

ANALYTICAL REPORT

Building Comprehensive National Responses to Trafficking in Human Beings: the experience of Azerbaijan

Report on the National Action Plan to Fight Trafficking in
Human Beings of the Republic of Azerbaijan 2014-2018

Ivanka Hainzl

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Prague Process Secretariat
International Centre for Migration Policy Development (ICMPD)
Gonzagagasse 1
A-1010 Vienna
Austria
www.pragurprocess.eu

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INTRODUCTION

This report is developed in response to an official request submitted to the International Centre for Migration Policy Development (ICMPD) by the Main Department on Combating Trafficking in Human Beings of the Ministry of Internal Affairs of the Republic of Azerbaijan. The Department requested a feedback on the National Action Plan for fight against trafficking in human beings of the Republic of Azerbaijan 2014-2018 as well as support and suggestions for the development of the next 2019-2023 plan.

The report is produced in the framework of the Prague Process Migration Observatory implemented through the “Prague Process: Dialogue, Analyses and Training in Action” (PP DATA) initiative, funded by the European Union and implemented by ICMPD in its capacity of Prague Process Secretariat. PP DATA aims at sustaining and further enhancing the cooperation established in the area of migration and asylum between the countries of the European Union, the Schengen Area, the Eastern Partnership, the Western Balkans, Central Asia, Russia and Turkey.

GOALS OF THE REPORT

The report analyses the structure and content of the third National Action Plan (NAP) to Fight Trafficking in Human Beings of the Republic of Azerbaijan for the period 2014-2018 in relation to the relevant international standards and practices. Specifically, the analysis focuses on the following questions:

1. Which areas of the fight against trafficking in human beings are covered by the NAP?
2. What areas of action would require further elaboration in the light of relevant international standards and guidelines?
3. How to enhance the efficacy of the next NAP of the Republic of Azerbaijan?

The report also presents successful practices in developing, monitoring and evaluating national action plans. These practices can be considered as helpful guidelines and can be adapted by anti-trafficking officials to any country context.

The information for the current report was collected through desk research in collaboration with the ICMPD office in Baku and the Main Department on Combatting Trafficking in Human Beings within the Ministry of Internal Affairs of the Republic of Azerbaijan.

BACKGROUND INFORMATION

Brief overview of the situation of human trafficking in the Republic of Azerbaijan

The Republic of Azerbaijan is a source, transit, and destination country for men, women, and children subjected to trafficking in human beings.

The main countries of destination for Azeri victims are Federation of Malaysia, Republic of Turkey, United Arab Emirates and Russian Federation, while the majority of foreign victims exploited on the territory of Azerbaijan are from People's Republic of China, Russian Federation, Republic of Uzbekistan, Ukraine and Republic of Turkmenistan¹.

The main reported forms of trafficking in human beings are sexual and labour exploitation. The US State Department's Trafficking in Persons Report 2018 states that Azerbaijani men and boys are subjected to forced labour, and women and children become victims of trafficking for sexual exploitation within the country and abroad. The report adds Pakistan as a destination country for trafficking for sexual exploitation to the countries listed in the governmental report mentioned above².

TIP Report also suggests that “children, including those of Romani descent, are subjected to forced begging and forced labour as roadside vendors and at teahouses and wedding facilities.”³

Azeri victims are trafficked and exploited in trade, construction, agriculture, food and packaging, restaurants and catering, domestic services, and oil extraction. There are some claims for trafficking for organ removal but cases have not been identified so far.⁴

¹ Reply from Azerbaijan to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties, Second evaluation round (submitted on 1 July 2017), p.5²

² Trafficking in Persons Report 2018, Department of State, USA, July 2018

³ Ibid.

⁴ Needs Assessment: Counter-trafficking Response in the Republic of Azerbaijan, IOM, 2016

In addition, Azerbaijan is used as a transit country for victims of trafficking from countries of Central Asia to the UAE, Turkey, and Iran.

National anti-trafficking legislation in the Republic of Azerbaijan and applicable international instruments.

Establishing comprehensive national legal and policy frameworks constitutes the most basic requirement for effectively combating trafficking in human beings. The national anti-trafficking legislation of the Republic of Azerbaijan establishes the crime of trafficking in human beings, sets the administrative structure and coordination of the national anti-trafficking response, launches the national referral system and its key elements – victims' identification, referral, support and protection, victims' compensation, as well as tools for investigation and prosecution, prevention strategies and measures for international cooperation.⁵ Similarly, the national legislation complies with the major international instruments in the field of combating trafficking in human beings and closely related issues.

The anti-trafficking legislation of the Republic of Azerbaijan incorporates a comprehensive human rights-based and victim-centred approach and promotes victims' rights and non-punishment principle.⁶

National anti-trafficking stakeholders in the Republic of Azerbaijan

According to the Law of the Republic of Azerbaijan on "Combating Trafficking in Human Beings", the Main Department on Combating Trafficking in Human Beings is established within the Ministry of Internal Affairs in order to effectively execute the tasks indicated in the National Action Plan. It shall ensure the security of victims of trafficking in human beings, provide the victims of trafficking in human beings with professional aid, summarize and store trafficking in persons related information in a single centre and ensure that experienced and specially trained police officers and specially equipped police units combat trafficking in persons.

Along with the identification and protection of the victims of trafficking in human beings, the Main Department organises the activities of the Task force and the criminal prosecution of cases of trafficking in persons within the limits of their responsibility. The Main Department is directly subordinated to the National Coordinator for combating trafficking in human beings.

A working group on combating trafficking in human beings was established in 2004 to assist the National Coordinator and comprises representatives of the main anti-trafficking governmental stakeholders.

INTERNATIONAL STANDARDS AND PRACTICES FOR DEVELOPMENT OF A COMPREHENSIVE NATIONAL ANTI-TRAFFICKING RESPONSE

There are only few international documents that exclusively focus on the development, implementation, monitoring and evaluation of national action plans and national strategies in the field of combating human trafficking.

- ***UNODC, Toolkit to Combat Trafficking in Persons, New York, 2000***

The Toolkit provides guidance, showcases promising practice and recommends resources in the following thematic areas: International legal framework, Problem assessment and strategy development, Legislative framework, International criminal justice cooperation, Law enforcement and prosecution, Victim identification, Immigration status of victims and their return and reintegration, Victim assistance, Prevention of trafficking in persons and Monitoring and evaluation.

- ***SPTF, Guidelines for National plans of Action to combat trafficking in Human Beings, 2000***

The Stability Pact for South Eastern Europe Task Force on Trafficking in Human Beings created guidelines for establishing national anti-trafficking action plans. The guidelines address objectives, activities and achievement indicators and suggest entities that might assume responsibility for implementing action plans.

⁵ GRETA, Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Azerbaijan, 2014, p.12,

⁶ A list with the main documents that constitute the national anti-trafficking legislation of the Republic of Azerbaijan and the ratified international instruments is enclosed as Annex 1 to this report.

- *ICAT, Pivoting toward the Evidence: Building effective counter-trafficking responses using accumulated knowledge and a shared approach to monitoring, evaluation and learning, 2016.*

The Inter-Agency Coordination Group against Trafficking in Persons (ICAT) Issue Paper focuses on the state of evaluation in the anti-trafficking sector. It reflects the expertise and experience of six international organizations and entities forming the ICAT Working Group, namely the International Labour Organization (ILO), the International Organization for Migration (IOM), the United Nations Office of the High Commissioner for Human Rights (OHCHR), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), and the United Nations Office on Drugs and Crime (UNODC).

- *ICMPD, Guidelines for Development of a Comprehensive National Anti-Trafficking Response, Vienna 2006*

The Guidelines contain a comprehensive set of measures to be taken by anti-trafficking actors in order to counter human trafficking in the four main areas where action is needed – prevention, support and protection, investigation and prosecution, supporting framework.

- *ICMPD, Monitoring and Evaluation Handbook for National Action Plans against Trafficking in Human Beings, Vienna 2010*

The handbook complements the above Guidelines by providing easy-to-follow guidelines on how to monitor, review, and evaluate and report on the implementation of national action plans against trafficking in human beings.

