



KINGDOM OF CAMBODIA

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THE NATIONAL COMMITTEE FOR COUNTER TRAFFICKING IN PERSONS

(NCCT)

GUIDELINES

ON

FORMS AND PROCEDURES

FOR

IDENTIFICATION OF VICTIMS OF HUMAN

TRAFFICKING

FOR APPROPRIATE SERVICE PROVISION

LED THE DRAFT TEAM BY: MINISTRY OF SOCIAL AFFAIRS, VETERANS AND YOUTH REHABILITATION
(MOSVY)

REVIEWED BY: TECHNICAL TEAM OF THE NCCT AND RELEVANT PARTNERS



Phnom Penh,,2015

PRAKAS
ON
IMPLEMENTATION OF THE GUIDELINES ON FORMS AND PROCEDURES
FOR PRELIMINARY IDENTIFICATION OF VICTIMS OF HUMAN TRAFFICKING
FOR APPROPRIATE SERVICE PROVISION

Chairman of the National Committee for Counter Trafficking in Persons

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen Royal Decree No. NS/RKT/0908/1055 dated September 25, 2008 on the Appointment of Royal Government of Cambodia;
- Having seen Royal Code No. 02/NS/94 dated July 20, 2004 which promulgates the Law on the Establishment and Functioning of the Council of Ministers;
- Having seen Royal Code No. NS/RKM/0196/08 dated January 24, 1996 which promulgates the Law on the Establishment of the Ministry of Interior;
- Having seen Royal Code No. NS/RKM/0106/004 dated January 18, 2006 which promulgates the Law on Approval of the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Conventions against Transactional Organized Crime;
- Having seen Royal Code No. NS/RKM/0208/005 dated February 15, 2008 which promulgates the Law on Suppression on Human Trafficking and Sexual Exploitation;
- Having seen Royal Decree No. NS/RKT/0614/808 dated June 25, 2014 on the Establishment of National Committee for Counter Trafficking;
- Having seen Decision No. 002/14 S.S.R dated October 14, 2014 on the Establishment of the Inter-ministerial Working Group to Combat Human Trafficking;
- According to the necessity

Decides

Article 1:

“Guidelines on the Forms and Procedures for Identification of Victims of Human Trafficking for Appropriate Service Provision” are implemented for the purpose of providing urgent, necessary and appropriate assistance for victims of trafficking before commencement of the investigation stage or provision of other services.

Article 2:

Any provisions contradictory to this Prakas shall be void.

Article 3:

The General Secretariat of National Committee for Counter Trafficking in Persons (NCCT), the Inter-ministerial Working Groups, victim support institutions/agencies, the Ministry of Social Affairs, Veterans and Youth Rehabilitation, the National Police Commissariat, the Ministry of Interior, the Ministry of Foreign Affairs and International Cooperation, the Ministry of Women Affairs, the Secretariats of Municipal/ Provincial Committees for Counter Trafficking (M/PCCT) in Persons, and other ministries, institutions, departments and units pertinent to these guidelines are obliged to implement this Prakas from the date of signature.

**Deputy Prime Minister, Minister of Ministry of Interior
And Chairman of NCCT** 

Samdech Kralahome SAR KHENG

CC:

- Ministry of Royal Palace
- General Secretariat of Senate
- General Secretariat of National Assembly
- General Secretariat of Royal Government
- Cabinet of Samdech Prime Minister
- Cabinet of Deputy Prime Minister



Preface

The development of the national guidelines on preliminary identification of victims of human trafficking for appropriate service provision has been undertaken with extensive discussion and consultation through meetings at technical and policy levels, consultative workshops, training courses and pilot testing.

The main purpose of the establishment of these guidelines is to ensure respect for the rights of victims and their access to necessary and appropriate services to address initial needs based on characteristics such as age and gender, before the implementation of legal, rehabilitative and other social resolution processes.

In 2013, the Secretariat of the National Committee to Lead the Suppression of Human Trafficking, Smuggling, Labor Exploitation and Sexual Exploitation of Women and Children (S.T.S.L.S), (now called the National Committee for Counter Trafficking in Persons : NCCT), announced a decision to establish a committee for “preparation of standards and guidelines relevant to preliminary identification of victims of human trafficking”, led by the Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSVY); with the participation of relevant ministries, national and international organizations, as well as UN agencies. The draft guidelines were submitted to NCCT’s Technical working group, led by Her Excellency Chou Bun Eng, Permanent Vice Chair of NCCT, to review, improve and finalize in 2015.

This is a significant achievement within the framework of the 2nd National Plan of Action (2014-2018) of the NCCT. The guidelines is to put into use in through agreement and coordination among the organizations and institutions working to support victims at the national and sub-national levels and the Cambodian diplomatic missions of the Kingdom of Cambodia in destination countries.

On behalf of the Royal Government of Cambodia, and the NCCT, I wish to deeply thank the leaderships and technical officials of MoSVY, the Anti-Human Trafficking and Juvenile Protection Department of the Ministry of Interior (MoI), Ministry of Labor and Vocational Training (MoLVT), Ministry of Women’s Affairs (MoWA), Ministry of Foreign Affairs and International Cooperation (MoFAIC), Ministry of Defense (MoD), Ministry of Justice (MoJ), Poipet Transit Center (PTC), national and international partner organizations, as well as relevant UN agencies that have worked together to conduct research and prepare these important national guidelines. My particular thanks go to the NCCT’s technical working group that coordinated and finalized these guidelines on “Forms and Procedures for Preliminary Identification of Victims of Human Trafficking for appropriate service provision”.



I also wish to thank the project on counter trafficking in persons of Winrock International through the support of the United States Agency for International Development (USAID), the United Nations Action for Cooperation Against Trafficking in Persons (UN-ACT) and World Vision Cambodia (WVC) for their financial and technical support throughout the development process. These guidelines will contribute to the implementation of the strategies of the Royal Government of Cambodia to combat human trafficking. In the meantime, I thank IOM, UNODC, IJM, Chabdai, AFESIP, CCPCR, Hagar, Transitions Global, HCC and WHI and other relevant stakeholders for their participation in discussions, consultation and pilot testing of these guidelines.

After these guidelines have been officially launched, I would like to appeal to all of the institutions of the Royal Government of Cambodia in and outside Cambodia as well as national and international organizations working on counter trafficking in persons, particularly those working on the rescue, protection and support of victims, to collaborate and cooperate to implement these guidelines with willingness, perfection and impartiality. This will ensure respect for and promotion of physical and mental safety for all citizens.

I would like to pray God, Holy Powers and Sacred Objects to take care of, protect and bless Samdech, Excellencies, Lok Chumteavs, ladies and gentlemen and all the people with success, happiness and prosperity.

Phnom Penh,

2015

**Deputy Prime Minister,
Minister of the Ministry of Interior
CHAIRPERSON of the NCCT** 

SAMDECH KRALAHOME SAR KHENG



(Unofficial translation from Khmer version)

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INTRODUCTION

Victims of human trafficking often suffer physical, emotional, sexual caused by perpetrators, who exploit the legitimate interests of potential victims, impacting on their fundamental social and/or economic rights. This is a criminal offense and individuals are in need of assistance, encouragement and lawful compensation for the damages caused by such offenders.

The purpose of these guidelines on the “procedures and forms for preliminary victim identification is to provide appropriate services”, i.e. to facilitate victim identification through observation, asking questions, gathering information and searching for elements of victimization in potential victims of human trafficking in order to temporarily presume that s/he is a “victim” status so that protection, support and appropriate services can be provided in a timely and humane manner, and without discrimination, while awaiting further investigation in accordance with judicial procedures.

➤ Why is victim identification important?

If victim identification is not undertaken efficiently and effectively, service providers will not be able to recognize whether a person is a victim or not. This creates further difficulties in estimating the severity of victimization for policy development, planning, programming or specific activities for prevention of human trafficking, provision of protection and support for victims and/or prosecution of perpetrators. Hence, victim identification plays an important role in the elimination of trafficking in persons.

Victim identification enables us (stakeholders) to understand the situation and the needs of the victims in order to establish and implement appropriate responses in regards to security and safety, physical and mental health treatment, temporary safe shelter, rehabilitation, reintegration and delivery of legal aid for the victim.

Victim identification can also provide further information related to other victims who need to be rescued, as well as information leading to the potential prosecution of suspected perpetrators and the network of related offenders.

Victim identification may also lead to the discovery of other inter-related offenses that the offenders, and their network, have committed. Such offenses include money laundering, corruption, drug trafficking or other crimes.

If victim identification cannot be conducted or cannot be properly conducted, the victim will endure further suffering because he/she will not receive adequate support or physical and mental security. In addition, the opportunity to arrest and prosecute the offenders may be lost, which consequently allows for offenders to commit further crimes on other people. As a result, victims and the nation as a whole will suffer further damage.

➤ Why does a victim of human trafficking and sexual exploitation hesitate to be identified?

Generally, victims of human trafficking or sexual exploitation rely on traffickers, brokers or



employers use sophisticated tricks to offer or promise them benefits, which makes them forget that they are being trafficked. Offenders and criminal networks are notorious for tricks, deception, escape and hiding.

In some cases, the victims are being threatened and cannot escape. In some other cases, the perpetrators may be those who have a close relationship with the victim such as relatives, friends, romantic partners or persons who have authority over them.

Victims often feel ashamed for what has happened to them and believe there will be a stigma attached to them as a result of their trafficking/abusive experience. Additionally, they are also concerned about discrimination against them by society.

Some of the victims committed crimes in the process of being trafficked, which makes them worried about potential punishment or prosecution for such offences.

Victims are often concerned about their safety and potential further loss if they have to be involved in the official complaint and prosecution process. This process requires money and time with little hope of successful prosecution and/or compensation for victims. Moreover, they feel that they and their families will be in more danger if they participate in prosecution processes, more specifically they are scared of the threats or more sophisticated tricks used by perpetrators in relinquishing responsibility for their crimes.

Consequently ,most of the victims request only emergency assistance or rehabilitation or safe living options rather than filing complaints against the perpetrators and other accomplices.


In order to deal with these problems, relevant authorities need to understand the situation and experiences of victims and make the utmost effort to assist them to receive the necessary services as well as to ensure the crimes and suspected perpetrators are properly identified as necessary.

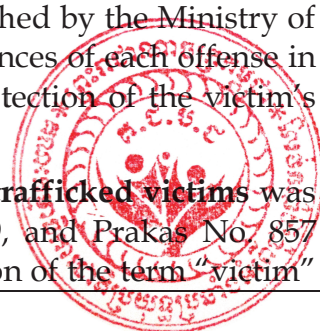
➤ **The Government's commitment to combat trafficking in persons**

Articles 45, 46 and 48 of the Constitution of the Kingdom of Cambodia stipulate that:

- The exploitation of women in employment shall be prohibited.
- Trading in human beings, exploitation on prostitution and obscenity which affect the dignity of women shall be prohibited.
- The State shall protect the rights of children as stipulated in the Convention on the Rights of a Child, particularly the right to life, the right to education, the right to protection during wartime, and from economic or sexual exploitation.

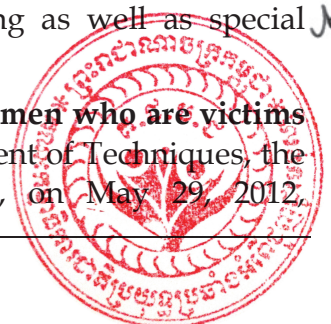
Based on the above provisions:

- **The Law on Suppression of Human Trafficking and Sexual Exploitation** promulgated by Royal Kram No. NS/RK/0208/005, dated February 15, 2008, states that any act in relation to human trafficking and sexual exploitation is a crime and determines the priority right to compensation and restitution to be paid to victim. 
- **Explanatory notes** of each of the articles in this law officially published by the Ministry of Justice on April 4, 2013, clearly outline the elements and circumstances of each offense in relation to human trafficking and sexual exploitation and the protection of the victim's identity.
- **Policy and minimum standard on the protection of the rights of trafficked victims** was promulgated by Prakas No. 852 MoSVY, dated August 31, 2009, and Prakas No. 857 MoSVY, dated September 3, 2009, of MoSVY, in which the definition of the term "victim"



is officially stipulated and the process of management of victims is emphasized in detail in accordance with main 11 rights of victim identification , referral to case closure.


