

IOM USER GUIDE: SCREENING FORM FOR VICTIMS OF TRAFFICKING

Purpose of this form: This form is to be used to interview an individual to see if they are a victim of trafficking. Users of this form should be very familiar with the definition of trafficking as per the Palermo protocol, and should have specialized training and skills in interacting with potential victims of trafficking and in interviewing vulnerable populations.

When to use this form:

- **Initial screening:** If you have reason to believe that the migrant is vulnerable to or is a victim of trafficking, and you have sufficient time to complete the full screening, you can use this form. If you have reason to believe, before you start the interview, that the migrant is not a victim of trafficking but is vulnerable to violence, exploitation, or abuse, you should use the screening form for migrants vulnerable to violence, exploitation and abuse instead.
- **After rapid screening:** In some contexts, the rapid screening form might be the most appropriate choice for initial screening, for example, when limited time is available to interview a migrant or when there are many migrants to screen. If the rapid screening has indicated potential victim of trafficking, this full screening form for migrants victims of trafficking should be used to gather additional information. Note that some of the questions in this form are the same as in the rapid screening form.
- **After migrant vulnerable to violence, exploitation and abuse screening:** In some cases, a person might be screened for vulnerability to violence, exploitation and abuse and found to be a victim of trafficking instead. This form can be then used to assess if someone is a victim of trafficking and their eligibility for assistance services.

Estimated time needed to complete the form (without interpretation): 30 minutes.

Interview data

This section gathers general information on the interview itself: where it was conducted and by whom. It is important to complete this section so that you can quickly retrieve information on the individuals you have interviewed, for example in case you want to add additional info from your case notes. It is also important for data and information purposes to keep track of where and when an individual was originally registered and interviewed.

Date of the interview:

Enter the date on which you conducted the interview. The international date format is DD/MM/YYYY. If there is any doubt about how the date can be interpreted, write it out in full, e.g., 1 January 2020.

Name of interviewer:

Enter your name.

Location of the interview:

Enter the name of the village, town or city in which you conducted the interview.

IOM Office

Indicate which office you work for. The country in which the office is located must always be indicated. If you work for a sub-office, make sure you specify what country the sub-office is located in.

Use of interpreter:

Tick yes if you used an interpreter and no if you did not.

Name of interpreter:

If you used an interpreter enter their name. If you did not, leave blank.

Children

This section is to be completed only if the individual has not attained the age of majority under national legislation or, in the absence of national legislation, if the individual is less than 18 years of age.

Select the relevant scenario and proceed according to the corresponding instructions.

As part of its child safeguarding measures, IOM requires permission from a legal guardian before conducting an interview. If there are compelling reasons to conduct the interview without this permission (for example, the child is alone and you cannot find the legal guardian, or the legal guardian is suspected of involvement in trafficking or violence, exploitation or abuse of the child) then you need to get prior approval from LEG. If you have this approval you can upload it (if using the online version of the form) or print and store it together with the paper copy of the screening form, keeping in mind safe storage of sensitive documents (refer to IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse and the IOM Data Protection Manual).

The legal guardian should be provided with the text explaining what it is they are consenting to. If you are using the print version of the screening form, they can read it off the form and sign in the appropriate location. If you are using the online version of the form, provide them with a copy of the Interview Consent Form for the Legal guardian. If they are not able to read, you can read the text out loud to them, exactly as written. They can then give their consent by signing the Interview Consent Form for the Legal guardian, or by providing a video or audio recording of them stating that they have read or heard the information and they understand it and give their consent for the child to be interviewed.

Next, you will need to gather information about the legal guardian: their name, the nature of their relationship to the child, and their contact information.

Finally, specify if you are conducting the interview with the child in the presence of their legal guardian or not. If you are not conducting the interview in the presence of the legal guardian, indicate the reason why. Note that the legal guardian needs to give you permission to interview the child without their presence.

Consent or assent

The purpose of this section is to guide you through the process of informing the migrant about the purposes of the interview and of obtaining their consent (in the case of mentally competent adults) or assent (in the case of adults with a mental disability and children).

