Combating Trafficking in Persons
Participant’s Manual

Platform for Labour Action’s Approach to Combating Human Trafficking

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The completion of any work is always a collective endeavor, particularly if such work is intended to be a community-based intervention such as this training manual. The development of this training manual has benefited from a number of resource persons and has drawn from several existing sources and materials developed by the different actors in the area combating human trafficking.

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Preface

Uganda serves as a source, transit and destination point for victims of trafficking in person at internal and transnational levels. In 2013, the country registered the highest number of suspected victims of trafficking in persons; 800 victims. The National Annual report 2013 on trafficking in Persons indicates that children and women are the most trafficked persons in Uganda with 97.7% children victims of internal trafficking and majority 52% female children mainly trafficked for labour and commercial sexual exploitation. Across borders, 51.7% of the transnational trafficking involved female and 18% children.

In 2016, PLA conducted a study on Assessment on Schemes Routes and Factors that that promote the prevalence of human trafficking Across Borders in Uganda. The study indicated that there were low levels of awareness on the problem of trafficking in persons among duty bearers, law enforcement officers and victims of trafficking of which only 4% of the VIT respondents were aware about the human trafficking law; and they only became aware after they had experienced human trafficking. The study recommended among others the need to undertake proactive mass sensitization on trafficking in persons. This initiative can only be successful if the duty bearers and the law enforcement officers are aware of the problem of trafficking in persons and strategies they can use to mitigate the vice in their day today duties.

It is upon this back ground that the training manual for Duty Bearers and Community Stakeholders was developed. The Manual is a guide the Trainers on conducting training programmes for duty bearers, law enforcement officers and community stakeholders that include community volunteers with interest in monitoring the situation in their communities to ensure incidences of trafficking in persons are reported and awareness raising on the vice is conducted as part of the efforts the reduce the incidences of trafficking in persons.

The aim of the manual is to provide a uniform approach to training of duty bearers and community stakeholders on trafficking in persons by PLA, facilitators, members of the PLA networks and other organizations interested in undertaking similar work. Utilizing this training manual provide the best training, empowerment and capacity building for the stakeholders in attending to their duty of prevention, prosecution, and protection of citizens against trafficking in persons with a high degree of professionalism.
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## Acronyms

<table>
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<th>Abbreviation</th>
<th>Description</th>
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<tr>
<td>ESO</td>
<td>External Security Organisation</td>
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<tr>
<td>CRC</td>
<td>United Nations Convention on the Rights of the Child</td>
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<tr>
<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
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<tr>
<td>ISO</td>
<td>Internal Security Organization</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<tr>
<td>IOM</td>
<td>International Organization for Migration</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
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<tr>
<td>OHCHR</td>
<td>Office of the High Commissioner for Human Rights</td>
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<td>PLA</td>
<td>Platform for Labour Action</td>
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<tr>
<td>RBA</td>
<td>Rights-Based Approach</td>
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<td>VAW</td>
<td>Violence against Women</td>
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<td>PLA</td>
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1.0 BACKGROUND

Uganda serves as a source, transit and destination point for victims of trafficking in persons at internal and transnational levels. In 2013, the country registered the highest number of suspected victims of trafficking in persons – 800 victims while in 2016, 283 victims were trafficked internally and across the borders (The National Annual Reports 2013 and 2016 on trafficking in Persons respectively). The National Annual Report 2013 on Trafficking in Persons indicates that children and women are the most trafficked persons in Uganda, with 97.7% being children victims of internal trafficking and the majority (52%) female children mainly trafficked for labour and commercial sexual exploitation; while 51.7% of the transnational trafficking involved females and 18% children.

Study findings from the Platform for Labour Action study on Assessment of the Schemes, Routes and Factors that promote the Prevalence of Trafficking in Persons across Borders in Uganda recommend the need for Government to build the capacity of duty bearers to control or regulate movement along the porous borders through training in understanding and preventing human trafficking. The findings also recommend that government in partnership with development partners or CSOs should undertake proactive mass sensitization about what constitutes human trafficking, problems and dangers of human trafficking, identification and reporting of human trafficking, the penalties associated with practices related to human trafficking, the civic responsibilities of the general public towards preventing human trafficking and the psycho-social support and rehabilitation that VITs require and should be provided with.

This training manual will therefore be used for training duty bearers including law enforcement officers and community leaders comprised of community liaison officers who will be responsible for awareness raising, Criminal Investigation Officers who will be responsible for investigating trafficking in persons cases, Child and Family Protection officers, officers in charge from different police stations and police posts in the areas of operation that will be handling trafficking in persons cases, Internal Security officers responsible for the security of the citizens; immigration officers that they identify and report victims of trafficking at the borders, probation officers, community development officers who implement interventions to reduce vulnerabilities of community members, labour officers and local leaders who are usually the first point of contact by people seeking to travel abroad for employment. The trained participants will also act trainers of trainers for future reference and follow up. If the knowledge and skills gained from this training are put into practice, it will contribute in reducing the prevalence of trafficking in persons in Uganda.

1.1 OBJECTIVES OF THE TRAINING MANUAL

The objectives for the development of this manual are:

1. To design a course for educating duty bearers and community volunteers on the prevalence of trafficking in person’s problem and their role in combating it.
2. To develop a tool for use as a reference by trainers of trainers while conducting similar trainings and awareness raising on trafficking in persons to ensure that participants have a firm grasp on the issue of human trafficking, its evolution, and the underlying causes.

3. To provide a uniform approach to training of duty bearers on trafficking in persons by PLA, facilitators, members of the PLA networks and other organizations interested in undertaking similar work.

OBJECTIVES FOR TRAINING DUTY BEARERS AND COMMUNITY VOLUNTEERS

- To create an understanding among duty bearers and community volunteers on their role in combating the prevalence of trafficking in persons.
- To build partnerships and a pool of stakeholders to work as trainers of trainers on trafficking in persons and enhancing advocacy on protecting Ugandans from the trafficking in persons vice.
- To educate duty bearers and community volunteers on laws protecting the citizens on trafficking in persons vice.

1.2 STRUCTURE / LAY OUT OF THE MANUAL

CHAPTERISATION

This manual is divided into seven chapters. Each chapter is divided into sessions and each session has a purpose. Each chapter discusses a different topic and provides an explanation on the intention of the chapter. The purpose of each chapter shall serve as a guide to the trainer in conducting the sessions and provide the trainees with information on what they are expected to cover during the training. Each chapter is divided into sessions. The number of sessions contained in each chapter and what each session covers is indicated at the beginning of every session.

ORGANISATION OF SESSIONS

Each session has objectives which reflect the scope of knowledge to be imparted, skills to be acquired or attitudes to be changed. The objectives of the training have been structured in such a manner that they are simple, measurable, achievable and realistic to both the trainees and the trainers within the set time frame of the training. The manual provides reference notes for the facilitators at the end of each session which can also be extracted as handouts for the benefit of participants for further reading. The facilitator’s notes are intended to primarily guide the trainer in planning the sessions and during the actual training. Learning points have also been provided in some of the sessions to guide the trainer on points which need special emphasis and preparation.

TIME FRAME

This shows the estimated duration of each session. The manual provides a guide on the amount of time that should be spent on each session. This serves as a guide for the trainers during the session since the actual time spent per session in reality depends on the knowledge and experience of the trainer, the time available for discussion and the trainees’ ability to grasp and understand the issues. The trainees’ ability to understand issues depends on the level of education, experience, exposure as well as the methods used by the trainer to impart the knowledge. In some cases there may be constraints on resources and time which may hinder the course from being carried out continuously. In such circumstances, it is recommended for the course to be phased.

CONTENT

The content shows the topics/subject to be covered in a session.

It is important for the trainer to handle the topics in a manner that provides a natural flow from one topic/subject to another, preferably beginning with the simpler to the more complex topics. Handouts can be provided as reference materials. Simple information and education materials such as posters, flyers, billboards which the trainees can carry away as easy points of reference for civic peer to peer education are critical in future. The detailed content of each chapter is provided in Handouts / reference notes at the end of each chapter and labelled as for example ‘HAND OUT 2.1’ OR ‘HAND OUT 2.2’ etc depending on the number of sub-topics in the chapter.
FACILITATORS NOTES
Key points to note and emphasize by the resource person/ trained have been highlighted as notes.

TRAINING METHODOLOGY
The methods to be used in each session have also been prescribed. This guides the trainer on the methods to be used while conducting a session. All the proposed training methods are participatory and are meant to involve the trainees in the training process as much as possible. Adult learners usually have a lot of experience and knowledge as well as diverse information. They should therefore be given a chance not only to learn but to be fully involved in the learning process by keeping them active and allowing them to share their experiences and exchange views. The proposed methods indicated in the manual are not standard and can be adjusted by the trainer to suit the trainees’ needs. A range of methodologies have been used and these include; question and answer sessions, experience sharing, debate, group discussions, use of visual aids such as posters, games and videos, brainstorming, lecture method, demonstrations, case studies and role plays.

The suitability of the methods will also depend on the number of the trainees at a training session. For example buzz groups, debates and roles plays may not be ideal for large groups. For each training session, the trainer should therefore always adopt the most suitable methods. In some sessions, options have been provided to guide the trainers on the different methodologies but also to provide the trainer with the requisite flexibility and depending on the nature of the trainees. It is important however for the trainer to maintain use of a participatory approach to allow adults learner involvement in discussions, activities and demonstrations. Equally significant is the need for the trainer to balance the information provided to trainees depending on their level of education and exposure. It is counterproductive to overload trainees with too much information within a short time; this is because the purpose of the training, which is to learn, would not be achieved. Finally, the method chosen should be relevant to the topic being taught.

TRAINING MATERIALS
For any effective training session to be conducted, it is important for the trainer to have materials that will aid his/her facilitation. They include markers, flipcharts, Manila paper, and visual aids such as posters, games such as debate cards and video recordings. The required materials depend on the training methodology to be used by the trainer, available financial resources but also existing facilities since certain materials and facilities such as audio machines and electricity may not be easily available everywhere.

In preparing for the training, the trainer must therefore organize the training materials in advance preferably the day before the actual training. The following are some critical points to remember:

- Identify the training materials and equipment required for the training and arrange them in advance.
- Assemble and test the equipment needed to ensure that it is in proper working condition for example the projector, television set, video deck and tapes.
- Learn how to use the equipment the trainer may not be familiar with.
- Prepare handouts and other reference materials.
- Get all stationery needed in advance, since learning best takes place when learners see what is being discussed, the trainer needs to organize where to write and what to write with, e.g. chalk, markers, Manila paper and flipcharts.
- Arrange in advance all materials for demonstration such as games, posters etc.

PROCEDURE DURING THE TRAINING
This is the step-by-step process the trainer follows during the training. It spells out the methodology to be used and the exercises the peer trainees are to be involved in and how they are to be conducted. In instances where a session is for a long duration, the sessions have been broken up into different activities.
This chapter comprises three sessions. Session one comprises climate setting. Session two covers trainees’ expectations and workshop objectives; and sets the ground rules to be observed by all participants during the training.

**Purpose:** To introduce trainees to the training and build a relationship of trust between the trainer and the trainees.

### SESSION ONE: BREAKING THE ICE: GETTING TO KNOW EACH OTHER

**AIM OF SESSION**

4. Enjoy a relaxed and trusted atmosphere with the trainer and be able to freely participate in the training.

5. Starting to build a relationship of trust between the facilitator and among participants.

**Timeframe:** 40 minutes

**Content**

- Ice breaking exercise
- Game and discussion

**Materials**

- Yarn, Ball, rolled coloured paper
- Training Methodology
- Training material
- Game and discussion

**Facilitators Note:**

- Ensure you have enough space for exercise
- Can use another ice breaking exercise of choice
- Arrange other materials for alternative exercise
**ACTIVITY ONE**

**Introduction of the trainer**

**STEP 1:** Inform participants about the session topic, the objectives and list them on the flip chart. Provide background information.

**STEP 2:** The trainer/s welcome the trainees to the workshop. Greet them in the local language of the area and introduce him/herself (stating name and why you are attending the event).

**STEP 3:** State the name of your clan (according to the area of project) and ask all the people of your clan to join you and greet each other as clan members or act out a happy.

**ACTIVITY TWO**

**Introduction of the trainees: Self Introduction**

**STEP 1:** Inform participants about the session topic, the objectives and list them on the flip chart.

**STEP 2:** Ask the participants to stand in a circle and sk. Give a ball or flag, rolled coloured manilla paper or item that can make the participant holding it to stand out from the other participants.

**STEP 3:** Let the participant tell the group their name or that of their recruitment agency, its location.

**STEP 4:** Distribute name tags/ masking take and ask each participant to write down their name they want to be used for the duration of the training. Ask the participants to wear the tags around their necks for easy identification throughout the training. If names tags are not available, the trainer should ask the participants to keep in clear view their name plates (manilla paper on which they have written their names, masking tape) throughout the training.
SESSION TWO: TRAINEES’ EXPECTATIONS AND WORKSHOP OBJECTIVES AND MUTUAL TEAM AGREEMENT

This session has two activities. Activity one covers the fears, expectations and objectives for the training; and activity two covers issues on mutual team agreement.

AIM OF SESSION
1) Harmonise the training expectations with the objectives of the training.
2) Have a general idea of the expectations of the participants with regard to the training.
3) Know the agreed rules/guidelines for the training and agree to abide by them

Timeframe: 1 hour

Activity 1: Trainees’ Expectations and Fears

Step 1: Inform participants about the session, topic, the objectives and list them on the flip chart.

Step 2: Distribute two colours of Manila paper and ask each of them to write one colour, two expectations, another colour two fears if and ask them to pin them on the wall when they finish writing them.

Step 3: Take a gallery walk and discuss and gather the group’s responses by collating 3-4 hopes, fears and expectations by highlighting similar ones.

Step 4: Summarise the emerging fears and expectations on a flip chart.

Step 5: The trainer should also hang up the flip chart containing the training objectives.

Step 6: Guide the trainees to reconcile their hopes, fears and expectations with the training objectives.
Facilitators’ note 2.1: OBJECTIVES OF TRAINING

- To create an understanding among duty bearers and community volunteers on their role in combating the prevalence of trafficking in persons.
- To build partnerships and a pool of stakeholders to work as trainers of trainers on trafficking in persons and enhancing advocacy on protecting Ugandans from the trafficking in persons vice.
- To educate duty bearers and community volunteers on laws protecting the citizens on trafficking in persons vice.

Facilitators’ Note 2.2 COMMON GROUND RULES

- Ground rules should include:
- Time keeping
- Receiving and making telephone calls.
- Speaking in turns
- Giving others a chance to participate.
- Every answer being relevant.
- Commitment to completion of course
- Commitment to dissemination of information and utilizing this information in the course of their work after the training.
This chapter aims at generating understanding on what trafficking in persons is all about. It equips knowledge to the participants on the definition of human trafficking, the history of trafficking in persons, the schemes used by perpetrators, the routes used to traffic victims. The chapter has two sessions. Session one is on the definition of human trafficking, session two is on understanding the schemes and routes used to traffic Ugandans.

**SESSION ONE: DEFINITION OF TRAFFICKING IN PERSONS AND THE SCHEMES USED BY PERPETRATORS TO TRAFFICK THEIR VICTIMS**

**Time:** 1 hour

**Aim of the Session:**

- To build clarity to participants on the definition and elements of trafficking in persons
- To understand and identify the processes involved in trafficking in persons.

**To understand, and to be able to discern between the different actors involved in the activity of**

**Content:** Definition of trafficking in persons, Questionnaire Exercise with information facilitating an assessment on knowledge levels by the participants.

**Training methodology:** Participatory discussions, question and answer, Questionnaire answering

**Training materials:** Flip chart, Reference notes, Markers

**PROCEDURE:** Definition of trafficking in persons

**Step 1: Ice Breaker**

1. Facilitator provides a questionnaire with 10 questions and gives the participants the following instructions:
   - Consider how much you know about the problem of trafficking in persons and the laws that address trafficking.
   - Rate your knowledge level about trafficking in persons on a scale from 1 to 10 where 1 means there is scant or rudimentary knowledge and 10 means you know everything there is to know about trafficking in persons.

2. Ask the participants to judge where they are on the scale and place a check under the appropriate number on the flipchart.
3. Lead a discussion using the following questions to guide the group:
   - What does the scale indicate about this group’s awareness of the issue of trafficking in persons?
   - How much exposure have you had to information about trafficking in persons in the last year (through mass media or otherwise)?
   - Have you been engaged in discussions about the issue before today’s session?
   - What impact has this information or discussions had on you?

**Step 2:** Facilitator asks participants to share in a plenary what they understand by the term trafficking in persons. Facilitator notes down on the flip chart the responses from the participants.

**Step 3:** Facilitator then supplements the discussions given by the participants on the definition of trafficking in persons. Facilitator also utilizes the facilitator’s notes to explain more on the history of trafficking in persons to better further understanding of trafficking in persons. Note: Facilitator may prepare a power point of this following the facilitator’s notes in this manual.

**Step 4:** After the above presentation, the facilitator groups the participants in 4 groups and asks each group to discuss the assigned question in 10 minutes.

   Group 1: Why do people traffic their fellow human beings and for what?
   Group 2: What are the schemes used by the perpetrators to traffic their victims?
   Group 3: What is the difference between trafficking in persons and migration?
   Group 4: Who is a trafficker/Offender?

**Step 5:** After group work, participants choose a member to present their findings to the rest of the participants.

**Step 6:** Facilitator supplements on the presentations by the participants using the facilitator’s notes on discussing the Definition of trafficking in persons and the schemes used to traffic victims.

**SESSION TWO: INTERNATIONAL AND NATIONAL LEGISLATIONS AGAINST TRAFFICKING IN PERSONS**

**Time:** 1 Hour  
**Aim of the session:** To provide participants with a basic understanding of International Instruments and a context within which they are generally used.

