

REPUBLIC OF PALAU
STANDARD OPERATING PROCEDURES
FOR THE IDENTIFICATION AND REFERRAL OF
VICTIMS OF TRAFFICKING AND POTENTIAL
VICTIMS OF TRAFFICKING; AND INVESTIGATION
OF TRAFFICKING CASES



ADOPTED BY THE ANTI-HUMAN TRAFFICKING WORKING GROUP
DURING THEIR REGULAR MEETING ON FEBRUARY 16, 2023

FOREWORD:

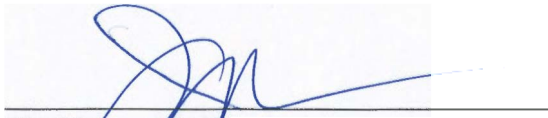


Human trafficking is one of the most serious crimes occurring in our society today. This worldwide phenomenon, also known as modern-day slavery, deprives victims of their most basic human rights. The victims are exploited and compelled to provide labor or sexual services, through various coercive practices so that the traffickers can benefit financially or otherwise. The exploitation can come in various forms such as sexual assault, force, intimidation, or threats of violence to the victims and/or their family members.

Human trafficking is not an isolated problem that only occurs in faraway destinations on the other side of the world. It is also occurring here in the Republic of Palau. Palau has been identified as a transit and destination country for victims of human trafficking. Although people of all backgrounds can fall victim to the crime of human trafficking, traffickers tend to prey on the most vulnerable in our society.

The Government of the Republic of Palau enacted the Anti-People Smuggling and Trafficking Act and the Labor Trafficking Act to combat trafficking in the country. The government adopted this SOP as part of its continuing commitment to protect those in our community who may be vulnerable and preyed upon as victims of trafficking. The SOP is intended as a tool of reference for the systematic investigation of cases of human trafficking as well as providing necessary protection and assistance to victims.

Reviewed and Endorsed By:


The Honorable J. Uduch Sengebau Senior
Vice President and Minister of Justice

Dated: February 16, 2023


Ismael N. Aguon
Director, Bureau of Public Safety

Dated: 2/16/2023

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ACRONYMS:

1. AHTO/U – Anti-Human Trafficking Office/Unit
2. TIP Trafficking in Persons
3. TVPA – Trafficking Victims Protection Act
4. MOJ – Ministry of Justice
5. MOF – Ministry of Finance
6. MHHS – Ministry of Health and Human Services
7. IOM – International Organization for Migration
8. OAG – Office of the Attorney General
9. MHRCTD – Ministry of Human Resources, Culture, Tourism, and Development
10. SOP – Standard Operating Procedures
11. MLSC – Micronesian Legal Services Corporation
12. DBH – Division of Behavioral Health
13. DES – Division of Employment Services
14. BPS – Bureau of Public Safety
15. OLC – Office of Labor Compliance
16. BNH – Belau National Hospital
17. CHC – Community Health Centers
18. VOT- Victim of Trafficking
19. CA – Competent Authority
20. VA – Victim Advocate
21. SW – Social Worker
22. CM – Case Manager
23. VOCA – Victims of Crime Advocate

TERMINOLOGY AND WORKING DEFINITIONS

Assistance and protection: Measures, programs and services aimed at the recovery of trafficked persons as outlined in Article 6 of the Palermo Protocol. These may be offered by non-governmental, governmental or international organizations in countries of destination, transit and origin. These might include but are not limited to accommodation/housing, medical care, psychological assistance, education, vocational training, employment, legal assistance and transportation. Assistance may involve one or multiple services.

Abuse of vulnerability: Refers to any situation in which the person involved has no real and acceptable alternative but to submit to exploitation. This is to acknowledge that many trafficked persons are under the influence of individuals to whom they are vulnerable; for example, a person holding a position of official authority or a parent or a spouse. A vulnerable person can be any person who is in the Republic of Palau illegally or without proper documents; a pregnant person; a person with a disability; a person addicted to a drug or other substance; or a child.

Assisted victim: A person who has been identified as a victim of trafficking and who has agreed to accept assistance from a non-governmental, governmental, international, or other relevant organization.

Beneficiary: Is the victim that benefits from the social services offered by the state or by any organization authorized by the state.

Child / Child Victim: Anyone under 18 years of age.

Children without care: This category includes all the children that are without parental care for any reason.

Civil Society: Includes the institutions and social organization, which protects and overtake action on behalf of and for the interest of the society, in accordance with the state institutions, organizations and family. Civil society includes non-governmental organization, cultural, sports and social clubs, political organizations, media, civil groups and religious institutions.

Child: A person under of 18 years of age.

Child labor: Includes all forms of slavery or practices similar to slavery trafficking a child for the purpose of engaging in work away from home and from the care of the child's family, in circumstances within which the child is exploited.

Coercion: Violent or non-violent force that makes a person believe that if they do not provide a service or labor, they or someone close to them will suffer serious harm. This may be by threatening to or actually harm or misuse of the legal process.

Debt bondage: A person forced to work because their services have been promised as a surety for a debt. The services can be promised by the person doing the work or by another person. This definition applies where the debt is one which is obviously too high; where the value of the services on reasonable assessment is not used to pay the debt or alleged debt; or where the length and nature of service are not defined or restricted

Exploitation: Practices such as slavery and actions similar to slavery, debt bondage or forced marriage, sexual exploitation, servitude, forced labor, child labor, and removal of body parts. Forced labor: Labor undertaken against the will of the laborer, either as a result of threats, physical violence, intimidation or physical detention.

Identified victim: A person who has been identified as a victim of trafficking according to a formal or informal identification mechanism.

Immigration officer: Includes the Chief Immigration Officer and all other immigration officers.

National referral mechanism or system: This refers to national level mechanisms which are in place to identify, return and assist victims of trafficking. These exist in countries of transit, destination and origin and refer to the full process of national level referral from initial identification to assistance and protection involving cooperation between different government institutions and non-governmental actors. This may involve one or all of these steps.

Police officer: A person who is a sworn member of the Republic of Palau Bureau of Public Safety.

Practices similar to slavery: Debt bondage, servitude, institutionalized forced marriage on payment to parents or guardians, widow inheritance or delivery of children to third parties by a parent or guardian so that the child is exploited.

Premises: Buildings and cars or other moveable shelters.

Presumed victim: Persons who are presumed to be victims of trafficking (having met the criteria of the UN trafficking protocol) but who have not been formally identified by the relevant authorities or have declined to be formally or legally identified. In some countries, this category of persons is referred to as ‘potential victim’; however, in this document potential victim has a different meaning. Please see the definition of “potential victim” above.

Recovery: The process by which victims are stabilized and their well-being restored psychologically, socially, and physically.

Reintegration/integration: Reintegration or integration of victims of trafficking is focused on reuniting the individual with her/his family or community or on integrating the trafficked person into a new community. Beyond the physical act of returning, it involves unification with the individual’s social environment and is intended as a long-term socio-economic solution.

Return: To return to one’s country and/or community of origin. In the context of anti-trafficking work, return involves not only the physical transportation of the victim but also mechanisms to ensure that the return is safe and dignified.

Service Providers: Are the organizations that offer services and assistance to victims of trafficking. Service providers can be social workers, medical staff, legal staff, NGOs, and staff from other community-based and faith-based organizations.

Servitude: Forcing someone to perform labor or provide services, through any means, because they believe that if they do not then they or someone else will suffer serious harm.

Sexual exploitation: Forcing someone into prostitution and other sexual acts through coercion, intimidation, and other non-voluntary methods.

Shelter/residential facilities: Premises that provide temporary and more permanent accommodation for trafficking victims. Shelters may be both open or closed; offer short- or long-term stay; and/or be tailored to emergency response or reintegration support

Social services : Are all the services offered to the victims and to the beneficiary groups, that they are not able to handle themselves, with all the resources they have, for the protection, development, and overpassing of their emergency or chronical needs.

Slavery: Having control of a person so that the person is regarded as property.

Trafficking: Recruiting, transporting, transferring, harboring, or receiving a person within or across the Republic of Palau borders by means of abduction, threats, coercion, fraud, deception, or illegal adoption of children, by destroying or denying access to identity or travel documents, by threatening to abuse the legal system or some other form of power, or by giving or receiving payments to achieve consent, for the purpose of exploitation.

Trauma-informed approach - A trauma-informed approach is an approach which: (1) recognizes the signs and symptoms of trauma in trafficking victims; (2) responds by fully integrating knowledge about trauma into policies, procedures, and practices; and (3) seeks to actively resist re-traumatization.

Unaccompanied children: Are those children identified without parental care or identified by someone else authorized to accompany them in the identification place.

Victim: A person who has been exploited and has suffered a loss of fundamental rights and psychological or physical harm as a result of being trafficked.

Victim Advocate(VA): Is the official from the sector for protection and assistance to the victims, helping the victims in protecting their rights.

Victim-centered approach - The focus is on the needs and concerns of victims of human trafficking to ensure the compassionate and sensitive delivery of services in a nonjudgmental manner. The victim-centered approach places just as much value on the identity and stabilization of victims as it does on the investigation and prosecution of traffickers.

Victim/trafficked person: For many people, the term ‘victim’ implies powerlessness and constructs identity around the individual’s victimization. At the same time, from a human rights framework, the term ‘victim’ is important as it designates the violation experienced and the responsibility for redress. It is for this reason that the term ‘victim’ is used in this report. The term ‘trafficked person’ is also used because it too acknowledges that person’s trafficking experience as central and in need of redress. Both terms designate persons who qualify as victims of trafficking in accordance with Article 3 of the UN Protocol and/or according to relevant national legislation.

Witness protection: The range of security measures needed to assure the safety of witnesses in legal proceedings. Witness protection may be offered, before, during and/or after the legal proceedings and may include any single or combination of measures that are geared toward assuring the safety and security of the witness and his/her family.

CHAPTER 1 - THE PURPOSE OF STANDARD PROCEDURES FOR THE IDENTIFICATION AND REFERRAL OF VICTIMS OF TRAFFICKING

The government through a Presidential Executive Order established a national Anti-Human Trafficking Office in 2018 to coordinate national efforts to combat human trafficking and implement the Anti-Human Trafficking National Plan. In 2021, the Ministry of Justice was reorganized through Executive Order 444. Pursuant to this Order, the Anti-Human Trafficking Office was renamed the Anti-Human Trafficking Unit (AHTU) under the Division of Transnational Crime in the Bureau of Public Safety. One of AHTU's objectives is to develop a guideline on the proactive identification of victims of trafficking and making referrals to protection services. This guideline is in the form of standard operating procedures (SOPs).

The main purpose of the Standard Operating Procedure (SOPs) for the Identification and Referral of Victims of Trafficking or Potential Victims, and Investigation of Trafficking Cases, pursuant to the NAP, is the identification and referral at the appropriate time and manner of victims of trafficking, adult or child, for all kinds of exploitation, domestic or international trafficking, related or not to organized crime and the investigation of such matters according to procedures outlined in the SOPs. The identification and referral of victims of trafficking according to procedures in this document are done for the main purpose of protection and provision of assistance and are expected to have a considerable impact on the other three pillars of the fight against trafficking in persons, that of prevention of trafficking, punishment of traffickers, and partnership among anti-human trafficking stakeholders.

The focus of this SOP is to ensure a victim-centered, trauma-informed, and multidisciplinary approach to all human trafficking cases is practiced, which in turn not only prioritizes the well-being of victims but increases the probability of victim cooperation to secure convictions of human trafficking cases. The procedures envision situations in which our country, or certain areas of the country, are used or may be used as places for recruitment, transiting, and destination for the exploitation of trafficked persons. The procedures presume a multi-disciplinary intervention and it is expected that the drafting and implementation of procedures will help contribute to a functional identification and referral system for victims of trafficking, adults, and children, in need of care and protection, and cases are investigated using systematic procedures.

