of shelters. For many trafficking victims, this form of assistance was important in their initial stabilisation and recovery, and was the first place where they felt safe and secure after exiting trafficking. The availability of shelters was particularly important for trafficked persons who lacked a safe environment to which they could return after trafficking.

That being said, not all trafficked persons had access to (even temporary) housing in the immediate aftermath of their trafficking experience. In some cases, trafficked persons were accommodated in prisons, jails and detention centres rather than appropriate shelter facilities. This was particularly common for trafficked men, for whom facilities were generally not available. However, it was also an issue in some destination countries where trafficked women and children were also housed in jails and police stations.

While residential programmes were an important model of assistance, they were only one means of accommodating trafficked persons and were generally intended as a short term (or sometimes interim) measure. To support and realise (re)integration, it is necessary to identify longer term, sustainable accommodation options. For most trafficked persons this meant returning to live with their families in their communities of origin – e.g. to live with parents, spouses, children, siblings or extended family. However, housing was not always available to returning trafficking victims. When it was available, it was not always safe, satisfactory or affordable. Trafficked persons faced a raft of barriers to appropriate accommodation as listed and discussed in more detail below.

1. No place to live
2. Home was not safe
3. Unsatisfactory living conditions
4. Housing was not affordable

1. No place to live. Some trafficked persons were literally without homes. Some previously had homes but had lost them because they were unable to make house payments while trafficked. Others lost their homes and land when they mortgaged them to fund their migration but ended up trafficked and unable to repay that debt.

Losing one's property often meant having to live with other family members, the viability and advisability of which differed quite substantially from family to family. Some trafficked persons were well-received and assisted when living with family members. Other faced problems and conflict in such situations. One woman was trafficked to Malaysia from Myanmar for forced labour along with her three children and husband. Her husband died while they were exploited

in Malaysia because his medical condition was not properly treated. She returned home with her children but had little support. Her extended family was very poor and was unable to assist her. In the end it was only because she was provided a house by an assistance organisation that she had a place to live.

In some extreme cases, former trafficking victims (including parents with children and unaccompanied children) were literally homeless, living on the streets and public spaces. Such situations posed physical dangers to trafficked persons who were at risk while homeless. Further, there was the impact on their mental well-being of being without a stable home environment that must be taken into account.

CASE STUDIES:
HAVING NO PLACE TO LIVE IMPEDED (RE)INTEGRATION SUCCESS

One man from Myanmar trafficked aboard a fishing boat in Thailand was facing economic problems at home and decided to migrate. He mortgaged his house for 30,000 kyats [approx. 34 USD] to try to manage their economic problems and then needed to migrate to repay the debt. Because he was unable to send money home while trafficked, his family could not pay back the debt in time and lost their house, and in addition, had a debt of 60,000 kyats [approx. 70 USD].

One woman from Vietnam trafficked to China for forced marriage faced poverty when she returned home and struggled to look after her children. She and her children lived with her parents because they did not have their own home. She explained that this situation remained unresolved at the interview: “It is 10 years since I returned home but I still don’t have my own house. I’m still staying with my parents [with my children].”

One woman, trafficked to China for forced marriage, returned to Myanmar but had no place to live. She initially stayed at her sister’s house but her sister’s family was also very poor and could not accommodate her and her son over the long term. She did not have money to rent a room and was forced to live on the streets. This was very stressful as she was never able to sleep through the night because of safety concerns for herself and her son. They were also often disturbed by police checks and forced to move and find another place to sleep. As she was currently in debt (to cover her daily needs and with an interest rate of 30%), there was a very low likelihood of being able to afford suitable accommodation in the near future and without outside intervention.

2. Home was not safe. Some trafficked persons were not able to return to their homes for safety reasons. This involved a raft of issues including security issues or a general fear of their traffickers; problems in the family (including violence and/or being rejected by the family) and risks related to the wider community environment. These issues are discussed in further detail in *Section 2, Issue 2.9. Unsafe and insecure.*

CASE STUDIES:
TRAFFICKED PERSONS UNABLE TO RETURN TO THEIR HOMES BECAUSE OF SAFETY

One woman trafficked to Thailand for prostitution, faced problems when she returned home to Myanmar to live with her husband and his parents. Relations in the family were not good because her parents-in-law did not want her to live there as she was a “problematic woman” (referring to her forced prostitution). Her husband was also upset about her prostitution (in spite of her having been trafficked into this situation) and sometimes beat her. In addition, he began using drugs. While she didn’t want to stay in the house, she did not have any options as she had a nine month old son and no family she could turn to for a place to live (her parents were dead and she had no siblings). She explained, “Because of my son I am living with them otherwise I will run away from that house.”

One Vietnamese woman trafficked to China for forced marriage faced threats from her trafficker when she returned home. This continued for some time and eventually her family arranged for her to live in another town to be safe. No one but her family knew of her whereabouts.

3. Unsatisfactory living conditions. Some trafficked persons had homes that were sub-standard and meant living in very poor conditions. For some trafficked persons their inadequate housing was among their most urgent needs. In many instances, family members were not working or unable to earn a sufficient income to ensure satisfactory living conditions.

Some assistance organisations provided support in renovating homes, recognising the importance of a satisfactory living situation as a contributor to, and precondition for, sustainable (re)integration. One boy from Myanmar, trafficked to Malaysia for street selling, returned to live with his family and was assisted in repairing the family house. The family situation was tense and they faced difficulty in meeting their daily needs. Assistance in repairing his family home went some way towards alleviating his stress upon returning home, and meant that income was spent on other (also quite urgent) needs.

CASE STUDIES:
POOR AND SUBSTANDARD LIVING CONDITIONS AS A BARRIER IN (RE)INTEGRATION

One Vietnamese girl, trafficked to Cambodia for prostitution, explained that the assistance she needed most at this stage was to receive some help in rebuilding her family home which was in extremely bad condition. As she put it: “We do not have a real house. My house does not look like a house.”

One Vietnamese woman trafficked to China for prostitution faced problems with her current housing situation as she did not have access to electricity and her current arrangement (a second line from her parent’s property) meant she was charged prohibitive rates. She also wanted to borrow funds for her house, which was in dire need of repair.

4. Housing was not affordable. Paying rent on a house or room was difficult for some trafficking victims, particularly in the early stages after trafficking when they did not generally have a steady (or reasonable level of) income. Some relied on assistance organisations to assist them, at least temporarily, with paying rent.

For many, renting a house or room independent of their families was not a realistic option. Even those with a reasonable salary often faced problems in finding affordable accommodation: rents, especially in capital cities, far outpaced salaries, at least for the jobs that many formerly trafficked persons were able to get. As a result, some trafficked persons were unable to pursue certain integration options – e.g. living and working in another town – because of the generally prohibitive cost of independent housing.

In addition, in at least one instance a former trafficked person was eligible to receive support to build a house through a state programme for persons without homes. However, the high administrative costs involved in transferring land from her parents on which the house was to be built (60,000 million VND or approx. 3000 USD) meant she was unable to receive the (free) house.

CASE STUDIES:

AFFORDABLE HOUSING WAS A CHALLENGE FOR TRAFFICKED PERSONS

One woman from Myanmar returned from Thailand having been trafficked for labour. She returned home with little money and could not afford to rent a house for herself and her son. She initially stayed with her elder sister and her family but this was not tenable in the long term. An assistance organisation provided her with a subsidy to cover her rental costs for the initial six months after her return.

One woman from Vietnam was trafficked to China for forced marriage. When she returned she initially lived with her parents, but later on she was offered an opportunity to train and work in another town. She declined, however, as she could not earn enough from this job to be able to afford the housing and living costs for herself and her son in this other town.

Changes over time

Trafficked persons' accommodation needs did change over the course of their (re)integration. In some situations, housing issues got resolved as family relationships stabilised or the economic situation of trafficked persons improved. In many cases, this was linked to formal assistance – for example, assistance in finding a job or setting up a business – although some trafficked persons also managed on their own. One Vietnamese woman who had been trafficked to China for forced marriage returned home with her son and lived with her parents. Her parents supported her not only with housing but also looked after her son while she worked – collecting firewood, harvesting oysters on the beach for food and farming rice on some land they gave her. After three years, she built a temporary house on the land that the cooperative lent her family to live on. In this time she did not receive any assistance from organisations or institutions.

In other cases, trafficked persons faced housing crises as their situation changed, and even deteriorated, over time. This occurred, for example, in situations of family violence where it was not safe for the trafficked person to stay in the family house.

Housing was also a serious challenge in situations of separation or divorce of married people. One woman from Myanmar returned home from China where she had been trafficked for forced marriage. She was pregnant when she returned and her husband initially accepted her to return to live with him. Over time, however, relations between them deteriorated and he began

to beat her (he had also been violent with her prior to her trafficking experience). At the time of the interview she had moved to live with her sister. However, she was not sure what would happen in the long term as she could not live permanently with her sister (her brother-in-law was hostile toward her) and she could not safely return to live in her home with her husband.

A deteriorating economic situation also led to problems in securing or holding onto safe, satisfactory and affordable accommodation. One woman from Myanmar who was trafficked for forced marriage to China contacted the researcher who interviewed her for this study some months afterward because she was facing a housing crisis. She had been living with her husband and son in a small hut they built on borrowed land. The owner, however, was demanding they pay rent (and back rent) for this land, which they could not afford. They would be evicted and homeless if unable to resolve this situation.

Issue 2.4. Poor physical health and well-being

Not addressing the health/medical needs compromised (re)integration.

Health problems

Trafficked persons had a wide range of (often very serious) health problems and medical needs. This was the case for male and female victims, as well as adults and children. Trafficked persons experienced health problems regardless of the form of trafficking, although often health needs were specific to the nature of their exploitation. Causes of health problems for trafficked persons included the following:

1. Violence and abuse while trafficked
2. The impact of living and working conditions while trafficked
3. Limited access to medical care while trafficked
4. Insufficient access to medical services after trafficking

1. Violence and abuse while trafficked. A large number of health problems were related to violence and abuse inflicted upon victims while trafficked – by their “employers,” supervisors or other persons tasked with controlling them. They were exposed to a wide range of physical injuries and violence while trafficked. In some cases, this violence was very brutal. Trafficked children were not exempt from this violence and abuse. In many cases, trafficked children suffered extremely brutal violations.⁷⁰ Below are some examples of the violence and abuse suffered by trafficked persons throughout the region.

CASE STUDIES:

VIOLENCE AND ABUSE SUFFERED WHILE TRAFFICKED LED TO SERIOUS HEALTH PROBLEMS

One man trafficked from Myanmar to Thailand described extreme violence and injuries suffered by men trafficked onto fishing boats: “I saw that the owner did not like the workers to take time off even when they were not feeling well. They whistled to start working, and if some did not appear, they would pour boiling water on them. Some died from the injuries. They also threw ice at them, beat them with tools. One Thai man died from the beatings he suffered. I also saw one [foreign-looking] man who was beaten up and lost his teeth because he could not work well as he did not understand the language and instructions. I also saw some people die from accidents [on board]. If someone fell into the water, they would not bother rescuing them.”

One woman from Myanmar trafficked to China for forced marriage, was exposed to extreme violence by her “husband’s” family. She was regularly beaten and tortured whenever they felt she did not do her job satisfactorily or when they were upset with her for some reason.

One Vietnamese woman trafficked to China for forced marriage described being badly abused by her “husband’s” family. She was regularly tied up and beaten by her father-in-law, including during her pregnancy.

⁷⁰ Please see *Section 4, Issue 4.1. Children’s trafficking experiences*, for a discussion of the experiences of trafficked children.

One Cambodian woman trafficked for factory work in Malaysia described being tortured and brutalised by her “boss.” He banged her head against the wall and taped her mouth closed for hours. When they took the tape off, she bled from her mouth.

One Vietnamese woman was trafficked to Malaysia for domestic labour. She was required to cook and clean house, and care for fighting gamecocks. After a few months, the “employer” started beating and torturing her when the gamecocks were ill or when they were otherwise dissatisfied with her work. She was, at different stages of her exploitation, tied up with rope, had her legs chained and was throttled. She was also cut with knives and scissors and exposed to electric shocks.

One woman from Myanmar trafficked to Thailand to work in a factory, described very brutal treatment from the boss and her staff. If the boss thought women workers were lazy, they would punish them by beating their vaginas with police batons. Men were beaten and kicked with the boots by the boss’ husband. Some were hit in the ribs.

One boy trafficked within China for begging described being regularly beaten by his exploiter as a mean of controlling him. He was told that if he ever tried to escape he would cripple him. Other children in the begging ring had already been crippled by him. The boy explained that, if he had not managed to escape when he did, he would likely have been beaten to death.

2. The impact of living and working conditions while trafficked. Some health problems were a function of the living and working conditions endured while exploited. Regardless of the form of trafficking, life and work situations were harsh and difficult, even dangerous. Such conditions had particularly debilitating impacts on trafficked children whose development was often impeded by the brutal living and working conditions to which they were exposed.

Living conditions were generally very poor, and often trafficked persons did not have enough food to eat, or they were forced to eat food that was very poor quality. Many trafficked persons lived in crowded and unsanitary conditions, which exposed them to health risks and problems.

Some were forced to consume drugs and alcohol while trafficked. This was not only when trafficked for prostitution but also as a means of staying off sleep and increasing production in various labour settings. Trafficked children were not exempt from this practice.

Moreover, working conditions for many trafficked persons were extremely hazardous, with many respondents suffering (often serious) injuries as a result of their work environment.

CASE STUDIES:
HEALTH PROBLEMS RESULTED FROM HARSH LIVING AND
WORKING CONDITIONS WHILE TRAFFICKED

One Cambodian woman trafficked to Malaysia for domestic work worked long hours (generally 14 to 18 hours per day) and was deprived of food (allowed to eat only one meal a day). She was beaten regularly by her employer and forced to drink detergent as punishment when her employer was not satisfied with her work.

One girl from Myanmar trafficked to Thailand for prostitution described being forced to drink alcohol with clients. She also contracted sexually transmitted diseases that were left untreated. Moreover, she was required to service clients in spite of her disease.

One Vietnamese man trafficked for work in a Chinese brick factory, had his hand injured by falling bricks. He did not receive any treatment and the injury became serious, requiring surgery. He was then forced to return to work after only a few days following the surgery. He described how both Chinese and Vietnamese people working in the brick factory suffered injuries and illness as a result of the hazardous working conditions, injuries that went largely untreated.

One man from Myanmar trafficked aboard a fishing boat was badly injured in an accident on the boat where his hand was crushed. He ultimately lost the use of his hand. In addition, he had a scar on his leg where he had been cut by the boat supervisor.

One Cambodian girl was internally trafficked into prostitution when she was 16 years old. She was kept in a brothel and was forced to have sexual intercourse with men without condoms. She contracted HIV as a result.

One boy trafficked within China for work in a brick factory was exposed to extremely hazardous living and working conditions while exploited. They were forced to work from 6 am until midnight every day, and if they did not work, they were beaten. They were fed only rice porridge. He was exploited in this factory for more than two years.

One woman from Myanmar, trafficked to work in a seafood-processing factory in Thailand, described working from midnight until 6 pm the following day. Workers were forced to drink energy drinks to prevent fatigue and to increase their working capacity.

3. Limited access to medical care. Most trafficked persons received no medical care while trafficked. Trafficked persons experienced a range of medical conditions, illnesses and injuries, which were a function of the abuse, conditions and maltreatment described above. These health issues were left untreated for weeks, months or even years.

Access to medical care was general only available in the most extreme medical emergencies. Those who did receive medical care while trafficked often described it as sub-standard and inadequate, which over the long term, did little to address their health problems, and in some cases even contributed to chronic health problems. Some were still dealing with health problems many years after having left trafficking.

CASE STUDIES:
HEALTH PROBLEMS AND INJURIES WERE UNTREATED
OR INADEQUATELY TREATED WHILE TRAFFICKED

One Vietnamese woman trafficked to China for prostitution described how she contracted a serious gynaecological infection as a result of forced sexual intercourse with many clients. She was taken to a local health clinic for treatment, but as she described it, was given the cheapest services and poorest treatment so her infection did not heal. She was forced back into prostitution before the infection healed.

One man from Myanmar trafficked on a fishing boat in Thailand was seriously injured in an accident on the boat. The bones in his arm and hand were crushed. The captain took him to the hospital; metal pins were put in his arm where the bone had been crushed. After a few days, long before the injury was healed, the captain sent a crewmember to collect him from the hospital and he was forced to return to work. While he later received further treatment and underwent surgery, the injury has not healed and he has lost the use of his hand.

One girl trafficked to Thailand for work in a food processing factory was exploited alongside many other trafficked persons. She described very brutal conditions and a great deal of abuse. The boss seldom allowed workers to go to the hospital or be treated by a doctor. Workers also did not receive any medication when they were sick.

One boy, trafficked for factory work within China worked 18 hours a day and was fed only rice porridge. When anyone at the factory fell ill, they were left untreated. They received no medical care or any medication.

4. Insufficient access to medical services after trafficking. In addition, many trafficked persons interviewed for this study received no medical care in the initial aftermath of trafficking. This was due, at least in part, to the number of trafficking victims in this study who went unidentified, and who were (at least initially) unassisted.

Nonetheless, there were also identified trafficked persons with medical problems that were left untreated or were inadequately treated. Most trafficked persons who returned to their homes and communities did not have access to free or subsidised medical care⁷¹ and could not afford to pay for medical care themselves.

The provision of medical care was more commonly available in shelter programmes, where it was often one of the core services. Indeed some trafficked persons accepted shelter programmes precisely because it offered them access to free medical services. One girl was trafficked from Vietnam to China where she was trafficked into prostitution. When she returned home she reported her story to the local police and they referred her to a shelter programme where she received various services including medical care. She explained that for both her and her family healthcare was the most important assistance she received:

⁷¹ In some countries, medical assistance was available to persons who are considered vulnerable, which included trafficking victims. However, there were sometimes administrative requirements that inhibited victims from accessing these services such as requiring appropriate documentation certifying one's status as vulnerable or trafficked. And not all trafficked persons seemed aware of their right to access these services.

My family is too poor to take me to the hospital... When I was assisted to receive healthcare this made my family feel relieved because my family could not afford my healthcare.

However, even when accommodated in shelters, adequate medical care was not always assured. Not all trafficked persons staying in shelters seemed to have been given medical check-ups or health services, even when this was the policy of the programme or organisation/institution. This was the case both in countries of destination and origin.

Some medical needs were short term in nature and could be remedied with initial emergency and/or short term medical care. In other cases, however, illnesses and injuries resulted in long term, chronic health problems that required on-going medical care, which was not always (or even often) available to trafficked persons in the region. Some trafficked persons were disabled as a result of trafficking abuse and/or workplace injury, which similarly required on-going care.

Not only was it a matter of accessing healthcare, but also being able to reach healthcare facilities. For trafficked persons (re)integrating in more rural communities this generally involved going to a nearby town or city, and the transportation costs and loss of income involved in this was prohibitive. One Thai woman trafficked to Japan for sexual exploitation when she was a girl had returned to Thailand and was now living in her village. She had on-going medical assistance needs, which required medication and treatment. She had access to this medical care and received regular treatment and medication. However, she could not get treatment or medicine close to home, which posed obstacles and challenges for her.

In addition, some trafficked persons had medical needs and health problems that were not related to trafficking but which existed before being trafficked. Others had developed medical needs after their trafficking experience, although not as a direct consequence of trafficking. While not a direct result of trafficking, for these trafficked persons, health issues were paramount and had a significant impact on their (re)integration prospects. Yet in some cases, medical assistance was not provided because the health problems were not directly linked to their trafficking experience.

CASE STUDIES:

MANY TRAFFICKED PERSONS DID NOT RECEIVE (ADEQUATE) MEDICAL CARE POST-TRAFFICKING

One Vietnamese woman trafficked to China for forced marriage, when asked what form of assistance she needed but had not received, focused on her medical needs. She had requested a general health check but had not yet heard anything back. She also said that the organisation had promised to help her to get a health card, which would allow her access to healthcare, but she had received no further information on this.

One Chinese boy was trafficked for labour in a brick factory within China. While there, he was beaten by his boss and suffered injuries to his foot for which he received no treatment. At the shelter he was taken to see a doctor who told him it was not serious. However, the injury did not heal and he later required treatment and medicine for his injured foot.

One Thai man trafficked to the Israel for labour was assisted in a shelter programme and was

generally satisfied with the services he received. He did, however, describe medical problems which he felt were inadequately addressed abroad, including not receiving the medicine he required. He attributed this to an unwillingness to provide expensive medicines to foreigners.

One man from Myanmar trafficked aboard a fishing boat in Thailand, described long term health problems that resulted from trafficking. Since returning to Myanmar he had been hospitalised twice for liver and stomach problems. He was unable to work because of these health issues and had recently lost his job. To pay for medical care, he borrowed 500,000 kyats [approx. 570 USD] at 25% interest rate. He was unable to pay his rent and was more than five months in arrears. He was not provided with any medical care by assistance organisations.

One man from Myanmar contracted malaria while trafficked for labour to Thailand. He received no treatment upon his return home and was initially unable to work. He was now working (he and his wife sold food in the market) and when working, are able to meet their daily needs. However, his malaria was recurring and he often needed to take time off work – sometimes as much as two days off for every day he worked.

One Vietnamese woman trafficked to China for sexual exploitation was brutalised by her exploiters and suffered severe injuries as a result. After attempting to escape she was badly beaten with metal instruments, sustaining injuries that continue to impact her health many years after her return. She did not receive medical care when she returned home, and because of her injuries, she was still unable to work outside the home at the time of the interview.

CASE STUDIES:

SOME MEDICAL PROBLEMS WERE NOT DIRECTLY RELATED TO TRAFFICKING BUT INTERFERED WITH (RE)INTEGRATION SUCCESS

One Vietnamese woman, trafficked to China for prostitution when she was a girl, had since returned home and married. However, she and her husband have been unable to have children. The two main needs she identified were some economic support (i.e. help to raise chickens) and medical care, to help them have a child.

One woman from Myanmar migrated to Thailand for work after separating from husband. She needed to earn money to look after her young son. She was trafficked for labour in a seafood factory. She was rescued from the factory and assisted to return home. A few months after returning home she fell ill and was supported by an organisation to have a medical check-up. She was diagnosed with HIV, which she attributed to her ex-husband's infidelity. She currently receives anti-retroviral drugs through an assistance organisation but faces difficulty in going to the hospital to receive the treatment due to the cost and time involved in travel.

One Vietnamese woman who was trafficked to China for forced marriage returned home and was infected with HIV by her boyfriend. She visits the hospital in a nearby home once a month for treatment, but is not sure how much longer she will be able to continue this as the treatment is expensive and she is in a difficult economic circumstance. It is also expensive to travel to the hospital, not least because she loses a day of work.

One Vietnamese woman was trafficked to China for forced marriage. She had two children with

her Chinese “husband.” She escaped her husband and returned to Vietnam where she has been the sole supporter of her children. She was in a dire economic situation, but received no assistance from any organisations or institutions. After returning home she required surgery for fibroma, which her siblings helped her pay for.

Access to medical care contributed to (and inhibited) (re)integration

When trafficked persons received medical care, this was often a key element of their recovery and (re)integration success. One man trafficked for labour to Malaysia injured his hand in the factory where he was exploited. Upon return to Myanmar he was unable to work because the wounds in his hand were not yet recovered. In this time his wife worked as a labourer on other people’s farms, but was unable to earn enough for the family. He received medical assistance, which included spending two months in hospital and receiving medicine for on-going treatment. Once he recovered, he was provided with economic assistance including training in various aspects of farming and animal husbandry and some animals for income generation.

By contrast, being physically unwell had a (negative) impact on many aspects of life and factored into a constrained (re)integration process. One Vietnamese woman trafficked to China for prostitution contracted a serious gynaecological infection, which was inadequately treated and continued to cause her health problems many years after her trafficking. She received medical treatment while trafficked and once she returned home also went for a medical check-up but her health problems remain. She explained how she had recently tried to work at a restaurant to earn money to send back to my parents and to take care of her daughter. However, her health wasn’t good enough to continue working. She was frustrated both by her weak health and economic situation. She described being discouraged and stressed by her economic dependence on her husband, which prevented her from making independent decisions: “I’m totally relying on my partner... We can pursue basic needs only. I’m discouraged as I have to rely on him and can’t make any decisions or do what I want”. She was also nervous and concerned about her condition, as her health had been deteriorating further of late.

Health problems, left unaddressed (or inadequately addressed), significantly impeded (re)integration success for many trafficked persons. Poor health and medical problems impacted trafficked persons in different ways, but significantly in terms of their inability to work and the resultant economic problems. As importantly, being ill or injured had an impact on the psychological condition and sense of well-being of trafficked persons, a factor that also merits attention when considering (re)integration outcomes. These impacts are listed and discussed in detail below.

1. Medical care costs led to economic problems, including debt
2. Health problems inhibited the ability to work
3. Poor health had a negative effective on victims’ sense of well-being

1. Medical care costs led to economic problems, including debt. Access to medical care was limited amongst the trafficking victims interviewed for this study. Trafficked persons who were unidentified and/or unassisted generally did not have access to medical care, and thus they incurred the costs of medical treatment. Some trafficked persons were assisted (with other needs) but not provided with medical care, which in many cases was their most pressing

assistance need and concern. Medical costs were often prohibitive and frequently led to indebtedness.

One Cambodian man was trafficked aboard a fishing boat in Thailand for six years. During this time he suffered injuries but did not receive medical assistance upon his return home. He borrowed money to pay for his medical expenses (100,000 Riel; approx. 25 USD), but in spite of treatment he remained unable to work as a result of his injuries. Being unable to work was a serious source of stress as his wife was pregnant and he had other family dependents. Similarly, one man trafficked from Myanmar to Thailand for labour required treatment for stomach problems which resulted from trafficking. He was given some minor assistance – e.g. processing his national registration card and some cloth – but no medical care. He was forced to borrow from a money lender at a prohibitively high interest rate to cover his hospitalisation.

Medical care was generally available for persons accommodated in shelter programmes, although this was often limited to an initial medical check-up or offered only for the duration of their stay at the shelter. Long term medical care was available to very few trafficked persons, which meant medical costs factored into household expenses and costs. Many trafficked persons described lacking the resources to pay medical costs, and in some cases, going into debt as a result.

2. Health problems inhibited the ability to work. For many trafficked persons, their injuries and ill-health meant that they were unable find and keep work. Trafficked persons with serious medical problems were also less likely to be hired by employers. Those who were hired risked losing their job if they were unable to work well, or were absent from work too often because of their health problems. For those who were self-employed, being able to work only irregularly meant that they were often unable to meet daily needs.

For example, one Vietnamese woman trafficked to China for prostitution was beaten and injured by her exploiters. She was regularly thrashed with a belt and kicked in the head. She continued to have medical problems, including debilitating headaches and was unable to work as a result of her poor health. She explained how she tried to work at different jobs after returning but was unable to do so. Similarly, one Cambodian man trafficked aboard a fishing boat suffered serious injuries while working as a result of beatings and harsh work conditions. Since returning home, he has been unable to work.

In some cases, trafficked persons were offered vocational training as a first step toward job placement or running a small business, but were not able to attend because of their ill-health or injuries. One Cambodian woman trafficked to Malaysia as a domestic worker was brutalised by her employer and her health continues to be poor. She explained how one assistance organisation helped to return her home and also offered her assistance with vocational training and finding a job. She was unable to accept this assistance because of her poor health.

3. Poor health had a negative effective on victims' sense of well-being. It is also important to consider the impact of being physically unwell – injured or ill – on trafficked persons' sense of well-being and psychological state. Being unwell led to a range of feelings including stress, anxiety, hopelessness and even depression in some cases. This was further exacerbated when trafficked persons were not able to work and earn money because of their health problems. One man from Myanmar, trafficked aboard a fishing boat in Thailand, was seriously injured while

exploited on the boat. He lost the use of his hand, and at the time of the interview, suffered from serious depression. He said it would have been better if the doctors had cut off his hand.

Issue 2.5. Stress, anxiety, depression and trauma

Inadequate provision of psychosocial⁷² support and counselling meant feeling unwell.

Feeling “unwell”: Stress, anxiety, depression and trauma

Many trafficked persons described feeling “unwell” at some stage of their post-trafficking lives. They described feeling stressed and angry; anxious and depressed; desperate and hopeless. One woman spoke of what she described as “a disease of the spirit.” Being psychologically “unwell” had two main sources – difficulties caused by trafficking, and difficulties faced when trying to recover from and move on from trafficking.

Stress, anxiety, depression and trauma caused by trafficking. Trafficked persons were exposed to a wide range of horrific experiences while trafficked. They were abused and violated, they witnessed the abuse of others, they suffered harsh living and working conditions, they had no freedom or choices, did not have access to medical care and so forth. In addition, they were separated from their families and communities for long periods of time and generally lacked support of any kind while trafficked. One Myanmar national, trafficked to Thailand and forced to work on a fishing boat, suffered extreme violence while trafficked. He was threatened with a gun and told that he would be shot if he tried to escape. Two other workers from Myanmar were shot and killed in front of him when they tried to escape. The work was harsh and he was never permitted to stop working, even when he was seriously ill. He faced these conditions for four and a half years.

As a consequence, many trafficked persons suffered great stress and trauma⁷³ as a result of trafficking. Many described being anxious and depressed and feeling hopeless and desperate. One man from Myanmar, trafficked aboard a fishing boat, spoke about being haunted by sounds and sites that reminded him of his trafficking experience. The boat supervisor, a very violent man, would call workers to their positions with a horn and shoot near the heads of those who were late or not working “satisfactorily.” He explained that to this day he shudders when he hears a motorcycle horn.

Of particular concern must be the psychosocial impact of trafficking on children who typically have less developed coping skills due to their age, maturity and stage of development. Moreover, many were extremely young when trafficked (as young as five years old), the psychological (and developmental) impact of which should not be underestimated. Certainly

⁷² “Psychosocial” refers to the dynamic and close relationship between psychological and social elements affecting human development. It is closely linked to the concepts of “well-being” or “wellness”, the assumption being that psychological and social factors are responsible for the well-being of people. Psychosocial care and support are interventions and methods that enhance a person’s ability to cope in his or her own context and to achieve personal and social well-being. Psychosocial support programmes aim to reduce the impact of stress and emotional distress and to strengthen individual and community coping mechanisms and healing processes (Devine 2009: 4).

⁷³ It was not the purpose of this study to assess to what extent trafficked persons within our sample were diagnostically traumatised and not all trafficked persons will have been traumatised as a result of their trafficking experiences. That being said, previous studies on mental health amongst trafficking victims in the region have found psychosocial problems, including trauma, to be a significant issue for many trafficked persons. For example, one study of sexually exploited girls living in shelters in Cambodia found that respondents experienced a wide range of psychosocial and mental health problems – depression and grief like symptoms (sadness, crying, nervousness, loneliness); post-trauma related problems (reliving and remembering traumatic events); and problems associated with shame. Most girls had multiple problems (Bass et al 2010: 10).

trafficked children included in this study described very difficult and traumatising experiences.⁷⁴ One girl from Myanmar was trafficked to Malaysia for prostitution where she was sexually exploited for more than four years in five different locations. When she was finally rescued she was taken to a shelter where she initially stayed in her room all day and refused to speak. She described being extremely frightened and it took a number of months for her to trust the shelter staff and residents. She also spoke of feeling deeply ashamed and guilty because of her experience in prostitution.

Stress, anxiety, depression and trauma suffered after trafficking. For many trafficked persons, escape or exit from trafficking was not an immediate salve. Not only were they still coping with their trafficking experiences but also faced a range of problems and stressors. Sometimes these were linked to being unidentified and unassisted including, in many instances, being interrogated (instead of interviewed), detained (instead of referred for assistance), deported (instead of being assisted to return home) and/or being unassisted upon returning home.

Even when identified and assisted, the initial stages of assistance were a source of stress and anxiety for some trafficked persons. This was particularly the case in the context of compulsory and closed shelter stays when trafficked persons reported a great deal of confusion about why they were forced to stay in (generally closed) shelters with long stays and restricted freedoms. Negative feelings towards shelter stays were compounded by anxieties about being unable to return home or have contact with their families. Stress was also linked, in some cases to forced involvement in the legal process against traffickers, which was a frightening process for many.