- **Guiding Circular No. 009 MoSVY**, dated September 28, 2007, of MoSVY, on integration and monitoring of victim groups staying at state shelters and NGOs' shelters details formalities, roles and duties of officials of MoSVY at the central, capital-provincial and district-Khan levels and employees of NGOs working with victims before and after integration, the management of information and data and nine forms to be completed by all units under supervision of MoSVY and NGOs working in relation to them.
- **Decision No. 107**, dated December 20, 2007, of the '**Cambodian National Council for Children (CNCC)** on the principles for protection of rights of children who are victims of human trafficking, specifies further the definition of a child victim of human trafficking, rights of the affected children, methodology of assumption of their ages and measures for identification of affected children, methodology of interview, confidential information and measures to refer the children to relevant services.
- **Guidelines on the enforcement of the Law on the Suppression of Human Trafficking and Sexual Exploitation** issued by the working group to lead the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation of Women and Children (S.T.S.L.S) on October 28, 2008, and directive on the implementation of operation to rescue victims of human trafficking and/or sexual exploitation at the locations assigned by the General Commissariat of the National Police on August 11, 2010, determines measures to rescue victims of human trafficking, interview the victims in a gentle and confident way and refer victims to their residences or the Department of Social Affairs, Veterans and Youth Rehabilitation that works with NGOs.
- **Directive on the implementation of the principles of the national and the international laws** in force in relation to the protection of victims of a crime, issued by the Ministry of Justice (MoJ) on August 19, 2005, also provides general definition to the term victim and determines the general and specific principles for the protection of victims of crime, starting from the victim interview stage until the completion of the process of the officials of the Judicial Police, prosecutor, investigating judge and trial judge.
- **Agreement on guidelines and cooperation between the relevant government institutions and supporting victim agencies in the proceedings in relation to human trafficking**, signed by five ministries and 24 NGOs on February 6, 2007, determined and broadly agreed by all signatories to the identification of victims of human trafficking, it outlines urgent measures to be taken by the agent that first meets the victims, the referral of victims to protection services and the determination of evidence and testimony of witnesses.
- **Standard operating procedures for the units specializing in suppression of human trafficking** officially published as training material for law enforcement officials by the General Commissariat of the National Police on November 11, 2010, states the techniques for identification of victims of human trafficking to be used by law enforcement officials in the methodology of evaluation, interview and decision-making as well as special procedures for identification of a child victim of human trafficking.
- **Standard operating procedures on the support of reintegration of men who are victims of human trafficking**, officially published by the General Department of Techniques, the Ministry of Social Affairs, Veterans and Youth Rehabilitation, on May 29, 2012.

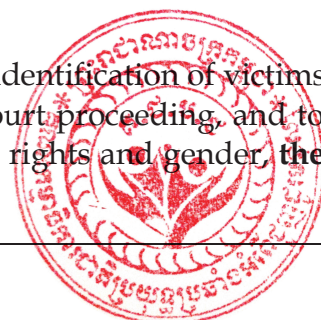


determines the common principles and procedures for identification, repatriation and support of reintegration of men trafficked abroad. The procedures include, but are not limited to, searching for family members and assessment of family situation in Cambodia, repatriation and receipt, provision of urgently needed assistance when arriving, the estimation of need and skill, the estimation of situation, the integration plan and referral to a service, and monitoring of the process of integrating male victims.

- Regarding transnational human trafficking, Cambodia has **ratified international conventions** and entered into a number of sub-regional and bilateral agreements such as the **UN Convention against Transnational Organized Crime and Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime in 2000**, (via Royal Kram No. NS/RK/1105/038, dated November 14, 2005) and Royal Kram No. NS/RK/0106/004, dated January 18, 2006); **Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Sub-region** (signed on October 29, 2004); **Memorandum of Understanding between the Royal Government of the Kingdom of Cambodia and Royal Government of Thailand on Bilateral Cooperation in Elimination of Children and Women Trafficking and Helping the Victims of Trafficking** (signed on May 31, 2003, and amended and re-signed in 2014 by the Ministry of Vocational Training and the Ministry of Social Development and Human Security, Thailand); **the agreement between the Royal Government of the Kingdom of Cambodia and the Government of Socialist Republic of Vietnam on Bilateral Cooperation in Elimination of Children and Women Trafficking and Protection of Victims of Trafficking** (signed on October 10, 2005 and amended on September 28, 2012); **the Agreement Principles on the Cooperation in Prevention and Suppression of Crime of Human Trafficking, especially Women and Children, crossing Cambodia-Vietnam border** (signed by the Department against Human Trafficking and Juvenile Protection, the Cambodian Ministry of Interior and the Vietnamese Department of Social Order, Crime Investigating Police, the Vietnamese Ministry of Police, on October 24, 2007); and **the Agreement on Cooperation between the Royal Government of the Kingdom of Cambodia and the Government of Socialist Republic of Vietnam, on Standard Operational Procedures for Identification and Repatriation of Victims of the Trafficking** (signed by the Ministry of Social Affairs, Veterans and Youth Rehabilitation of the Kingdom of Cambodia and the Ministry of Security of the Socialist Republic of Vietnam on December 3, 2009).



To ensure enforcement of the existing laws and policies in relation to identification of victims of human trafficking and sexual exploitation and referrals prior to court proceeding, and to ensure that victims receive appropriate support based on their needs, rights and gender, **the NCCT issues the following guidelines:** 



1. Main Criteria for identification of human trafficking and sexual exploitation cases



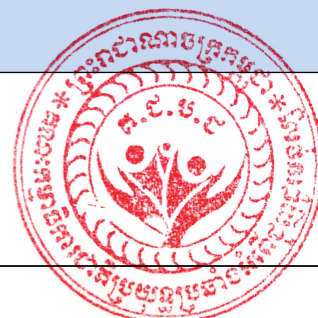
1.A Definition of the elements of offenses in relation to human trafficking and sexual exploitation

1.A.1 Definition of Human Trafficking

Article 1 of the Law on Suppression of Human Trafficking and Sexual Exploitation clearly stipulates the purpose of appropriate implementation of the law in accordance with the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (which Cambodia ratified on 18 January 2006), supplementing the UN Convention Against Transnational Organized Crime (Palermo Protocol) in 2000 (which Cambodia ratified on 12 December 2005), or other international instruments/agreements pertinent to human trafficking which Cambodia has signed and ratified.

Palermo Protocol defines “human trafficking” in its article 3 as:

- (a) “Trafficking in persons” shall mean the 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;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) 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 this article;
- (d) “Child” shall mean any person under eighteen years of age. *J*



1.A.2 . Definition of the elements of offense in accordance with international law

According to the above definition, a crime of human trafficking shall be determined based on the following three main elements:

- 1. Activity:**the recruitment, transportation, transfer, harboring or receipt of persons
- 2. Means (method):**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
- 3. Purpose:**The exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs”

Note:

- Child trafficking requires only **two elements: Act and Purpose.**
- Child refers to every human being **below the age of eighteen years** while offense is committed.

Three stages of human trafficking

The human trafficking crime is identified when it is carried out through three stages:

- (1) recruitment, (2) relocation and (3) exploitation.**

Kingdom of Cambodia and Royal Government of Thailand on Bilateral Cooperation in Elimination of Children and Women Trafficking and Assisting the Victims of Trafficking and **the Agreement between the Royal Government of the Kingdom of Cambodia and the Government of Socialist Republic of Vietnam** on Bilateral Cooperation on Counter Trafficking in Persons and Protection of Victims of Trafficking additionally provides examples on the purpose of human trafficking, especially of women and children, including:

- Prostitution
- Forced, abused or exploitative domestic labor domestic servitude
- Worst form of child labor
- Debt bondage
- Slave or deceived marriage
- False adoption
- Entertainment work and child sex tourism
- Production and distribution of pornography
- Begging
- Heavy, dangerous and exploitative labor
- Use of force or lure to involvement in criminal activities
- Forced use of drugs
- Removal of organs. *JK*



1.A.3. Definition of the elements of the offense in accordance with national law

The Law on Suppression of Human Trafficking and Sexual Exploitation” (article 51), 2008 and the principles and the directive on human rights and human trafficking”, drawn up by the United Nations High Commissioner for Human Rights, 2002, classifies elements and any relevant acts in relation to human trafficking, as defined in the Palermo Protocol in 2000, as a crime.

Therefore, “the guidelines and procedures on preliminary identification and referrals of victims of trafficking and sexual exploitation”, have been developed in accordance with the Law on Suppression of Human Trafficking and Sexual Exploitation as well as some articles of the Penal Code of Cambodia.

Elements of the above offenses are explained in detail in “explanatory notes of each article of the Law on Suppression of human trafficking and sexual exploitation”, officially publicized by the Ministry of Justice, on April 4, 2013.



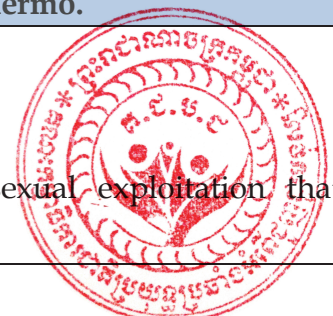
1.B. Criteria for identification of a victim

1.B.1 Definition of a victim

Victims of human trafficking are the people who are affected by what is written in the Law on the Suppression of Human Trafficking and Sexual Exploitation and relevant provisions of the Penal Code of the Kingdom of Cambodia, which is in accordance with the definition of ' **human trafficking**' in Article 3 of the Protocol Palermo.

1.B.2. Indication of a victim

Generally, the offenses in relation to human trafficking and sexual exploitation that physically harm the victims can be classified as follows: 



a. Impact on physical health

The harms to physical health include:

- Injury
- Injury to limbs and other part(s) of the body
- Malnutrition
- Illness
- Death

The above harms to victims are caused by physical abuse including injury due to torture, starvation or deprivation of food and sleep and lack of healthcare as well as detention or confinement.

b. Impact on sexual health

The harms to sexual health include:

- Infection with HIV and AIDS
- Other sexually transmitted diseases (STD)
- Forced pregnancies
- Abortion or miscarriages
- Damages or injuries to genitals and/or sexual organs or infertility

The above harms to victims are caused by sexual abuses, including rape, forced sodomy, forced oral sex, forced prostitution, unprotected sexual intercourse, forced pregnancy and forced abortion.

c. Impact on mental health

The harms to mental health of any victim can be as follows:

- Depression
- Suicide attempt
- Sadness and nightmare
- Feelings of isolation, loss of confidence and discrimination
- Exhaustion, tiredness and insomnia
- Mental disorders
- Inability to establish interpersonal and social relationships
- Feelings of guilt and shame.

The above harms to victims are caused by psychological abuses and traumatic experiences including isolation (due to language barriers and lack of support and assistance) fear of authorities, other forms of violence, coercion and threats, use of drugs to control the victim ect.

d. Financial impact

The types of financial impact to a victim can be as follows:

- Debt caused by employer, company, broker or others for exploitation purpose
- Unpaid work and/or paid less than promised *JK*
- No money to return



The above impacts on victims are caused by various forms of exploitation, fraud, deception, employment for debt bondage, forced employment and abuse of power or of a position of vulnerability and so forth.

A person suspected of being a victim of offenses related to human trafficking and sexual exploitation can be identified based on the following circumstances:

- Absence of necessary travelling documents at airports, bus or taxi stations, checkpoints at borders and so on
- Looking nervous and unable to mention any specific destination details
- No knowledge of the local language and in need of help.
- Minor aged in procurement and prostitution, and pornography and harassment,
- Vulnerable people in a suspicious situation of threat, coercion, confinement, or abduction and so on.

1.B.3. Determination of age of a victim

The determination of the victim's age is done based on a birth certificate, family record, identification card, or identification-related certification issued by the competent authorities. If the above documents are not available, the determination of the victim's age is carried out by authorized medical experts (in a timely manner).

If the victim's real age cannot be clearly determined, but he/she is suspected to be minor, the said victim shall be considered as a minor. *J*



2. Forms and procedures for preliminary victim identification interview



2.A. Persons responsible for preliminary victim identification interviews

In these procedures and guidelines, the persons responsible for preliminary victim identification shall include the local authorities (commune, district, town, province/ municipality) judicial police, Social Affairs officials, officials in charge of women and children and staff of civil society organizations working on victim protection, or officials of the royal gendarmerie in charge of fighting against human trafficking, especially officials at all levels of the national mechanisms designed to combat human trafficking.

If a victim is outside the country, officials of the diplomatic missions and victim support agencies in those countries (in cooperation with the said country) are responsible for conducting preliminary victim identification).


Those eligible for undertaking preliminary victim identification shall receive prior training on forms, procedure on victim identification, methods, ethics for interview, communication skills etc. so that they have knowledge to do the job.