CHAPTER 2 - GENERAL PRINCIPLES SUPPORTING STANDARD OPERATING PROCEDURES FOR THE IDENTIFICATION AND REFERRAL OF VICTIMS OF TRAFFICKING

- Human trafficking violates the human rights of a person.
- Every victim's experience is unique, and human trafficking cases encompass a wide spectrum of exploitation and often rise to the level of modern-day slavery.
- Every person has the right to be free of labor/sexual exploitation in all of its forms.
- Victims of human trafficking are victimized by the use of force, threat of force, fraud, or coercion.
- The intersections of oppression, past trauma, gender, immigration status, disability, history of abuse, economic status, ethnic background, sexual orientation, age, etc. along with barriers to accessing services after they have been trafficked increase the vulnerability of potential victims of trafficking.
- Many conditions foster human trafficking, including poverty, forced migration, racism, sexism, homophobia, xenophobia, and classism.
- Individuals alone cannot end the conditions that promote human trafficking, and a broad community response is necessary to make a substantive social, systemic, and institutional change.
- No anti-trafficking measure shall adversely affect the human right and dignity of persons, in particular, the rights of those persons who have been trafficked.
- The identification of victims of trafficking shall be done not as a goal in itself but to help and protect them.
- Any person who is suspected to be a victim of trafficking in human beings shall be treated as a victim. If the application of procedures finds that he/she is not a victim of trafficking in human beings, but is nevertheless a victim of another penal offense, or is a person in need of help, these needs shall not be ignored, but these persons shall be granted appropriate assistance and shall be referred to services that can meet their needs.
- The implementation of procedures for the identification, referral, and assistance to victims of trafficking shall be carried out without any discrimination based on race, color, language, faith, political or other beliefs, social background or nationality, property, birth, or any other status.
- Assistance for and protection of trafficked persons shall not be conditioned by their cooperation with the justice system to prosecute trafficking cases.
- Trafficked persons shall be protected by relevant bodies from further exploitation and harm and shall be granted assistance in appropriate care services.

CHAPTER 3 - KEY GUIDING PRINCIPLES OF COUNTER-TRAFFICKING AND VICTIM PROTECTION/ASSISTANCE

<p>Rights-based approach</p> <p>The rights-based approach to human trafficking places the victim/survivor at the center of any assistance or support. Services should be provided to all victims of trafficking without any discrimination or prejudice.</p>	<p>Gender-sensitivity</p> <p>The gender-sensitive approach recognizes and respects the different experiences and needs that men and women have as a result of trafficking.</p>	<p>“Do No Harm” approach</p> <p>The Do No Harm approach in counter-trafficking and victim protection considers and minimizes harmful consequences on the rights and safety of intended beneficiaries, preventing re-victimization.</p>
<p>Individualized Care</p> <p>Services provided to victims/survivors should be tailored to the extent possible, recognizing their unique experiences, vulnerabilities, and needs. This will include ensuring that services are age-, Gender-, and culturally appropriate, and provided in a preferred language.</p>	<p>Continuum of care</p> <p>All identified needs of victims/survivors, at different stages, should be met through comprehensive service delivery. This requires a strong case management system in place where relevant services are mapped and service delivery is traced and monitored.</p>	<p>Confidentiality, privacy, and data protection</p> <p>Disclosure of personal data can only be done with the consent of victims/survivors. (Except when the disclosure is to prevent harm to them). The victim/survivor should be informed prior to the disclosure of information.</p>
<p>Child-centered assistance</p> <p>Services provided to child victims/survivors should be based on the best interests of the child. Services provided should be age-appropriate and child-friendly.</p> <p>People with disabilities</p> <p>Services provided to people with disabilities should recognize the discrimination and barriers persons with disabilities face during migration or displacement.</p>	<p>Informed Consent</p> <p>Before receiving services, victims/survivors should freely give their consent with the knowledge of potential risks and benefits. During this process, service providers should clarify and restate information and document the consent of victims/survivors.</p> <p>Based on the full understanding, victims/survivors should be able to make choices and participate in decision-making regarding their protection and assistance.</p>	<p>Barrier-free access</p> <p>Services provided should be available in sufficient quantity and quality, be physically accessible, and not present any safety/security concerns. Barriers (physical, financial, sociocultural, linguistic, and security) should be identified and rectified to ensure that services provided are barrier-free.</p>

CHAPTER 4 - LEGAL FRAMEWORK

LEGISLATIVE AND POLICY FRAMEWORK FOR COUNTER-TRAFFICKING IN PALAU

International

- United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children
- International Covenant on Civil and Political Rights
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention on the Rights of the Child
- ILO Convention No 182 on the Elimination of the Worst Forms of Child Labor of 1999
- International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families

National

- The Constitution
 - The Anti-People Smuggling and Trafficking Act
 - The Citizenship Act
 - The Labor Trafficking Act
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Palau is a state party to the UN Convention against Transnational Organized Crime (UNTOC) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (also known as the TIP Protocol). As the first international legally binding instrument dedicated to human trafficking, the TIP Protocol sets forth State responsibilities to protect and assist victims of trafficking with full respect for their human rights. Furthermore, Palau is a State party to several international human rights treaties that are relevant to the protection of trafficking victims and countering the crime.

Palau's national legal and regulatory regime for countering human trafficking consists of the following legal documents:

- **The Constitution** provides an overarching legal framework for addressing human trafficking and the associated forms of exploitation.
- ***The Anti-People Smuggling and Trafficking Act*** prohibits and penalizes different forms of trafficking and other trafficking-related activities.
- ***The Citizenship Act*** regulates the recruitment and employment of non-resident workers and is overseen by the Bureau for Customs, Immigration, and Bio Security
- ***The Labor Trafficking Act*** prohibits and penalizes different forms of labor trafficking.

Palau's Penal Code criminalizes different forms of trafficking and related criminal offenses as stipulated in the following Sections:

- §2106: people trafficking (max US \$250,000 in fines and/or 25 years of imprisonment)
- §2108: exploitation of a trafficked person (max. US \$50,000 in fines and/or 10 years of imprisonment)
- §2107: child trafficking (max. US \$500,000 in fines and/or 50 years of imprisonment)
- §2002: labor trafficking in the first degree (max. US \$50,000 in fines and/or 25 years of imprisonment)
- §2003: labor trafficking in the second degree (max. US \$25,000 in fines and/or 10 years of imprisonment)
- §2103: people smuggling (max. penalties of US \$25,000 in fines and/or 10 years of imprisonment)
- §2014: aggravated people smuggling offense (max. US \$50,000 in fine and/or 15 years imprisonment)
- §2006: non-payment of wages (US \$2,000 to 10,000 in fine)

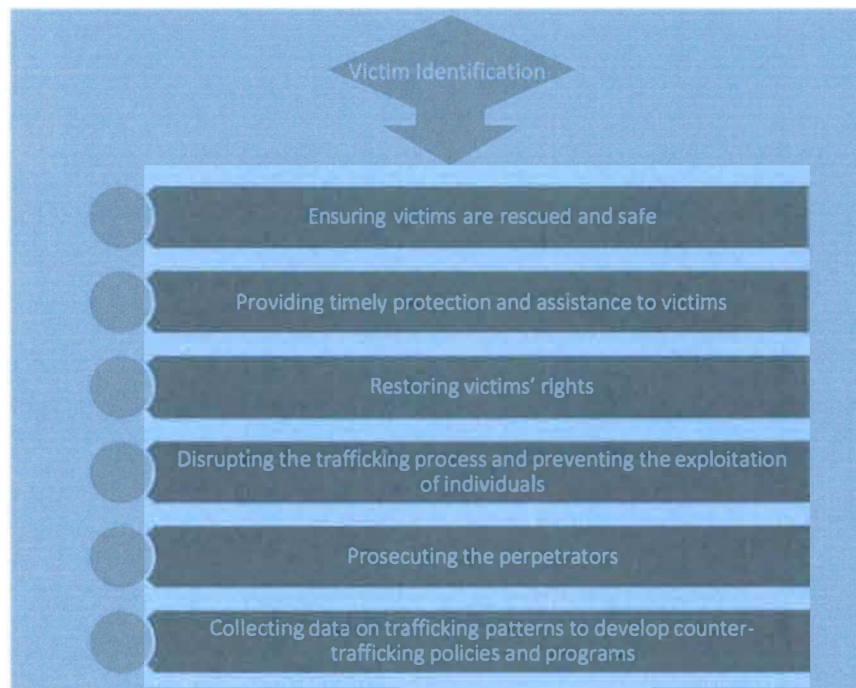
CHAPTER 5 SOPs - IDENTIFICATION

I. WHAT IS THE IDENTIFICATION STAGE?

Overview

The early identification of trafficked persons is a prerequisite for their recognition as victims and, consequently, their access to assistance and protection. The identification of victims is also one of the greatest challenges for law enforcement in human trafficking cases. Identification of victims of trafficking can occur as a result of reactive investigations following direct reporting by a victim, his or her family, or others. Identification can also occur proactively, as a result of police or other actors – such as border and labor officials – carrying out investigations and being equipped to identify victims of trafficking in the course of their work. Yet, in trafficking cases, victims rarely self-identify. As such, it is important for law enforcement to proactively seek out victims, using various indicators of human trafficking. Ultimately, the goal of the identification is to ensure that the individual reaches appropriate support services in the safest and most appropriate way. The goals of victim identification are referenced below in Figure 5.1.

Figure 5.1



The Identification Stage includes an identification and screening process which consists of the following procedures:

Figure 5.2 The identification and screening process includes Steps A-E:



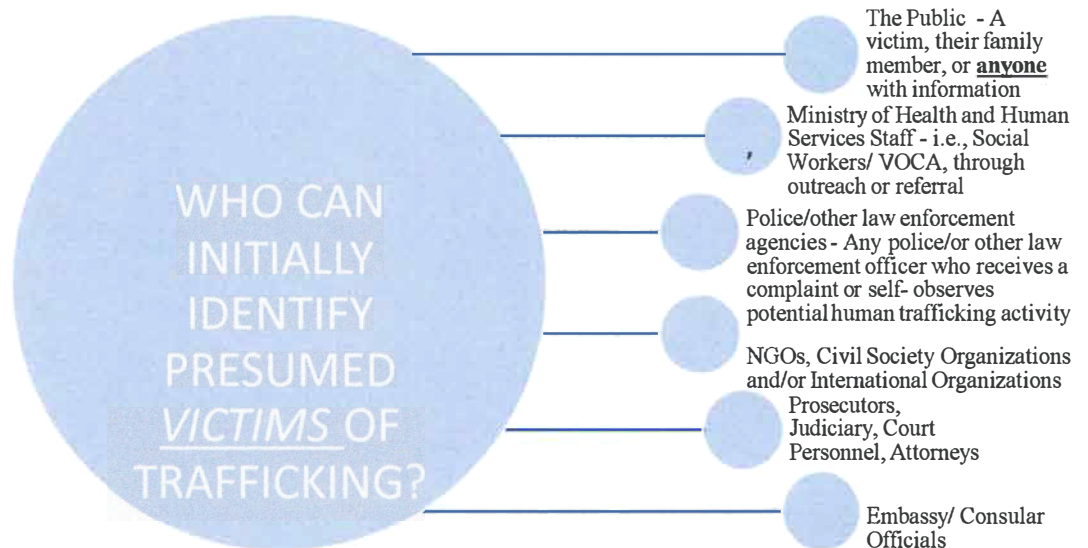
A. FIRST CONTACT WITH THE PRESUMED VICTIM

At the point of first contact with law enforcement (or other **First Responders*), a key objective is to consider whether a person might be a victim of trafficking and in need of initial assistance and protection. First Responders include Police, Labor, Immigration, Customs, Public Health personnel, and other Service Providers. It is important to note that trafficking victims may initially be brought to the attention of First Responders by a wide variety of stakeholders, including:

- a.) Palau Anti-Human Trafficking Unit hotline
- b.) The victim her/himself
- c.) Another trafficked person
- d.) Family members or acquaintances
- e.) Private citizens
- f.) Non-governmental organizations or international organizations
- g.) Public Authorities such as labor, immigration, health, and social welfare
- h.) Faith-based organizations and other community organizations
- i.) Attorneys
- j.) Transportation personnel

- k.) Embassy or Consular officials
- l.) Members of the business community
- m.) Anyone with relevant information

Figure 5.3



The Role of First Responders *after* a presumed trafficking victim is brought to their attention:

Based on an initial rapid screening, the First Responders shall complete a standard referral form and send the form to the Competent Authority (the Anti-Human Trafficking Unit) for review and confirmation. (See Referral Form attached as Annex # IV). If warranted and safe, the presumed victim should be rescued by law enforcement and then offered and provided with emergency services. (The victim's informed consent is needed prior to the provision of emergency services).