Once home, their post-trafficking lives still involved a great deal of stress and anxiety, which impacted their recovery and psychosocial well-being. Being stressed, anxious, depressed, and in many cases, traumatised had a serious impact on the daily lives of trafficked persons and their long term (re)integration outcomes. Many talked about feeling embarrassed and ashamed for having been trafficked, including not returning home with any money. Some described low self-esteem and a lack of self-confidence. Others described being stressed, depressed and generally psychologically unwell, as illustrated below.

Key sources of stress and anxiety identified by respondents:

1. Returning home without money
2. Debt incurred through migration and/or the inability to remit money
3. Being unemployed after returning home and/or being unable to work
4. Tensions within the family
5. Lack of emotional support within the family or community
6. Stigma and discrimination in the family or community
7. Lack of assistance and support to cope with life after trafficking

⁷⁴ This is discussed in further detail in *Section 4, Issue 4.1. Children's trafficking experiences.*

CASE STUDIES:
TRAFFICKED PERSONS WERE STRESSED, ANXIOUS, DEPRESSED
AND TRAUMATISED POST-TRAFFICKING

One girl from Myanmar trafficked to Thailand for prostitution described being stressed, frustrated and upset at being kept in the shelter for long time. She and the other girls were upset that they did not know how long they would stay or when they could go home. As she explained: "It was very disappointing because we wanted to go home and we were not allowed to call home. My friends and I yelled at the teachers 'Why do you keep us here? Why don't you send us home? Keeping us here is wasting food!'"

One man trafficked from Myanmar to Thailand to work on a fishing boat described being ashamed after his return home as he had not been able to bring home any money. His friends invited him to socialise in the evenings but he did not feel like going out. He described "feeling small" because he had lost his house, was in debt and was facing many economic and personal problems.

One Cambodian woman trafficked for domestic work to Malaysia described being mentally unwell and unhappy since her return, suffering from "a disease of the spirit." This also prevented her from being able to work, even five years after trafficking. This was a source of considerable stress; she spoke about wanting to be healthy and working in a job that she liked.

One Vietnamese woman who was trafficked to China for forced marriage described feeling upset and depressed after returning home from trafficking, even contemplating committing suicide at one stage.

One Vietnamese woman, trafficked to Hong Kong for domestic work, felt ashamed for having failed at migration and did not even want to leave the house after returning home. She described how she cried and cried during the first months after her return and how even the encouraging words and support of her family did not help, it only made her feel worse and somehow inferior.

One woman from Myanmar was trafficked to Thailand for sexual exploitation. She was rescued in Thailand and returned to Myanmar where she lived again with her husband and his family. She described feeling so sad after her return, thinking that she should not have tried to migrate. She blamed herself for what had happened to her.

Coping with trafficking and needing support

Many trafficked persons talked about the importance of being able to share their experiences with others and receiving encouragement and support. Those who had had access to counselling often found this an important type of assistance. Some trafficked persons talked about wanting the opportunity to speak with someone about their problems and identified this lack of opportunity as a gap in the available assistance. One man from Myanmar trafficked to Malaysia for labour, when asked what message he would like to convey to help improve assistance to trafficked persons, focused on the need for emotional assistance and encouragement as well as access to professionals who can provide advice and suggestions. Another man, when asked what assistance was most helpful to him, explained that he most

appreciated the encouragement and support he had received. When asked what assistance he needed to realise his goals, he focused on his medical needs, but also on the need for encouragement and emotional support. Similarly, one Thai woman trafficked abroad for sexual exploitation described counselling as the most important form of assistance she received:

I didn't want to keep all the bad experiences to myself. I felt relief to talk to someone who could understand my situation.

Some trafficked persons were able to rely on the (emotional) support of their family members or peers, which was of significant help in coping with their experiences in many cases. This was particularly important for trafficked persons who did not have access to psychosocial support or counselling, which was the majority of those interviewed for this study.

However, many trafficked persons could not rely on family or friends for support, and in fact, were sometimes judged and blamed by those around them for what had happened to them. Moreover, for many trafficked persons, an additional complication was that they did not always feel able to reveal their trafficking experience (or at least not the full extent of their experience) to family or friends. They feared being pitied, looked down upon or being seen in a bad light. They worried about discrimination and stigma from family members and within the community. This meant that they could not draw upon these sources of support when feeling stressed, anxious or upset.

CASE STUDIES:

SOME TRAFFICKED PERSONS WERE SUPPORTED WITHIN THEIR FAMILY AND PEER GROUPS; SOME WERE NOT

One Vietnamese woman trafficked to China for prostitution found support, understanding and encouragement in her family, especially from her husband. This was key to helping her to move on from her experience and reintegrate successfully. Her husband was an important source of moral support, encouraging her consistently. She was supported by some people in the community, but also looked down on and gossiped about by others. Despite this, she described always able to rely on her family for support. She explained: "We are living happily together. My mother-in-law knew about my bad experience, but she loves and encourages me very much in my daily life. Our marriage is good. My husband is a very kind person and I feel very lucky to have him in my life."

One man from Myanmar who was trafficked on a fishing boat in Thailand decided to tell some of his peers about what happened because he was unable to tell his wife (he worried about her reaction), and felt the need to speak about what had happened to him: "I wanted to release my bad feeling by talking with others."

One woman from Myanmar who was trafficked to Thailand for sexual exploitation faced many problems with her husband's family when she returned home. They blamed her for what had happened (i.e. being sexually exploited) and her parents-in-law did not want to live in the same house as her, calling her a "problematic woman."

One girl from Myanmar who was trafficked to Thailand did not tell her family about her full experience because she felt ashamed and wanted to put it behind her. She also feared being looked down upon by her family and community if they knew the full story, which included having been sexually exploited. She told them only that she had been exploited as a housemaid. She also did not feel able to share her bad experiences with her friends: “They do not know about my bad experiences. If they know, our relation will be bad and they may not want to talk with me and they will look down on me and discriminate against me.”

One woman from Myanmar, trafficked for forced marriage, was supported by her family upon her return home: “My family treated me well. They didn’t say anything that would hurt me. Even when I feel well, they would ask what is happening and what do I want to do. I feel encouraged as my family treated me well.”

Indeed a large number of respondents (with different backgrounds and experiences), when asked about how they felt about being interviewed for the research, saw this as an opportunity to talk and express themselves, something that many had had few opportunities to do.⁷⁵ Similar sentiments were expressed by trafficked persons from different countries, by males and females and victims of different forms of exploitation. This highlights the need for access to psychosocial support and counselling for some trafficked persons.⁷⁶

I feel that that was asking in my heart. That means before interviewing I felt tense in my chest. However, when I answered all the questions I feel relief. I have no concerns.

I agreed to be interviewed because I want to be light-hearted by sharing my feelings. If I feel light-hearted, I will benefit. It is not good to hold back my bad feelings. If you have a whole day, I would like to talk for whole day.

I feel light-hearted and released. I also become happy. I can share my difficulty and burden.

I feel very light-hearted and released from the tension that I have kept inside my heart as I could share what I wanted to share...This is the first time I was interviewed like this. Interviews in [the government] shelters were not like this...[they were] just rough.

I feel sad but after I have said everything, I feel light-hearted and relieved.

Providing psychosocial support and counselling

In some cases, trafficked persons received psychosocial counselling and support. There were some trained professionals who were qualified to provide psychosocial support and counselling

⁷⁵ The research team was aware of the important distinction and boundaries between therapy and conducting research. Respondents who expressed a need for counselling and support were referred for such assistance, wherever possible and available. Referral information was provided to all respondents, which also meant that they could follow-up on assistance at a later stage and as needed.

⁷⁶ Not all trafficked persons expressed a desire to speak about their experiences in either an informal or therapeutic manner. Some trafficked persons were emphatic about avoiding the topic and said that they only wanted to put the experience behind them.

in the region. Some programmes employed an “in-house” professional psychologist or counsellor.

However, this was not the norm and this form of assistance was not always readily available to trafficked persons⁷⁷ in the region.⁷⁸ Issues in the provision of psychosocial support and counselling are listed and discussed below.

1. Limited access to psychosocial support or counselling
2. Too few professionals trained in psychosocial support and counselling
3. Lack of specialised psychosocial support to trafficked children
4. Language barriers; counselling in a foreign language.

1. Limited access to psychosocial support or counselling. Psychosocial assistance and support was largely offered within the framework of shelter assistance programmes. Some programmes offered highly developed, specialised counselling programmes.

However, even within shelter programmes this was not automatic, and in some shelters, there seemed to be inadequate attention paid to the psychological state of victims'. Moreover, counselling that was provided in some settings was often done on an *ad hoc* basis, when trafficked persons asked to speak with someone, rather than as a form of assistance available in the context of their (re)integration plan and programme. Some shelter programmes did not offer counselling or psychosocial support services at all.

Organisations providing assistance in communities did not generally seem to include counselling in their package of services offered to trafficked persons. There were seldom options for trafficked person to access trained counselling and psychological assistance once they had returned to their homes and communities. Access to such services was especially limited outside of towns and cities.

2. Few professionals trained in psychosocial support and counselling. Psychosocial assistance and counselling should be offered by trained professionals. Typically those with this training include professional psychologists, counsellors and social workers. However, there was a general dearth of these trained professionals in the region. Many service providers working with trafficked persons in this capacity did not have professional training and/or experience in counselling and/or psychosocial support. This necessarily limited access and opportunities for professional counselling and psychosocial support for many trafficked persons.

⁷⁷ In addition, there may be an additional bias in terms of which trafficked persons have access to psychosocial support. A recent study of assistance in Cambodia found that, of organisations surveyed, the target population for most available psychosocial support was women and girls survivors of trafficking, with assistance available to boys when assisted in a shelter programme. Only one organisation interviewed provided distinct psychosocial support to men (Mauney & Rachana 2012).

⁷⁸ The need for strengthened psychosocial support was one of the key findings of national practitioners forums held in the six COMMIT countries as phase 2 of this regional (re)integration initiative. One of the key issues highlighted by practitioners was the need for professionally trained psychologists and social workers to offer this service. Lack of psychosocial support was recognised as a barrier to successful (re)integration for many victims. For more details, please see UNIAP et al 2012: 14. See also Sammon 2009: 24.

In the absence of trained professionals, some service providers offered other informal types of emotional support. This was generally described by respondents as “listening to their problems” and “encouraging them.” In some shelter programmes, trafficked persons were “counselled” by shelter staff and teachers. One girl from Myanmar, trafficked to Thailand for prostitution, was assisted in a shelter programme in Thailand where she benefitted from the support and encouragement of staff. She explained that when she was upset, the teachers were available to speak with her – to listen and to comfort her. In the community, “counselling” was often conducted by volunteers and other laypersons who worked with service organisations. One Vietnamese woman spoke about how representatives of a community based organisation helped her a great deal by supporting and encouraging her.

While advice and “counsel” can be offered by a range of service providers, it is important to make the distinction between this and counselling from individuals who have been professionally trained in this type of work. Of note is that many of the individuals involved in “counselling” did not seem to have the professional skills to offer this type of specialised support, nor did they generally have even basic training in working with traumatised and vulnerable people. While this type of informal support and encouragement can play an important role in helping victims, there are also risks that trafficked persons will not be counselled and treated in appropriate and sensitive ways. Moreover, this informal support should not replace professional counselling and care, particularly in instances when trafficked persons are traumatised.

Service providers without professional accreditation can be trained in working with trafficked persons in ways that support their psychosocial well-being and recovery. Critically important for service providers working with victims would be understanding and being able to identify the physical and mental signs of trauma, and being able to help them cope with the impact of trauma in their daily lives through developing coping skills and tools for stress management. Another important aspect for any capacity building in this field would be in terms of ethics. Any provision of psychosocial support and counselling needs to adhere to the highest ethical standards including principles of confidentiality, non-discrimination and privacy.

Minimum standards are needed in terms of the qualifications and training required to conduct psychosocial support and counselling. Minimum standards and protocols are also needed in terms of the training and work to be undertaken by non-professionals working in various ways to emotionally support trafficked persons in their (re)integration.

3. Lack of specialised psychosocial support to trafficked children. Trafficked children generally did not receive formal counselling or psychosocial support. Few trafficked children described participating in formal counselling sessions. Some trafficked children talked about “being encouraged” by staff when they were feeling badly, some instances of which may have been counselling. In other cases though, the described encounters were more generally along the lines of informal discussions and conversations. Moreover, even these informal counselling sessions often only took place while the victim was receiving shelter programme assistance. Once children left a shelter programme to return home (or for those who did not stay at a shelter), there were even fewer options for counselling and support.

Moreover, it merits consideration whether the children who did receive psychosocial support or counselling received support from appropriately trained counsellors, using child friendly and

appropriate tools and methodologies. Stakeholders consulted as part of national consultations for this study generally agreed that there was inadequate specialisation in professional counselling for trafficked children in the region.

4. Language barriers; counselling in a foreign language. Language posed an obstacle when counselling was conducted in destination countries. Some victims were abroad for a very long time, which ideally would involve programmes employing counsellors who spoke the native language of beneficiaries. However, this was seldom the case. This was also an issue for persons from ethnic minorities in their home countries who did not speak the national language. Counselling in their native language even at home was often unavailable. Counselling through interpretation was something that trafficked persons described as uncomfortable and unsettling. One Chinese woman, trafficked for prostitution, described receiving counselling from persons who did not speak Chinese, or had very poor Chinese language skills, which meant the involvement of an interpreter. She described this as very awkward and uncomfortable, given that they were discussing such intimate issues. She described dreading these sessions.

Alternatives tools and strategies

As noted above, there was a general dearth of trained professionals working in the field of psychosocial support and counselling in the region. In the absence of formal psychosocial assistance and counselling, alternative tools for coping with psychological stress, anxiety, depression and trauma should be fostered and supported. Such alternatives may be particularly important in social and cultural settings where psychosocial assistance and formalised counselling were sometimes viewed with concern, suspicion or disinterest.⁷⁹

In some instances, service providers offered alternative means of helping victims to cope with the stress, anxiety, depression and trauma of their trafficking and post-trafficking experiences. These included religion and spirituality; victim peer support mechanisms, such as self-help groups and victim gatherings; and yoga.

Religion and spirituality. Some trafficked persons found comfort in religion and spirituality. A number of victims described being taken to temples by social workers upon their return home. One girl trafficked to Thailand for street selling explained that, following her return to Myanmar, social workers took her (and the others who returned with her) to Shwe Dagon Pagoda before sending them home to their villages.

Other trafficked persons talked about the temple being a place that they went when feeling overwhelmed and upset. Still others spoke about religion generally as a source of support and assistance in moving on from trafficking. One woman from Myanmar, trafficked to China for

⁷⁹ In national consultations for this study, some service providers noted resistance to psychosocial assistance and counselling on the part of some beneficiaries in some countries. Culture may influence how patients from a given culture communicate and manifest their symptoms, their style of coping, their family and community support systems and their willingness to seek treatment. Equally, the culture of clinicians and other staff influence the diagnosis, treatment and service delivery. Different professions, communities, societies and cultures have very different ways of conceptualising the nature and causes of mental health, determining what is mentally healthy and deciding what interventions are appropriate (Devine 2009: 12).

forced marriage, explained that she was unable to speak with people about her experiences and sought comfort at the pagoda:

Whenever I feel something, I go to pagoda. When I want to cry, I cry there. I do not even tell my mother about my feelings in detail. I never told anybody about my bad feelings.

Similarly, one Cambodian girl, trafficked to Thailand for prostitution, was assisted at a Thai shelter after being rescued by the police. She explained that religion was something that was offered in the shelter:

We pray every day and sometimes the shelter brought in monks to teach us some Buddhist lessons.

One Chinese boy talked about religion as an important source of support in moving forward from his trafficking experience. When asked about the assistance received, he identified religious scripture as perhaps the most important assistance he had received. His religion gave him a foundation for how he wished to move on with his life.

That being said, not all trafficked persons found comfort in religion and some were uncomfortable with requisite involvement in religious activities in some programmes. One Chinese woman, trafficked for prostitution, was assisted by a religious organisation to recover and move on from her trafficking experience. She described benefitting from the assistance received but did not appreciate the compulsory religious classes that were also a part of the programme.

Victim peer support mechanisms, such as self-help groups and victim gatherings. In some settings, there were opportunities for group meetings and discussions, which some trafficked persons found helpful. In some situations these were structured self-help groups that met regularly and provided not only support to one another, but also served as a mechanism for information exchange and trainings. In other cases, trafficked persons attended occasional gatherings of formerly trafficked persons where they were able to discuss their lives since trafficking and provide inputs into how assistance might be better designed in future.

Some trafficked persons found that this form of group support was helpful in making them not feel so alone and putting their trafficking experience behind them. Trafficked persons who participated in these groups talked about having improved self-confidence and self-esteem, and being able to overcome their fears and sense of inferiority. When the support component was coupled with other services such as training, informal education, micro-credit and leisure activities, it appeared to be especially appealing for some trafficked persons.

These models, however, were not appropriate for all trafficked persons. Some expressed discomfort with the concept itself, not wishing to engage in public activities. Others were embarrassed and afraid to participate because it was linked to their trafficking experience, which they did not want to discuss or recall. Others did not see the tangible benefit, generally because this assistance was not in line with what they needed. Some, for example, had moved on with their lives and had other mechanisms for support that they drew upon.

CASE STUDIES:
SOME TRAFFICKED PERSONS FOUND SUPPORT IN TALKING
TO OTHERS WITH SIMILAR EXPERIENCES...

One Vietnamese woman, trafficked to China for forced marriage, described feeling better after joining a self-help group and having the opportunity to speak with people with similar experiences: "I have become happier and more confident from sharing my experiences with others."

One Vietnamese woman who was trafficked to Hong Kong for domestic work described attending this group meeting once a month in which the participants were able to talk about their problems, their work and also do recreational activities like singing: "Joining the programme benefits me a lot because I have someone to share my feelings with and I know how to keep other people informed about my bad experience. I also realised my mistake and recognised what to do if I want to work overseas."

One Vietnamese woman, who had been trafficked to China for forced marriage, has been attending a monthly self-help group in her commune for the past few years and finds it an important source of support. She described how these meetings helped her to build her confidence and overcome her sense of inferiority: "Participating in this group is spiritually valuable to me."

...WHILE OTHERS DID NOT WANT SELF-HELP PEER ASSISTANCE

One Vietnamese woman trafficked to China for forced marriage when she was a girl initially declined to participate because she was embarrassed and afraid, but then later attended one meeting. She did not, however, understand the purpose of the meeting or the various activities involved and has not returned since.

One woman, trafficked for forced marriage to China from Vietnam, was approached by a woman in her commune (and former trafficking victim) about participating in the self-help group. However, her husband didn't like "these kinds of activities" and discouraged her from attending. She also did not have free time to attend and felt that, as her life was stable, she did not need to support.

Yoga programmes. In some shelter programmes, trafficked persons were offered yoga classes. One girl, trafficked to China, was assisted in a shelter programme after her return to Vietnam. The shelter offered a range of services that she found helpful including the opportunity to attend yoga classes. Yoga has been successful with other traumatised groups as a therapeutic tool for reducing trauma symptoms.⁸⁰

⁸⁰ For example, yoga with traumatised youth in residential programmes (Spinazzolla et al. 2011) and yoga with survivors of rape, abuse, at risk youth and war veterans (Emerson et al 2009).

Issue 2.6. Legal and administrative issues

Trafficked persons faced problems in resolving legal and administrative issues.

Legal and administrative barriers

Trafficked persons faced a range of legal and administrative issues post-trafficking, both in countries of destination and at home. Some were a direct function of trafficking – for example, needing to replace documents lost or taken while trafficked. Others, for example divorce and custody issues, were not a direct product of trafficking, but if left unaddressed, had the potential to adversely affect (re)integration outcomes. In some cases, administrative issues were those of the individual trafficked persons; in other cases, needs were related to family members, particularly children.

The issues, listed and then discussed in detail below, include:

1. Identity documents and other forms of legal registration
2. Civil/birth registration of trafficking victims and their children
3. Residence registration
4. Permits and registration when staying abroad
5. Certification as a trafficking victim
6. Other legal issues, such as divorce and child custody

Critically, resolving these issues was complicated by various barriers, some of which are listed in the table to the right.

While many trafficked persons faced issues in terms of legal or administrative issues, victims of some forms of trafficking were particularly challenged by these. For example, women trafficked for forced marriage, in addition to often needing identity documents, also often needed to register their foreign born children upon their return home, while simultaneously grappling with issues of divorce and sometimes child custody. Moreover, the issue of documents was more prominent in some countries than others. Legal and administrative needs faced by trafficked persons in the region are discussed in detail below.

1. Identity documents and other forms of legal registration. Identity documents and other forms of legal registration (e.g. family or household registration) were needed to access services which could play a role in (re)integration (e.g. education, healthcare, training) as well as for a wide array of day to day activities (e.g. to open a bank account, get a job, own a house or procuring a loan). A significant minority of respondents (33.6% or 83 of 247)⁸¹ lacked identity documents. In some cases, getting identity documents was their highest priority.

Some trafficked persons had identity documents prior to being trafficked but either lost them, or more commonly, had them taken by their traffickers. This meant re-applying and re-issuing

Barriers for victims to solve their legal and administrative issues:

1. Complicated, confusing, and sometimes circular procedures
2. High (often prohibitive) costs
3. Obstructive and sometimes discriminatory behaviour of authorities
4. Practical barriers, such as travel to the administrative centre, loss of income when not able to work, and needing childcare when dealing with these issues.

⁸¹ In five instances this question was not answered.

documents. This was the case for 22 of the 83 trafficked persons who did not have identity cards when interviewed (or 26.5%). Others (61 of 83 or 73.5%) had never had identity documents and were applying for the first time. Of this group, most (50 or 82%) were trafficked children who would likely require assistance from service providers or officials in helping them navigate administrative (and often quite bureaucratic) procedures. In a number of cases, trafficked children didn't know what identity documents were or how to get them. Some came from communities where, they explained, having identity documents was not a priority. One Laotian girl, trafficked to Thailand for domestic work, explained that she didn't have identity documents and didn't quite know what a family book or identity card was for and why she would need it. Another Laotian girl, also trafficked to Thailand for domestic work as a child, explained that in her community people did not commonly use identity cards. Her family lived far from the city which also meant getting them was difficult. None of her sibling had documents either.

Lack of identity documents also posed challenges for trafficked persons in destination countries. Many stayed for long periods of time in destination countries while their national identity was verified and documents processed.

CASE STUDIES:

LACK OF IDENTITY DOCUMENTS WAS A CHALLENGE WHEN (RE)INTEGRATING

One woman from Myanmar had faced difficulties since returning from China because without an identity card she could not apply for a job. Her family also didn't have household registration, which made it even more complicated to apply for identity documents. She had been told by an assistance organisation that she could apply for these documents if she was able to get a recommendation letter from the head of her ward where the family lived. She expressed some concern and confusion about how to go about this process.

One young man who was trafficked for begging within China when he was a boy explained that he faced many problems because he didn't have an identity card: "I wish I could get a job. I don't have an identity card so I can't get one and there is no one in this centre who can help me get one. I also don't know what kind of documents I need to get one. I am already really alienated from my family and I will not travel back to [my hometown] to get my identity card."

While the process differed from country to country, trafficked persons consistently faced problems in applying for identity documents. In many countries, it was not possible to process identity documents without other documents or forms of registration – most commonly one's household or family registration. However, in many cases, trafficked persons did not have such documents. Some had never had them; others had been lost or destroyed. In other cases, victims' registration had been expunged during their absence (i.e. while trafficked) and they faced difficulties in reversing this. Some trafficked persons were concerned about applying for new identity documents for fear of being charged with immigration violations, having migrated illegally. An additional issue was that some trafficked persons had to navigate complicated and confusing bureaucratic procedures, as well as the obstructive and sometimes discriminatory behaviour of authorities.

Moreover, the cost of processing documents was something that many victims could not afford. Some trafficked persons did not apply for new documents because they did not have the money to pay the requisite fees. Other costs incurred in the process that served as obstacles for some

trafficked persons were transportation costs when required to travel to different towns/districts and loss of income while spending time with these administrative tasks.

CASE STUDIES:

TRAFFICKED PERSONS FACED OBSTACLES IN ACCESSING IDENTITY DOCUMENTS

One woman trafficked internally within Myanmar for prostitution lost her identity documents when she was exploited. She was trying to make a new one but had not been able to because she did not have a family list, birth certificate or her parent's identity card numbers. As a result she was listed as a temporary resident with the authorities but had nothing more permanent for her future.

One woman from Myanmar was trafficked to Thailand for labour in a seafood processing factory. She carried both her identity documents and family registration document with her; her employer held both which meant she did not have them when she returned. When she returned to Myanmar she approached her ward authority to apply for new identity documents. However, the official said this was not possible because she did not have her family registration documents. While there is a policy to issue national registration cards for trafficking victims, she had not been formally identified as trafficked, and therefore, faced many difficulties.

One Vietnamese woman, trafficked to China for forced marriage, was abroad for ten years. When she finally escaped and made her way home, she reported her case to the local authority. But because she had been outside of the area for more than five years her name had been removed from her family book. This meant that, in addition to facing problems with documents, she did not receive any support after reporting her case to the local authority.

One Chinese man, trafficked as a boy within the country for begging, did not know his formal, legal identity nor did he have any means of finding it. He had lived his entire life without documents, which meant never having been to school, not having access to any services, never being able to have a formal job or open a bank account. For him, his lack of identity was a source of considerable stress and his most important assistance need: "Without an identity, I sort of lose hope in the future. I have told myself that whoever gets me identity documents or gets me registered in the household system, I will treat him or her as my parents, taking care of them in their old age and their burial."

One woman from Myanmar, trafficked to China for forced marriage, lost her identity card while exploited in China. Since her return she had been unable to make a new one as she didn't have a birth certificate or a family book/list because she had been raised by foster parents.

One Vietnamese woman trafficked to China for sexual exploitation lost her documents while trafficked (the brothel owner confiscated her documents) and needed to process new ones upon her return. Upon returning home she went to the provincial authorities to apply for a new identity card but faced many difficulties: "I had to go to the province many times but was not successful. Provincial officials said that I had just returned from China and if they re-issued my identity card, I would be fooled by others to go again to China". She was finally able to get her identity card with the help of her employer who had friends amongst provincial authorities.

That being said, not all trafficked persons faced serious barriers. In some cases, document processing was supported and facilitated by authorities and assistance organisations. Further, many trafficked persons were assisted by authorities to get temporary documents or letters in lieu of permanent documents. While not a long term solution, these actions on the part of authorities were helpful and important in the short term.

In some cases, assistance organisations paid document processing fees and assisted the individual in navigating what were often very complicated and intimidating procedures. It merits mention that document processing costs could also have been absorbed by the state as part of its contribution to (re)integration assistance. In some countries, issuing documents for trafficked persons was free of charge. It is also worth highlighting that procedures that were bureaucratic and intimidating need also to be reviewed and revised.

GOOD PRACTICE:

TRAFFICKED PERSONS RECEIVED SUPPORT FROM AUTHORITIES AND ASSISTANCE AGENCIES IN ACCESSING IDENTITY DOCUMENTS

One woman from Myanmar trafficked to China for forced marriage explained how state social work staff assisted her in getting new identity documents after her return to Myanmar by preparing a certified letter to confirm her identity. In addition, an assistance organisation paid the fees required for processing these documents.

One girl from Myanmar, trafficked to Thailand for prostitution, was assisted by the police in Myanmar in making an identity card. The police provided her with a recommendation letter, which she took to the appropriate authorities. There was no cost for issuing her identity card.

2. Civil/birth registration of VoTs and their children. Some trafficked persons were never registered before trafficking, and therefore, needed to initiate the birth registration process for themselves (and sometimes also family members). In other cases, trafficked persons needed to register their children who had been born while trafficked. This was a particularly important issue for women trafficked for forced marriage who often returned with children. This also happened commonly with women trafficked for prostitution. Not having children legally registered posed serious issues for many trafficked persons and certainly constrained not only their own (re)integration options but also their children's integration into society.

Registration of children borne while trafficked was sometimes complicated. In some cases, authorities did not seem to know what needed to be done to resolve this issue. Some officials were not only unhelpful but even hostile to trafficked persons facing this problem. In one particularly striking instance, one formerly trafficked woman explained that she was told that it was not possible to resolve this issue and her child needed to go back to China:

After I returned home, I reported my case to the commune police. They explained to me that I could stay but my son must be expelled to China because he did not have a birth certificate. I explained to them that my son had the right to be with his mother. They did not say anything more... I tried to get a birth certificate for my child many times but I was refused by the local authorities. I cannot remember how many times I asked them for it. After many times asking, in 2005, thanks to a document issued by the provincial justice department, I got a birth certificate for my child.

In general it took a great deal of time and energy for this issue to be resolved. In one instance, it was only ten years after a woman's return to Vietnam that she was finally able to get her children registered. Until then her children were not registered nor listed in her family book, which meant that they were not allowed to attend school and she was not entitled to any social support on their behalf. She described feeling discouraged, frustrated and stressed by being unable to support her children during this ten year period.

3. Residence registration. For some trafficked persons, the home community was not the most conducive environment for sustainable (re)integration. They faced economic problems and were unable to find a job or economic opportunity. Some also had social problems either within their family or community. As a result, some trafficked persons opted to integrate into new communities in their home countries. However, there were administrative barriers that complicated this choice.

Most countries in the region require citizens to be registered in the area where they were living and their documents were linked to this registration. In some countries, even a temporary move – for example, to stay in a shelter – required various administrative procedures.

Not being registered in the area where one lived had implications in terms of (re)integration – e.g. being able to attend school (or for trafficked persons' children to attend school), obtain identity documents, access to medical care and so on. Despite the requirement to do so, registering in another community involved administrative steps (and barriers), and was both costly and time consuming. No special dispensation seemed to exist in the case of trafficked persons wanting (or needing) to move to a new community. Yet in some cases, moving from the home community was essential for (re)integration success.

Trafficked persons described both confusion and discomfort in understanding and trying to manage registration processes. Not only were actual regulations and procedures hard to understand, but also the bureaucracy itself was often intimidating and confusing. Interacting with persons of authorities was also intimidating and uncomfortable for some trafficked persons.

CASE STUDIES:

RESIDENCE REGISTRATION POSED CHALLENGES FOR SOME TRAFFICKED PERSONS

One Laotian girl required the signature of local authorities before she was permitted to leave her village and stay at a shelter for assistance. For her, the process was unclear: "The organisation asked me to process the documents and I had to go to the village chief and district officer to sign the documents for me. It was a bit confusing and difficult for me."

One Chinese woman trafficked internally for prostitution had since returned to her home community with her husband and daughter. However, she faced problems with her daughter's residency permit, which was listed at her husband's home province instead of her home province. This impacted her ability to attend public school. Being unable to register her daughter in her home province also meant having to put her in private school, which they could not afford.

4. Permits and registration when staying abroad. Many respondents experienced long shelter stays in destination countries. However, few were provided with documents that formalised their stay. As a consequence they were restricted in terms of their movements (i.e. not permitted to leave shelters for months and years) and were unable to work.

However, in some countries, mechanisms were used to formalise trafficked person's stay and allow them to work. In a number of cases, trafficked persons registered formally as migrant workers, which allowed them to legally stay and work. In other destination countries, trafficked persons benefited from temporary residence permits that permitted them to stay and work. In other cases, service providers prepared documents that gave trafficked persons some legal status in the country, although this was an *ad hoc* response and did not afford trafficked persons the full range of rights to which they would be entitled within a framework of temporary residence permits (TRPs) or formal migrant registration.

**GOOD PRACTICE:
SOME TRAFFICKED PERSONS HAD ACCESS TO LEGAL REGISTRATION
WHILE IN DESTINATION COUNTRIES**

One man from Myanmar trafficked aboard a fishing boat in Thailand escaped from the boat and was hidden by a woman when the supervisor and brokers came to look for him. She then helped him get work on another boat that she knew to be better (the crew hid him until the boat was out at sea). He worked there for a few months and was regularly paid but he remained afraid of encountering the previous bosses and brokers. He took a bus to another location and met a man who helped him find work in a local sawmill. He worked there for one year and was assisted by his employer to get his migrant worker documents. After a year he found another job on a construction site.

One Thai man, trafficked to Israel for agricultural work, was rescued by the police and offered the opportunity to open a legal case against his exploiter, to claim outstanding wages. He accepted this offer and during the course of the legal process, was provided with temporary stay in the country including legal (and fairly paid) work.