2 B. Key stages in victim identification

There are three key stages in victim identification:

- 1) Initial stage
- 2) Commencement of the interview
- 3) Formal interview

Ethics and safety shall be upheld at all stages 



1) The initial stage

The main purpose is to consider potential victims as victims who maybe in need of support and protection.

Those responsible for preliminary victim identification interviews shall primarily observe the age (if suspected to be a minor), attitude, behavior, communication methods, facial expressions or feelings of the potential victims to assess their situation and the information provided by the third party or through the identification conducted by others.

It is worth noting that a victim often hesitates to reveal that he/she is a victim of human trafficking or has not realized that he/she is a victim of human trafficking.

When meeting the potential victim for the first time the interviewer and/or official may face challenges caused by a potential language barrier, nervousness, shame and cultural stigmatism and gender issues. The environment in which the initial meeting occurs is also significant as potential victims may not feel safe to discuss their situation or reveal certain details in front potential perpetrators or related people.

If evidence is not available to prove that a person is a victim of human trafficking, he/she should be provisionally considered as a victim so that more work can be undertaken to understanding the situation and allow the individual to obtain the rights and services available to victims of trafficking.

(2) Commencement of interview

The purpose is to try to find key points that can lead to an assumption that a person is a victim of human trafficking and estimate the scope of victimization

Those responsible for interviews to identify victims shall arrange an appropriate and safe interview location, which does not adversely impact upon the feelings of the interviewees. Efforts shall be made to understand the language (provide an interpreter if the victim speaks a different language) of the victim in a good manner. Communication shall be simple, easy to understand, impartial and without ridicule and avoid unnecessarily discussion which may cause shame, fear and pain with consideration for the different customs, beliefs and religions of the victim. Interviewers shall utilize interview techniques appropriate for the personality and experiences of the interviewee.

The interviewers shall inform the victim of the purpose of the interview, the process, duration and the benefits of the information to be provided by the victim such as discovery of the extent of victimization, leading to the provision of support and relevant services.

In relation to gender or age of the interviewee, those responsible for identification shall look for an interviewer of the same sex (if possible) with prior training on victim identification or those with experience in victim identification and child issues.

3) The formal interview

Those responsible for victim identification interviews shall comply with the methodology and ethics as stated in annex 1. *J*




2.C. Six primary measures

1. Victims of human trafficking shall receive necessary needs, care and respect for their rights as defined in the Policy and Minimum Standards for Protection of the Rights of Victims of Human Trafficking. Those responsible for interviews to identify victims shall remove the victims from the situation, where they have been found, and bring them to a safe place or refer them to victim support institutions or organizations.
2. In the process of the preliminary identification, efforts shall be made to avoid further physical and emotional trauma or other damages. During the process, the foreigners who have been formally identified as victims shall not be detained or charged with illegal immigration and/or prostitution. They shall be provided with shelter and protection while awaiting the official repatriation process.
3. If solid evidence is not available to prove that the potential victim is in fact a victim, he/she shall be initially considered a 'victim' so that he/she is entitled to the same rights, support and services as those identified as victims of human trafficking and sexual exploitation. Assessment of risks and mental trauma should be conducted for each of the victims to ensure his/her safety and security.
4. If a victim is a Cambodian national, but has been identified in a foreign country, provision of services and temporary accommodation shall be handled in accordance with the agreement between the destination country and Cambodia or in accordance with the applicable laws and policies. However, the Cambodian victim shall still receive necessary services from the Cambodian diplomatic missions in the destination country or region. At the same time, the Cambodian diplomatic mission shall report the case to the Ministry of Foreign Affairs and International Cooperation (MoFAIC), the Ministry of Interior (MoI) and MoSVY to facilitate immigration process for repatriation, hand-over and receipt and reintegration according to the relevant procedures.

The Cambodian diplomatic missions shall handle and facilitate all cases with victim support agencies or related private recruitment agencies to provide appropriate support and assistance before, during and after the repatriation.

5. If a potential victim is a foreigner, the anti-human trafficking and juvenile protection (AHTJP) or MoSVY shall notify relevant institutions, particularly the diplomatic mission (in Cambodia) of the country where the victim comes from, where appropriate, so that the victim receives protection, support services and permission for temporary stay while awaiting repatriation or participation in the court process in accordance with Cambodia's relevant regulations and procedures.
6. The conduct of all the interviews shall follow the below outlined ethical standards:
 - (1). Not cause any pain, risks, social discrimination and stigma for the victim
 - (2). Ensure the safety, security and comfort of the victim
 - (3). Ensure privacy
 - (4). Confidentiality *JK*



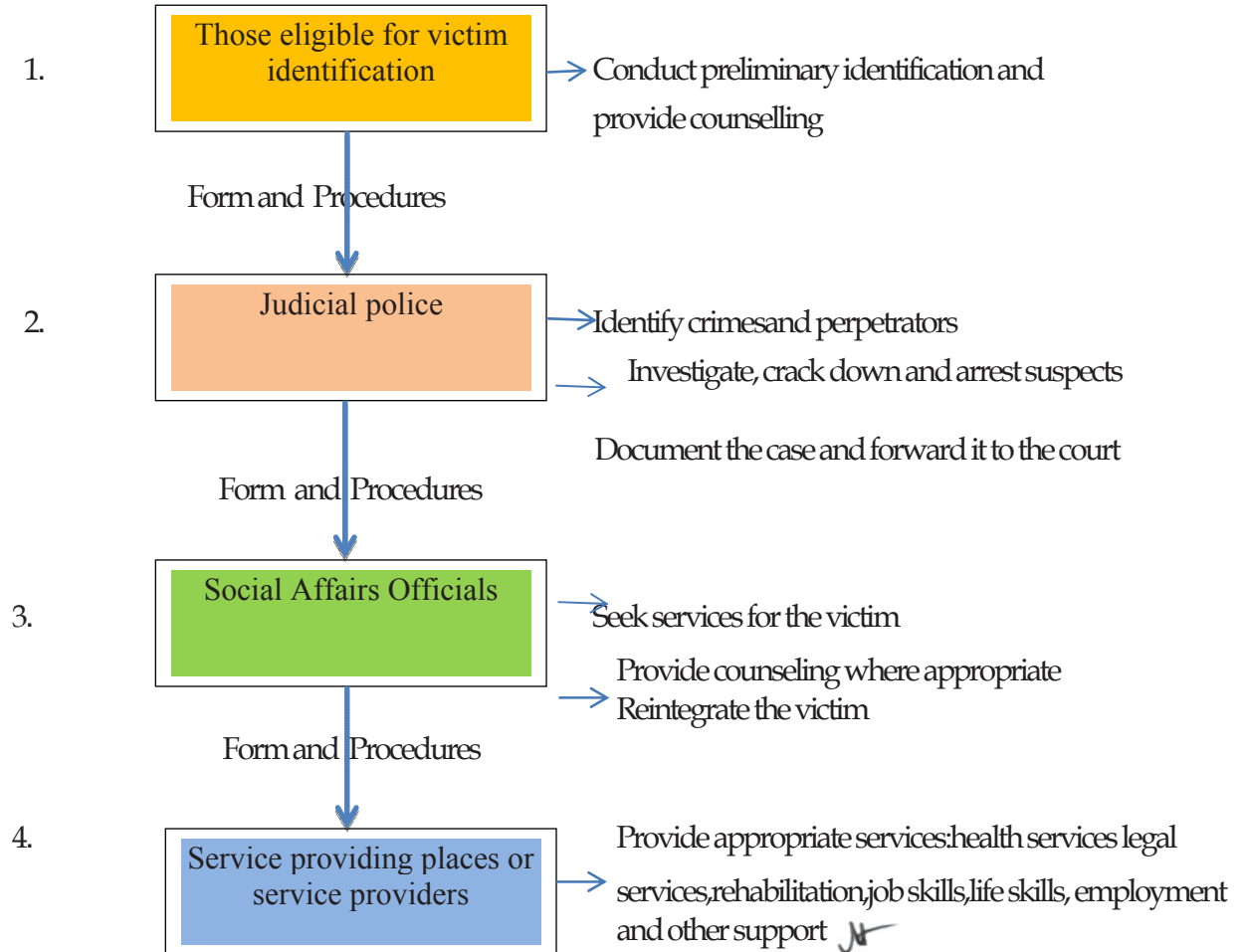
- (5). Gain informed consent of the victim
- (6). Ask simple questions in professional manner
- (7). Listen pro-actively and respond
- (8). Ensure impartially
- (9). Behave with humanity, understanding, respect and equality
- (10). Make efforts to promote self-confidence of the victim and do not blame
- (11). Explain about the request for forensic, technical or scientific examination
- (12). Provide interpretation if required
- (13). Suspend the interview if necessary
- (14). Prepare for referral
- (15). Manage the respondent's expectations 

(Annex 1)



2.D. Procedure of Preliminary victim identification

Those responsible for preliminary victim identification shall follow the procedures below:



2.E. Methodology and forms of primary victim identification

1.E.1. Short Interview Methodology and form

Law enforcement officials and victim support agencies sometimes do not have sufficient time to immediately record detailed information about the victim. Some of the urgent circumstances include; addressing the urgent needs of the victim, possible threats towards victim and unfavorable environment for more detailed interview.

This form can also be used by family members, friends, or any other persons who know about the case.

Significance of short form

In any of the urgent circumstances stated above, the short form is useful in obtaining and providing temporary information from a victim for discerning whether a person is a victim so that urgent service and safety are provided.

In this case, after an offense has been made known or information has been received from the victim or his/her family members, law enforcement officials or victim support agencies, the short form shall be used for victim identification as attached in "annex 2" of these guidelines. Efforts shall be made within a short period of time to determine extent of victimization as soon as possible.

Indicators of human trafficking are as follows:

1. **Act:** look for information related to illegal acts as below:
 - Recruitment, hiring, or allowing any person to work
 - Transportation
 - Transferring
 - Harboring or sheltering
 - Receiving people
 - Allowing a person to move to other places under control
 - Illegally handing over or receiving and having control over a person
 - Removing a minor from his/her guardian(s)
2. **Means:** look for information related to the use of any means below:
 - Threat
 - Use of force
 - Other forms of coercion
 - Abduction
 - Deception
 - Abuse of power
 - Abuse of a position of vulnerability
 - Giving or receiving payments or benefits to obtain the consent of a person having control over the other person
 - Persuasion
 - Detention
 - Exchange for any valuable materials
 - Unlawful removal or without legal guardianship



3. Purpose: look for any act committed by using any of the above means for the following purpose(s):

- Exploitation or prostitution of others
- Sexual abuse
- Forced service or labor
- Slavery or servitude
- Removal of organ(s)
- Profit making/exploitation
- Production of pornography
- Sexual exploitation
- Forced or false marriage
- False or exploitative adoption
- Debt bondage
- Child labor
- Border crossing
- Assisting offenders

If at least two elements have been identified under two different categories, a person is assumed as being a victim of human trafficking.

However, in the event that only one or no component has been found, this case is not an offense in relation to human trafficking. Therefore, the interviewer shall send the information relevant to the person who claims to be victim to competent authorities for further investigation and send the person to the relevant authorities with the persons consent.

Please noted that:

In case of a minor (under 18 years), even if only one element has been found (excluding means), the person shall be temporarily regarded as a victim of human trafficking.

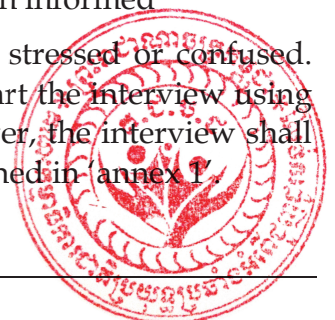
If a victim has been suspected of being involved in trafficking for sexual exploitation, the interviewer shall further probe to obtain more information for ease of analysis and conclusion of the case.

Should any sexual exploitation out of the four types specified above (such as procurement of prostitution, management of prostitution, pornography and prostitution of a minor under 15 years of age) be found, the person suffering from the above offenses is a victim of sexual exploitation. The determination of elements of sexual exploitation shall be carried out in accordance with “Explanatory Notes of each article of the Law on Suppression of Human Trafficking and Sexual Exploitation”.

2.E.2. Detailed Interview Methods and form

A detailed interview with a potential victim shall be conducted directly and face-to-face at an appropriate place and time. In particular, it shall be done with informed

consent when the victim is no longer traumatized, frightened, tired, stressed or confused. After the informed consent has been received, the interviewer shall start the interview using the detailed form as attached in ‘annex 3’ of these guidelines. Moreover, the interview shall be conducted based strictly on the methodology and the ethics as outlined in annex 1.