A National Action Plan (NAP) against trafficking in human beings is an essential tool for sharing of responsibilities and coordination of action of anti-trafficking stakeholders such as governmental bodies, civil society, international organisations, etc. in a holistic approach.⁷ NAP is an inseparable part of the overall national anti-trafficking policy.

The Guidelines for the Development and Implementation of a Comprehensive National Anti-Trafficking Response suggest that a comprehensive national anti-trafficking response should comprise two levels:

Strategic level – formulated in the National Anti-trafficking Strategy. It refers to WHAT shall be achieved in the long term. The strategy identifies the country's anti-trafficking priorities and sets strategic goals and specific objectives.

Operational level – formulated in the NAP and refers to the HOW the strategic goals and specific objectives identified in the anti-trafficking strategy can be achieved. NAP identifies concrete measures / actions that should be implemented in the short term.



Thematically the national anti-trafficking response should correspond to **four components**:

1. Supporting framework
2. Prevention
3. Support and protection of victims and victim-witnesses
4. Investigation and prosecution of cases of trafficking in human beings.

While designing the goals and measures in the above areas, both the national strategy and the national action plan should reflect several **guiding principles**⁸:

- **Government ownership** – state anti-trafficking actors assume full participation, responsibility and accountability in the process of development of the national anti-trafficking response. This involves adoption of a coordinated approach – establishment of a National Anti-trafficking Coordinator and multi-disciplinary national working group (group of experts).

⁷ Monitoring and Evaluation Handbook for National Action Plans against Trafficking in Human Beings, ICMPD, 2011, p.19

⁸ Guidelines for development and Implementation of a Comprehensive National Anti-Trafficking Response, ICMPD 2006, p.21-26

- **Civil society participation** – to involve civil society members in the decision-making process and to reflect adequately their opinions and advices in the design and the implementation of the national anti-trafficking response. Civil organisations should be part of the existing referral mechanisms for victims as well as of the national information exchange mechanism.
- **Human rights-based approach** – the national anti-trafficking response should be based on international human rights standards and should promote and protect human rights especially those of the victims. It asserts that the human rights of the victims are at the core of the national anti-trafficking legislation and response in general.
- **The most important violated rights** related to trafficking in human beings are: the right to liberty and security; the right not to be held in slavery or servitude; the right to be treated with humanity and with respect for the inherent dignity of the person; the right to liberty of movement and freedom to choose residence; the right not to be tortured; the right to life; the right to health.

Detailed procedures to implement human rights-based approach are listed in the report of the UNHCHR to the Economic and Social Council “Recommended Principles and Guidelines on Human Rights and human trafficking” E/2002/68/.

Interdisciplinary and cross-sectoral approach – all aspects of trafficking in human beings must be taken into consideration simultaneously in order to ensure effective counter-strategies. The multidisciplinary approach is essential because the knowledge and expertise of different disciplines and their respective methods are combined to develop measures to prevent and counteract to trafficking. The measures/actions must be designed and implemented in a way to cover a wide range of sectors – judiciary, educational, health, labour market, etc. They must involve all relevant state and non-governmental actors and ensure a regular exchange of information between different actors.

- **Sustainability** – the implemented system is able to endure and adapt to changing conditions over a long period. There should be no critical dependencies (such as one major donor) which could easily collapse the system. The sustainable approach and measures ensures that the use of existing resources (financial, human, administrative, etc.) is maximised and thus the “investments” into the national anti-trafficking response are not lost.

The sustainability can be ensured through implementation of all above mentioned principles together with periodical review of the NAP and parallel monitoring of its implementation, mainstreaming of some anti-trafficking measures (e.g. anti-trafficking trainings for police officials are included in the regular curriculum of the police academies), applying multiplier approach (e.g. train-the trainer), regular state budget allocations are ensured.

The basis of the national anti-trafficking response is **the national anti-trafficking strategy**⁹. The strategy begins with formulation of the foundation for its development – why the anti-trafficking response is needed. The overall purpose, the guiding principles and the state actors’ commitment to support and implement the national anti-trafficking response form the Preamble. The Preamble is followed by a detailed background analysis of the current situation in the country related to trafficking in human beings. The analysis helps to define problems and consequently the strategic goals. It should contain an analysis of the status quo in the four areas mentioned above: supporting framework, prevention, support and protection of victims and victim – witnesses, and investigation and prosecution of cases of trafficking in human beings. Lastly, the analysis should identify the anti-trafficking stakeholders with their roles and responsibilities.

Building on that, the second part of the national strategy formulates the strategic goals of the national anti-trafficking response and the specific objectives needed for their achievement. The goals that are formulated at the strategic level are corresponding to medium and long-term objectives, which should be achieved within the next two to five years.



Each strategic goal should have a clear reference to the background analysis and be formulated in accordance with the guiding principles.

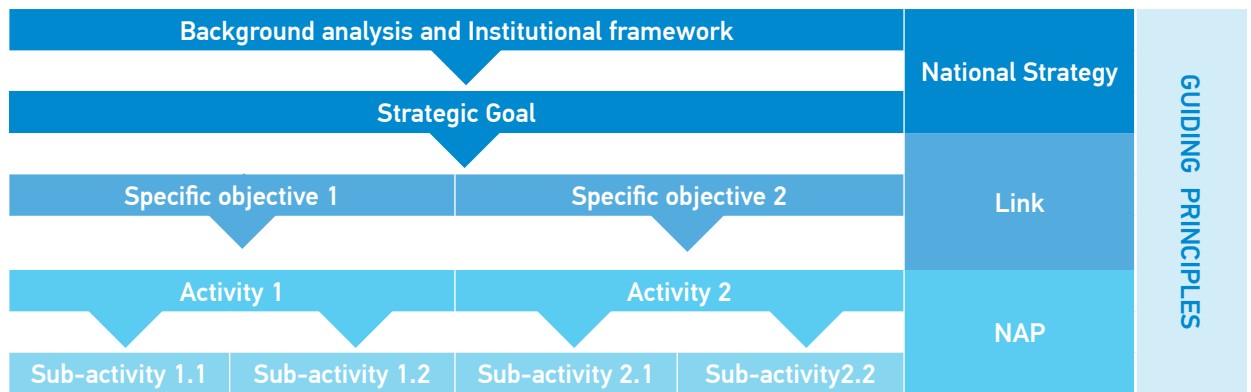
Each strategic goal is further divided into **specific objectives**. For each specific objective of the Strategy, corresponding **NAP measures** in the following categories should be assigned:

⁹ Ibid, p.29

- **Outputs:** services and/or products that will be produced by the activities in order to achieve the desired outcomes.
- **Specific activity/s and sub-activities:** they should be formulated in a way to facilitate the achievement of the outputs. When needed, sub-activities can be formulated as part of a bigger activity.
- **Assigned responsibilities and time-lines:** Usually there are multiple stakeholders – different government institutions and NGOs – involved in the implementation of the NAP. Therefore the responsibilities for the different activities should be clearly defined.
- The same applies for the setup of an accurate **timeframe**. It should be as detailed as possible but also realistic for achieving.
- **Resource planning and budget:** every NAP needs financial and human resources for its implementation. Often a national action plan is co-funded by several state agencies or different external donors. It is, therefore, vital to draw an approximate and realistic budget in order to be able to estimate the resources needed¹⁰.

In addition, it is crucial for the successful implementation of the NAP, that **monitoring and evaluation criteria and indicators** are planned in advance and included into the NAP structure.