The following terms are used in this section:

- *Consent: This is a process that occurs when a person with the capacity to consent agrees to participate in the interview and to the collection of their personal data, after having been informed of and having considered all the relevant facts associated with data collection and data processing.*
- *Assent: The expressed willingness of a person without the legal or other capacity to consent to their participation in the interview and the collection of their personal data after having been informed, in an appropriate way, of the purpose of the interview and the use of their personal data.*

Has the individual been informed of the purpose of the interview?

This screening form is intended for use in identifying persons in need of IOM assistance. Explain this to the migrant. If you want, you can use the following script:

- IOM will use the information gathered during the interview to identify any assistance needs you may have. If assistance needs are identified, IOM will try to provide you with the necessary assistance or refer you to other people or organizations who may be able to assist.

Has the individual been informed on actual and potential use of the data that will be gathered in the interview?

If the person is intended as a person in need of assistance, some of the data gathered during the interview will be used in order to provide the assistance. Explain to the migrant how the data might be used in order to facilitate assistance. If you want, you can use the following script:

- In order to provide you with assistance, IOM may need to share some of your personal data with other IOM staff members or offices. If IOM assists you to access services from another person or organization, we may need to share some of your personal information with them to enable them to provide assistance. However, IOM will only share your personal information with others if you give us permission. Completion of the interview does not guarantee that IOM or other people or organizations will be able to provide you with assistance.

Has the individual been informed on IOM's use of non-identifying data for research purposes?

IOM may use anonymous data collected during the interview for research purposes. Explain this to the migrant, clearly describing how only non-personal, anonymized data is used for research. If you want, you can use the following script:

- The data collected during this interview may also be used for information and research purposes. Any data used for these purposes will be anonymous. For example, your name and other

identifying personal information will be removed before anyone uses the data for information and research purposes.

Has the individual been informed that IOM has an obligation to prevent harm from occurring to other people and may share non-identifying information gathered during the interview with law enforcement or other actors to prevent such harm?

If you obtain information during the course of the interview that indicates that other people are being harmed or are at risk of harm, IOM has an obligation to take action. This may involve reports to the police or other officials so that other people can be helped. Explain this to the individual. If you want, you can use the following script:

- IOM has an obligation to prevent harm from occurring to other people. If you share with us any information about other people who are in immediate danger, IOM may share this information with the authorities so that the people in danger can be assisted. IOM will never give any personal information to the authorities without your permission.

[If the individual is a child] Has the child been provided with age appropriate information on the interview process and does the child assent to the interview?

Children have the right to be informed about the interview process in a way that is age appropriate, and which takes into account their level of development. There is no set script for this, as the purpose is on ensuring that the child fully understands the information provided. Explain things like how long the interview will take, that they can stop any time they want or skip any questions they want, etc.

Does the individual consent/assent to the interview?

Ask the individual if they agree to do the interview. Let them know that they can change their mind and stop the interview at any time, or that they can choose to only answer some questions and not others. If they are adults with the capacity to consent, give them a copy of the Interview Consent Form for Adults. They should read the text and then sign the page to demonstrate their consent. If they are unable to read, you can read the text to them, exactly as written. They can then then mark the page with their fingerprint, or mark (x). They can also provide verbal consent, which you should record and retain.

Children should also assent to the interview, but they do not have to sign anything and you do not need to record their verbal assent.

Migrant data

What is your family name?

Enter the individual's family name. It is very important to get the spelling of this name correct.

What is your given name(s)?

Enter the individual's first name. It is very important to get the spelling of this name correct.

What is your date of birth?

IOM uses the standard international format DD/MM/YYYY for dates. If the individual does not know their exact date of birth, indicate that it is an estimate. For example, in some cultures people do not keep track

of their date of birth so it is customary to use 1 January and the date of birth as their birthdate. It is also possible that the individual only knows the year of their birth, or an estimated year. It is ok to only enter the year, and to indicate if that is the exact year or an estimated year. If the person uses a date other than the Gregorian calendar, enter the date in the notes section so that you can convert it to Gregorian later. You can also tick don't know or refused.