If the interviewer needs additional information and the detailed interview form (annex 2) does not have the required questions and/or the respondent did not seem to give adequate information, the interviewer can ask additional questions related to the information needed (depending on time available).

After completion of interview, the interviewer shall verify the information collected with other official basic information as previously stated before reaching a final preliminary conclusion on whether the person is a victim or not.

In case where the person who has answered the questions in the short interview form provides different information through answering the questions of the detailed interview form, the interviewer shall re-analyze and reconsider the conclusion.

In the event that only one or no component has been found, this case is not an offense in relation to human trafficking. Therefore, the interviewer shall send the information relevant to the person who claims to be victim to competent authorities to further investigate and send the person to the relevant authorities if the individual consents.

If a victim has been suspected of being involved in trafficking for sexual exploitation, the interviewer shall immediately report the case to competent authorities so that they can take action in accordance with the laws.

Note:

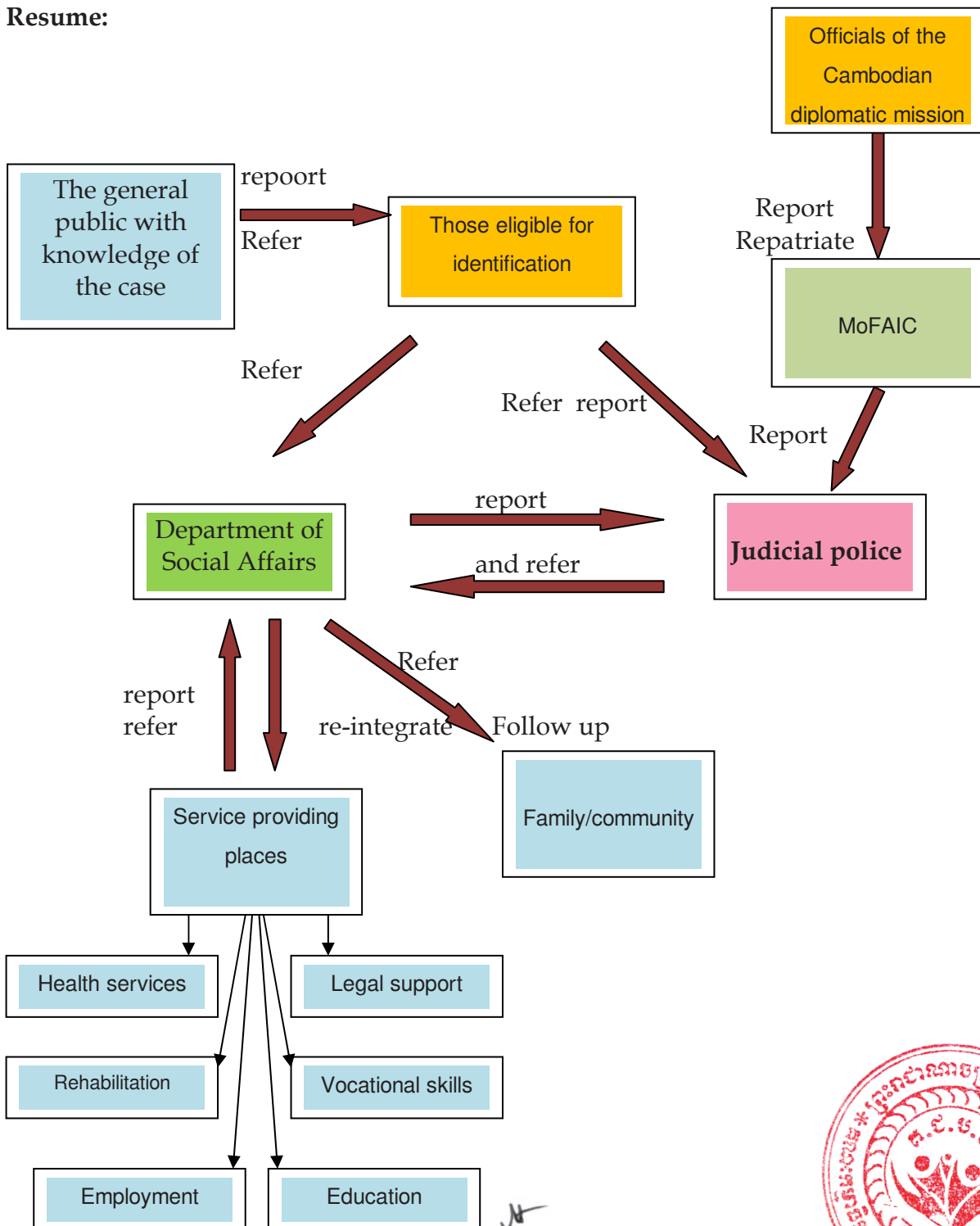
1. If the victim has a mental problem, nervousness, poor health, paleness or abnormal physical conditions immediate crisis intervention support shall be provided and he/she shall be given sufficient time to recover before the interview.
2. Depending on the circumstances, the interview for victim identification can take place through using two forms: the short interview form, which is quick and precise and the detailed interview form to obtain detailed information.
3. All interviews shall be conducted by judicial police or any competent agency responsible for victim identification based on the methodology and ethical standards for victim interviews, which focuses on the victim's best interests.
4. If a victim is a minor, a child-friendly methodology shall be used with the presence of his/her parent (s) or guardian (s) or legally authorized officials or adult (s) trusted by the child so that they can witness and create a comfortable environment; however, the presence of the person(s) suspected of involving in the offence (s) shall not be allowed.
5. If those responsible for interviewing the victim are judicial police or competent law enforcement officials, they shall avoid wearing uniforms to minimize intimidating and fear of the victim. *J*



3. Referral procedures

3.A. Chart outlining referral system

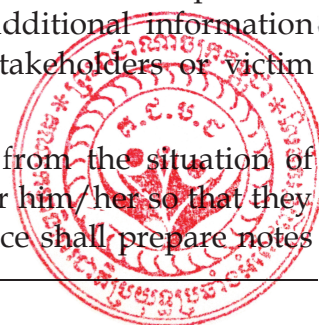
Resume:



3.B. Procedures for referrals

3.B.1. Referral for Services (8 points)

1. Anyone who has information or knowledge about the victimization of a person or has received request for assistance from a potential victim should:
 - a) If he/she is a member of the general public and is not an individual responsible for victim identification, he/she shall refer or accompany the potential victim or provide information about the potential victim to competent authorities or social affairs officials or civil society organizations involved in counter trafficking work so that the preliminary interview can be conducted. Therefore, facilitating the victim to obtain appropriate services based on their situation.
 - b) If those responsible for preliminary victim identification (competent authorities or social affairs agents or local authorities or women's affairs officials or civil society organizations working on victim support) have seen or met a potential victim, they shall immediately conduct preliminary victim identification using the short interview form (annex 2) if time is not sufficient or the environment does not permit the use of the detailed interview form (annex 3). A specific conclusion on whether he/she is a victim shall be made based on the preliminary assessment.
2. If a potential victim needs urgent assistance, he/she shall be referred to the places providing urgent assistance and send information and relevant documents to the social affairs officials so that they can determine temporary services for the victim.
3. Those responsible for victim identification shall send report along with relevant documents to the police commissariat, or if necessary, send both the potential victim and the documents to the anti-human trafficking police or gendarmerie so that they can identify the victim, offences committed and suspected offender(s) in order to seek legal services for the potential victim in the court process.
4. In the event that the victim is a minor, the police or agencies who have first found a potential victim shall immediately contact social affairs service agencies to trace his/her parents or guardians or relatives and assess his/her family situation to provide appropriate support services.
5. A potential victim shall provide information to the anti-human trafficking police by accepting to be interviewed with facilitation of those responsible for preliminary victim identification. If the potential victim refuses, the victim support agency that has conducted preliminary victim identification shall provide information to the anti-human trafficking police to coordinate and collect information.
6. If the potential victim and other potential victims need to be rescued, immediate intervention of the judicial police is required. The judicial police or those responsible for victim identification process shall interview and collect additional information from the victim's relatives, friends, family members, other stakeholders or victim support agencies.
7. After rescue operation and the person has been removed from the situation of trafficking and sexual exploitation, the judicial police can harbor him/her so that they can conduct interviews to collect information. The judicial police shall prepare notes



of the rescue operation as soon as possible at their working places before other steps are taken to identify victim (s), suspect (s) and accomplices.

8. If a Cambodian citizen is suspected to be a potential victim abroad, the Cambodian diplomatic missions in that country or region shall take immediate action in collaboration with the competent authorities in the said country to suppress the offenses, rescue and cooperate with the victim support agencies to identify, support and repatriate the victim back to Cambodia.

3.B.2. Four guiding points

1. If the victim or his/her representative wishes to file a complaint (complaint for defamation or compensation) victim support agencies or relevant institutions shall send the victim identification information to the judicial police so that they can immediately report to the Office of Anti-Human Trafficking and Juvenile Protection of the provincial or municipal police commissariat.

If the victim or his/her representative does not wish to file a complaint, the victim support agencies or relevant institutions shall send the victim identification information to the Municipal/Provincial Department of Social Affairs, Veterans and Youth Rehabilitation.

2. Where necessary, the judicial police can issue letter inviting the victim aged 18 and above to attend an interview for additional information. If the victim is a minor, the referral shall be done through MoSVY in accordance with decision No. 107 dated 20 December 2007 of the Cambodian National Council for Children (CNCC) on the principles for protection of the rights of a child victim of human trafficking in the Kingdom of Cambodia, the guidelines 001 on the implementation of the Law on the Suppression of Human Trafficking and Sexual Exploitation of the High Level Working Group (still in effect) and directive no. 009 on the implementation of the operation to rescue victims of human trafficking and / or sexual exploitation at the location determined by the National Police.
3. Every referral to services and to the competent authorities shall follow the form as attached "annex 5" of these guidelines. All the referrals shall be accompanied with a completed identification form.
4. The referral to the judicial police shall follow the guidelines of the National Police on the implementation on the operation to rescue victims of human trafficking and/or sexual exploitation at the determined locations. *JK*



3.C. Key measures after victim identification and referral to victim support

3.C.1 Cambodian victim

a. **Cambodian victim in Cambodia:** after being preliminarily identified, the victim shall be referred to various service providers or reintegrated into the community of origin or to a new community, the process of which shall be facilitated and coordinated by the provincial or municipal Department of Social Affairs, Veterans and Youth Rehabilitation, local authorities, victim support agencies and national/international organizations. The referral to a service shall be carried out in compliance with the form in “annex 5” of these guidelines and in accordance with the procedures specified in the minimum standards on the protection of the rights of victims of trafficking.

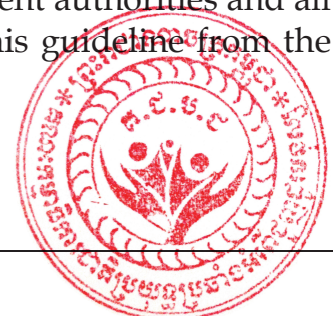
b. **Cambodian victim abroad:** after being preliminarily identified, the victim shall be supported by the Cambodian diplomatic mission in the said country or region and by victim support agencies. MoFAIC shall facilitate in cooperation with MoSVY and the MoI, the repatriation and re-integration in accordance with the procedures in force. In the event that the victim agrees to participate in the criminal proceedings of the said country, the diplomatic mission or consulate of Cambodia shall provide facilitation and arrangement in collaboration with the authorities of the said country, to ensure that the Cambodian victim is entitled to proper temporary stay and appropriate support from the competent authorities and victim support agents. If the victim has been identified in a country with an established agreement with Cambodia, the identification and repatriation of victims shall comply with the formalities set forth in those agreements.

3.C.2. Foreign victim

If a victim is from a country with an established agreement with Cambodia, the repatriation of the victim shall be carried out in accordance with the agreement.

If a victim is from a country without an established agreement with Cambodia, MoSVY shall facilitate, in cooperation with MoI and MoFAIC and the victim support agencies, the arrangement for repatriation of the victim in accordance with the procedures in force.

Upon receipt of these guidelines, the institutions, the competent authorities and all relevant units shall attentively and effectively implement this guideline from the date of signature.



The guidelines on the “Identification of Victims of Human Trafficking for Appropriate service provision” is putting into force from the day of signing, and all relevant authorities and institutions shall apply properly.