**Materials:** White Boards or flip chart and markers, PowerPoint presentation: International Instruments  

**Training Methodology:** Plenary: Interactive, lecture style

**Steps:**
1. In a brainstorming session, the facilitator asks the participants to share the different legislations aimed at protecting humanity from human trafficking.
2. Facilitator lists them on a flip chart
3. Together with the participants, the facilitator categorizes the legislations shared according to
international and national legislations.

4. Using the content in the Facilitator’s notes, the facilitator shares with the participants the contents of the legislations on the offence of trafficking in persons.

5. Facilitator asks participants for comments, supplements and questions and addresses answers to any questions asked in a discussion mode with the rest of the participants.

Time: 60 minutes

SESSION THREE: OFFENCES IN UGANDA RELATED TO TRAFFICKING IN PERSONS

Aim of the Session:

1. To provide participants with a thorough understanding of the problem, particularly making reference to the national and international definition and the significance of having a unified definition for the first time in history;

2. To ensure participants understand trafficking and its consequences.

Resource: White board or flip chart, markers, PowerPoint presentation: Understanding Human Trafficking

Human Trafficking background reading: Misconceptions about Human Trafficking

Method: Plenary: Interactive, lecture style and group work

Steps:

1. Draw participant’s attention to the PowerPoint presentation: Understanding Human Trafficking in their folders.

2. Spell out offences related to Trafficking in Persons (National response).

SESSION FOUR: UNDERSTANDING FACTORS THAT INFLUENCE TRAFFICKING IN PERSONS IN UGANDA

As stakeholders with obligations aimed at combating trafficking in persons, it is important that the participants understand the factors that influence the prevalence of the problem. This is critical for them the stakeholders in developing mitigating measures to combat the vice.

AIM OF SESSION

| 1. To generate an understanding of the drivers of human trafficking |
| 2. Identify the effects of trafficking in persons to the victims and the community at large |
| 3. Engage participants to discuss what needs to be done to mitigate these drivers of human trafficking |

Timeframe: 1 hour

Content: Drivers of human trafficking in Uganda

Training Methodology: Group Discussions, brainstorming,

Training Materials: Flip charts, markers, Masking tapes

PROCEDURES:

Step 1: Facilitator groups the participants in 4 groups and asks two groups to discuss the causes/drivers of trafficking in persons, the 3rd group to discuss the work usually done by trafficked victims when they are trafficked and the 4th group to discuss the effect of trafficking in persons on the lives of the victims, their families and the community.
Step 2: Facilitator asks each group to write down their feedback on a flip and choose a presenter to share their findings to the whole team.

Step 3: Facilitator allows participants in a plenary to react to the presentations given by the participants and then supplements on the contribution given by each group.

Step 4: Facilitator categorizes the participants according to their profession/ work they do. Police Officers, District/ division workers such as labour officers, community development officers etc are categorized together, and so are local leaders. Each group is assigned with a question on what their office can do to mitigate the drivers of human trafficking shared above.

Step 5: Each group presents their findings. These are pinned in a strategic place in the training room to guide strategies participants will put in place in combating trafficking in persons at the end of the training. Facilitator also uses the notes to share to the participants’ different short case stories depicting the drivers of trafficking in persons among the citizens that were trafficked got from the PLA Study on Trafficking in persons 2016.

Facilitators’ Note 3.1 DEFINITION OF TRAFFICKING IN PERSONS

Trafficking in persons is a complex process. It relates to all acts in the recruitment and/or transport, transfer, harboring or receipt of persons from one place to another, involving deception and/or force (coercion).

It means 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, fraud, of deception, of the abuse of power or position of vulnerability or of the giving and receiving of payments or benefits to achieve the consent of a person having control over another person for purposes of exploitation.

The definition contains three main elements that constitute trafficking:

**Acts:** recruitment, transportation, transfer, harbouring or receipt of a person.

**Means:** threat/use of force, other forms of coercion, abduction, fraud, deception or abuse of power or of a position of vulnerability.

**Purpose:** prostitution, forced labour or services, slavery, slavery-like practices; servitude, organ trade etc.

However, it must be kept in mind that trafficking is different from migration and smuggling. There are important fundamental differences between migration, smuggling and trafficking:

**Migration** is a situation in which a person moves from one country to another or within one country. Migration can take place by legal or illegal means and it can be either voluntary (with the consent of the person migrating) or forced (without their consent). Usually, however, migration is voluntary.

**Smuggling** is the transport of a person (with their consent) to another country through illegal means. Smuggling has to include crossing of an international border.

**Trafficking** involves the following:

- Movement of a person;
- With deception or coercion;
- Into a situation of forced labour, prostitution, servitude or slavery-like practices.

Trafficking can occur with or without crossing any international border. The exploitation of the migrant is one of the key factors determining ‘trafficking’, however, it is not relevant for the act of ‘smuggling’; although, a case of smuggling can easily become a case of trafficking. A voluntary migrant, by placing himself/herself into the hands of smugglers, has put himself/herself into a situation of dependency on
the smuggler and is therefore made vulnerable to subsequent trafficking. Similarly, movement need not be physical; e.g. if a child is moved out of the community of the mother and pushed into the community of the brothel keeper, though it may take place in a room in a brothel, it amounts to human trafficking. (Adapted from UNODC Training Manual for Police on Human Trafficking 2008)

**Not only about movement:** The concept of trafficking in international law does not only refer to the process by which an individual is moved into a situation of exploitation; it extends to include the maintenance of that person in a situation of exploitation. Accordingly, it is not just the recruiter, broker or transporter who can be identified as a trafficker, but also the individual or entity involved in initiating or sustaining the exploitation.

**The role of ‘consent’:** It is sometimes claimed that victims of trafficking consented to their exploitation. However, ‘consent’ in such cases is invariably compromised through force, deception or other means. That is reflected in the legal definition of trafficking, which affirms that the ‘means’ of trafficking in adults, such as fraud or coercion, operate to nullify consent. (Adapted from Human Trafficking and Public Corruption By IBA 2016)

**What does trafficking in person involves**

- It involves the following:
  - Recruiting /getting of people-
  - Engaging- by employing them
  - Transporting of the victims
  - Keeping
  - receiving

**A victim of trafficking in Persons**

- A victim of trafficking in Persons is a person who is or has been illegally/unlawful moved from one place to another for exploitation. Any person can be trafficked for exploitation

**Who a trafficker/ offender is:**

A trafficker/offender in trafficking crimes includes all persons, agencies or institutions:

- Involved in any act in the process of trafficking
- Who gains/makes profit/exploits
- As the trafficked person passes through a chain,
- From the final point of source area through the transit area to the point of final destination, and
- From any act involved in the process of exploitation of the trafficked person(s)

Ultimately, a person is guilty of a trafficking offence if he/she is knowingly involved in any act of commission and/or willful omission in the process of human trafficking (this can include parents/ guardians who knowingly sell/cause to sell/traffic their children). Due to the clandestine nature of HT, the Investigating Officer (IO) must look into the process of trafficking and be aware of the multiple and various offenders that can be involved in HT.

Traffickers can be, but are not limited to, the following persons:

- Recruiter/Agent of Recruiter
- Seller of trafficked person
- Buyer of trafficked person
- Transporter
- Conspirator
- Customer'/clientele, who create/perpetuate demand
- Pimp
- Brothel madam
- Brothel managers
- Financier
- Parent(s)/guardian(s) who knowingly sell/cause to sell/traffic their children/ward

(Adapted from the training manual for Police by UNODC, 2008)

**Difference between human trafficking and Migrant Smuggling**

**Migrant smuggling**

- Facilitating illegal cross-border movement for profit

**Trafficking in persons**

- Recruiting, transporting, transferring, harbouring or receiving a person, through deception, force, etc for exploitation

**Misconceptions about Human Trafficking**

**Addressing Misconceptions surrounding the issue of Trafficking:**

The issue of trafficking has received attention for well over a decade.

Despite years of research on the issue and considerable financial and human resources dedicated to the problem, it continues to grow unabated. However, the review of a number of anti-trafficking initiatives indicates some obvious misconceptions which have negative consequences for our anti-trafficking work. The following highlights some of the most frequently misconceived notions about trafficking and its consequences.

And what is the solution? We need to get smart about the reality of the issue and generate greater conceptual clarity around the problem. The following is the first step towards this realisation.

**Misconception one:**

“Movement facilitators” and “people brokers” are the same as “traffickers.”

**Explanation:** Traffickers are the key exploiters in the overall trafficking chain. However, “movement facilitators” may not always be aware of the intention to exploit, or intend to “exploit”, other than taking fees for moving people from one place to another. Similarly, “people brokers” may or may not be involved criminally in the overall trafficking chain. This is because a number of “people brokers” have worked as informal “employment agents” in countries where such formalised or developed mechanisms of employment do not exist.

**Consequence:**

Confusion over these terms, especially by law enforcement officials, can have severe consequences for those who may not be part of the exploitative chain.
From the point of view of the “perpetrator”, the severity of the punishment may not fit the crime. This negatively impacts the overall goal of achieving justice.

**Misconception two:**

“Trafficking”, “smuggling” and “illegal migration” are different names describing the same action.

*Explanation:* Movement in the case of trafficking and illegal migration may or may not be facilitated by a third person but smuggling always is. Smuggling is always across national borders, whereas trafficking can be both internal and cross-border. Some countries have also noted that one can also be an “illegal migrant” within one’s national border, if the necessary papers are not in place.

Smuggling or illegal migration from an immigration point of view is considered a crime against the state, while trafficking is considered a human rights crime. Whether the trafficked person was initially smuggled or he or she initially chose to illegally migrate should not affect his or her status as a victim of trafficking.

*Consequence:* Confusion over these, especially by law enforcement officials, has had severe consequences for the victims of trafficking. Lack of proper documents (either as a result of confiscation or because they have been faked) may immediately lead the law enforcement officer to assume the person is an illegal migrant and take action accordingly. Instead of receiving the victim support that he or she is entitled to, the trafficked person may even be penalised, fined and deported. Confusion over these critical concepts can lead to the re-victimisation of a trafficked person.

**Misconception Three:**

“Those” people are not trafficked. They came voluntarily as illegal migrants.

*Explanation:* A significant number of today’s victims of trafficking began their journeys voluntarily and even illegally, and this is why some people incorrectly believe they are not trafficked. Discriminatory attitudes towards migrants and migrant workers also contribute to this misconception.

*Consequence:* As above, this has led to unacceptable incidences where victims of trafficking have been re-victimised.

**Misconception Four:**

Trafficking happens because of poverty.

*Explanation:* Poverty alone has not been found to be the sole or the key determinant of trafficking.

*Consequence:* This misconception has negatively impacted the determination of the type of anti-trafficking initiatives undertaken, as well as the selection of project sites.

**Misconception Five:**

Trafficking occurs mainly for the purposes of sexual exploitation.

*Explanation:* This is the result of the initial discovery that women and girls were being trafficked into sex work. Over-enthusiastic media coverage of this aspect of trafficking appealed to the general public on moral and emotional grounds.
Consequence: Enthusiastic NGOs and governments have assumed that everyone who works in the sex industry is a victim of trafficking, resulting in “forced” as well as false “rescues”. Also, other sectors, such as domestic labour, organised begging have not been given the attention that is needed to comprehensively address this issue.

Misconception Six:

**Women and girls are victims of trafficking. Men can’t really be victims.**

Explanation: This comes from typical gender stereotyping and has been reinforced by earlier international conventions on trafficking, as well as national instruments that dealt only with the trafficking of women into prostitution.

Consequence: This has led to men being excluded from being identified as victims of trafficking. Hence, even when they are clearly victims, organisations working on the issue are not in a position to provide the assistance they need. From a law enforcement point of view, male victims of trafficking have been punished for crimes they were forced into.

Misconception Seven:

We can **reduce trafficking if we tighten our national borders.**

Explanation: This has been the standard approach of a significant number of states (governments) around the world. This is linked to the previous misconception about trafficking, smuggling and illegal migration. Additionally, governments are committed to protecting their national borders and this has influenced how trafficking is interpreted for operational purposes.

Consequence: Tightening border controls has in fact led migrants to take greater risks. While it may have reduced the numbers of migrants using the official border checkpoints to cross national borders, it has in fact driven the whole migratory process underground.

Facilitators’ Note 3.2: INTERNATIONAL AND NATIONAL LEGISLATIONS AGAINST TRAFFICKING IN PERSONS

Facilitator prints out these legislations, shares with the participants and have a discussion on each to understand the contents in them.

**Legislative Framework Definitions**

**International Legislations**

International Law establishes a framework where States are principal actors in the legal system and instruments are voluntarily created, agreed upon and enforced.

The formation of the UN out of this voluntary participation creates a means for the world community to enforce International Law upon those members who violate it.

1. **International Instruments:** These are tools that state International Law, are the wide range of written agreements that can be entered into by State Parties.

2. **Treaties:** are main sources of International Law. To be enforceable, they must be registered with the UN. Convention, Statute, Covenants and Charters are other words for treaties.

3. **State:** is another word for country. States ratify a treaty, which is the formal process of adopting the treaty. It is legally binding and is an expression of consent by the State. When a State ratifies a treaty, it becomes a State Party and is legally obligated to the provisions.
International Instruments relating to trafficking of persons signed/ratified by Uganda:

- The UN Convention against Transnational Organised Crime (entered into force in 2003) - Uganda ratified it on 9 March 2005. This Convention signifies the recognition by Member States of the seriousness of the problems posed by it, as well as the need to foster and enhance close international cooperation in order to tackle those problems. States that ratified this instrument commit themselves to taking a series of measures against transnational organized crime, including the creation of domestic criminal offences (participation in an organized criminal group, money laundering, corruption and obstruction of justice); the adoption of new and sweeping frameworks for extradition, mutual legal assistance and law enforcement cooperation; and the promotion of training and technical assistance for building or upgrading the necessary capacity of national authorities.

- The Protocol to Prevent, Suppress and Punish trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organised Crime (entered into force in 2003) – Uganda signed the Protocol in December 2003. The intention behind the Protocol is to facilitate convergence in national approaches with regard to the establishment of domestic criminal offences that would support efficient international cooperation in investigating and prosecuting trafficking in person’s cases. An additional objective of the Protocol is to protect and assist the victims of trafficking in persons with full respect for their human rights.

- Key issues in the ILO Convention No 182 on the Worst forms of Child Labour

- The ILO convention 182 on the worst forms of child labour defines trafficking in persons tendencies such as all forms of slavery or practices similar to slavery such as sale and trafficking of children, debt bondage and forced or compulsory labour as worst forms of child labour.
National responses (Uganda):

- In order to domesticate its international obligations, Uganda enacted the Prevention of Trafficking in Persons Act, 2009. The Act provides for the prohibition of trafficking in persons, creation of offences, prosecution and punishment of offenders, prevention of the vice of trafficking in persons, protection of victims of trafficking in persons, and other related matters.
  - Uganda Police Anti-child trafficking Task Force established
  - The National Plan of Action on Child Sexual Abuse and Exploitation developed.

What does the Prevention of Trafficking in Persons Act 2009 say?

An Act to provide for the prohibition of trafficking in persons, creation of offences, prosecution and punishment of offenders, prevention of the vice of trafficking in persons, protection of victims of trafficking in persons, and other related matters.

Defines a trafficker as a person who:

(a) recruits, transports, transfers, harbours or receives a person, 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;

(b) recruits, hires, maintains, confines, transports, transfers, harbours or receives a person or facilitates the aforementioned acts through force or other forms of coercion for the purpose of engaging that person in prostitution, pornography, sexual exploitation, forced labour, slavery, involuntary servitude, death bondage, forced or arranged marriage; commits an offence and is liable to imprisonment for fifteen years.

The ACT states that the recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall constitute “trafficking in persons” even if this does not involve any of the means set forth in subsection (1) of this Section.

The consent of the victim of trafficking or if a child, the consent of his or her parents or guardian to the acts of exploitation shall not be relevant.

- To date we have an established Anti Trafficking in Persons National Task force comprising of the Police, Ministry of Gender Labour and Social Development, Ministry of Education, immigration department, and security agencies like Internal Security organisations and the external security organisation to address country-wide initiatives in the prevention, protection and prosecution of human trafficking offences.
- Police also committed itself to combating human sacrifice as well as strengthening the child and family protection unit to investigate human sacrifice and trafficking and provide a referral for victims to local assistance providers. The Government of Uganda in collaboration with the United States Government and a US Department of Justice Police Advisor has trained
Key definitions:

1. A child:
   According to the United Nations Convention on the Rights of the Child (1989), “a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier”.

   According to the ILO Worst Forms of Child Labour Convention, 1999 (No.182), “the term child shall apply to all persons under the age of 18”;


   The Constitution of the Republic of Uganda under article 257 defines a Child as a person below 18 years of age. Under article 34(4) of the Constitution, Children are entitled to be protected from social or economic exploitation and shall not be employed in or required to perform work that is likely to be hazardous or to interfere with their education or to be harmful to their health or physical, mental, spiritual, moral or social development. For the purposes of clause (4) of the article 34, clause 5 provides that children shall be persons under the age of sixteen years.

   Uganda's Employment Act 2006 Defines a child as any person below the age of 18 years

   Uganda’s Prevention of Trafficking in Persons Act, 2009 under section 2(a) defines a Child as a Person below the age of 18 years.

2. Human Trafficking:
   The UN Protocol defines Human Trafficking as: “THE ACT OF 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 purposes of EXPLOITATION.”

   “Exploitation shall include, at a minimum, 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.”

   According to Uganda’s Prevention of Trafficking in Persons Act, 2009, ‘Exploitation’ includes at a minimum, sexual exploitation, forced marriage, child marriage, forced labour, harmful child labour, use of a child in armed conflict, use of a person in illegal activities, debt bondage, slavery or practices similar to slavery or servitude, human sacrifice, the removal of organs or body parts for sale or for purposes of witchcraft, harmful rituals or practices.