One man from Myanmar, trafficked aboard a fishing boat in Thailand, managed to escape from the boat when it was in port. He and his friend took a bus and called a friend for help. The friend helped them find work in a sawmill where he worked for more than a year. His employer is currently assisting him to obtain formal working documents.

5. Certification as a trafficking victim. In some countries in the GMS, trafficked persons must be formally identified and certified as a trafficking victim to be entitled to anti-trafficking support and services. In some cases, trafficked persons were informed about their rights and assisted by authorities to gain this status as a trafficking victim.

However, the process was not always direct and trafficked persons faced difficulties in understanding their rights and opportunities, as well as in completing the necessary administrative steps. Trafficked persons commonly faced obstacles, including not being fully informed about the process and interacting with officials who refused to explain and help with the procedures.

Generally, establishing one's status as a trafficked person involved a very complicated and time consuming process. It general required a number of supporting documents with official stamps and notarisations to be certified as trafficked persons, which in turn, allowed them to access services. Time and costs were certainly constraints in this process; so too was frustration as the process required a great deal of patience and motivation.

Tied intimately with this certification process were procedures involved in accessing services and support. Many trafficked persons did not know where to go for help or what rights and assistance options they had available to them as trafficked persons.⁸²

Moreover, in some cases the administrative requirements for accessing services prevented trafficking victims from accessing this support. For example, in some countries, it was possible to access state medical care free of charge as a vulnerable person. However, this required receiving documents from relevant authorities (e.g. social worker or police) stating that one was a trafficked or socially vulnerable person, which many trafficked persons were reluctant to do because of shame, discomfort and fear. In other cases, access to services like medical care were provided by the government, but less enfranchised people did not always know how to navigate the steps involved in accessing such services.

GOOD PRACTICE:

TRAFFICKED PERSONS WERE ASSISTED IN ACCESSING RIGHTS AND ASSISTANCE AS VOTs

One Cambodian man, trafficked to Thailand and Malaysia for labour, was offered vocational training through an assistance organisation. He required assistance and permission from his village chief to process the application form to attend the training, which the village chief provided. He has since received the training and is working in his field of expertise.

CASE STUDIES:

RESIDENCE REGISTRATION POSED CHALLENGES FOR SOME TRAFFICKED PERSONS

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⁸² To some extent, this may not be unique to trafficked persons. In some interviews trafficked persons highlighted a general lack of knowledge of assistance options amongst people in their community.

6. Other legal issues – e.g. divorce issues and child custody. For some trafficked persons a critical assistance need was legal support and representation in navigating various legal issues such as divorce, child custody, land ownership/rights and the like. In some cases, these were needs that arose directly from their trafficking experiences – for example, obtaining legal custody for children born of trafficking or divorce proceedings in cases of trafficking for forced marriage. In other cases, legal issues preceded trafficking and had, in some cases, even contributed to trafficking vulnerability. This included assistance in divorcing abusive husbands and gaining custody of children. Leaving these issues unresolved further exacerbated their existing vulnerabilities and undermined (re)integration.

Authorities, in many cases, did not ease the legal process for trafficked persons. The judiciary was often inflexible and did not take into account the trafficking experience in terms of affording any special dispensation. The procedures also did not take into account the specific features of trafficking. For example, divorce proceedings for those sold into marriage is a fraught process and some steps – like consent from one’s “husband” – were not only difficult but also potentially dangerous. For example, one Vietnamese woman trafficked to Taiwan, China for marriage, described facing many problems when she tried to divorce her “husband.” When she applied to the court, she was told that she could not divorce him without his signature. For obvious reasons she does not feel safe to approach him on this issue. She would like to get married but cannot because she cannot find a way to safely proceed with her divorce. Another Vietnamese woman, trafficked to China for forced marriage, escaped her “husband” but was forced to leave her daughter behind in China. For her, there were a range of issues to be navigated, including transnational divorce, custody issues and Vietnamese identity documents for her daughter. The likelihood of being able to resolve these issues was heavily constrained.

Issue 2.7. Economic needs

Current economic assistance models did not always lead to an improved economic situation.

Economic need

A central feature of successful re/integration was access to a reasonable and sustainable standard of living, along with opportunities for economic growth and empowerment. For many trafficking victims, the desire to improve their economic situation (and that of their families) was a key factor in their decision to migrate. It was, therefore, not surprising that both trafficked persons and their families considered economic issues to be primary concerns and factors in (re)integration. Economic assistance was often the primary need identified by trafficked persons upon exit from trafficking and/or upon their return home. Trafficked persons needed to work and earn money to support themselves and their families, as well as to redress economic problems that resulted from their trafficking experiences.

Many trafficked persons migrated originally because of economic problems and needs at home. For many, their economic situation had not improved after and/or as a result of trafficking, and most commonly, had further deteriorated as a result of the experience. Some had incurred debt to fund their migration and had been unable to pay this debt off because of trafficking. Others incurred debt to pay their travel home or as a ransom to be freed from their trafficking situation. Many trafficked persons were unable to work after trafficking because of illness or injury or being unable to find work, which meant not being able to earn money, and commonly, incurring debt (or further debt). Owing debt was often the source of a great deal of stress for many respondents.⁸³

CASE STUDIES:

TRAFFICKED PERSONS FACED ECONOMIC PROBLEMS BEFORE AND AS A RESULT OF TRAFFICKING

One Vietnamese girl, who ended up trafficked internally for selling flowers, sought work originally because of financial hardship in her family. She wanted to assist her parents to earn some money because, at that time, her family was very much in debt, for roughly 20 million VND [approx. 955 USD].

One man from Myanmar explained that he borrowed 1,200,000 kyats [approx. 1360 USD] to go to migrate to Malaysia for work and 200,000 kyats [approx. 225 USD] more for his wife to give birth. With a 10% interest rate, he had been unable to clear the debt. He still owed about one million kyat [approx. 1135 USD], including interest.

One Vietnamese woman, trafficked to China for forced marriage, explained how her family incurred debt to pay for her and her sister's return from trafficking exploitation and how this continued to be a source of tension in the family: "Sometimes, my parents still scold me for

⁸³ Sometimes debt was owed within a family, which, in some ways, made it more manageable. But debt owed within the family was also not uncomplicated. It sometimes contributed to family stress and even tensions/problems, which, in turn, impacted (re)integration success. Sometimes debt was owed to banks or moneylenders, which involved often prohibitive interest rates and repayment terms, which further increased vulnerability.

being trafficked. My family had to spend more than 30 million VND to rescue my sister and me [1500 USD]”.

One man from Myanmar explained how his family’s economic situation was worse after he was trafficked to Thailand for work on a fishing boat. In addition, he now has a child, which means another person to look after, and his wife, who previously worked, cares for the child instead of working outside the home. Before he went to Thailand he didn’t have any debt but now he has a debt of more than 300,000 kyat [approx. 340 USD] plus interest.

One Vietnamese woman trafficked as a housemaid to Hong Kong explained how her migration/trafficking contributed to financial and interpersonal problems in her family. To fund her migration, the family borrowed 25 million VND [approx. 1200 USD] from the bank and then needed to sell their agricultural machinery to pay it back when she was trafficked and was unable to remit any money. After paying off the debt, she borrowed another 30 million VND [approx. 1500 USD] to buy farmland to support her family but was unable to repay the loan. She is now in a constant cycle of debt, borrowing money to pay back others from whom she has borrowed. This problem has been on-going since 2006. Due to this large debt, she and her husband argue a great deal, which affects her family’s happiness and her children’s performance at school. Her oldest son sometimes leaves school to work to help pay off the debt.

One Cambodian man trafficked aboard a fishing boat to Thailand and Malaysia, managed to escape the boat, but went unidentified in the destination country and was forced to borrow money to pay for his own trip home. He is currently unable to repay the loan; he pays off only the interest.

Economic empowerment options – at home and abroad

In the context of (re)integration, economic empowerment is about trafficked persons equipping themselves with the skills, resources and confidence to economically support themselves and their families. Sustainable (re)integration approaches need to respond to the economic needs (and aspirations) of trafficked persons. In most cases, this was pursued at home after the individual returned. In other cases, it was initiated while in the destination country, although this approach varied according to whether the trafficked person was staying temporarily, or choosing to integrate in the destination country.

Comprehensive (re)integration programmes included an economic empowerment component— either through vocational training and job placement or through business training, planning and start up support. Many anti-trafficking assistance organisations offered economic empowerment options within the framework of their (re)integration programmes.

In some cases, economic empowerment programmes were well-designed and implemented by economic empowerment specialists. They were based on knowledge of the local labour market needs, access to (high quality) vocational training and staff worked with trafficked persons to build their capacity (and confidence) to meet labour market needs. These programmes had well-thought out processes such as exit exams upon completion of training, apprenticeship programmes, job readiness programmes, piloting skills before funding a business, offering business management training and so on. Some also offered ancillary support; like literacy classes, counselling and life skills that further enhanced work place skills. These programmes

were also monitored over the longer term, and when needed, additional support and counselling was provided to galvanise success.

**GOOD PRACTICE:
TRAFFICKED PERSONS HAD ACCESS TO WELL-DESIGNED AND EFFECTIVE ECONOMIC
EMPOWERMENT PROGRAMMES**

One Cambodian man described how the assistance organisation came to his home and offered him a range of choices for training and work. He opted to be trained as a barber as there was a need for that skill in his village, and the organisation sent him to nearby town for nine months of vocational training. Having completed his training he was given implements to set up his barber business. As he explained, “I now work as a barber. I have about three clients a day and I earn Riels 2,000 [approx. 0.50 USD] per client. I like doing this barber service, including making modern hair styles, fancy styles and also classical style for the elders.” He was planning to expand his business – to buy a motorcycle and sell his services in nearby villages.

One Cambodian woman was receiving training in hairdressing, a course that runs for a year and a half. Upon completion of this training, the organisation has a requisite exit exam, which if she passes, means that the organisation will help her find an apprenticeship and practice her skills for three months. After this, she will be able to request tools to set up a hairdressing salon, a request that is based on a set of criteria, which she must meet.

One man trafficked internally within Myanmar for labour was trained in animal husbandry and managing a small business after which he was given funds to buy pigs. After six months he sold one pig and bought another one with the profit. He then received an additional small grant to expand his pig breeding and attended training on micro-credit and savings groups. The profit from the pigs was not sufficient for his needs and he was looking for ways to expand his work by raising chickens and doing flower cultivation in order to ultimately open a grocery store. The service provider visited him every three months to monitor his progress. When asked how he would fund his business ideas, he explained that he would borrow from a micro-credit programme; he did not expect it from the assistance organisation as he was doing well.

However, in other cases, economic empowerment efforts were less well-designed, and as a consequence, less effective. Economic empowerment was complex and involved a raft of challenges, listed and discussed below, any of which could directly inform the individual’s success or failure.⁸⁴ These included:

1. Lack of professional capacity in economic empowerment work
2. Vocational training was unavailable or did not provide a satisfactory level of skill
3. Limited training and job options; limited attention to individual interests/skills
4. Economic plans did not align with the local economic situation
5. Business training was not offered, under-supported or ill conceived
6. Lack of economic opportunities – in home communities, new communities and abroad
7. Few options for trafficked persons with special needs

⁸⁴ Weaknesses in the provision of economic assistance and vocational training were highlighted as key gaps by practitioners working on reintegration in the GMS region, in the context of national practitioner forums held in the six COMMIT countries. Please see UNIAP et al. 2012: 12-14.

8. Inadequate attention to other assistance needs, including the needs of victims' families
9. Lack of confidence in one's own capacity
10. Practical barriers to economic empowerment
11. Limited monitoring of and support to economic empowerment

1. Lack of professional capacity in economic empowerment work. Some (re)integration programmes had economic empowerment specialists on staff who designed and managed this component of the (re)integration process. This typically translated into targeted and successful economic empowerment amongst beneficiaries.

By contrast, many programme staff involved in economic empowerment work were not specifically trained in this field. In many situations, this work was undertaken by social workers and other programme staff as part of their general (re)integration work. Many did not have the background and expertise in economic empowerment programmes, and did not have a resource person within the organisation who had this skill or expertise.

CASE STUDY:
POORLY DESIGNED ECONOMIC EMPOWERMENT PROGRAMMES LED TO
FAILURE AND (RE)INTEGRATION SETBACKS

One Vietnamese woman was offered training in producing handicrafts through a shelter programme. She was trained in making handicrafts for three years during which time she was separated from her children (her parents looked after them in her absence). She received only a small stipend in this time. After three years, the programme was closed because it was not successful in selling the handicrafts that the residents/staff produced. She returned home to her children without a marketable skill, or a viable job or business opportunity.

2. Vocational training was unavailable or did not provide a satisfactory level of skill. Learning a professional skill was often identified as one of the most critical forms of support needed and/or received. However, for many trafficked persons, no vocational training was available as part of the economic assistance they received. They were often immediately given implements for income generation – commonly farming or animal husbandry – even when they lacked the technical/professional skills required. They were not generally offered vocational training to build the requisite skills beforehand.

The lack of vocational training opportunities was particularly striking when trafficked persons were accommodated in shelters for long periods of time, generally while pursuing a legal case against their trafficker, and were in a position to acquire a skill. For example, one man from Myanmar, accommodated in a shelter in Thailand after being exploited aboard a fishing boat, stressed the importance of offering vocational training to trafficked persons in anticipation of their return home. To return home with a skill would, he felt, go some way towards mitigating the stigma of having been trafficked and returning without money. He also felt that he would be better received in his community if he returned with a skill. He felt it was important to be active while waiting for the legal process, to use his time abroad effectively, which would help him better cope with tension and depression.

In some cases, vocational training was offered, but did not translate into sufficient skills and professional competencies to find a job or generate income with these skills. Conducting

vocational training is a specialised field and should be undertaken by specialist professionals or agencies to ensure sufficient quality, a variety of options and appropriateness to the labour market and/or business environment. It is also important to ensure that the training is of sufficient length to allow trainees to gain adequate professional skills.

Training opportunities were offered through state, NGO and private programmes, to varying levels of success and at variable quality. Private training opportunities are often more flexible, available and responsive, but most trafficked persons could not afford the tuition fees and associated living costs, which meant only being able to access such programmes when assistance organisations subsidised the costs.

CASE STUDIES:

TRAFFICKED PERSONS WERE NOT TRAINED TO A SUFFICIENT PROFESSIONAL LEVEL

One Vietnamese woman, trafficked to China for prostitution, received vocational training after returning home. She attended a six-month cooking course, but in this time was trained only to what she described as a “basic level.”

One Vietnamese woman explained that she was dissatisfied with the tailoring training that she had received. As she put it, the instructor did not show her anything. Basically she was just on her own and watched other people. She later changed to another type of training course.

GOOD PRACTICE:

HIGH QUALITY VOCATIONAL TRAINING MEANT BEING PROFESSIONALLY SUCCESSFUL

One Vietnamese woman was trained in hairdressing and beauty skills after returning from her trafficking experience in Malaysia. For her, this training was the most important assistance she received as it gave her a trade which she enjoyed and allowed her to make money. Her parents and then boyfriend also saw this as an important opportunity and supported her attending the training. She has since married her boyfriend and runs a beautician service out of her home. She enjoys her work and describes her economic situation as stable.

3. Limited training and job options; limited attention to individual interests/skills. When training was available, it was often quite limited in scope and did not always respond to the individual skills and interests of trafficked persons. Trafficked persons often described being offered vocational training options from a handful of pre-set choices. Women were generally offered hairdressing, weaving, dressmaking/tailoring, cooking/baking or animal raising. Men were generally offered barber training, animal-raising, motorbike repair, radio repair, electrical repair or air conditioner repair. Typically, options offered were not based on individual assessment of needs, skills, aspirations or likelihood of employment, but from a set list of (predefined) options.⁸⁵ Trafficked persons also generally did not receive a great deal of guidance and

⁸⁵ Offering a standard package of (often gender segregated) training can lead to a surplus of some skills sets and saturation in the supply of job seekers in those industries, making it difficult to find a job. Gender-specific training may also perpetuate gender stereotypes and may not fit with the aspirations and ambitions of beneficiaries, particularly those whose experiences abroad have changed their life and material expectations. However, it is equally important that beneficiaries can access skills they are interested in and many are seemingly interested in traditional skills. It is also worth considering when it may (or may not) be advisable for trafficked persons to choose a non-traditional form of employment when seeking to (re)integrate into their communities. Highlighting their “difference”

counselling in terms of orienting their decisions for choosing from various vocational training options. Some trafficked persons expressed disappointment at the available options as they had neither the interest nor capabilities in the offered fields of work.

Work and professional satisfaction are key aspects of mental well-being. Economic well-being also impacts personal identity, self-esteem and social recognition. Given the importance of being professionally satisfied, it is all the more important that economic opportunities align with individual aspirations, capacities and interests.

**CASE STUDIES:
VOCATIONAL TRAINING DID NOT ALWAYS MEET THE NEEDS, INTERESTS OR
CAPACITIES OF TRAFFICKED PERSONS**

One woman from Myanmar was in a shelter for two years in Thailand after being exploited for labour. She received vocational training but she did not find that it met her needs or interests. She explained: “They gave us vocational training. I learned sewing with a sewing machine. I didn’t do well as I was unenthusiastic...” Now back in Myanmar she described the training as “useless” and felt hopeless because she had no skills to help her find a job or run a business.

One Chinese woman trafficked internally for prostitution was provided with vocational training in baking. However, she faced difficulty in finding a good job, and upon reflection, she said she wished she had been better counselled in the choice of training.

4. Economic plans did not align with the local economic situation. In too many instances, trafficked persons’ plans did not align with the local economic situation. Many trafficked persons received training in a field in which they were subsequently unable to find work or set up a business. In many situations, there appears to have been inadequate assessment of the labour market where the trafficked person would be (re)integrating. Their choice of training and economic options was not generally tailored to their local environment. As a result, for many trafficked persons, professional skills did not translate into viable job or business opportunities. In a number of cases, trafficked persons who were still being trained expressed concern as to whether this training would translate into employment or a viable business. Indeed many trafficking victims faced problems when trying to find a job with their new skill. Even when they were able to find a job or start a business, it was not always possible to have sufficient income to meet their needs.

Vocational training offered in some destination countries was particularly divorced from the economic realities to which trafficked persons would return. There seemed to have been very little coordination and cooperation between services providers offering vocational training abroad and service providers in the country of origin who could advise on local employment and business conditions. In other cases, business plans also did not align with the local labour market in the country of origin, leading to failed businesses.

may complicate social inclusion. Certain types of work may also be more feasible in that they can be done from home, minimising the high cost of business start-up (including renting a business premise) and are also more manageable in terms of family obligations such as childcare (Surtees 2012).

CASE STUDIES:
ECONOMIC PROGRAMMES DID NOT ALWAYS ALIGN WITH THE LOCAL LABOUR MARKET

One Laotian woman assisted upon her return home was offered training in cooking and baking at a shelter. She chose this training because she liked to bake and the social workers agreed with her decision. However, once she started the course, she called her mother to tell her about this training. Her mother expressed concern about her choice because their home village was small and not likely to be a viable place to sell baked goods. Upon reflection, the woman decided that baking was not the most viable choice. She then asked the shelter staff to attend a sewing class and also to learn about growing mushrooms.

One Vietnamese woman, trafficked to China for prostitution, was trained in cooking. With this skill, her teacher helped students get jobs in Hanoi. However, she did not want to leave her hometown so she was unable to find employment in her professional field.

One woman trafficked for prostitution to Thailand returned to Myanmar where she set up a small business selling snacks in her village. However, this business failed because most of the villagers did not have disposable income and they bought snacks on credit, never paying off their debt.

That being said, some vocational training was useful and relevant and highly valued by trafficked persons.

GOOD PRACTICE:
ASSISTANCE FIT WELL WITH THE LOCAL ECONOMIC OPTIONS
IN THE COMMUNITY OF (RE)INTEGRATION

One man from Lao PDR trafficked to Thailand for labour, was trained as an electrician while being assisted in a shelter in Thailand and pursuing the legal case against his trafficker. When asked how he assessed this training, he said it was very useful and relevant and he would be able to find work as an electrician when he returned home.

One Cambodian man, trafficked for work aboard a fishing boat, was trained as a barber upon his return home. He had since set up a barber shop and was doing well, with both old and young customers. He was planning on expanding his business.

5. Business training was not offered, under-supported or ill-conceived. Business training was not always offered to trafficked persons. Some trafficked persons expressed concerns about trying to set up a business without this support, particularly given that failure can lead to debt and other serious economic ramifications. Still others described failed (or failing) businesses or income generation projects, attributable at least in part to their lack of business training and acumen.

Not all trafficked persons had the ability to run a successful and sustainable business, even with relevant resources and training. This was particularly an issue for persons with low levels of literacy and numeracy. Even those with higher levels of education or business competency may not have the full skill set (e.g. marketing, public relations and so on) required to run a successful business. Because beneficiaries often run their businesses alone, this weakness can be fatal to

the enterprise. High levels of competition, including a saturated market, can further exacerbate this weakness.

In some cases, the original business idea was ill-conceived on the part of the assistance organisation. Some trafficked persons participated in social enterprises that were staffed by trafficked victims, not all of which were economically viable, as discussed in one of the cases above.

Some organisations offered support (e.g. grants, loans, in-kind contributions) to trafficked persons to help them set up a small business. This was generally once they had completed vocational training and a period of employment (or apprenticeship). Assuming a sufficient level of professional competency they then received support to set up a small business or do some related income generation. Support was in the form of loans, grants or in-kind contributions, such as professional tools and implements.

In some cases trafficked persons were given the necessary business support. However, other trafficked persons did not receive this support, which inhibited and sometimes entirely prevented them from moving forward with their work and business plans.

CASE STUDIES:

SOME BUSINESSES FAILED BECAUSE OF INADEQUATE TRAINING IN BUSINESS MANAGEMENT OR LACK OF ACCESS TO BUSINESS LOANS

One Cambodian woman was provided with hairdresser training for six months. The intention was that she would be lent funds to open her own hairdressing shop. However, as someone with no business experience, she was not entirely comfortable with this: "I have a concern about the loan for opening a shop. The organisation will provide me with about 30% of the capital. The rest would be my own responsibility. Since I had never borrowed money from anyone, I am worried about not having enough money to repay [the loan] and being blamed [if I fail]."

One man who was trafficked to Thailand for labour aboard a fishing boat was assisted to buy a boat upon his return to Myanmar. He rented to boat from time to time when others needed to use it. But most people in his community had boats and so he found, in the long term, that this was not a good business idea. He was able to earn a small amount of money fishing with the boat but nonetheless still needed to borrow money to cover his daily needs.

One woman from Myanmar who was trafficked to China for forced marriage tried to establish a small business upon her return home. She received financial assistance, which she invested in selling vegetables. However, she did not know how to keep vegetables and soon lost her money. At the time of the interview, she had no other job or business opportunities to support herself. She explained that she did not know what to do and wanted advice in terms of what she should do for work.

**GOOD PRACTICE:
TRAFFICKED PERSONS WITH ACCESS TO BUSINESS LOANS, GRANTS OR IMPLEMENTS HAD
POSITIVE RESULTS**

One Thai woman was assisted to set up her business after her return from abroad. She prepared a business plan to open a photocopy shop after which she was provided with a loan of 45,000 THB [approx. 1500 USD]. She also needed to borrow some money from the bank, which took her about a year to pay off. At the time of the interview she described her business as stable, with regular customers. She was planning on expanding her shop.

6. Lack of economic opportunities – in home communities, new communities and abroad. In some cases, the environment into which trafficked persons (re)integrated was the main obstacle to economic success. In some communities there were very few economic opportunities for trafficked persons. In other cases, the conditions or remuneration of work meant that it was not a “good job.” Some trafficked persons described long working hours, low pay and poor working conditions, although what constituted a “good job” varied from person to person.

When no (or poor) economic opportunities exist in one’s home community, moving to another community, city or even country may be the best economic option available. For those trafficked persons who wished or needed to re-migrate, economic empowerment efforts would include assistance to migrate legally/formally through trusted companies and labour exchange programmes.

Options for economic empowerment were also important for trafficked persons in destination countries as part of their temporary (or long term) integration. In a number of cases, assistance organisations supported trafficked persons in finding job placements (with the appropriate documentation) while awaiting legal proceedings and/or to allow them to continue to work in the destination country.⁸⁶ In some cases, individuals lived outside of shelters because they had legal working documents through their jobs. In addition, some trafficked persons were assisted informally in finding work while staying abroad – i.e. by friends and community groups.

That being said, this was not an option for all trafficked persons accommodated abroad, even when staying for long periods of time. Female trafficking victims were less likely to have access to employment while accommodated in shelters in some destination countries. This approach may be a function of gender assumptions – i.e. that men must work and return home with money – assumptions that are flawed given that women interviewed in this study had dependent family members and were often the main income earners in their family. Moreover, female respondents also explicitly expressed their need and desire to work while being assisted abroad. One Myanmar woman trafficked to Thailand for sexual exploitation was accommodated in a shelter for a long period of time, but was not allowed to work. When

Gender issue

Female trafficking victims were less likely to have access to employment while accommodated in shelters in destination countries, as compared with male trafficking victims.

⁸⁶ Job placements for foreign nationals abroad should be legal and consistent with national labour laws. This was not always the case amongst trafficked persons interviewed for this study. In some cases, shelters residents were offered jobs working for staff at the shelter – e.g. on their farms, as housemaids, in their family shops – and it was not always clear whether salaries and working conditions were satisfactory.

asked what assistance she most needed, she focused on a job – wanting to work outside of the shelter and being able to “stand on her own.”

After being rescued, some victims were promised by the police that they would receive assistance in finding a job. Trafficked persons expressed a great deal of frustration when this did not happen and they were instead sent to the shelter and unable to work. It remains an open question as to whether some trafficked persons would have agreed to be identified and assisted if they had not been offered the option to work.

**GOOD PRACTICE:
EMPLOYMENT OPTIONS ABROAD WERE AN IMPORTANT FORM OF ASSISTANCE
TO TRAFFICKED PERSONS**

One man from Myanmar who was exploited aboard a fishing boat was staying in a shelter in Thailand while a case was pursued against his trafficker. Staff at the shelter helped him to find a job at a grocery store where he earned 7,500 THB [approx. 250 USD] and was able to remit home 6,000 THB [approx. 200 USD] per month. His employer sponsored his working documents. For him, the most important assistance was being able to work and to live outside the shelter.

One Thai man trafficked to Israel for agricultural labour was able to work and save money while pursuing a compensation claim against his employer.

One woman from Myanmar trafficked to China for forced marriage stayed in the residence of policewomen while her identity was being traced and a case was being prepared against her trafficker. In that time, the policewomen helped her to find informal work in a restaurant and shop, which allowed her to earn money. She earned about 1,800 Yuan per month [approx. 290 USD]. She described being happy to be able to work and earn her own money.

7. Few options for trafficked persons with special needs. Some trafficked persons had special needs, which inhibited their ability to benefit from the standard forms of economic assistance offered. Some trafficked persons lacked adequate education to receive training, get a job or run a business. In a number of cases, trafficked persons could not attend vocational training because they lacked basic literacy. Issues of literacy were, in some cases, inadequately taken into account in some programmes, including lack of alternative options for supporting their economic empowerment.

Other trafficked persons had special needs, which made it difficult to find (and maintain) suitable economic options for them – for example, persons with mental or physical disabilities, mental illness, chronic health problems or trauma. They were often unable to find employment nor could they sustain a business.

CASE STUDIES:
TRAFFICKED PERSONS WITH SPECIAL NEEDS FACED PARTICULAR CHALLENGES
IN FINDING JOBS AND ECONOMIC OPPORTUNITIES

One woman trafficked to China for forced marriage was unable to attend tailoring training when she returned to Myanmar because she lacked basic literacy and numeracy.

One Vietnamese girl, trafficked to China for prostitution, was offered an opportunity to attend vocational training when she returned home. She was able to choose between tailoring or an electronics course but she declined both because she was illiterate and didn't think she would be able to complete either course. She instead remained in her village to do farming.

One Chinese boy trafficked within the country for begging faced difficulties in finding a job because he was physically handicapped.

8. Inadequate attention to other assistance needs, including the needs of victims' families. Even a well-designed economic empowerment programme may face numerous external factors that may impact (re)integration success. The circumstances of (re)integration — including the family situation and the socio-economic social environment — played a significant part in determining economic options and effectiveness.

Trafficked persons had other, non-economic assistance needs, such as medical assistance, psychosocial support and assistance for other family members. Meeting and addressing the non-economic needs of trafficked persons was often critical to their overall well-being, which in turn, directly impacted their economic success.

When such needs were left unmet (or were not met in a timely fashion), this often led to failed (re)integration. This broader set of needs and vulnerabilities required the availability of (re)integration services and a functioning referral system involving state and NGO service providers. For example, one woman was trafficked from Myanmar to Thailand for work in a shrimp-peeling factory. She was rescued by the police in Thailand and stayed in a shelter for more than two years during her court case. She was then assisted to return through formal government channels. In Myanmar, she was assisted with a loan to set up a business selling charcoal. However, her business failed because at the time her mother was seriously ill and she spent the capital on medical care. She was unable to repay the loan from the assistance organisation and was struggling with the debt and the interest. She was also concerned about her mother's on-going medical costs (she suffered from cancer). Looking after her ill mother also meant she was limited in her ability to find other jobs.

In addition, economic assistance to trafficked persons often requires engaging with the family as a whole. In some cases, this involved ensuring that the family environment supported and did not inhibit economic success. In other cases, this meant supporting the economic empowerment of the family (or specific family members) of trafficked persons. This was particularly common in the case of trafficked children, but it was also the case for trafficked persons with special needs.

That being said, determining when to support an individual trafficked person or their family member was sometimes complicated and needed to be assessed on a case-by-case basis. In

some cases, trafficked persons may not benefit from economic empowerment in ways that galvanise or support their (re)integration. In cases where the family or family member did not succeed economically, this had the potential to cause problems within the family and had implications for (re)integration success.

9. Lack of confidence in one's own capacity. Many trafficked persons did not have confidence in their own abilities – whether to keep a job or run a business. For example, one woman from Myanmar was offered a loan to set up a small business after her return home. However, she declined the loan because she was worried that the business would not succeed and she feared being in debt. Building self-confidence was often an important part of the economic empowerment of trafficked persons. This meant helping them to identify their skills and strengths in a professional setting and helping them feel secure in their capacities. This generally involved intensive, long term counselling and monitoring, as well as continuous encouragement.

10. Practical barriers to economic empowerment. Some trafficked persons faced practical barriers in attending vocational training – particularly parents with children and when training was only available far from home. Staying at a shelter was often not possible (or desirable) for trafficked persons with dependent children. In some cases, trafficked persons relied on the support of family members, most commonly grandparents, to look after their children while they were trained. However, in some cases the length of the training (several months to a few years) made this unviable. Moreover, separation from family members, especially children, was a source of considerable stress for a large number of trafficked persons and constituted a barrier in and of itself.

Additionally, while some assistance agencies provided funding for the training fees, transportation and subsistence needs of trafficked persons, this does not take into account the fact that trafficked persons were unable to work while training, and yet remained fully or partially responsible for their families' economic well-being. Training schemes that worked around existing work and family commitments were useful, insofar as not all trafficked persons have access to stipends while being trained. The time commitment involved for the beneficiary, however, must also be considered given that many have dependent family members and often work both inside and outside the home.

Some beneficiaries faced practical barriers in being able to accept and continue with a job or in operating a small business. Beneficiaries with dependent family members – particularly small children – often faced difficulty in balancing work with these responsibilities. A particular issue was childcare, and while many trafficked persons were able to rely on family members to help them, this was not always the case. Access to childcare programmes was not assured in most countries and this was even trickier when trafficked persons worked irregular hours or overnight shift work.

When working away from one's family support network (for example in a town where there was greater access to jobs), the living costs were often prohibitive, especially for single mothers. For others, barriers were due to the cost or lack of transportation between the work place and home. Shift work also involved traveling at potentially unsafe times (i.e. very late at night, very early in the morning).