The chart below shows the functional connections between the strategic and operational levels of the national anti-trafficking response¹¹:



¹⁰ Monitoring and Evaluation Handbook for National Action Plans against Trafficking in Human Beings, ICMPD, 2011, p.58

¹¹ Guidelines for development and Implementation of a Comprehensive National Anti-Trafficking Response, ICMPD 2006, p.18

ANALYSIS OF THE NATIONAL ACTION PLAN OF THE REPUBLIC OF AZERBAIJAN TO FIGHT TRAFFICKING IN HUMAN BEINGS 2014-2018 IN REGARD TO THE INTERNATIONAL STANDARDS

The Plan was approved by order number 667 of the President of the Republic of Azerbaijan on 24.07.2014. The main coordination and implementation body of the NAP is the Ministry of Internal Affairs and its Main Department on Combating Trafficking in Human Beings. The NAP is developed as a continuation of the measures implemented under the previous national action plan 2009 – 2013 and is based on the understanding that human trafficking is a severe violation of human rights, an efficient response to which requires a joint approach and synchronised actions by all government and non-government stakeholders, as well as active international cooperation.

The National Action Plan as an anti-trafficking instrument was formulated in Art.6 of the Law on trafficking in human beings.

Article 6. National Action Plan to combat trafficking in persons

6.1. The National Action Plan of the Republic of Azerbaijan to Combat Trafficking in Persons (hereinafter- National Action Plan), which has been approved by the relevant executive agency of the Republic of Azerbaijan, aims to provide an effective system to provide for mutual functioning of the relevant agencies to combat trafficking in persons.

6.2. The National Action Plan defines the basic tasks in combating trafficking in persons, the participation of different units (executive bodies, non-governmental organizations, international partners, and other organs) in implementing these tasks, the coordination of the activity of these units by the National Coordinator, and other measures in combating trafficking in persons.

6.3. In an effort to increase the effectiveness of National Action Plan as well as to ensure the safety of the people and to protect the information, the participants of National Action Plan shall implement their responsibilities based on the “only necessary information” principle. Implementation of this principle provides that participation of the parties to National Action Plan in the combating against trafficking in persons is limited to the realm of their responsibilities and aims at ensuring an effective protection of the parties to National Plan from being exposed to corruption and influence of criminals involved in trafficking in persons.¹²

The NAP consists of two prominent chapters. The first one provides information about the goals, principles of implementation and the relevant anti-trafficking actors. This information is followed by eleven thematic sections presenting detailed goals in different spheres of the national anti-trafficking response. The chapter is concluded by a section on the financial resources available for the implementation of NAP.

The second chapter is titled “Activity plan” and provides a detailed description of activities corresponding to the measures formulated in each of the above mentioned eleven thematic sections. Each activity has been assigned executive body(s) and implementation timeframe.

In the light of the above provided international standards, the two parts of the document have the characteristics of both a national strategy and a national action plan. The listed measures in the first chapter correspond to a great extent to the requirements of a national strategy. Likewise, the structure and information provided in the second chapter relate to the elements of a national action plan.

The further analysis will follow this assumption and will look in parallel to the suggested objectives, and measures in chapter 1 and the corresponding activities in chapter 2 of the document.

¹² Law of the Republic of Azerbaijan on trafficking in persons, adopted on 28 June 2005 and amended by Law No. 609-IVQD of 19 April 2013, available in English language at <https://mia.gov.az/?/en/content/336/>

GOALS AND PRINCIPLES OF IMPLEMENTATION OF NATIONAL ACTION PLAN

The first section (thematic area) of the third National Action Plan to Fight Trafficking in Human Beings of the Republic of Azerbaijan sets the goal of NAP: to ensure the duration of the measures taken in following several directions:

- Protection from all forms of trafficking in human beings
- Identification and prevention of the root causes of human trafficking
- Decreasing the risk of human trafficking and ensuring social protection for vulnerable groups
- Identification and prevention of all forms of THB
- Protection of victims
- Improving the living conditions for victims and potential victims of trafficking in human beings.

Further the NAP sets the structure of the anti-trafficking stakeholders in Azerbaijan as well as the coordination body – National Coordinator for combating trafficking in human beings.

The first section concludes with the guiding principles of the NAP. The principles are aligned with the international standards.¹³ The NAP follows the human rights-based approach by declaring non-discriminative attitude towards the victims, underlining their safety and wellbeing and highlighting the non-victimisation principle throughout all objectives and activities of the anti-trafficking response.

The cross-sectoral and interdisciplinary approach and the civil society participation principle are ensured by involving non-governmental organisations, as well as international organisations and representatives of a wide range of social, economic, legal, etc. areas related to the trafficking in human beings into the anti-trafficking response.

The principle of government ownership is applied through provision of a coordinated governmental anti-trafficking response and through harmonisation of legal definitions and procedures, while the overall goal of NAP channels the sustainability principle.

International standards	NAP 2014-2018 of the Republic of Azerbaijan
Government ownership	State executive power over the development and implementation of the anti-trafficking response in Azerbaijan; State national anti-trafficking coordination body.
Civil society participation	To attract non-governmental organisations to combat trafficking in human beings.
Human rights-based approach	To prevent discrimination against the victims of human trafficking in the society; To ensure security of the victims of human trafficking and polite behaviour towards them; Execution of the duties only by being based on the principle of having necessary information.
Interdisciplinary and cross-sectoral approach	Implementation of prophylactic measures of legal, political, socio-economic and organizational character; Development of international cooperation in the field of combating trafficking in human beings.
Sustainability	NAP Goal: "to ensure the durations of measures taken into several directions: /.../" ¹⁴

¹³ The National Action Plan for the years 2014-2018 on combatting trafficking in human beings in Azerbaijan Republic, Section 2, The Goals and Principles of Implementation of the National Action Plan

¹⁴ Ibid.

► RECOMMENDATION:

- Consider preparing a full **background analysis**. Besides description of the guiding principles and list of the main anti-trafficking stakeholders, the analysis should provide information on the current anti-trafficking developments in the country in all thematic areas of the NAP. The new trends, urgent questions, unfilled gaps and emerging needs will help to set up the strategic goals of the **next NAP**.

The following **ten thematic areas** are developed in the NAP in accordance to the four components suggested by the international standards:

International standards	NAP 2014-2018 of the Republic of Azerbaijan
Components	Thematic areas
Supporting framework	<ul style="list-style-type: none"> Legislative measures in the field of combating trafficking in human beings Coordination of the activities of the participants of the NAP, the support and resources on combating in human trafficking
Prevention	<ul style="list-style-type: none"> Prevention of human trafficking and strengthening of its prophylactics Publicity in respect to combating trafficking in human beings
Support and protection of victims and victim – witnesses	<ul style="list-style-type: none"> Rehabilitation and Reintegration of victims of human trafficking Improvement of assistance provided to the victims and potential victims of human trafficking Protection of the victims of trafficking in human beings
Investigation and prosecution of cases of trafficking in human beings	<ul style="list-style-type: none"> Criminal prosecution of the crime of human trafficking
.....	<ul style="list-style-type: none"> Development of cooperation in the field of combating trafficking in human beings

Each of the recommended four components with corresponding thematic areas in the NAP are examined in more details below.

SUPPORTING FRAMEWORK

The Supporting framework component describes the strategic goals, objectives and actions related to the national anti-trafficking set-up. It focuses on the coordination structures – who and how, and describes all stakeholders – governmental, non-governmental and international organisations. The component covers also the legal and regulatory framework – the harmonisation of the national anti-trafficking legislation and the adoption (if necessary) of international legal documents. The information management and data collection is another aspect of the supporting framework. The focus is on the available and accessible data which is crucial to optimise the anti-trafficking response – what kind of information is collected, by whom, how it is stored, shared and analysed. Resource and budget mobilisation is the fourth area of this component focusing on the goals and activities related to the management of financial, human and technical resources. The last very significant and often underestimated element of the strategic framework is the review, monitoring and evaluation of the national strategy and NAP. By these activities, the success of the national anti-trafficking response can be determined and its adaptation to the emerging trends ensured.

Review	means to determine, at regular intervals, the degree of the success of the national anti-trafficking response. The review focuses on the goals at both levels
Monitoring	is continuous collection and analysis of data. It aims at providing indicators of progress at both levels
Evaluation	is a systematic collection and analysis of predefined information in order to make judgements, improve programme effectiveness and/or generate knowledge to inform decisions about future programmes. It takes place at operational level.