   The same Act defines Trafficking in Persons as the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, 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.
The facilitator should also highlight the significance of having a shared understanding of the issue and the difficulties encountered when the understanding is not shared. Give some concrete examples.

Make sure to break down the definition into its three parts: the act, the means and the purpose.

**TRAFFICKING OF ADULTS**

<table>
<thead>
<tr>
<th>“THE ACT OF ...“</th>
<th>Recruitment, transportation transfer, harbouring or Receipt of persons”</th>
</tr>
</thead>
<tbody>
<tr>
<td>....BY MEANS OF...</td>
<td>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 giving or receiving of payments or benefits to achieve the consent of a person having control over another for the purpose of exploitation.</td>
</tr>
<tr>
<td>FOR THE PURPOSE OF...</td>
<td>“Exploitation shall include, at a minimum, 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”</td>
</tr>
</tbody>
</table>

**TRAFFICKING OF CHILDREN**

<table>
<thead>
<tr>
<th>“THE ACT OF ...“</th>
<th>Recruitment, transportation, transfer, harbouring or Receipt of persons…”</th>
</tr>
</thead>
<tbody>
<tr>
<td>In a child trafficking case, we don’t have to prove the ‘means’.</td>
<td></td>
</tr>
<tr>
<td>EXPLOITATION</td>
<td>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 labor or services, slavery or practices similar to slavery, servitude or the removal of organs “</td>
</tr>
</tbody>
</table>

The facilitator should have examples ready to explain why. The lack of necessity to prove the “means” make it easier to protect children. For example, in the case of prostitution, the adult may claim that she/he was working “voluntarily” in sex work, which makes it difficult for the law enforcement officer to take action against the brothel owner (unless of course a different penal sanction is applied). This difficulty is overcome with the “means” not needing to be proved.
Assessing the nature of human trafficking

The International Labour Organisation estimates that there are at least 12.3 million people worldwide who are victims of forced labour as a result of human trafficking.

According to Platform for Labour Action Study Assessing the schemes, routes and factors that contribute to the prevalence of human trafficking across the borders, the findings indicate that:

- Most of the victims of human trafficking were female (84%) within a youthful age range of 18-30.
- 9.3% of the victims of human trafficking were below the age of 18 at the time of being trafficked.
- All victims of human trafficking respondents were literate and fairly schooled, with most of them having secondary education and above.
- 93% (Most) of the VIT respondents were one-time victims. Only 7% of the victims of human trafficking were double- or multiple-time victims. Before being trafficked.
- 32.6% of the VIT respondents were unemployed.
- More of the VIT respondents were taken to Saudi Arabia (37.2%), followed by Kuwait (18.6%), the United Arab Emirates (UAE-9.3%), Oman (7%), Kenya (7%), Qatar (4.7%), China (2.3%) and other countries (14%).
- The main venue of negotiations with the perpetrators were the “office” of the perpetrator (58%), while other negotiations took place on the street (19%), at the home of the perpetrator (7.0%), on Facebook/Whatsapp/the phone (5%) and at other places (11%). Most of the VIT respondents indicated that they were given the basic information about the prospective job offers, albeit not very truthful. Unfortunately, most of the VIT respondents (74%) did not consult any agency or person outside those involved in the negotiations to verify the information given during the negotiations. Qualitative data indicates that some of the victims did not know where and how to verify or cross-check such information.
- Several factors prompted the victims of international trafficking respondents to take up the prospective job offers. They include:
  - Unemployment, poverty, free tickets and visa arrangements, underemployment and poor pay, desperation, family and peer pressure are contributing factors.
  - Other factors are transit enablers such as the porous borders and also gaps in the recruitment laws; the lack of serious punishments for those who recruit people without licences, and lack of the capacity by the government to monitor and stop illegal recruitment agencies.

What victims of international trafficking were exploited into in the destination countries

- 73% were offered domestic work.
- 3% forced into commercial sex work
- 3% exploited in smuggling
### EFFECTS OF HUMAN TRAFFICKING

| Human trafficking is a multi-dimensional threat. It deprives people of human rights and freedoms, it is a global health risk, and it fuels the growth of organized crime. | Potential health risk includes HIV and AIDS, unsafe abortion, substance abuse, Hepatitis C and sexually transmitted infections. | Psychological abuse potentially leading to suicide, addiction, nightmares, memory loss, depression, violent outbursts and lack of trust. |

| Human trafficking is a multi-dimensional threat. It deprives people of human rights and freedoms, it is a global health risk, and it fuels the growth of organized crime. | Potential health risk includes HIV and AIDS, unsafe abortion, substance abuse, Hepatitis C and sexually transmitted infections. | Psychological abuse potentially leading to suicide, addiction, nightmares, memory loss, depression, violent outbursts and lack of trust. |
Facilitators’ Note 3.3: OFFENCES IN UGANDA RELATED TO TRAFFICKING IN PERSONS

Section 3 of the Prevention of Trafficking In Persons Act, 2009

<table>
<thead>
<tr>
<th>Offence</th>
<th>Penalty (individuals)</th>
<th>Penalty (registered entity e.g. companies/organizations)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recruits, transports, transfers, harbours, receives a person, maintains, confines</td>
<td>Imprisonment of fifteen years</td>
<td>Liable to a fine of (one thousand currency points) twenty million Uganda shillings and temporary or permanent closure; deregistration, dissolution; disqualification from practice of certain activities.</td>
</tr>
<tr>
<td>By means of: the threat or use of force, coercion, abduction, fraud, deception, abuse of power, abuse of vulnerability, giving or receiving of payments or benefits in order to achieve consent of a person, having control over another person for the purpose of Exploitation</td>
<td>Imprisonment of fifteen years</td>
<td>Liable to a fine of (one thousand currency points) twenty million Uganda shillings and temporary or permanent closure; deregistration, dissolution; disqualification from practice of certain activities.</td>
</tr>
</tbody>
</table>

Section 4 of the Prevention of Trafficking In Persons Act, 2009

A ggravated trafficking in persons:

- The victim is a child;
- Adoption, guardianship, fostering and other orders in relation to children is undertaken for the purpose of exploitation;
- Collective effort (syndicate) or on a large scale;
- Offender is an organisation engaged in the activities of organizing, directing or protecting the vulnerable persons in society;
- Offender is engaged in organizing or directing another person(s) to commit the offence;
- Offence is committed by a close relative or a person having the parental care, authority or control over the victim or any other person;
- The offence is committed by a public officer;
- Offence is committed by a military personnel or law enforcement officer
- Organizes, facilitates, makes preparation for the kidnapping, abduction, buying, selling, vending, transports, receives, detains, confines for purposes of harmful rituals or practices, human sacrifice, removal of any body part or organ or any act related to witchcraft
- The victim dies, becomes a person of unsound mind, suffers mutilation, gets infected with HIV/AIDS or any other life threatening disease
Uses a child in any armed conflict;  
Removes any part, organ or tissue from the body of a child for purposes of human sacrifice;  
Uses a child in the commission of a crime;  
Abandons a child outside the country;  
Uses a child or any body part of a child in witchcraft, rituals and related practices;  
offence of aggravated trafficking in children

### Recruitment, transportation, transfer, harbouring or receipt of a child

Recruitment, transportation, transfer, harbouring or receipt of a CHILD for the PURPOSE OF EXPLOITATION shall constitute “trafficking in persons” even if this does not involve any of the MEANS mentioned above. Consent of the CHILD or his or her parents is not relevant.

### Section 6 of the Prevention of Trafficking In Persons Act, 2009

<table>
<thead>
<tr>
<th>Offence</th>
<th>Penalty (individuals)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engaging the Labour or Services of a Victim of Trafficking in Persons:</td>
<td>Imprisonment for ten years</td>
</tr>
<tr>
<td>A person knowingly or has reason to believe that a person is a victim of trafficking, or engages the labour or services of that victim in that status</td>
<td></td>
</tr>
</tbody>
</table>

### Section 7 of the Prevention of Trafficking In Persons Act, 2009

<table>
<thead>
<tr>
<th>Offence</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Promoting Trafficking in Persons:</td>
<td>A fine not exceeding (one hundred and twenty currency Points) Two Million, Four Hundred Thousand Uganda Shillings or to imprisonment for five years, or both such imprisonment and fine.</td>
</tr>
<tr>
<td>knowingly leases or subleases, uses or allows to be used any house, building or establishment for the purpose of exploitation;</td>
<td></td>
</tr>
<tr>
<td>produces, prints, issues or distributes, any document or information of any Government agency, which relates to immigration, for purposes of trafficking;</td>
<td></td>
</tr>
<tr>
<td>tampers with, or falsifies any government or government agency’s document or information relating to the immigration regulations or requirements;</td>
<td></td>
</tr>
<tr>
<td>utters or aids any person to utter any false document relating to immigration for the purpose of facilitating that person’s entry or stay in Uganda, or exit from the country;</td>
<td></td>
</tr>
</tbody>
</table>
gives or facilitates the giving of false information to any authority for the purpose of enabling the entry, stay in Uganda, or exit from the country of any person;

advertises, publishes, prints, broadcasts, distributes or causes the advertisement, publication, printing, broadcasting or distribution by any means, including the use of IT and the internet intended or likely to facilitate trafficking in persons;

engages in the selling or buying of persons; recruits, transports, transfers, harbours or receives a child for any purpose without authority of the parent or guardian of such a child;

This provision does not apply where the recruitment, transportation, transfer, harbouring or receipt is done lawfully, in good faith and in the best interests of the child;

Abandons a child. In circumstances likely to cause fear, isolation, injury, pain or other harm; or to facilitate the trafficking of that child.

On another conviction for the same offence, is liable to imprisonment of Seven years without the option of a fine.

<table>
<thead>
<tr>
<th>Section 8 of the Prevention of Trafficking In Persons Act, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Offence</strong></td>
</tr>
<tr>
<td>Attempts to traffic in persons Conspires with another person to traffick;</td>
</tr>
<tr>
<td>Recruits, transports, transfers, harbours, provides or receives a person for domestic or overseas employment or training with the intention of trafficking;</td>
</tr>
<tr>
<td>Recruits a person below 16 years in any form of employment for the purposes of exploitation;</td>
</tr>
<tr>
<td>Introduces or matches any person for purposes of sexual exploitation;</td>
</tr>
<tr>
<td>Confiscates, conceals or destroys a passport, travel or personal documents or belongingness for the purposes of unlawfully denying that person freedom of movement or access to any public places.</td>
</tr>
<tr>
<td>Adopts or facilitates the adoption of a person for illegal purposes.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 9 of the Prevention of Trafficking In Persons Act, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Offence</strong></td>
</tr>
<tr>
<td>Failure to Disclose Conviction:</td>
</tr>
<tr>
<td>A person who, having been convicted of a trafficking offence fails to disclose that conviction:</td>
</tr>
<tr>
<td>1. When applying for employment which places him or her in a position of authority or care of children; or</td>
</tr>
<tr>
<td>2. When offering or agreeing to take care of or supervise children, commits an offence and is liable on conviction to a fine, not exceeding three</td>
</tr>
</tbody>
</table>
Section 10 of the Prevention of Trafficking In Persons Act, 2009

<table>
<thead>
<tr>
<th>Offence</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to report to a relevant authority</td>
<td>If convicted, is liable to a fine of UGX One Hundred Million UGX</td>
</tr>
<tr>
<td></td>
<td>(five thousand currency points) or imprisonment for six months.</td>
</tr>
</tbody>
</table>

A person who knowing or having reason to believe that a person has committed or intends to commit an offence and does not report to police or other relevant authority, commits an offence.

Facilitator notes 3.4: FACTORS THAT INFLUENCE TRAFFICKING IN PERSONS

Facilitator notes (Adapted from PLA study on Assessment of the Schemes, Routes and Factors that promote the prevalence of trafficking in persons, 2016) page: 30

Factors that influenced victims of trafficking to end up trafficked according to PLA’s study on the Assessment of the Schemes, Routes and Factors that promote the prevalence of trafficking in persons, 2016 include the following:

- Family Pressures/Parents Advice (15%)
- Unemployment/Just Seated at Home (35%)
- Poverty (44%)
- Other Factors (Other relatives/friends advice and testimonies: 6.0%)

Factors (outside home but) in the Community (n=26)

- Peer Pressure (4%)
- No Employment Opportunities in the Community (42%)
- Little Pay (46%)
- Other Factors (general poverty: 8%)

External (outside the country) Factors (n=35)

- Better Employment and Terms (80%)
- Free Visa and Ticket (5%)
- Advice from Friends outside the Country (11%)

These findings are similar to the responses from key informant interviews that indicate that unemployment, poverty, free tickets and free visa arrangements, underemployment and poor pay, desperation and family and peer pressure were contributing factors.

'Some faith-based organisations are independent and because they are not monitored they end up trafficking children under the disguise of sponsoring them through school and that is brought about by the fact that parents are poor and some don’t want to own up to their responsibilities. They give their children willingly to such people and they end up trafficked'. *(KII, national CSO)*

'People are poor and desperate and they are usually taken up by the good-looking but empty promises made by traffickers... People believe that the world outside Uganda is better'. *(KII, national CSO)*

'Because of inadequate income... mostly young people decide to leave the country because of little income and yet they are promised a lot of money which really interests them'. *(KII, local government)*

'Poverty is one of the major factors contributing to the increased human trafficking in Uganda. People compare the salary earned in Uganda and the one that they’ll be getting if they leave the country and notice a very big difference. They easily accept... ‘(KII, national CSO)*

'We support labour migration since there is a lot of unemployment in the country. However, the government should ensure that the people who are exported have good working conditions and they are not exploited'. *(KII, international CSO)*
Unemployment has contributed greatly to the increasing rate of human trafficking because people are desperate. They are taken advantage of through promising them high-paying jobs and greener pastures. Because they are desperate they do not think twice about the credibility of the person taking them and whether the jobs they have been promised actually exist. (KII, central agency)

‘A girl came here wanting clearance to go outside and she was so desperate... She said that if in Kampala they are paid 20,000 Uganda shillings per night for commercial sex work, why can’t they go for USD 100 a night outside Uganda?’ (KII, central agency)

Government agency) ‘Most of them are single mothers who have no source of employment. They have no jobs and this has pushed these single mothers to go for the promised greener pastures abroad’. (KII, local community leader, Tororo)

‘There is love for quick money among very many youth in the country and when they get to know that the salary is big, they rush to book and go abroad without investigating and end up as victims of trafficking’. (KII, local community leader, Busia)

Other factors that contribute to trafficking are transit enablers like the porous borders and also gaps in the recruitment laws. This was mentioned by key informants at the national and local levels. It was observed that there are no serious punishments for those that recruit people without licences to do so.

‘Recruitment into labour is very easy in the country; there is no serious crime for those who recruit people without licences. Sometimes the recruitment is done by the people already employed outside the country’. (KII, government agency, Kampala)

‘We have porous borders which are not demarcated and some are divided by water bodies that are difficult to police. We have several porous borders in Busia that are manned by local leaders and since they are not aware about the issues of human trafficking they are given bribes and let the traffickers pass. So if they are educated on issues of trafficking in persons then the habit might reduce’. (KII, local leaders, Busia and Tororo)

Lack of capacity by the government to monitor and stop illegal recruitment agencies was also mentioned as an enabling factor for human trafficking.

‘Government has not come up with strong measures to stop individual and illegal recruiters from exporting labour and this has contributed greatly to the increasing trend in human trafficking... despite the fact that some of the informal recruiters are known and licensed companies that have made efforts to report them to the authorities’. (KII, recruitment agency)

Tour and travel companies have also contributed greatly to human trafficking since they recruit people promising them jobs. When they reach their destinations, however they give them visit visas. So when the person reaches Dubai they start suffering because they won’t have where to sleep or have food and since they are given visit visas when they expire they stay in the countries illegally... Many Ugandans who have been taken by the tour and travel companies are always on the run, go hungry and sleep on the streets at night’. (KII, recruitment agency)

Some of the VIT respondents indicated that their decision to travel and take up the job offers was partly due to family advice and pressure, as the following narrative illustrates:

My mother has a male friend who connected her to one agent who used to take people ‘My mother has a male friend who connected her to one agent who used to take people abroad to work. On hearing this, Mother quickly asked me to go check out the agent at his office in Old Kampala. I went to the office and the agent took me to some other place behind the office but the agent knew who I was before I could even introduce myself. He admitted to taking people abroad and asked me to give him 5,000,000/= to which I bargained up to 3,000,000/= Then he ordered me to take passport photos while dressed in a ‘shariya-like dress’ and then gave me an employment letter that I filled in as a supermarket attendant. I thought processing everything would take me a lot of time but, to my surprise, he called me in a two weeks’ time and told me to report to his office but this time he told me to use some other route that we used on our first meeting and broke the good news of leaving the country to go and work abroad. He refused me to bring relatives to escort me to the airport on my departure’.
Additional factors contributing to the problem of human trafficking

- Growing restrictions on legal immigration: In the face of increasing restrictions on legal immigration to destination countries, many migrants willfully ignore the associated risks of human trafficking and resort to alien smugglers for assistance.

- Treating human trafficking victims as criminals: Many victims are reluctant to cooperate with law enforcement to prosecute offenders because of the practice of treating victims as criminals and the fear of retribution due to insufficient witness protection programs. Legal and administrative penalties imposed on TIP victims as a direct result of their enslavement further violate their rights and obstruct efforts to identify and prosecute traffickers.

- Lack of political will: Insufficient commitment to enforce existing legislation or mandates derails C–TIP efforts in many locations. Notwithstanding the number of countries that have ratified the major conventions and adopted C–TIP legislation, enforcement and ensuring accountability remain uneven compared with the scope of the problem. Governments may deny or ignore the problem and withhold assistance to TIP victims required under the Palermo Protocol.

