Transnational Referral Mechanism (TRM):

A model for transnational cooperation in the referral of trafficked persons and ensuring the protection of victim’s rights

Towards maximised effectiveness and unified practical cooperation in the fight against human trafficking

26 – 27 November, Warsaw, Poland
ICMPD and the development of Transnational Referral Mechanisms

7 Projects
19 countries

EU countries: Czech Republic, Hungary, Italy, Portugal

South East Europe

Lebanon

The Philippines

Turkey

Sweden

Canada
ICMPD Recent Research

...Just as traffickers are targeting the vulnerabilities to profit from abusing people’s rights, so policy makers and practitioners can **alleviate vulnerabilities**

Identified a **disconnect between migration and asylum authorities and anti-trafficking stakeholders**, leading to gaps in protection

To prevent THB, the focus should be on how people can be **remain resilient** to trafficking, and on mitigating vulnerabilities and exposure to dangers

Elena Petreska, Project Officer, ICMPD Anti-Trafficking Programme

26-27 November 2019, Warsaw, Poland
TRM in the migration context

- Significant number of presumed/potential victims of trafficking;
- **Low identification rates** by the migration and anti-trafficking actors;
- Emerging forms/patterns of trafficking discovered;
- Increased vulnerabilities to trafficking;
- **Lack of procedures for case follow-up.**
Why are NRM/TRM needed?

To follow up on the case!

To harmonise the procedures for referral and further assistance!

To avoid re-victimisation!
The Victim Assistance and Protection Phase (status quo)

- Internal and Cross-border co-operation *informal and ad hoc*;
- **No harmonised standards** applied to referral of victims;
- Missing links between the legal instruments and their implementation;
- **Lack of contacts.**

**Low level of system sustainability**

**Serious protection and assistance gaps**
The victim’s journey and the “Bullwhip effect”

- Referral
- Shelter and reflection period
- Return and rehabilitation in country of origin
- Identification
- Legal rehabilitation in country of destination

National Victim Referral
- Diminishing coordination/resources
- Ambiguous long-term victim policy

Transnational Victim Referral
- Zero/Ad-hoc coordination
- No contacts
- Lack of political will
- X-border procedures
TRM at a glance

Country A
- National Legislation
- National Referral System
- Good practices
- Existing procedures

Transnational Referral

Country B
- National Legislation
- National Referral System
- Good practices
- Existing procedures

Standard Operating Procedures (SOPs)
TRM at a glance (cont.)

Standard Operating Procedures (SOPs)

4 Key Procedural Questions

- **What** should be done?
- **When** should it be done?
- **Who** should be responsible for doing it?
- **How** should it be done?

Contact Database of Key Stakeholders and Focal Points
TRM in practice

1. Identification

2. First assistance and protection

3. Long term assistance and social inclusion

4. Return and rehabilitation

5. Criminal and civil proceedings

Measures to be taken

- SOPs

Detailed guidelines + Contact list

Measure 3: Risk Management Plan

WHAT:
It is a document designed to address the areas of risks identified through the risk assessment. The purpose of the plan is to minimize the risks and effectively manage them to ensure the protection of the assisted person, of his/her significant others and the staff that assist him/her.

WHEN:
It should be developed once the risk and social inclusion assessment has been completed.

WHO:
The case manager in close cooperation with the trafficked person and the relevant institutions of the place/country of origin or third-country.
- Government authorities;
- National and/or local police (Europol, if needed);
- Non-governmental service providers;
- International organisations;
- Child’s guardian (in case of a child victim).

HOW:
The risk management plan should include the identified risks specifying the related minimum level of security standards and the appropriate...
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1. Identification
2. First assistance and protection
3. Long term assistance and social inclusion
4. Return and rehabilitation
5. Criminal and civil proceedings

TRM stakeholders

National coordinating body
Case Manager (Govt/NGO)
Interpreter/cultural mediator
Lawyer

Assisted person

Case manager of country of origin

Service providers: immediate assistance

Labour inspectorate
Law enforcement
NGOs
Immigration authorities

Social workers
Shelters
Medical staff
Psychologists/psychotherapist
Vocational counsellors/labour inclusion tutors

National and local law enforcement
International organisations
Relevant embassies or consulates

Appointed guardian

Additional requirement for children:

Prosecutor
Labour inspectors
Psychologist
Recommendations

- Continuous adaptation of SOPs to account for specific forms of trafficking;
- Improving operational implementation and adopt international standards for transnational referral;
- Aligning victim protection and rehabilitation measures along the entire process = identification through to long-term rehabilitation
- Improving the information flows between the countries- systematically update contact lists of key stakeholders;
- Expanding the TRM model geographically to include other countries in Europe and beyond, as foreseen in the *EU Strategy towards the eradication of THB (2012-2016)*.
Thank you very much for your attention!

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