The goals and objectives listed in NAP 2014–2018 of the Republic of Azerbaijan cover most of the elements mentioned above. It sets the main anti-trafficking legislation and formulates as goals the harmonisation of the national legal acts due to the obligations arising from the implementation of different international instruments ratified by Azerbaijan. The ongoing update of the national referral mechanism as well as other regulations related to victims support is also a focus. The NAP document describes the coordination structure of the Azeri anti-trafficking response – national anti-trafficking coordinator and its role and duties in the implementation of the NAP. It sets the financial resource mobilisation and the relation to external donors and non-governmental organisations.

In addition, the strengthening of the international cooperation is established as a separate thematic area – **Development of cooperation in the field of combating trafficking in human beings**. A detailed approach and specific focuses of the cooperation are chosen: law enforcement, legislation improvement, the welfare of the minors deprived of parental care and victims' support.

Emphasising a certain topic of the national anti-trafficking response within the strategic document gives possibilities to explore and achieve results where it is needed. The structure suggested by the international standards should be used as guidelines, but the national authorities should decide which problem or area of the response needs more attention and should set more strategic goals in order to achieve better impact, as it is done in the example above.

What is not covered in these two thematic areas are the goals and actions related to the **data collection and exchange**. This is an issue which requires a dedicated institutional effort, coordination, commitment and trust between the anti-trafficking stakeholders as well as certain technical capacities. Setting up a national database for victims and/or perpetrators of trafficking in human beings is one of the pillars of the effective anti-trafficking response.

The information management and data collection are closely connected to monitoring. In the current NAP there are no strategic goals or specific activities related to its monitoring and evaluation. It is advisable for such actions to be envisaged during the development of the next NAP.

“To determine the success of the national anti-trafficking response, it is not enough to evaluate only the elements of the operational level by examining anti-trafficking activities or to concentrate on the strategic level by determining the achievements of the strategic goals. Instead, one has to look at all elements, namely: activities, expected outputs, specific objectives and strategic goals.”¹⁵

¹⁵ Guidelines for development and Implementation of a Comprehensive National Anti-Trafficking Response, ICMPD 2006, p.37

The **Activity plan** or the operational level of the anti-trafficking response, related to the thematic area **Legislative measures in the field of combating trafficking in human beings** has very clear and detailed activities that correspond to the areas of legislative improvement set in the strategic part of the document. The responsible bodies and the time frame are set.

The actions included in the other two areas – **Coordination** and **Cooperation**, thematically cover the strategic goals but the formulation needs to be more precise and more concrete. Some of the statements are framed as goals or specific objectives rather than concrete actions. It is advisable to have as specific as possible activities with concrete time frame and execution bodies¹⁶.

► RECOMMENDATIONS:

- **Prioritise** the strategic areas of the anti-trafficking response and define additional strategic goals and activities when needed.
- **Formulate precisely** the strategic goals and the corresponding concrete activities. The national strategy should not consist of actions but of strategic goals and specific objectives. The national action plan must be built only out of concrete achievable activities.
- Plan activities related to **data collection and exchange**
- Plan and include **monitoring and evaluation** of the national anti-trafficking response as regular activity. Learn more about it if needed.

¹⁶ The National Action Plan for the years 2014-2018 on combatting trafficking in human beings in Azerbaijan Republic, Activity Plan, Section 13.1 Legislative measures in the field of combating trafficking in human beings

PREVENTION

Prevention is one of the central areas of any anti-trafficking response. The prevention activities address the root causes of trafficking in human beings, based on a multi-disciplinary coordinated approach. It is based on empowerment strategies (livelihood options, education, etc.) and strategies aiming at suppressing the phenomenon of trafficking in human beings. The international standards suggest that the preventive actions should be spread throughout the following areas:

- **Awareness-raising:** comprehensive awareness-raising activities that contain clear information and messages related to the phenomenon of human trafficking: risks, consequences, support for victims, etc.
- **Education:** tailor-made educational activities for anti-trafficking stakeholders as well as for different risk groups
- **Reduction of vulnerability:** decreasing the vulnerability to trafficking and re-trafficking and increasing the livelihood options for groups at risk. Include actions in socio-economic area, actions related to elimination of discriminatory practices and promotion of gender equality, actions related to the process of legal migration.

The prevention goals stipulated in the NAP 2014-2018 of the Republic of Azerbaijan cover all mentioned areas.

The public awareness about the phenomenon and the risks of becoming a victim are stated as a strategic goal¹⁷. The capacity building by training of representatives of anti-trafficking stakeholders, particularly professionals working directly with victims is also added. The education aspect of prevention is completed with commitment for sustainable training of professionals and implementation of scientific researches on different aspects of trafficking in human beings.

The thematic area of prevention puts in focus several risk groups and forms of THB – children, socially vulnerable families and individuals, victims of trafficking, child labour and child trafficking, trafficking for labour exploitation. Employment opportunities and social support are envisioned as tools to reduce the vulnerability of these risk groups.¹⁸

The **Activity plan** of the Prevention thematic area has 10 activities corresponding to the goals set in the strategy chapter. However, as mentioned in the previously discussed thematic areas, the formulation of some of the activities is vague. A reason for this could be that the listed activities have many responsible stakeholders for their implementation. The diversity of implementing agencies definitely makes it harder to obtain detailed description of the activities being planned. Nevertheless such effort should be made.

▶ RECOMMENDATION:

- Formulate precisely the **strategic goals** and the **corresponding concrete activities**. The national strategy should not consist of actions but of strategic goals and specific objectives. The national action plan must be structured only out of concrete achievable activities.

¹⁷ Ibid, Section 2 The Goals and Principles of Implementation of the National Action Plan
¹⁸ Ibid, Section 4, Prevention of human trafficking and strengthening of its prophylactics

SUPPORT AND PROTECTION OF VICTIMS AND VICTIM – WITNESSES

Victim protection and assistance should be the core of the anti-trafficking response. By implementing a victim-centred and human rights-based approach, a comprehensive protection system must be installed. The system must be flexible in order to respond to all forms of exploitation as well as to personal circumstances, to be as adaptable as possible to new trends and continually updated through monitoring. The referral of victims to the specialised services for assistance should be established and institutionalised as national referral mechanism or a similar practice.

In the national anti-trafficking response¹⁹ support and protection measures should comprise:

- **Victim identification system:** common indicators for identification, 24/7 availability, crisis accommodation and intervention. The system must be adaptable to the emerging trends - new forms of trafficking and new risk groups of victims.
- **Reflection/recovery period and residence status** – provided to the victim in order to stabilise her/his physical and emotional condition, to receive immediate health and social support, to decide about her/his cooperation with the state authorities in criminal proceedings, to opt for immediate return home.
- **Social support and protection of victims, including access to labour market and education:** social support system in place to provide services tailored to the needs of the victims; safe accommodation, health care, financial assistance, psycho-social counselling, legal assistance, interpretation and cultural mediation when needed, facilitating the contact with the family, educational and vocational opportunities, access to the labour market.
- **Access to civil procedure and compensation, witness protection and judicial treatment of victim-witnesses:** support to be provided before, during and after the criminal proceedings. Continuous risk assessment must ensure the safety of the victim-witness.
- **Return, (re)integration, social inclusion:** in case of return, the safety of the victim must be ensured. If the return is not possible or feasible, alternative solutions should be sought. State should promote reintegration and social inclusion for all victims of trafficking in human beings.²⁰

The current NAP of the Republic of Azerbaijan suggests a variety of strategic goals to be achieved and measures to be undertaken in the field of victims' protection. The document adopts the principle of non-victimisation and gender sensitive approach, full acknowledgment of human rights of the victims, provision of assistance only with victim's consent, applying the best interest of the child principle in the cases of child trafficking²¹.

Victim protection is the largest and the most elaborated part of the action plan and consists of three distinct thematic areas.

Rehabilitation and reintegration of victims of human trafficking - sets as main strategic goal victims' recovery and restoration of their life through psychological and medical rehabilitation, social support, legal assistance, and by providing possibilities for education, employment and housing.