*Note: In addition to the above steps, the Office of Labor Compliance and AHTU shall follow the procedures contained in the Memorandum of Understanding (MOU) regarding the referral of trafficking cases, which was signed by AHTU and Labor on December 16, 2021. A copy of the MOU is attached to this SOP as Annex # XII.

B. SIGNS AND INDICATORS OF HUMAN TRAFFICKING

Indicators are signs that suggest a case might be one of human trafficking. There are many indicators of trafficking. Some are obvious, visible signs expressed or displayed by the victim. Other indicators are less obvious and might not reveal themselves until a later stage of the investigation. Every trafficking situation is different and therefore the indicators also differ.

Note: The presence of one or more indicators DOES NOT confirm that an individual is a victim of trafficking. It simply means that additional screening will be required.

In general, people who have been trafficked may show the following signs:

<ul style="list-style-type: none"> • Show signs that their movements are being controlled • Believe that they must work against their will • Feel that they cannot leave • Show fear or anxiety • Be subjected to violence or threats of violence against themselves or against their family members and loved ones • Suffer injuries that appear to be the result of an assault • Suffer injuries or impairments typical of certain jobs or control measures • Suffer injuries that appear to be the result of the application of control measures • Be distrustful of the authorities • Be threatened with being handed over to the authorities • Not be in possession of their passports or other travel or identity documents, as those documents are being held by someone else • Have false identity or travel documents • Be found in or connected to a type of location likely to be used for exploiting people • Be unfamiliar with the local language • Not know their home or work address • Allow others to speak for them when addressed directly 	<ul style="list-style-type: none"> • Act as if they were instructed by someone else • Be forced to work under certain conditions • Be disciplined through punishment • Be unable to negotiate working conditions • Receive little or no payment • Have no access to their earnings • Work excessively long hours over long periods • Not have any days off • Live in poor or substandard accommodations • Have no access to medical care • Have limited or no social interaction • Have limited contact with their families or with people outside of their immediate environment • Be unable to communicate freely with others • Be under the perception that they are bonded by debt • Be in a situation of dependence • Come from a place known to be a source of human trafficking • Have had the fees for their transport to the country of destination paid for by facilitators, whom they must pay back by working or providing services in the destination • Have acted on the basis of false promises • Be afraid of revealing their immigration status
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Signs and Indicators by Different Types of Exploitation

There are indicators that are very specific to certain forms of exploitation associated with trafficking in persons. The following indicators relate to specific forms of exploitation that are listed in the UN Trafficking Protocol. As the list of exploitation types in the Criminal Code is non-exhaustive, indicators of some other forms of exploitation increasingly encountered in practice are also set out below. It is important to remember that the victim's relationship with their employer is not relevant and does not affect the culpability of the employer.

Victims of sex trafficking	Are of varied age and gender
	Work as prostitutes or escorts in massage parlors
	Cannot refuse unprotected or violent sex
	Have a pimp or madam
	Dress inappropriately for the venue or weather/clothing is associated with sex work
	Show signs of physical or substance abuse
	Are malnourished
	Have tattoos or other marks of ownership
	Work long hours/have no days off and sleep where they work
	Live or travel in groups
	Have no access or control over the money they make
Victims of labor trafficking	Are hired on false promise or job
	Are in debt bondage situation with the employer
	Live with multiple people in a cramped environment
	Work in sectors commonly associated with trafficking
	Have no access to basic services, such as food, clothing, health and hygiene materials
	Have no access or control over resources
	Work excessive hours/no days off
	Have controlled movement and unable to leave freely
	Are subjected to verbal or physical abuse, violence and threats from the employer.
Victims of domestic servitude	Live with a family, but do not eat with them or are given leftover food to eat
	Sleep in shared places or inappropriate locations (e.g. storeroom or kitchen)
	Are unable to move freely and have restricted communication with family and friends
	Are subjected to verbal and physical abuse, insults and threats
	Are subjected to sexual abuse or violence while in the home

***PRE-INTERVIEW CONSIDERATIONS (AFTER IDENTIFICATION OF INDICATORS BUT BEFORE THE IN-DEPTH SCREENING INTERVIEW IS CONDUCTED)**

Initial screening at the point of first contact may be hampered by communication challenges due to language and cultural barriers, as well as issues relating to gender. Also, presumed victims of trafficking may be in imminent danger or in need of urgent medical treatment or other assistance. Ensuring their immediate safety is the key priority at the point of first contact. When initial contact is made with the victim, the following steps shall occur:

- (1.) Introductory Information-sharing: providing basic information to and inquiring about urgent needs of a suspected victim; responding to expressed concerns and/or emergency needs. At all stages, those individuals questioning and interviewing child victims should be careful to tailor their language to suit the developmental abilities of the child.
- (2.) Early risk assessment: reviewing possible risks and securing the immediate safety for the suspected Victim of Trafficking. Authorities shall do the following:
 1. Assess risk of imminent or future harm to the individual by traffickers or others;
 2. Assess the need for emergency or urgent medical care or other pressing support needs; and
 3. Determine, collaboratively, the next steps to assure the safety and well-being of the individual.
- (3.) Language and Interpretation: Before any identification process can begin, it is necessary to establish whether an individual requires and wants to speak through an interpreter or have one present. Interpreters should be screened and selected carefully. Under NO circumstances should organizations rely on individuals who are found with the victim or in the same work venue to interpret for a reported victim – even if they claim to be a friend, family member, etc.
- (4.) Identification of Child Victims: Although a child victim may come to the attention of authorities and service providers by any of the means listed above, in the case of older teenagers, part of the challenge in identifying a child as a victim of trafficking is establishing whether they are indeed children who are under 18, or in fact older adults.

In cases where there is uncertainty as to the age of an individual, to assess whether a young person who has been trafficked or is being exploited or might be a victim of trafficking, is indeed aged fewer than 18, the first three indicators should be:

- (i.) The physical appearance of the young person concerned and his/her psychological maturity;
- (ii.) The young person's statements;
- (iii.) The documentation which she or he is carrying or, indeed, their lack of a passport or other documentation.

If none of these measures can assist in definitively identifying the age of a victim/suspected victim than authorities and service providers must presume that the victim is a child, and provide the relevant protection and assistance measures accordingly, until final evidence is produced regarding the individual's age. Further measures to establish an individual's age may include the beginning of contacts

with the embassy and central authorities of the victim's presumed state of origin, but these measures must not be taken until a case manager has been appointed for the child.

Notification of National Body Responsible for Child Protection Authorities

In the case of child victims, or suspected child victims, the initial notification must also be to the national body responsible for child protection (The Division of Human Services). Regardless of who first identifies a child victim, the obligation to inform the relevant child protection authorities and arrange for the appointment of a case manager is paramount and must take place before any other measures are implemented.

As soon as a child is identified as a probable victim of trafficking or there are reasonable grounds to believe that the person is a child and a victim of trafficking, a case manager should be appointed to accompany the child throughout the entire process until a durable solution in the best interests of the child has been identified and implemented. If possible, the same person should be assigned to act as case manager throughout the entire process.

A case manager should be appointed for the child victim. In order to carry out their role effectively, the case manager should ideally have relevant childcare expertise and an understanding of the special and cultural needs of separated children as set forth below:

- An understanding of the experience that children who have been trafficked or subjected to commercial sexual exploitation are likely to have undergone;
- An understanding of the special rights and needs of children who have been trafficked;
- An understanding of the particular and cultural needs of unaccompanied children; and
- An understanding of gender issues.

*** The Role Of The Competent Authority (The Anti-Human Trafficking Unit) After Receiving Referrals From First Responders But Prior To Conducting The Full Screening Interview**

The AHTU is the competent authority with the responsibility to investigate human trafficking matters in Palau. As the competent authority, AHTU shall have the sole authority to confirm a person's status as a 'trafficking victim', which then entitles the victim to special assistance (including shelter, medical, psychosocial support, etc.). **Prior to conducting a full screening interview** to determine if the individual is a trafficking victim, AHTU shall first conduct a Risk Assessment to determine the risks faced by the victim (See Victim Assessment Form attached as Annex # II). AHTU shall also consult with the First Responders who provided the referral to obtain additional information if necessary.

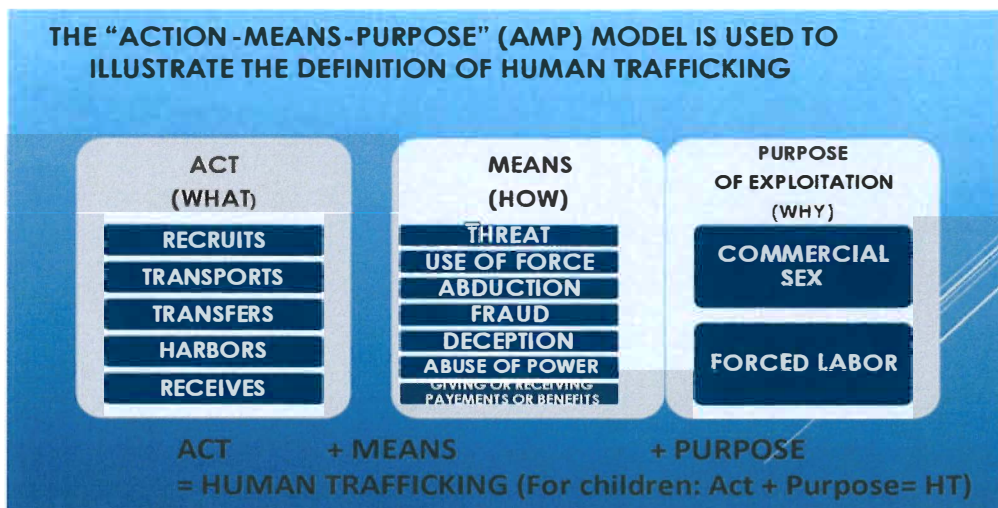
C. THE COMPETENT AUTHORITY (the Anti-Human Trafficking Unit) SHALL CONDUCT AN IN-DEPTH SCREENING INTERVIEW

When the person is suspected and presumed to be a victim of trafficking, the Competent Authority (AHTU) should conduct an in-depth screening interview to verify that the person is a victim of trafficking. The interview should be conducted when it is safe to do so and in accordance with the interview guidelines set forth in this SOP. Screening is aimed at helping law enforcement agencies:

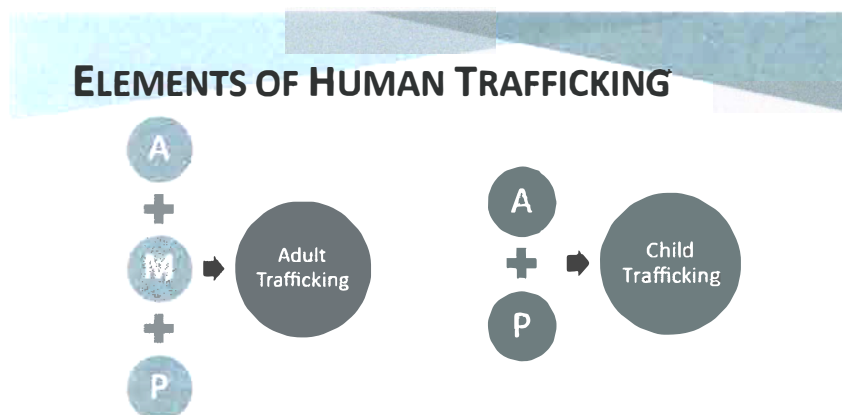
- Separate victims of trafficking from victims of other offenses, including smuggling, irregular migrants or other victims.
- Respond appropriately and sensitively by rescuing and offering timely protection and assistance to victims.
- Make appropriate referrals for services.

Assess Case Credibility

Preliminary Screening- The victim will be asked to provide basic demographic details, such as age, sex and nationality. The victim will also be asked about their trafficking experience. The interview should focus on gathering information on the presence of A-M-P elements, including the recruitment, transportation, and exploitation phases of the trafficking experience. The purpose of these questions is to ensure that all relevant elements of trafficking are evident (act, means and purpose for adult; and act and purpose for minors). It is ideal that screening interviews are facilitated by a standardized set of tools, which allow officers to extract critical information and determine victimization in a systematic manner. A victim screening tool must contain basic victim background and demographic information, case and interview data, and consent declaration. (See Appendix # I for Victim Identification Tool).