What is your sex or gender?

Ask the individual their sex or gender. Do not assume you know the answer by their appearance. Write down whatever they tell you. This section is not binary (male/female) as some individuals consider their sex or gender to be something other than male or female. You can also tick don't know or refused.

In what country do you normally live?

This is also known as “the country of habitual residence.” It is the place that the person considers home, and where they normally live, regardless of if their stay in that country is regular or irregular, or if they are a citizen/national of that country (regardless of length of stay). Write the name of the country or tick don't know or refused.

In what country/countries do you have citizenship/nationality?

Enter the country/countries of citizenship/nationality. If the individual does not know what citizenship/nationality means, explain it to them. If they do not appear to have citizenship, try to find out if they are stateless. See below for common definitions of the two terms. You can also tick don't know or refused.

- Citizenship: a status whereby a person is recognized by custom or law as being a legal member of a sovereign state or belonging to a nation.
- Statelessness: a person who is not considered as a national or a citizen by any state under the operation of its law.

What is your marital status?

Choose one of the options, or tick don't know or refused. Some people have difficulties answering this question due to their backgrounds and beliefs. An alternative way of asking this question can be “do you have a husband, wife, or partner that you normally live with?”.

Note: the term “co-habiting” refers to two people (same sex or opposite sex) who are living together in a romantic/ sexual relationship.

How many family / household members are here with you?

Enter in the number they say.

Please describe the types of family / household members here with you.

Indicate the number of people in each relevant age category. Check that the total number matches the previous question (including the respondent).

Do you have any travel or identity documents with you, or do you have access to them?

If the person has their identity documents, or knows the information from their identity documents, enter the information if they agree to provide it. Issuing entity refers to the government or organization that issues the document. You can also tick don't know or refused.

Can we contact you to follow up?

Ask them if IOM can contact them in the future for any necessary follow up. If they say yes, record contact information. If they cannot be contacted by phone, email, or social media but they know where they will be staying (e.g., a section of a camp, a hotel, a friend's house) or there is a place that they can be reached (e.g., a workplace, a food distribution point) then note down the address or describe the physical location. If they do not know where they can be reached tick don't know.

Are there any conditions for contacting you?

Ask them if there is anything you should know about when and how to contact them. For example, they may ask that you only physically approach them if they are on their own, or at certain hours of the day, or only via SMS instead of phone calls. Write down the conditions as specified by the migrant.

Victim of trafficking screening

This section aims to guide you through the process of determining if an individual is a victim of trafficking. It focuses only on the information needed to make such a determination, in line with the definition in the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children. It is not necessary to ask every question in this section, as the purpose of this screening is identification.

Many of the questions in the screening section use the past tense, assuming that the individual has already left the situation (e.g., were you exploited). If the individual is still in the situation, you can switch to present tense (e.g., are you being exploited?)

Can you explain, in your own words, your current situation and what happened that resulted in this situation?

This question aims at gathering information from the migrant in an open-ended, unstructured way. There are benefits and drawbacks in using an open-ended approach. One of the benefits is that it allows the migrant to share their story in the way that they see it. This can help you understand the migrant's perspectives, what they consider to be priorities, and what they consider to be the main problems they face. One of the drawbacks is that migrants may not be comfortable sharing much information in such an unstructured way, as they may not know what information to share or they may feel overwhelmed. The opposite might also occur. They may begin providing a lot of information that is not directly relevant to making a determination on victim of trafficking status.

When did this process start?

If possible, try to get month and year.

How old were you when this process started?

This question is important in that it will determine which process to use when making a determination of trafficking (i.e., if means must be considered, or if only activity and purpose are sufficient). Remember, this question is about their age when the process started, not their current age.

Activities

All of the questions in this section are aimed at determining if an act of trafficking took place. For the purposes of conducting a screening to determine status, remember that it is sufficient for one act to have taken place. Therefore, you may wish to only ask enough questions to determine that an act of trafficking is present, and you may then wish to move on to means. On the other hand, you may wish to use this opportunity to get as full an understanding of the case as possible. Use your judgement, based on time available, demeanour of the migrant, etc.