The specific objectives refer to the continuous training and capacity building of professionals in the field of combating human trafficking in order to ensure the best successful protection and services – law enforcement and criminal prosecution officers, social workers, psychologists, medical personnel, legal counsellors and other professionals who provide direct support (employees of the shelters and assistance centres for victims of trafficking). In addition the participation of civil society providers of specific services for victims will be encouraged.

One of the less explored topics in this chapter is the response to the special needs of foreign victims of trafficking identified on the territory of Azerbaijan. The reintegration and social inclusion programmes must be adapted for the immediate and long-term needs of these persons.

Improvement of assistance provided to the victims and potential victims of human trafficking and their protection - combines measures related to children as potential victims and children victims of traf-

¹⁹ Guidelines for development and Implementation of a Comprehensive National Anti-Trafficking Response, ICMPD 2006, p.44-49
OSCE/ODHIR, Guiding Principles on Human Rights in the Return of Trafficked Persons, Warsaw, 2014

²¹ The National Action Plan for the years 2014-2018 on combatting trafficking in human beings in Azerbaijan Republic, Activity Plan, Sections

ficking in human beings. It sets the supporting structure based on protection of children rights and the principle of best interest of the child. It stipulates close cooperation between anti-trafficking and child protection authorities in Azerbaijan and defines certain risk groups – children raised in institutions, neglected children and children who dropped out of school.

Monitoring measures are envisaged in cases of child adoption and cases of child protection and guardianship. An important strategic goal is the establishment of a new institution for provision of social support for children.

The third thematic area **Protection of the victims of trafficking in human beings** elaborates on the victim's security and protection especially during the criminal proceedings. In addition the chapter establishes the protection of victims who are Azeri nationals abroad by the diplomatic representatives and consulate offices of the Republic of Azerbaijan.

The total number of suggested goals and objectives under these three thematic areas is twelve. In the **Activity plan** these are translated into more than fifteen concrete actions. The coverage of the provisions in the area of social support and protection, as well as the (re)integration and social inclusion of victims is rather detailed. Children as vulnerable group receive special attention.

However some areas of victims' support remain uncovered. The **system for identification of victims** is rarely mentioned. Azerbaijan has in place common indicators for identification of victims. Activities related to ongoing monitoring of their implementation and potential update could be included.

The process of granting of **reflection period** and the related outcomes - cooperation with authorities, received support, residence permit for foreign victims - could have a larger representation in the strategy and the activity plan. For example concerns about cooperation exist very often during the reflection period and during the criminal proceedings. The cooperation between law enforcement authorities and the counselling centres and shelters could become tense. Thus it might need facilitation by development of an official procedure.

As already mentioned in the previously discussed thematic areas, the formulation of the goals and the concrete measures in both parts of the NAP are often imprecise. Setting strategic goals and corresponding objectives and concrete activities should be taken into account when developing the next national plan.

► RECOMMENDATIONS:

- Add specific goal(s) and activities related to **foreign victims** of trafficking: e.g. interpretation, cultural mediation, requirements for residence permit, etc.
- Add goals and measures related to the established system for **identification** of victims of trafficking in human beings
- Add goals and measures related to victims' support during the **reflection period** and the trial **proceedings**
- Formulate precisely the **strategic goals** and the **corresponding** concrete **activities**. The national strategy should not consist of actions but of strategic goals and specific objectives. The national action plan must be structured only out of concrete achievable activities.

COMMENDATION:

Dedicating a separate chapter on **children** as vulnerable group and as victims of trafficking in human beings allows the authorities to approach these problems in detailed and beneficiary-tailored manner. It is an outstanding example for the commitment of the Head Office for combating trafficking in human beings to implement adequate measures guided by the best interest of the child.

INVESTIGATION AND PROSECUTION OF CASES OF TRAFFICKING IN HUMAN BEINGS

The first step to successful investigations and prosecutions of trafficking cases is the identification of victims. A clear definition and criminalisation of trafficking in human beings is crucial not only for the conviction of offenders but also for the investigations and international judicial cooperation.

The international standards suggest that the prosecution measures must be gender responsive and human rights oriented and should cover the following areas²²:

- **Proactive and reactive investigations:** the investigation and prosecution of traffickers should not entirely rely on victim's cooperation and testimony. A balanced mix of proactive and reactive investigations is indispensable.
- **International law enforcement and judicial cooperation:** all states should take concrete steps in order to enable effective international law enforcement cooperation with neighbouring countries, with countries of destination and of origin of victims, with international law enforcement agencies. The cooperation could include bi- and multi-lateral treaties, international agreements for extradition and mutual assistance, etc.
- **Prosecution and conviction of offenders:** the crime should be clearly defined in the national criminal law. All forms of trafficking should be criminalised, the state's criminal justice system must target the offender and not the victim.
- **Legal redress and compensation for victims:** the victim should be entitled to legal redress and compensation for physical injuries, violation of her/his fundamental human rights and losses for suffering severe mental and physical stress. Comprehensive concepts include the provision of support and protection of victim-witnesses before, during and after the court trial.
- **Police and judicial treatment of victims and victim-witnesses:** victims and victim-witnesses shall be treated with dignity and respect, efforts should be made to prevent re-victimisation. Special procedures for victims who become court witnesses must be in place – regarding the method and frequency of statement collection, regarding the physical participation in the court, the contact with the trafficker, etc.
- **Anti-corruption measures:** As the human trafficking is often controlled by highly organised criminal networks, they are able to carry out high-level corruption and money laundering.

The NAP of the Republic of Azerbaijan sets the structure of the criminal prosecution of trafficking in human beings. It calls for enhanced response by the authorities and improved cooperation within the country and abroad. While looking into the proactive measures for identification and prosecution of organised criminal groups, for combating the legalisation of assets obtained through trafficking in human beings and other illegal activities, the document focuses also on the protection of witnesses and their support during the testifying process.

In addition the NAP sets specific focus on two types of trafficking - trafficking for labour exploitation and child trafficking²³.

RECOMMENDATIONS:

- More elaborated measures related to anti-corruption actions regarding the organised criminal groups could be added to the NAP.
- Formulate precisely the strategic goals and the corresponding concrete activities. The national strategy should not consist of actions but of strategic goals and specific objectives. The national action plan must be structured only out of concrete achievable activities.

²² Adapted from Guidelines for development and Implementation of a Comprehensive National Anti-Trafficking Response, ICMPD 2006, p.50-54, and UNODC Toolkit to Combat Trafficking in Persons, 2000, chapter "Law Enforcement and Prosecution"

²³ The National Action Plan for the years 2014-2018 on combatting trafficking in human beings in Azerbaijan Republic, Activity Plan, Section 5, Criminal prosecution against the crime of human trafficking

FUNDING OF THE NATIONAL ACTION PLAN

The NAP is funded by the state budget of Republic of Azerbaijan. In addition grants and other financial sources that are not in contradiction with the legislation of Republic of Azerbaijan are provided.

► RECOMMENDATION:

- Consider drafting of a detailed budget for each activity describing all needed resources

SUCCESSFUL PRACTICE

National resource plan – based on preliminary budget, the National Coordinator's office prepares a national resource plan indicating the total resources needed for each area of the NAP (supporting framework, prevention, protection, etc.). It should also include a list of funds already awarded by external donors as well as an indication of priority funding needs in line with the National action plan.

RECOMMENDATIONS

The content of the document complies in its majority with the relevant international standards. The recommended thematic areas are addressed. Specific focus corresponding to certain national specificities of the anti-trafficking actions can be observed. However **the structure and the phrasing** of the strategic goals, objectives and activities could be improved.