CASE STUDY:
TRAFFICKED PERSONS FACED PRACTICAL BARRIERS IN ATTENDING TRAINING COURSES

One Vietnamese woman, trafficked to China for forced marriage, returned home with her son to live with her parents. Her parents were an important source of support, not least because they looked after her son while she worked. Some time after her trafficking, she was offered an opportunity to attend a cooking class which lasted for seven months, followed by a one-month internship. After this she was offered a job at a hotel in a tourist city, away from her parents' home. However the costs of childcare, housing and living expenses in the city proved to be more than she was able to earn at her job. She was eventually forced to leave her job and return to her parents' home.

11. Limited monitoring of and support to economic empowerment. In many instances, trafficked persons received economic assistance, but were not subsequently monitored over the course of implementation. On-going assistance was needed by most beneficiaries – initially to develop a long term economic empowerment plan, during any vocational training that is needed, while job seeking or business start-up and once the job or business was underway. Typically beneficiaries faced problems and issues in the context of their employment or business operation, which, without support, sometimes led to failure.

Monitoring and support was also needed to retain job placements over the long term. Some trafficked persons found it difficult to adapt to their work environment, handle workplace stressors, and face interpersonal and communication problems with co-workers or employers. Many trafficked persons required multiple job placements and on-going counselling in order to stabilise their employment prospects. Job retention was significantly enhanced when trafficked persons were able to communicate with service providers about workplace problems.

Monitoring and mentoring was also vital in terms of small business success and was needed in the initial start-up phase as well as while running the business. This ideally should be provided by a specialist in micro business management. While it was possible for formerly trafficked persons to open businesses, keeping them open – i.e. making them profitable and sustainable in the long term – was challenging.

On-going monitoring also allowed organisations to identify any additional needs that arose in the (re)integration process, including over time. While some challenges were specific to the business or job placements, other issues were linked to the individual's personal and social situation. Common issues included family tensions and conflict, health problems, lack of motivation, lack of experience in the field of work or lack of self-confidence.

CASE STUDIES:
LACK OF CASE MONITORING IMPEDED ECONOMIC SUCCESS

One Cambodian man was provided with funds to raise ducks in his village after returning home. However, the business was not successful as he lacked the skills and resources to raise the ducks. After a few months, the ducks died and he then went into debt to buy more ducklings, which also died. The organisation had not monitored his case or been available to “troubleshoot” when he faced problems. When interviewed he was unemployed and still in

debt.

One Vietnamese woman trained in cooking was assisted to find a job after graduating from the college where she was trained. She worked at a restaurant in one city for a short time, but did not get on well with the other staff members. She quit this job and has since only been able to work with her family on the farm. When asked whether there was any assistance she needed, she said that she needed help looking for a job.

Issue 2.8. Pursuing legal cases

Victims' rights and best interests were not always protected in the legal process.

Trafficked persons as victim/witnesses

Many trafficked persons were involved as victim/witnesses in legal proceedings against their traffickers – criminal cases and compensation claims. This was the case in most destination countries considered in this study; it was also the case in many countries of origin.

In some cases, trafficked persons were interested in being involved in court cases against their traffickers – generally in the context of compensation claims. Some were also very concerned about justice and that their trafficker(s) be punished for what they had done to them. In some cases, trafficked persons described positive experiences as victim/witnesses whereby their rights were protected in the legal process and they were able to speak out against their exploiters.

CASE STUDIES:

TRAFFICKED PERSONS SOUGHT JUSTICE AND COMPENSATION RELATED TO THEIR EXPLOITATION

One man from Myanmar, trafficked abroad for labour explained that he needed assistance with legal proceedings. He wanted to claim his wages; this was an important form of assistance to him.

One Myanmar woman trafficked to Thailand for factory labour described being rescued by the police. She, along with others from the factory, were brought to the police station and interviewed there about their exploitation. The police asked what she would like to do and she asked to pursue a compensation claim against her exploiter. The police said that they could launch a case but that she needed to stay at the shelter that protects women while this took place and to provide testimony in the case. The woman agreed to these conditions and stayed in a shelter during the legal proceedings. (Those victims who did not agree were assisted to return to Myanmar). The case took over year to complete and she had to testify in court many times. In the end, the case was successful and she was awarded 3,200,000 kyats [approx. 3,400 USD] in compensation.

One Vietnamese woman, trafficked abroad for forced marriage, spoke about wanting her trafficker to spend his life in jail because she feared his retaliation against her once he was released. She also spoke about a desire for justice, to make up for what had happened to her. She described feeling sad when people called her a victim of trafficking and wanted the trafficker to somehow compensate her for her difficult financial situation, and what she perceived as her loss of honour.

One Cambodian man, trafficked abroad for labour, when asked whether there was some form of assistance he needed but didn't receive, highlighted his desire to pursue legal proceedings against his broker. He wanted to sue the broker for what he had done to him and see him punished.

One Laotian girl, trafficked to Thailand for sexual exploitation, was currently staying in a shelter

while a case was brought against her trafficker. She felt that the shelter staff were always willing to answer her questions about the legal process (although they often didn't have updated information) and did their best to provide information about what would happen in the court.

In spite of some positive experiences and outcomes, trafficked persons also identified a number of issues and problems in the legal process, based on their experiences. Issues and challenges that trafficked persons faced during their involvement as victim/witnesses in the legal process are listed and then discussed in detail below.⁸⁷

1. Lack of full information and informed consent; no option to decline involvement
2. Long, compulsory shelter stays during legal proceedings abroad
3. (Unnecessarily) long legal proceedings
4. Re-interviewing and providing multiple statements
5. Not being regularly updated and informed about the legal process
6. Risks to victim/witnesses
7. Delays and complications in receiving compensation
8. Maltreatment by law enforcement and legal actors
9. No funds available for costs incurred by victim/witnesses
10. Stress, fear, anxiety of being a victim/witness
11. Language barriers

It merits particular mention that many of these cases involved trafficked children, which raises important questions about how the rights and best interests of children were (and were not) protected in the legal process.⁸⁸

1. Lack of full information and informed consent; no option to decline to be involved. In some cases, trafficked persons were provided with full and realistic information about legal proceedings against their trafficker, after which they made a decision about their involvement as victim/witnesses. More commonly, however, trafficked persons did not seem to have been fully informed about what would be involved in pursuing a legal case against their traffickers – what the legal process would entail, their rights as an injured party, their responsibilities as a victim/witness, how the process generally played out, the length of time it would take, any challenges they may face with regard to the case or options for returning home prior to the completion of the case.

Many trafficked persons interviewed for this study were not advised of their right to decline to be involved in legal proceedings nor offered the option to decline to participate. Most were informed, or at least under the impression, that they were (legally) required to provide statements and testimony and be involved in legal proceedings against their traffickers, which was not always the case.⁸⁹

⁸⁷ Many of these issues were documented in a workshop held in Bangkok in 2012 with participation and support from a range of government and NGO partners from Thailand, Cambodia, Lao PDR and Myanmar about their experiences of the criminal justice process. Please see: UNIAP et al 2013 for the key issues raised and recommendations shared by the participants to improve the intersection between victim protection and criminal justice. Please also see: Napamonnd which documents Thai women's experience in the criminal justice system in countries of destination and origin.

⁸⁸ While children's involvement in the legal process is discussed in this section, it is also explored in *Section 4, Issue 4.2 Gaps in specialised services for children*.

⁸⁹ In Thailand and Lao PDR, victim/witnesses are not required to testify. In Cambodia, individuals classified by the

In other cases, trafficking victims were informed about the legal process but did not fully understand what was explained to them. This was a particularly pressing issue for victims immediately after exiting trafficking. Given that this period is typically stressful and confusing, victims may not be able to fully comprehend or make informed decisions at this stage. This requires revisiting this decision at a later, more “stable” phase, which may potentially also involve trafficked persons withdrawing their participation.

Trafficked persons also seldom described receiving legal advice in terms of their role as victim/witnesses and their rights and responsibilities within the framework of legal proceedings. They often had limited contact with legal representatives, which meant that they were forced to rely on information from social workers and administrators who were not experts on these issues. Moreover, shelter staff was not generally kept abreast of legal proceedings by prosecutors and law enforcement, inhibiting their ability to update trafficked persons about the legal process and satisfactorily answer their questions and concerns.

The lack of full, comprehensible information about the legal process raises ethical issues about the extent to which trafficked persons’ involvement in the legal process was fully informed, and by implication, voluntary.

Comprehension and consent was particularly complicated in the case of trafficked children and varied according to their age, experience and maturity. It was not clear to what extent practitioners conveyed information about the legal process in ways that took into account their differing ages, maturity, individual experiences and comprehension capacities. Interviews with a number of trafficked children suggested that they had not been informed about the legal process in ways that they fully understood, including the potential stresses and risks that this would entail, and their right to decline to be victim/witnesses. In some cases, children had been “encouraged” to testify, and given power dynamics between adults and children (especially adults in a position of authority), this encouragement might more accurately be understood as pressure or perhaps even coercion.

GOOD PRACTICE:

TRAFFICKED PERSONS WERE FULLY INFORMED ABOUT THE LEGAL PROCESS

One Thai man trafficked to Israel was rescued by the police and a local assistance organisation. An interpreter was on hand to translate and ensure that he understood what was happening and his different options. The police and assistance organisation asked whether he would like to go home or get a new job in the country. He was also asked whether he would like to prosecute his employer/exploiter for unpaid wages. The police and assistance staff explained what this process would entail, including that court proceedings would take some time to complete and

court as witnesses can be obliged to provide testimony in criminal proceedings, according to the Penal Code (article 538) and the Criminal Procedural Code (articles 114, 153 and 315). Those who refuse shall be liable to up to six months’ imprisonment and a fine (between 100,000 Riel to 1,000,000 Riel or approx. 25-250 USD). In China, trafficking victims are generally only required to provide a statement during the investigation process, although in theory, they may also be required to serve a victim/witness. In Myanmar, victims are required to testify as a witness in criminal proceedings, according to the Criminal Procedural Code (article 161 and 162), but in practice, victims can refuse to testify. In Vietnam, trafficked persons are obliged to testify if requested by the Court.

they could not be assured of a positive result. However, they also explained that if he did win the claim, he would receive money as compensation for unpaid wages. The man agreed to pursue this compensation claim through the courts (as did eleven of the victims identified in the raid). During legal proceedings, the organisation regularly updated the man and his colleagues about the status of the legal case and what to expect in the coming period.

CASE STUDIES:

TRAFFICKED PERSONS INVOLVEMENT AS VICTIM/WITNESSES WAS NOT ALWAYS VOLUNTARY AND FULLY INFORMED

One girl from Myanmar, exploited in Thailand, described being pressured to prosecute her trafficker. She explained that she was encouraged by the police to prosecute the trafficker but did not want to because she was afraid of going to court. She explained how she explicitly told the police officer that she did not want to participate in court proceedings but they opened the case anyway: "I had to go to the court. There was no choice for me." Upon reflection and despite her trafficker being imprisoned, she would have preferred not to be involved in the legal case.

One Laotian woman, trafficked to Thailand, explained that she had concerns about being involved in legal proceedings but the prosecutor had gone ahead with the case anyway. She did not currently know the status of the case.

One girl from Myanmar trafficked to Thailand was frustrated and disappointed by her involvement in legal proceedings against her trafficker as no one had told her how long she would have to stay in the shelter. In hindsight, she said she would not have agreed to give testimony if she had known what this process entailed.

One girl from Myanmar, trafficked to Thailand for work in a factory, explained that she did not want to give testimony in court but the police "encouraged her strongly."

2. Long, compulsory shelter stays during legal proceedings abroad. Trafficked persons were generally required to stay in shelters while pursuing legal cases abroad. These shelters were of a closed nature, which meant restricted freedom of movement and little to no contact with family members.⁹⁰ Moreover, most were unable to work during the course of legal cases.

Not being in regular (or sometimes any) contact with family at home while in shelters during the legal process was a source of great stress for many trafficked persons. This was even more compelling in the case of trafficked children who had little to no contact with their family in this time, which necessarily had an impact in terms of relationships and (re)integration outcomes.

One Laotian woman trafficked to Thailand expressed frustration about her time spent in the in the Thai shelter:

⁹⁰ The use of rules, restrictions and requirements in shelter programmes is discussed in more detail in *Section 3, Issue 3.1. Rules, requirements and restrictions.*

I think I stayed too long in the shelter for the prosecution process. I understood that I have to finish [the case] first but during that time I could not contact my family, which upset me a lot. It would be nice if the prosecution process did not take that long.

In addition, in some countries, trafficked persons were required to stay abroad while the legal case was pursued and were accommodated in police stations and other criminal justice facilities, which were inappropriate, uncomfortable, stressful, and arguably, unsafe for trafficked persons.

In a handful of cases, trafficked persons were allowed to live and work outside the shelter while awaiting the court ruling, which went some way towards assuaging concerns and frustrations about both being involved in legal proceedings, and being unable to immediately return home. For example, one man from Myanmar, trafficked to Thailand for labour on a fishing boat, explained how the shelter staff found work for him outside of the shelter and his employer registered him formally as a migrant worker, allowing him to work legally in Thailand. For him, being able to work and move freely from the shelter was the most critical and valuable assistance he received.

3. (Unnecessarily) long legal proceedings. Trafficking cases generally took a long time to resolve and trafficked persons spent literally years awaiting resolution of their cases. There were few options for trafficked persons to provide advance testimony and then return to their home countries. They were also not given the opportunity to go home and then return to testify at the time of the court proceeding. Technological options – like video testimony – were also not generally available.

This was a source of stress when it involved staying abroad for the duration of the legal case. Consider the observations of one trafficked man involved in a legal case:

I decided to stay on for legal proceeding process. I wanted to go for a prosecution... It took over two years. I understand that there are many procedures. But I feel that it is too long. And I have to keep waiting. (Myanmar man in Thailand).

This was certainly true and compelling for adults, but must be of particular concern in the case of children for whom on-going separation from family and community impacted their social and emotional development and well-being.

Long proceedings were also linked to delays in receiving compensation claims, even after successful resolution of the case. In a number of cases, compensation payments were not paid in a timely fashion, which in turn, further delayed their return. While there was sometimes an option to return home while compensation was processed, some trafficked persons did not trust this process and opted to wait for final resolution and payment.

4. Re-interviewing and providing multiple statements. Trafficked persons were often interviewed many times by the authorities, and in addition, were required to give testimony multiple times over the course of a legal case. This was often a source of stress and frustration for trafficked persons.

CASE STUDIES:
TRAFFICKED PERSONS WERE INTERVIEWED AND GAVE STATEMENTS/TESTIMONY
ON MULTIPLE OCCASIONS

One woman trafficked for forced marriage to China stayed in China for five months before returning to Myanmar. While in China she was required to go to court once a month related to the prosecution of her “husband”/trafficker.

One woman from Myanmar, who was trafficked to Malaysia for labour, was involved in legal proceedings against her traffickers in both Malaysia and Myanmar. In Malaysia she was obliged to appear in court on nine occasions; in Myanmar she appeared in court three times.

One man, trafficked from Myanmar aboard a fishing boat in Thailand, was involved in a case that took two years to resolve during which time he had to stay in Thailand and be available to the prosecutor and police. He described being asked about the case every day, sometimes being called and asked questions several times a day. He described this experience as extremely frustrating and stressful.

One woman trafficked internally for prostitution within Myanmar was asked to assess the assistance she had received. She was generally positive about assistance, but was dissatisfied about having had to go to and testify in court so many times in the case against her trafficker.

One Thai woman, trafficked to Japan for prostitution, explained that when she first arrived at the shelter in Japan she had many health problems and was not psychologically well. Nonetheless, police came to interview her, which she said annoyed and upset her, as she was not ready to speak about her experiences at that time. She described being asked the same questions repeatedly and being irritated and stressed because her condition was not stable at the time.

Children were also required to appear in court on many occasions and provide testimony. One girl from Myanmar, trafficked to Thailand to sell candy on the streets, was rescued by the police who opened a case against her trafficker. She stayed at a shelter for children, and in that time, was required to give testimony several times – as she put it, “so many times that she could not remember.” She was six years old when she was trafficked and was exploited for approximately four months, making her perhaps six or seven years of age when having to testify in court. Another girl from Myanmar was nine years old when she was trafficked to Thailand for street selling. She was rescued by the Thai police and stayed at a shelter while a case was pursued against her exploiter. She was obliged to testify in court a number of times. Upon her return to Myanmar, a case was opened against the broker who arranged her trafficking. She was also required to give testimony in this case. She did not receive any compensation.

It was not clear from interviews with trafficked children what type of special arrangements (if any) were made in the case of children giving testimony in court – for example, closed chambers or video testimony. It was also not clear what type of support was provided to children who served as victim/witnesses in terms of victim support in police stations and at court, support in preparing to give testimony, support from victim/advocates or psychological counselling after giving testimony.

5. Not regularly updated and informed about the legal process. Many respondents were unaware of the current status of their legal case. This was in spite of generally being assisted in shelters where law enforcement or prosecutors could easily provide information to victim/witnesses. No mechanism for regular updating of cases appeared to be in place.

When information was provided it was commonly by shelter and programme staff. A number of trafficked persons described supportive social workers who did their best to update them and keep them informed. However, social workers and shelter staff were often constrained in that they themselves were not regularly updated about legal cases. In other cases, they seemed to be overburdened with their caseload and did not have the time or resources to look into the status of cases.

Moreover, shelter staff generally consisted of social workers or administrators who may not have had adequate legal knowledge to provide full and complete information to trafficked persons. Very few trafficked persons reported having contact with and information from legal representatives, specialist legal NGOs or prosecutors.

The situation was more extreme in some destination countries where trafficked persons were kept in detention centres and prisons/jails while legal proceedings were being pursued. In these situations, they received no information about the legal proceedings and authorities involved in their cases did not seem to feel that this was their right. Indeed, trafficked persons were seemingly treated in many situations as a vehicle to pursue traffickers rather than someone with rights as an injured party.

Information exchange was also an issue when trafficked persons returned home from destination countries while the case was on-going. Some had not received an update on the status of their case and did not know how to go about asking for this information including whom to contact.

CASE STUDIES:

TRAFFICKED PERSONS WERE NOT KEPT INFORMED ABOUT STATUS OF THEIR CASE

One Laotian woman, trafficked within the country, said that she would like to know the progress of her legal case but had not been able to get this information from assistance providers. She had called them many times but they said she would have to wait because there were so many cases that they were dealing with. For her, this was a barrier in (re)integration as she wanted to put this behind her and start her new life, but she did not feel able to do so unless she won the compensation claim.

One Thai man trafficked to Israel for labour was initially assisted in Israel to file a legal case against his trafficker. He worked for some time in Israel but decided to return to Thailand before the legal case was resolved. When asked whether there was some problem that he could not get help with, he explained that he would like to know the status of his compensation claim in Israel. He hadn't heard anything about the case since he returned home and he didn't know whom to contact to follow up. He had also lost contact with those with whom he had been trafficked and so was unable to ask them for information about the case or whom to contact.

6. Risks to victim/witnesses. Trafficked persons involved as victim/witnesses in legal proceedings did face risks to their safety and security. While this was not the case in all instances, some cases were very problematic. This was particularly an issue when trafficked persons returned home to their communities where their traffickers (and/or their families) also lived and worked. In some cases, trafficked persons avoided the legal process as a means of preventing threats or violence against themselves or their families.

CASE STUDIES:

TRAFFICKED PERSONS FACED SECURITY ISSUES WHEN VICTIMS/WITNESSES

One woman, trafficked internally within Myanmar for prostitution, was attacked by her trafficker after reporting her case to the police. The broker and her sister attacked her – pulling her hair, slapping her and hitting the wounds on her leg. No one intervened until her sister arrived and threatened to report them to the police. The broker continued to threaten her nonetheless, although was later convicted and jailed.

One woman trafficked to China for forced marriage explained that she did not initiate a legal case against her trafficker when she came home because she didn't want to spend the time and money on this. However, her trafficker, who lived nearby, threatened her regularly. She eventually contacted the police for help.

One Vietnamese woman was trafficked to Malaysia for prostitution. She was released by her traffickers and returned to Vietnam, but was warned that they would kill her should she report her case to the authorities. The trafficker knew her family and where her family lived. She nonetheless reported her case to the police upon her return, but chose to move to another province to work and live with her sister. She returned home after one year and a case was brought against her trafficker. The trafficker was arrested and she gave testimony in the case. Her trafficker was convicted and is now in prison; however, she continues to face threats and abuse from the trafficker's family.

7. Delays and complications in receiving compensation. In a number of cases, trafficked persons were successful in their cases against their traffickers and awarded compensation. However, the awarding of compensation was often complicated, with many trafficked persons not having received the compensation amount awarded or only having received a portion of it. In some cases, they remained in the destination country awaiting payment. In other cases, they had returned home and hoped to receive the money through government to government procedures.⁹¹ In most cases they did not know clearly why the full compensation had not been received; no one had informed them of the reason for this delay.

Compensation money can play an important role in (re)integration. Being able to return home with money was a priority for many trafficked persons, and in some cases, was identified as a means of avoiding (or reducing) discrimination and stigma for trafficking/failed migration.

⁹¹ For example, there is a procedure between the Department of Social Development and Welfare (DSDW) of Thailand and the Department of Social Welfare (DSW) of Myanmar for repatriation and handling compensation for trafficking victims. Officials from DSDW, Thailand (e.g. shelter staff) are responsible for transferring the funds from the Thai government to DSW, Myanmar, which will be witnessed by government officials on both sides. However, a number of trafficked persons preferred to wait to receive compensation before returning when offered this option.

CASE STUDIES:
TRAFFICKED PERSONS FACED DELAYS IN RECEIVING COMPENSATION
WHICH NEGATIVELY IMPACTED (RE)INTEGRATION

One man trafficked aboard a fishing boat in Thailand was successful in his compensation claim against his trafficker in the Thai courts. He had received only half of his compensation money, although he had been home for more than five months. He was worried that he would not receive this money, and was counting on it to help alleviate his difficult economic situation. He had used the first instalment to buy a boat so he could fish and earn money. He planned to use the second instalment to pay off his debt. He intended to re-migrate to Thailand again for work if he did not receive the compensation money he had been awarded.

One man from Myanmar trafficked to Malaysia was seriously injured in the factory where he was exploited. He was granted compensation in the amount of 7,000,000 kyats [approximately 7,400 USD] but had received only 2,000,000 [approx. 2,100 USD] to date.

8. Maltreatment by law enforcement and legal actors. Many trafficked persons reported being treated politely and correctly when they were identified and interviewed, or when they reported their case to the authorities. However, this was not always the case and some trafficked persons were mistreated in the process of reporting their case and giving statements. This was particularly concerning in the case of trafficked children for whom such encounters were uniquely stressful and intimidating. In addition, in some cases, trafficked persons who approached authorities to report their case were ignored or sent away.

CASE STUDIES:
SOME TRAFFICKED PERSONS, INCLUDING CHILDREN, WERE MALTREATED
IN THE LEGAL PROCESS

One Vietnamese girl, trafficked to Cambodia for prostitution, was visited by the police one week after she returned home. She explained that she and her family were badly treated by the police: "They threatened me. They banged their hand on the table whilst telling me to be honest. They threatened to arrest me if I did not give a statement. They claimed that we gave false statement so they sent a written invitation to give a statement at the commune police station."

One woman trafficked from Vietnam to China for prostitution was assisted only seven years after her return to Vietnam. When she first came home, she reported her case to the police and asked to bring charges against the person who had trafficked her. However, she said that the authorities did not believe her and treated her disrespectfully. A month later, she was contacted by the social welfare department because a girl with whom she had been trafficked had also reported the case. Only then did the police recognise her as a victim of trafficking. She did not, however, receive assistance for another seven years.

9. No funds available for costs incurred by victim/witnesses. In some situations, trafficked persons were supported during their involvement in the legal process. When staying in shelters, trafficked persons received support to meet their basic needs, as well as costs associated with the legal process (e.g. transportation, interpretation, legal representation when available). Some trafficked persons living at home were also provided with assistance to defray the cost of their

involvement in the legal process. One man from Myanmar was involved in a case against his broker after returning home. He was required to appear in court in a distant town on two occasions to provide testimony. An assistance organisation supported him, covering costs for accommodation, travel and meals. Another man from Myanmar, trafficked to Thailand for labour, was required to testify against his trafficker after he returned home. He explained that the police helped him by driving him to the court on the days that he needed to appear, and also by providing him with food. This was important as he faced a serious economic situation when he returned home. This was informal support on the part of the police officers.

Not uncommonly, however, trafficked persons themselves incurred the costs for their involvement in criminal cases and compensation claims. In addition, attending court in another town/city involved missing work, and therefore, incurring uncompensated loss of income. Given that many trafficked persons were obliged to appear in court and give statements on multiple occasions, this was often a serious problem. For example, one woman trafficked internally within Myanmar for prostitution was required to be a witness in the case against her trafficker on three occasions. However, she was pregnant and not able to work since her return and therefore relied on her sister to cover the costs of travel, food and accommodation. This caused tension between the two sisters, as she explained:

[My sister] nagged so much about me costing her money. Sometimes I didn't even have a meal. I wish that I had someone to cover the costs [of going to court] and to help me face the trial.

10. Stress, fear, anxiety of being a victim/witness. For many trafficked persons, being involved in the legal process was an unpleasant, stressful and often frightening experience. Discomfort with the legal process was linked to various issues, including having to face their traffickers in court, feeling scared and intimidated in the courtroom environment and the stress of reliving their trafficking experiences. Few of the trafficked persons interviewed for this study described being able to use alternative tools to serve as victim/witnesses (such as advance statements or video testimony), which might have addressed, or at least mitigated, some of these feelings.

Stress and anxiety endured and indeed was amplified when legal cases dragged on for long periods of time. It often meant living in a state of limbo, unable to move on from trafficking and toward (re)integration. This was particularly the case when victims were forced to stay in shelters abroad for the duration of the legal case.

CASE STUDIES:

INVOLVEMENT IN THE LEGAL PROCESS WAS STRESSFUL AND DIFFICULT

One woman trafficked internally within Myanmar for prostitution was upset and distressed at having to testify in court. Having to appear repeatedly in court to confront her trafficker was a source of further stress and anxiety for her. While she was happy that her trafficker had been punished, she made it clear that the experience in court had been a very difficult one.

One girl from Myanmar, obliged to testify in a case against her trafficker in Thailand, described being frightened of going to court and not wanting to be involved in the legal process at all.

11. Language barriers. When serving as a victim/witness in a legal case in a destination country, language barriers were a significant inhibitor. Interpretation was generally provided when victim/witnesses gave their statements. However, it was unclear to what extent they had access to interpretation for the full duration of legal proceedings. Victims reported being generally unable to understand the legal proceedings except when interpretation was provided. A number of trafficked persons described being disoriented and uncomfortable with their inability to follow and understand the legal process. Language was also a potential barrier for trafficked persons within their own country for ethnic minority victims who did not speak the majority language.

Language, or perhaps more accurately literacy, may also be an issue in terms of children who serve as victim/witnesses. Further, due to lack of education, immaturity or impeded intellectual development, trafficked children may not have the capacity to provide useful testimony in legal cases.

Issue 2.9. Unsafe and insecure

Safety and security issues were barriers to (re)integration.

Safety and security concerns

An unsafe and unpredictable social environment was not conducive to recovery and (re)integration after trafficking. In a noteworthy number of cases, trafficked persons faced very real safety and security problems after their trafficking experiences. For some, this involved risks to their physical safety and well-being, including exposure to threats or violence by persons involved in their trafficking or their family or collaborators. In other cases, trafficked persons faced safety and security issues in their personal environment – within their family or the broader community. In still other cases, trafficked persons had not been violated or threatened, but feared that this would happen, which served as a source of considerable stress for trafficked persons as well as their families.

Violence suffered by trafficked persons had a very direct and tangible effect on their physical well-being. There was also the psychological effect of this violence (and threat of violence), as well as the fear of potential retribution. The main safety and security concerns trafficked persons faced in (re)integration are listed and discussed below.

1. Risks posed by “traffickers”
2. Risks and safety concerns within the community and local environment
3. Safety issues in the family environment
4. Feeling unsafe

1. Risks posed by “traffickers”⁹². Many trafficked persons faced threats and violence from their traffickers. This was a serious issue when returning home. Brokers and traffickers commonly lived in or nearby their local community, and many trafficked persons were violated or threatened by them. Even when they had been arrested and imprisoned their presence was sometimes felt because their relatives and friends remained in the local community and threatened them. In some cases, trafficked persons had not been directly threatened or hurt by their “traffickers,” but expressed concerns about this likelihood.

CASE STUDIES:

TRAFFICKED PERSONS WERE THREATENED AND HARMED BY TRAFFICKERS

One woman, trafficked from Myanmar to China for forced marriage, was threatened by her trafficker after she returned home and brought a case against her. Even when the trafficker was in jail, she continued to threaten to kill the victim. The victim and her husband were so frightened that they considered moving to live with her mother-in-law, in spite of very tense relations with her in-laws who blamed her for her trafficking: “I do not even dare to go out and work since I am afraid that the trafficker would ask some bad people to harm me.”

One woman from Myanmar was trafficked within the country for prostitution. When she

⁹² “Trafficker”, in this context, refers to anyone complicit in the individual’s trafficking experience. This might be a broker, a recruiter, a transporter, an employer, an exploiter and so on.

returned home, the trafficker and her sister violently attacked her in public – hitting and kicking her in spite of her pregnancy. Her sister intervened and threatened to report the trafficker to the police, but the trafficker continued to threaten her, saying that she would mutilate her with a knife.

One girl, trafficked from Myanmar to Thailand, was accommodated in shelter while awaiting the trial of her trafficker. People from the brothel where she had been forced into prostitution approached the shelter and attempted to gain access to the girl. Shelter staff prevented this from happening but considered them to be a serious threat to the well-being of the girl.

One Vietnamese woman returned from having been trafficked to Malaysia for forced marriage. When she came home she approached the broker for financial help because her family had borrowed 20 million VND [approx. 955 USD] to pay the ransom to release her and now faced serious economic difficulties. After meeting the recruiter she received a parcel containing 30 million VND and bone, corn and tobacco, essentially a threat against her. She went to the police who took her statement and arranged for her to sleep at the house of the commune party chief as a means of protection. Concerns about her safety, however, continued. On one occasion she saw two unknown men around her house. Eventually her family arranged for her to live in the nearby province where no one else knew her whereabouts. During one visit home, she learned that people had come looking for her during her absence.

One Vietnamese woman was trafficked to Malaysia for prostitution. She was released by her traffickers and returned to Vietnam, but was warned that they would kill her should she report the case. The trafficker knew her family and where they lived. She nonetheless reported her case to the police upon her return, and moved temporarily to another province to work and live with her sister. She returned home to live after some time and opened a hairdressing salon. Her trafficker was sent to jail but she continued to be threatened and abused by the trafficker's relatives who lived in the vicinity of her salon.

2. Risks and safety concerns within the community and local environment. Risks were not only posed by traffickers but also by others in the community, which also posed threats to the safety of trafficked persons. For example, one woman from Myanmar was trafficked to Malaysia for labour with her husband and three children. Her husband died from an untreated illness while trafficked and she eventually made her way home with her children. She was provided a house in her community by an assistance organisation (because of her dire poverty upon return) and lived there with her children. People in the community gossiped about her, saying she was a prostitute in Malaysia. Some men harassed her, calling her a prostitute and her next door neighbour sexually harassed her, saying he'd come and sleep at her house.⁹³ In another instance, a Vietnamese woman trafficked for prostitution in Malaysia was mocked, taunted and looked down on in her community for having gone to Malaysia and wasted money. This harassment within the community was a source of stress and tension between the woman and her family. Her treatment within the community was so negative and abusive that her family decided to sell their house and relocate to another area in the township.

⁹³ Limited attention has been paid to the safety and security issues that trafficked persons may face within their community. What research does exist suggests that women returning home from a trafficking experience face the risk of verbal, physical and sexual abuse and harassment, as well as sexually harassment by community members. While this may be more common for women living on their own, it also occurred when husbands were unable or unwilling to interfere in this abuse (Brunovskis & Surtees 2012a&b).