Phnom Penh,2015

**Deputy Prime Minister, Minister of the
Ministry of Interior,
CHAIR PERSON of the National Committee
for Counter Trafficking (NCCT)**

Samdech Kralahome SAR KHENG

CC:

- Ministry of Social Affairs, Veterans and Youth Rehabilitation
- Ministry of Foreign Affairs and International Cooperation
- All relevant ministries
- General Commissariat of National Police
- Headquarters of National Royal Gendarmie
- All capital-provincial halls
- All relevant national-international organization
- Royal Gazette
- Records-Archives *JK*



Annex

Annex 1: Ethics for victim identification interview and referral

Annex 2: Short interview form for victim identification

Annex 3: Detailed interview form for victim identification

Annex 4: Informed consent request form for victim identification interview

Annex 5: Referral form *JH*



Annex 1

Ethics for victim interview

Those responsible for interviewing a person to identify his/her victimization shall conduct the interview as follows:

Before conducting an interview with a victim or a potential victim of human trafficking and/or sexual exploitation (hereinafter referred to as “the respondent”), official or staff conducting the interview (hereinafter referred to as “interviewer”), shall seek information related to causes and effects of the offences and shall not ask questions which are unnecessary or repetitive.

Child-friendly interview techniques shall be used if a potential victim is a minor.

If possible, the interviewer shall be the same sex as that of the respondent and trained on victim interview techniques.

The interviewer, interview facilitator and the person referring the victim or a potential victim of human trafficking and sexual exploitation shall pay attention to the guiding principles and ethics for victim interview as follows:

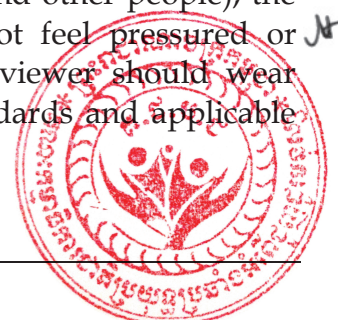
1. Avoid harmful situation such as exposing victims to danger, social discrimination and embarrassment:

The respondent can be easily harmed and traumatized as he/she has suffered severe damages as a result of the trafficking and sexual exploitation. Therefore, if there is any reason to believe that the interviewee him/herself or their family members may be in a situation of danger, such as revenge, trauma, discrimination and/ social stigma, the interview shall not be conducted. The interviewer shall follow the ethics and thoroughly assess the level of his/her vulnerability that may occur from the interview’s arrangement.

2. Assurance of safety, security and comfort

Before the interview is conducted, the interviewer shall ensure that the respondent feels safe and secured. The interviewer shall understand and respond to the urgent needs of the respondent including medical care, counseling, food and water.

The respondent shall not be interviewed while she/he is suffering or feels unwell or needs urgent medical attention. The interviewer must ensure the respondent feels comfortable at all times in the interview environment. For instance, the interview should be conducted in a separate room with sufficient air and light and with restroom. When there are many interviewers (including questioner, note taker, interpreter, counselor and other people), the interview shall be arranged in a way that the interviewee does not feel pressured or intimidated. Ideally, to avoid unnecessary fear and stress, the interviewer should wear civilian clothes. The judicial police shall abide by the laws, legal standards and applicable codes of conduct.



3. Assurance of privacy

All interviews with the respondents shall be conducted in a private environment without any disturbance. Even when the interview has to be conducted in a small and noisy room, privacy of each respondent shall be ensured; and if the privacy cannot be ensured, the interview shall not be conducted until an appropriate environment has been created. The interview, if possible, should be conducted individually (if there are more than one respondents).

4. Confidentiality

Assurance of confidentiality means that the interviewer shall ensure that all information related to the respondent or provided by the respondent is kept confidential and safe. The respondent shall be informed about the specific measures to be taken to keep information confidential. Assurance of confidentiality requires paying regular attention to confidentiality of written information, verbal communication, data via electronic systems, telephone, video, and other forms of information related to the respondent. The information shall be shared among relevant people based on the principle of “must-know necessity”. The information shared based on this principle shall be known to the respondent and she/he must be clearly informed of the measures in relation to the anonymity (such as use of code number, abbreviation, nickname, face masking, hiding place and marks on the photos and so on). It is a breach of individual rights if the information or pictures about medical and health status or identification of the respondent are shared without prior consent from the respondent or her/his parents, guardian or caretaker.

5. Provision of full information and request for consent

Information and conditions in relation to the interview and the use of information collected shall be provided to the respondent in advance so that s/he can make the best decision for the sake of their security, health, welfare and benefit before agreeing to participate in the interview. Choices as to whether or not to provide detailed information, consent to the interview process, or to provide consent to take pictures and audio recordings remain the basic rights of the respondent. Judicial police shall abide by the code of criminal procedures.

Generally, the interviewer shall provide the respondent with the following information:

- Introduction of herself/himself, including name, title, position, and possibilities in the provision of or referral to victim support services.
- Explanation of the purpose of the request for consent and interview.
- Brief explanation of the interview contents.
- Explaining the benefit of the interview and the interview process including the duration of the interview and compensation for actual damages including the loss of time (expenses on travel, food and time spent for interview instead of occupational activities).
- Explanation of right to questioning in case of doubt or concern, right to refusal to answer and right to refuse the taking of pictures and audio recordings.
- Explanation of individual rights in relation to documentation of the interview, medical evidence or personal documents.



- Explanation of the principle of confidentiality and chance to make a decision as to whether or not the information to be provided can be used or forwarded to judicial police or support service agents when appropriate.
- Assuring the victim that there are no right or wrong answers and the questions are general for every individual.
- Avoidance of putting any pressure or conditions on the respondent.
- Most important last question before commencing the formal interview: "May I commence the interview now?"

The consent to accept the interview for identification shall be willingly expressed from a free, genuine, precise, and informed decision. The informed consent shall be in writing.

6. Simple and professional question asking

Generally, the interviewer shall adhere to the following behavior and conduct when asking questions:

- Use neutral and moral words when asking questions.
- Use simple, understandable and moral language or the same terms used by the respondents.
- Simplify sentences and provide explanation accordingly when the respondent does not clearly understand.
- Encourage questions from the interviewee, although the questions may sometimes be disruptive.
- Avoid repeating the same questions or those that have already been answered by the respondent.
- Ask questions focused on the topic and avoid asking unnecessary questions which may hurt the respondent's feelings.
- Ensure that there will not be many interviewers asking questions at the same time. If necessary, the interviewers should know how to give signals to one another.
- Ask questions in an orderly manner and simple manner (one question at a time). Begin with open-ended questions in order to further understand the feelings and attitude of the respondent, then start asking direct questions to collect more detailed answers. Generally, the first few questions should be the ones that help build confidence such as questions related to welfare and needs of the respondent (her/his urgent need, security or medical need and so forth). Then, the interviewer should ask neutral questions such as name, age, place of birth, previous occupation and so on. Complicated questions or questions that may affect the respondent's feelings should be the asked last. These include questions related to family, address, choices, relocation, exploitation, abuse, prostitution and various illegal acts that are relevant to the situation of the respondent (such as possession or usage of fake documents, illegal border crossing, or having or using drugs and so on). The interview should be concluded with questions that are less sensitive and not posing concern to the respondents (such as future goal or need after the interview).



- The questioning style shall not be in the form of interrogation, accusation or in a manner that makes the respondent think that the interviewer is skeptical of her/his answers.

7. Active listening and response

The interviewer shall pay close attention and actively listen to the respondent by means of:

- Showing that the interviewer is listening to her/him
- Attentively focusing on the respondent
- Giving time to the respondent to recall the situation and show her/his feelings in a normal manner
- Asking questions for clarification
- Observing facial expressions, gestures and behavior of the respondent
- Not interrupting when the respondent is answering questions
- Not having discussions with colleagues during the interview whilst the respondent is present.

8. Assurance of unbiased feelings or behavior

Regardless of belief, religion, culture, social-economic status, ethnic origin, personality or different sex from the respondent, the interviewer shall not have biased feelings or behavior towards the respondent during the interview. In particular, the interviewer shall not behave in a way that makes the respondent feel that she/he is inferior or not of value. Moreover, the interviewer shall not use her/his experience and personal assumptions when asking questions. The interviewer shall maintain her/his normal mood and facial expression from the beginning until the end of the interview.

9. Conduct the interview with humanity, understanding, respect and equality

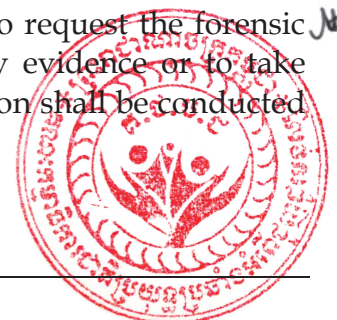
The interviewer shall treat the respondent with humanity, understanding, respect, equality and patience. In particular, she/he shall give appropriate responses to the requests of the respondent. The interviewer shall pay attention to her/his behavior such as the way she/he sits, places his/her hands, stands, gestures and uses eye contact with the respondent.

10. Building self-confidence in the respondent

The interviewer or the person responsible for referring the victim shall remind and encourage the respondent to make decisions and to have self-confidence during the interview and referral process. Moreover, the interviewer shall ensure that the respondent clearly understands the offense committed by the human trafficker and avoid feelings of self-blame.

11. Explanation of the right to request forensic and technical or scientific examinations

The interviewer shall inform the respondent about their right to request the forensic and technical or scientific examinations in order to receive necessary evidence or to take other legal measures. The forensic and technical or scientific examination shall be conducted by experts.



12. Interpretation

The interviewer shall provide interpretation services of any language in order to facilitate the interview and referral. The interpreter shall be carefully selected in order to avoid those who may discriminate against the respondent or may not have enough patience. In principle, the interpreter shall be selected after a security check, approval by the respondent, orientation or short-term training (especially introduction to the context of the interview, and the use of technical terms), and a declaration stating that the interpretation is correct. The interpreter shall not provide additional response or substitute the response provided by the respondent.

13. Pause the interview when needed

Answering the questions or recalling the experience of being trafficked or exploited may be stressful, both, physically and mentally, especially to a person that is already harmed or distressed. Therefore, the best approach is avoid pressuring, interrupting or interfering with the respondent and instead allowing him/her to tell the interviewer what happened and express her/his feelings in his/her own time. The interviewer shall observe and understand the feelings of the respondent. The interviewer may, when appropriate, pause the interview and allow the respondent to take some rest, change the topic or postpone the interview to another day. In some cases, the interviewer shall seek or request cooperation from a professional medical doctor or line agent to provide urgent consultation to the respondent.

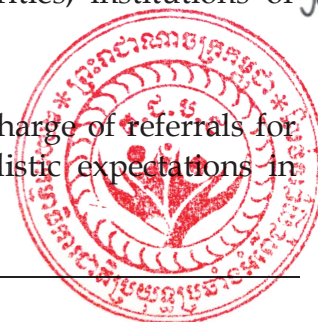
14. Preparation for victim referral

The interviewer shall have proper information and contacts of the relevant authorities or institutions and victim support agencies such as institutions and organizations providing medical, psychosocial, socio-economic services, shelter, center, residential center and they shall be well prepared for necessary and immediate support and referrals to services when facing any of the followings:

- The respondent suffers from physical illness or needs psychological or psychiatric support.
- The respondent requests phone call to her/his family or a person she/he trusts.
- The respondent does not feel safe and secure to return to her/his residence or does not have a place to go and needs safe accommodation.
- The respondent needs a place to worship in accordance with her/his tradition and religion.
- The respondent needs food or other urgent support
- The respondent needs to go back to where she/he was trafficked or exploited to rescue relatives and/or recover property/money.
- The respondent was beaten, raped or abused by the trafficker, or by authorities or shelter staff or was forcibly checked or tested for HIV and so on. The interview shall record all information in relation to these abuses and shall ask what she/he wants to do (including filling a complaint or claiming back property). The interviewer shall receive prior consent from the respondent before sharing the information to other authorities, institutions or agencies.

15. Managing the respondent's expectations

The interviewer, organizer of the interview and the person in charge of referrals for the victim shall not make any promises leading to high and unrealistic expectations in relation to the interview for identification.