Do not move on from this section until you have a clear understanding of if there was an activity of trafficking or not. Indicate any of the activities of trafficking present by ticking the relevant box(es).

(Recruitment) Did you start this process on your own or did someone recruit you, convince you, or force you?

- If the individual was recruited or convinced, ask what was promised to them.
- If they say they were forced, probe further to determine how they were forced.

(Recruitment) Did you pay anyone any money during this process?

Trafficking often involves some form of debt bondage whereby the victim is forced to pay off a debt out of the earnings retained by the trafficker.

(Transportation) Did you travel during this process?

It is easier to exploit individuals if they are away from their families and communities; therefore, an element of travel could be an indicator of trafficking. However, travel, either within a country or internationally, is not necessary for trafficking to have occurred.

- If the individual says they travelled during the process, ask if they arranged for the travel themselves or if somebody else did it for them. If somebody else arranged the travel, it is an indicator of trafficking.

(Harbouring) During this process, did you arrange your own accommodation or did someone else arrange them for you?

Harbouring of persons means accommodating or housing persons in whatever way, whether during their journey to their final destination or at the place of exploitation. If somebody else arranged accommodation for a person, it is an indicator of trafficking.

(Harbouring) Were you free and able to leave at all times?

If an individual is unable to leave at any time, it is an indicator of trafficking.

(Transfer) If someone was arranging this process, did they ever hand you over or sell you to another person?

While trafficking networks vary in size and sophistication, there is usually more than one person involved. If somebody responds yes to this question, it is an indicator of trafficking. If they say yes, ask the following follow-up question:

Were you free and able to say no? If the individual was unable to say no, it is an indicator of trafficking.

(Receipt) Did anyone ever buy you from or take over from another person arranging this process?

While trafficking networks vary in size and sophistication, there is usually more than one person involved. If somebody responds yes to this question, it is an indicator of trafficking. If they say yes, ask the following follow-up question:

Were you free and able to say no? If the individual was unable to say no, it is an indicator of trafficking.

Means

All of the questions in this section are aimed at determining if a means of trafficking was used. Remember that, if the trafficking process was initiated when the individual was a child, it is not necessary to assess if means were present. However, you may wish to do so in order to have a complete picture of the trafficking process.

For the purposes of conducting a screening to determine status, remember that it is sufficient for one means to have been used. Therefore, you may wish to only ask enough questions to determine that a means of trafficking is present, and you may then wish to move on to purpose. On the other hand, you may wish to use this opportunity to get as full an understanding of the case as possible. Use your judgement, based on time available, demeanour of the migrant, etc.

Do not move on from this section until you have a clear understanding of if a means of trafficking was used or not. Indicate any of the means of trafficking present by ticking the relevant box(es).

During this process, were you controlled or deceived by other people?

Answering yes to this question is an indicator of trafficking.

- If the individual says yes, ask how. This is an open-ended question aimed at eliciting the migrant's perspective and understanding how they were controlled or deceived by others.

(Threats) During this process, did anyone make threats against you or your loved ones?

Threats are a common part of the trafficking process. Traffickers not only threaten individuals but also their loved ones.

- If individual says yes, it is an indicator of trafficking. Ask who made the threats and what kind of threats were made and write down the answers.

(Use of force) During this process, did anyone ever use physical or psychological force against you or your loved ones?

The use of force is a common part of the trafficking process. Force can be physical and/or psychological. Examples of psychological abuse include isolating victims for a long period of time, verbal abuse, insults, threats to harm loved ones and denying victims basic necessities. Responding yes to this question is an indicator of trafficking.

(Use of force) Did anyone ever give you drugs or alcohol to get you to do what they wanted?

Traffickers can use drugs and/or alcohol to force victims to carry out exploitative practices. If an individual was forced to take drugs or alcohol, it is an indicator of trafficking.

(Coercion) During this process, did anyone ever make you feel like you had no choice but to do what they said?