TRAFFICKING OF CHILDREN		
<p>The element of means is not necessary in child trafficking cases.</p>	Activities (What)	Purpose/Intent (Why)
	<ul style="list-style-type: none"> • Recruitment • Transportation Transfer • Harboring • Receipt of person 	<ul style="list-style-type: none"> • Prostitution of others or other forms of sexual exploitation • Forced labor and services



D. COLLECT ANY ADDITIONAL EVIDENCE & CONSIDER ALL GATHERED EVIDENCE

At this stage, law enforcement officers evaluate whether the person is a victim of trafficking by thoroughly evaluating the entirety of the gathered evidence, including the prima facie indicators, screening interviews, and any other additional evidence. Additional evidence may include, but not be limited to police or other official reports, identify documents, travel documents, medical reports, copies of employment contracts, recruitment offers, personal writings by the alleged trafficker, AHTU or Office of Labor Compliance hotline reports, information from social media, cell phone records, photographs, videos, audio recordings, among other items.

When making an assessment as to whether an individual is a victim, all that is required is reasonable grounds, not absolute proof. In some cases, it will be clear from the available information that a person is a victim. In others, the situation will be less certain. In these cases, the person should be given the

benefit of the doubt until their status can be clarified by further inquiries. It is generally easier to revoke a person's victim status if and when more information comes to light than to attempt to give them victim status retrospectively at a later date. Victims who are not identified as such may face prosecution for offenses committed during their exploitation, and those of them who are irregular migrants may face deportation to their home countries. Others may fall back under the control of traffickers or, for one reason or another, become inaccessible to those wishing to offer them assistance.

E. FINAL ASSESSMENT OF ALL GATHERED EVIDENCE

After considering all evidence, the officers should make a final assessment as to whether the person is a victim of trafficking and make the necessary referrals to AGO, SP, MLSC, and/or other agencies as warranted. On the basis of the evidence gathered during AHTU's investigation, AHTU shall either (i) dismisses the case as unfounded and refers the individual accordingly; (ii) verifies the individual's status as a victim of trafficking and refers the case to the AGO or SP for consideration and also to MLSC should the victim wish to file a civil claim; (iii) verifies the individual's status as a victim of trafficking and confirms a defined period of assistance in-country but no referral is made to the AGO or SP.

***Reflection and recovery:** If the individual is determined to be a trafficking victim, s/he shall be offered a 30-day reflection and recovery period. The initial 30-day recovery period can be extended as needed and such determinations shall be made on a case-by-case basis. The 30-day recovery and reflection period should be offered to victims in order to give them time to recover and stabilize. The reflection period should be granted to any person (if they so request) who is suspected to be a victim of trafficking regardless of their willingness to cooperate as a witness and regardless of whether or not the perpetrators are prosecuted.

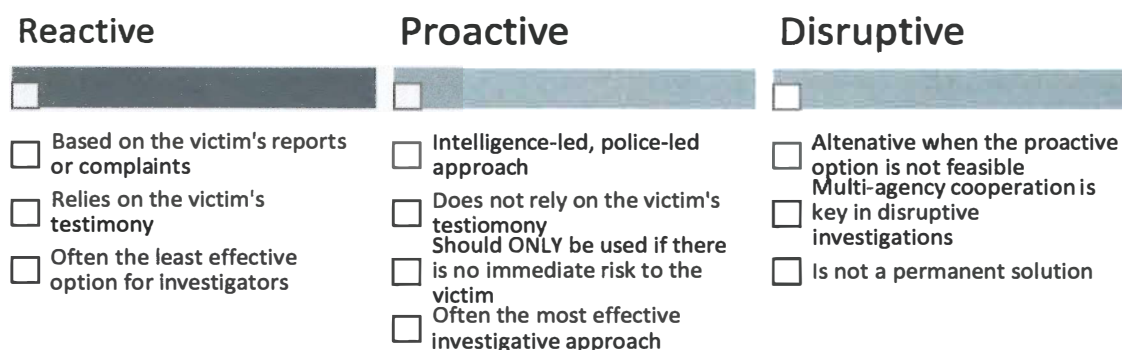
Key advantages of the reflection period:

- Trafficked persons are able to access basic services, information, and legal advice and can receive support from public social services;
- Trafficked persons are recognized as victims of crime and therefore granted the protection measures provided by law;
- It allows time for investigations to progress; and
- It allows a trafficked person time to make informed decisions about their future.

CHAPTER 6: INVESTIGATIONS

6.1 INVESTIGATIVE TECHNIQUES

Figure 6.1. Investigative options in victim identification



REACTIVE INVESTIGATIVE OPTION

Reactive investigation is a traditional and recognized method of law enforcement investigation initiated by the victim's reports or complaints. Reactive investigations follow the standard police crime investigation after the victim comes forward and provides testimony, when investigators receive information of criminal activity and there is an urgent need to intervene. In such cases, too great a delay in response can result in serious consequences for victim.

However, reactive investigation is often an undesirable option as they often rely on the victim's testimony. Even when victims initially decide to report the crime and provide information, they might later refuse to cooperate with law enforcement.

PROACTIVE OPTION

Proactive investigative option uses the intelligence or testimony as the basis for an in-depth, intelligence gathering operation into the traffickers. It is led by law enforcement entities and involves an investigation process involving special investigative techniques. Proactive investigation option is often considered as a more desirable option than reactive option as it is not dependant on the victim's testimony.

Proactive enquiry can be initiated by:

- Monitoring of vessels and their agents
- Monitoring of the bars frequented by fishermen
- Monitoring of the Internet and any other forms of recruitment of victims

- Monitoring and “objective setting” policing of night bar/clubs, suspected businesses, hotels
- Monitoring information and complaints made by the public
- Close collaboration and networking with relevant NGOs and international organizations who operate counter-trafficking and victim protection programs and/or operating a “hot line” or shelter facilities
- Talking to taxi drivers and street workers or other sources working in the public services domain
- Closely working with immigration departments and the labour department to follow up on employment visa and immigration issues

It should be noted that proactive investigative options should be considered only when there is no imminent threat to witnesses, meaning that investigators do not have to respond immediately.

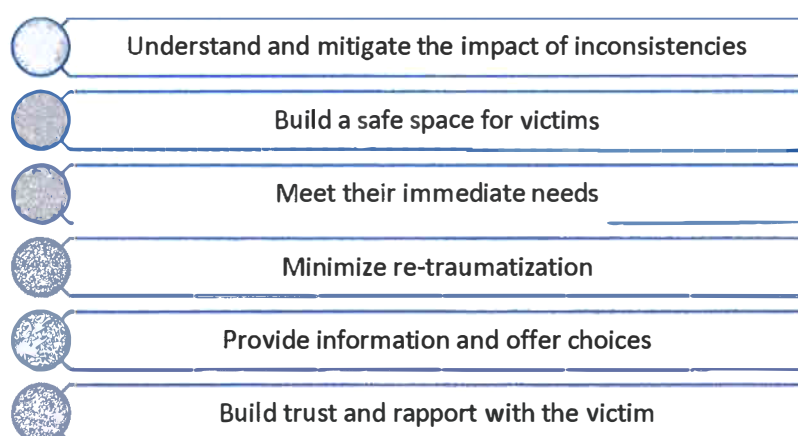
DISRUPTIVE OPTION

In cases where neither the reactive nor the proactive approach is feasible, law enforcement personnel can use a number of tactics to disrupt human trafficking operations. Disruptive investigation is an investigative option based on a police-led operation aimed at stalling or stopping the illegal action or activity or business.

Disruptive options can be appropriate when the level of risk to the victim requires an immediate; when the proactive option is not viable for operation reasons; when the disruptive option provides a faster response to specific complaints from local residents or other interested groups.

6.2 TRAUMA-INFORMED AND VICTIM-CENTERED INVESTIGATIONS

<Figure 6.2: Concrete steps for trauma-informed and victim-centered investigation>



Trauma-informed and victim-centered interview techniques not only protect the dignity and rights of victims but also result in better outcomes and more thorough investigations in the criminal justice context, because victims are encouraged to attempt to provide the information that they are able to provide, rather than abandoning the process in frustration because they cannot immediately convince a skeptical police officer by providing a seamless narrative of the relevant events.

UNDERSTAND AND MITIGATE THE IMPACT OF INCONSISTENCIES

- Understand potential psychological and behavioral reactions that victims might display and how they might affect your investigation.
- Inconsistencies and omissions in recall and overgeneralized memories are NOT related to the credibility of the victim's testimony, especially recall of peripheral details.
- Remember that high levels of post-traumatic stress disorder (PTSD) are related to more recall discrepancies over time between interviews. Victims with higher levels of PTSD will have greater differences in their memory.
- More discrepancies occur about details that are peripheral to the account than details that are central to the account.
- Let the victim tell the story her/his way. Don't pressure the victim for details she/he may not be able to recall accurately.
- Give the victim enough time to recover and rest. Do not expect victims to go into detail about their trafficking experiences during the first interview. In fact, it might take many interviews to get the victims comfortable enough to share details of their trafficking.

BUILD A SAFE SPACE FOR VICTIMS

- Ensure that the interviewing space is private, quiet, and comfortable and that the victim feels safe and secure.
- Make the person as comfortable as possible (e.g. offering a glass of water or tea or use of the restroom).
- If there is any reason to believe that carrying out an interview will cause the individual to be worse off than before, it should not be undertaken at that time.
- In determining seating arrangements, make certain that the person conducting the interview is not standing over the victim or sitting behind a desk and that the arrangement is conducive to hearing one another.
- Submitting to questions or recounting details of a trafficking experience places physical, psychological and social demands on persons who are already under stress. It is important to be perceptive and read the signs that the victim needs a break, needs a change of subject, needs time to gather themselves and their thoughts, or simply must stop for the day.
- Allow the victim to recount what happened without being rushed or interrupted. Avoid interruptions during the interview – turn off your mobile phone and put the "Do Not Disturb" sign on the door.

MEET THEIR IMMEDIATE NEEDS

- Prior to the interview, equip yourself with the list of reliable service providers who can provide necessary services to trafficking victims and establish communication channels with them.
- At the outset of a victim interview, check with the victim about concerns for personal safety and the safety of family. Remember that even after a victim is removed from the trafficking situation, safety concerns can evolve over the course of the legal process and can increase significantly.
- Check whether they are in immediate need of medical care or other types of assistance. (e.g., not simply “are you feeling okay?”). No one should be subjected to an interview while they are in pain, discomfort or in urgent need of medical attention.

MINIMIZE RE-TRAUMATIZATION

- Be mindful that retelling traumatic events can evoke painful experiences and even worsen symptoms of Post-Traumatic Stress Disorder, and potentially re-traumatize the person.
- Recognize the person’s strengths and courage and maintain a respectful attitude.
- Introduce direct questions slowly. Neutral or unobtrusive questions first and sensitive questions later.
- Do not ask for details that are not relevant to the particular interview.
- Do not ask repetitive questions or make victims go over details that they have already shared.

PROVIDE INFORMATION AND OFFER CHOICES

- Inform the victim about the purpose, procedure, and consequences of the interview. The person should be given clear information in a language he or she understands, with the use of experienced interpreters, if necessary.
- Explain the criminal justice process and the next steps in that process which should be provided by an appropriate legal representative or law enforcement officer.
- Comply with the victim’s wishes to the extent possible and seek consent for every action or decision that affects the victim,

Before confirming consent, it is important to:

- Specify issues being consented to (interview, referral, sharing information)
 - Measures that have been taken to ensure confidentiality
 - Risks and benefits as they were discussed, and
 - That there are no right or wrong answers, and that other service and care will not be negatively affected as a result of refusing consent.
- Be sure the victim has some control in the situation (breaks, water, seating placement).

BUILD TRUST AND RAPPORT

- Building rapport is the first step in interviewing victims in a trauma-informed manner. Any approach to the victim should be a gradual and nonthreatening process. Avoid interrogation methods and refrain from physical contact with victims.

- Explain measures that will be taken to protect victims and their loved ones.
- Address victims politely and with respect, recognize their courage and strength, and show appreciation for their efforts and cooperation.
- Use a conversational approach rather than a rapid series of questions in order to obtain preliminary information. Remember that open-ended questions may elicit more information from victims than yes or no questions.
- Introduce yourself and explain their role at the beginning of every interview.
- Do NOT interview people in a group. Be alert to individuals controlling others (in police custody, by phone or text, at shelters, or in transit).
- Tell the truth and do not make promises you cannot keep.