- The document could be officially separated and further developed as National Anti-trafficking strategy and National Action Plan.
- The information in these two sub-documents should be phrased according to each document's function – the strategy consists of formulated strategic goals and specific objectives (WHAT should be achieved?). The action plan consists of corresponding objectives and concrete actions (HOW the goals can be achieved?), time-frame for implementation and responsible stakeholder(s).
- Both levels must have initially planned set of SMART indicators which refer to the intended change as a result of the taken action.
- Prioritise the strategic areas of the anti-trafficking response and set additional strategic goals and activities when needed.
- When planning the NAP, focus should be on the overall results and changes that must be achieved with the implementation. **DO NOT get lost in activity-based planning.**
- Consider planning and implementing review, regular monitoring and final evaluation of the next National action plan to combat trafficking in human beings.
- Draft a detailed budget for each activity including all needed resources

▶ CONTENT RELATED RECOMMENDATIONS

Some specific areas of the anti-trafficking response could receive more focus in the next national anti-trafficking strategy and NAP:

- Add **Background analysis** to the description of the guiding principles and list of the main anti-trafficking stakeholders in the national strategy. The analysis should provide information on the current anti-trafficking developments in the country in all thematic areas of the NAP. The new trends, urgent questions, unfilled gaps and emerging needs will help to set up the strategic goals of **the next NAP**.
- Plan activities related to **data collection and exchange**.
- Foresee support for **foreign victims** of trafficking: e.g. interpretation services, cultural mediation, requirements for residence permit, etc.
- Include goals and activities related to the **national system for identification** of victims of trafficking in human beings. In the current NAP this area is not covered.
- Foresee measures related to victims' support during the **reflection period** and the **trial proceedings**. These areas are also not covered in the current document.
- Develop **anti-corruption measures** regarding the organised criminal groups controlling human trafficking.

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- **UNODC**, Toolkit to Combat Trafficking in Persons, 2000
- **US Department of State**, Trafficking in Persons Report, 2018

ANNEXES

1. National anti-trafficking legislation of the Republic of Azerbaijan
2. Model template for National anti-trafficking strategy
3. Model template for National action plan against trafficking in human beings
4. How to develop SMART indicators for monitoring

Annex 1

National legislation of Republic of Azerbaijan to combat trafficking in human beings

- The Constitution of the Republic of Azerbaijan
- Criminal Code of the Republic of Azerbaijan, Art 144
- Law of the Republic of Azerbaijan on combating trafficking in human beings
- Law on Social Services
- Migration Code, which contains provisions on the legal status of foreigners and stateless persons, immigration and labour migration;
- Law on the State Protection of Persons Participating in Criminal Proceedings
- Law on Transplantation of Human Organs and/or Tissues
- National Action Plan for the years 2014-2018 on combating trafficking in human beings in the Republic of Azerbaijan
- Action Plan for 2014-2016 on the implementation of “Program on social rehabilitation and reintegration into society of children who are victims of human trafficking”
- Rules for handover of victims of human trafficking to the special police unit on combating human trafficking
- Rules of National Referral Mechanism on victims of trafficking in human beings
- Rules (indicators) for identification of victims of trafficking in human beings
- Programme for the elimination of social problems that lead to human trafficking

International anti-trafficking and anti-trafficking related instruments ratified by the Republic of Azerbaijan:

- UN Convention against Transnational Organized Crime including its supplementary Protocol on Prevention, Suppression and Punishment of Trafficking in Persons, Especially Women and Children – into force since 2003
- Council of Europe Convention on Action against Trafficking in Human Beings - into force since 1 October 2010.
- UN Convention on the Rights of the Child and its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, ratified in 1992 and 2002, respectively
- Convention on the Elimination of All Forms of Discrimination against Women, ratified in 1995
- Convention concerning Forced or Compulsory Labour (No.29) ratified in 1992,
- Convention concerning the Abolition of Forced Labour (No.105) ratified in 2000, and Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No.182) ratified in 2004
- Convention on Cybercrime, the European Convention on Mutual Assistance in Criminal Matters and its first Additional Protocol
- European Convention on Extradition and its three first Additional Protocols

Annex 2

Model of Anti-trafficking Strategy

This table shows an example of a comprehensive anti-trafficking strategy. It corresponds to the four components discussed in the report: 1) supporting network; 2) prevention; 3) support and protection of victims and victim-witnesses; 4) investigation and prosecution of trafficking in human beings.

The list of strategic goals, specific objectives and indicators is not exhaustive and only one or two examples per category will be given. This is an adapted version of the model provided in ICMPD publication Guidelines for Development and Implementation of a comprehensive National Anti-Trafficking Response. More detailed information can be found in the publication.

	GOALS AND SPECIFIC OBJECTIVES	INDICATORS
1. Supporting Framework		
Strategic goal 1.1. Coordination structures	To improve the coordination of all anti-trafficking measures and the effective cooperation between all actors involved in the combating trafficking in human beings in the country	<ul style="list-style-type: none"> Perceived effectiveness of cooperation according to all actors involved.
Specific objective (a)	To ensure a continuous overview of all actors involved in the fight against trafficking in human beings in the country and of the implemented anti-trafficking measures	<ul style="list-style-type: none"> Regularly updated roster of NGOs and IOs working in the field of THB Regularly updated roster of governmental institutions working in the field of THB Regularly updated list of implemented anti-trafficking projects Regularly updated list of Existing MoUs and other models of cooperation between the anti-trafficking actor
Specific objective (b)	To establish a national coordination structure consisting of National Coordinator as well as a National Working Group and Thematic Working Groups which include representatives of NGOs	<ul style="list-style-type: none"> Existence of a NC Existence of a NWG Existence of TWGs Per cent of NGOs in NWG and TWGs Number of meetings of NWG and TWGs
Specific objective (c),(d),(e), etc. .....	..... .....	<ul style="list-style-type: none"> ..... .....

<p>Strategic goal 1.2. Legal and regulatory framework</p>	<p>To establish a legislation and regulations necessary to protect victims of trafficking in human beings and to combat THB</p>	<p>All respective laws and/or regulations enacted</p>
<p>Specific objective (a)</p>	<p>To establish national legislation in compliance with the international anti-trafficking instruments</p>	<ul style="list-style-type: none"> • Enacted legislation in compliance with UN Convention against Transnational Organized Crime including its supplementary Protocol on Prevention, Suppression and Punishment of Trafficking in Persons, Especially Women and Children • Enacted legislation in compliance with Council of Europe Convention on Action against Trafficking in Human Beings • •
<p>Specific objective (b)</p>	<p>To establish legal basis for granting of a reflection period of months to all presumed victims</p>	<ul style="list-style-type: none"> • Respective legislation provisions and regulations enacted
<p>Specific objective (c),(d),(e), etc.</p>	<p>.....</p>	<ul style="list-style-type: none"> • •
<p>Strategic goal 1.3. Information management and research</p>	<p>To ensure that all information and data relevant to counter trafficking in human beings are available, accessible to all actors involved and exchanged regularly at both national and international level.</p>	<ul style="list-style-type: none"> • Per cent of key figures, for which full actual data are available. • Availability of regular reports with key data.
<p>Specific objective (a)</p>	<p>To establish a common definition of internationally compatible key figures/statistical categories on trafficking to be monitored at national level.</p>	<ul style="list-style-type: none"> • Existence of a list of key figures/statistical categories on trafficking
<p>Specific objective (b)</p>	<p>To establish a national central institution for the collection, analysis and distribution of all relevant information and data at national level</p>	<ul style="list-style-type: none"> • Existence of a central institution responsible for the collection, analysis and distribution of all relevant information and data at national level. • Availability of regular reports with key data. • Distribution lists
<p>Specific objective (c),(d),(e), etc.</p>	<p>.....</p>	<ul style="list-style-type: none"> • •