Annex 2

Victim Code Number

<h3 style="margin: 0;">Short Interview Form</h3> <h4 style="margin: 0;">For</h4> <h3 style="margin: 0;">Identification of Victim of Human Trafficking</h3>
--

Date of interview: ___/___/___	Time : From _____ to _____ <input type="checkbox"/> morning <input type="checkbox"/> afternoon <input type="checkbox"/> night
Place of interview: _____ Village: _____	
Commune/Sangkat: _____ City/District /Khan: _____	
Capital/Province: _____ Country: _____	
Translator/Interpreter: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Name: _____ Occupation: _____	
Address: _____	
Contact phone number: _____	
Part 1: Personal information of the respondent	
Family name: _____	Given name: _____
Nickname (if any) : _____	
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of birth: ___/___/___
Age: ___ years old	
Place of birth: _____ Village: _____	
Commune/Sangkat: _____ City/District /Khan: _____	
Capital/Province: _____ Country: _____	
Current address: _____ Village: _____	
Commune/Sangkat: _____ City/District /Khan: _____	
Capital/Province: _____ Country: _____	
Date of leaving from the last place of residence: ___/___/___	Marital status: <input type="checkbox"/> single <input type="checkbox"/> married <input type="checkbox"/> widowed <input type="checkbox"/> divorced <input type="checkbox"/> others _____
At the age of: _____ years	Number of dependents : _____
Nationality: <input type="checkbox"/> Khmer <input type="checkbox"/> Vietnamese <input type="checkbox"/> Lao <input type="checkbox"/> Burmese <input type="checkbox"/> Others _____	Origin : <input type="checkbox"/> Khmer <input type="checkbox"/> Vietnamese <input type="checkbox"/> Lao <input type="checkbox"/> Burmese <input type="checkbox"/> Others _____

Education: _____	
Current occupation: <input type="checkbox"/> Fisherman <input type="checkbox"/> Livestock farmer <input type="checkbox"/> Agriculturist <input type="checkbox"/> Constructor <input type="checkbox"/> Housemaid <input type="checkbox"/> Beggar <input type="checkbox"/> Dressmaker <input type="checkbox"/> Sex worker <input type="checkbox"/> Unemployed <input type="checkbox"/> Others _____	Previous occupation: <input type="checkbox"/> Fisherman <input type="checkbox"/> Livestock farmer <input type="checkbox"/> Agriculturist <input type="checkbox"/> Constructor <input type="checkbox"/> Housemaid <input type="checkbox"/> Beggar <input type="checkbox"/> Dressmaker <input type="checkbox"/> Sex worker <input type="checkbox"/> Unemployed <input type="checkbox"/> Others _____
Temporary address: _____ Village: _____ Commune/Sangkat: _____ City/District /Khan: _____ Capital/Province: _____ Country: _____	
Personal telephone: _____ and another contactable telephone: _____	ID card number : _____ or other identity documents: _____
Part 2: Questions	
Activities	
1. Where did you go? With whom?	
Means	
2. Did anyone harm you? Yes <input type="checkbox"/> No <input type="checkbox"/> Note: _____	
3. Did you get injured? Yes <input type="checkbox"/> No <input type="checkbox"/> Note: _____	
-Do you need help? Yes <input type="checkbox"/> No <input type="checkbox"/> Note: _____	
4. Did anyone threaten you? Yes <input type="checkbox"/> No <input type="checkbox"/> Note: _____	
5. Did anyone threaten your family members? Yes <input type="checkbox"/> No <input type="checkbox"/> Note: _____	
6. Do you have passport or personal identity document? Yes <input type="checkbox"/> No <input type="checkbox"/> Where is that document?	

7. Were you forced to stay at any place? Yes No

Note:.....
.....

8. Did you have freedom to move outside your work place? Yes No

Note :
.....
.....

9. Were you forced to do the work against your will? Yes No

Note :
.....
.....

Purposes

10. Were you forced to work to pay off debt? Yes No

Note :
.....
.....

11. Did you want to leave the job? Why? Yes No

Reason:.....
.....

12. Did you receive full payment according to the employment contract?

Yes No

Note :
.....
.....

Additional questions

13. How do you feel?

.....
.....
.....
.....

14. Do you want to return home? Yes <input type="checkbox"/> No <input type="checkbox"/> Note :	
15. When necessary, may I ask additional questions later on? (Detailed Identification Form) Yes <input type="checkbox"/> No <input type="checkbox"/> Note	
The person is willing to be contacted at a later stage. Yes <input type="checkbox"/> No <input type="checkbox"/> Note.....	
Type of service the person needs:	
Part 3: Quick assessment by the interviewer The person is likely a victim of human trafficking: 1. No freedom to move outside workplace 2. Forced to work and confinement 3. Abused 4. Frightened or Threatened 5. identity documents or travel document confiscated 6. Not paid or just partially	1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/>
In case the person is a child, the child is regarded as a victim as follows: 1. Homeless child- Vagrant child 2. Minor in prostitution 3. Abused 4. Dangerous form of child labor and exploitation	1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/>

Fingerprint and name of the respondent

Signature and name of interviewer

Fingerprint and name of interpreter

Annex 3

Victim Code Number

Detailed Form For Identification of Victim of Human Trafficking

Part 1: Basic information

Source of information: Non-governmental organization National organization
 Government institution Law enforcement officials
 Immigration Embassy Consulate In person
 Family Friend Minor Others:

Name of referring unit/organization/person: _____

Address and telephone number of the referring person: _____

Village: _____ Commune/Sangkat: _____

City/District /Khan: _____ Capital/Province: _____

Country: _____

Telephone number: _____

Information of the interviewer and interpreter

Family and given names of interviewer: _____

Name of organization/institution: _____

Contact information of the interviewer:

Address _____

Phone number: _____ E-mail: _____

Language of the interviewee: _____

Interpreter : Yes No

Family and given names of interpreter: _____ sex: _____	
Nick name: _____	
Race: _____ Nationality: _____	
Date of birth: _____	
Place of birth: _____	
Current Address: _____ _____	
ID card number: _____ Issued at _____	
Passport number: _____ Issued at _____	
Telephone number. _____	
Date of interview: _____/_____/_____	Time: From to <input type="checkbox"/> morning <input type="checkbox"/> afternoon <input type="checkbox"/> night.
Place of interview: _____ Village: _____	
Commune/Sangkat: _____ City/District /Khan: _____	
Capital/Province: _____ Country: _____	
Personal information of the respondent <i>(The interviewer may copy personal information of the respondent (from part 1 of quick form for identification of victim of human trafficking))</i>	
Family name: _____	Given name: _____
Nickname(if any): _____	
Sex : <input type="checkbox"/> Male <input type="checkbox"/> Female Date of birth : ____/____/____ Age : _____years	Interviewer's notes:
Place of birth: _____ Village: _____	
Commune/Sangkat: _____ City/District /Khan: _____	
Capital/Province: _____ Country: _____	
Date of leaving the last place of residence: _____/_____/_____ At the age of: _____ years	Marital status: <input type="checkbox"/> single <input type="checkbox"/> married <input type="checkbox"/> widowed <input type="checkbox"/> divorced <input type="checkbox"/> others _____ Number of dependents : _____

Nationality: <input type="checkbox"/> Khmer <input type="checkbox"/> Vietnamese <input type="checkbox"/> Lao <input type="checkbox"/> Burmese <input type="checkbox"/> Others _____		Origin : <input type="checkbox"/> Khmer <input type="checkbox"/> Vietnamese <input type="checkbox"/> Lao <input type="checkbox"/> Burmese <input type="checkbox"/> Others _____	
Education : _____			
Current occupation: <input type="checkbox"/> Fisherman <input type="checkbox"/> Livestock farmer <input type="checkbox"/> Agriculturist <input type="checkbox"/> Constructor <input type="checkbox"/> Housemaid <input type="checkbox"/> Beggar <input type="checkbox"/> Dressmaker <input type="checkbox"/> Sex worker <input type="checkbox"/> Unemployed <input type="checkbox"/> Others _____		Previous occupation: <input type="checkbox"/> Fisherman <input type="checkbox"/> Livestock farmer <input type="checkbox"/> Agriculturist <input type="checkbox"/> Constructor <input type="checkbox"/> Housemaid <input type="checkbox"/> <input type="checkbox"/> Beggar <input type="checkbox"/> Dressmaker <input type="checkbox"/> Sex worker <input type="checkbox"/> Unemployed <input type="checkbox"/> Others _____	
Current address: _____ Village: _____ Commune/Sangkat: _____ City/District /Khan: _____ Capital/Province: _____ Country: _____			
Temporary address: _____ Village: _____ Commune/Sangkat: _____ City/District /Khan: _____ Capital/Province: _____ Country: _____			
Personal telephone: _____ Another contactable telephone: _____		ID card number : _____ and other identity documents: _____	
Information of the parents or guardian of the respondent			
	Father	Mother	Guardian
Family name :			
Given name :			
Nickname (if any) :			
Date of birth/or age: _____	____/____/____ Age : _____ years	____/____/____ Age : _____ years	____/____/____ Age : _____ years
Place of birth :	Village: _____ Commune/Sangkat: _____ City/District/Khan: _____ Capital/Province: _____ Country: _____	Village: _____ Commune/Sangkat: _____ City/District/Khan: _____ Capital/Province: _____ Country: _____ <input type="checkbox"/> Unknown	Village: _____ Commune/Sangkat: _____ City/District/Khan: _____ Capital/Province: _____ Country: _____

	_____		<input type="checkbox"/> Unknown
	<input type="checkbox"/> Unknown		
Nationality :	<input type="checkbox"/> Khmer <input type="checkbox"/> Vietnamese <input type="checkbox"/> Lao <input type="checkbox"/> Burmese <input type="checkbox"/> Others _____	<input type="checkbox"/> Khmer <input type="checkbox"/> Vietnamese <input type="checkbox"/> Lao <input type="checkbox"/> Burmese <input type="checkbox"/> Others _____	<input type="checkbox"/> Khmer <input type="checkbox"/> Vietnamese <input type="checkbox"/> Lao <input type="checkbox"/> Burmese <input type="checkbox"/> Others _____
Education :	_____	_____	_____
Current occupation :	<input type="checkbox"/> Fisherman <input type="checkbox"/> Livestock farmer <input type="checkbox"/> Agriculturist <input type="checkbox"/> Constructor <input type="checkbox"/> Housemaid <input type="checkbox"/> Beggar <input type="checkbox"/> Dressmaker <input type="checkbox"/> Sex worker <input type="checkbox"/> Unemployed <input type="checkbox"/> Others _____ <input type="checkbox"/> Unknown	<input type="checkbox"/> Fisherman <input type="checkbox"/> Livestock farmer <input type="checkbox"/> Agriculturist <input type="checkbox"/> Constructor <input type="checkbox"/> Housemaid <input type="checkbox"/> Beggar <input type="checkbox"/> Dressmaker <input type="checkbox"/> Sex worker <input type="checkbox"/> Unemployed <input type="checkbox"/> Others _____ <input type="checkbox"/> Unknown	<input type="checkbox"/> Fisherman <input type="checkbox"/> Livestock farmer <input type="checkbox"/> Agriculturist <input type="checkbox"/> Constructor <input type="checkbox"/> Housemaid <input type="checkbox"/> Beggar <input type="checkbox"/> Dressmaker <input type="checkbox"/> Sex worker <input type="checkbox"/> Unemployed <input type="checkbox"/> Others _____ <input type="checkbox"/> Unknown
Current address :	Village: _____ _____	Village: _____ _____	Village: _____ _____
	Commune/Sangkat: _____ _____	Commune/Sangkat: _____ _____	Commune/Sangkat: _____ _____
	City/District/Khan: _____ _____	City/District/Khan: _____ _____	City/District/Khan: _____ _____
	Capital/Province: _____ _____	Capital/Province: _____ _____	Capital/Province: _____ _____
	Country: _____ _____	Country: _____ _____	Country: _____ _____
	<input type="checkbox"/> Unknown	<input type="checkbox"/> Unknown	<input type="checkbox"/> Unknown
ID card number : _____	_____	_____	_____
or other identity documents: _____	_____	_____	_____
Contact telephone number: _____	_____	_____	_____
Information about: <input type="checkbox"/> Recruiter / Facilitator / Broker <input type="checkbox"/> Referrer <input type="checkbox"/> Representative of agent recruiting laborers			