6.3 INTERVIEWING TECHNIQUES

- Posture of the interviewer needs to be “open” to send the signal that one is receptive to and willing to engage with victim. The open body position is the position that one feels comfortable in. Face the victim directly, sitting in a centered way, upright and relaxed. The body posture should send the message of attending to victim.
- Eye contact plays an important role in communicating attention. This does not mean the interviewer should stare at the victim, but rather use appropriate eye contact to indicate involvement in the subject. It is important to remember, though, that in some cultures, direct eye contact is considered to be inappropriate and a sign of disrespect.
- Pay attention to the nonverbal messages, including facial expressions and body language of the interviewee.
- The interviewer needs to ensure he/she is seated at an appropriate space distance. Making space for the trafficked person provides an appropriate physical environment as well as a supportive relationship.

Do's	Don'ts
<ul style="list-style-type: none"> • Ask what they remember • Ask how the victim would like to start talking about what happened • Ask about what they were thinking or feeling when... • Acknowledge their abilities and limitations in the situation 	<ul style="list-style-type: none"> • Start questions with “why” e.g. “Why did or didn’t you...” • Use directives such as “Explain to me...” • Request for a chronological account such as “and then what happened?” • Imply judgement or blame • Insist on specificity

6.4 WORKING WITH CHILD VICTIMS OF TRAFFICKING

The “golden rules” when working with child victims:

- The best interests of the child shall remain the paramount consideration at all times.
 - All cases involving child victims are sensitive and require very special levels of care.
 - As soon as a child is identified as a victim of trafficking, the first duty of the practitioner is to arrange for the immediate removal of the child to a place of safety.
 - The safety and needs of child victims will always take priority over the needs of the investigation.
 - No child victim is to be left alone while in the care and protection of law enforcement officers
-

Child victims require special consideration when conducting an interview. Interviewing child victims requires specialist training; as such, the assigned investigating officers should be selected with this in mind.

Whenever possible, forensic interview, which was developed by psychologists, social workers and child development experts to interview children, should be employed. Forensic interviews create legal evidence and testimony based on the accounts of a child.

It is important that interviewers have a basic understanding of the difference between interviewing adult and child victims and that child protection principles must be employed. Throughout the interview process, it must be ensured that the best interests of the child are considered, in line with national child protection requirements, including as regards the presence of legal guardians and other details.

When interviewing child victims of trafficking, law enforcement officers should ensure that the following conditions are always met:

- It is recommended that a representative from child protection services or social services is present during the interview of child trafficking victims.
- Only staff trained in the special needs and rights of children should question child victims. Wherever possible, child victims should be questioned by staff of the same sex.
- Find out as much as possible about the history of the child prior to the interview and make clear and friendly introductions. Talking about something the child is familiar with helps to establish a rapport.
- Create a space that is safe and comfortable for conversation (include toys, books, games and so forth to help build a rapport).

- Keep the atmosphere simple and informal (for example, do not assume an air of interrogation or press or responses).
- Interviews of minors should take place in the presence of a parent. In cases where this is not possible, due to a parent not being present or in case there is suspected or known family involvement in the trafficking, interviews should be done in the presence of a trained guardian, a psychologist or a social worker.
- Dedicate adequate time for discussions.

Interview Protocols

- Establish a rapport and practice narratives by talking about things that are not related to the trafficking experience.
- Explain to the child that he/she does not need to answer the question if he/she does not understand the question itself or know the answer to the question.
- Establish that the interviewer does not know what happened to the victim and might be wrong. Tell the child victim that he/she can correct the interviewer any time.
- Ask open-ended questions such as “So what happened next?” “Tell me more what happened”, allowing the child to give his/her own account. Avoid leading questions, such as “Did the person abuse you?” and use more open questions, such as “What did the person do?”
- Use appropriate and child-friendly language (pick up terms the child uses).
- Explain things in a manner the child can easily comprehend (use visual aids wherever possible).
- Consider the age and mental capacity of the child and adapt the questions.
- Do not pursue and press for details when there are signs that the child has told all he/she knows. However, also bear in mind that children will leave information out if the right question is not asked and will give the answer they believe the interviewer wants to hear.
- Close the interview in ways that reassures the child that he/she has done well and that you will be available whenever he/she needs to talk again.

6.5 WORKING WITH INTERPRETERS

Interview Protocols

1. Interpreters qualifications and behavior

- The person engaged is a professional, qualified and licensed interpreter;
- The interpreter speaks the language and the dialect;
- He/she is not a family members or friend of the victim;
- He/she understands the duty of confidentiality;
- He/she understands that importance of translating word by word;
- Interpreters do not indicate, through verbal or non-verbal means, any judgment regarding the victim’s communication of experiences.

2. Separate communication with the interpreter

- Prior to seeing the victim, ensure the interpreter is briefed and they are comfortable with the issue and familiarize with the terminology used;
- The interpreter is never asked to give an opinion on what the victim said or how she/ he behaved;

3. Ascertaining with the victim

- The victim is explained that she can/raise any difficulty she or he has with the interpretation or the behavior of the interpreter at any time;
- The staff remains vigilant for any sign of discomfort, as the victim might hesitate to verbally communicate discomfort;
- The staff should ask the interpreter for things that are not understood, do not seem to fit, or seem to make the victim uncomfortable.

6.6

Interview Checklist:

Do's and Don'ts

Before the interview	<ul style="list-style-type: none"><input type="checkbox"/> Be sure to have all documents outlining available services, confidentiality, and victims' rights on hand; have them printed in the interviewee's preferred language.<input type="checkbox"/> Know who the law enforcement and other actors are, the role and responsibilities of each agency or department, and all options available through the anti-trafficking task forces.<input type="checkbox"/> If necessary, arrange for properly qualified and vetted interview partners and interpreters to be available.<input type="checkbox"/> Brief the interview team and the interpreter on their roles and responsibilities and have the interpreter sign an agreement of confidentiality.<input type="checkbox"/> Ensure that the concept of "Do no harm" is fully understood and practiced by the interview team.
During the interview	<ul style="list-style-type: none"><input type="checkbox"/> Begin with a warm welcome.<input type="checkbox"/> Provide a brief tour of the area where the meeting will take place, so as to familiarize the interviewee with a new environment.<input type="checkbox"/> Inform the interviewee of approximately how long the meeting will last, but remind them that they are in control and can end the meeting at any time or take a break whenever necessary.<input type="checkbox"/> Recognize the person's strengths and courage and maintain a respectful attitude.<input type="checkbox"/> Introduce direct TiP questions slowly. Sequence questions in a way that neutral or unobtrusive questions come first and sensitive questions later.<input type="checkbox"/> Do not to ask for details that are not relevant to the particular interview.

	<input type="checkbox"/> Do not ask repetitive questions or make victims go over details that they have already shared.
After the interview	<input type="checkbox"/> Inform the interviewee of what action is going to be taken after the interview and provide them further information regarding the process. <input type="checkbox"/> Provide the interviewee with details about what he/she can do to contact law enforcement or other relevant agencies if they feel they need help in the future. <input type="checkbox"/> Get the interviewee's contact details if possible

6.7 Opening the Case File:

AHTU investigators will use the following procedures to open files for human trafficking cases. The following documents will make up the file:

1. The Affidavit of probable cause
2. The incident report
3. Case file summary report (outlining the case)
4. The victim's testimony and accompanying investigator's notes of the interview
5. Recording of interviews (audio and/or video)
6. Witness corroboration
7. Statements including those of investigating officer(s)
8. Defendants' statements along with advice of rights documentation
9. List of exhibits with detailed information as to where, when, how evidence was collected and by whom
10. Records of other agencies that victims were referred to
11. Victim Assessment Report by Case Manager (AHTU Victim Advocate for Adult victims and Social Worker for child victims)

The file will be referred to the Prosecutor's office for review. Cases that appear to involve official complicity (criminal wrongdoing by government officials) shall be sent to the Office of the Special Prosecutor. All other matters shall be referred to the Office of the Attorney General. The prosecutor will review the case file and communicate with the investigators to request additional information or clarification if required;

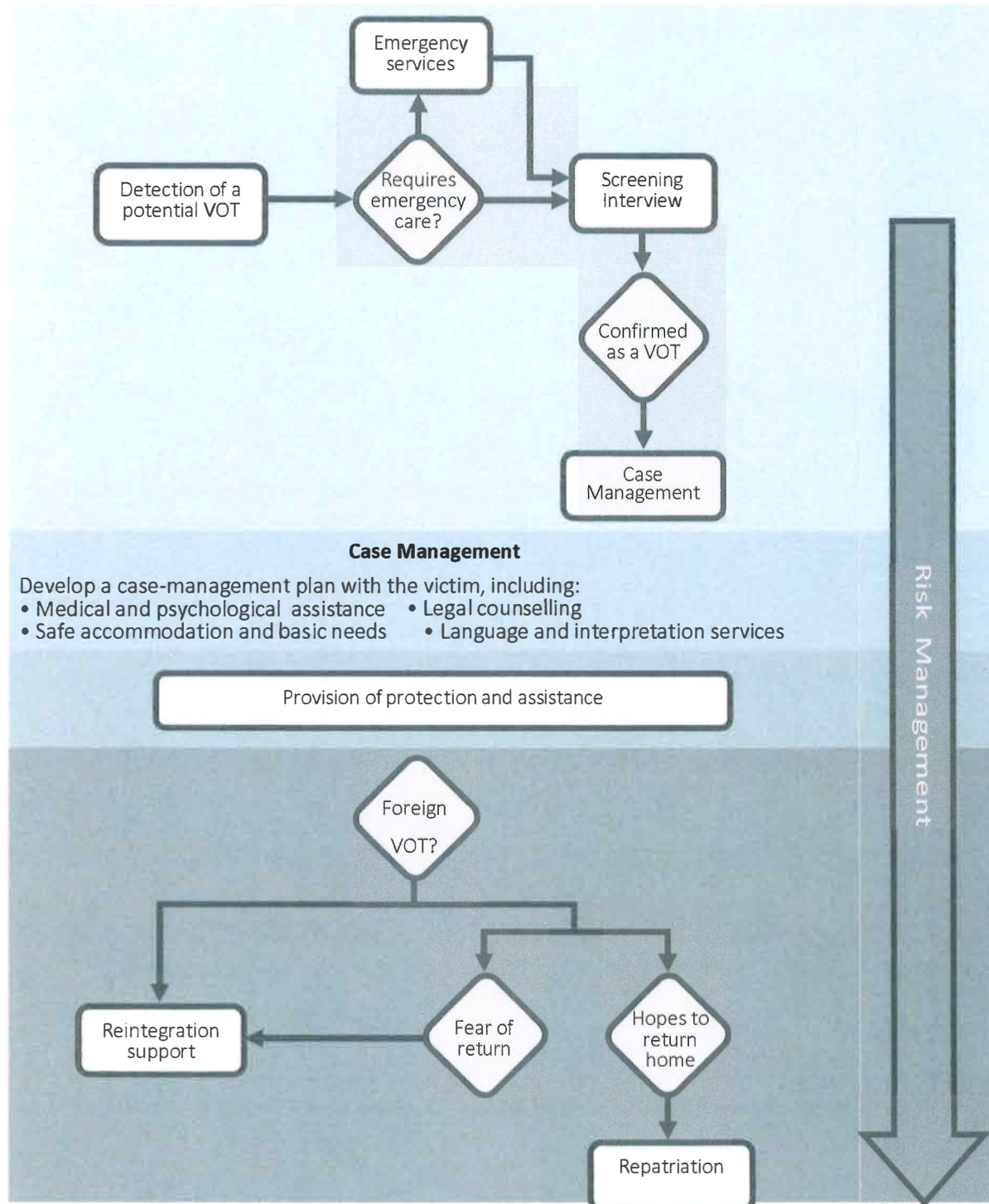
The Case Manager(s) shall facilitate all contacts by the investigators and prosecutors with the victim(s) to ensure the victim is kept informed of the case progress; and

AHTU and prosecutors will ensure the safety of the victim(s).

CHAPTER 7 - SOPs – Victim Referral -

7.1 OVERVIEW OF NATIONAL REFERRAL MECHANISM

Figure 7.1



**Victim Identification
and Screening
Case Management**

The identification of trafficking victims is the first step in the referral mechanism. A wide array of stakeholders can identify vulnerable migrants.

The next step after identification is case management. Case management is a step to provide assistance to individuals with complex and multiple needs.