- Corruption: Government officials, police, border guards, and labor inspectors often accept bribes and collude with offenders in the selling of fake documentation. Moreover, some convicted traffickers are able to avoid serving prison sentences by paying bribes to officials.

- Weak law enforcement: Efforts to combat human trafficking are often hindered by inadequate law enforcement capacity. Many countries do not have comprehensive C–TIP legislation, as required under the Palermo Protocol. Human trafficking penalties are often weak, especially compared with penalties for other criminal activities such as drug and arms trafficking.

- Globalization and increased sophistication of international organized crime: International criminals have exploited the ease with which goods, money, and people now flow across international borders. The globalization of the world’s economy has increased human migration, both legal and illegal.

- Social custom of entrusting children to the care of more affluent friends or relatives: In some countries, parents entrust their children to the care of affluent friends or family members in the hope that their children will receive an education and/or improve their chances in life. These children can end up in situations of domestic servitude and are vulnerable to physical and sexual abuse. In some cases, parents sell their children for financial remuneration.

- Social devaluation of women and girls and other form of prejudice: Vulnerability of women and girls can be increased due to their low social and political standing and a related lack of economic, social, educational, and political opportunities. Some females are placed at increased risk due to the practice of forced marriage. In addition, prejudice based on race and other factors can contribute to the exploitation of migrant workers and other vulnerable individuals and groups.

- Poor governance: Forced labor situations can arise as a result of a series of labor market failures and a weak State capacity to effectively regulate labor markets and migration flows. In particular, the failure of the government to adequately regulate the labor recruitment industry has led to gross abuses that contribute to the trafficking of workers. Exorbitant or illegal recruitment fees, recruitment expenses illegally shifted to workers, and other unscrupulous recruitment practices can result in workers’ involuntary servitude.

- Effective interventions call for governments not only to punish forced labor as a penal offense but also to step in and effectively regulate the economy thereby creating more options for decent work in the formal economy. Regarding the many vulnerable workers in the informal economy and “invisible” places of employment (i.e., sweatshops and brothels), effective strategies to combat TIP involve working jointly with community-based organizations, trade unions, labor inspectors, and law enforcement. (Adapted from USAID Counter Trafficking in persons Field guide 2013)
Public Corruption is identified as one of the key impediments facilitating trafficking in persons rackets in the whole World. A report by IBA 2016 on human trafficking and public corruptions confirms that Corruption enables human trafficking to flourish. This chapter derives content on public corruption and trafficking in persons from the above report. The chapter aims at enabling the participants understand public corruption and how it aids trafficking in persons and affects investigations, protection and prosecution of trafficking in person’s cases.

This chapter has 2 sessions. Session 1 aims at enabling participants understand public corruption and its linkage to trafficking in persons and session 2 on types of corrupt Acts by public officers and how corruption facilitates Trafficking in persons.

Session 1: Understanding public Corruption and its link to trafficking in persons

**AIM OF SESSION**

1. To generate a mutual understanding what public corruption means.
2. Analyze public corruption using real life examples to explain public corruption.

**Timeframe: 30 minutes**

**Steps:**

**Step 1:** Facilitator asks the participants in plenary to share what they understand by the term public corruption and giving examples they have heard about in Uganda. Facilitator notes on the flip chart the contributions given by the participants.

**Step 2:** Facilitator supplements on the contributions given by the participants and further explains more about public corruption in relation to human trafficking.

**Step 3:** Facilitator shares a power point presentation on the link of public corruption and trafficking in persons looking at the available study by IBA 2016.
SESSION 2: UNDERSTANDING TYPES OF CORRUPT ACTS BY PUBLIC OFFICERS AND HOW CORRUPTION FACILITATES TRAFFICKING IN PERSONS

AIM OF SESSION

- Establish the types of human trafficking-related corruption that facilitates trafficking in persons
- Enabling participants detect corruption in trafficking in person’s tendencies, report and avoid them.

Timeframe: 30 minutes

Content: Facilitators notes on the Types of Corruption that facilitate trafficking in persons

Methods: Discussions, Power point presentations

Materials: Flip Chart, Markers, Power point presentation: on corruption and human trafficking.

Steps 1: Facilitator divides the participants in 4 groups and the first 2 groups assigned to discuss which kind of actors are usually engaged in trafficking in persons corruption and how. The other 2 groups are assigned to discuss the types of corrupt acts committed under trafficking in persons.

Step 2: Facilitator asks the participants to choose a leader to present their findings

Step 3: Facilitator supplements on the presentations of the participants clarifying more on the actors engaged in trafficking in person’s corruption and the types of corrupt acts committed in trafficking.

Facilitators’ Note: 4.1: PUBLIC CORRUPTION DEFINITION

Corruption is often the ‘elephant in the room’ when discussing human trafficking. The United Nations Convention against Corruption (UNCAC), adopted by the General Assembly in 2003, describes corruption as a force ‘undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law.’

Transparency International has defined corruption simply as the ‘abuse of entrusted power for private gain.’ Corruption’s corrosive effects include decreased access to public services, a lack of public trust in government, thwarted investment and market uncertainty. And although corruption appears in societies throughout the world, it is within contexts of instability, weak institutions and extreme poverty that corruption is particularly pervasive.

Fundamental to many of these provisions is the concept of a ‘public official’, defined in UNCAC Article 2 as ‘any person holding a legislative, executive, administrative, or judicial office of a State Party... any other person who performs a public function, including for a public agency or public enterprise, or provides a public service, as defined in the domestic law of the State Party.

OECD Anti-Bribery Convention

The Organisation for Economic Co-operation and Development (OECD) Anti-Bribery Convention creates legally binding standards under which States Parties must criminalise the paying of bribes to foreign public officials:

‘Each Party shall take such measures as may be necessary to establish that it is a criminal offence under its law for any person intentionally to offer, promise or give any undue pecuniary or other advantage, whether directly or through intermediaries, to a foreign public official, for that official or for a third party, in order that the official act or refrain from acting in relation to the performance of official duties, in order to obtain or retain business or other improper advantage in the conduct of international business.’
The Convention defines a ‘foreign public official’ as:
‘Any person holding a legislative, administrative or judicial office of a foreign country, whether appointed or elected; any person exercising a public function for a foreign country, including for a public agency or public enterprise; and any official or agent of a public international organization.’

The links between corruption and human trafficking
Corruption and human trafficking are indisputably linked. One study suggests a strong correlation between the two, concluding that countries with high levels of institutional corruption are more likely to have high levels of human trafficking within their territory. Another study notes that trafficking ‘hot spots’ correlate with regions where there is a perception of impunity for public corruption. This is further supported by the OECD’s comparison of the US TIP Report 2014 with Transparency International’s 2014 Corruption Perception Index. This comparison showed a marked overlap between countries identified as having a serious human trafficking problem and countries perceived as experiencing serious corruption. A comparison of the 2015 reports shows similar results. These findings are supported by victims’ accounts, which corroborate the thesis that corruption among public officials facilitates the trafficking of persons.

Corruption enables human trafficking to flourish. Corruption bolsters trafficking in four ways:

1. Corruption allows the crime of human trafficking to remain invisible.
2. Facilitates impunity even if trafficking is detected.
3. Facilitates trafficking circuits in the country; and
4. Increases the danger of re-victimization for trafficking victims.

Corruption undermines efforts to combat human trafficking, and leaves victims terrified, unable to seek assistance from law enforcement or other state institutions.
Actors mostly engaged in trafficking-related corruption
Opportunities for corruption stretch across a wide range of official positions and branches of government. The results of a 2009 UNODC survey revealed that law enforcement officials (including police, border control, immigration, and customs officials) are considered to be those most likely to participate in trafficking-related corruption. While corruption is more prevalent within this group, a review of available evidence confirms that the reach of corruption is indeed much broader.

The Council of Europe, for example, also adds intelligence/security forces and armed forces to the list.

How? – Ways in which actors engage in trafficking-related corruption
According to Transparency International:

‘Weak institutions offer weak protection. Pay-offs to police, courts and other public sector officials result in state institutions turning a blind eye to trafficking gangs or even participating in them.’

Public officials may use the power granted to them to engage directly in human trafficking. Their official positions cloak them with de facto impunity: a police officer operating a brothel filled with trafficking victims may appear untouchable to victims and co-conspirators alike. In such a circumstance, justice is often out of reach: the police have become the criminals.

Bribery is another key means by which public officials use their position to facilitate – and to profit from – human trafficking. UNCAC defines bribery as:

‘The promise, offering or giving, to a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties’ or, ‘The solicitation or acceptance by a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.’
In the context of trafficking, the ‘undue advantage’ that officials receive or solicit usually comes in the form of money or sexual services. For traffickers, bribery is ‘high reward/low risk.’ In an industry that trades in human beings as commodities, bribes likely constitute the largest overhead cost. In 2003, Moscow’s organised crime groups reportedly spent approximately US$4.5m per month in bribes to public officials and law enforcement.

A 2010 World Bank study estimated that the total cost of corruption in the foreign employment industry in Nepal exceeded NPR 17.2bn per year (US$194.7m).

Traffickers establish ties to political elites and state actors, paying them bribes to facilitate trafficking. Such corrupt officials may have no other direct involvement in trafficking, but benefit from the illicit income.

**Outcomes – How corruption facilitates human trafficking**

Corruption can help cement close ties between traffickers and those who are charged with bringing criminals to justice. But even the appearance of corruption can give traffickers the power to manipulate their victims. Traffickers frequently maintain control by convincing victims that law enforcement is complicit in their exploitation. In one case in Austria, for example, a trafficker dressed up as a member of the Austrian police and raped trafficking victims to discourage them from contacting the police.

Once victims believe that an appeal to public authorities is futile, they may conclude that their only option is to keep quiet and submit. Victims trafficked from Eastern Europe to Belgium, for example, reported a significant distrust of police. The victims told investigators that their traffickers had strong ties with state officials and policemen, citing as evidence that their traffickers had arranged sex parties for ‘policemen, magistrates, judges and politicians’.

A victim from South America reported a similar story, stating that the police were friends of her boyfriend, who had forced her into prostitution. The boyfriend: ‘threatened to kill me if I left him and he reminded me of his contacts within the police.

Corruption may be a key factor in explaining the extremely low number of trafficking prosecutions – and the even smaller number of convictions – around the world. With the right connections, traffickers can influence the outcomes of investigations and judicial actions. Corrupt practices may also disrupt enforcement after the identification and ‘rescue’ of a trafficking victim. Traffickers may bribe law enforcement officials to evade arrest or to avoid criminal conviction. Traffickers may be willing to pay multiple officials to obstruct investigations.

**Public officials as human traffickers**

Public officials can directly participate in human trafficking – playing an active role in the recruitment, transportation, and exploitation of their victims. Direct involvement of officials in trafficking encompasses both sex and labour trafficking. These officials actively participate in trafficking by owning or operating brothels holding trafficked adults and children; forcing victims into domestic servitude; or owning or operating factories that hold workers in forced labour.

Public officials direct involvement in trafficking for forced prostitution and child commercial sexual exploitation

Across the globe, public officials have been found to participate directly in sex trafficking, recruiting victims and profiting from their exploitation. The officials’ positions often give them a measure of protection from prosecution.

In addition, their proximity to vulnerable populations allows them to target victims. Public officials may act alone or in concert with trafficking rings.
Corruption may take the form of a police officer trafficking a single victim or owning and operating a commercial sex establishment that uses the services of trafficked persons. For example, a victim of child sex trafficking in Burundi alleged that a senior intelligence officer held her in captivity as a sex slave for several months, threatening both her and her parents. Despite receiving summons, the officer failed to appear, and the case stalled.

Some public officials use their official position to recruit victims from vulnerable populations, particularly minors.

In some cases, staff members at state-run institutions are accused of involvement in human trafficking. In 2015, Disability Rights International, a human rights NGO, reported trafficking of children for forced labour and commercial sexual exploitation in state-run orphanages in Ukraine.

Public officials have also been found guilty of labour trafficking. A corrupt official may traffic just one individual into forced labour, or may abuse many victims. In one case, a Russian army officer was sentenced to three years’ imprisonment after a military court found him guilty of selling a soldier under his command to a local businessman for forced labour.

Public officials may also misuse their positions to operate labour recruiting schemes. In Uganda, a labour recruitment company allegedly trafficked Ugandan women into domestic servitude in Iraq. The Ugandan government revoked the recruiting company’s licence, only to later renew it. The company’s managing director at the time, retired Colonel Chris Mudola, was a member of the ruling party’s executive committee.

Increasingly, diplomats and officials of international organisations face allegations of direct involvement in trafficking for forced labour and domestic servitude. Under existing rules of international law, diplomats are generally permitted to bring domestic workers to their country of posting.

In some cases, diplomatic officials use the privileges and immunities of their position to engage in corrupt practices that facilitate the trafficking of domestic workers for purposes of forced and exploitative labour. Across the globe, diplomats have trafficked domestic workers, committing visa fraud, confiscating passports, threatening abuse of legal process and, in some instances, engaging in physical and sexual violence against the women trapped in the diplomatic households.

Diplomatic traffickers use a variety of tactics to force their victims into domestic servitude. These schemes allow traffickers to isolate their victims and inculcate a climate of fear. This renders many victims too terrified to flee their traffickers and seek help.

**Public officials as facilitators of impunity**

Traffickers face little or no risk that they will be held accountable for their crimes. This failure to prosecute leads to widespread impunity.

Corrupt officials facilitate

- Impunity by obstructing the detection, investigation, prosecution and punishment of traffickers.
- Frequent methods of such facilitation include:
  - ignoring trafficking red flags;
  - protecting traffickers and their interests;
  - refusal to register trafficking complaints;
  - advance notification of law enforcement operations;
  - provision of ‘security’ or other services to trafficking operations;
  - obstructing investigations;
  - obstructing prosecutions;
• reduced punishments
• facilitation of re-trafficking

Case studies confirm that corruption can undermine every point of the criminal justice process: investigation, prosecution and trial. Corrupt police and investigators can thwart prosecutions by derailing investigations. And if trafficking is not properly investigated, it cannot be prosecuted. These underhanded methods only reinforce impunity for traffickers.

Corrupt officials also protect trafficking operations by intimidating trafficking victims. In a forced labour case in the US, the victims alleged that their trafficker conspired with two local police officers to have them unlawfully arrested and detained.

Refusal to register trafficking complaints: In some instances, public officials actively discourage trafficking victims from pressing charges or reporting trafficking crimes. When police officers refuse to register a complaint, the allegations never come to light and investigations are never launched.

Advance notification of law enforcement operations: When public officials (typically police officials) inform traffickers of impending police raids or rescue operations, they significantly hinder efforts to combat trafficking. Although the vast majority of reported instances of such ‘tip-offs’ occur within the context of sex trafficking, labour inspectors may also receive bribes in exchange for providing early warning of inspections. This may provide traffickers with the opportunity to remove children from worksites before inspectors arrive.

Provision of ‘security’ or other services to trafficking operations: Off-duty police officers have been reported to work as employees or security guards for establishments engaging in human trafficking.

Obstructing investigations: Multiple opportunities for corruption arise at the investigation stage. In addition to simply obstructing investigations, corrupt officials may target law enforcement agents making headway in anti-trafficking efforts.

Obstructing prosecutions: Even if a trafficking investigation proceeds to prosecution, corrupt officials can exert influence to halt or otherwise interfere with the prosecution process. The 2014 TIP stated that Peruvian prosecutors accepted money from traffickers to send child sex trafficking victims home in exchange for dropping the charges or falsifying victim statements to exonerate traffickers.

Reduced punishments: If a trafficking prosecution survives long enough to result in a successful adjudication and conviction, judges may be bribed to impose lesser penalties on traffickers.
This chapter focuses on creating awareness on the different strategies to combat the vice of trafficking in persons. This chapter enables participants get acquainted with the 4 Ps (Prevention, Protection, Prosecution and partnerships) in Uganda’s national action plan to combat trafficking in persons and the ones in fundamental international framework used by the United States and the world to combat contemporary forms of slavery.

**SESSION 1: UNDERSTANDING PREVENTION**

**AIM OF SESSION:** To equip participants with a clear understanding of what prevention means within anti-trafficking work.

**Content:** Notes on the 4 Ps, The Uganda National Action Plan to Combat Trafficking in Persons

**Methodology:** Group discussions, question and answer

**Materials:** Flip charts, Markers, Masking tape

**TIME FRAME:** 1 Hour

**Procedure:**

**Step 1:** Facilitator asks participants in a plenary to point out the 4 Ps that are critical in combating trafficking in persons. The facilitator notes down the feedback given by the participants. Facilitator ensures that there are no chorus answers given by requesting participants who want to contribute to put up their hands.

**Step 2:** Facilitator then ticks out the correct 4 answers given by the participants. In case they are not aware, the facilitator highlights the 4 Ps and notes them on the flip chart.

**Step 3:** Facilitator then divides participants into 4 groups and each group is assigned to discuss what Prevention is and the different prevention measures that can be put in place to combat human trafficking.

**Step 4:** Each group chooses a representative who presents to the participants the findings of their group in not more than 10 minutes.

**Step 5:** Facilitator supplements on the presentations by the participants by giving further explanations on what entails Prevention intervention in combating human trafficking.

**SESSION TWO: UNDERSTANDING PROTECTION**

**AIM OF SESSION:** To equip participants with a clear understanding of what protection means within anti-trafficking work.

**Content:** Notes on the 4 Ps, The Uganda National Action Plan to Combat Trafficking in Persons

**Methodology:** Group discussions, question and answer

**Materials:** Flip charts, Markers, Masking tape

**TIME FRAME:** 1 Hour
Procedure:
Step 1: Facilitator asks participants to go back to previous 4 groups and each group is assigned to discuss what is entailed in protection of trafficked victims. participants within 10 minutes.