Strategic goal 1.4. Resource and budget mobilisation	To secure all resources necessary to implement the national anti-trafficking strategy and NAP	<ul style="list-style-type: none"> Yearly per cent of necessary resources for the implementation of the national anti-trafficking response.
Specific objective (a)	To have an overview of the total costs (material and financial) for the implementation of the national anti-trafficking strategy and NAP.	<ul style="list-style-type: none"> Existence of a yearly updated total resource plan for the implementation of the national anti-trafficking strategy and NAP
Specific objective (b)	To increase the special funding for the implementation of the NAP by various governmental institutions.	<ul style="list-style-type: none"> Yearly amount of special funding for activities undertaken in the framework of the national anti-trafficking response by each governmental institution.
Specific objective (c),(d),(e), etc. .....	.....	<ul style="list-style-type: none"> ..... .....
Strategic goal 1.5. Review, monitoring and evaluation	To continuously improve the national anti-trafficking response at both the strategic as well as the operational level and to adjust it to new requirements or changing situations.	Availability of an updated version of the national Anti-trafficking strategy and NAP every years.
Specific objective (a)	To ensure a systematic and continuous collection and analysis of all relevant information and data at operational and strategic level.	<ul style="list-style-type: none"> Existence of ToR for Monitoring. Monitoring foreseen in the NAP. Per cent of activities undertaken within the context of the NAP for which a written monitoring report is available
Specific objective (b)	To ensure a regular evaluation of all activities undertaken within the context of the NAP.	<ul style="list-style-type: none"> Existence of ToR for Evaluation. Evaluation foreseen in the NAP. Per cent of activities undertaken within the context of the NAP for which a written evaluation report is available.
Specific objective (c),(d),(e), etc. .....	.....	<ul style="list-style-type: none"> ..... .....
2. Prevention		
Strategic goal 2.1. Awareness raising and education	To raise the population's awareness towards migration realities and the risks associated with trafficking in human beings.	<ul style="list-style-type: none"> Programmes promoting safe migration Programmes promoting safe work in the country and abroad
Specific objective (a)	To raise the awareness of the general public towards human trafficking.	<ul style="list-style-type: none"> Number of media programmes, implemented information campaigns on the topic of human trafficking, etc.

Specific objective (b) Specific objective (c),(d),(e), etc.	To raise the awareness of groups at risk towards the dangers associated with trafficking	<ul style="list-style-type: none"> • Number of programmes, information campaigns, etc. targeting the risk groups • •
Strategic goal N° 2.2. Reduction of vulnerability	To reduce the vulnerability to trafficking and re-trafficking.	<ul style="list-style-type: none"> • Number of victims of trafficking
Specific objective (a)	To reduce poverty and unemployment	<ul style="list-style-type: none"> • Average net income per person. • Average net income per household. • Average unemployment rate.
Specific objective (b)	To promote gender equality, and decrease the discrimination of minority groups, children, migrants and other vulnerable groups	<ul style="list-style-type: none"> • Labour market participation of men and women. • Average income differences between men and women. • Average educational attainments of men and women. • Number of lawsuits based upon the Anti-discrimination law. • •
Specific objective (c),(d),(e), etc. .....	..... .....	..... .....
Strategic goal N° 2.3. Administrative control	To deter potential trafficking in human beings and to terminate actual exploitative trafficking situations through administrative measures.	Number of trafficking cases/trafficking related crimes found through administrative controls.
Specific objective (a)	To ensure the regulation and monitoring of all sectors of society that can be affected by trafficking.	<ul style="list-style-type: none"> • Existence of licensing systems for bridal, employment, tourist, escort, au pair and adoption agencies and construction firms. • Existence of codes of conduct for bridal, employment, tourist, escort, au pair and adoption agencies and construction firms.
Specific objective (b)	To ensure the enforcement of existing national labour market standards	<ul style="list-style-type: none"> • Yearly per cent of enterprises that are controlled by the labour market service

Specific objective (c),(d),(e), etc. .....	..... .....	..... .....
3. Support and Protection of Victims and Victim-Witnesses		
Strategic goal 3.1. Victim identification	To ensure the early identification of all victims of trafficking in the country	<ul style="list-style-type: none"> • Number of victims of trafficking identified. • Average duration of stay in the country of victims of trafficking before their identification. • Number of self-identifications. • Number of victims of trafficking identified by different actors.
Specific objective (a)	To improve the ability of law enforcement and other state and non-state actors to identify victims of all forms of trafficking.	<ul style="list-style-type: none"> • Number of self-identifications
Specific objective (b)	To facilitate the self-identification of victims of trafficking.	..... .....
Specific objective (c),(d),(e), etc. .....	..... .....	..... .....
Strategic goal 3.2. Reflection/stabilisation period and residence status	To ensure the legal stay of all (presumed) victims of trafficking in the country, irrespective of their willingness to co-operate with the authorities in criminal proceedings.	<ul style="list-style-type: none"> • Number of victims of trafficking who are granted a reflection period of at least three months in relation to the number of assisted victims of trafficking. • Number of victims of trafficking who are granted a temporary residence permit in relation to the number of assisted victims of trafficking
Specific objective (a)	To ensure the implementation of the respective laws/ regulations for the granting of a reflection period of at least three months to all presumed victims of trafficking	<ul style="list-style-type: none"> • Number of presumed victims of trafficking who are granted a reflection period of at least three months
Specific objective (b)	To ensure the implementation of the respective laws/ regulations for the granting of a temporary residence status following the reflection period to all identified victims of trafficking	<ul style="list-style-type: none"> • Number of identified victims of trafficking who are granted a temporary residence status following the reflection period
Specific objective (c),(d),(e), etc. .....	..... .....	..... .....
Strategic goal 3.3. Social support and protection of victims	To ensure the social support, assistance and protection of all victims of trafficking, irrespective of their willingness to co-operate with the authorities in criminal proceedings.	<ul style="list-style-type: none"> • Number of victims of trafficking not willing to testify who are receiving social support and assistance. • Number of victims of trafficking willing to testify who are receiving social support and assistance.

<p>Specific objective (a)</p>	<p>To ensure the implementation of the respective legal entitlements for the provision of all presumed victims of trafficking with the social, medical, psychological and legal assistance needed.</p>	<ul style="list-style-type: none"> • Number of presumed victims of trafficking being assisted. • Content of case records.
<p>Specific objective (b)</p>	<p>To ensure the physical safety of all victims of trafficking.</p>	<ul style="list-style-type: none"> • Number of reported incidents against victims of trafficking. • Existence of an individual safety plan for each identified victims of trafficking.
<p>Specific objective (c),(d),(e), etc.</p>	<p>.....</p>	<p>.....</p>
<p>Strategic goal 3.4. Access to civil procedures, witness protection and judicial treatment for victims of trafficking</p>	<p>To ensure the special protection of victims who want to appear as witnesses.</p>	<ul style="list-style-type: none"> • Per cent of victims-witnesses who are taken care of by means of a special witness protection scheme for victims of trafficking
<p>Specific objective (a)</p>	<p>To implement a special witness protection system for victims of trafficking who decide to appear as witnesses, for the time before, during and after the criminal proceedings</p>	<ul style="list-style-type: none"> • Existence of a special witness protection system for victims of trafficking. • Number of victims of trafficking who fall under the witness protection system.
<p>Specific objective (b), (c) etc</p>	<p>.....</p>	<p>.....</p>
<p>Strategic goal 3.5. (Re)-integration, social inclusion, return</p>	<p>To reduce the risk of victims of trafficking to be re-victimised and/or re-trafficked.</p>	<ul style="list-style-type: none"> • Per cent of victims of trafficking who have been trafficked for more than one time.
<p>Specific objective (a)</p>	<p>To establish appropriate, preferably voluntary, resettlement procedures for victims of trafficking</p>	<ul style="list-style-type: none"> • Existence of an individual risk assessment for each victim of trafficking.
<p>Specific objective (b)</p>	<p>To facilitate the (re)integration and social inclusion of victims of trafficking</p>	<ul style="list-style-type: none"> • Per cent of victims of trafficking who have a job one year after their (re)integration. • Per cent of victims of trafficking who have a functioning social network one year after their (re)integration.
<p>Specific objective (c),(d),(e), etc.</p>	<p>.....</p>	<p>.....</p>