3. Safety issues in the family environment. In some cases, trafficked persons were not safe within the family environment to which they returned. For some, this was a continuation of previous difficult family relationships. In a number of instances, trafficked persons faced conflict or abuse before trafficking, which contributed to their decision to migrate. Returning home in such cases was not always a safe option, and a number of victims were abused by their husbands or family members after returning home from their trafficking exploitation. One woman from Myanmar, trafficked to China for forced marriage, was living in an abusive marriage prior to being trafficked. She returned home pregnant and her husband agreed to take her back. However, the abuse soon resumed and she eventually fled the house to live with her sister. Similarly, one Cambodian girl, trafficked to Thailand for begging, came from a violent family where her father and mother abused alcohol, and when drunk, beat her and her siblings. She was being assisted in a shelter programme at the time of the interview, but when she goes home for visits her mother still sometimes beats her. One boy, trafficked within China for begging, came from an abusive family environment and had not returned home after trafficking because of this abuse. He was physically disabled and his parents would often starve and beat him because, as he said, they felt that he should have been able to help out on the farm. Returning home would have been unsafe for him; he said he could never forgive his family for the things they had done to him.

In other cases, trafficking led to safety problems, linked to tension and abuse within the family environment. The predominant pattern amongst respondents in this study was domestic violence, primarily against women returning home to live with their husbands. This was most common amongst women who had returned home from having been trafficked into marriage or prostitution. One woman from Myanmar, trafficked for prostitution in Thailand, was assisted to return home to live with her husband. While she told her husband that she had been trafficked for labour, he suspected that she had been in prostitution. Shortly after her return he began to physically abuse her.

4. Feeling unsafe. In some cases, safety and security issues may have been less about actual threats and reprisals and more about feeling unsafe. Some trafficking victims described feeling unsafe since leaving their trafficking situation and/or returning home. This is not surprising given the lack of safety, security and control they had endured while trafficked. Living in fear had a negative impact on their recovery, and for some respondents, became an on-going anxiety that influenced their post-trafficking choices and decisions. One young Vietnamese woman was trafficked internally for prostitution. She was identified before she was exploited, and was assisted to return home by the police. She described being very frightened after this experience, unwilling to leave her house. Another Vietnamese girl was trafficked internally within the country for prostitution by her mother. She and her sister managed to escape but she described being very scared afterward, worried that her mother would come and find her and hurt them or force them back into prostitution.

In some cases, it was not only the victim who was afraid but also their family members. Some victims described how their families were afraid after their trafficking experiences, even when there was no discernible risk. For example, in a number of cases young women were “kept inside” by their families after trafficking to prevent anything further happening to them, including being re-trafficked. One woman, trafficked from Vietnam to China for prostitution,

explained how her parents were very frightened for her safety when she returned home. For three months they did not let her go outside, afraid that she would be re-trafficked.

Assessing risk

In some cases, the degree to which there were real and probable safety and security threats was unclear. While there were numerous (and sometimes quite dramatic) instances of safety and security issues for trafficked persons, this was not always the case. Many trafficked persons returned home to their families and communities and reported no such problems.

This highlights the need for family and risk assessments as part of return and (re)integration processes. Whether victims faced risks (by traffickers, within the community or from family members) should be taken into account in the design of any (re)integration plan. Equally important was not to automatically assume risks as this may lead to anxiety, fear and stress for trafficked persons, which will negatively impact (re)integration outcomes.

In interviews with trafficked persons, family and risk assessments were not generally undertaken. Individualised risk assessments assessing each victim's risk level in the (re)integration process did not seem to have been undertaken in many cases, at least not ones that involved the (essential) input and perspective of trafficked persons themselves. Such assessments were more common amongst trafficked persons who were accommodated in shelters. In such programmes, assessing the family and community environment was often part of the (re)integration plan. However, in some cases, it was clear that no such assessments took place by either social workers or law enforcement.

Safety and security also needs to be assessed and re-assessed over time. For some victims, the initial phase after trafficking was precarious, but risks lessened over time and with distance from their trafficking situation. However, others faced immediate risks when they returned to their families and local communities. Most respondents were trafficked or recruited by someone known to them, commonly from their family or community, which meant that these individuals could track them down afterward if they wished to do so. This highlights the need for monitoring safety and security as part of the (re)integration process and regularly over time. It also necessitates the exploration of emergency responses and intervention options in instances when trafficked persons face threats to their safety and security at any stage in their recovery and (re)integration.

Issue 2.10. Working with families

Failure to recognise the family context and assistance needs undermined (re)integration.

The family environment

The family environment to which trafficked persons returned was an important variable in terms of successful (re)integration. Family dynamics and relationships both supported and undermined the (re)integration process. In supportive settings, family did a great deal to smooth the trafficked persons' (re)integration. When relations were more difficult, the family was at times, a barrier to (re)integration success.

There were two main areas of need in terms of working with victims and their families to ensure successful (re)integration. These centred on managing relations and tensions within the family, some of which were a result of trafficking, some of which had other causes. Equally important was the provision of assistance to meet the needs of family members, which if left unaddressed, had the potential to lead to a number of further complications and stresses for trafficked persons.

Thus, the two main priorities in working with trafficked victims and their families are:

1. Managing and mediating relations within the family; and
2. Meeting the assistance needs of family members.

1. Managing and mediating family relations –“bad families”, “good families”. Trafficked persons faced very different family situations upon returning home – some positive, some negative.⁹⁴

“Bad families”. In some cases, trafficked persons came from families with problematic relationships (or some problematic relationships within their family). Often these problems existed before trafficking, and had commonly been a factor contributing to trafficking vulnerability. Moreover, these tensions and problems were generally not resolved during the victim's absence, and were often amplified in the highly stressful post-trafficking period. This made the return after trafficking a complicated one. Trafficked persons could not automatically count on family members for support nor was the family environment necessarily conducive to (re)integration success. In more extreme situations, trafficked persons came from dysfunctional family environments, faced issues of domestic violence, abuse, alcohol and substance abuse and so on.

In some cases, it may be possible to manage these issues with family mediation or other types of interventions. However, when family relationships were not healthy or safe, family reunification did not generally translate into successful (re)integration, which highlights the value of exploring alternative integration options. In some cases, this might involve living with other family members or living separately from one's family. However, this was seldom done amongst respondents interviewed for this study.

⁹⁴ The complicated nature of family (and its impact on (re)integration success) was also noted amongst victims of sex trafficking in Cambodia. Please see Miles et al. 2012 and Miles & Miles 2011.

CASE STUDIES:

SOME TRAFFICKED PERSONS CAME FROM DIFFICULT AND PROBLEMATIC FAMILIES

One woman trafficked to Thailand for labour explained that it was tensions in her family that led her to migrate. The family business was not going well and she had incurred debt. In addition, her husband's family did not like or accept her, and so she decided to leave. She heard of a good job opportunity in Thailand and accepted it. She planned to return once she earned money from work abroad and could pay off her debt.

One woman from Myanmar trafficked for forced marriage to China described her very difficult marriage in Myanmar before being trafficked. Her husband drank alcohol, gambled and had relationships with other women. He would not, however, grant her a divorce. She migrated to escape him.

One boy from Myanmar, trafficked to Malaysia, returned home to his village. However, his home environment was very difficult as he lived with his infirm mother as well as father and stepmother. Relations within the household were extremely tense and stressful and there was often conflict between his mother and stepmother. His father also drank regularly and became abusive when he was drunk.

One Vietnamese girl was trafficked to Cambodia for prostitution. After her return home to Vietnam, her aunt offered her a job in her house as a domestic worker. However, the situation in the house was untenable as her uncle would often get drunk and call her a prostitute.

One Cambodia woman, trafficked to Malaysia for domestic work, described a tense environment within her husband's family, which led her to migrate (and she ended up being trafficked). She explained that her husband's family, including her mother-in-law, looked down on her and insulted her. Her husband did not defend her in such situations. Returning to this environment was a great concern for her.

“Good families”. By contrast, many trafficked persons enjoyed positive family relations – with all or at least some of their family members. For them, the family was a key source of support in (re)integration. In many cases, the family of trafficked persons provided the main support after their trafficking experience or backstopped services available through assistance agencies, which in many cases, were incomplete. In other cases, being emotionally supported (and not blamed for having failed at migration or having been exploited) was the (very important) support provided by family members.

CASE STUDIES:

TRAFFICKED PERSONS CAME FROM “GOOD”, SUPPORTIVE FAMILIES

One man, trafficked to Myanmar for labour, explained that he was well received in his family when he came home. Everyone said how happy they were to see him and how grateful they were that he was alive. His wife regularly reassured him and told him not to worry about anything and not to go anywhere again.

One man, trafficked aboard a fishing boat in Thailand, explained that his family supported all of

his needs since he came home.

One woman, trafficked from Vietnam to China for prostitution, explained how she was well received by her parents when she came home with her daughter (born of her trafficking experience). Her parents told her that she didn't need to worry about anything as they would take care of both her and her daughter.

Sources of family tension post-trafficking. That being said, even in the best circumstances and most positive family contexts, the post-trafficking period often involved less than smooth interpersonal relations between victims and their families. Moreover, these relationships often changed (for both the good and the bad) over the course of (re)integration. Trafficked persons often spoke about being welcomed home, but also facing problems and tensions because of their social and economic situation after returning, which led to deteriorating family relations. By contrast, some trafficked persons faced problems initially upon return, but over time, these came to be resolved and family relations improved.

Tensions and problems, when they existed, inhibited trafficked persons' ability to move on from trafficking, and (re)integrate into their families and communities. There were different sources of tension within families that required consideration, and often, also intervention. These were tension and conflict because of economic difficulties, and tensions in interpersonal relationships.

Tension and conflict because of economic difficulties. Economic problems were a source of tension in even the "best" families, sometimes causing quite serious trouble. Some families were upset, disappointed and even angry that their family members had returned without money. This led to recriminations and arguments. In less than positive family environments, these economic crises exacerbated pre-existing problems and tensions, leading sometimes to conflict and even abuse.

CASE STUDIES:

TENSIONS IN THE FAMILY ENVIRONMENT BECAUSE OF ECONOMIC PROBLEMS

One woman, trafficked to Thailand for labour, returned to Myanmar to live with her family. But returning home without money was a considerable source of tension in her family and she described fighting frequently with her mother who was angry that she had not sent home money for the family to buy a house.

One woman from Myanmar who was trafficked to Thailand for labour described a worsened economic situation since trafficking, which caused much tension in her family. She explained how her father and mother often fought because of money problems and she felt guilty for not having come home with money. She also spoke about feeling guilty about not being able to work and the additional economic burden that this had created for her family.

One woman, trafficked from Vietnam to Hong Kong for domestic work, described how having returned home without money led to tensions and conflict with her husband. She described relations with him as glacial and that he nagged her all of the time during the first year after her trafficking experience. This tension was exacerbated by her husband's family who were also

upset that they had spent money to send her overseas but she had returned with nothing. Even today (some years after this experience), her husband sometimes complains about her having returned home without money.

One woman, trafficked from Myanmar to Thailand for labour, explained that her mother and children were initially upset and disappointed that she had not returned home with money. She described her children as “a little bit angry” that she had come home without any money and it took some time before they understood and “forgave her.”

One Vietnamese woman, trafficked to Hong Kong, faced a heavy debt when she came home because of money her family borrowed to fund her migration. She and her husband often argued because of this debt, which in turn, negatively affected her family’s happiness and her children’s school performance. Her eldest son even quit school to work and to help the family.

One Vietnamese woman, trafficked to Malaysia for sexual exploitation, was rescued by her family who negotiated and paid a ransom for her release. However, this was a source of great tension between her and her family, most particularly with her brother and her mother. When asked how she was treated in her family when she returned, she described how her brother would get drunk and verbally abuse her, calling her “good for nothing.” Her mother was generally kind to her, but she also sometimes complained about the ransom and occasionally also cursed her because of it.

Tensions in interpersonal relationships. Problems within families were not only about economic and financial difficulties. They were also often very much about interpersonal relationships within families, which had been disrupted, damaged, and in some cases, even destroyed as a result of trafficking experiences.

Most trafficked persons had lost contact with their family while trafficked. Some trafficked persons also remained out of contact after being identified and assisted – e.g. when they were not permitted contact with family while staying in shelters.⁹⁵ This severely complicated relationships when returning home to live and (re)integrate. For example, children were sometimes upset or angry with their parent because they had been away for so long and they felt abandoned as a result. In other cases, trafficked children had never met their returning parent, as a result, much time and effort was needed to build these relationships.

CASE STUDIES:

TENSIONS AND PROBLEMS BETWEEN CHILDREN AND TRAFFICKED PARENTS

One woman, trafficked from Myanmar to Thailand for labour for one year, returned home to her children who had been living with her mother while she was trafficked. She described her homecoming as strained as her children were not familiar or comfortable with her. It took time before they were able to relate to her as a mother and even then tensions remained for some time afterward.

⁹⁵ In many cases, trafficking victims are not able to contact their families once identified and assisted, which exacerbated this issue and was a source of stress. Contact prior to return should be supported as a first step in (re)building relationships, which will be central in (re)integration success (or failure).

One Vietnamese woman, trafficked for forced marriage to China, described a bittersweet return home because of the distance in her relationship with her children. Her son was only two years old when she was trafficked and so when she returned he didn't remember her. She described with sadness how, when she first returned, he had been too shy to call her mommy. Her older daughter thought badly of her because she had been exposed to neighbourhood gossip during her absence, with neighbours saying that she wanted to leave her home and family to live in China. It took months for her daughter to accept her return, refusing initially even to speak to her.

One man from Myanmar was trafficked for labour to Thailand. He was away for more than three years, and as a result, had never met his youngest son. His older son, still very young when he left, did not remember him at all. He also had had not contact with them while he was exploited in Thailand. His homecoming was the first time they came to meet and know their father.

Some husbands and wives who had been left behind also spoke about the pain of being separated from their spouse when they migrated and their feelings of loss and abandonment. One Vietnamese woman, trafficked to China for forced marriage, described the negative impact of trafficking on her relationship with her husband: "The bad experience also had a bad impact on my family, on my relationship with my husband."

In other situations, the form of exploitation played a role in reactions from family members. In particular, women trafficked for sexual exploitation and forced marriage sometimes described their husbands as "jealous" because of their sexual relationships with other men. That they were forced into these situations did not, in many situations, mitigate the anger and "jealousy," and many women were blamed by their husbands for their sexual exploitation or forced marriages. Some women spoke about very problematic, even violent, relationships with their husbands because of their forced marriage or forced involvement in prostitution. This was not only a problem with spouses, but also when women returned to live with their parents and siblings or with their extended family.

When trafficking victims returned home with children born of trafficking, this was an additional complication. This was certainly an issue with husbands who sometimes rejected their wives (and children) as a result. It was also often an issue with other family members. In some cases, trafficked persons were forced to abandon their children because they did not know how else to resolve this issue.⁹⁶

CASE STUDIES:

TENSIONS AND PROBLEMS BETWEEN TRAFFICKED PERSONS AND THEIR FAMILIES RELATED TO FORCED MARRIAGE AND PROSTITUTION

One woman from Myanmar was trafficked to Thailand for sexual exploitation. She was rescued in Thailand and received by the police in Myanmar. When she returned home she did not tell her husband about her trafficking experience because she was afraid that he would divorce her. But her husband suspected that she worked in prostitution, a suspicion fuelled by community gossip, which led to anger and resentment on his part and he began to beat her. She was unable

⁹⁶ This is discussed in more detail in *Section 4, Issue 4.1. Children of trafficked persons.*

to leave though because she could not support her son on her own.

One Vietnamese woman, trafficked for forced marriage to China, was able to escape and return to her husband and three children in Vietnam. However, after her return, her relationship with her husband severely deteriorated. People in the community gossiped about the family, saying that he had sold his wife for money. He became depressed and started to drink a lot and stopped working. She and her husband eventually divorced and she assumed sole responsibility for their three children.

One woman, trafficked to China for forced marriage, lived with her husband after her return to Myanmar. However, her mother-in-law blamed her for what had happened and was angry with her son for accepting her back. Her mother-in-law often fought with her husband, instructing him to leave her, and finally left to live with one of her daughters when he refused. The woman's relationship with her husband's relatives had also changed. Before being trafficked to China, they treated her warmly, "like their own daughter" but since her return they did not speak kindly to her and the situation had not improved over the years since her return.

One woman, trafficked to Thailand from Myanmar, returned home with a small child. She explained that her mother was angry because she came back with a baby but without a husband. One day after a fight, her mother got angry and hit her and told her to leave the house with her son. She had no way to support her son but her mother would not allow him to live with her in her home. The woman was forced to give her son to relatives. She explained how very sad she felt about giving her son away but felt that she didn't have any other options.

Very few trafficked persons interviewed for this study described being assisted in managing and mediating tensions and issues in their family environment. This was the case even with trafficked children who were often particularly in need of support in navigating their return to the family setting and in re-building and repairing familial relationships. In many situations, it seemed that trafficked children were removed from families and placed in institutional care as a first rather than latter measure, without efforts first being made to explore a supported, monitored and mediated return to the family environment.

2. Meeting the assistance needs of family members. In some cases, it was the assistance needs of family members that were paramount. A number of respondents, when asked what advice they would give to service providers to improve services to trafficked persons, stressed the importance of paying attention to supporting not only trafficked persons but also their family members.

Support the families of returning trafficking victims who are poor. Help to send their children to go to school and assist them to get a stable job (Cambodian woman trafficked to Malaysia for domestic work).

I want to send a message [to service providers] to extend assistance to both victims and their families, especially families who are poor and desperately in need (Cambodian girl trafficked internally for prostitution).

When you help trafficking victims, you should also help their families (Cambodian man trafficked for fishing in Indonesia).

Assistance needs of the families of respondents were myriad, but the priority issues identified amongst respondents for this study included:

1. Economic assistance (due to unemployment, debt, low salaries)
2. Healthcare
3. Education
4. Psychological impact of trafficking on family members
5. Alcohol and substance abuse

Some family assistance needs were pre-existing, and had in some cases contributed to trafficking. In these cases, the provision of such assistance to vulnerable families may have prevented trafficking in the first place. Other problems were related to and caused directly by the individual's trafficking experience. In this respect, family members were essentially "secondary victims of trafficking."⁹⁷

Economic assistance. Many trafficked persons and their families had economic problems, such as being unemployed, low salaries, debt and so on. These had, in many cases, led to migration that ended up as trafficking, as has been discussed earlier in this study.

Economic problems were also sometimes the result of trafficking experiences, with a noteworthy number of trafficked persons describing their economic situation as worse than before they migrated. Access to training and economic opportunities for family members was identified by many as a critical need. This had particular resonance in the case of trafficked children who were often able to return to school (and childhood) when their parents were assisted with a job placement or in setting up a business, which equipped them to look after their child(ren).

Healthcare. Medical problems and health needs of family members featured prominently in interviews with trafficked persons – both as a reason for their initial migration and as an on-going need after trafficking. This was the case for the children of trafficked persons as well as for their parents and siblings.

Lack of access to medical care for unwell family members meant that an illness or injury in the family could trigger serious problems or crises, inhibiting their (re)integration outcomes. It also had the potential to lead trafficked persons to re-migrate or make "risky decisions" in the future in an effort to meet the medical needs of family members. In other cases, it meant going into debt to pay for the medical needs of family members.

⁹⁷ Family members of trafficked persons, and not least children, husbands and parents, may in some cases, be best understood as "secondary victims of trafficking." This is consistent with research on other violent crimes – e.g. rape – in which family members were seriously and adversely affected by the assault on their loved ones (Brunovskis & Surtees 2012a&b).

CASE STUDIES:
HEALTH PROBLEMS IN THE FAMILY CONTRIBUTED TO TRAFFICKING RISK
AND POST-TRAFFICKING PROBLEMS

One Cambodian man explained that he migrated abroad for work because of illness within his family. He needed to earn money to pay for treatment for his sick wife and his four-year-old son who suffered from a hole in his heart. His migration resulted in being trafficked for labour.

One man, trafficked aboard a fishing boat, accepted this work when his nine-year-old son was diagnosed with cancer. He needed money to pay back the loan he had borrowed for his operations and treatment.

One boy, trafficked internally within Myanmar for labour, decided to accept this work offer because his father had injured his leg at work and was unable to walk or work anymore. In addition, his mother was ill, with a lump on her neck, and the family did not have money to go to the clinic for treatment.

One woman, trafficked to China for forced marriage, returned home to Myanmar to find that her family had incurred heavy debt because her father had contracted TB and required regular treatment. Her two sisters struggled to cover the medical costs with their salaries. She initially got a job in a garment factory, but soon after needed to quit because her sister fell ill with heart problems and she needed to take care of the household while her mother looked after her sick sister. Before she went to China, her family did not have any debt.

Education. In all countries in the region, primary education tuition was free of charge. However, the ancillary costs – school uniforms, books, transportation – were not affordable for many people and served as a barrier in accessing education. In a number of instances throughout the region, trafficked persons migrated to earn money for the education of their children or siblings. In addition, they identified education for their children or siblings as one of their assistance needs upon return. One Cambodian man who was trafficked for labour migrated to earn money for his daughter's education. When asked what assistance he needed after trafficking, he explained that the most important assistance was education for this daughter: "I want my oldest daughter to continue her education. I would like organisations to provide assistance for her to continue her education." Similarly, one Vietnamese boy trafficked within the country migrated for work to help his family's economic situation, including to ensure that his sisters were able to go to school. Once released from trafficking, the assistance organisation arranged for him to return to school, and moreover, supported his two sisters in attending school.

Psychological impact of trafficking on family members. Families' of trafficking victims were often deeply affected by the horrific experiences suffered by their loved ones. Trafficked persons described family members who were shocked, depressed, and in some cases, traumatised by their suffering. Some family members seemed to blame themselves for what had happened to their loved ones; others felt stressed about the suffering that they now endured after leaving trafficking. Children of trafficked persons will also often have suffered the adverse effects of having been (forcibly) separated from their parents at critical developmental stages, generally with no contact or news of them for the duration of their exploitation.

My mother feels so sorry [about my trafficking experience] that she sometimes has psychological problems (Myanmar man trafficked on a fishing boat).

My children had psychological problems when I came home and also trouble learning (Myanmar woman trafficked to Thailand for labour).

Alcohol and substance abuse. Some alcohol/substance abuse preceded trafficking and led to the individual's vulnerability to trafficking. This was the case in more than one instance of children being trafficked. The continued alcohol abuse by some children's parents meant that they were unable to return home safely to live, as they had been physically abused by their alcoholic parents. One girl from Myanmar, trafficked to Thailand for street selling, came from an alcoholic family. After returning home, she requested assistance from an organisation to help her mother stop drinking. Her mother was admitted to an alcohol detoxification programme.

However, alcohol and substance abuse was also, in some cases, a by-product of victim's trafficking experience, with some family members coping with their stress and anxiety by abusing alcohol or other substances. One Vietnamese woman, trafficked to China for forced marriage, explained that her relationship with her husband was not good after her return. Her husband drank a lot and was depressed because of what she had endured, and because of the community gossip about her trafficking to which the family was also exposed.

Working with families

Some organisations did take into account and seek to accommodate the family situation of trafficked persons. Some organisations and institutions assisted family members or referred them to other agencies for assistance. In many cases, this was an important contributor to (re)integration, or to galvanising (re)integration successes realised to date. One young woman, trafficked from Myanmar to Singapore for domestic work, received not only assistance for herself, but also medical assistance for her mother who did not have access to medical care. The assistance organisation referred her mother to another (non-trafficking) programme that provided her with the necessary medication. Not having to purchase medication was a help to the family as a whole as it freed up funds for the woman to send her two younger sisters to school. Similarly, one Cambodian woman, trafficked for sexual exploitation to Thailand, was assisted in a shelter programme after her return home. When asked if she had any unmet assistance needs, she explained that all of her needs were realised, including the provision of medical care for her child.

However, many assistance programmes did not have the scope or resources to assist the family members of trafficking victims directly, and did not refer their cases to other agencies or institutions for support. Yet in many cases, the assistance needs of family members were key to (re)integration success (or failure). For example, one boy trafficked within Myanmar was assisted to return to school. However, the organisation did not have the resources to assist his family to set up a small business, or to help his parents to find a job. This necessarily impacted the overall well-being of his family (his parents continued to struggle economically) which also limited the boy's (re)integration options, and in a situation of crisis, may lead him to leave school to work and help support his family.

Trafficked persons talked about requesting assistance for family members, which in many cases, was not provided. In some instances, agencies explained that they were unable to provide assistance to family members, and that they assisted only trafficked persons. However, for many trafficking victims this was an arbitrary distinction since the needs of all family members were intertwined and coterminous. Some agencies did not respond to these requests, which left trafficked persons unclear as to what assistance they were (and were not) entitled to. It also led to some frustration on the part of trafficked persons who identified familial assistance as their most critical assistance requirement, a need which in their mind went unmet.

CASE STUDIES:

SOME ASSISTANCE PROGRAMMES DID NOT TAKE INTO ACCOUNT THE ASSISTANCE NEEDS OF THE FAMILY OF TRAFFICKED PERSONS

One Cambodian girl, trafficked internally for prostitution, came from a very vulnerable family. She was accommodated in a shelter programme and received comprehensive care. She was concerned, however, about her family's well-being and asked the organisation to provide them with some rice each month to help meet their basic needs. The organisation did not provide this support. When asked if there were any problems that she could not get help with, she explained that while she was well supported, she was not able to get any assistance for her family, which was a source of anxiety for her.

One young woman from Lao PDR, trafficked to Thailand for labour, temporarily declined assistance because she needed to help her family on the farm first. Staying in a shelter (the type of assistance she was offered) meant not being able to contribute to the family economy, which was not an option for her.

One Laotian girl, trafficked to Thailand for prostitution, explained that she had requested assistance for her family but the organisation did not help her with this. Her family was poor and she did not understand why the organisation could not help them. For her this support to her family was an important part of assistance.

One Cambodian girl, trafficked internally for prostitution, was supported in a shelter programme. She had requested assistance to help her family but the organisation had said 'no'. They explained to her that they could only help child victims, not others.

Not taking into account the assistance needs of victim's family members impacted (sometimes very immediately and directly) (re)integration success. Some trafficked persons intended to migrate again because they were unable to meet the needs of family members. Others were simply unable to move forward in a positive way because of these often urgent family assistance needs. One Myanmar national returned home after being trafficked and was assisted by an organisation to set up a small business. However, when a family member fell ill, it was necessary to use the funds intended as investment capital to pay for medical treatment. For this reason, the business failed and the assistance organisation was not willing to provide additional support as they assessed this case to be one of "failure." This example highlights not only the need to consider the broader family context in assessing (re)integration success, but also the need for greater analysis and supervision of casework by assistance organisations. The organisation assessed this case/business to be a failure and did not offer additional services to the trafficked person. They did not, however, analyse the case holistically, in terms of what they might have

done to better support the individual, namely by addressing the assistance needs of family members such as referring the family member for healthcare.

The above points notwithstanding, if and how agencies provide assistance to family members must be carefully considered. In some cases, assistance to family members did little to contribute to the (re)integration of trafficking victims. One Vietnamese woman, who had been trafficked to Malaysia for forced marriage, received training at a shelter for a short period before leaving the programme to get married. Her husband was assisted with a grant of four million VND [approx. 190 USD] to set up a motorcycle repair shop. He initially did well with the business and earned a fair bit of money, which positively impacted the family. However, before long he started drinking and spent much of the business earnings on alcohol.

This consideration is particularly pressing in the case of trafficked children whose families may use funds in ways that do not necessarily focus on the (re)integration needs of trafficked children. One boy in Myanmar, trafficked internally within the country for labour, received assistance from one organisation. However, in practice, the assistance was received by his parents who were raising the pig he had been given by the service provider. Money earned from pig raising, however, was not earmarked for his recovery or (re)integration. He explained that his parents were planning to use this pig to make a donation when his brother became a monk. Moreover, some use of funds by family may counteract the intention of services providers – e.g. when funds are given to parents for a small business so the child can return to school but the child is required to work for the business rather than attending school.

Case management and monitoring were important aspects of working with families in the (re)integration process. Moreover, since family assistance was not commonly provided, monitoring was critical in terms of assessing how and the extent to which working with families may (or may not) impact (re)integration outcomes.

Issue 2.11. Case management and monitoring

Adequate time, ancillary support and on-going monitoring is needed for sustainable (re)integration.

Managing and monitoring cases

(Re)integration was a long term process. It generally took years before sustainable (re)integration was realised in a meaningful sense, and along the way, trafficked persons often faced “setbacks” and “failures.” These setbacks continually risked undermining their efforts to recover and move on from trafficking. In some cases, when faced with setbacks in (re)integration, trafficked persons felt that they had limited options, which led them to make decisions that negatively impacted their (re)integration. Some felt that they had no alternative but to migrate again, potentially putting them at risk of exploitation and even re-trafficking.

CASE STUDIES:

TRAFFICKED PERSONS FACED SETBACKS AND FAILURES OVER THE COURSE OF (RE)INTEGRATION

One Vietnamese woman, trafficked to China for sexual exploitation, had been home for a number of years and had generally moved on from her trafficking experience. She was now married, living with her husband, with whom she did farm work. However, her economic situation was not very stable – sometimes not having enough to eat and being without savings – which meant that she faced difficulties in situations of crisis. She had recently suffered an ectopic pregnancy that involved spending a great deal of money on surgery (she did not have access to free medical care). This left her in a fragile economic position, with the potential to derail her (re)integration.

One Vietnamese woman, trafficked to China, had been back many years and was completely (re)integrated in her community. As she explained, her economic situation was much better than when she had returned some years earlier. However, her son had recently had a motorbike accident and she had had to borrow 30 million VND (approx. 1450 USD) towards his medical care. This put her into heavy debt and jeopardised her (re)integration successes.

Case management played an important role in anticipating and addressing issues and problems faced by trafficked persons over the course of (re)integration, as discussed below. Three important outcomes of case management were that it:

1. Backstopped the (re)integration process
2. Led to referrals
3. Contributed to a better understanding of (re)integration

1. Backstopped the (re)integration process. Case monitoring played a significant role in backstopping the (re)integration process allowing for some “setbacks” and “failures” to be avoided. In other instances, it served as a safety net when these “setbacks” occurred. Because cases were managed over time, services and support was available in response to crises, which in turn, served as a means of galvanising (re)integration success.

On-going monitoring of individual cases allowed organisations to identify problems at an early enough stage to work with the beneficiary in addressing them. As a result, case management, and more specifically case monitoring, often correlated directly with (positive) (re)integration outcomes.

CASE STUDIES:

LACK OF CASE MANAGEMENT THREATENED (RE)INTEGRATION SUCCESSES

One Cambodian man was given the funds to raise ducks, but lacked the skills to do so. The first ducks he bought died and he then went into debt to replace them. Assistance organisations did not monitor his case in this time, in terms of his skills to undertake this work or his progress in this business or (re)integration more generally. He continued to face problems in trying to raise ducks and went into debt through his efforts to sustain his business. As a result, he faced an economic situation worse than before he had received the ducks.

2. Led to referrals. Case management also linked up with an effective referral process. Through monitoring work, assistance needs sometimes arose. When organisations managed and monitored their cases on an on-going basis, they were in a position to refer beneficiaries (and their families) to other organisations to receive appropriate services, both specialised anti-trafficking organisations and general social services.

One service provider that participated in national consultations for this study highlighted the importance of monitoring to ensure that victims are provided with all of the necessary support. In this way, “Both the victims and caregivers are listened to and they find a solution together if there are any issues.” Another service provider stressed that agencies and institutions working on (re)integration “need to provide more alternative options and listen to victims’ and see them as experts of their situation.”

By contrast, many trafficked persons were not monitored, which meant not receiving and being referred for help with problems they faced at various stages of (re)integration. One boy, for example, who was initially assisted to return to school, later dropped out because of economic problems in his family which he needed to help resolve. Appropriate case management of his situation might have led to his family being referred for economic assistance, allowing him to stay in school while his parents worked.

3. Contributed to a better understanding of (re)integration. Case management also contributed to the knowledge and capacity of services providers, by allowing them to more closely monitor various (re)integration pathways and what did (and did not) commonly lead to successful and sustainable (re)integration. Long term monitoring of cases allowed programme staff and donors to assess (re)integration outcomes, using clear standards and concrete, verifiable indicators.

A number of service providers who participated in the national consultations for this study noted the importance of case management and how this contributed to their knowledge of and capacity in (re)integration. As one organisation put it: “Keeping track of trafficked persons is necessary so that they can be included in the monitoring of the effectiveness of (re)integration work.”

Impact of case management (and no case management)

Case management was central in (re)integration work. Some organisations or institutions in the region monitored beneficiaries for two to three years, regularly following up on their cases, and, as importantly, being available in cases of crisis. This had a positive effect on (re)integration successes.