Step 2: Each group chooses a representative to present their findings to the rest of the

Step 3: Facilitator supplements on the presentations by the participants by giving further explanations on what entails Prevention intervention in combating human trafficking

SESSION 3: VICTIM-CENTRED/RIGHTS-BASED APPROACH TO PROTECTING VICTIMS OF TRAFFICKING IN PERSONS

AIM OF SESSION

1. To equip participants with knowledge on the fundamentals of human rights based approach to combating trafficking and protecting victims of trafficking in persons so that participants can always ensure they promote and protect the rights of victims in the course of their duties.

2. To equip participants with a basic understanding of human rights process and the significance of having a functioning referral system for victims of trafficking in persons.

Resource:
Facilitator’s notes on victim-centred/rights-based approach to combating trafficking
Method: Plenary, presentation

TIME FRAME: 1 Hour

Procedure:
Step 1: The facilitator asks in the plenary to the participants how they understand the meaning of victim centred approach. The facilitator notes down the feedback given by the participants.

Step 2: Using the facilitators notes, the facilitator presents to the participants the meaning of victim centred/ human rights based approach to protecting victims of trafficking in persons including the fundamentals of the rights based approach.

Step 3: Facilitator after shares with the participants the importance of having a functioning referral system for victims of trafficking in persons in bid to protect their rights.

SESSION 4: UNDERSTANDING PROSECUTION OF TRAFFICKING IN PERSONS CASES

AIM OF SESSION: To strengthen understanding to the participants on the role of prosecutors and stakeholders in supporting successful prosecution of trafficking in persons cases.

Content: Notes on the role of Prosecutor, Police, State Attorneys in prosecuting trafficking in persons cases, Standard Operating Procedures for Prosecution of Crimes of Trafficking, UNODC, Handout on check list for prosecutors

Methodology: Group discussions, question and answer

Materials: Flip charts, Markers, Masking tape

TIME FRAME: 1 Hour

Procedure:
Step 1: The facilitator asks the participants in brain storming session who a prosecutor is, what prosecution means and who the actors in the prosecution system are.
Step 2: Facilitator lists the stakeholders responsible for supporting prosecution of trafficking in person’s cases and asks participants to explain their role in facilitating successful prosecution of the case. These actors should include but not limited to (Police, State Directorate of Public Prosecutions/ Attorneys, victims of trafficking, the Judge, etc).

Step 3: Facilitator supplements on the feedback given by the participants by explaining the role of the stakeholders that include Police, State Directorate of Public Prosecutions/ Attorneys, victims of trafficking, the Judge etc) in supporting prosecution of trafficking in persons cases.

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<th>SESSION 5: INVESTIGATING TRAFFICKING IN PERSONS CASES AS PART OF THE PROSECUTION PROCESS</th>
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<tr>
<td><strong>1. AIM OF SESSION:</strong> To equip participants with skills on how to investigate cases of trafficking in persons in order to support proper prosecution of trafficking in persons cases.</td>
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<td><strong>2. To equip participants with knowledge on the guidelines followed in investigating cases of trafficking in persons.</strong></td>
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**Content:** Uganda Police guidelines on investigating cases of trafficking in persons, Investigator’s guide for management of cases related to trafficking in Persons by Coordination Office to Combat Trafficking in Persons –Ministry of Internal Affairs. International guidelines of investigation of trafficking in Persons cases

- Case studies.

**Methodology:** Group discussions, Question and Answer, Plenary

**Materials:** Flip Chart, Markers,

**TIME FRAME: 2 Hours**

**Procedure:**

**Steps:**

1. Facilitator asks the participants what they understand by the term ‘investigation’. In plenary, the word ‘investigate’ is defined.
2. Facilitator asks participants to share in plenary if they have ever investigated cases of trafficking in persons, whether they succeeded? What made them not succeed?
3. Facilitator shares with the participants how investigation of trafficking in persons cases is conducted following the guidelines on investigation of trafficking in persons cases.
4. Facilitator there after puts the participants in 4 groups and gives two groups each similar case story to Read and analyse the case scenario and identify the different activities which amount to the TIP offence. These activities should be categorized under
   - Action
   - Means
   - Purpose in bid to indicate how they would highlight the offences that need identification and investigation for prosecution.
5. The participants then present their findings to the rest of the teams
6. The facilitator supplements on the presentations given by the participants.
Case Scenarios

Scenario 1
On 17th February 2017 a case of TIP is reported to police by Mr. Iwanga Charles (father to victims/complainant) against Mujuni Paul (suspect) who owns a church called pentagon Gospel Ministries in Mbale district. The allegation is that he employs girls below 18 years of age as ushers, cooks, maids and toilet cleaners to work at the church. Some of these girls are from poor families while others have physical disabilities. He alleges that, the suspect took his two daughters one called Nantongo Hasfa aged 17 years and another called Atyen Mary to Kenya in pretext that he was going to get them well paying jobs. He secured passports for them and boarded a bus together with them to Kenya via Busia boarder. In Kenya he rented a house for Nantongo Hasfa at Naivasha and also rented one room for Atyen at Nyeli. He sexually harassed both of them but made sure none of them communicated to another. Atyen has a child who is two years. The complainant says the two girls are stranded seeking for rescue. He goes ahead and mentions other girls he suspects were trafficked and are still stranded in Kenya as; Twongyeirwe Georgina, Nasuuna Teddy, Blessing, Tukahebwa Hope Cariline, Angela, Mwesigwa Christine and Namata Roy among others. These victims are believed to be in; Naivasha, Limulu, Nakuru and Nyeli in Kenya.

The complainant says he got the information from other two of the victims who managed to escape from Kenya and they came back to Uganda.

Scenario 2
It was on the 11th October 2016, a case of alleged human sacrifice was reported at C.I.D Headquarters by a whistle blower. He said that he is a witch doctor and was not happy with the way how his fellow traditional healers were picking innocent children from various areas and then sacrifice them. He mentioned one Kyakabale Moses who waits for children and grabs them on their way back home from school. He gave an incidence of one Milly Samanya a daughter to Mulyate Micheal of Ssembabule who disappeared on her way back from school and later on her body was found dumped in a swamp but with missing parts on her body. He says he saw Kyakabale Moses with this girl before she was murdered, that he had defrauded a very rich man called Muteesa Enock of huge amount of money in pretext that the spirits were going to make him rich and later on gave him a condition to bring a virgin girl for sacrifice to please the spirits. He alleged that very many rich people come from Kampala looking for riches and practice witchcraft. He alleges he is a witch doctor and he knows the tricks his fellow doctors do to get money. He says he knows where some of these bodies are buried at Kyakabale home and can lead police to his home to be investigated.

Scenario 3
On 25th May 2017, a report was received from Akello Zinabu alleging that she has her biological daughter now aged 26 years. She said that during the year 2014 in June her daughter Hadija Okoti told her that somebody called Mustafa wanted to take her to Saudi Arabia as a maid. The mother had refused but Hadija insisted and the mother eventually accepted her to go after she had talked to Mustafa herself and he told her that her daughter was to get a well paying job in Saudi, a free air ticket, medical insurance and other benefits. Since she had stayed on street for two years since she completed her diploma in nursery teaching she thought this was a good opportunity for her. However when she reached Saudi she kept on calling her telling that she was facing hardships. Her passport had been confiscated, she was being over worked sometimes without food, not having enough sleep and above all the son to the boss was sexually harassing her. She complained to Mustafa who told her that it is none of his business; she should work or else compensate the company 7millions which was spent on her travel. She called the mother and informed her about the abuse who also complained to Mustafa but insisted that they first pay back his money he spent on her or else she accepts to suffer.
SESSION 6: VICTIM IDENTIFICATION

AIM OF SESSION:
To equip participants with knowledge on how to identify and assist a victim of trafficking in persons

Content: Facilitators notes on victim identification, Human Rights Based Approach to victim identification

Methodology:
TIME FRAME: 1 Hour

Procedure:
Step 1: The facilitator requests for 7 volunteers, two of them will act as victims of trafficking, another as the trafficker and another as the Immigration Officer at the border post. The victims will act in a terrified manner, fear to communicate, being loyal to the trafficker, whether the person is being controlled, Possible signs of physical or psychological abuse (depression, etc. The trafficker will seem to protect the victims from talking to other people. The Immigration officer will ask questions to the victims and they will try to lie especially on the journey they are undertaking and on whether they are alone.

Step 2: Facilitator asks the participants to identify who the victims of Trafficking in persons are and indicate what signs show they are victims of trafficking. Facilitator notes down the findings.

Step 3: Facilitator asks participants to discuss how they would assist such victims from the jaws of the trafficker. Group 1 is given the task of how they would they Interview the victims and how they would use the information got after interviewing them, Group 2 is given Case Story on interviewing a victim of trafficking in persons and given tasks on how they would conduct the interview, Group 4 is given case story for group 2 to discuss a case of trafficking in persons and show how they would interview the victim.

Step 4: Facilitator supplements the presentations given by the participants explaining in detail the victim identification process, importance of proper identification, ethical principles in caring for and interviewing a victim of trafficking, importance of proper identification, special consideration for minors, Screening interview to identify trafficking victims.

Activity 2:
Step 1: Facilitator puts the participants in 2 groups and gives each group a a case story on identifying and interviewing a victim of trafficking in persons.

Step 2: Each group attempts the exercise and identifies a representative to present the findings of their discussion

Step 3: Facilitator supplements the presentations by giving clarifications on areas the participants did not know well.
The Case Stories

Case Study: Group 1

Interviewer
You are working at the PLA office located in Lira, in your capacity as a trained legal officer. Your office provides legal assistance for trafficked victims. You are just about to conduct an initial interview with a victim of trafficking after the victim had been referred to PLA by a doctor at Lira Hospital.

You have already provided the victim with detailed advice as to her legal rights in these circumstances and she has been told of the close working relationship between PLA and the Anti-Trafficking Unit at the Police Station.

You have been advised by medical staff that the victim is well enough to participate in an interview. She can communicate in your language.

Your Task:
1. Interview the victim.
2. What do you do with the information gained from the counseling session with the victim?
3. Who, if anybody, do you pass the information on to?
4. Why would you pass on the information?

Case Study: Group 2

Victim
Your name is Akoro and you are a 15-year-old girl, who comes from Ayer sub-county in Kole District, Lango sub-region.

You can communicate in the language of the interviewer.

Your version of events is as follows:

About 9 months ago, your 18-year-old sister Magogo had been approached in their village by a middle-aged Asian woman called Nadin who had offered her the opportunity of restaurant work in Kenya. Magogo had accepted the offer and had also managed to get a job for you. Nadin brought you both to Kenya but, instead of restaurant work, you found yourselves locked in a small building and were forced to work 18 hours per day making denim jeans and jackets. The factory was owned by an Asian man named Patel who was assisted by two other men and a woman supervisor. There were at least ten other women kept in similar circumstances. The boss Patel could be very violent towards the workers and you have been thoroughly beaten by him on a number of occasions for slow or inadequate work.

You and the other women were kept locked in a small room at night and were not allowed to leave the building. The entrance door to the small room was deliberately hidden behind shelves holding cloth and could not be seen from within the factory itself. Only Patel kept the keys and he locked them into the room each night. There was only one toilet and a sink in the room and the floor was covered in mattresses. There was one very small open window that was heavily barred to prevent escape.
Last Friday, 25th May 2012, you managed to escape from the factory after one of Patel’s staff had ordered you to help carry a new delivery of material into the factory. Patel had beaten you again the day before, after you had asked him when you and your sister’s money would be paid off and you determined to escape if any opportunity arose. Whilst the door to the factory was left open for the delivery, you managed to run into the street and escape. Because of your obvious distress and pain from the beating, some people in the street directed you to the hospital.

You sought help at the accident and emergency department of the Public Hospital in one of the cities in Nairobi; as a result of a number of physical beatings you received from the factory boss. You have severe bruising on both of your shoulders and lower back and have been traumatised and very frightened by your experiences. Following initial hospital treatment, you are well enough to travel back to Uganda and seek help at the PLA offices in Kampla. At the beginning of the interview session, you are extremely reluctant to speak in detail about what has been done to you or to divulge the exact location of the factory or the names of your exploiters.

As trust is built, and you see that the psychologist is trying to help you, you finally started to talk in a little detail about your experiences. You want help to release your elder sister, Magogo, and ten other women that are still kept locked in the premises, however, you don’t know the exact address.

The Legal Officer has provided you with detailed advice as to your legal rights in these circumstances and you have been told of the close working relationship between PLA and the Anti-Trafficking Unit. You are undecided on whether you wish to tell your story to police because you don’t trust them. You do, however, want to try to secure the release of your sister and the other women. You are clearly in great fear of the factory boss and worried for your safety and that of your sister if you agree to co-operate with the police. In addition, you are very anxious that your name might appear in the newspapers as you do not want any member of your family to know that you and your sister have been made fools of and abused in such a way.

**Your Task:**
5. Agree to be interviewed.
1. What do you think should be done with the information you’ve given in the interviewing session with the Legal Officer of PLA?
2. Who, if anybody, should the information be passed on to?
3. Why would such information be passed on?

### SESSION 7: UNDERSTANDING PARTNERSHIPS IN COMBATING HUMAN TRAFFICKING

**AIM OF SESSION:**
1. To equip participants with a clear understanding of how partnerships and collaborations are critical in combating human trafficking.
2. To equip participants with knowledge on the relevant stakeholders in combating human trafficking in Uganda

**Content:** Notes on the 4 Ps, The Uganda National Action Plan to Combat Trafficking in Persons

**Methodology:** Group discussions, question and answer

**Materials:** Flip charts, Markers, Masking tape

**TIME FRAME:** 1 Hour
Procedure:

Step 1: Facilitator divides participants into 4 groups and each group is assigned to discuss and present a list of partners in combating human trafficking.

Step 2: Each group chooses a representative to present their findings to the rest of the participants within 10 minutes.

Step 3: Facilitator supplements on the presentations by the participants by giving further explanations on how partnerships and collaborations with the different actors plays a critical role in combating trafficking.

Facilitators’ Note: 5.1: UNDERSTANDING PREVENTION WITHIN THE CONTEXT OF HUMAN TRAFFICKING

What is Prevention?

Prevention activities are carried out to prevent people from becoming victims.

The definition of trafficking must be applied clearly so we can identify what we are trying to prevent:

Identify what we are trying to prevent

THE ACT
Are we trying to prevent people from being recruited, moved, transferred, harboured or received?

THE MEANS
Are we trying to prevent people from being deceived, coerced, put in debt bondage, abducted, and abused?

THE PURPOSE
Are we trying to prevent people from being exploited?
Be clear about why we are working:
We are not working to prevent people from moving. We are working to make sure that when they do move:
- None of the means are or can be applied;
- None encounter the end purpose of trafficking – which is exploitation.

Question: What makes people susceptible to the means?

Answer
Various forms of vulnerability, at different levels, make people susceptible to the means:
- Individual level
- Family level
- Community level
- Weakness in systems and structures

Facilitators’ Note 5.2: UNDERSTANDING PROTECTION WITHIN THE CONTEXT OF HUMAN TRAFFICKING

What is Protection?
- Key victim protection efforts include 3 “Rs” - rescue, rehabilitation, and reintegration.
- Victim identification measures are integral in implementing the victim-centered approach.
- Proactively identifying victims and training first responses are of paramount importance to a county’s ability to tackle human trafficking.
- Governments have a responsibility to enable identified trafficking victims to remain in the country, work, and obtain services without fear of detention or deportation for lack of legal status or crimes
that the trafficker made them commit.

- Protecting victims through effective partnerships between law enforcement and service providers, from immediate and rescue through criminal justice.
- Rehab efforts help provide emergency assistance and services - effective placement in stable, long-term situations; access to educational, vocational, and economic opportunities for survivors.
- Reintegration efforts include voluntary repatriation for trafficked victims and assistance in their home community.

**Trafficking language:**

“Protection” has previously been referred to as the R’s:

- Rescue
- Recovery
- Reintegration
- Rehabilitation
- Return
- Reunification
- Repatriation

**Protection measures:**

**Protection Work:**
Protection work begins when a victim is rescued and ends when s/he is repatriated and integrated back into his/her family and/or community.
This involves:

- Keeping victims safe from threat, violence and abuse;
- Providing for basic needs: shelter, food, medical and psychological care;
- Providing legal protection that upholds individual confidentiality;
- Providing legal protection that upholds individual confidentiality rights and provides for judicial redress and witness protection.

Protection under the Prevention of Trafficking in Persons Act, 2009

Section 10(1): Duty to Report Trafficking in Persons:

The law requires that every member of the community, who knows that any person has committed or intends to commit an offence under this part of the Act, to report the matter to the police or other authority for appropriate action.

S. 11 provides for Non Discrimination of Victims of Trafficking in Persons:

- Measures for the protection, assistance and support to victims of trafficking in persons shall be interpreted and applied in a way that is not discriminatory to persons on the basis of race, religion, belief, age, family status, culture, language, nationality or gender.
- Any person who discriminates victims of trafficking on the basis of race, religion, belief, age, family status, culture, language, nationality or gender commits an offence and is liable to a fine of UGX 10,000,000/- (five hundred currency points) or imprisonment for six months.

S.12 provides for Protection, Assistance and Support for Victims of Trafficking:

- A victim of trafficking should be legally recognized as such and shall not be penalized for any crime committed as a direct result of his or her trafficking.
- A victim of trafficking should be informed in a language that he or she understands about the different stages of any proceedings and about her/his rights and duties.
- The protection, assistance and support subscribed in this section shall be provided by Government and other agencies.
- The institution of a criminal charge arising from acts of trafficking in persons does not affect the rights of a victim to pursue a civil case for damages.
- A person instituting proceedings under this section shall be exempted from payment of any filing fees required under civil procedure laws.
- A victim of trafficking in persons will be accorded the available health and social services, medical care, counseling and psychological assistance, on a confidential basis and with full respect of his/her privacy, in a language she/he understands.
• A victim of trafficking shall be considered for provision of safe and appropriate accommodation and material assistance, where necessary and possible.