With this question you are trying to understand if there are any means of coercion by asking the individual if they had any choice in terms of doing what they were told. If the answer is yes, it is an indicator of trafficking.

- If the individual says yes, ask if it was because someone limited their access to money.
- If the individual says yes, also ask if it was because of money they or someone else owed. This helps determine if there was some sort of debt bondage.

(Coercion) Did anyone take your travel or identity documents from you?

Taking an individual's travel or identity documents is a form of coercion and it can prevent people from leaving a situation of exploitation. If a migrant's travel or identity documents have been taken away from them, it is an indicator of trafficking.

(Abduction) Were you abducted or kidnapped at any time during the process?

Being abducted or kidnapped is an indicator of trafficking.

(Fraud) Did anyone trick you or lie to you during the process in order to get something from you, like money, or your labour, or sex?

This question is aimed to get information about whether fraud was used as a means in the trafficking process. For fraud to take place, it is important to determine if the person carrying out the fraud obtained some sort of personal gain. Defrauding people for money is the most common type of fraud, but in a counter-trafficking context, fraud could also be done to illicit labour or sex. If the answer is yes, it is an indicator of trafficking.

(Deception) Did anyone lie to you during the process?

Traffickers resort to lies in different parts of the trafficking process. This question is different from the previous question (fraud) in that, in this case, no personal gain is necessary for the lie to take place. For

example, a trafficker might have told the individual that they were going to travel by land and instead travelled by boat. There is no particular gain here by the trafficker. If the answer is yes, it is an indicator of trafficking.

(Deception) If anyone promised you anything, did they keep their promise?

This question has two components: i) was a promise made; and ii) was the promise kept. If promises were made and broken, it is an indicator of trafficking.

(Abuse of power) Was any person of authority, such as a parent, teacher, police officer, immigration officer, government official, boss, etc., involved in the process?

This question is aimed at determining if a person who had authority over the migrant used their position to facilitate the trafficking process. For example, a police officer might use his or her position to make the person believe that they had to comply with the process. If the answer is yes, it is an indicator of trafficking.

(Abuse of a position of vulnerability) Do you feel that any person with authority over you took advantage of you during this process?

This question is aimed at determining if the person involved had no alternative but to submit to the abuse involved.¹ If the answer is yes, it is an indicator of trafficking.

(Giving or receiving payments or benefits) Do you know if there was any improper exchange of money, favours, labour, or sex related to this process?

This question is aimed at determining if a person received a benefit or payment in exchange for facilitating or participating in a trafficking process. For example, an immigration officer could have received sexual services to let the trafficker and victims go through a check point. If the answer is yes, it is an indicator of trafficking.

Purpose

The questions in this section are aimed at determining if a purpose of trafficking was present. For the purposes of conducting a screening to determine status, remember that it is sufficient that the migrant experienced any of the exploitative practices listed in this section. Therefore, you may wish to only ask enough questions to determine that a purpose of trafficking is present, and you may then wish to move on to make the determination. On the other hand, you may wish to use this opportunity to get as full an understanding of the case as possible. Use your judgement, based on time available, demeanour of the migrant, etc.

Do not move on from this section until you have a clear understanding of if a purpose of trafficking was present. Indicate any of the purposes of trafficking present by ticking the relevant box(es).

¹ See the UNODC Issue Paper Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons for a full discussion of the concept of abuse of a position of vulnerability, available here: https://www.unodc.org/documents/human-trafficking/2012/UNODC_2012_Issue_Paper_-_Abuse_of_a_Position_of_Vulnerability.pdf

Unlike the other section, this section contains the option “other.” This is because trafficking trends change over time, and there are many exploitative practices that a trafficked migrant may face. If a form of exploitation not listed in the section is revealed, please describe the form of exploitation in the box for “other”.

Were you exploited during this process?

This is an opened-ended question aimed at eliciting the migrant’s perspective and understanding of their experience and circumstances.

Were you involved in prostitution, sexual dancing, sexual massages, pornography, or other forms of sex- related work?