<input type="checkbox"/> Others _____ <input type="checkbox"/> Unknown [Go to part 2]	
<i>(Note: If more than one box is ticked, the interviewer may use additional paper to fill out the below information.)</i>	
Family name : _____	Given name : _____
Nickname (if any) : _____	
Sex : <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of birth : ____/ ____/ ____ and/or Age: _____
Place of birth: _____ Village: _____ Commune/Sangkat: _____ City/District /Khan: _____ Capital/Province: _____ Country: _____	
Age at the time when leaving the place of birth: _____ years <i>(In case the said person is an immigrant or former immigrant)</i>	
Marital status: <input type="checkbox"/> single <input type="checkbox"/> married <input type="checkbox"/> widowed <input type="checkbox"/> divorced <input type="checkbox"/> others _____ Number of dependents : _____	Education: _____
Nationality : <input type="checkbox"/> Khmer <input type="checkbox"/> Vietnamese <input type="checkbox"/> Lao <input type="checkbox"/> Burmese <input type="checkbox"/> Others _____	Origin : <input type="checkbox"/> Khmer <input type="checkbox"/> Vietnamese <input type="checkbox"/> Lao <input type="checkbox"/> Burmese <input type="checkbox"/> Others _____
Current occupation : <input type="checkbox"/> Fisherman <input type="checkbox"/> Livestock farmer <input type="checkbox"/> Agriculturist <input type="checkbox"/> Constructor <input type="checkbox"/> Housemaid <input type="checkbox"/> Beggar <input type="checkbox"/> Dressmaker <input type="checkbox"/> Sex worker <input type="checkbox"/> Unemployed <input type="checkbox"/> Others _____ <input type="checkbox"/> Unknown	
Permanent address: _____ Village: _____ Commune/Sangkat: _____ City/District /Khan: _____ Capital/Province: _____ Country: _____	
Temporary address: _____ Village: _____ Commune/Sangkat: _____ City/District /Khan: _____ Capital/Province: _____ Country: _____	
Contact telephone : _____	ID card : _____ Other identity documents: _____
Part 2 : Place of residence before the incident	
Recruitment phase	
2.1	Where did you live before the incident? Address: <input type="checkbox"/> Cambodia <input type="checkbox"/> Vietnam <input type="checkbox"/> Laos <input type="checkbox"/> Thailand <input type="checkbox"/> Myanmar (Burma) <input type="checkbox"/> Other countries _____

2.2	When did you leave?	From date: _____ <input type="checkbox"/> Forget		
2.3	Were you recruited or led by someone?	<input type="checkbox"/> Not sure [Go to 2.12] <input type="checkbox"/> No, [go to 2.12] <input type="checkbox"/> Yes, specify the activities : _____ _____ _____		
2.4	Who is the recruiter or leader?	<input type="checkbox"/> Family member/Relative <input type="checkbox"/> Friend <input type="checkbox"/> Neighbor <input type="checkbox"/> Representative of agent recruiting laborers <input type="checkbox"/> Don't know <input type="checkbox"/> Others _____		
2.5	What type of work did you choose or the leader promise you?	<input type="checkbox"/> Without promise [Continue to question 2.8] <input type="checkbox"/> Work on fishing boat <input type="checkbox"/> Work at livestock farm <input type="checkbox"/> Agricultural work (specify _____) <input type="checkbox"/> Construction work <input type="checkbox"/> Household work (specify _____) <input type="checkbox"/> Begging <input type="checkbox"/> Factory work (specify _____) <input type="checkbox"/> Sexual work <input type="checkbox"/> Work at hotel/guesthouse <input type="checkbox"/> Others _____		
2.6	Did the recruiter or leader promise that you would get paid?	<input type="checkbox"/> No [Continue to question 2.7] <input type="checkbox"/> Yes, filling out the following questions : <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;"> How much? _____ (Specify the currency) <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Annually <input type="checkbox"/> Others _____ </td> <td style="width: 70%;"></td> </tr> </table>	How much? _____ (Specify the currency) <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Annually <input type="checkbox"/> Others _____	
How much? _____ (Specify the currency) <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Annually <input type="checkbox"/> Others _____				
2.7	What else did the recruiter or leader promise you?	<input type="checkbox"/> No <input type="checkbox"/> Yes, Please specify in brief _____ _____ _____		
2.8	Did the recruiter or leader tell you about the deduction of	<input type="checkbox"/> No [Continue to question 2.10]		

	pay or commission fee?	<input type="checkbox"/> Yes Amount : _____(specify the currency)	
2.9	To whom and for what was your pay deducted?	Deducted to : <input type="checkbox"/> Recruiter or leader <input type="checkbox"/> Broker <input type="checkbox"/> Recruitment representative <input type="checkbox"/> Boss <input type="checkbox"/> Others : _____	For : <input type="checkbox"/> Offset against recruitment fee <input type="checkbox"/> Offset against transport fee <input type="checkbox"/> Offset against of fee for document process <input type="checkbox"/> Others : _____
2.10	Were you required to make payment in advance?	<input type="checkbox"/> No [Continue to 2.12] <input type="checkbox"/> Yes Amount : _____(specify the currency)	
2.11	To whom and for what was it paid?	Paid to : <input type="checkbox"/> Recruiter or leader <input type="checkbox"/> Broker <input type="checkbox"/> Recruitment representative <input type="checkbox"/> Boss <input type="checkbox"/> Others : _____	For : <input type="checkbox"/> Offset against recruitment fee <input type="checkbox"/> Offset against transport fee <input type="checkbox"/> Offset against of fee for document process <input type="checkbox"/> Others : _____
Transportation /travel phase			
2.12	By what means did you leave your place of living before the incident?	<input type="checkbox"/> Motor-taxi <input type="checkbox"/> Taxi <input type="checkbox"/> Bus <input type="checkbox"/> Automobile of broker, recruiter or leader <input type="checkbox"/> Others : _____	
2.13	Who travelled with you?	<input type="checkbox"/> Alone <input type="checkbox"/> Family <input type="checkbox"/> Friend/neighbor <input type="checkbox"/> Other immigrants <input type="checkbox"/> Broker/recruiter or leader <input type="checkbox"/> Unknown <input type="checkbox"/> Others : _____ Specify name, sex and nationality: _____ _____ <i>(Additional papers can be attached)</i>	
2.14	Who paid for your travel fee? How much was it?	<input type="checkbox"/> Personally <input type="checkbox"/> Broker, recruiter or leader, name : _____ nationality : _____) <input type="checkbox"/> Others : _____ Amount paid : _____(specify the currency) <input type="checkbox"/> Please give more detail if the travel fee was paid stage by stage: _____	

2.15	Did the broker, recruiter or leader threaten you during the travel?	<input type="checkbox"/> Yes, specify _____ <input type="checkbox"/> No
2.16	Where did you stay during the course of travel and how was your stay?	Stayed at : _____ _____ Conditions of stay: <input type="checkbox"/> Detention <input type="checkbox"/> No freedom to move <input type="checkbox"/> Full freedom to move <input type="checkbox"/> Enough food and suitable conditions <input type="checkbox"/> Others : _____
Border crossing phase		
2.17	Did you cross the border to another country?	<input type="checkbox"/> No [Go to part 3] <input type="checkbox"/> Yes
2.18	What area did you cross the border and when?	<input type="checkbox"/> Poipet <input type="checkbox"/> Cham Yeam <input type="checkbox"/> Bavit <input type="checkbox"/> Others : _____ Date : ___/___/___ Time: _____ <input type="checkbox"/> morning <input type="checkbox"/> evening <input type="checkbox"/> night <input type="checkbox"/> Unknown or forget
2.19	Did you have document for crossing the border?	<input type="checkbox"/> Yes : What document? <input type="checkbox"/> Passport <input type="checkbox"/> Daily Laissez-Passer <input type="checkbox"/> Border-Pass <input type="checkbox"/> Others _____ <input type="checkbox"/> No <input type="checkbox"/> Don't know
2.20	Who helped you to cross the border?	<input type="checkbox"/> No [Go to question 2.22] <input type="checkbox"/> Yes :Who? <input type="checkbox"/> Broker/recruiter or leader <input type="checkbox"/> Others : _____ _____ (Please ask the question in detail in page 3 and use the attached paper if necessary)
2.21	What relation did you have with the person who helped you to cross the border?	<input type="checkbox"/> I have contacted that person to request her/him to give facilitation in crossing the border <input type="checkbox"/> Person known my purpose and contacted me and then she/he helped me to across the border <input type="checkbox"/> Other : _____
2.22	Who paid the fee for crossing the border? How much?	<input type="checkbox"/> Personally <input type="checkbox"/> Broker/recruiter (name : _____ nationality: _____) <input type="checkbox"/> Others : _____ _____ Paid to: _____ Amount paid : _____ (specify the

		currency) <input type="checkbox"/> Unknown
Part 3: Transit in and outside the country		
<input type="checkbox"/> No country or transit (Go to part IV)		
<input type="checkbox"/> Yes, What countries/where did you transit/cross?		
<input type="checkbox"/> Cambodia <input type="checkbox"/> Vietnam <input type="checkbox"/> Laos <input type="checkbox"/> Thailand <input type="checkbox"/> Myanmar (Burma) <input type="checkbox"/> Others _____		
Address: _____		
Conditions of the temporary stay		
3.1	How long did you stay in a country or place?	Duration of stay : _____
3.2	Where did you stay?	<input type="checkbox"/> Broker's house/ transporter <input type="checkbox"/> leased house / guesthouse <input type="checkbox"/> Others _____ (If possible, please specify the address of that place)
3.3	Did you pay for the transit?	<input type="checkbox"/> No <input type="checkbox"/> Yes, amount paid : _____ to _____
3.4	What was the condition of the stay in the transit location like?	<input type="checkbox"/> Detention <input type="checkbox"/> No freedom to go somewhere <input type="checkbox"/> Full freedom to go somewhere <input type="checkbox"/> Enough food and suitable staying condition <input type="checkbox"/> Others : _____
Part 4: Country or place of destination (in and outside the country)		
Arrival at the destination		
4.1	Where was your final destination? When did you arrive?	<input type="checkbox"/> Cambodia <input type="checkbox"/> Thailand <input type="checkbox"/> Malaysia <input type="checkbox"/> Taiwan <input type="checkbox"/> South Korea <input type="checkbox"/> Vietnam <input type="checkbox"/> Laos <input type="checkbox"/> Others : _____ Address : _____ _____ Date : _____
4.2	Did you have travel documents/ or work documents or other identity documents?	<input type="checkbox"/> No <input type="checkbox"/> Yes
4.3	Were your travel documents/ or work documents or other identity documents taken away?	<input type="checkbox"/> No <input type="checkbox"/> Yes, Taken away by : _____ <input type="checkbox"/> Broker <input type="checkbox"/> Boss <input type="checkbox"/> Supervisor/manager

	Who did it?	<input type="checkbox"/> Others_____
4.4	Where did you work?	<input type="checkbox"/> Normal house <input type="checkbox"/> Boat : Name/boat number : _____ <input type="checkbox"/> Factory : Name : _____ <input type="checkbox"/> Farm : Type : _____ <input type="checkbox"/> Others : _____ If known, please specify : Address: _____ Boss/supervisor: Mr./Ms. _____ _____ Nationality: _____ Age : _____ Telephone : _____ Other contact numbers: _____
Work condition		
4.5	Did you get job as promised?	<input type="checkbox"/> Yes [Go to question 4.7] <input type="checkbox"/> No <input type="checkbox"/> No promise was made
4.6	What job did you do?	<input type="checkbox"/> Work on fishing boat <input type="checkbox"/> Work at livestock farm <input type="checkbox"/> Agricultural work (specify _____) <input type="checkbox"/> Construction work <input type="checkbox"/> Household work (specify _____) <input type="checkbox"/> Begging <input type="checkbox"/> Factory work (specify _____) <input type="checkbox"/> Sex work <input type="checkbox"/> Work at hotel/ guesthouse <input type="checkbox"/> Others _____
4.7	How many hours did you work?	<input type="checkbox"/> Morning (from _____ to _____) <input type="checkbox"/> Afternoon (from _____ to _____) <input type="checkbox"/> Night (from _____ to _____) Number of hours : _____hour(s) per day (from _____ to _____) And _____ days per week
4.8	Did you have hours/days off?	<input type="checkbox"/> No <input type="checkbox"/> Yes, when were your day off? How many hours per day? _____ _____
4.9	Did you receive a salary/fee? If yes, how much?	<input type="checkbox"/> Did not get [Go to question 4.15] <input type="checkbox"/> Got <input type="checkbox"/> Got _____ per day (specify the currency) <input type="checkbox"/> Got _____ per week (specify the currency)