• Public officers and any other person involved in the detection, investigation, prosecution or trial of offences shall whenever necessary, refer victims to appropriate organizations and institutions for assistance and support.

• The protection, assistance and support to children shall be provided in accordance with their special needs, especially with regard to accommodation, education and care.

• A victim of trafficking shall be entitled to information on the nature of protection, assistance and support he or she is entitled to and the possibilities of assistance and support.

• The protection, assistance and support subscribed in this section shall be provided by Government and other agencies.

S.13. provides for Confidentiality:

• The right to privacy of the victim of trafficking must be respected by law enforcement officers, prosecutors, judicial officers and medical practitioners, as well as parties to the case any stage of the investigation or trial of an offence.

• Proceedings of the court shall be conducted in camera, outside the presence of the media, in cases involving children, sexual exploitation, and other cases where the court considers this appropriate.

• Any editor, publisher, and reporter or columnist in case of printed materials, announcer or producer in case of television and radio, producer or director of a film in case of the movie industry, or any person utilizing trimedia facilities or information technology who publishes or causes publicity of the names and personal circumstances or any other information tending to establish the victim’s identity without authority, commits an offence and is liable to (UGX 5,000,000/-) a fine of two hundred and fifty currency points.

S.14. provides for Repatriation of Victims of Trafficking In Persons:

• The Minister in cooperation with the appropriate government agencies shall be responsible for the facilitation of repatriation of victims of trafficking in persons to and from Uganda.

• On obtaining notice of a victim of trafficking in persons in a foreign country, the minister shall verify whether the victim is a citizen or a permanent resident of Uganda and shall; where a victim is proved to be a Ugandan or a permanent resident without proper documentation, issue the relevant documents and other relevant authorization to facilitate the repatriation of the victim to or from Uganda.

S. 15. Provides for Restitution:

Where a person is convicted of trafficking in persons under this Act, the court shall in addition to any other punishment, order that person to pay restitution to the victim or other person or organization which may have incurred expenses on the victim’s behalf for -
(a) costs of medical and psychological treatment;
(b) costs of physical and occupational therapy and rehabilitation;
(c) costs of necessary transportation, temporary housing and child care;
(d) costs of re-integration in society; and
(e) Any other costs that the court may deem fit.

S.16. provides for Compensation:

Where a person is convicted of trafficking in persons, the court may in addition to any other punishment order that person to pay compensation to the victim for—
(a) Physical injury;
(b) Emotional distress;
(c) Pain and suffering;
(d) Loss or damage;
(e) Any other damage that the court may deem fit.

The Goal for Protection work:
A victim-centred/rights based approach must be used to put a protective framework around the victim.

Move victims to an environment of protection and assistance that ensures their safety and provides for their recovery.

Immediately remove victims from harm and away from a process of detention, imprisonment, deportation or expulsion;

Guidelines for Protection of Victims of Trafficking

- Make continuous analysis of the physical appearance, psychological state of mind and other highlights in the story by the victim or reporter and decide what sorts of assistance are necessary for the victim. i.e it may be immediate rescue, psycho social counseling, temporary shelter, medical care food, clothing identification document, legal aid, etc

- Refer the victim to the available required service provider(s), depending on your earlier assessment of the needs of the victim, i.e. another ministry, department, agency, CSO, etc

- Measures need to be put in place to ensure security of the victims to avoid them being harmed or interfered with by the suspects during the investigations, court processes and even after conclusion of court.

- In case the victim is given any awards by court, inform of compensation or restitution, the investigating officer should guide him/her on how to follow up the same.
Facilitators’ Note 5.3 VICTIM CENTRED/ HUMAN RIGHTS BASED APPROACH TO COMBATING Human Trafficking

Victim-Centred/ Rights-Based Approach to combating trafficking

- **Victim-centred approach**
  
  This approach ensures that the law does not treat the trafficked person as a criminal.
  
  It ensures that the person is not penalized solely for unlawful acts committed as a direct result of being trafficked.
  
  It also recognizes that the prompt identification of victims and “appropriate treatment of victims” is essential.

- **Rights-Based Approach**
  
  A rights-based approach integrates the norms, standards and principles of the international human rights system into the plans, policies and the process of development.
  
  The principles include equality and equity, accountability, empowerment and participation.
  
  A rights-based approach to development includes the following elements:
  
  - Express linkage to rights; Accountability; Empowerment; Participation; Nondiscrimination and attention to vulnerable groups.

Focus on raising levels of accountability

- Identify claim-holders (and their entitlements).
- Identify corresponding duty-bearers (and their obligations).

Focus on strategies for empowerment rather than charitable responses

- Beneficiaries are seen as owners of rights” and „directors of development” rather than recipients.
- Emphasize the human person as centre of the development process.
- Place high emphasis on participation
- Communities, civil society, minorities, indigenous peoples, women, children etc., should be involved throughout the whole process.
Fundamentals of a Rights-Based Approach

Make sure participants understand that duty bearers include not just the States, but also individuals, local organizations and authorities, private companies, aid donors (Development Partners) and international institutions. In this regard, the positive obligations of duty-bearers (to protect, promote and provide) are identified and their negative obligations (to abstain from violations) are carefully scrutinized.

High emphasis on participation: The UN Declaration on the Right to Development states the importance of ensuring such participation to be “active, free and meaningful” so that there is an avoidance of “ceremonial” contacts with beneficiaries.

A rights-based approach involves:

Establishing referral procedures are important so that victims can be relocated to an appropriate safe place in the most expeditious and secure manner. Referrals should be made within the “sphere of protection” and ensure maximum security, safety and protection throughout the transfer. Reception centres, safe places should have necessary security measures in place to ensure that the trafficker do not have access to the victim.

In developing referral systems, it is important to have a listing of which agencies or entities are approved to be involved in referrals. This is both to protect the confidentiality of the transfer and location as well as to limit access and exposure to the safe place. It also supports coordinated and managed case processing. Given the degree of trauma that victims of trafficking have suffered, it is important to try and minimize delays, confusion and other breakdowns in coordination that can lead to a heightened sense of anxiety on the part of the victim.

It is useful to have designated focal points (with designated alternates) among the involved agencies which are responsible for the channeling of information. This helps to contain the “sphere of protection” and avoid unauthorized individuals from intervening in the process.

Key considerations for the referral process:

1. **Procedures for victim identification**: In accordance with international protocols and/or national legislation, criteria should be established and “victim/child friendly” procedures should be put in place for identifying victims of trafficking that include, where necessary, use of appropriately trained and qualified translators.

2. **Removal of identified victims from detention, penal or other such facilities**: Victims of trafficking should not be treated as criminals and therefore should be removed from detention/detention-like environments. They should not be locked-up, held behind bars or housed with criminals.

3. **Procedures for transfer of victims to “safe houses” or temporary transit shelters, to recovery facilities**: Identified victims of trafficking should be transferred to appropriate, nonthreatening environments. To insure their protection, procedures should be establish within a referral network to facilitate their safe and secure transfer to such facilities – establishment of confidential and secure communication channels, agency focal points, etc., are important considerations.
4. **Access to qualified psycho-social, medical, counseling, legal, interpretation and other such support:** As noted, the degree of trauma victims suffer varies, as do their individual needs. Establishing a referral network creates a multi-disciplinary framework that can address the individual circumstances and needs of victims of trafficking, through drawing together existing resources and capacities.

5. **Procedures for the safe and secure return home:** Coordination procedures should be established to facilitate the transfer of the victim back to their country/community, with the voluntary consent of the victim. This may require securing appropriate travel documentation, arranging domestic, cross-border or international travel, providing appropriate security measures and escorts, among other logistical needs.

6. **Linkages to ongoing recovery and integration support:** Victim recovery does not end upon their return home. Victims may be in need of follow-up medical care or counseling, reintegration assistance, vocational skills training, etc. Efforts should be made to identify appropriately qualified agencies that can assist with integration back into society.

**Facilitators’ Note 5.4: UNDERSTANDING PROSECUTION WITHIN THE CONTEXT OF HUMAN TRAFFICKING**

**PROSECUTION**

- Imposed sentences should involve significant jail time (1 year or more).
- Sentences should take into account the severity of an individual’s involvement in trafficking, imposed sentences for other grave crimes, and punishment consistent with that country’s law.

**THE ROLE OF PROSECUTORS IN PROSECUTING TRAFFICKING IN PERSONS CASES**

Prosecutor plays a pivotal role in confronting human trafficking. Use UNODC SOP for Prosecution of Crimes of Human Trafficking during this discussion. S/he can play a pro-active role in anti-trafficking cases by:

- Opposing the anticipatory and remand bail of the accused, thereby protecting the victim from intimidation.
- Asking for gaps in investigation to be filled, thereby strengthening the case against the accused.
- Ensuring that the victim statement is comprehensive, thereby getting information on all aspects of the crime.
- Opposing or supporting custody application of the victim in the best interest of the victim, thereby ensuring the safety and appearance of the victim/witness in court, as and when required.
- Using multiple sections of the law to frame arguments on charges against the accused taking anti trafficking cases beyond victim protection to increased convictions and closure of brothels, thereby dismantling the trafficking chain itself.
- Presenting evidence in a comprehensive manner with adequate research, citing case laws, profiling the traffickers, highlighting the gravity of the crime of trafficking, mapping the harm to the victim and demonstrating the organized nature of the crime, thereby bringing the case to justice in the manner it deserves.
- Ensuring that the rights of the victim are protected through the trial process, thereby preventing re-victimization.
- Linking evidence adduced with the charges framed and the allegation, thereby ensuring conviction of the exploiter and trafficker.
Demanding enhanced punishment against the accused, thereby deterring all criminals from the crime of trafficking.

Facilitators’ Note: 5.5 INVESTIGATING TRAFFICKING IN PERSONS CASES
The Role of Police in Investigating and Facilitating Prosecution of Trafficking in Persons Cases:

- The Criminal Investigations Intelligent Department (CIID) is the lead agency in the detection and investigation process, backed up by the Internal Security Officer (ISO) and External Security Officer (ESO), while the Directorate of Public Prosecutions (DPP) carries out the prosecution functions and the Judiciary adjudicates the cases taken to court.

- The prosecution process also involves support services of other stakeholder members including Ministry of Foreign Affairs, INTERPOL, Ministry of Gender Labour and Social Development, Ministry of Health, Police Forensic Lab and Ministry of Justice and Constitutional Affairs and Civil Society.

- On the other hand, successful prosecutions require good cooperation of several other stakeholders including members of the public, Immigration Officers, Workers’ Unions, Child care Organizations etc as informants, victims or providers of assistance to the victims.

The Recommended Chain of Action during investigations
Receipt and Registration of the Report at a Police Station / Unit

- Make quick analysis of the verbal report to establish that the following elements are detected or revealed:
  - Activity (recruitment, transfer, receipt of a person)
  - Means (Force, threat, deception, abuse of vulnerability, payment, etc)
  - Purpose (for exploitation of the concerned person)

- Establish that there is some person involved as a victim and include the particulars of the suspect(s) if known.

- Create good confidential atmosphere for an interview and subsequent statement recording.

- Appreciate that victims or their relatives usually have mixed feelings when they come to report to Police and may not tell you the real stories at once. Establish a rapport to win their confidence to trust you.

- Make sure that the person being interviewed understand the language of interview, if necessary, get an interpreter

- Mind about the cultural and religious values of the VoT or reporter

- Include details concerning the Activities, Means and Purpose related to the victim, nature of exploitation and particulars of suspect(s), if known and the role(s) played by each of them.

- Indicate the dates & places when recruitment of the victim took place, when & where the transfer took place and when & where final exploitation was carried on the victim.

Victim Protection and Support

- Make continuous analysis of the physical appearance, psychological state of mind and other highlights in the story by the victim or reporter and decide what sorts of assistance are necessary for the victim, i.e. it may be immediate rescue, psycho social counseling, temporary shelter, medical care, food, clothing, identification document, legal aid, etc
• Refer the victim to the available required service provider(s), depending on your earlier assessment of the needs of the victim, i.e. Another Ministry, Department, Agency, CSO, etc.

• Measures need to be put in place to ensure security of the victims to avoid them being harmed or interfered with by the suspects during the investigations, court process and even after conclusion of court.

• In Case the Victim is granted any awards by the Court, in form of compensation or restitution the Investigating Officer should guide him/her on how to follow up the same.

Evidence gathering, Compiling and Management of the Case File

The principle target with evidence gathering should aim at proving the realization of the three aspects of the crime, i.e. the Activity, Means and Purpose if the victim is an adult, and the Activity and Purpose if the victim is a child.

◆ Ensure that detailed statements from the victim, witnesses, suspect(s), if apprehended, arresting officer(s), investigating officers and officers who recover exhibits are well recorded and attached and that all correspondents and expert reports are attached in the Case File.

◆ Establish the value of the financial gains obtained by the suspect(s) as a result of the exploitation of the victim, where applicable.

◆ The Case File should be submitted to the DPP for legal opinion after it has been well compiled as indicated above, and preferably with a specimen charge sheet.

◆ The DPP / RSA may be consulted for guidance during the investigation process to guide the investigator on the required evidence to look for.

◆ After conclusion of the Court Case, the investigator should get feedback from the victim about the court ruling and discuss the way forward, if she/he is not satisfied with the court ruling.

Management of the Suspect

• It is advisable that suspects are arrested towards the conclusion of the Investigations to avoid being forced to give them Police Bond, from which they may abscond or even interfere with victims, witnesses & evidence.

• However, it may be necessary to arrest the suspect(s) before conclusion of the investigations to facilitate the disclosure of the whereabouts and rescue of the victim or to avoid possible destruction of evidence.

• Through the services of the ISO, ESO, Police Crime intelligence and community leaders, the Investigating Officer need to keep a watchful eye on the suspect(s) in case of release on Police bond or Court bail to minimize chances for the suspect to abscond or interfere with evidence.

Screening interview to identify trafficking victims:

a. Recruitment phase:

<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>How was contact initiated between the individual and the recruiter?</td>
<td></td>
</tr>
<tr>
<td>What kind of job was promised or expected, either at another location in the home country, or abroad? What were the wages and conditions promised or indicated at the final destination?</td>
<td></td>
</tr>
<tr>
<td>Was any money handed to the recruiter in advance?</td>
<td></td>
</tr>
<tr>
<td>Was the individual transported by force out of the country of origin or to another location inside the country to be exploited?</td>
<td></td>
</tr>
</tbody>
</table>
b. Transportation phase:

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Who paid the travel expenses?</td>
<td></td>
</tr>
<tr>
<td>Were any borders crossed and, if so, were they crossed stealthily or openly? If openly, were the documents used to gain entry the trafficking victim’s own identity documents or false ones, or were false visa entitlements used?</td>
<td></td>
</tr>
<tr>
<td>With whom are the documents now?</td>
<td></td>
</tr>
<tr>
<td>Did the victim spend any significant amount of time in transit in third countries and, if so, did she or he engage in any activity in these countries? What type of activity was involved?</td>
<td></td>
</tr>
</tbody>
</table>

c. Exploitation phase:

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>What activity has the individual been engaged in since arriving at the final destination?</td>
<td></td>
</tr>
<tr>
<td>How soon after arrival at the final destination did this activity begin?</td>
<td></td>
</tr>
<tr>
<td>Was the person coerced into engaging in any activity? If so, how?</td>
<td></td>
</tr>
<tr>
<td>How much money did the individual earn through this activity?</td>
<td></td>
</tr>
<tr>
<td>Was the individual allowed to keep the earnings?</td>
<td></td>
</tr>
<tr>
<td>Was the alleged victim made to repay a debt by the traffickers and their accomplices? If so, how much and for what?</td>
<td></td>
</tr>
<tr>
<td>What were the working conditions like?</td>
<td></td>
</tr>
<tr>
<td>What degree of freedom of choice and movement did the individual have?</td>
<td></td>
</tr>
</tbody>
</table>

After the Interview:

Get additional corroborative material:

- Police or immigration reports;
- Any travel documentation or travel tickets;
- Immigration departure or landing cards;
- Reports of any medical treatment provided for any injuries both prior to referral and treatment provided through the assistance process;
- Copies of employment contracts or copies of the original advertisement;
- Diary entries, letters written by the victim;
- Witnesses’ testimonies;
- Photos on the situation of exploitation;
- Medical or psychological analysis.

Determine if the person was trafficked by taking into account:

- Pre-interview assessment indicators.
- Answers provided by the victim during the screening interview.
- Additional corroborative material.

Provide assistance:

- Eligibility for assistance.
- If not eligible, alternative information about assistance.
- Reporting criminal offences.
- Legal assistance or protection.
NB: Police supports prosecution through investigation of the cases, taking statements from the victims, compiling the whole file and forwarding it to the state Attorney/ DPP who is the prosecutor.

**Role of Directorate of Public Prosecutions/ State Attorney in supporting prosecution of trafficking in persons cases**
1. Sanction the trafficking in person’s cases
2. Prepare for the hearing of the cases in courts of law
3. Ensure victim is protected from any harm

**Immigration**
Immigration Officer that intercepted the victim or the trafficker or both supports prosecution by making a statement which he/ she gives the police to back up the case.

**Facilitators’ Note 5.6: UNDERSTANDING PARTNERSHIPS IN COMBATING HUMAN TRAFFICKING**

**PARTNERSHIPS**

- Partnerships augment efforts by bringing together diverse experiences, amplifying messages, and leveraging resources, thereby accomplishing more together than any one entity or sector would be able to do alone.