CASE STUDIES:

TRAFFICKED PERSONS WERE MONITORED AND SUPPORTED IN THE LONGER TERM

One Laotian woman had been assisted over a period of a few years while she was trained in hairdressing and supported to set up her shop. She no longer received assistance, but the service provider was nonetheless in regular contact: “I am not currently receiving any assistance but [the organisation] calls me once a month to ask if I am okay with my job.”

One woman from Myanmar, trafficked to China for forced marriage, when asked what assistance was the most helpful, said that it was the on-going contact were social workers who visited and checked in on her and her family. She explained: “I like that assistance the most.”

One Vietnamese woman, trafficked to Malaysia for forced marriage, appreciated the on-going contact that she had with assistance staff. She explained that the staff was kind and checked in with her every now and then, which made her feel comfortable and reassured.

That being said, long term management and monitoring was not the norm for many trafficked persons. Indeed many reported that, once home, they had very limited and sometimes no further contact with assistance organisations or social support institutions. Assistance was often a “one-off” service or short term assistance, with little to no follow-up over the longer term.

In some cases, lack of case management, including monitoring, was due to a lack of resources. It is labour intensive work that involves regular contact with trafficked persons. Adequate staff and resources are needed to conduct case management, which is a challenge when an organisation or institution has a large volume of cases and/or limited number of staff. There are also the resources required to maintain this contact – i.e. staff time, transportation costs, telephone costs and so on.

CASE STUDIES:

SOME TRAFFICKED PERSONS DID NOT BENEFIT FROM CASE MANAGEMENT AND MONITORING OVER THE COURSE OF (RE)INTEGRATION

One Laotian man described how an assistance organisation came to visit him when he first arrived home and after some time provided him with a water pump. He had had no further contact with the organisation since: “No, after they gave me the water pump they did not come to visit me anymore.”

One Cambodian man was assisted initially upon his return home, but had no further follow-up or support from the organisation: “[The organisation] assisted me when I returned to my hometown for two months. They provided me with 130 ducks to raise. It was a one-off assistance for me.”

One woman, trafficked from Myanmar to China for forced marriage, was assisted to return home and provided with some financial assistance. She was visited at her home on one occasion to assess her needs, but had not been contacted since.

Ethical considerations in case management and monitoring

The above points notwithstanding, case monitoring and on-going follow-up should be voluntary. It should be undertaken in consultation with trafficked persons to help them understand the objectives and goals of monitoring. It should only be done with the informed consent of trafficked persons and in line with how they wish their cases to be managed and monitored. For example, some respondents preferred to avoid being visited by assistance agencies in their home villages. The presence of assistance agencies in their communities was “identifying” and had the potential to lead to discrimination against themselves and their families. They were, however, willing to be contacted by telephone and some were also willing to meet the assistance organisation in a nearby town as an alternative. Working with trafficked persons to identify the best way to conduct case management is essential in terms of ensuring that it is done ethically and appropriately. Otherwise, there is a risk of infringing on the rights and well-being of trafficked persons.

In some cases, part of moving on from trafficking involved making a break with one’s trafficking past, including contact with service providers and assistance organisations. When case monitoring interferes with this “moving on,” it should not be done. Ethical principles must be strictly adhered to at all times, even when this interferes with or impedes monitoring efforts.

Adhering to ethical principles, for both adults and children, requires that those monitoring (re)integration programme are adequately trained in ethics and a human rights based approach. This includes training not only the (re)integration staff themselves, but also all other persons who come into contact with trafficked persons or data collected – translators/interpreters, administrative staff, field assistances, organisational management, donors, etc. Ethical issues that applied to adults were also relevant for children. However, in addition, special care must be taken in the case of children to ensure that they are afforded all of the protections that their age, maturity and experience requires, and at the same time, given the opportunity to participate in monitoring (re)integration work when/if it is safe, appropriate and in their best interests.⁹⁸

⁹⁸ Please see the following resources for a discussion of ethical practices and principles in monitoring (re)integration work: IOM 2007; Plan 2009a&b; Rende Taylor 2008; Schenk & Williamson 2005; Surtees 2009 & 2013; UNICEF 2006.

Issue 2.12. Language barriers

Victims faced language barriers in the provision of (re)integration support.

Language barriers in receiving assistance

Some trafficked persons faced language barriers in the provision of (re)integration assistance. There were different ways that language was an issue for trafficked persons. These included:

1. Language barriers in destination countries
2. Language barriers at home
3. Limited language skills and literacy

1. Language barriers in destination countries. In many cases, language barriers posed an obstacle when trafficked persons were assisted abroad. That is, when service providers did not share a common language with trafficked persons and did not speak the language of programme beneficiaries.

In some programmes, some staff spoke the language(s) of trafficked persons being assisted. However, this was not the norm and it was striking how few assistance staff in destination countries had foreign language skills (at least the main language(s) from key origin countries), particularly given the large numbers of trafficked persons they had assisted over the years. More commonly, trafficked persons described working through interpreters, and when this was unavailable, having difficulties in communicating with service providers.

Of note was the reliance of service providers on trafficked persons learning the language in destination countries. In a number of cases, trafficked persons explained how they were unable to communicate effectively with staff until they had, over the course of their stay in shelters, learned the language. Some had also learned the language of the destination country while trafficked.

CASE STUDIES:

TRAFFICKED PERSONS FACED LANGUAGE BARRIERS IN COUNTRIES OF DESTINATION

One woman was trafficked from Cambodia to Thailand for sexual exploitation. She was accommodated at the shelter for more than one year in which time none of the staff working there spoke Khmer. Communication was done through a Khmer interpreter. After one year, she learned enough Thai to communicate with the staff.

One man from Myanmar, trafficked to Thailand for fishing, was accommodated in a Thai shelter after his escape. He and his colleagues were unable to communicate with shelter staff and relied upon one member of the group who spoke some Thai to translate their needs and issues.

2. Language barriers at home. Some trafficked persons faced language barriers when assisted in their own country – e.g. when trafficked persons were from an ethnic minority and did not speak the majority language. Here again, there are questions to be raised about the availability of (bilingual/multilingual) service providers, as well as the urgent need for access to

interpretation. Some trafficked persons described having to rely on other trafficked persons to help them communicate with and understand information received from service providers.

CASE STUDIES:

SOME TRAFFICKED PERSONS FACED LANGUAGE BARRIERS IN THEIR HOME COUNTRY

One Shan woman from Myanmar was accommodated in a shelter after returning from her trafficking experience in Thailand. She faced difficulty because she did not speak Burmese and none of the shelter staff spoke her language. She explained that beneficiaries at the shelter attended education talks, but she could not understand. Instead she relied on other trafficking victims to translate for her.

One woman trafficked to Malaysia for prostitution, faced language problems when she returned to Myanmar because she didn't speak the national language. She was able to speak Thai (as she had been assisted in Thailand after being deported from Malaysia) and Shan (her mother tongue). However, none of the staff in the shelter in Myanmar spoke either language and she felt lonely and isolated as a result. Even the assistance organisation in her community did not speak her language. She described how they were forced to communicate with body language. When asked what would have made her assistance experience better she explained that it would have been better if the shelter staff in Myanmar spoke Shan language.

One woman from Myanmar trafficked to China for forced marriage, faced language barriers when assisted following her return. When asked how service providers could improve assistance to trafficked persons, she stressed the need to bridge language barriers and the importance of sharing information in one's own language. Information, she felt, should be available in Shan, Pa-O and Pa-laung languages (not only the national language which few in her community understood).

3. Limited language skills and literacy. In some cases, trafficked persons had lost (or never developed) some or all of their language abilities after spending many years trafficked in a foreign country. This was especially an issue for trafficked children who did not have sufficient education nor opportunity in their home country to acquire fluency or even functional literacy.

An additional group for whom language was a barrier was children born of trafficking. Having been born and raised for a time abroad, many did not speak (or speak fluently) the national language when they returned home.

In some cases, language gaps were a function of education and language capacity. Language was not sufficiently comprehensible to some trafficked persons who had had less access to education.

CASE STUDIES:

SOME TRAFFICKED PERSONS HAD LIMITED LANGUAGE AND LITERACY SKILLS

One woman trafficked to China for forced marriage lost her skills in Myanmar language after spending so long in China. It took some time after her return to be functional in her language again.

One woman, trafficked to China for forced marriage, returned home with children she had with her “husband.” The children didn’t speak Vietnamese when they first arrived home in Vietnam.

The impact of language barriers on (re)integration

The inability to communicate with trafficked persons necessarily inhibited the provision of services, which, by implication, negatively affected (re)integration outcomes. One man from Myanmar, trafficked to Thailand aboard a fishing boat, was assisted in a Thai shelter for some time. He felt that the language barrier was a key issue, and stressed the importance of good interpretation being available. As he put it, interpretation was needed when authorities came to ask questions of victims so that they were able to express their true feelings and needs. He went on to say that many victims in the shelter felt badly about not being able to convey their needs.

Interpretation was available in some situations and while victims were assisted in some assistance programmes. However, this was far from practical in the long term, particularly given the many trafficked persons who required interpretation. Not only was it cumbersome, but it was also very expensive. It also meant that communication took place only when an interpreter was available and few organisations or institutions had the resources to have a full-time interpreter available to programme beneficiaries. This meant trafficked persons and service providers were not able to comfortably and effectively communicate for large portions of time. When working through translation, another critical consideration is ensuring that interpreters are bound by the same ethical codes as assistance staff (i.e. confidentiality, privacy, anonymity, non-discrimination and so on). It was not clear in the interviews with trafficked persons whether there was a selection criterion for interpreters or training/sensitisation in terms of working with vulnerable groups.

In other situations, service providers relied on trafficked persons to provide interpretation for one another. A number of trafficked persons described how other trafficked persons who spoke the language were tasked with translating and communicating with service providers. For example, one man from Myanmar, trafficked to Thailand for work on a fishing boat, was identified and assistance at a Thai shelter. The staff there, however, did not speak Myanmar language, which meant that they and the residents relied on one man, also a trafficking victim, who was able to speak Thai. In practical terms, this intruded on the lives of trafficked persons who were coping with a difficult experience and should not have been relied upon to translate for others. It also meant that all discussions of assistance needs went through a third person in the shelter (the victim/“interpreter”), which was a profound breach of confidentiality and anonymity. It also likely served to severely inhibit trafficked persons’ willingness to divulge needs and experiences.

Sharing and being able to communicate in a common language was also an important factor in building trust and rapport between trafficked persons and service providers. In at least one instance, a trafficked person left a programme because of language barriers. One boy from China trafficked within the country described some dissatisfaction with the assistance he received through one service provider because so much communication was done in English (the native language of many staff members). He explained that for the two years he lived there, he met many different people and had good teachers who cared about him. But he did not feel comfortable when everyone spoke English; it made him feel like he didn't fit in. He was also uncomfortable about not being able to understand what was being said or was going on around

him. While he was grateful for the services and support he received there, the language (and, arguably, cultural) barrier was prohibitive.

Moreover, some forms of assistance cannot be provided appropriately or effectively through interpretation. One woman, trafficked internally in China for prostitution, described dreading the counselling sessions she received while assisted in a shelter programme because the staff did not speak fluent Chinese and working through translation was awkward and uncomfortable, especially given the very sensitive topics being discussed.

Language barriers were also a serious impediment in conveying “hard skills” – e.g. vocational training, business management skills, life skills, education and so on. Attaining a sufficient competency in these areas necessarily involved fully understanding what was being taught. Some trafficked persons described not understanding lessons and trainings they received because of language barriers. One Vietnamese woman, trafficked to China, received culinary training at a state run hospitality college. However, the woman was not entirely fluent in Vietnamese (she was from an ethnic minority) and had some difficulties in learning because of language differences. She was not certain she was sufficiently skilled in cooking, in part, because she had difficulty in understanding some classes. This raises the issue of offering (or referring victims to) classes where they can learn the majority language, if they chose. Another option was accessing services offered in the individual’s own language, which would involve identifying partner organisations and institutions to which trafficked persons could be referred for some services. There is also a need for staff with adequate language capacities in the individual’s native language to provide assistance and support.

Language barriers in service provision were acknowledged by practitioners at the national consultations for this study. One suggestion to, at least in part, address this issue was using cost effective technologies – like Skype – to allow trafficked persons to communicate with service providers in origin countries in their own language. Other tools, like online translation programmes, might be another potential option to bridge some of the language barriers that arise for at least some tasks associated with service provision.

KEY FINDINGS SECTION 3

Issues in the philosophies, capacities and behaviours of practitioners and authorities working on (re)integration



As a particularly vulnerable group, working with trafficked children requires specialised training, sensitisation and adherence to ethical standards.

Issue 3.1. Rules, requirements and restrictions

Some programme rules and restrictions undermined victim autonomy and empowerment.

Rule, requirements and restrictions⁹⁹

Assistance programmes involved many rules, requirements and restrictions to which trafficked persons were required to agree to in order to receive assistance and support. While non-residential programmes also had rules, requirements and restrictions, they were most prominent in shelter-based programmes.

Certainly all programmes need clear parameters for both staff and beneficiaries. Rules and requirements are essential for the smooth functioning of (re)integration programmes. This was particularly important in communal living situations, like shelters, where rules and regulations facilitated the smooth operation of shelter facilities. In situations of organised communal living, rules are an important aspect of conflict prevention between residents as well as between residents and staff. It also helps to avoid security and safety issues, particularly concerns about victims being pursued or targeted by their traffickers.

At the same time, programme rules did not always seem to be consistent with the needs and/or situation of shelter beneficiaries. Careful consideration is needed as to when these rules and requirements contributed to effective programming, thus (re)integration success, versus when they served to undermine the autonomy of trafficked persons, and arguably, worked against their empowerment. In some cases, rules and restrictions seemed to be less about fostering a functional communal living space and more about exerting some level of control over trafficked persons.

As importantly, many rules and restrictions were negatively experienced by beneficiaries, which equally factored into their empowerment and (re)integration outcomes. It is worth considering whether rules that were perceived by trafficked persons to be “heavy handed” negatively influenced their perceptions and assessment of assistance, or possibly affected their willingness to accept (or decline) later forms of support that might have contributed to their (re)integration.

CASE STUDIES:

TRAFFICKED PERSONS WERE UNCOMFORTABLE WITH RULES AND RESTRICTIONS IN MANY SHELTER PROGRAMMES

One woman, trafficked from Myanmar to Thailand for sexual exploitation, was assisted at a shelter in Myanmar upon her return. She described problems in the shelter, including the many rules that the residents were required to follow. She described some restrictions as problematic and unnecessary, for example, being scolded for laughing out loud in the kitchen. She described being scolded regularly by staff who she felt “did not understand us.”

One woman, who had been trafficked to China for forced marriage, was assisted in a shelter

⁹⁹ This has also been discussed in other studies. Please see Brunovskis & Surtees 2008 & 2007, Gallagher & Pearson 2008, Miles et al. 2012, Surtees 2007 & 2008c.

after her return to Myanmar. She described being unhappy with the shelter because of being unable to move freely. Residents were locked in the shelter for 24 hours and she did not understand why this was necessary. She described this as the least helpful assistance she had received.

One Laotian girl, trafficked for prostitution in Thailand, explained that she was uncomfortable when she entered the shelter because there were so many rules, which the residents were required to follow. She described having to follow instructions about every aspect of their day-to-day lives, which she experienced as being “awkward.”

The use of rules, requirements and restrictions was prominent in residential programmes, like shelters. While this depended on the organisation/programme and country, they commonly centred on a few common elements, outlined and discussed below.¹⁰⁰

1. Restricted freedom of movement
2. Restrictions and control over personal contacts
3. Daily schedule and structure
4. Use of discipline and punishment

1. Restricted freedom of movement. Trafficked persons’ movement was controlled in different ways. In many cases, trafficked persons stayed in closed shelters and were unable to leave the facility. In some cases, this was for periods of literally years. This was common in countries of destination where trafficked persons were foreign nationals and the practice was justified by authorities because trafficked persons lacked identity documents and/or permits of stay.¹⁰¹

However, this practice was also common in some countries of origin where shelters that received victims upon their return were closed in nature, and trafficked persons were unable to move freely in their own country.

Some trafficked persons had been told by shelter staff that they were “locked in” to prevent them from running away. Staff seemed concerned about professional sanctions for “losing victims” and there may have been (formal or informal) administrative requirements within these shelters that bound staff to this level of control. However, this approach does not take into account trafficked persons rights to accept or decline assistance. Leaving a shelter was in essence “declining” this form of assistance, which was within the rights of all trafficked persons.

Such restrictions on freedom of movement were particularly striking when shelters were, in principle, intended to support the trafficked persons’ (re)integration in society, and yet those same persons were prevented from interacting with family and community, inhibiting one of the shelters’ primary functions. Separation from family and community, which was a feature of the closed shelter approach, served overall to undermine (re)integration. Trafficked persons described feelings of stress, frustration and anxiety as a result of being literally locked in shelters.

¹⁰⁰ Similar patterns in terms of the use of rules, restrictions and requirements have been noted in other regions. Please see: Brunovskis & Surtees 2007 & 2008.

¹⁰¹ In some countries this practice has changed, with some trafficked persons provided with documents and authorisation to leave and work outside of shelters while accommodated abroad. It was not, however, an option that was consistently offered to all trafficked persons and seemed to be based more on the discretion of shelter staff.

Some shelters were not completely closed, but staff/administrators still controlled and/or restricted residents' movements and activities. In some cases, trafficked persons were able to leave shelters when given permission by staff, and commonly, only when accompanied by staff. In some programmes, residents were permitted outside during certain times or for certain activities but needed to return by a specific time. Trafficked persons often still found these restrictions constraining and stressful. In one instance, one woman residing at a shelter described being reprimanded for sitting on the steps of the shelter, overlooking the garden, as it was too exposing and not within the rules.

These experiences contrasted sharply with those of trafficked persons who were not restricted in their movements and regularly interacted with family and community as part of their (re)integration process. One woman in Vietnam, for example, stayed at a shelter while attending vocational training. However, she regularly visited her children in her home village. Similarly, more open-concept residential programmes that afforded more freedom and regular contacts were positively assessed by respondents.¹⁰²

Of note was that in some cases trafficked persons were accommodated in shelters that assisted other vulnerable groups who did not have the same restrictions on their movements, raising questions about the rationale and appropriateness of this approach with trafficked persons.

In a handful of cases, trafficked persons described having more freedom of movement while trafficked than they did while being assisted in some shelter programmes.

**CASE STUDIES:
TRAFFICKED PERSONS DESCRIBED STRESSFUL EXPERIENCES IN CLOSED
AND RESTRICTED SHELTER PROGRAMMES**

One girl trafficked to Thailand for labour was assisted in a shelter for six years before returning home to Myanmar. In that time she was not allowed to go outside. When asked how she felt about this, she explained: "This was not good for me. I felt like I suffocated there. It would have been good if shelter staff could arrange for us to go outside once or twice a week."

One woman, trafficked from Myanmar to China for forced marriage, experienced her stay in one shelter after her return home as "prison-like" because residents were locked in the shelter and given only limited food. For her, changing how that shelter was arranged was an important recommendation to improve services to trafficked persons.

One Laotian woman, assisted in a shelter in Lao PDR, explained that there were many rules at the shelter where she stayed including not being able to go outside of the shelter without staff. She described these rules are largely negative and constraining.

One woman from Myanmar, trafficked to China for forced marriage, explained that trafficked persons were treated differently in the shelter than other residents living there. Not only were

¹⁰² Miles et al. (2012: 37) also found in Cambodia that residential models, like family group homes or transition houses, were viewed more positively by many respondents than more closed shelter, not least in terms of the increased autonomy and responsibility they experienced.

trafficked persons treated in a discriminatory way, but they were also prevented from going outside. While trafficking victims were locked up 24 hours a day, the other residents could move about freely.

One woman from Myanmar, trafficked to Thailand for factory work, was rescued and identified by the police and referred to a shelter for trafficked persons. The police explained that she was not arrested but was being assisted. She explained, however, that she did not feel assisted when she arrived at the shelter: “When I arrived at the shelter, I felt like I was suffocating. It felt like prison. I was angry.” She went on to say that the staff was good to her and did not treat her like a prisoner, but nonetheless the restrictions made her feel stressed and upset.

2. Restrictions and control over personal contacts. Trafficked persons, both at home and abroad, often had very limited contact with family members while living in shelter programmes. While abroad, this lack of contact could last for months or even years. Some trafficked persons were able to call home occasionally; some were able to send and receive letters. But overall contact was limited, which was a source of considerable stress for trafficked persons, especially children.

Even when trafficked persons were in their home countries, these restrictions were often employed. Visits home were generally quite irregular. Shelter programmes were generally for one to two years, during which time family visits might only take place once or twice a year. In addition, many trafficked persons were not able to receive visitors (or only limited visits), even when assisted in their home countries where they could have had regular contact with their families. Strong and positive family relationships were often the cornerstone of successful (re)integration. It was therefore striking that little investment was made in some programmes to foster a more positive relationship between trafficked persons and their families while staying in shelters.

When communication was allowed, it was often quite controlled. This included confiscation of mobile phones in many shelters and limited (or monitored) use of telephones. As noted above, personal visits were also limited for many trafficked persons.

Intimate relationships were also controlled. Some victims were not allowed to have contact with friends from home or boyfriends while being assisted. More than one young woman focused on this lack of opportunity for personal relationships as an issue for them when receiving assistance. Here again, questions need to be asked about the long term impact of this separation and distance from the friends and peer groups with whom trafficked persons were most likely to (re)integrate with, and whom they would potentially rely on as their social support network.

Of note was that some trafficked persons described having more contact with family members and friends while they were trafficked. A number of respondents were able to call home while trafficked, but once they entered shelter programmes this contact was curtailed. One woman, trafficked for prostitution, was assisted in a shelter abroad for a long period of time. During this time, she did not have contact with her mother, which was a source of great stress for her. She knew that her mother would be worried that she was not calling her. She contrasted this with the period when she was trafficked, when she was able to contact her mother frequently.

CASE STUDIES:
SHELTER PROGRAMMES LIMITED CONTACT WITH FAMILY AND FRIENDS

One man, trafficked from Myanmar to Thailand to work on a fishing boat, was rescued by the Thai police and assisted in a shelter. The staff required that all residents hand over their mobile phones, but said that they would be permitted to use them once a week. This was a security precaution as the staff were worried that the men would be contacted and intimidated or threatened by their traffickers. They were also concerned that traffickers would pretend to be victims to infiltrate the shelter. The men agreed to this condition but the staff did not give the men the phones for a few weeks, which led to a dispute with the staff. The men saw the use of their phones as a right; the shelter staff felt it was a privilege.

One Vietnamese woman, staying in a shelter, was allowed to visit home every three months and call her family on weekends. However, residents were not allowed to use mobile phones, with the rationale that staff did not want the women “to receive disturbing telephone calls.” She explained that this and other forms of what she felt was overly strict supervision in the shelter made her feel uncomfortable.

One Laotian woman, trafficked to Thailand for prostitution, stayed for a long period in a shelter in Thailand. She described being extremely upset while in the shelter because she stayed there for a very long time and could not contact her family. She dreamt often about her father, and in spite of the other residents who became her friends, she described feeling alone.

One Vietnamese woman trafficked to China, was assisted in a shelter programme after her return home. While she appreciated her stay at the shelter, she was dissatisfied with not being able to visit her family while living there. She explained that she had asked to visit her family at home, but that she had not been allowed to do so. She was also not allowed to communicate with those outside of the shelter nor have a boyfriend. Shelter staff confiscated mobile phones. As she put it, “I felt like I was treated like a criminal, not a victim.”

Lack of contact with family was perhaps most striking and potentially debilitating in the case of trafficked children whose relationship with their family would (or should) be central to their (re)integration process. In many cases, trafficked children had little to no contact with family members while staying in shelters – both in destination countries and even within their own countries. One girl, trafficked to Thailand for street selling, returned to Myanmar but had not had contact with her family since she arrived at the shelter where she was staying. She very much wanted to pay a short visit home, but no one had yet helped her to arrange this. She described feeling mistrustful of service providers because they had promised that she could visit her family but had not arranged this for her in the end. Another girl, also trafficked to Thailand for street selling with her sister, had not had any contact with her family at home since her return to Myanmar. Of note was that she also had had limited contact with her sister who she had been trafficked with, and who was also being assisted by the state in another programme. She only met her sister on school occasions, and they were not supported to visit one another regularly.

Separation from family was a source of anxiety for trafficked children interviewed for this study.¹⁰³ Many talked about urgently wanting to talk to and visit their families. One girl from Myanmar, trafficked to Thailand for prostitution, was assisted in a shelter programme in Thailand where she was not allowed to call home for some time. She described this as the most significant problem she faced while being assisted:

After praying every day, I finally got to talk with my mother. I think I did not want anything else except to go home. I felt so lucky because I'm the only one [at the shelter] who could talk to my mother.

3. Daily schedule and structure. Some shelters had structured timetables and schedules for residents. This was the case for adults as well as children. One Laotian woman, trafficked to Thailand for sexual exploitation, was assisted in a shelter in Thailand after being rescued. She described feeling uncomfortable and uneasy when she entered the shelter because the residents had to follow a quite rigid schedule. They were told what time they must eat, what time to sleep and so on. Similarly, one Chinese woman, trafficked internally for prostitution, was assisted in a programme with an “open” shelter. Nonetheless, there were many rules and a strict schedule for day-to-day life. There were rules about when to work, when one could go out, the time one must be back at night, not being allowed to smoke and so on. She (and her friends) eventually left the programme because of the constraints these rules placed on her. Such rigidity was, arguably, at odds with the process of empowerment whereby trafficked persons were establishing a sense of control and autonomy over their own lives.

Many trafficked persons expressed frustration and discomfort with very rigid schedules. Some trafficked persons described having more freedom over their daily life while trafficked than while assisted. One girl, trafficked to Thailand from Myanmar for prostitution, was assisted in a Thai shelter where she described feeling constrained. She compared her time in the shelter with her period of exploitation, saying that she had more freedom and more control over her life when she was trafficked. However, in the shelter she was not allowed to go out and everything was done on a schedule and routine. Her entire day was prescribed for her – when to get up, lining up for breakfast, eating breakfast, washing up, going to the reception area and so on. She explained how the shelter staff determined when she could do everything – e.g. when to watch TV, eat, sleep, everything – and this made her feel uncomfortable and irritated.

4. Use of discipline and punishment. Trafficked persons spoke about discipline and punishments when they broke rules or did not behave in ways that the shelter staff approved of. That is, some service providers seemed to take issue with trafficked persons who did not fit the mould of a “good” and “obedient” victim. This was the case for both adults and children.

In some cases, trafficked persons were scolded and reprimanded for mistakes they made or even for “infractions” like laughing when they should not. In others cases, more active forms of punishments were used, including being required to clean toilets or staff offices. In other cases, trafficked persons were required to do tasks that had little to do with their recovery and (re)integration, or for that matter, the positive functioning of the shelter. A number of trafficked

¹⁰³ Please also see Miles et al. 2012: 34

persons described being required to massage staff in the shelters; another woman described having to carry water for the bath of one staff member's husband.¹⁰⁴

CASE STUDIES: DISCIPLINE WAS USED IN SOME SHELTER PROGRAMMES

One young woman, assisted in a shelter in Vietnam after her return from trafficking in China, described being scolded when she did things like spend too much time outside of the shelter. She said that this and other such restrictions, made her want to leave the shelter.

One girl, trafficked to China for forced marriage, was assisted in a shelter programme upon her return to Myanmar. She described being obliged to do things for the staff at the shelter – like give them massages and clean their office. She (and others staying there) were told that this was “training” for them and they would not be allowed to go home if they didn't do it properly.

One girl from Myanmar, trafficked to Thailand for prostitution, was assisted in a shelter in Myanmar. She described the staff at the shelter as being very strict, and scolding her a lot. She described one incident when she and some other girls were in the kitchen working and laughing and some boys walking by looked in at them. The teachers scolded them for this and looked down on them. She said that this made her she feel “squeezed” and sad.

Developing and monitoring rules, requirements and restrictions

There is a need to carefully consider and (regularly) evaluate the rules and restrictions in place in (re)integration programmes, including how these rules and restrictions may impact overall effectiveness in advancing the recovery and (re)integration of beneficiaries.

For example, questions need to be asked about the use of closed shelters as a viable model in terms of (re)integration efforts. Closed shelters were often justified by practitioners and policymakers due to security concerns, but at the same time, many trafficked persons were kept in highly restrictive, closed settings without any identifiable risk having been established. Not all trafficking victims faced the same level of risk after trafficking, and moreover, risk levels fluctuated according to situation, time, location and involvement in criminal proceedings. Risk assessments should be undertaken on on-going basis and in response to the victim's evolving situation. Where safety and security concerns were not relevant, overly emphasising these assumed risks (manifested in a closed shelter stay) potentially impeded the recovery and (re)integration of victims, with victims becoming unnecessarily stressed and anxious about their safety.

Similarly, monitoring needs to consider the best way to support the sustainable (re)integration of trafficked persons in terms of fostering a healthy family environment. Trafficked persons often did not have regular contact with family members while in shelters (sometimes for months or even years) which led to serious challenges in terms of family (and community) relationships when they returned to live with their family in their community. Fostering and

¹⁰⁴ In an assessment of client satisfactions amongst trafficked persons in Cambodia, respondents described being only somewhat satisfied with the use of discipline in shelter facilities. While none reported corporal punishment, many identified a lower level of satisfaction with the type of discipline used in facilities (Mauney & Rachana 2012).

mediating family and community relationships was an important part of (re)integration, which was inhibited by restrictions on contact between beneficiaries and their families.

An evaluatory approach to rules, requirement and restrictions was also important when some of the processes seem to be less about supporting (re)integration and more about meshing with administrative procedures – such as requiring victims return to their home community. Other rules and restrictions seem to be, at least in part, about controlling victims' movements (i.e. closed shelters) because service providers fear professional repercussions if trafficked persons chose to leave their shelters. In still other cases, it might be argued that rules and restrictions were about exerting control over victims and “rehabilitating” them. Rules and requirements should be regularly evaluated by programme staff, with inputs from beneficiaries. Rules and requirements should also be developed in conformity with national laws and regulations on minimum standards for (re)integration of trafficked persons. External monitoring and evaluation should also be undertaken.

Beneficiaries themselves should be involved in the development and tailoring of any rules and restrictions, including being able to express how these may affect them (negatively or positively). This opportunity was not apparent in interviews with trafficked persons for this study. Only a few trafficked persons describing situations in which they had the opportunity to discuss, comment on and question the existing rules and restrictions; no respondents described mechanisms and procedures in shelter programmes through which they could provide feedback or register problems.

In addition, it is important that all rules and restrictions are carefully outlined with beneficiaries before they chose to accept assistance. Shelter rules need to be carefully explained to beneficiaries before they accept to participate in a programme. They should be given time to reflect on programme rules and requirements in order that they can make an informed choice. This is essential in terms of ensuring the informed consent of all shelter residents. This did occur in many instances, but was not always the case. Some beneficiaries arrived at shelters and were surprised by and uncomfortable with the rules, requirements and restrictions that they faced.

Issue 3.2. Quality of care

Poor quality assistance and limited professional capacity in some (re)integration programmes.

Quality care

In some cases, trafficked persons described receiving very high quality services and being assisted by highly skilled and competent (re)integration professionals. This was the case for various forms of assistance received, both in countries of destination and origin.

The trainers were skilful and qualified. They behaved politely and respectfully. I could choose any skill that I wished. (Cambodian woman assisted in a shelter programme in Cambodia)

I like this place very much because I got full support and assistance. I thank the teachers because they take care of me very well. (Young girl assisted in a shelter programme in Myanmar after returning from Thailand)

The teacher of the cooking class was very kind. He helped many of my classmates to find a job in Hanoi. (Vietnamese woman trained in cooking in Vietnamese training programme).

However, this was not always the case and quality of care received in (re)integration programmes differed quite substantially between countries, as well as between organisations and institutions within a country. In a significant number of instances, trafficked persons described services that were of poor (even sub-standard) quality and/or practitioners with less than satisfactory professional capacity.¹⁰⁵ These two aspects are discussed in more detail below.