**Provision of protection
and assistance services**

The ultimate aim of the referral mechanism is to provide protection and assistance services to victims of trafficking. This can include the following services: • Shelter and accommodation; • Water, sanitation and hygiene; • Food and nutrition; • Safety and security; • Healthcare; • Education and training; • Livelihood, employment and income generation; • Family tracing, assessment and reunification; and • Access to justice.

**Reintegration and
repatriation**

Referral mechanism members should consider the various ways in which victims of trafficking might return to their community or home country.

The purpose of the National Referral Mechanism is to promote cooperation between all relevant government ministries and other organizations and agencies involved in providing assistance to trafficking victims; and to protect the rights of victims through a professional victim identification process, provision of better support and protection services, and establishment of programs for full recovery and rehabilitation. The National Referral Mechanism applies to any person in the Republic of Palau, irrespective of race, age, gender, nationality, country of origin, or immigration status, who is a victim of human trafficking in the Republic of Palau. This includes anyone who is considered to be part of any vulnerable populations in Palau, including migrant workers, individuals with disabilities, women, children, and members of the LGBTQ&I community.

After a person has been identified as a victim of trafficking and his/her immediate needs have been determined, the person should be referred to the respective programs and services included in the National Service Mechanism. The referral of trafficked persons is a complex process because of their wide-ranging needs and the various risks they may have as a result of the crime of trafficking. It is expected that during the work with the trafficked person, he/she may be referred to more than one service provider.

Safe referral guarantees that the care and services which will be provided by other institutions and organizations will not endanger the health and safety of the trafficked person.

Flow chart on direct assistance to victims of trafficking with a sample listing of services that may be provided:

Figure 7.1A



Case manager (Victim Advocate in AHTU for adult victims/or Social Worker in Division of Human Services for child victims) conducts needs assessment for the provision of direct services



7.2 VICTIM REFERRAL:

BEST PRACTICES

<p>General Guidance</p>	<ul style="list-style-type: none"> □ Prior to the initiation of victim referral process, conduct a comprehensive risk assessment to identify, prevent, or mitigate risks. □ Keep victims fully informed throughout the referral and service provision process to prevent re-victimization. □ Actively engage the victim in developing safety options and measures. Discuss all possible options with the victim.
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	<ul style="list-style-type: none"> □ Actively listen to the victim and never underestimate the traffickers' ability in finding victims or family. □ Develop concrete safety options for avoiding or reducing threats and harm identified. □ Never use non-prosecution for offenses as an inducement to a victim to cooperate.
<p>Contact with Victims</p>	<ul style="list-style-type: none"> □ Obtain full particulars and details of how to contact the victim. □ Establish a contact system with the victim, giving them relevant phone numbers for contacting law enforcement. □ Record the time of the call and note any telephone number given by the caller. □ Be aware while on the phone of who may be in earshot. □ NEVER disclose any confidential personal or trafficking data over the telephone to any individual whose identity and credentials are not known.
<p>Personal Security</p>	<ul style="list-style-type: none"> □ Ensure that all personnel who are required to interact with trafficking victims be fully informed of the risks involved. □ All new members of staff should be provided with a detailed trafficking and security briefing upon taking up their post. □ Ensure that all personnel working on the case remain aware of their immediate surroundings and situation. □ Always be aware, when discussing cases of trafficking, of who may be within earshot.

7.3 CASE MANAGEMENT APPROACH

A case management approach is a model of providing protection and assistance to victims, who have complex and multiple needs as a result of their trafficking experience. Due to their wide-ranging needs, victims require diverse services, ranging from medical assistance, psychological assistance, shelter to language and translation services.

Case management allows for collaboration between various stakeholders and is useful for the assessment, planning, implementation, coordination and monitoring required to effectively meet an individual's multiple needs and to promote positive outcomes.

National referral mechanisms can help ensure the systematic and comprehensive case management of trafficking victims and facilitate coordination between different service providers. The steps below outline the role of law enforcement officers in victim referral and case management.

1. Law enforcement should protect victims' well-being by liaising with the key stakeholders such as medical practitioners, clinical psychologists, immigration officials, social services providers and service providers (if available). This step includes actions to:

- Access direct assistance services such as counseling, shelter and medical assistance by making necessary referrals
- Work closely with immigration officials to ensure regularization of immigration status for victims who are non-nationals; regularization enables the victim to stay in the country pending trials
- Conduct a risk assessment and make arrangements for appropriate victim protection measures

2. Law enforcement should institute and undertake criminal proceedings by:

- Providing an evidential basis for each charge
- Checking for omissions to charge
- Regularizing procedural documents (e.g. medical forms, search warrants, forensic forms, and interview documents)
- Ensuring all exhibits are preserved in such a way to maintain their integrity at the time of trial

7.4 RISK MANAGEMENT

Risk = The existence of a threat to the security or safety of individuals

DUTY OF CARE

Article 6(5) of the UN TIP Protocol specifically states that: "Each State Party shall endeavor to provide for the physical safety of victims of trafficking in persons while they are within its territory". This obligation for protection also extends to non-national victims who wish to return to their home countries.

Article 8(2) of the UN TIP Protocol notes that the return of a victim should take into account the safety of the victim. Protection

In many cases, victims of trafficking face considerable risks to their safety and security. These risks are often linked to the situation that has contributed to their vulnerability, including involvement with traffickers, unsafe means of transportation or border crossings, or involvement in criminal cases against traffickers. Law enforcement bears the duty of care for trafficking victims and responsible for ensuring the safety of victims and their families. Its discharge means identifying safety and security risks and, wherever possible, taking appropriate measures to ensure the risks are mitigated.

Law enforcement officers are responsible for the ongoing process of identifying, assessing and managing risks posed to victims. Law enforcement officers should ensure that the risks in each case are assessed from the outset and that the assessment is continuously reviewed and updated.

RISK ASSESSMENT

The first step in risk management is to properly identify and assess the level of risk. To ensure that appropriate protection measures are in place, law enforcement should perform a comprehensive risk assessment. This may require coordination with multiple agencies and should address the main questions of:

- Who or what is at risk
- What is the risk
- What is the level of risk
- What action should be taken.

A comprehensive risk assessment should take into account not only the risk to the victims' physical safety but also the psychological and/or physical harm that the victims suffered, therefore necessitating a victim-centered approach. Consideration should also be given to the potential risks relevant to the victims' material needs (e.g. shelter, food, clothes) as well as their mental and physical health.

Who is at risk?

- Victims of trafficking in persons, including identified and unidentified victims, those fully cooperating with law enforcement as victim-witnesses, partially cooperating or not cooperating
- Family, friends, partners of victims
- Witnesses related to the case
- Staff of law enforcement, prosecutors or other agencies including NGOs and interpreters

What is the risk?

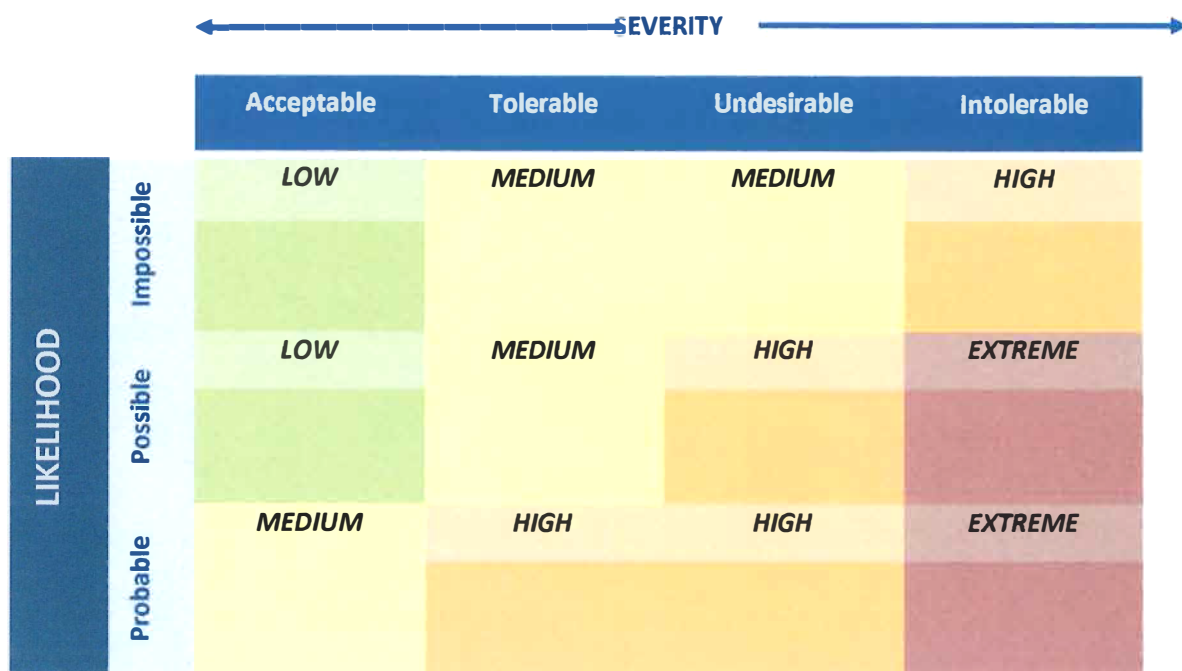
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What is the level of risk?

Risk matrices rate risks based on the likelihood or probability of the risk occurring and its consequences or severity. Colors represent the highest (red) and lowest (green) risks, with gradients between. Risk matrices can be useful when setting risk thresholds, communicating about risks to vulnerable migrants, and developing risk management plans.

Risk assessment should consider all the following groups...

- Victims that have been identified, removed from the trafficking situation and are the subject of the risk assessment being carried out
 - Presumed victims that are still under the control of the trafficker
 - Individuals that might be in the process of being trafficked by the trafficker
 - The families and loved ones of trafficking victims whose safety may also be compromised or in danger of being compromised.
-



<Figure: Risk Matrix>

RISK REGISTER

Risk registers show all identified risks with information about their likelihood, consequences and any mitigation measures to be taken. Risk registers can be utilized to monitor and manage risks present to victims. Conducting risk assessments and developing risk/security plans are necessary to protect the victims served. Each procedure should be fully documented and all documentation, whether electronic or other, must be treated confidentially and in accordance with best practices on the handling and security of confidential personal and trafficking data.

Risk Number	Date Identified	Risk Description	Likelihood	Severity
			·Probable	·Acceptable
			·Possible	·Tolerable
			·Impossible	·Undesirable
				·Intolerable

Mitigating Action	Progress on Action	Status
		·Open
		·Closed

THE NEED FOR ONGOING VICTIM ASSESSMENT

Initial victim risk assessment is conducted at the outset to address emergency safety and medical needs. However, victim assessment is an ongoing process and should continue at every stage throughout the process. The purpose of continuing ongoing assessment is to:

- Ensure the safety and security of the victim (and witnesses) by keeping name and information confidential, conducting risk assessment, and offering protection if required;
- Ensure the welfare and health of the victim by providing medical treatment, mental evaluation, psychological treatment and counseling if needed through the Ministry of Health and/or community health care providers;
- When the victim is an unaccompanied child, to ensure the victim is appointed a legal guardian and actions are taken to establish identity, nationality, and locate parents if it is in the best interest of the child;
- Ensure that the victim's well-being is prioritized and that he/she is not forced to participate in the investigation and prosecution processes;
- Ensure that the victim is offered and given information regarding all assistance available from the service providers listed in the referral page;
- To provide temporary housing and food supply for victims and/or victim's family when needed;
- To facilitate education, employment opportunities and to provide life skills training;
- To provide protection to identified witnesses with high probability of threat and/or retaliation; and,
- To provide notification of case to embassy of victim's country of origin through foreign affairs to coordinate victim's repatriation with the Ministry of Justice.

7.5 PROVISION OF ASSISTANCE FOR VICTIMS OF TRAFFICKING

SOPs: Crisis Intervention Care

I. Information: Provision of Assistance, Options, and Conditions

WHAT

Persons entering an assistance program should be provided with clear and detailed information on the services available to them and all of the obligations and conditions that are linked to service provision. This also includes information on the consequences of breaking rules or agreements with service providers. A list of categories of information shall be developed for service-providing organizations to be read and given to the Victim of Trafficking.

WHEN

Information-sharing must take place immediately after the suspected trafficked person reaches crisis intervention care before intake and assessment. Information-sharing must take place before the intake and assessment because individuals must understand why they are being asked questions and why personal information is requested.