- Coalitions of NGOs coming together for purpose of advocacy, service provision, information sharing and networks of survivors who experiences inform the broader trafficking movement. (Adapted from: Funding Situation of ANTI- Trafficking Organisations: [http://anti-traffickingorgfunding.weebly.com/4ps-framework.html](http://anti-traffickingorgfunding.weebly.com/4ps-framework.html))

- In Uganda, we have a number of CSOs doing partnerships with government and implementing interventions aimed at combating trafficking in persons.

**Examples of different stakeholders from where partnerships can be drawn to combat human trafficking**

<table>
<thead>
<tr>
<th>Activity Function</th>
<th>Key Responsible Agencies</th>
<th>Responsibilities/ Roles</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Prevention of Escalation of the Crime</strong></td>
<td>● UPF, DCIC, INTERPOL ● MoGLSD, MoES, MoLG ● OPM (Refugees), MoJCA ● MoFA, CSOs</td>
<td>● Public sensitization and education ● Screening of travelers and borders ● Development of regulations and laws ● Enforcement of regulations and laws ● Development of bilateral agreements ● Identification of victims for referral</td>
</tr>
<tr>
<td><strong>Prosecution of Offenders</strong></td>
<td>● UPF, DPP &amp; MoJCA, MoFA ● ISO, ESO, DCIC, MoIA, CSOs</td>
<td>● Detection, investigation and prosecution of cases ● Development of extradition treaties ● Repatriation of victims ● Sharing of criminal information</td>
</tr>
</tbody>
</table>
### Protection & Support of Victims

| MoIA, MoFa, MoGLSD, MoJG, UPF, DPP, OPM, DCIC, MoJCA, INTERPOL, CSOs | • Identification of victims  
• No victimization of victims of TIP  
• Victim support referral systems  
• Provision of shelter, counseling, temporary care & re-integration |

### Partnership

| MoIA, MoJCA, MoFA, INTERPOL, ESO, CSOs | • Sharing of information  
• Development of agreements  
• Carry out cross-cutting activities |

<table>
<thead>
<tr>
<th>Agencies active in victim identification</th>
<th>Agencies that provide safe places and assistance</th>
<th>Agencies involved in return</th>
<th>Reintegration assistance</th>
</tr>
</thead>
</table>
| • Ministry of Internal Affairs (Immigration Department)  
• Ministry of Gender Labour and Social Development (Social Welfare Department)  
• Police  
• Non Governmental Organisations  
• Local Community leaders | • Police  
• NGO shelters (Samaritan Purse, Dwelling Places, Platform for Labour Action, Willow International)  
• Ministry of Gender Labour and Social Development (Social Welfare Department)  
• Ministry of Health | • Ministry of Foreign Affairs  
• Ministry of Internal Affairs (Immigration Department)  
• Police  
• Ministry of Gender Labour and Social Development (Social Welfare Department)  
• Non-Governmental Organisations I.E International Organisation of Migration (IOM) | • Ministry of Foreign Affairs  
• Ministry of Internal Affairs (Immigration Department)  
• Ministry of Gender Labour and Social Development (Social Welfare Department)  
• Local Community leaders  
• Local Community leaders  
• Families of victims |
Facilitator’s Notes 5.6: VICTIM IDENTIFICATION

What are the contact points for victim identification?

Importance of Proper Identification

Ethical Principles in Caring for and Interviewing*

Victim Identification Process:

Importance of Proper Identification:

1. Determine if it is a case of Trafficking In Persons or it is an irregular immigrant.
2. Determine the nature of the assistance and protection needed.
3. Identify immediate health needs.
4. Provide security arrangements and procedures.

Ethical Principles in Caring for and Interviewing*:

1. Do no harm
2. Ensure safety, security and comfort
3. Ensure privacy
4. Ensure confidentiality
5. Provide information
6. Request informed consent
7. Ask questions in a sensitive and sensible manner
8. Listen actively and responsively
9. Observe for signs that an individual needs to stop during an interview or procedure
10. Consider any preconceptions and prejudices you may have
11. Believe. Do not judge
12. Maintain professionalism while treating persons with respect and compassion
13. Ensure trafficked persons feel in control of their body and communications
14. Reassure trafficked persons they are not to blame
15. Inform trafficked persons of their right to a forensic medical exam and report
16. Inform the trafficked person of their rights to copies of all health and medical records
17. Remind the trafficked person of their strengths
18. Provide interpretation

* IOM’s Ethical principles in Caring for and Interviewing Trafficking Victims

Special considerations for Minors:

1. Appropriately trained staff of the same sex.
2. Information prior to interview / clear and friendly introductions.
3. Safe and comfortable space.
4. Inquire about non-related trafficking issues.
5. Do not rush.
7. Use appropriate language.
9. Consider age and mental capacity of the child.
10. Open-ended questions.
11. Caution in pressing for details.
13. End with reassurance / availability of ongoing assistance

Reasons for reluctance to reveal details:

- Fear of traffickers
- Fear of law enforcement
- Loyalty to trafficker
- Lack of trust
- Memory loss
Pre-Interview Checklist:

a. Conditions:

- Have you made sure that the interview will take place in a closed private space where others cannot overhear or interrupt?
- Are only the victim, interviewer(s), interpreter and a qualified support person present?
- Have you made every possible effort to secure the services of an interpreter?
- Has your mobile phone been turned off?
- Is there a “do not disturb” sign on the door to prevent interruptions?
- If no closed space is available, have you found as private a place as possible?
- Have you established a rapport with the individual that makes her/him feel respected & believed by avoiding a judgmental or interrogative style of interviewing?

b. Introduction:

- Have you introduced yourself to the individual and described your role in the organization?
- Do you know if the individual feels secure and comfortable?
- Have you asked if she or he needs to use the bathroom or requires some refreshments?
- Is the individual suffering from any pain or discomfort or does the individual have any problems that require urgent medical attention?
- If so, has a medical professional carried out an examination prior to the interview?
- If the individual is suffering from a minor ailment, has non-prescription medication can be offered?

c. Explanation:

- Has the role of the organization in the provision of assistance to trafficked victims and the purpose of the interview been briefly explained?
- Have you explained that the interview may include questions that may be upsetting, painful to recall and may bring back difficult memories?
- Have you reassured the individual that s/he can take time in answering the questions and may take a break at any time if necessary?
- Have you explained that the more information provided, the better the organization may be able to help?
- Does the individual understand the limitations of assistance the organization can provide (i.e.: if assistance is only for trafficked persons, irregular migrants, children, etc.)?
- Has the individual been assured that if the organization is not able to provide direct assistance, you will try to help identify a qualified group or individual that can provide assistance?
1. Victim Identification Process:

Notes on Victim identification¹:
The prompt identification and appropriate support to victims lies at the heart of all effective responses to trafficking.

In many ways, it is the response to the victims of trafficking that defines a project or an intervention as either adopting a rights-based response or not. Furthermore, without undertaking a prompt identification of the victim, it is impossible to identify and prosecute traffickers and trafficking networks successfully.

Who are the victims or the potential victims of trafficking?

There is no general profile of a trafficked person. If looked at from the point of view that trafficking is an opportunistic crime, a number of vulnerability factors may need to be identified at a particular point in time. At the same time, if trafficking is part of a well thought out, organized and systematic process, there would be variations in terms of the types of people that are being sought after. In many ways, this would be dependent on the nature of the demand. If the demand is for “young girls for sex work” then they would become the target. On the other hand, if there is a demand for “healthy young men for active outdoor work, such as agriculture” etc., then these would be the persons targeted.

From this, it is evident that a generic profile of a victim of trafficking is difficult to come up with. However, the definition of trafficking allows us to systematically identify the victim of trafficking.

¹ A Practitioner’s Manual Combating Trafficking in Persons; World Vision’s Approach to combating Human Trafficking. Published in June 2009 by World Vision Asia Pacific Regional Office.
Criteria used in identifying a victim of trafficking:

1. Having standards and norms in the victim identification process is critical for a timely identification of the victim.

2. Having all cases or suspected cases of trafficking dealt with by competent authorities, who have been fully trained and sensitized to the issues and subtleties involved, is a must for successful victim identification.

3. Authorities involved in the victim identification process must be trained in interviewing skills as well as have been exposed to a child-sensitive approach, thus ensuring that vulnerable child victims of trafficking are protected. A Gender sensitive approach must also be carefully applied.

4. Victim identification must not only involve law enforcement authorities, such as the border security/immigration and customs officials, but also social welfare organizations and civil society organizations, as applicable.

5. The process of victim identification can be broken down into 3 stages, coinciding with the 3 key components of the trafficking definition: the act; the means and the end purpose.
   a. The act involves examining the process of recruitment, transportation, transfer, harbouring or receipt of persons. How this was done and whether or not any of these acts were undertaken with any of the means identified in the trafficking definition must be considered.
   b. Hence, whether or not there was the use of threat or 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 would be carefully examined.
   c. Finally, the end situation must be carefully investigated to find what the purpose has been and whether or not it was undertaken for the purpose of exploitation. All the above can be undertaken through gathering intelligence based on information from the local community, host community, any other corroborative materials as well as interviews with the victims or suspected victims.

6. One key factor in identifying a person as a victim of trafficking or not, especially when observation and interviews can be conducted, is to see whether the person is being controlled. Factors that will contribute to the identification of whether or not a person is being controlled may or may not include:
   a. Not having or having access to his/her own identification documents (passport, travel document, national identification card etc.);
   b. Inability to move freely (unable to go shopping or out alone);
      - Are there locks on the premises?
      - Are the walls high and is video surveillance in place?
      - Is there a presence of subtle or not at all subtle guards on the premises?
   c. Not having access to money (obvious lack of financial independence);
   d. Signs of fear, lack of confidence and insecurity;
   e. Signs of unfamiliarity (obvious differences from local way of dressing, talking, doing things, dialects or even language, etc.);
   f. Possible signs of physical or psychological abuse (depression, etc.);
   g. Based on an analysis of the cumulative information above, an assessment would have to be made as to whether or not a person is a trafficking victim. Once a person is identified as such, available assistance must be immediately extended to the victim. Assistance must NEVER be dependent on the victims’ potential to cooperate or his/her value as a witness.
The chapter builds on the previous chapter and further focuses on equipping participants with knowledge on protecting victims of trafficking in persons through the 3 Rs’ of repatriation, rehabilitation and reintegration of trafficking in persons victims. It enables participants to have a critical understanding of how different assumptions inform the type of work we do to combat human trafficking, provide participants with a complete and holistic picture of anti-trafficking interventions from a ‘4P’ and 3 ‘R’ perspectives.

### SESSION 1: PROTECTION VICTIMS OF INTERNATIONAL HUMAN TRAFFICKING THROUGH REPATRIATION

**AIM OF SESSION**

- To equip participants with knowledge on repatriation within the overall framework of protection.
- Engage participants in practical aspects of repatriation to attain skills needed to successfully undertake this exercise.
- To sensitize participants to the standards involved in the repatriation process.

**Resource**:
Facilitator’s notes on Repatriation, Rehabilitation and Reintegration of victims of trafficking in persons.

**Method**: Plenary, Interactive

**TIME FRAME: 1 Hours**

**Procedure:**

**Step 1**: The facilitator begins the session by defining the key concept of repatriation of victims of trafficking in persons through a panel discussion with the participants.

**Step 2**: To ease proper understanding of what is done under the process of repatriation of victims of trafficking in persons, the facilitator divides the participants into 3 groups which are tasked to answer the following:

1. What do you think/know is involved in making repatriation process successful?
2. Identify 3 most significant things that can: Negatively impact successful repatriation. What should be done to solve the issues bringing negative impact to the process of repatriation?

Each group presents its findings to the rest of the participants.

**Step 3**: Facilitator explains to the participant how the process of Repatriation for victims of international trafficking is conducted and the fundamentals in the repatriation process and how to prepare the victims to settle in the host and home community.
SESSION 2: PROTECTION VICTIMS OF INTERNATIONAL HUMAN TRAFFICKING THROUGH REHABILITATION

AIM OF SESSION

- To equip participants with knowledge on rehabilitation within the overall framework of protection.

Resource:
Facilitator’s notes on Rehabilitation of victims of trafficking in persons.

Method: Plenary, Interactive

TIME FRAME: 1 Hour

Procedure:

Step 1: The facilitator begins the session by defining the key concept of Rehabilitation and Reintegration of victims of trafficking in persons through a panel discussion with the participants.

Step 2: To ease proper understanding of what is done under each process of repatriation, Rehabilitation and Reintegration of victims of trafficking in persons, the facilitator divides the participants into 3 groups which are tasked to answer the following:

1. What is involved in successful rehabilitation of victims of human trafficking?
2. What should be done to solve the issues bringing negative impact to the process of rehabilitation?

Each group presents its findings to the rest of the participants.

Step 3: Facilitator explains to the participant how the process of rehabilitation for victims of international trafficking is conducted and the fundamentals in the rehabilitation.

SESSION 3: PROTECTION VICTIMS OF INTERNATIONAL HUMAN TRAFFICKING THROUGH RE-INTERGRATION OF VICTIMS OF HUMAN TRAFFICKING

AIM OF SESSION

- To equip participants with knowledge on rehabilitation within the overall framework of protection.

Resource:
Facilitator’s notes on Rehabilitation of victims of trafficking in persons.

Method: Plenary, Interactive

TIME FRAME: 1 Hour

Procedure:

Step 1: The facilitator begins the session by defining the key concept of Reintegration of victims of trafficking in persons through a panel discussion with the participants.

Step 2: To ease proper understanding of what is done under the process of Reintegration of victims of trafficking in persons, the facilitator divides the participants into 3 groups which are tasked to answer the following:

1. What is involved in reintegration of victims of trafficking in persons
Each group presents its findings to the rest of the participants.

**Step 3:** Facilitator explains to the participant how the process of rehabilitation for victims of international trafficking is conducted and the fundamentals in the rehabilitation.

**Facilitators’ Note 6.1 PROTECTION VICTIMS OF INTERNATIONAL HUMAN TRAFFICKING THROUGH REPATRIATION**

**REPATRIATION**

**What is repatriation?** Repatriation of Victims of human trafficking is to restore or return victims to their country of origin, allegiance or citizenship.

* In many countries, victims of trafficking are denied legal residence status and may be subject to deportation, even before they have the chance to participate in the criminal process or to request compensation. They often have no identification or documents for travel and, therefore, face many problems, including being unable to return to their home countries. If left to travel alone, they are especially vulnerable to being re-trafficked.
* Repatriation should be voluntary, assisted if necessary and well planned to make the process as safe as possible (Article 8 UN Trafficking Protocol; Ezeilo 2009; US DoS 2010).
* The “pre-departure” activities are extremely important since the victims that are returning have the potential to be the strongest anti-trafficking advocates in the communities to which they return.

**Fundamentals in Repatriation:**

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**Preparations in host community**

* Interview (provide counseling if needed) and do a case assessment with documentation on the person, including information regarding health, mental status, his/her family, address, willingness to return, etc. This information needs to be sent to collaborating organizations in the home community for them to undertake family tracing.
* Inform the returning person about any legal proceedings s/he has been involved with (if applicable), as well as the outcome of family tracing and assessment efforts. Assist with travel documents and other relevant papers. Get informed consent for the victim to return home.
Coordinate with collaborating organizations, especially from the home community, on a safe, dignified and orderly return.

Prepare and inform the returning person with details about the journey home, what is to be expected, etc.

Undertake orderly repatriation, escorting the returning person to her home community, or over to the receiving organization.

Receive feedback from home Community in order to inform good practices and lessons learnt.

**Preparations in home community**

- Undertake family tracing upon receipt of request from the host community (gathering information about the original place of the returning person).

- Undertake family assessment prior to the return and provide feedback to the requesting/collaborating organization in the host community.

- Prepare and inform the family, sometimes mentally and emotionally, to receive the returnee.

- Assist the collaborating organizations/government institutions with the preparation of travel documents and other relevant papers. Carefully plan procedures and cost of travel from border to hometown.

- Await the returnee at the border or airport to officially receive from the collaborating organization from the host country and escort her home, breaking as necessary.

- Carry out reunification procedure, including providing papers to be signed by families and witnessed by authorities or authoritative figures. Provide the returnee with names and contact information of those who can provide assistance if required.

- Follow up as required, and provide feedback to collaborating partners.

- The purpose of family tracing is to (1) verify that the family exists and is really related to the returnee (2) obtain the family’s current address (3) Observe the situation of the family and get an understanding of how able and willing the family is to accept the returnee.

- Family Assessment (2): Getting more detailed information about the family situation of the returning person following positive results from family tracing. This includes the capacity (socio-economic) and the willingness (family relations etc.,) of the family to receive the victims. Also whether or not the family is the best place for the victim to return to and if not, assess the situation, provide feedback to the host country for further consultation with the returning person.

**Facilitators’ Note 6.2 REHABILITATION OF VICTIMS OF HUMAN TRAFFICKING**

**Rehabilitation**

- Staff training. Shelter staff should receive continuing training in understanding the psychological state of a trafficking victim. Those working with foreign victims need training to understanding different cultures’ approaches to counseling and care. Individualized attention for victims. Shelters should be prepared to respond to the specific needs of trafficking victims based on the victims’ age, physical and psychological health, background, duration of exploitation, and perceptions of the damage done to their person and their future.

- Economic Opportunity. Vocational training must be based on a realistic analysis of the job market and take into account both the individual and the environment.