1. Professional capacity of service providers
2. Quality of (re)integration support and services

1. Professional capacity of service providers. In some cases, poor quality of care was linked to the (sometimes limited) capacity of services providers to offer (re)integration services and support the (re)integration process. Some service providers did not seem to have a firm grasp as to what constituted human trafficking. In a number of instances, researchers were referred respondents who they were told were trafficking victims, but who were in fact victims of others forms of exploitation or were irregular migrants.¹⁰⁶ Similarly, one respondent described being told by an assistance organisation that he was not a trafficking victim, only to be identified and assisted as trafficked by another organisation.

Even amongst more knowledgeable and experienced (re)integration professionals there were gaps in their educational background and professional capacity which impacted their (re)integration efforts. Throughout the region there was an inadequate supply of professionally

¹⁰⁵ This was also noted in a recent assessment of post-trafficking services in Cambodia (Mauney & Rachana 2012: 28) and an evaluation of the Ministry of Social Affairs, Veterans and Youth Rehabilitation's reintegration programmes (Sammon 2009: 33-34).

¹⁰⁶ In total 268 respondents were interviewed for this study, of whom 252 were trafficked persons. The other 16 were victims of sexual abuse and rape or were irregular migrants.

trained service providers in the fields of social work and psychology. Some service providers had access to university level education in these fields and held the relevant diplomas and degrees. In some countries, however, professional training and accreditation was not available, and in other countries, such education and training opportunities had only recently begun. It was not uncommon that, when training was received, it was short term and often at a basic or general level. Practitioners with skills and training in working with children were also scarce. Codes of conduct and professional standards in the fields of social work and psychology were also generally lacking, according to practitioners working in the field and professionals involved in national consultations for this study.

The quite prolific use of volunteers was another feature that impacted the provision of high quality professional care. In a number of countries, frontline work with trafficked persons in communities was largely conducted by volunteers and government run, community based organisations. However, these individuals did not generally have professional training in social work or psychology. Moreover, most had not received training in how to work with vulnerable persons like trafficking victims, and fewer still had been equipped in how to appropriately work with trafficked children. There were also seemingly no codes of conduct or ethical/legal principles for these individuals in terms of their work with trafficked persons in communities, nor were there systems of accountability in terms of monitoring their work. While generally well-intentioned, these individuals were often not well-positioned to be working directly with trafficked persons toward sustainable (re)integration.

2. Quality of (re)integration support and services. Respondents also described having received assistance that was not of the highest quality. This observation applied throughout the region, although the extent to which it was relevant varied by country and organisation. It referred to a range of different types of (re)integration services.

Some trafficked persons were accommodated in shelters with substandard living conditions. Adequate provision of basic needs was often lacking in these shelters. In addition, in many of these shelters trafficked persons reported not being provided with services while in residence. Below are some observations from trafficked persons accommodated in different residential facilities.

We didn't have enough food at the shelter. We were not allowed to ask for more food. They only gave one plate [of food] for each of us and no more. (Woman assisted in a shelter in her home country)

They didn't open the toilet near our room. We couldn't use it as there was no water. We used the downstairs toilet. The shelter had not enough water. We were not told to save water when it came so we didn't do it. We didn't know this problem. The teachers scolded us for it. There was not enough water, so we had to go to the well in the compound and carried water for our use. (Woman assisted in a shelter at home)

Bedding in [the shelter] was filthy and dirty. Since those who came back have gone through so much sufferings and distress, it would be better if we were placed in a clean and comfortable place and environment. (Woman assisted in a shelter in her home country)

This issue of poor quality services was not unique to shelter programmes; it was an issue across a range of service areas. For example, some trafficked persons received medical care which was insufficient to resolve an illness or injury. Others received counselling from staff who seemingly did not have the training to conduct professional counselling, and were thus “counselled” in inappropriate (and insensitive) ways. Still others received vocational training that did not lead to the attainment of adequate skills or a viable economic opportunity or were not assisted in finding economic opportunities. Case monitoring and follow-up was generally not offered to many trafficked persons.

CASE STUDIES:

TRAFFICKED PERSONS RECEIVED POOR QUALITY SERVICES WHILE ASSISTED

One woman, trafficked to China for forced marriage, was assisted in two different shelters after her return to Myanmar. She was there for almost a month but received no services while there. As she put it, “I had nothing to do there.”

One Thai man, trafficked to Israel for labour, received medical care while abroad but his health issues had not been resolved. He said that, because he was a foreigner, he did not have access to the medication needed to treat his illness.

One Vietnamese woman, trafficked to China for prostitution, contracted a sexually transmitted disease while exploited and did not receive adequate treatment. She continued to have health problems. She had been assisted at a local hospital upon her return to Vietnam, but the medicine and treatment had not been successful and she had received no further help in treating her illness.

One Chinese woman who was trafficked internally for prostitution was assisted in a shelter programme where counselling was available. However, this was done by volunteers who did not have professional training or experience in counselling and she did not benefit from this service. She described dreading these counselling sessions.

One Cambodian man, trafficked to Thailand for work on a fishing boat, received a gasoline pump when he returned home. However, it was not what he needed to become economically independent. Moreover it was no longer working properly.

One woman from Myanmar, trafficked to China for forced marriage, requested assistance in registering her son (born from her Chinese “husband”) upon her return. The assistance organisation informed her that they did not know how to do this and provided her with no support in resolving this problem. This issue remained unresolved at the time of the interview.

Systems of monitoring and accountability

(Re)integration services should adhere to a minimum standard of care, and yet throughout the region, such standards were generally lacking.¹⁰⁷ The wide variation in service provision within

¹⁰⁷ There are some exceptions including a number of policies and standards in Cambodia – namely, *National Policy and Minimum Standards for the Protection of the Rights of Victim of Human Trafficking* (2009); *Minimum Standards on Alternative Care for Children in the Community* (2008) *Minimum Standards on Residential Care for Children* (2006);

countries (e.g. between victims, by region, by organisation) was evidence that, even where standards existed, they were not fully implemented.

There also needs to be professional care standards and codes of conduct for all practitioners working directly with trafficked persons, including volunteers and ancillary staff like interpreters, drivers and administrative staff. An important aspect is determining which professionals and practitioners would be responsible for the various tasks involved in working with trafficking victims, including what are not appropriate tasks for non-professionals to undertake.

Programmes and policies (including the associated procedures) need to be regularly monitored, evaluated and adjusted from the perspective of both trafficking victims and practitioners. In few instances did trafficked persons interviewed in this study describe being consulted about the quality of care and support they received as part of their (re)integration. There appeared to be few systematic mechanisms in place for feedback from trafficked persons. There have, in some countries and programmes, been *ad hoc* feedback on assistance and (re)integration support to trafficked persons. However, these need to become more systematic, and built into the regular operations of all work done in the sector.

Careful attention is also needed as to the best way to engage trafficked persons in this monitoring and feedback process, taking into account issues of language, literacy/education, comfort, culture and so on. This will likely involve utilising different methods for engaging different types of trafficked persons and victims of different forms of trafficking to ensure maximum participation. Different methods may also be needed depending on the model of assistance used and at different stages of (re)integration. Particular attention is needed as to how to encourage meaningful participation of trafficked children, including children of different ages, maturity and stages of development.

Policy on Alternative Care for Children (2006); MoSVY's Ministerial Proclamation No. 1501 on Child Safe Organization Standards (2007); Standard Operating Procedure on (Re)integration Support for Male Victims of Trafficking (2012); and Decision on Guidelines on the Protection of the Rights of the Child Victims of Trafficking (2007). In addition, in Myanmar, there is *Minimum Standards on Care and Protection for Children in Residential Care (2012)* and *National Guidelines on Return/Repatriation & Reintegration of Trafficked Victims (2012)* and, in Vietnam, *National Minimum Standards for Institutional Care (2011)*.

Issue 3.3. Insensitivity, discrimination and maltreatment in care

Instances of insensitivity, discrimination and maltreatment while in care.

Treatment of trafficked persons while in care

Trafficked persons were generally well-treated by staff and interviews with respondents for this study included many instances in which trafficked reported a very high standard of care and sensitivity from assistance staff. For many trafficked persons the assistance they received was integral to their recovery and (re)integration. Many trafficked persons described receiving sensitive and appropriate treatment by service providers.

Staff is skilful and conscientious in teaching and explaining. They had good behaviour and used good words and [were] gentle. (Woman assisted in a shelter programme at home)

All the help was good. I liked all of it. They staff were also very nice and friendly. They gave us encouragement and it was good. (Girl assisted in a shelter abroad)

All assistance I was received to date is very valuable to me. [Social work] staff treated me in a polite and sympathetic way. (Woman assisted at home)

[The organisation's] assistance was very useful and I have been assisted for a year. This organisation's officials are friendly and humorous. (Girl assisted in a shelter at home)

Nonetheless, a number of trafficked persons reported far less positive experiences while being assisted including, in some cases, very detrimental behaviours and attitudes on the part of anti-trafficking professionals and service providers. In some instances, this involved trafficked persons facing discrimination and disrespectful behaviour; in other instances, this involved verbal and physical abuse. These patterns are listed and explored below.

1. Discrimination and insensitivity
2. (Verbal and physical) abuse

1. Discrimination and insensitivity. Trafficked persons throughout the region reported instances of discrimination and insensitive treatment by staff in assistance programmes, as well as by others they came into contact with while receiving assistance and as part of the (re)integration process. Consider the experiences of some trafficked persons interviewed for this study:

Some staff was good to me, taking care of me, using gentle words and advising me to follow a good path. However, some staff was not happy with me. They used rude words [when speaking to me].

At the centre, I have learned some skills like cooking and sewing. Some people were good to me, caring for me and asking about my welfare. Some others were arrogant, unhappy with me.

Staff in the shelter treated us badly and even the interviews were conducted in a way that discriminated against us. It was not like this kind of interview and they did not treat us warmly like you do to me right now. They looked down on us and did not care for us.

Some trafficked persons described being spoken to and treated impolitely by staff in assistance programmes. This occurred in shelter programmes as well as with staff working with trafficked persons in their communities. It was an issue in countries of destination and origin. One woman assisted in a shelter after her return home felt that her treatment by the staff in the shelter was not friendly, and that she had been discriminated against. She described being treated brusquely, in what she described as “a business like way.” Similarly, another woman, when asked what could be done to improve services to trafficked persons, said that she would like to ask assistance providers not to act in an arrogant manner with trafficking victims and not to treat trafficked persons unequally.

In at least some cases, trafficked persons felt that service providers discriminated against them and looked down on them as “bad girls” and “prostitutes.” One woman trafficked for forced marriage was initially arrested and detained in the destination country before being returned home and assisted in two different shelters. When describing her stay in one of those shelters, she explained that she had not been well treated and felt badly while staying there. There was nothing to do, not enough to eat and the staff was discriminatory and insensitive. When asked how she assessed the treatment she had received she said that she felt that the staff thought of trafficked women as prostitutes and treated them “toughly and badly.” As she put it, her time in that shelter was similar to the time she had spent in prison abroad.

Others spoke about being called “victims” and negatively perceived and treated as a result. One young woman, for example, talked about how she disliked always being called a victim. She felt insulted by this term and angry with those calling her this.

A number of trafficked persons described what they felt was unequal treatment by staff with some beneficiaries being “loved” more than others, and some receiving better treatment and support. In some cases, trafficked persons felt this unequal treatment was because of their family status, with trafficked persons from “better families” being more positively treated by staff in the programmes. One girl, trafficked internally for prostitution, was assisted in a shelter programme where she felt that the staff did not always behave fairly. She felt that staff cared more about those with better family status and treated them better as a result.

Some trafficked persons, assisted alongside other vulnerable people, described how those who were trafficked were treated differently (and worse) by staff. One woman, trafficked abroad for forced marriage, described feeling discriminated against upon her return home when she was assisted in a shelter. She explained how the staff made the distinction between those who had been trafficked (who they called “victims”) and the other residents (who they called “daughters”). In addition, trafficked women and girls were locked in their rooms and not allowed out while the others were allowed to move about freely. One senior staff also instructed the other residents not to talk to, befriend or take anything given to them by the residents who had been trafficked. Similarly, one girl described unequal treatment from shelter staff compared with residents who had not been trafficked. She felt that the teachers did not scold the other beneficiaries as much as those who had been trafficked and this made her feel sad.

In some instances, discrimination and poor treatment seemed to be a function of nationality, with service providers mistreating foreign nationals they were responsible for assisting.

In addition, trafficked persons were required to interact with a range of different officials to access identity documents and house registration, to be certified as a trafficked person, to re-enrol in school, to access medical care and so on. Discrimination and maltreatment was also an issue for some trafficked persons in their interactions with state agencies and authorities.

2. (Verbal and physical) abuse while assisted. In a number of cases, trafficked persons were abused while in assistance programmes. Such instances must be of great concern to all practitioners working on assistance and (re)integration, and were all the more egregious because these cases sometimes involved trafficked children.

Most commonly, trafficked persons were subjected to what can only be described as verbal abuse. This verbal abuse went far beyond the discrimination and insensitivity described above. One woman staying in a shelter in her home country described verbally abusive treatment from the staff at the shelter, directed at herself, as well as the other trafficked persons assisted there. She described the treatment and behaviour as follows:

[The shelter staff] said that if we could not learn from our experiences and continue being stupid, we should be killed by stabbing a knife in ourselves. And she said that she couldn't teach us anything because her mouth got dry just talking to us.

In a handful of cases, trafficked persons were even physically abused while in care. One boy described being abused while staying at a children's shelter in the destination country. He was trafficked for begging and identified as trafficked by the police and referred to this shelter prior to his return home. While staying at the children's centre he was beaten by a male staff member. Another boy was returned from abroad and placed in a shelter for children in his home country. He stayed there for many months, and after some time, tried to escape so he could return home to his family. When he was caught and returned to the shelter, the shelter staff beat him as punishment.

Impact of discrimination, insensitivity and abuse

The importance is the impact of discrimination, maltreatment and abuse towards trafficked persons who were often already deeply traumatised by their trafficking experience cannot be overstated. In the short term, this worked against their recovery, preventing them from regaining a sense of control over and safety in their lives. Being insensitively treated and at risk of maltreatment and abuse contributed to stress, anxiety, depression and on-going trauma for many trafficked persons. In these instances, assistance did not constitute an end to their period of suffering. In at least one instance a trafficked person assessed her period of assistance as similar to the time spent that she had spent in prison abroad, as mentioned above.

Of particular concern was that many instances of discrimination, insensitivity and abuse involved trafficked children for whom the impact was likely to be greater than adults and who had less developed coping skills to manage and overcome these experiences.

Over the longer term, these poor (and in some cases, very negative) experiences of assistance impacted trafficked persons trust in service providers and officials more generally, which would likely translate into a reluctance or resistance to seeking out or accepting assistance in the future, even at the risk of (re)integration setbacks or failure.

Issues of discrimination and maltreatment were foremost in the minds of many trafficked persons when asked what could be done to improved services for trafficked persons.

CASE STUDIES:
TRAFFICKED PERSONS SPOKE ABOUT DISCRIMINATION AND
MALTREATMENT SUFFERED WHILE BEING ASSISTED

Q. Do you have message for people working with trafficking victims to help us improve assistance to trafficked persons?

A. I want social officers to share with us. Whenever they are sad or angry, they should share this with us rather than scold us. (Girl assisted in a shelter in her home country)

A. I want warmth and no discrimination from anyone and for staff to give hope to the victim. (Woman assisted in a shelter after her return)

A. Teachers were very strict and scolded me a lot. I want them to trust us and forgive us. (Girl assisted in shelter at home)

A. My message for [shelter staff in my country] is to treat us warmly, not as victims. (Woman assisted in a shelter at home)

A. Please use polite words to victims like me. Do not only help the victims who please the staff. (Woman assisted in her home country)

Systems of accountability and sanction

The presence of maltreatment and abuse should be of great concern to (re)integration practitioners and policy makers alike, and merits urgent attention and remedy. Assuring the safety, security and well-being of all trafficked persons being assisted in any (re)integration programme should be of the utmost priority. This requires developing systems of accountability, and, when in breach of appropriate treatment guidelines, enforcing appropriate professional sanctions. Some violations may also involve criminal sanctions. In some cases, such codes and laws may already exist, in which case it is a matter of monitoring and implementation.

KEY FINDINGS SECTION 4

Critical issues in the (re)integration of trafficked children



Children are trafficked for many different forms of exploitation, and there are a host of different and unique challenges to their successful (re)integration.

Issue 4.1. Children’s trafficking experiences

Trafficked children endured varied forms of exploitation, were trafficked from young ages and suffered extreme abuse.

The nature of children’s trafficking experiences

Trafficked children accounted for approximately 40% of the study’s respondents and appeared in each country’s sample. Table #17 summarises the number of children interviewed in each country, disaggregated by sex.

Country	Male	Female	Total
Cambodia	2	19	21
China	6	1	7
Lao PDR	1	17	18
Myanmar	7	22	29
Thailand	1	2	3
Vietnam	7	22	29
Total	24	83	107

These children were primarily trafficked within the region, as outlined in Table 18 (below). This included 37 children who were trafficked internally within their own countries. However in a handful of cases (n=8), children were trafficked to other neighbouring countries, namely Malaysia and Indonesia.

Cambodia	13 (8 Cambodians internally trafficked; 5 foreign nationals)
China	21 (7 Chinese internally trafficked; 14 foreign nationals)
Indonesia	1 (1 foreign national)
Lao PDR	2 (2 internally trafficked)
Malaysia	7 (7 foreign nationals)
Myanmar	5 (5 internally trafficked)
Thailand	42 (2 internally trafficked; 40 foreign nationals)
Vietnam	17 (13 internally trafficked; 4 foreign nationals)
Total	108 ¹⁰⁸

Trafficked children were trafficked for many different forms of exploitation, and in two instances, for both sexual and labour exploitation. Figure #3 (below) summarises the various forms of trafficking suffered by these children.

¹⁰⁸ The number of destinations (n=108) exceeds the number of trafficked children (n=107) as one child was exploited in more than one country.



Children trafficked for labour were exploited in different labour sectors – most commonly in factory work, as detailed in Table #20.

Table #20. Labour sectors into which children in the sample were trafficked

Labour sector	Girls	Boys
Factory work	10	10
Domestic work	9	0
Fishing boats	0	5
Agricultural work	2	2
Service sector (restaurants, shop assistants)	2	1
Total (n=41) ¹⁰⁹	23	18

While the experiences and lives of these children were diverse, there were some issues and patterns that emerged in many of the interviews with trafficked children. Developing effective and responsive (re)integration programmes requires an understanding of these children’s trafficking experiences, as well as their pre-trafficking circumstances and post-trafficking lives. Some critical issues, with very direct impacts on (re)integration outcomes, are listed and outlined below.

1. Exploited from a young age
2. Experienced and witnessed extreme violence while trafficked
3. Harsh working and living conditions while trafficked
4. Long periods of exploitation and multiple trafficking experiences
5. Negative experiences of family (or no experience of family)

¹⁰⁹ The forms of labour exceed 41 because some trafficked persons were exploited for different forms of labour over the course of their trafficking experiences.

1. Exploited from a young age. Children interviewed for this study were exploited from very young ages. One boy, trafficked at six years of age, was likely trafficked already as a baby, his earliest memories being with a couple who took him to beg but did not allow him to call them mother and father.

Table #21. Age when children were trafficked			
Age when trafficked (years) ¹¹⁰	Number of trafficked children		
	Male	Female	Total
6 and under	1	3	4
7-9	1	12	13
10-12	4	11	15
13-14	5	19	24
15-17	12	37	49
Specific age unknown	1 (under 16)	1 (under 13)	2
Total	24	83	107

Exploitation (often very brutal in nature) from such young ages necessarily impacted children’s physical and psychological development. Moreover, separation from their family or support networks at young ages necessarily impacted their sense of identity, security and well-being. One Chinese boy, trafficked internally for begging, recounted his earliest memories of being carried as a baby by a woman while she begged on the street. They were followed by a man who may have been her husband or begging partner. He lived together with this couple until around age six when he was sold to another person who forced him to steal. He was distraught when speaking about his lack of family and angry at the idea of having been sold when he was a baby.

Many trafficked children had very limited relationships with friends and peers and had missed out on “playtime” and other aspects of childhood development. One girl explained that upon her return home she had very little support amongst her peer group as she had been trafficked at a young age, before she had formed strong friendships. Her absence from home while trafficked also meant that there was a distance between herself and her peers.

Trafficking also involved children leaving school (if they were attending school at all). This had a long term impact on their intellectual development, and even whether they have basic literacy and numeracy skills, which translated into problems later in life in terms of training and economic options. One girl from Myanmar was trafficked to Thailand at the age of eight to sell small items on the street. Because she was so young, she was not attending school prior to being trafficked.

2. Experienced and witnessed extreme violence while trafficked. All trafficked children suffered violence while trafficked, regardless of the form of exploitation. This included physical, sexual

¹¹⁰ Age refers to the age when the child was trafficked. At the time of interviewing for this study, some respondents were still children (n=55). However, others had since become adults (n=52). Interviews with formerly trafficked children were conducted only with children 13 years of age and above. The majority (n=41) were between the ages of 15 and 17. However, their trafficking experiences ranged from having been trafficked as babies through to 17 years of age.

and psychological violence. Moreover, trafficked children described witnessing extreme violence and abuse of others with whom they were trafficked. Some of their experiences are described in the case studies below.

CASE STUDIES:

TRAFFICKED CHILDREN WITNESSED AND EXPERIENCED HIGH LEVELS OF VIOLENCE AND ABUSE

One girl from Myanmar was trafficked to Thailand at the age of ten to work in a seafood processing factory. She experienced and witnessed great brutality from this very early age. She explained that if someone tried to escape the supervisors would force them to undress, lie naked on the floor and beat him (or her) in front of the other workers as a warning. Watching this punishment was mandatory and if someone refused to watch, they would be beaten also. The girl explained that no one was able to help that person; no one dared to do so.

One boy, trafficked within China for labour, described witnessing extreme violence while working in a brick factory. He described how people were beaten if they didn't work and some went mad after these beatings. One worker was beaten to death. The supervisors also threw stones at the workers. He himself had also been beaten when he arrived, and they told him he would work without pay. When he protested, they beat him again.

One girl was six years old when trafficked from Myanmar to Thailand to sell candy on the street. She was beaten and tortured when she did not sell all of her sweets, including putting chilli in her anus or vagina.

One Cambodian girl, trafficked at the age of 15 into prostitution, described being brutally gang raped while in forced prostitution.

In some cases, trafficked children seemed to come to view their abuse and exploitation as "normal" (or at least not abnormal). This was, at least in part, because many did not have a frame of reference for healthy experiences, relationships and behaviours. One Chinese boy, trafficked for begging within China, was brutally treated by his exploiter. He described being beaten to the point of serious injury. His exploiter also held a knife to him and threatened to kill him if he did not submit. Nevertheless, when asked whether he had been informed about his trafficking status by the police he said that they had not, and moreover, that he didn't see it as trafficking: "My situation was not very much like trafficking. If trafficked, one should have had a very hard time." Similarly, one girl, trafficked for sexual exploitation internally within China, explained how she was given information about assistance available to trafficked persons. When she asked about what being trafficked meant, the practitioners explained about being exploited just as she had been. However, she did not understand or see her experience entirely in this way. As she put it, "I don't know how exploited I really was."

"My situation was not very much like trafficking. If trafficked, one should have had a very hard time."

- Chinese boy trafficked for begging who came to view his brutal beatings as "normal"

3. Harsh working and living conditions while trafficked. Trafficked children often suffered physical problems as a result of the harsh, sometimes brutal working and living conditions to which they were exposed. While all children faced problems, these differed in scale and relative to the type of trafficking endured.

Children trafficked for labour worked long hours and in poor conditions and were often underfed. They also suffered workplace injuries, including broken bones and wounds, and did not generally have access to any medical care or even basic medicines. Children exploited sexually were exposed not only to sexual violence and sexually transmitted diseases, but were also often forced to drink alcohol and/or take drugs. Children trafficked for begging generally lived on the street and were regularly deprived of food, typically when they did not earn their quota. Beatings and abuse were regularly used as a means of control and punishment.

CASE STUDIES:

TRAFFICKED CHILDREN SUFFERED HARSH WORKING AND LIVING CONDITIONS

One Thai boy was trafficked aboard a fishing boat in Indonesian waters. The work and conditions were extremely harsh, very different from what had been promised. He worked from early morning until late at night, putting nets in the sea, pulling nets out of the water, sorting fish, packing fish in the bags and moving them to the freezer storage. There was only a short time to rest and eat. If the supervisor was not satisfied, he was yelled at and abused. He could not escape because the boat was far out at sea for long periods of time.

One girl, trafficked from Myanmar to Thailand, worked all day long, wrapping small candies that she was then forced to sell each night from 6pm until midnight. She worked seven days a week. She was never given enough food to eat.

One young girl, trafficked to a factory in Thailand, worked very long days – from 8pm until nightfall the next day, up to 24 hours at a time. She had only a few hours of sleep and no day off. She was forced to drink energy drinks when she was tired to stay awake and keep working. When she fell ill or was injured, she was still required to work and wasn't given any medicine or medical treatment.

One girl from Myanmar was trafficked to Thailand for prostitution at the age of 13. She was forced to provide sexual services to customers, as well as drink alcohol with them. She contracted a sexually transmitted disease but was not allowed to go to a health clinic or get any medicine for treatment. She was not allowed to rest while she had the sexually transmitted disease.

One boy trafficked internally for begging in China spent all day begging on the street. There were supervisors everywhere, monitoring him and if he rested a little, he was beaten and forced to beg even longer the next day. He lived together in a very small room with ten other children who were also forced to beg, but he spent most of his time on the streets.

One Cambodian girl, trafficked to a brothel within her country, described being forced to have sexual relations with clients without condoms. She contracted sexually transmitted diseases as a result.

4. Long periods of exploitation and multiple trafficking experiences. Trafficked children spent long periods of time trafficked, literally years in many cases. In some cases, trafficked children faced multiple trafficking experiences. One boy, trafficked internally within China for begging, was exploited by four different people over a period of two years. Another Chinese boy, trafficked internally to work in a factory, was exploited in these conditions for more than two years during which time he was treated brutally by his exploiters and underfed. He had only two days off each year.

These long periods of exploitation, by implication, involved long separations from family and home, which was a considerable source of stress for many trafficked children. Many spoke about the urgency they felt in getting home to their families. Children who were assisted in programmes prior to returning home often struggled with the continued separation from their family.

Some children escaped their trafficking situation, but this did not translate immediately into safety. A number of children ended up in other dangerous or exploitative situations after exiting their trafficking situation, including being homeless and living as street children because they did not have a safe family to return to or other assistance options.

5. Negative experiences of family (or no experience of family). A key factor in successful (re)integration was often a positive family environment to which trafficked persons could return. Some children returned to positive and healthy families that supported them throughout the (re)integration process.

However, other trafficked children had very negative experiences in their families prior to being trafficked. Most often this included parents who were abusive and/or who abused alcohol. In some cases their family members were involved in their trafficking experience.

A small number of trafficked children had little to no experience of family, having been trafficked at very young ages and socialised in a trafficking setting. In extreme cases, trafficked children did not even have a legal identity because they had no contact or knowledge of their family. This was the case for one Chinese boy who had no memory of his family after having lived his entire life in a trafficking situation before finally escaping after many years.

In addition, for some trafficked children, the main “relationship” in their lives was with their traffickers and various others involved in their exploitation. These “relationships” were generally characterised by physical and psychological abuse, as well as sexual violence.

CASE STUDIES:

SOME TRAFFICKED CHILDREN HAD NEGATIVE EXPERIENCES OF FAMILY

One boy, trafficked within China for begging, was badly treated and abused by his family while he was growing up. They would often deprive him of food and beat him. When talking about his family, he was very upset and said he could never forgive them for how they had treated him as a child. He planned never to return home or meet them again.

One girl, trafficked from Myanmar to Thailand for street selling, described a dysfunctional family

environment, with her mother abusing alcohol. Her mother was likely complicit in her trafficking experience, although this was a difficult and sensitive topic to approach with the respondent.

One Cambodian girl came from an abusive family environment. Her mother abused alcohol and, when drunk, regularly beat the girl and her siblings.

Issue 4.2. Gaps in specialised services for children

Children had assistance needs that were not always met.

Specialised needs of trafficked children

Trafficked children, by virtue of their age, stage of development and trafficking experience, had specific and often specialised assistance needs. Trafficked children interviewed in this study had a vast range of (re)integration assistance needs, some of which were very specific and specialised.¹¹¹

Some (re)integration organisations were specialised in supporting the (re)integration of trafficked children and offered comprehensive and tailored services to children of different ages and at different stages of development.

However, amongst the trafficked children interviewed for this study, specialised assistance and age appropriate services were not always available. In some cases, (re)integration services to children did not differ substantially from that of adults and most children did not describe assistance tailored to their individual needs as children. Overall, there appeared to be limited specialised (re)integration services for trafficked children.¹¹²

Issues in the provision of child-specific (re)integration support centred around various different services areas including in terms of:

1. Appropriate accommodation for trafficked children
2. Medical assistance
3. Psychosocial support and counselling
4. Education, including integration into formal schooling
5. Life skills education
6. Vocational training
7. Economic assistance (to trafficked children/youth or their family)
8. Legal assistance and support during legal proceedings
9. Family mediation and counselling
10. Case management and follow-up after (re)integration
11. Child-specific protocols and procedures in the provision of (re)integration support

¹¹¹ Article 39 of the United Nations *Convention on the Rights of the Child* (UNCRC) (1989) requires Member States to “take all appropriate measures to promote the physical and psychological recovery and social integration of children who have been victims of any form of neglect, exploitation, abuse, torture or degrading treatment or of armed conflict. Similarly, Article 9 of the *Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography* (2000) specifies that “State Parties shall take all feasible measures with the aim of ensuring all appropriate assistance to victims of such offences including their full social reintegration and their full physical and psychological recovery”.

¹¹² This was acknowledged in national consultations for this study during which preliminary findings were shared and discussed. Many practitioners and policy makers noted gaps in specialised and tailored services for trafficked children and the need to fill these gaps.

1. Appropriate accommodation for trafficked children. Most trafficked children were assisted in shelter programmes at some stage of their post-trafficking lives. For some, this form of assistance was important. One Cambodian girl, trafficked to Thailand for begging, was accommodated in a residential programme in Cambodia after her return. She was happy to be assisted in this programme because it meant she could study and was treated kindly by the staff there. She explained that living in the centre was important for her because it “protected me from being beaten by my parents.”

However, many trafficked children who were unable to return home (because they were without parents or a viable family environment) typically stayed in shelters for long periods of time, often many years. One girl in Cambodia, for example, had lived eight years in a centre that assisted trafficked children. Another girl from Myanmar spent six years in a shelter in Thailand before returning home; at home she then lived for two additional years in a shelter.¹¹³ In very few instances was kinship care pursued in spite of being the best alternative when family reunification was not possible. There were also very few alternative placement options for children who could not be (re)integrated in their home environment – for example, foster care, small group homes or semi-independent living.¹¹⁴ There was also limited support for trafficked children and youth in transitioning to an independent life when unable to return to family/community.¹¹⁵

In some instances, children were accommodated in shelters for long periods even when they had families to whom they could return to live (or families that could be supported to develop a healthier environment). In that time they generally did not have regular contact with family members. More than a few trafficked children, when asked what support they had needed but not received, spoke about not being in touch with their family while assisted. One girl from Myanmar, who was assisted in a boarding school in Myanmar, expressed sadness, stress and frustration about being out of contact with her family. When asked if she had any problems that she could not get help with, she explained that she wanted to go home for a visit but was not allowed. Separation from their families was a source of considerable anxiety for many trafficked children, even those who came from less than positive family environments. It also had the potential to negatively impact their attachment and relationships with their family members, their sense of identity, their ability/skills to live in a family (and community) setting and so on.¹¹⁶

¹¹³ This is of concern given the body of research that has largely concluded that institutionalisation of children prevents their healthy development, with impacts also in adult life (MoSVY 2011: 18-24). That being said, one study of residential programmes for trafficked and abused children conducted in Cambodia highlighted the complicated situation when children’s families were complicit in their trafficking (Boyle 2009).

¹¹⁴ This is at odds with policies in some countries in the region. For example, institutionalisation of vulnerable children when family and community-based options have not been explored, does not comply with the Royal Government of Cambodia 2006 Policy on Alternative Care for Children (MoSVY 2011: 4). Please see SOS & ISS (2010) for guidance in the design of alternative care placements for children.