		<input type="checkbox"/> Got _____ per month (specify the currency) <input type="checkbox"/> Got _____ year (specify the currency) <input type="checkbox"/> Others _____ (specify the currency)
4.10	Did you get paid as per the initial promise?	<input type="checkbox"/> No promise <input type="checkbox"/> As per the promise <input type="checkbox"/> Different from the promise: <ul style="list-style-type: none"> • Pay promised: _____ • Actual pay : _____
4.11	How did they pay you?	<input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Annually <input type="checkbox"/> Others _____ <input type="checkbox"/> Got payment different from schedule
4.12	Was your pay deducted? For what?	<input type="checkbox"/> No [Continue to 4.13] <input type="checkbox"/> Yes, Amount deducted _____(specify the currency) Offset against: <ul style="list-style-type: none"> <input type="checkbox"/> Fee for immigration (For instance, pay for broker, travel fee, fee for document process): _____ (specify the currency) <input type="checkbox"/> Fee for accommodation: _____ (specify the currency) <input type="checkbox"/> Debt settlement <input type="checkbox"/> Fees for water/ electricity (materials for use): _____ (specify the currency) <input type="checkbox"/> Fee for food : _____ (specify the currency) <input type="checkbox"/> Health insurance: _____ (specify the currency) <input type="checkbox"/> Others (specify) : _____ (specify the currency)
4.13	Do you have documents proving the receipt of pay and pay deductions?	<input type="checkbox"/> Yes (If possible, taking picture of those documents) <input type="checkbox"/> No <input type="checkbox"/> Don't know
4.14	Specify your work conditions	<input type="checkbox"/> Forced labor <input type="checkbox"/> Confinement <input type="checkbox"/> Unable to get out of the building /gate (no freedom) <input type="checkbox"/> No freedom to go anywhere after work <input type="checkbox"/> Stuck in the middle of the sea <input type="checkbox"/> Free to go somewhere <input type="checkbox"/> Others : _____
4.15	Had you ever been threatened by boss/Supervisor or been subject to violence?	<input type="checkbox"/> Never [Continue to 4.16] <input type="checkbox"/> Ever, how many times and how did it happen? _____ _____

4.16	Have you ever been forced to work against your will?	<input type="checkbox"/> Never [Go to 4.18] <input type="checkbox"/> Yes, _____
4.17	What work were you forced to do?	<input type="checkbox"/> Prostitution <input type="checkbox"/> Drug dealing <input type="checkbox"/> Others : _____
4.18	Did you know that you were sold?	<input type="checkbox"/> No [Go to 4.20] <input type="checkbox"/> Yes, who sold you? : <input type="checkbox"/> Boss <input type="checkbox"/> Supervisor/Manager <input type="checkbox"/> immigrant laborer <input type="checkbox"/> Others : _____ If known, specify: Name: _____ Sex : _____ Nationality : _____ Age : _____ Telephone: _____ Address: _____
4.19	Do you know for how much you were sold?	<input type="checkbox"/> No <input type="checkbox"/> Yes, at a price of _____ (specify the currency)
4.20	If you wanted to quit work, were you allowed to do so?	<input type="checkbox"/> Yes <input type="checkbox"/> No, because _____ Specify: _____
Living conditions (in case the employer provided accommodation)		
4.21	Did you live alone?	<input type="checkbox"/> Yes <input type="checkbox"/> No, how many people did you stay with? _____
4.22	How were your living conditions?	<input type="checkbox"/> Confinement <input type="checkbox"/> Unable to get out (no freedom) <input type="checkbox"/> Freedom to go somewhere <input type="checkbox"/> Others : _____
4.23	Did your boss provide you with food?	<input type="checkbox"/> No [Continue to 4.24] <input type="checkbox"/> Yes, how many times per day? <input type="checkbox"/> one time <input type="checkbox"/> two times <input type="checkbox"/> three times <input type="checkbox"/> others: _____ _____ _____
Escape, arrest, detention and repatriation		
4.24	Do you think you were cheated?	<input type="checkbox"/> No <input type="checkbox"/> Yes, because _____ _____ _____
4.25	Do you think you were	<input type="checkbox"/> No

	exploited?	<input type="checkbox"/> Yes, because _____ _____ _____
4.26	How did you quit/leave work?	_____ _____ _____
4.27	Did the authorities at where you worked ever arrest you? Why? By whom? How long?	<input type="checkbox"/> Never <input type="checkbox"/> Ever <ul style="list-style-type: none"> ● Cause: _____ ● Arrested by: <ul style="list-style-type: none"> <input type="checkbox"/> Police, for a period of _____ <input type="checkbox"/> Immigration official for a period of _____ <input type="checkbox"/> Military, for a period of _____ <input type="checkbox"/> Court, for a period of _____ <input type="checkbox"/> Unknown, for a period of _____ _____ <input type="checkbox"/> Other : _____
4.28	Did the authorities at where you worked ever detain you? Why? By whom? How long?	<input type="checkbox"/> Never <input type="checkbox"/> Ever <ul style="list-style-type: none"> ● Cause: _____ ● Detained by: <ul style="list-style-type: none"> <input type="checkbox"/> Police, for a period of _____ <input type="checkbox"/> Immigration official for a period of _____ <input type="checkbox"/> Military, for a period of _____ _____ <input type="checkbox"/> Court, for a period of _____ <input type="checkbox"/> Unknown, for a period of _____ _____ <input type="checkbox"/> Other : _____
4.29	When were you returned/ repatriated? By what means? By whom?	Date, time: _____ By: <input type="checkbox"/> Plan <input type="checkbox"/> vehicle <input type="checkbox"/> Others : _____ Through: <ul style="list-style-type: none"> <input type="checkbox"/> Personally / family <input type="checkbox"/> Police <input type="checkbox"/> Immigration official <input type="checkbox"/> Social affairs official <input type="checkbox"/> Nongovernmental organization (name : _____) <input type="checkbox"/> Unknown <input type="checkbox"/> document preparer, broker

		or broker <input type="checkbox"/> Embassy representative, consulate-general <input type="checkbox"/> Others: _____
Part 5: Psychosocial evaluation¹		
5.1	Were you abused?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.2	In the last two weeks, have you felt a lack of interest, unhappiness or disappointment during your daily activities?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.3	In the last two weeks, have you had feelings of sadness, depression or loss of hope?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.4	During your life, have you ever experienced dangerous situations or threats of violence such as natural disaster, abuse, rape, physical and sexual abuse in your childhood, domestic violence, living in an area of war, seeing someone hurt or killed, fighting in a military battle or detained and tortured as a result of political issue?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.5	Do you sometimes drink beer, wine, or other alcoholic beverages?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Part 6: Assistance in the future (If necessary, additional attached papers can be used)		
6.1	What assistance, if any, do you think you may need?	<input type="checkbox"/> No assistance <input type="checkbox"/> Yes <input type="checkbox"/> 1 - Identification Document <input type="checkbox"/> 2 - Employment <input type="checkbox"/> 3 - Job skills training <input type="checkbox"/> 4- Housing <input type="checkbox"/> 5- Medical treatment <input type="checkbox"/> 6 - Financial assistance <input type="checkbox"/> 7 - Legal action <input type="checkbox"/> 8 - Humanitarian assistance <input type="checkbox"/> 9 - Psychosocial counseling <input type="checkbox"/> 10 - Negotiation and mediation <input type="checkbox"/> 11 - Transportation fee <input type="checkbox"/> 12 - Pursuing education <input type="checkbox"/> 13 - Accommodation <input type="checkbox"/> 14 - Other: _____
6.2	In the future, may I ask you for further information?	<input type="checkbox"/> No, I don't want to meet you again <input type="checkbox"/> Yes, I want you to meet me : <input type="checkbox"/> At Home <input type="checkbox"/> At other places: _____ <input type="checkbox"/> On the phone

¹If the "yes" is ticked in one of five psychosocial questions, please provide information to the relevant institutions or agencies to take any further appropriate measure.

Part 7: Supporting document

Official report of the police officer Yes No

Document of identification Yes No

Travel document Yes No

Medical report Yes No

Copy of employment contract or letter of recruitment Yes No

Personal writing Yes No

Report of special telephone line Yes No

Others Yes No Specify: _____

Part 8 :Assessment of the interviewer based on three components of human trafficking

1. Act

Illegally committing acts of :

Recruit or hire or employ a person (persuade someone to commit a certain act or hire someone for labor purpose)

Transportation

Transferring

Harboring

Receipt

Removal of minor from legal custody

Allowing a person move to other place under their control

Handing over or receiving the control over the victims

None

2. Means

Using the following methods:

Threat (for instance, threatening to file a complaint of defamation/use fake legal document against the authority for illegal immigration situation and use this threat to commit illegal act on the victim...)

Force (for instance, touching, pushing/pulling a person ...)

Other forms of coercions (for instance, plotting, planning or behaving in such a way as to make the victim believe that failure to do something would lead to loss/serious injury ...)

Abduction (means taking or detaining a person by use of force or coercion ...)

Fraud (using of fake name, fake rank, dishonest act...)

Deception (a situation in which the offender uses language/ lies or fails to tell/not do something or provide fake information to make the victim commit an act)

Abuse of power (for instance, getting benefit from an official position in order to commit an illegal act; a public official failing to intervene to cease the deprivation of the victim's freedom...)

Abuse of vulnerability (exploitation of any individual who is in a situation of vulnerability by ordering him/her commit an act)

- Giving or receiving of payments or benefits to achieve the consent of a person to gain control over the victim
- Coax (the offender attracts the victim by making a false promise or not providing detailed information leading to the victim believing that something will be done)
- Confinement (for instance, preventing the victim from leaving any place ...)
- None

3. Purpose (exploitation)

For:

- Sexual exploitation (for instance, forcing a person into prostitution, pornographic images/objects production, commercial sexual exploitation...)
- Forced service or labor, slavery and servitude [or activity of operating any business or labor] (work or service requires by a person under threat that she/he will receive torture, being forced to do certain work/acts without free will of the victim)
- Removal or cutting of any organ
- Seeking benefit
- Marriage against will
- Adoption
- Confinement for deduction of debt
- Child labor
- For the purpose of crossing the border
- Exchange for a valuable thing
- Helping the offender
- Exploitation
- None

Part 9: Conclusion

9.1. Is that person a victim of human trafficking? (Yes No)

If yes, please specify the ground(s) for the decision made in item 9.1:

- 1. Act:
- 2. Means:
- 3. Purpose:

9.2 Is that person a child victim of trafficking? (Yes No)

If yes, please specify the grounds for decision made in item 9.2:

- 1. Act:
- 2. Means (not necessary/ not relevant)
- 3. Purpose.....

A child is a person whose age is under 18 years and her/his age is calculated from the date of offense committed.

Interviewed by:..... (*Signature and name*)

Position:.....

Institution:

Fingerprint of the respondent

Fingerprint and name of the interpreter

Annex 4

Consent Request Form for Victim Identification Interview

My name.....position.....
Work place

I would like to request your time for.....to ask some questions relating to trafficking victim identification. There is no right or wrong answer.

If your account responds to the set criteria of trafficked victim, I can provide information about available services to support victims.

Information provided during the interview will not be shared with media. It will be kept confidential and can only be shared with relevant government and non-government office workers, as deemed necessary to provide assistance.

You have the right to ask questions or raise any concerns relating to your safety, time and place of interview. You also have the right to refuse to answer any questions and to not allow any photography or voice recording or any information sharing. You can consult with or talk to the person whom you trust before the interview commences.

Do you have any questions about this interview? (yes no)

Do you agree to be interviewed now? (yes no)
(If no, the interview shall be ended)

The consent to the victim identification interview has been granted by:

Date:.....

Parents, guardian or Social Affairs official

(Fingerprint)_____

(Fingerprint)_____

Name (respondent)_____

Name (respondent)_____

Annex 5

Form No. 6-A on "Service Referral Form", attached to the annex of Guiding Circular No. 009 MoSVY dated 28 September 2007, issued by the Ministry of Social Affairs, Veterans and Youth Rehabilitation.

Referral Form

To: Mr./Ms.....position:institution:

From: Mr./Ms.position:institution:

1. Service requested or purpose of referral

.....
.....
.....
.....

2. Victim information

Name:se.....age:address:

Situation or problem currently faced by the victim:.....

.....
.....
.....
.....

3. Observation and remarks of social work staff

.....
.....
.....

4. Response and decision of the referred institution who accept the referral

.....
.....
.....

Thank you for your consideration and assistance.

Name and post of a representative of referred institution:

Name and post of social work staff of the referring institution:.....

Signature and seal:

Signature and seal:

Date:...../...../.....

Date:...../...../.....