- Follow-up. Assistance to former trafficking victims who are reintegrated must include a follow-up component to assess their needs upon their return home where they often face serious problems, such as stigma and extreme poverty.
Rehabilitation approaches

- Victims need assistance that extends beyond the end of their exploitation and any criminal prosecution.
- Prioritizing the rights and needs of victims provides a roadmap that goes beyond the initial rescue, restores survivors’ dignity, and provides an opportunity for productive lives.
- Proactively identifying victims and training first responders are of paramount importance to a country’s ability to tackle this grave human rights abuse.
- Reintegration efforts include voluntary repatriation for trafficking victims and assistance in their home communities.
- Rehabilitation efforts help provide emergency assistance and services; effective placement in stable, long-term situations; and access to educational, vocational and economic opportunities for survivors of human trafficking.

Facilitators’ Note 6.3: RE/INTEGRATION OF VICTIMS OF HUMAN TRAFFICKING

- ‘Reintegration’ is the process by which a returning migrant is reintroduced into the ‘economic and social structure of the country of origin, and becomes self-sufficient and able to earn his/her own livelihood’ (IOM 2012: 24). The International Organization for Migration (IOM) stipulates that reintegration is complete when the returned person becomes an active member of the economic, cultural, civil and political life of a country (IOM 2007). It is a process of recovery and economic and social inclusion following a trafficking experience.
- It goes beyond direct assistance, it provides for a victim’s safe, dignified and sustainable reinsertion into society and a normalized life. It is different for each victim, and it involves not only the victim but also the environment and culture within which the reintegration is to take place. The organization providing support may need to make a long-term commitment to the victim to help in this process.
- This commonly involves receiving a range of services over time, including shelter or other accommodation options, medical care, psychological assistance, education and/or professional/vocational training, economic assistance, livelihood opportunities (e.g. job placement, income generation), family mediation/counseling and support to secondary beneficiaries.
- Re/integration is a long-term process because, in addition to addressing physical and psychological impacts of trafficking, it must address limited livelihood options at home (which often triggered the initial migration) and complicated family and community environments.
- As one trafficked woman explained: ‘We have to start a brand new life, that’s why we need so much help and for a long time. The time required for re/integration (up to three years), the myriad services required (including different services over time) and the need for long-term case management (i.e. staff) means that re/integration is costly and complex.

Residential shelters

- Emergency Shelters. Emergency shelters are usually the first destination for victims of trafficking, following a rescue, police referral, or escape, and typically provide for stays of a few nights to a month. They emphasize the immediate provision of medical and physical security for the victims.
- Transit Centers. Transit centers are similar to emergency centers but are distinguished by their strategic location at significant trafficking and migration border crossings. They provide assistance to victims who are being trafficked or who are coming back into the country after being trafficked. An effective transit center needs strong coordination between service providers and local law enforcement.
Short-Term Shelters. Short-term shelters commonly provide assistance to victims of trafficking from one week to three months, either in their country of origin or destination. Victims trafficked across national borders may be referred to these shelters, sometimes by an emergency shelter in the destination country or by police, or they may seek out shelters themselves.

Long-Term Shelters. Long-term shelters prepare trafficking victims for reintegration into society, whether within their families or in new communities. The length of stay in long-term shelters varies; most provide support and assistance for six months or more. Transition homes and reintegration centers are two common types of long-term shelters. Transition homes offer residents more freedom of movement. Reintegration centers provide safety and long-term support in a structured, formal program.

Reintegration

Education. Many shelters provide a range of educational opportunities, including formal and non-formal education, life skills, and vocational training. Foreign residents may need special attention, such as those who intend to remain in the destination country to testify against traffickers.

Economic Opportunities. To avoid re-trafficking, victims need the skills to earn an adequate income. Skills training programs should be created to match the needs of the local job market. Some shelters have included income earning ventures to provide vocational skills to former victims as well as to supplement shelter resources.

Standard operating procedures. Standard operating procedures outline the criteria for victims entering facilities and the procedures to follow when assessing, caring for, and referring victims to other facilities or integrating them into society.

Linkages. Shelters are one part of a process in the protection and recovery of victims and the prosecution of the traffickers. They need to develop strong linkages with those who can provide medical, psycho-social, legal, and vocational services to shelter residents, as well as with government agencies and NGOs that are involved in anti-trafficking efforts.

Strategies for sustainability

Though no victim will ever forget their experience, the experience can be overcome so that the victims can move on without having to think about it each day. If they don’t get any help, chances are that they will never be able to have a better life at all.

To ensure that trafficked persons have access to long-term, ongoing services needed to recover and move on from trafficking and re/integrate into their families and communities. To increase social cohesion and potential for reintegration of victims of trafficking in selected communities. To promote esteem and confidence of victims by significantly improving the mental well-being of victims subjected to long-term trauma and stress.

Re/integration is a long-term, multi-year and complex process, which requires many mutually reinforcing services and ongoing case management. 1)advocating for government funding of re/integration services;

2) leveraging private sector funding and contributions; and

3) Establishing social enterprises to fund re/integration services.

These strategies have met with varying degrees of success (and failure), impacting sustainability of re/integration services and, by implication, the lives and recovery of trafficking victims.

To sensitize participants to the standards involved in the rehabilitation process and the significance of having a functioning referral system.

To provide training, coaching and mentoring to community groups, partner NGOs, local government staff, social workers and other public sector workers in order to improve their understanding and capacities to respond to victims’ of trafficking protection needs.

To develop referral and case management systems.
Conclusion

- Victims of human trafficking need immediate assistance, such as legal procedures, identification, housing, employment, counseling, and vocational training, in all aspects of their lives from concerned authorities.

- International legal instruments should improve laws and regulations; strengthen the effectiveness of the implementation of laws as well as strengthening cooperation with different stakeholders.

- Improving and strengthening coordination between concerned agencies is very necessary in order to provide effective support to, and the reintegration of, victims.

Countries of origin, transit and destination must cooperate in the safe repatriation of victims of trafficking working together with NGOs to facilitate victims of human trafficking safe return home.
This chapter aims at equipping the participants with knowledge on the participants aimed at combating human trafficking in Uganda. It highlights the roles of the different stakeholders in combating the problem of human trafficking.

**SESSION 1: The role of stakeholders in combating human trafficking**

**AIM OF SESSION**

To highlight stakeholders involved in combating Human Trafficking in Uganda.

Equip participants with knowledge on the role of each stakeholder in combating Human trafficking in Uganda.

**Content:**

Training methodology: Plenary: Interactive and group work

Training materials: White board or flip chart, markers

**TIME FRAME:** 2 ½ Hours

**PROCEDURE:**

**Step 1:** Facilitator asks participants in a plenary to share the different stakeholders mandated to combat human trafficking in Uganda.

**Step 2:** Facilitator writes down the list of the stakeholders highlighted by the participants

**Step 3:** Facilitator divides the participants into 4 groups and assigns the groups to discuss in their groups the roles of stakeholders mentioned above in combating human trafficking in Uganda.

**Step 4:** Facilitator Supplements on the feedback provided by each group.

**Facilitators’ Notes 7.1 THE ROLE OF STAKEHOLDER IN COMBATING HUMAN TRAFFICKING IN UGANDA**

**List of stakeholders in combating human trafficking in Uganda**

- Uganda Police
- Coordination office to Combat Human Trafficking
- The National Task force in Prevention of human trafficking
- Non Governmental Organizations
1. **The role of Central Government**

   a. Provide resources including funds to implement prevention of trafficking in persons interventions
   b. Raise awareness on human trafficking
   c. Boosting the capacity of all organizations and individuals in combating human trafficking
   d. Collection, sharing and storing of information about human trafficking in Uganda
   e. Coordination for example bringing together and encouraging the different organizations and individuals involved in combating human trafficking at the national level.
   f. Supporting the prosecution of perpetrators of human trafficking in Uganda
   g. Development of regulations and laws
   h. Development of bilateral agreements

2. **The Role of Police in Combating human trafficking**

   a. Public sensitization and education
   b. Screening of travelers and borders
   c. Enforcement of regulations and laws
   d. Development of bilateral agreements
   e. Detection, investigation and prosecution of cases
   f. Repatriation of victims
   g. Sharing of criminal information
   h. Identification of victims for referral

3. **Coordination office to Combat Human Trafficking**

   The coordination office to combat human trafficking was set up by the Ministry of Internal Affairs in Uganda in accordance with section 21 of the Prevention of Trafficking in Persons Act 2009 to be responsible for monitoring, coordination and overseeing the implementation of counter human trafficking activities in the country. The office carries out the above mandate through close operational collaboration with multi sectoral National Tasks Force Committee and several stakeholder action bearers including government and Non Government agencies. The Coordination Office’s role as indicated in the above law includes;
a. To formulate a comprehensive and integrated program to prevent and suppress trafficking in persons;

b. To prepare an annual National Plan of Action on Prohibition of Trafficking in Persons taking into account activities on prevention, prosecution, and protection;

c. To develop measures and policies to protect, assist and support victims of trafficking, taking particular consideration of the age, gender and special needs of victims of trafficking in persons;

d. To establish a data bank on cases of trafficking in persons and conduct continuing research and study on the pattern and scheme of trafficking in persons which shall form the basis for policy formulation and program direction;

e. To engage in consultation, coordination, cooperation and advocacy with governmental and Non-Governmental Organizations, among other entities, to advance the objectives of this Act;

f. To initiate the training and awareness of government personnel, law enforcement officials and the public, particularly among risk groups and communities, of the dangers of trafficking and protections that are available for victims of trafficking;

g. To propose rules and regulations to the Minister as may be necessary for effective implementation of this Act;

h. To carry out such other activities as are necessary or expedient for the full discharge of all or any of the functions conferred on it under this Act.

4. **Non Governmental Organizations**

   a. Support in awareness raising creation against trafficking in persons
   
   b. Speak out against human trafficking
   
   c. Put together resources and mobilize communities on human trafficking matters
   
   d. Inform government on what is happening in the communities about the vice of human trafficking. This can be through informing policy and holding advocacy campaigns against human trafficking
   
   e. Support government in repatriation, rehabilitation and integration of victims of human trafficking
   
   f. Report incidences of trafficking in persons happening in their area of work
   
   g. Start up Social Protection interventions to protect their communities from vulnerabilities to human trafficking.
   
   h. Include human trafficking interventions in their programming
   
   i. Victim support referral systems
   
   j. Provision of shelter, counseling, temporary care & re-integration

5. **Local leaders**

   a. Monitor their communities, identify exploited and trafficked people and report them to police.
   
   b. Identify perpetrators trafficking community members and report the matter to local council courts and the police.
   
   c. Advise community members seeking to get employment opportunities abroad to ensure they do not end up as victims of trafficking.
d. Create awareness on safe migration and the problem of human trafficking in their communities as a preventive measure to combat human trafficking in the community.

e. Monitor work places in their communities to ensure community members are not exploited and trafficked.

f. Encourage parents to send their children to school.

6. **Immigration Officers**

a. Act as Uganda’s frontline soldiers at all entry and exit points to ensure people are not trafficked in and outside the country.

b. Ensure every citizen willing to travel is provided a passport to easily facilitate their movements.

c. Monitor travelers at the borders to ensure they are travelling in a safe manner and there are non being trafficked.

d. Immediately report any case of human trafficking noticed while facilitating travel at the border posts.

e. Be on the watch out for human trafficking and unwanted visitors with low or no skills and other vices.

f. Registering and issuing national identity cards to citizens of Uganda and foreigners

Facilitation of Ugandan Nationals travelling in and out of the country and ensuring they travel in a safe manner.

Educate the community about human trafficking

7. **Religious and cultural leaders**

a. Educate their community members about the dangers of human trafficking and punishments for the offenders.

b. Put resources together and mobilize the community on human trafficking matters

c. Act as examples by not exploiting the community members into human trafficking.

d. Bring together community members to support government and nongovernmental programs that prevent human trafficking.

e. Counsel parents whose children are engaged in trafficking in persons forms of exploitation

f. Report cases of human trafficking in their community

8. **Community members/ citizens**

a. Participate in activities that contribute to protection of the community from human trafficking.

b. Report cases of trafficking in persons in their community to law enforcement agencies

c. Desist from promoting human trafficking in their community

d. Stop employing labour of a trafficked person including children trafficked for domestic work in their homes.

e. Support trafficked victims re-integrated in their communities to cope up with their new life rather than ridiculing them.
f. Shelter vulnerable members of the community susceptible to being trafficked.

g. Support their children seeking employment opportunities to investigate and find out whether the companies/ or persons their family members are going to work for are not in exploitative forms of work.

9. Ministry of Justice

a. Development of regulations and laws
b. Development of bilateral agreements
c. Public Education and sensitization
d. Development of extradition treaties
e. Prosecution of cases
### AIM OF SESSION

1. Describe follow up and monitoring after the training.

**Timeframe:** 3 hours

<table>
<thead>
<tr>
<th>Content</th>
<th>Training methodology</th>
<th>Training materials</th>
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<td>Follow up monitoring</td>
<td>Group discussion, experience sharing and</td>
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<tr>
<td></td>
<td>brainstorming, question and answer</td>
<td>Flip charts, markers, masking tape,</td>
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<td>Reference notes...</td>
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### FOLLOW UP, MONITORING AND WORKSHOP EVALUATION

#### AIM OF SESSION

To introduce to the participants to the concept of monitoring and follow up

Participants to have a social contract to promote access to justice for victims of trafficking in persons

**Timeframe:** 3 hours
Content

Follow up and monitoring workshop evaluation
Assessment on how the workshop had progressed
Listing by participants of any topics covered in the training which were interesting or boring
Ranking the facilitators and the training as a whole (venue, meals, facilities, clarity of topic)

Training methodology

Group discussion, brainstorming, question and answer, ranking on chart using stars

Training materials

Flip charts, markers, masking tape, Reference notes...

Step 1
• Ask the participants in their groups to answer the following questions
  • What are the participant going to do differently after the training
  • What are they going to change or continue doing after the training

Step 2
• Ask the participants what PLA should do after the training?

Step 3
• Discuss the responses in relation to notes on follow up.

Step 4
• Ask the participants to share the steps that they will take as part of follow up and the persons/agencies that/who will be responsible to carry out the follow up. They should also act out what will be involved in the follow up.

Step 5
• Ask the participants why there should be monitoring
Training is not just a course.

It is a process involving behaviour change. This may not start and end with the training. Equipping knowledge and skills does not end with the training.

Those who have been trained need to practice what they learnt in real life.

The trainer/facilitator needs to periodically check on what they are doing through field visits to different areas and assessment on job, hence the need for follow ups.

The follow up activities will vary from the different activities the participants need to do after the training

That the information was understood participants and that it is being used correctly. Incorrect use may lead to problems in the community

That the linkages are working effectively

ACTIVITY TWO: WORKSHOP EVALUATION

Step 1
Ask the participants whether any of them has ever made an evaluation at a workshop.

Step 2
Discuss the answers and further ask them what issues an evaluation should consider.

Step 3
Ask the participants what method of evaluation should be used and how often this should be done for the duration of the

Step 4
Drawing on responses in step 3 give instructions on evaluation. Ask the participants to use the markers provided to dot in the square what most closely represents their feelings about the aspects of the training

Step 5
Option one: Participants may make an evaluation through group discussion and writing and recording their assessment of the training as a group using the guidelines

Option two: Participants may carry out an assessment by using the ‘stars’ method. This works by the participants giving more stars to the activities they liked best and fewer stars to the activities they liked the least. The number of stars needs to be agreed to.
FACILITATORS NOTES

- Training is not just a course. It is a process involving behavioural change.
- The process may start or end with the training. Equipping knowledge and skills does not end with the training. Those who have been trained need to practice what they have learnt.
- The trainer/facilitator needs to periodically check on what the former trainees are doing through field visits to their areas and by making on the job assessments. These Follow ups will help the trainer/PLA to assess the efficiency and effectiveness of the training and to determine whether the participants:
  - Are able to use what they learnt
  - Have any issues that they did not understand and for which they need more clarification
  - Have any areas that require further training
  - The follow-ups assess what needs to be done on the spot to help the community leaders, law enforcement officers and members in protecting domestic workers from abuse and exploitation.

EVALUATION GUIDELINES

<table>
<thead>
<tr>
<th>TOPIC</th>
<th>DID NOT UNDERSTAND</th>
<th>WAS CLEAR AND I UNDERSTOOD</th>
<th>WAS INTERESTING</th>
<th>WAS BORING</th>
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<tbody>
<tr>
<td>Introduction to the Training</td>
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<tr>
<td>Understanding trafficking in persons</td>
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<td>International and National Legislations on Trafficking in persons</td>
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<td>Offences under trafficking in persons</td>
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<td>Understanding trafficking in persons and public corruption</td>
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<td>Role of stakeholders in combating trafficking in persons</td>
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<td>Investigating trafficking in persons cases</td>
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<td>Protecting of victims of trafficking in persons through rehabilitation</td>
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<tr>
<td>Protecting of victims of trafficking in persons through repatriation</td>
<td>EXCELLENT</td>
<td>GOOD</td>
<td>FAIR</td>
<td>POOR</td>
</tr>
<tr>
<td>Protecting of victims of trafficking in persons through Rehabilitation</td>
<td>EXCELLENT</td>
<td>GOOD</td>
<td>FAIR</td>
<td>POOR</td>
</tr>
</tbody>
</table>

| How did you find the facilitation style | EXCELLENT | GOOD | FAIR | POOR |
| How do you rank the training methods used | EXCELLENT | GOOD | FAIR | POOR |
| How was the timing of sessions | EXCELLENT | GOOD | FAIR | POOR |
| How do you rank the hand outs provided | EXCELLENT | GOOD | FAIR | POOR |
| Relevance of issues covered to the participants | EXCELLENT | GOOD | FAIR | POOR |
| How do you rank the venue of the training | EXCELLENT | GOOD | FAIR | POOR |
| How do you rank the meals | EXCELLENT | GOOD | FAIR | POOR |

**KEY**

- **Excellent** means it was perfect
- **Good** means okay
- **Fair** means a bit below standard could have been better
- **Poor** means bad