4. Investigation and Prosecution of Trafficking in Human Beings

<p>Strategic Goal 4.1. Proactive and reactive investigation</p>	<p>To increase the application of proactive (intelligence led) re-active investigation techniques</p>	<ul style="list-style-type: none"> • Number of cases based upon evidence solely gathered by pro-active investigation techniques (without the testimony of a victim of trafficking).
<p>Specific objective (a)</p>	<p>To increase the knowledge and skills of law enforcement officers about intelligence-led investigation techniques and their importance for the investigation of trafficking cases.</p>	<ul style="list-style-type: none"> • Per cent of law enforcement officers with special training on the application of intelligence-led investigation techniques
<p>Specific objective (b)</p>	<p>To ensure the implementation of the respective laws/ regulations for the application of pro-active investigation techniques.</p>	<ul style="list-style-type: none"> • Number of cases in which pro-active investigation techniques are used to gather evidence
<p>Specific objective (c),(d),(e), etc.</p>	<p>.....</p>	<ul style="list-style-type: none"> • •
<p>Strategic Goal 4.2. International law enforcement and judicial cooperation</p>	<p>To increase the co-operation with other states and IOs in the field of law enforcement and judiciary.</p>	<ul style="list-style-type: none"> • Number of traffickers extradited. • Number of extradition requests granted/ refused. • Number of joint investigations with law enforcement bodies of other countries.
<p>Specific objective (a)</p>	<p>To ensure the implementation of the respective legal instruments for joint investigations with police and judiciary co-operation of other countries, including co-operation with EU-ROPOL, INTERPOL, etc.</p>	<ul style="list-style-type: none"> • Number of joint investigations with law enforcement bodies of other countries. • Existence of joint investigation teams.
<p>Specific objective (b)</p>	<p>To increase the ability of law enforcement and judiciary to co-operate with the respective authorities in other countries.</p>	<ul style="list-style-type: none"> • Per cent of law enforcement personnel with a good working knowledge of another language
<p>Specific objective (c),(d),(e), etc.</p>	<p>.....</p>	<ul style="list-style-type: none"> • •

<p>Strategic Goal 4.3. Prosecution and conviction of offenders</p>	<p>To increase the prosecution and conviction of people involved in trafficking in human beings</p>	<ul style="list-style-type: none"> • Number of arrests on grounds of trafficking or trafficking related crimes. • Number of prosecutions on grounds of trafficking or trafficking related crimes. • Number of convictions on grounds of trafficking or trafficking related crimes. • Average sentences on grounds of trafficking or trafficking related crimes. • Per cent of arrests that lead to a conviction.
<p>Specific objective (a)</p>	<p>To increase the knowledge of law enforcement and judiciary on all aspects of trafficking in human beings.</p>	<ul style="list-style-type: none"> • Per cent of the people working for law enforcement and judiciary who have received a special anti-trafficking training
<p>Specific objective (b)</p>	<p>To ensure the implementation of the respective laws/ regulations to criminalise all kinds of trafficking in human beings.</p>	<ul style="list-style-type: none"> • Number of prosecutions on grounds of trafficking or trafficking related crimes.
<p>Specific objective (c),(d),(e), etc.</p>	<p>.....</p>	<p>•</p> <p>•</p>
<p>Strategic Goal 4.4. Legal redress and compensation for victims</p>	<p>To ensure the compensation of victims of trafficking.</p>	<ul style="list-style-type: none"> • Existence of victim's compensation funds. • Per cent of victims of trafficking who have received compensation. • Per cent of victims of trafficking who have received information material about the possibilities of compensation
<p>Specific objective (a)</p>	<p>To ensure the implementation of the respective laws/ regulations to provide victims of trafficking with access to compensation from traffickers and/or state</p>	<ul style="list-style-type: none"> • Number of victims of trafficking who have received compensation
<p>Specific objective (b)</p>	<p>To raise the knowledge of the victims about the possibilities of compensation</p>	<ul style="list-style-type: none"> • Existence of information material. • Number of victims of trafficking who have received information material.
<p>Specific objective (c),(d),(e), etc.</p>	<p>.....</p>	<p>•</p> <p>•</p>

<p>Strategic Goal 4.5. Police and judicial treatment of victims/witnesses</p>	<p>To ensure the adequate and non-discriminatory treatment of victims by law enforcement and judiciary.</p>	<ul style="list-style-type: none"> • Number of victims of trafficking who report a discriminatory treatment.
<p>Specific objective (a)</p>	<p>To ensure an anti-discriminatory and human rights led approach of all actors dealing with victims of trafficking.</p>	<ul style="list-style-type: none"> • Per cent of people dealing with victims of trafficking who can describe the characteristics of a human rights led approach
<p>Specific objective (b)</p>	<p>To ensure that victims of trafficking are aware of their rights.</p>	<ul style="list-style-type: none"> • Existence of information material. • Per cent of victims of trafficking who have received information material. • Number of victims of trafficking who have received legal counselling
<p>Specific objective (c),(d),(e), etc.</p>	<p>.....</p>	<ul style="list-style-type: none"> • •
<p>Strategic Goal 4.6. Anti-corruption measures</p>	<p>To reduce the involvement of law enforcement and judicial authorities in trafficking in human beings.</p>	<ul style="list-style-type: none"> • Number of dismissals and disciplinary/ administrative sanctions in the law enforcement and judicial authorities because of the involvement in trafficking or trafficking related crimes. • Number of prosecutions and convictions in the law enforcement and judicial authorities because of the involvement in trafficking or trafficking related crimes.
<p>Specific objective (a)</p>	<p>To ensure the investigation of corruption at all state levels.</p>	<ul style="list-style-type: none"> • Number of corruption cases at different state levels.
<p>Specific objective (b)</p>	<p>To increase the transparency of the work of state actors.</p>	<ul style="list-style-type: none"> • Existence of a special investigative unit on anti-corruption. • Officially published organisation schemes with clearly defined competencies.
<p>Specific objective (c),(d),(e), etc.</p>	<p>.....</p>	<ul style="list-style-type: none"> • •

Annex 3

Template for National Action Plan

The NAP can be designed in a narrative form or using a table. Below is a template for table model. More detailed information can be found in ICMPD publication Guidelines for Development and Implementation of a comprehensive National Anti-Trafficking Response.

SPECIFIC GOAL	SPECIFIC OBJECTIVES	ACTIVITIES/ SUB-ACTIVITIES	ASSIGNED RESPONSIBILITIES	TIMELINE	FINANCIAL AND HUMAN RESOURCES	INDICATORS
1. Supporting Framework						
1.1. Coordination structure						
1.2. Legal and regulatory framework						
1.3. Information management and research						
1.4. Resource and budget mobilisation						
1.5. Review, monitoring and evaluation						
2. Prevention						
2.1. Awareness raising and education						
2.2. Reduction of vulnerability						
2.3. Administrative control						

3. Support and Protection of Victims and Victim-Witnesses			
3.1. Victim identification			
3.2. Reflection/stabilisation period and residence status			
3.3. Social support and protection of victims			
3.4. Access to civil procedures, witness protection and judicial treatment for victims of trafficking			
3.5. (Re)-integration, social inclusion, return			
4. Investigation and Prosecution of Trafficking in Human Beings			
4.1. Proactive and reactive investigation			
4.2. International law enforcement and judicial cooperation			
4.3. Prosecution and conviction of offenders			
4.4. Legal redress and compensation for victims			
4.5. Police and judicial treatment of victims/witnesses			
4.6. Anti-corruption measures			

Annex 4

SMART indicators for monitoring

In order to effectively monitor, review and/or evaluate the progress of projects, programmes, strategies and/or policies, it is essential to define success indicators. The indicators should help to verify that the intended change is reached. Each indicator chosen should follow the SAMRT rule:

S	<p>Specific</p> <p>Is the indicators specific and clear</p>
M	<p>Measurable</p> <p>Can the necessary information (quantitative or qualitative means verification) for this indicator be collected? Is there a source for the information needed? Are necessary resources to collect the information available or will it require too much time and skills to do so?</p>
A	<p>Actionable/ Achievable</p> <p>Will the indicator be achievable? Will it be possible to take action, if necessary, in response to the information that the indicator provides? Will the indicator give enough information to make an appropriate decision?</p>
R	<p>Relevant</p> <p>Will the indicator provide information that is relevant and necessary for decision-making about the project/programme/strategy/policy, or will it give information that is just “nice to have”?</p>
T	<p>Time-bound</p> <p>Will the indicator tell what we need to know at the right time? Is the data to measure an indicator collected frequently enough to enable timely decisions?</p>