¹¹⁵ The United Nations *Convention on the Rights of the Child* (CRC) includes various articles that privilege the rights of children to be raised and cared for in a family setting rather than residential care. These includes Article 7 (which states that the child shall have the right to know and be cared for by his or her parents); Article 9 (which states that State parties shall ensure that a child shall not be separated from his or her parents, unless such a separation is in the best interests of the child); and Article 20 (which states that a child deprived of his or her family environment shall be accorded special protection and assistance from the State).

¹¹⁶ One study of (re)integration in Cambodia found that children preferred living at home with their families and in their communities even when “quality of life” was lower than in institutions (Reimer et al 2007: 18, see also Miles et al. 2012).

In some countries, children were accommodated in inappropriate shelters or residences. This included mixing adult and child trafficking victims, as well as victims with different needs. While some groups of children might need to be accommodated in a mixed shelter/programme setting, this should be dependent on the situation and needs of the children and should be assessed on a case-by-case basis. It also depends on the capacity of staff to work with the different target groups, including in a mixed care setting. Mixing victims of trafficking and those of family violence has been effective in some programmes. However, some trafficked children were accommodated alongside persons with assistance needs which differed from those typically required by trafficked children – e.g. persons with disabilities, juvenile delinquents, homeless and so on. Another challenge in terms of shelters was finding suitable accommodation for children with special needs.

2. Medical assistance. When staying in shelters, trafficked children received medical care. This was important given the extreme violence most had suffered while trafficked and the almost total lack of medical care they had received during their trafficking episodes. These medical needs, if left untreated, would have had a long term impact on their physical development and well-being. One Vietnamese girl, assisted in a shelter programme, identified medical care as a key form of support, because her family was too poor to pay for medical treatment. The availability of medical care in the shelter (and the lack of this assistance in the community) was a key factor in her decision to accept assistance.

However, outside of shelter stays, trafficked children generally did not receive medical care after trafficking. Many respondents spoke about the cost of medical care and their families being unable to afford it. This meant that, for many trafficked children, trafficking related injuries and illnesses went untreated.

It was unclear to what extent the medical staff treating children were specialised in working with vulnerable children, including trafficked children. However, there did not seem to be any indication of specialised training to medical staff. Interviews with trafficked persons did not indicate a substantial difference in terms of health services provided to trafficked children and adults. This raises questions about whether agencies or institutions have child friendly protocols and standards. Medical assistance to trafficked children merits specific attention in that medical staff needs to be trained and skilled in providing sensitive and appropriate services to trafficked children. This is of particular importance when treating highly traumatised children and those who have been exposed to extensive violence and abuse.

3. Psychosocial support and counselling. Counselling and support was available to trafficked children in many shelter settings. One girl from Lao PDR, trafficked to Thailand for prostitution, was assisted in a shelter programme in Thailand while awaiting completion of the case against their trafficker. She felt well-supported in the shelter and the staff there encouraged her to speak to them whenever she felt distressed. She described feeling relief after talking about her experience.

However, the extent to which counselling was offered by professional, trained counsellors with the requisite skills for working with vulnerable children was unclear. Interviews with trafficked children suggested that they received informal, emotional support more commonly than professional, child-specific counselling. This is consistent with the feedback of many practitioners who participated in national consultations for this study; there was a general

consensus that there was a lack of specialist knowledge in counselling and providing psychological support to trafficked children.¹¹⁷

Trafficked children may be particularly traumatised after their exploitation experience; trafficking will have had specific and significant impacts on their cognitive, emotional and relational development. Moreover, while differing by age and stage of development, children are generally less likely to have developed coping strategies and thus more urgently need support in processing and coming to terms with their exploitation. Trafficked children also did not seem to have received guidance and support to help them cope with their emotions and relationships, skills that many likely lacked as a consequence of their trafficking experience. There was a need for culturally and child appropriate counselling, as well as support in developing coping tools like how to deal with stress, anger, conflict and so on.

4. Education, including integration into formal schooling. Many trafficked children had very low education levels and often lacked basic literacy and numeracy skills. Some had never been to school whereas others had left school when they had migrated/were trafficked.

Options for educational opportunities were generally limited to children assisted in a shelter programme. Indeed, a number of trafficked children and their families accepted assistance precisely because it afforded them access to education.¹¹⁸

Many assistance organisations did not offer trafficked children assistance in returning to school when they returned home to their families,¹¹⁹ nor were state social workers or community leaders involved in supporting school reinsertion. Moreover, there were often barriers to school reinsertion in the community. In some cases, lack of access was a function of bureaucratic procedures and lack of cooperation by teachers and school administrators. More than one trafficked child was told that they were “too old” to return to school, but were offered no option for “catch-up classes” or information about alternatives like non-formal education or vocational education/training. Even when it was possible to return to school, trafficked children often lacked the resources to cover the associated costs – e.g. school uniform, books, transportation and so on. Therefore, school reinsertion was generally only possible with the help and intervention of assistance organisations rather than as a matter of policy within schools and departments of education. In some cases, a good deal of negotiation was necessary to reenrol trafficked children. In some cases, trafficked children were routed toward vocational training rather than formal education, without adequate assessment or consideration being given to whether this option met their needs and capabilities.

There was also an issue of how children were treated when they returned to school. Some children described feeling inferior to the other students. This was sometimes a function of their absence from school and/or trafficking experience. In other cases, this was because they had fallen behind in school and/or were in classes much lower than their age.

¹¹⁷ Please see also UNIAP et al. 2012: 14

¹¹⁸ This was also noted in a (re)integration study in Cambodia when trafficked children stayed in shelters (or were encouraged by their parents to live in a shelters) as the only means of accessing education (Miles et al. 2012: 35).

¹¹⁹ There were a handful of exceptions, when assistance organisations worked with families in communities. This included school reinsertion as well as various forms of support to the family to backstop (re)integration efforts and ensure that the child was able to stay in school.

In a number of cases, trafficked children were assisted in destination countries for long periods of time, generally as part of their involvement in legal proceedings against their traffickers. However, it was not clear to what extent education in destination countries was consistent with national curriculum from the country of origin of trafficked children. This had implications for trafficked children when they returned home as they were behind their cohorts.

CASE STUDIES:

TRAFFICKED CHILDREN FACED BARRIERS IN RETURNING TO SCHOOL

One boy, trafficked to Thailand for begging on the street, wanted to return to school on his return home to Myanmar. However, the teacher said he was too old to enrol in school. At the same time, he was too young to attend vocational training, which he could only start from age 15 or 16. He was still hoping to be able to return to school, and considered education his most important assistance need, which had gone unmet. It was also important in terms of his ability to benefit from any future vocational training.

One Vietnamese girl, trafficked within the country for prostitution, explained that she wanted to return to school after her trafficking experience, but that she lacked the practical equipment to be able to do so.

One Vietnamese girl who had been trafficked domestically for labour found it hard to return to school. She was assisted in returning to school by a local NGO but she faced some problems in the initial return, feeling “inferior” to the other students. However, after some months, the situation improved.

One Vietnamese girl described being treated “strangely” by her classmates when she returned to school after trafficking. She was trafficked within Vietnam for labour for three years and returned to her community and school after this long absence. She said that they treated her strangely because they had not seen or been in contact with her while she was away.

One Laotian girl, trafficked to Thailand for domestic work, returned home and was offered assistance in a shelter programme. She accepted and was being trained in cooking, weaving and beauty skills. When asked if there was something she needed but did not get help with, she explained that she would like to study as she had only completed grade one education. However, she hadn’t been offered this option in the shelter and therefore didn’t think she would have this opportunity.

That being said, some children were supported by assistance organisations to return to school, and as importantly, were well-received and supported by their teachers and schoolmates upon their return. For instance, one Chinese boy, who was trafficked internally for begging, returned home after a few years of being exploited. He had been in the third grade when he left home. He was unable to attend the local primary school as it went only to the third grade so he and his brother (who had also had been trafficked) went to the township school. After learning what had happened to the boys, the schoolmaster was supportive of their return to school and allowed them to join the class even though the term had started. His teacher and classmates were encouraging and he was comfortable at school even though he was much older than the other children. Similarly, one Vietnamese boy, trafficked internally for labour, was supported to return to school by a local NGO. Staff from the NGO arranged his reinsertion in the school,

working with school administrators in advance of his return. The NGO also supported him with tuition, school materials, books and school uniforms.

For some trafficked children, school reinsertion was not a viable or preferred option. Some felt that they were too old to return to formal education and did not want to have classmates many years their junior. And yet they still had education needs – not least in terms of basic literacy and numeracy. Informal education options, however, were often unavailable, particularly at the community level. Indeed, only a few children interviewed for this study had access to alternative forms of education.

5. Life skills education. Trafficked children commonly lacked basic life skills, which were vital to help them move on from trafficking and to function successfully and positively in their family/community over the long term. Trafficked children and youth interviewed for this study also often seemed to suffer from a lack of confidence and low self-esteem. Learning basic life skills was one area that seemed appropriate, even urgent, in the case of many respondents. Such services need to be made more widely available to trafficked children, as well as to vulnerable children as a potential means of prevention (and arguably to all children through the formal education system).

CASE STUDIES:

TRAFFICKED CHILDREN NEEDED SUPPORT IN BUILDING LIFE SKILLS

One boy, trafficked for labour in China, described his feelings about being tricked into his trafficking situation. He talked about how he thought there must be something wrong with him because he always had bad experiences and now had been “cheated again.” Later, while accommodated at a shelter, he came into conflict with another boy staying there and chose to run away because he didn’t know how to resolve the problem.

One girl, trafficked for sexual exploitation internally within China, was assisted in a programme during which time she met her boyfriend. However the relationship ended badly with him stealing money from her and then disappearing. This, she explained, made her feel stupid and again question her decision-making ability and her trust in others.

One woman was trafficked to China for forced marriage at the age of 17 and was kept there for seven years. Upon her return to Myanmar she was assisted in a shelter programme because she was unable to find her parents and her extended family did not accept her. At the shelter she learned life skills that were vital for her (re)integration, as she had never learned about these things growing up. Important skills included learning how to budget one’s income and have savings, to open a bank account and to look for a job.

6. Vocational training. Depending on the age and needs of the trafficked child, vocational training may be a more appropriate form of assistance than formal education. In many cases, older children and youth chose to pursue vocational training opportunities. As with many services, such opportunities were generally offered while staying in shelters. There were often few options to attend vocational training in source communities.

In some countries there were restrictions in terms of when children could start vocational training, and in one case, a trafficked girl who had returned home to Myanmar was prevented

from attending vocational training because she was “too young” (although unable to return to school because she was “too old”). Instead, she worked for a year until she was eligible to be trained. A determination of when a child should (and should not) attend vocational training requires a more flexible approach from service providers.

7. Economic assistance (to the trafficked child/youth or their family). In some cases, trafficked children and youths received direct economic assistance. More commonly, however, the assistance was offered to their parents or guardians. Even when children did receive the support themselves, they often handed it over to their parents/family.

In some situations, this economic assistance translated into positive economic outcomes for the family, and by implication, the child. This appeared to be particularly successful when coupled with assistance for the child to return to school, including not only school fees, but also support for purchasing books and uniforms. In many cases, trafficked children had quit school to work – either at their own initiative or having been sent by their parents. One Vietnamese girl trafficked internally for factory labour was assisted by a local NGO to return to school in her community while her parents were assisted to do fish farming. She had been in school for the past three years and continued to receive support. Her family’s economic situation had improved because of the fish farming, and her parents earned a higher income. For her, the most helpful assistance she received was help in setting up the fish farm as it improved the life of her family.

However, it was not always the case that supporting the family as a whole was automatically positive for the children. Some families depended on children to work and providing small business opportunities meant that the child worked for their parents in that business (sometimes in lieu of attending school). Even in cases when children didn’t work in the family business, they often still needed to work in some way to contribute to the family income.

In other cases, children had no voice in terms of how assistance was used. A number of trafficked children spoke about giving assistance money and services over to their parents or guardians (e.g. grandparents). The extent to which children were able (or will want) to resist this was important to consider. Filial duty and other culturally determined behaviours need to be factored into how trafficked children are offered assistance. In some cases, assistance agencies made special arrangements when providing assistance to ensure that trafficked children would directly benefit from the support.

Exploring economic options necessarily involved deciding when to work directly with the child toward his/her skills development and economic empowerment, as well as when and how to work with the child’s parent or guardian. One boy, trafficked internally in Myanmar for labour, was assisted to return to school by a local community-based programme. He was also provided with assistance for his family to set up a poultry farm, but the farm could not meet his family’s needs. His father was ill and unable to work every day. Therefore the boy also needed to continue to contribute to his family’s income. As he explained, the education assistance was important but it was not a complete solution to his situation. This would have required a comprehensive understanding of the child’s situation (including dynamics within the family) and depended on various factors, including the child’s age and stage of educational development. The overarching factor, ultimately, should have been a determination of the child’s best interest, which could only have been assessed by involving the child in this decision-making process.

8. Legal assistance and support during legal proceedings. In a large number of cases, trafficked children were involved as victim/witnesses in legal proceedings against their traffickers. Interviews with trafficked children (as with adults) suggested limited options to decline to be involved in the legal process.

Moreover, the circumstances of their involvement as victim/witnesses were especially problematic for children. This often took place in countries of destination where they were accommodated in shelters for long periods of time, with little to no contact with their family members. But it was also an issue for victims in their own countries.

Trafficked children, like adults, generally gave testimony and statements on multiple occasions through translation and in an environment where they did not understand the language. Moreover, in only a few instances did trafficked children describe special procedures or techniques as compared to trafficked adults.

CASE STUDIES:
TRAFFICKED CHILDREN AS VICTIM/WITNESSES

One girl from Myanmar was six years old when trafficked to Thailand for street selling. She was assisted in a shelter in Thailand while a case was brought against her exploiter, and she stayed there for six months. In that time she explained that she gave testimony in court several times. She couldn't remember how many times she went to court.

One Thai girl, trafficked internally within the country for prostitution, stayed in a shelter for a long-time because of the lengthy duration of the legal case against her trafficker. When asked about problems she had faced, she explained that she wished the legal process could have been faster.

One girl from Lao PDR, trafficked to Thailand for prostitution, was well-supported through the legal process by staff at the shelter where she stayed in Thailand. The staff explained to her what would happen in court, and that she would be permitted to testify through a video connection so she would not have to face her exploiter.

One girl from Myanmar, trafficked to Thailand for work in a factory, explained that she did not want to give testimony in court but the police "encouraged her strongly." She was provided with a lawyer, and both the police and her lawyer thoroughly explained the steps involved in the case and the possibility of getting compensation.

9. Family mediation, counselling and support. Many trafficked children came from problematic family environments and were unable to return to live with their families. However, in other cases, returning to the family environment may have been possible with appropriate mediation and counselling by service providers and practitioners. This form of assistance was generally lacking in the region.

Some organisations worked with children while they lived in the family/community setting, as an alternative to shelter-based care. While not an option for all trafficked children (some originated from very unhealthy and difficult environments), it was a functional approach for

families, which, when supported during (re)integration (e.g. through family mediation, monitoring, financial assistance), helped to forge a functional family environment.

10. Case management and follow-up after (re)integration. Children were likely to require a longer period of monitoring and follow-up as part of (re)integration given their specific situation and vulnerabilities and because they were not in a position to care for themselves as children. In addition, the types of assistance needed by children – e.g. education – is longer term, often a matter of several years.

In some cases, trafficked children were supported and followed by service providers for years. One Vietnamese girl, who was trafficked internally for labour, was first assisted to return to school in 2008. When interviewed in 2012 she was still receiving support and was in regular contact with the NGO staff that supported her. This was not only the case for children assisted within shelter programmes, but also for those receiving community-based forms of assistance. Trafficked children at the time of being interviewed had often been assisted already for a matter of years and were still in contact with the service provider. By contrast, some trafficked children received little to no case management and monitoring.

11. Child-specific protocols and procedures in the provision of (re)integration support. Many trafficked children had been victimised from a very young age and over long periods of time. Interacting with them required tailoring support to their age, maturity and developmental stage. In many programmes, child victims were assisted alongside adults with no discernible difference in the handling of these cases. The implementation of child-specific protocols and procedures appeared to have been very limited.

It was also concerning that child participation did not seem to have taken place in many cases, with the needs of trafficked children determined solely by service providers, or by service providers in consultation with their parents or guardians. One girl from Myanmar was trafficked to Malaysia for begging and selling. When she returned, she was provided assistance by an organisation that she required and was grateful to receive. However, when asked about whether she had any concerns about receiving assistance, she expressed frustration at not having been actively involved in decision making about the assistance she received and plans for her (re)integration and life over the longer term. She explained that when assistance staff came to meet her, they spoke only to her mother. They did not consult with her.

Issue 4.3. Children of trafficked persons

Assistance needs of children left behind and children born of trafficking.

Children of trafficked persons

Children were very deeply and directly affected by the circumstances faced by their parents who had returned from a trafficking experience. As has been discussed above, trafficked persons faced a raft of issues upon their return, which included economic problems, stress and trauma, physical injuries and/or illness, tensions and problems within the family environment, issues of safety and security and so forth. Being unable to cope with these (re)integration challenges had a direct impact on the children of trafficked persons, including their opportunities for a safe and healthy family and social environment.¹²⁰

There were two main categories of children of trafficked persons identified in this study: children left behind, and children born of trafficking. While these children had many similar needs and issues, there were also some important distinctions between the two groups, as will be discussed below.

1. Children left behind

Many trafficked persons had children when they migrated, leaving them behind to live and be cared for by the remaining parent or by other relatives. In returning home, parents and children faced three key challenges in terms of (re)integration into family and community: economic problems after trafficking; tensions in relation to trafficked parents; and coping with stigma and discrimination against the trafficked parent.

Economic problems

Trafficked persons generally returned without money and had also failed to remit money while they were away. Some had also incurred debt to migrate, which further exacerbated economic issues. Economic problems after return had implications for trafficked persons and their children. Some children had to drop out of school because parents could not afford school fees. Other children chose to drop out of school in an effort to try to earn money and help address the economic crisis in the family. Economic problems also had an impact in terms of children's access to other services, like medical care, school and sometimes even basic needs.

One woman, trafficked from Vietnam to China for forced marriage, migrated initially to support her children. She and her husband had divorced and she was raising them alone without any financial support from the children's father. In the three years that she was exploited in China, their economic situation had grown worse:

The first thing I was concerned about when I came back was my children. They didn't have enough food and looked so miserable. At that time, my priority was to work to buy rice for them. I started to work for the people in the commune. I did anything they wanted to hire me to do.

¹²⁰ This issue is also discussed in Brunovskis & Surtees 2012a&b.

Tensions in relations with trafficked parents

Trafficked persons spoke a great deal about their happiness from being able to return to their families, especially their children. However, the return was not always smooth and unfettered. Children left behind also struggled when their parents returned from trafficking experiences, facing a range of emotions. Some did not initially accept the returning parent, suffering from feelings of abandonment. Some did not connect to the returning parent, and did not see or accept them in the parental role. Some children were disappointed (and even angry) with their parent for not returning with money, which had been the reason that they had migrated.

One Vietnamese woman was trafficked to China for forced marriage when her eldest child was seven and the youngest two. She was exploited for seven years and was not able to have any contact with her children during this time. When asked about her relationship with her children upon her return, she described having faced a very difficult situation upon her return, and how she struggled to rebuild her relationships. She explained that it had taken quite some time to re-establish her place in her children's lives. Another Vietnamese woman, trafficked to China for forced marriage, described feeling euphoric upon arriving home, "like being reborn." But she also described her daughter's reticence in meeting her again after her return home. She had been very small when her mother was trafficked and had been gone for three years. It took some time for the daughter to become familiar with her mother which was a source of great sadness and stress for them both.

When parents were stressed, unhappy, and/or feeling emotionally/psychologically unwell (not uncommon reactions to a trafficking experience), they did not always behave in the most positive ways, which further exacerbated tensions and difficulties in relationships with their children.

Stigma and discrimination against the trafficked parent

Some children were exposed to gossip and negative comments about their trafficked parent within the family and community environment. This was stressful for children, and sometimes led to tensions and negative reactions toward their parent when they returned.

For example, one Vietnamese woman, trafficked to China for forced marriage, described how, while some people in her community were sympathetic, she was also looked down on and gossiped about because she was "married" to a Chinese man. This impacted her relationship with her daughter who had, over the period of her absence, been told many negative things about her mother, including that she had wanted to go to China and leave her children behind. It was some time before she was able to overcome this problem in her relationship with the daughter.

2. Children born of trafficking

There was a particular sub-group of trafficked children who required further specialisation in terms of (re)integration. These were children who had been born of trafficking experiences – that is, when their mothers were in trafficking situations. This occurred most commonly when women were trafficked for forced marriage and the child was fathered by the "husband," or when women were trafficked for sexual exploitation and had a child fathered by their trafficker or client.

Children born of trafficking needed specific support and assistance to integrate into the family and community of their mother, with five main issues most affecting that integration:

- (Physical and psychological) impact of trafficking
- Relationships and maternal attachment
- Family reactions to children born of trafficking
- Community reactions to children born of trafficking
- Access to assistance and integration opportunities

(Physical and psychological) impact of trafficking

Depending on the circumstances of their mother's trafficking, some children born into trafficking situations were deprived of adequate nutrition and healthcare while abroad. Some women described poor living conditions while trafficked, which likely also impacted the well-being of their children. One Vietnamese woman, trafficked to China for forced marriage, described very poor living conditions in China for herself and her children. She described her life there as poor and hard, and that she was the only one working to feed her two children. Her husband spent all of his time and money on gambling.

Some women trafficked for forced marriage also described being beaten and abused by their "husbands" and "in-laws," violence that may have been witnessed by their children. One Vietnamese woman, trafficked to China for forced marriage, was regularly beaten by her alcoholic father-in-law. Her son witnessed this abuse.

Relationships and attachment between mother and child

Falling pregnant in a trafficking experience was not uncommon for women trafficked for prostitution as well as for forced marriage. Given that these pregnancies were the product of forced sexual relations with a client, exploiter or "husband," some women struggled to come to terms with their pregnancy. Some women who fell pregnant as a result of trafficking opted to terminate the pregnancy.

Trafficked women who had children from their trafficking experience sometimes faced a complicated situation in terms of their feelings and relationships to these children. For some, the child reminded them of their trafficking experience and they struggled to feel attached to their children whose fathers were their exploiters and abusers. Others feared the social implications of returning with a child born from trafficking for prostitution or forced marriage.

Some respondents who gave birth as a result of trafficking gave up custody of their children. In some cases this was because of social and economic pressures. However, issues of attachment may have also played a role in some of these decisions. This issue, however, was very sensitive and difficult to explore with respondents.

Family reactions to children born of trafficking

A major challenge for children born of trafficking experiences was in terms of their acceptance by family. Family attitude was very important in terms of how the victim and their child were able to (re)integrate. In some situations, trafficked persons' families welcomed their daughter and grandchild(ren) home. One Vietnamese woman, trafficked to China for forced marriage, was well-received by her family upon her return. The family also welcomed her son who was fathered by her Chinese "husband." While she faced some gossip in her community, her family

loved her son and never raised a concern about this. Indeed they had encouraged her to love and care for her son, to overcome her trafficking experience for his benefit.

However, in some families, returning home with a child born of one's trafficking experience was a source of a many problems. Many children faced hostility from their mother's husband and some husbands insisted on mothers abandoning their children. In other cases, it was the woman's parents (or other relatives) who would not accept the child because of concerns about shame and stigma. In some cases, concern about another mouth to feed was also an issue.

One woman trafficked to China for forced marriage returned to Myanmar pregnant with the child of her Chinese "husband." Her husband in Myanmar, with whom she had two other children before being trafficked, agreed to accept her only if she abandoned the baby when it was born. With no job, no income and no home, the woman felt unable to make any other choice. She was also worried about not seeing her other children if she kept the baby. One Myanmar woman, trafficked for labour to Thailand, described a very tense family situation when she returned home with a baby and no husband. When she complained about how badly her mother was treating her child, her mother became very angry and struck her as well as her grandchild. The woman and her mother had many fights about her child and the situation became so untenable that she eventually had to give her child to relatives to raise. She talked about how sad she felt giving her child away but felt she had no other options.

Community reactions to children born of trafficking

Another issue was stigma from the community to be a product of trafficking, or at least, an unwed mother. One Vietnamese woman, trafficked to China for forced marriage, was generally well-received in her community after she returned home pregnant and gave birth to her son. However, she described some instances when he was teased and called "Chinese boy" by community members, which made her feel sad and upset. Her son was also sometimes teased by his peers, which had, on some occasions, led him to get into fights with his friends and classmates. In some cases, this community stigma and discrimination led women to decide to send their child to an institution or to another family member to be raised.

Access to assistance and integration opportunities

Children born of trafficking did not initially have legal status in their mother's country of origin and accessing these documents was often difficult.¹²¹ Children born of trafficking needed to be registered in the country to have legal status, and to be able to access basic rights like education and healthcare. One Vietnamese woman returned home from China after being trafficked for marriage with the two children she had with her Chinese "husband." Life was difficult as her children had neither identity documents nor family books, and were not allowed to attend school as a result. Moreover, when they first returned they barely spoke the Vietnamese language, which was an additional barrier in the integration process. She described this period of their lives as a terrible, difficult time when she regularly felt discouraged.

¹²¹ This is discussed in more detail in *Section 2: Issues in the provision of individualised (re)integration services, Issue 2.6. Legal and administrative issues.*

In addition to needing general access to services as citizens, there were some specific assistance requirements needed by children born of trafficking (or their mothers in terms of supporting their children). There included:

- *Education in the home country.* This included formal education, but in many cases, also involved informal “catch-up” classes for school age children who may not have attended school or had done so according to the national curriculum in the destination country. One woman from Myanmar, trafficked to China for forced marriage, explained that she was unable to enrol her son in school because he was not born in Myanmar and was considered a foreign resident.
- *Developing language skills.* Some trafficked children did not speak their mother’s native language and returned to a country/community where they were unable to communicate. One Vietnamese woman returned home from China after being trafficked for marriage. She returned home with her two children, born of her Chinese “husband.” She described a difficult adjustment period for her children who did not speak Vietnamese and were not familiar with life in Vietnam.
- *Identity documents and legal status.* Children born of trafficking did not generally have legal status in their mother’s country of origin – never having been registered or provided with legal documents. Such status was not only an important aspect of their sense of identity and rights, but was also linked to access to services and opportunities. One woman described a very arduous and frustrating process of trying to legally register her child in Vietnam after she escaped from her Chinese “husband.” Authorities refused to help her, and told her that her son was not legally entitled to stay in the country and must be sent back to China. She had to fight with the authorities to obtain his legal status rights. It was a number of years after her return (and after many requests to the authorities) before she was able to legally register her son.
- *Legal assistance.* Some women were unable to return home with their children who were born during their trafficking experiences. In such cases, women needed access to legal assistance in gaining custody of their children. One woman from Myanmar, trafficked to China for forced marriage, had two children with her Chinese “husband.” When she was identified, she was returned home to Myanmar without her children. This was a source of great sadness for her: “I miss my kids every day and night.”

Conclusion

Trafficked persons throughout the Greater Mekong Sub-region have suffered diverse and often very complex and traumatic trafficking experiences. Many have received a range of assistance and support in their post-trafficking lives, intended to help them overcome and move on from their experiences. Trafficked persons have often experienced very positive post-trafficking pathways. Many have been identified in a timely and sensitive manner, referred for assistance in the immediate aftermath of trafficking, assisted to return home and offered a raft of support and services toward their sustainable (re)integration in their home community and country. A number of trafficked persons interviewed for this study were now successfully (re)integrated in their families and communities, and had moved on from their trafficking experience. Much can be learned from these experiences and “successes” in the design of future (re)integration programmes and policies.

In spite of these important successes, many trafficked persons had far less positive post-trafficking experiences, and were not privy to the support and assistance that might have been central to recovering and (re)integrating after trafficking. One significant finding of this research study was that the (re)integration process does not always run smoothly and according to the range of laws, policies, standards and principles drafted at the national or international level. For example, many trafficked persons went unassisted or under-assisted, and too few trafficked persons received what could be reasonably termed “comprehensive care.” Others declined assistance, sometimes in the face of acute need, because it did not meet their needs or mesh with their real life situation after trafficking. Still others received assistance in programmes where the quality and scope of services were inadequate. Issues of discrimination, maltreatment and substandard care were also present. Much can be learned from these less successful experiences, not least in terms of how to improve and enhance work on the identification, return and (re)integration assistance to trafficked persons. These findings are a starting point for moving forward in this direction.

The findings from this study are not specific to any one country, organisation or institution. Rather, they represent common themes and issues raised by trafficked persons in each of the six countries of the GMS. In spite of the many good practices, there is also a great deal of scope for change and improvement. In the broadest of brush strokes these improvements and changes should centre on the following themes:

Challenges in the (re)integration process. There are overarching issues and challenges in terms of how the (re)integration process takes place, which need urgent and immediate remedy. The most pressing of these is the substantial number of trafficked persons whose assistance needs were not met because of how the (re)integration response was designed and functioned. This included large numbers of persons going unassisted or under-assisted, others who (in spite of acute need) declined assistance and still others who were forcibly assisted. Tackling some of the issues identified in this section – i.e. of lack of information, weak referral, administrative barriers and a lack of resources – will go some way in addressing these challenges and issues. However, overcoming challenges in (re)integration will also involve careful consideration of the overarching (re)integration framework in place in each country, including how existing programmes and policies do (and sometimes do not) support successful (re)integration outcomes. Moreover, this cannot be a “one-off” exercise. Tracking and addressing challenges in

a country's (or region's) (re)integration programming and policies is an on-going process and one which needs to continue to engage (a diverse sample of) trafficked persons at the centre of this discussion.

Issues in the provision of individualised (re)integration services. Practitioners working on individual reintegration programmes provide vital services to trafficked persons, and yet there are significant issues in the provision of these services. In all service areas, and in spite of some strong programming, there is space for improvement and further development. Making these improvements will involve training and capacity building of programme staff, professional commitment and adequate (re)integration resources. It will also require flexibility to ensure appropriateness and relevance of services for a diverse sample of trafficked persons. Ensuring that improvements are made in these service areas will require monitoring the (re)integration of individual trafficked persons and, as importantly, national level monitoring of (re)integration assistance by government agencies. All programme implementation and monitoring should increasingly be implemented according to ethical standards, which, ideally, should also be enshrined in law.

Issues in the philosophies, capacities and behaviours of practitioners and authorities working on (re)integration. Practitioners and service providers are the most important resource in any (re)integration programme. (Re)integration is a complex and labour intensive process, which requires highly skilled, sensitive, ethical and committed professionals who work with trafficked persons over time. This, in turn, requires investment in professional development and capacity of these service providers. Building the capacity and skills of service providers can have a very immediate impact on how (re)integration takes place for many trafficked persons. Also important is self-care of service providers; ensuring their psychological well-being will go some way towards improving the quality of care. Implicit in any discussion of professional capacity is ensuring sensitive and ethical behaviour on the part of service providers. Systems of accountability are needed to ensure all professionals working on (re)integration adhere to the highest professional and ethical standards.

Critical issues in the (re)integration of trafficked children. Trafficked children were significantly represented in this study, signalling that children in the region are prolifically at risk of exploitation, and have been exposed to human trafficking. At the same time, the response to their specific needs and situation does not always seem to be adequately developed. Greater attention (and resources) are needed to the specific and yet diverse needs of trafficking children to more adequately support them in moving on from their trafficking experiences. This will involve not only improving the capacity of anti-trafficking professionals working with children, but also to mainstream trafficking into the social protection framework which should, in principle, be equipped with specialised skills in working with vulnerable children. Critically, trafficked children need to be (voluntarily) involved in the development and monitoring of (re)integration programmes designed to assist them. Only with their participation and input will (re)integration programmes and policies in the region be able to meet their needs and interests.

How these four themes (and the myriad issues embedded within them) can and should be addressed in each of the six countries covered in this study will differ. Each country has a different (re)integration framework and response in place. Each country also faces its own

unique set of opportunities and challenges in terms of offering (re)integration support. However, there is much that can be learned by each country from the experiences of trafficked persons interviewed throughout the region. And as the COMMIT governments continue to work to combat human trafficking in the region, it is hoped that these findings – drawn from the real world experiences of trafficked persons throughout the region – can contribute to successful (re)integration pathways in the future.

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