WHO

The case manager in the case of child Victim of trafficking, the victim advocate for adult Victim of trafficking, the Anti-trafficking Unit police, or the first person who comes into contact with the Victim of Trafficking. All staff of care programs should be able to provide information.

HOW

Service options and conditions are to be communicated:

- In a setting that is private;
- In a style that is professional, supportive and helpful;
- With regular confirmation that the individual has understood what has been explained;
- Through interpretation, when necessary;

Information should be described in a non-legalistic, non-technical language and provided orally and in writing in a language the Victim of Trafficking can understand.

Individuals must be encouraged to pose questions or concerns during this process. Information-sharing is an essential step in the informed consent process.

II. Intake and Needs Assessment

In order to assess the service and security needs of each victim an intake and needs assessment is necessary.

WHAT

The victims should be encouraged to ask questions and state concerns.

WHEN

The intake and needs assessment take place after an individual has been provided information about the service options available and any obligations or conditions associated with receiving services.

WHO

AHTU Victim Advocate (Case Manager for adult victims) and Investigator are responsible for undertaking the intake and needs assessment.

In the case of children, the child's case manager (SW) will be responsible for undertaking the intake and needs assessment.

HOW

Prior to beginning the intake procedure, the case manager must:

- (i) Review existing case file notes that may have been sent;
- (ii) Explain the purpose of the intake procedure (e.g., how it will be used, why it is useful);
- (iii) Explain who will and will not have access to the information
- (iv) Explain the ability of the individual to decline to answer any question

III. Development of an Assistance and Security Plan

WHAT

An assistance and security plan is a clear and detailed description of the proposed next steps in the care of the victim. This is generally an interim plan.

WHEN

Once the received procedures are completed.

WHO

CM (VA and/or SW), Police, and the Victim of trafficking.

HOW

CM (VA and/or SW), Police, the individual's case with the victim's support team and the victim and develops the plan according to the Victim of Trafficking's needs and wishes, and, in the case of children, according to the case manager's and social services assessment of the best interest of the child.

Communication should include:

- (i.) What are the Victim of Trafficking needs at the moment and wishes for the future;
- (ii.) Information on how the case will be taken forward with team;
- (iii.) Location of accommodation;
- (iv.) Time of next meeting;
- (v.) What to do in case of security concerns;
- (vi.) Psycho-social assistance needs and availabilities.

IV. Consent Procedures to Implement Assistance Plan

WHAT

The consent procedure determines whether the individual understands and agrees or disagrees with the assistance offered, and the associated terms and conditions.

WHEN

After service options and regulations have been clearly explained to the victim and s/he has had an opportunity to pose questions, the victim should be asked whether he/she agrees with the conditions of the assistance. If yes, the victim should be asked to sign a request for receiving assistance.

In the case of children, while it is important that their consent and understanding of the procedures and assistance offered to them is obtained, final consent can only be given by the child's appointed case manager.

WHO

CM (VA and/or SW), Police

HOW

The service organization should develop a consent form that details, at a minimum, the following information:

- List of services offered;
- Regulations to be agreed;
- Conditions under which the contract is terminated; and

The recipient of the services should be given a clear description of the services offered, in a language that she/he can understand. The individual must be given adequate time to read the consent form or have it read to her/him and consider her/his options. To ensure that the consent procedure and its implications are understood by the Victim of Trafficking questions should be asked.

Consent to accept services and conditions are limited to those services described in writing in a formal agreement. This consent form should be signed by the person receiving the services, or in the case of children, either the child and his or her case manager, or the child's case manager. The signature and consent of the child alone is not acceptable.

Note: Consent is limited to those services that are listed on the agreement form. A victim cannot be subjected to any testing, procedures or assistance under this agreement. Other tests (e.g., HIV),

interrogation (e.g., police), procedures (e.g., immigration) and communication of information require separate consent procedures.

For child victims, shelters are not usually the best solution except for extremely short periods of time. Other means of accommodating and caring for the child should be sought, utilizing the existing child protection mechanisms for children deprived of parental care in the country.

Note: Relevant Service Providers in Palau are listed in the Directory of Service Providers attached as Annex # III. The Directory will be periodically updated as warranted.

SOPs – Rehabilitation and Reintegration Assistance

During the mid and long-term process of the rehabilitation and reintegration assistance phase the victim is supported by professional service providers who are, at minimum, responsible to:

- Ensure safety;
- Assess and treat medical problems;
- Assess and deal with psychological needs;
- Provide legal support;
- Assist the individual in regaining sense of control and self-determination;
- Assess the risk of social stigmatization and facilitate social inclusion;
- Foster an individual's psychological stability; and
- Cooperate in planning and preparing for an individual's next steps;

The rehabilitation and reintegration assistance will be provided either:

1. After the return of the Victim of Trafficking in the country of origin; and/or
2. In the country of destination if the Victim of Trafficking stays longer than the reflection period e.g., as victim witness.

This phase can be comprised of two general stages:

1. Adjustment and stabilization; and
2. Longer-term needs.

Not all individuals will participate in the two stages. Sometimes victims might refuse certain offers of assistance or turn back to a service provider at a later stage of their lives.

As has been noted before, the needs of children, and the obligations on states to provide immediate care and assistance for unaccompanied children, as well as work towards the identification of a durable long term solution for them as soon as possible, mean that the various actions and forms of assistance undertaken in both the crisis and longer-term rehabilitation phase will take place in the context of

formulating a care plan for the child that ensures his or her best interests are met at all stages – immediate, medium and long term.

***Note:** In addition to AHTU and other government agencies, assistance may be provided by various community stakeholder groups including but not limited to the Palau Red Cross Society and the International Organization for Migration. (See attached Directory of Service Providers). The Red Cross Society makes determinations to provide assistance on a case-by-case in accordance with its internal policies. The International Organization for Migration under IOM's Emergency Fund (EF) for Victims of Trafficking may be able to provide urgent, short-to-medium assistance to victims of trafficking if an application has been submitted and approved. However, the EF donor specifically requires confirmation in advance that attempts have been made to obtain funds from the government, NGO service providers, or other IOM sources of funding, and no such funding is available. For these reasons, the government and community stakeholder resources should be looked to as the primary sources of assistance and the IOM Emergency Fund turned to as a last resort if no other sources of funding are available. A copy of the brochure describing the IOM Emergency Fund program is attached as Annex # XIII.

SOPs – Return

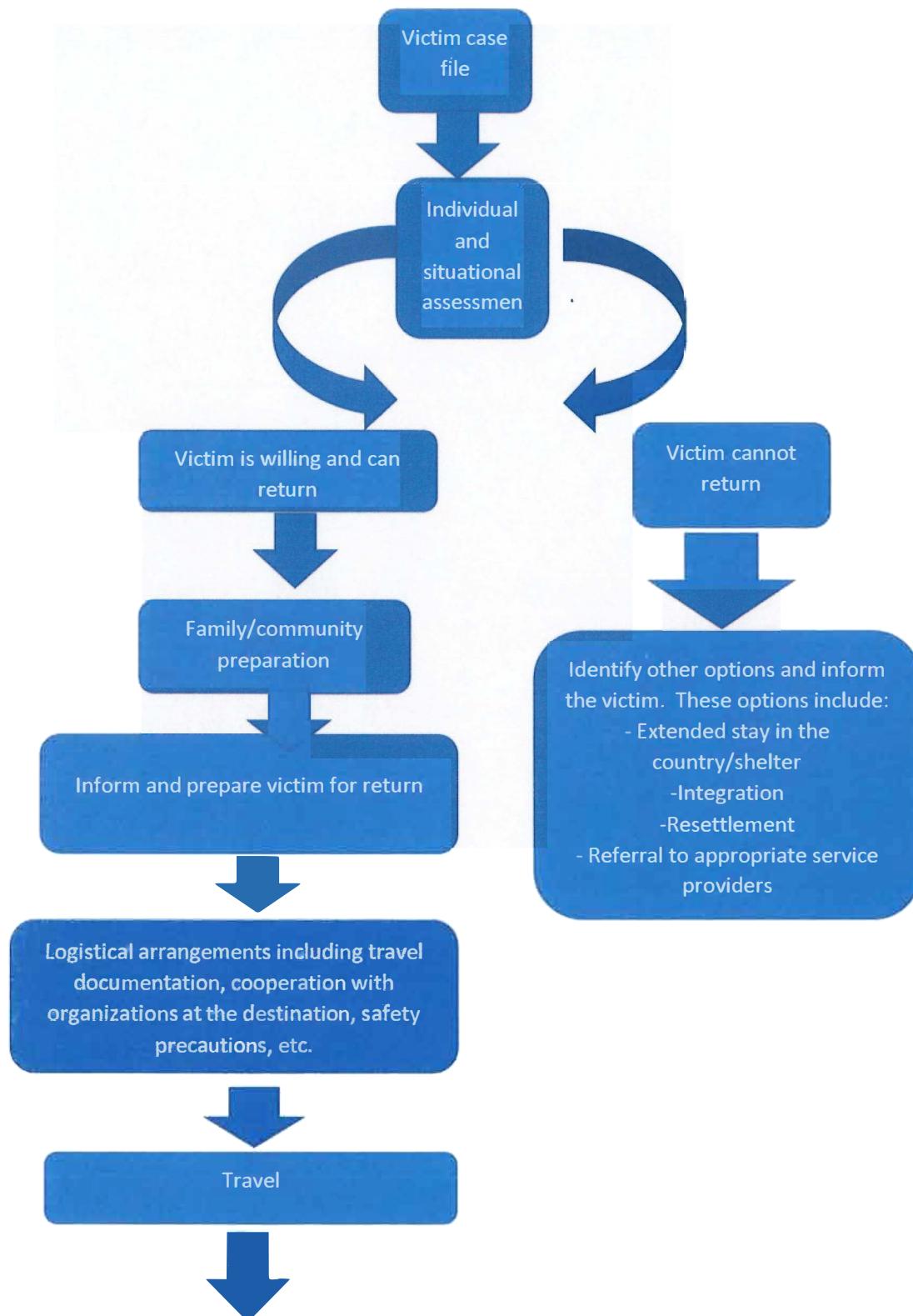
The process of return should be voluntary and safe. Individuals who have been trafficked should be given the opportunity to express whether, when and how they would like to return home. The following possibilities exist:

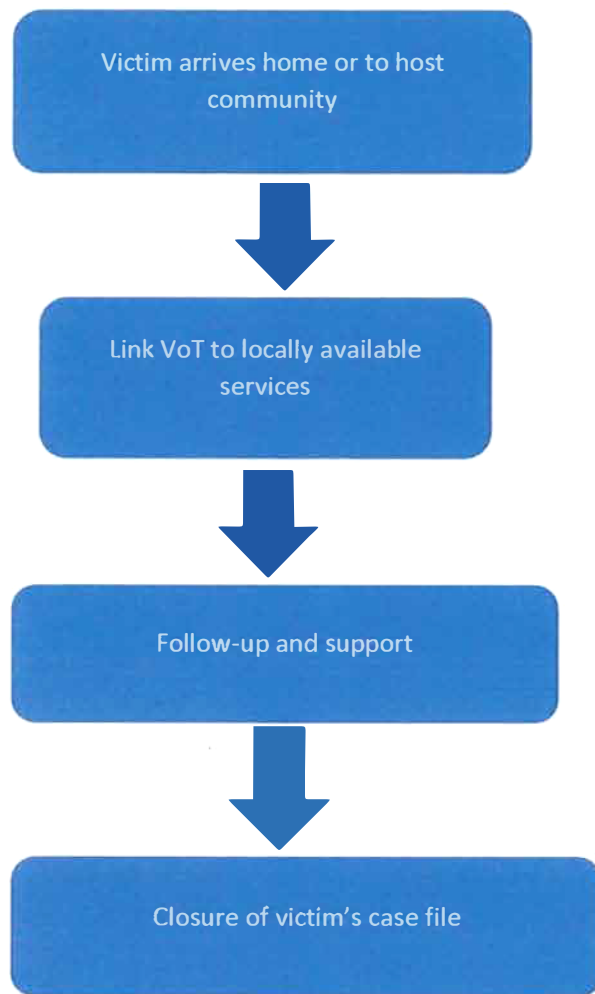
- Government to government;
- NGO to NGO
- IO to IO (e.g., through the IOM Assisted Voluntary Returns Support and Reintegration Assistance program also known as AVVR);
- Mixed systems, e.g., government to NGO, government via IOM etc.;
- Individual return at own expenses;
- Return assistance only in country of destination or in country of origin.