While sex-related work does not necessarily equate to trafficking in persons, sexual exploitation can be one of the purposes of trafficking. If the individual answers yes to this question, follow-up with the questions below:

Were you aware that this was the kind of work you would be doing? If the individual was not aware that this is the kind of work they would be doing, it is an indicator of trafficking.

Did you have control over your choices? For example, could you choose clients, choose to take days off, choose to use condoms, etc.? If they did not have control over their choices it is an indicator of trafficking.

Were you forced to do work, for example as a domestic worker, farm worker, store clerk, fisher-person, or any other type of work against your will?

This and the following questions try to determine if there were any practices amounting to forced labour or services during the process. Answering yes to this question is an indicator of trafficking. If the individual answers yes, follow-up with the following questions:

What kind of work? Write down the work that was carried out by the individual.

Were you aware that this was the kind of work you would be doing? If the individual was not aware that this would be the work they would be doing, it is an indicator of trafficking.

Were your working conditions and pay as agreed? If the working conditions and pay were not as agreed, it is an indicator of trafficking.

Were your working conditions fair and safe? If the working conditions were not fair and safe, it is an indicator of trafficking.

Did you do any work for anybody during this process?

This question aims to illicit information to determine if there was any slavery or practices similar to slavery during the process. If the individual responded yes, follow up with the following questions to better understand the situation:

Were you paid for your work? If the individual was not paid, it is an indicator of trafficking.

Were you given enough time off? If the individual was not given enough time off, it is an indicator of trafficking.

Were you free to stop working or to quit? If the individual was not free to stop working or to quit, it is an indicator of trafficking.

Where you forced into marriage against your will?

If the answer is yes, it is an indicator of trafficking.

Were you forced to work to pay off a debt, either your own or someone else's?

If the answer is yes, it is an indicator of trafficking.

Did you have any part of your body removed during part of this process, e.g., blood, tissue, or organs?

If the answer is yes, it is an indicator of trafficking.

Did you experience sexual violence or abuse at any stage in this process?

Experiencing sexual violence or abuse at any stage is an indicator of trafficking in persons.

Were you free and able to leave if you wanted to?

If an individual was not able to leave, it is an indicator of trafficking.

Did you incur any debts during this time?

If the individual incurred debts during the time it is an indicator of trafficking.

Did you experience any other form of exploitation?

Given that trafficking trends change over time and that there are many exploitative practices that a trafficked migrant may face, it is possible that forms of exploitations suffered by a migrant are not covered in the previous sections. Please describe the form of exploitation here and tick the box for other.

Assessment

Review the information collected from the interview and choose if you will assess the case as a child (either because the individual is currently a child or because the process started when they were a child) or as an adult. Note that, even if a person under the age of 18 is considered to be an adult for the purposes of consent to this interview, that does not mean they are considered an adult within the content of trafficking. The Palermo Protocol clearly states that a person under the age of 18 is a child for the purposes of the protocol.

Next, indicate if activities and purpose were present (for children) or if activities, means and purpose were present (for adults).

Next, assess if the activities and purpose, or activities and means and purpose, were connected (i.e., that the activities [and means, for adults] were undertaken in order to fulfil the purpose of exploitation).

If the relevant components were present and connected, make a determination that the individual is a victim of trafficking.

If the relevant components are not present and/or not connected, make a determination that the individual is not a victim of trafficking.

If you want to, you can add text justifying your decision. This is not mandatory.

Action

Select one of the following options:

- IOM intake: If the individual is a victim of trafficking and is eligible for assistance under your programme, proceed to intake.
- IOM internal referral for further screening and/or assistance: If the individual is not a victim of trafficking but has demonstrated vulnerability to or has experienced violence, exploitation or abuse, you can refer them for or conduct migrant vulnerability screening. If they have demonstrated other protection concerns and are eligible for IOM assistance, refer them to the appropriate IOM staff/programme.
- External referral: For cases where there are indicators of vulnerability or other protection issues, but there are no IOM programmes for which the migrant is eligible or assistance is best provided by another organization. Include the name of organization referred to.
- Assistance declined: You should still strive to provide the migrant with as much information as possible on where and when they can access services.