***Note:** A person can only be returned voluntary to the country of origin if s/he gives her/his informed consent in writing. In the case of children, the decision will be informed by the child's wishes and the advice of his or her case manager but will ultimately be the decision of the relevant authorities – including, where appropriate, the courts – of the receiving state and country of origin.

***Note:** The IOM Voluntary Returns Support and Reintegration Assistance (AVRR) program requires a multi-step application process and therefore assistance cannot be guaranteed in advance. Certain requirements apply and an applicant's eligibility will be determined during the application process. A copy of the brochure describing the IOM AVVR program is attached as Annex # XIV.

Flow chart on Return, Reintegration and Repatriation





Chapter 8: Data Protection

1. Data Protection Principles

LAWFUL AND FAIR COLLECTION	<ul style="list-style-type: none">• Personal data must be obtained by lawful and fair means with the knowledge or consent of the victim.
SPECIFIED AND LEGITIMATE PURPOSE	<ul style="list-style-type: none">• The purpose(s) for which personal data are collected and processed should be specified and legitimate, and should be known to the data subject at the time of collection
DATA SECURITY	<ul style="list-style-type: none">• Personal data must be kept secure and should be protected by appropriate measures against unauthorized modification, tampering, unlawful destruction, accidental loss, improper disclosure or undue transfer.
CONFIDENTIALITY	<ul style="list-style-type: none">• Wherever possible, personal data should be de-personalized. (e.g. unique identification numbers on files, restricted notes for further use, etc.)
DATA QUALITY	<ul style="list-style-type: none">• Data have to be accurate and kept up-to-date.• Data controllers should take all reasonable steps to ensure that personal data are accurate and up to date.
CONSENT	<ul style="list-style-type: none">• Consent must be obtained at the time of collection or as soon as it is reasonably practical thereafter.• Ensure that the victim's consent to data collection and disclosure is given freely and voluntarily.
TRANSFER TO THIRD PARTIES	<ul style="list-style-type: none">• Personal data should only be transferred to third parties with 1) the victim's consent 2) for a specified purpose 3) and under the guarantee of adequate safeguards to protect the confidentiality of data.
APPLICATION OF THE PRINCIPLES	<ul style="list-style-type: none">• Verify that all relevant and applicable provisions of data protection are fully observed.

1.2. Best Practices

Data collection	Collection of personal data should not go beyond what is required specifically for a criminal investigation or mutual transnational assistance.
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Officers should inform victims of the purpose of the data collection, its use and the victims' right accessing their data.

Where possible, case files should be depersonalized and anonymized utilizing identifying numbers.

Handling and exchange of trafficking data	Case files should be handled with utmost care and confidentiality, both physically and organizationally.
---	--

Victim data should never be released without the victims' informed consent.

Data should never be disclosed over the phone to any individual whose identity and credentials are not known.

Officers should only disclose victim's information on a need-to-know basis.

All relevant files and documents should be kept in a secure place and under a lock and key when not in use.

When in use, they should never be left unattended or left lying on the desks, tables or in areas accessible to others.

Data should never be disclosed over the phone to any individual whose identity and credentials are not known.

Avoid publicizing the trafficking case in the media.

CHAPTER 9 - CONCLUDING REMARKS

Victims of trafficking have suffered violations of their human rights and should be given all possible protection and assistance. For that reason, victims' rights are a primary concern in all trafficking investigations. Combatting trafficking requires a multi-faceted sustainable approach that insists on the synchronized collaboration of a diverse spectrum of stakeholders, both government and nongovernmental actors. Law enforcement officers are therefore encouraged to identify and collaborate with service providers who very often have had experience providing assistance to persons who have endured trauma. This SOP is designed to provide Palauan law enforcement and service providers with a toolkit that contains systematic steps for victim identification, referral for provision of services, and investigation techniques. The ultimate goal of the SOP is to assist stakeholders in working collaboratively to execute an effective investigation, identification, and referral process.

APPENDIX

APPENDIX I: VICTIM IDENTIFICATION TOOL (also referred to as Victim Screening Tool)

APPENDIX II: VICTIM INITIAL RISK ASSESSMENT FORM

APPENDIX III: DIRECTORY OF SERVICE PROVIDERS

APPENDIX IV: REFERRAL FORM

APPENDIX V: INFORMED CONSENT FORM: BENEFICIARY

APPENDIX VI: INFORMED CONSENT FORM: INTERVIEWER

APPENDIX VII: VICTIM NEEDS ASSESSMENT QUESTIONS

APPENDIX VIII: VICTIM IDENTIFICATION CHECKLIST

APPENDIX IX: CASE MONITORING FORM

APPENDIX X: PRE-DEPARTURE CHECKLIST FOR REPATRIATION

APPENDIX XI: STAFF CONFIDENTIALITY AGREEMENT FORM

APPENDIX XII: FLOW CHART – PROVISION OF SERVICES FOR VICTIMS OF TRAFFICKING

APPENDIX XIII: MOU BETWEEN THE MINISTRY OF JUSTICE AND THE MINISTRY OF HUMAN RESOURCES, CULTURE, TOURISM, AND DEVELOPMENT

APPENDIX XIV: IOM EMERGENCY FUND FOR VICTIMS OF TRAFFICKING BROCHURE

APPENDIX XV: IOM VOLUNTARY RETURNS SUPPORT AND REINTEGRATION ASSISTANCE PROGRAM FOR BALI PROCESS MEMBER STATES (AVRR BP) BROCHURE

APPENDIX XVI: MOU BETWEEN THE MINISTRY OF JUSTICE AND THE MINISTRY OF HEALTH AND HUMAN SERVICES

APPENDIX XVII: MOU BETWEEN THE MINISTRY OF FINANCE AND THE MINISTRY OF JUSTICE'S BUREAU OF PUBLIC SAFETY

APPENDIX XVIII: MOU FOR THE ANTI-HUMAN TRAFFICKING WORKING GROUP

APPENDIX 1

VICTIM IDENTIFICATION TOOL



Anti-Human Trafficking Unit Victim Identification Tool

INFORMED CONSENT

Has the individual been informed that AHTU reserves the right to share his/her individual case data for assistance purposes and only with other (law enforcement agencies) involved in direct assistance?
(YES / NO)

Has the individual been informed that AHTU reserves the right to make a limited disclosure of non-personal data based on the information collected at the interview to law enforcement for the purpose of rescuing other victims that remain under the control of traffickers or preventing other potential victims from being trafficked? (YES / NO)

Has the individual been further informed that AHTU reserves the right to use (only anonymous, aggregate) data for research purposes? (YES / NO)

Has the individual's full and informed consent been obtained to conduct the screening interview based on information given regarding the role of the organizations the voluntary nature of the interview and the use of the information provided by the individual as outlined above? *NOTE: Informed consent is necessary for all services, such as medical examination and procedure, health assessments, assisted voluntary return and reintegration.* (YES / NO)

If the individual is a minor, has the consent of the parent(s)/guardian(s) been obtained? (YES / NO)

Signature of Interviewer: _____

Date: _____

Section 1: SCREENING BACKGROUND (DO NOT READ TO CLIENT)

1a). Date of interview: __ / __ / ____ (MM/DD/YYYY)

1b). How client was referred to AHTU most recently [select only one]:

- ☐ Own agency/ Internal Referral
- ☐ Ministry of Health and Human Services
- ☐ Healthcare provider [fill in]: _____
- ☐ Local Police Department
- ☐ Division of Labor
- ☐ Division of Immigration

- ☐ Micronesian Legal Srv. Corporation (MLSC)
- ☐ Internal Organization for Migration (IOM)
- ☐ Other Agency [fill in]: _____
- ☐ Referred by other client
- ☐ Referred by someone else [fill in relationship to client]: _____
- ☐ Walk-in

1c). Client Status: Is official determination of trafficking known? ☐ No ☐ Yes
(Includes legal services; AG or Court)

1d). Sex of client:

- ☐ Male ☐ Female ☐ Other

1e). Language of Interview: _____

1f). Client's preferred language: _____

1g). Client's English proficiency (please estimate to the best of your ability):

- ☐ Excellent ☐ Good ☐ Fair ☐ Poor

1h). Mode of interview: ☐ With Interpreter ☐ Without Interpreter

Section 2: PERSONAL BACKGROUND

[INTERVIEWER: "I'd like to begin by asking you a few questions about your personal background..."]

2a). What is your date of birth? __/__/____

(If interviewee does not know DOB, then obtain his/her approximate age _____)

2b). Highest level of Education:

- ☐ Elementary ☐ High School ☐ College/University

2c). What country were you born in? _____

2d). Are you a citizen of any other countries besides where you were born?

☐ No

☐ Yes; Other country of citizenship: # 1 _____

2 _____

Section 3: MIGRATION

[INTERVIEWER: "Now I am going to ask you some questions about your country of origin. I am not asking you this to find out about your immigration status. I am only trying to fully understand what your circumstances are so that we can refer you to appropriate assistance, if necessary. The questions ask about your migration to Palau, who was involved, and how it was arranged."

For children, this may be rephrased: "We would like you to tell us what happened to you when you traveled to Palau"]

3a). Can you tell me why you left your country?

☐ To find work

☐ To join family

☐ To join romantic partner

☐ To escape abuse from family or someone else you know

☐ To escape conflict/violence/persecution

☐ Other [fill in]: _____

3b). What country did you live in for at least 3 months before you came to Palau?

[INTERVIEWER: If client has come to Palau more than once, make sure client refers to most recent place of residence]

3c). In what year was your most recent arrival to Palau? _____

About how long have you been here? _____

3d). Did anyone arrange your trip to Palau?

☐ No

☐ Yes

Can you tell me who? _____

What did they do? _____

3e). Did the people or person who arranged your travel pressure you to do anything (for example, did anyone ask you to carry something across the border)?

☐ No

☐ Yes

What were you pressured to do?

3f). Can you tell me the approximate total cost of your migration: _____

What did the payment cover (e.g., Airfare, Documents, Work placement, etc.)?

3g). Did you (or your family) borrow or owe money, or something else, to anyone who helped you come to Palau.?

☐ No

☐ Yes

If YES, do you (or your family) still have this debt, or does anyone claim you do?

☐ No

☐ Yes

[INTERVIEWER: Record volunteered information here]

3h). (Skip this question if the answer to question 3g is NO) If you did borrow or owe money, have you ever been pressured to do anything you didn't want to do to pay it back?

☐ No

☐ Yes

(If you are comfortable telling me), what kinds of things were you pressured to do that you didn't want to do?

Could you describe how you were pressured?

Section 4: WORK

[INTERVIEWER: "Now I'm going to ask you some questions about the work you've done in Palau and the people you have worked with and for. I'm particularly interested in any kind of work you've done in which you felt that you did not get paid as much as you should, or if you felt scared or unsafe while working. This includes jobs that were not 'official' in regular workplaces. Remember, everything you tell me is confidential and you do not have to answer any questions that you don't want to answer."]

4a). How have you supported yourself while in Palau?

4b). Have you worked for someone or done any other activities without getting the payment you thought you would get?

[This could include activities like unpaid domestic work that might not be readily defined as "work" and should only detail those jobs in which the person felt unsafe or did not get paid what the person felt he/she should.]

☐ No

☐ Yes;

If YES, what kind(s) of work or activities were you doing?

How did you find out about these jobs/activities?

4c). Did someone ever (check all that apply):

- ☐ Withhold payment/money from you
- ☐ Give your payment/money to someone else
- ☐ Control the payment/money that you should have been paid with
- ☐ None of the above

[INTERVIEWER: Record volunteered information here]

4d). Were you ever made to sign a document without fully understanding what it stated? (eg. work contract)

- ☐ No
- ☐ Yes [INTERVIEWER: Probe for details]

4e). Have you ever worked [or done other activities] that were different from what you were promised or told?

- ☐ No
- ☐ Yes

→ If YES, what were you promised or told that you would do?

→ What did you end up doing?

4f). Did anyone where you worked [or did other activities] ever make you feel scared or unsafe?

☐ No

☐ Yes

If YES, could you tell me what made you feel that way?

4g). Did anyone where you've worked [or did other activities] ever hurt or threaten to hurt you? (This could include any physical, sexual, or emotional harm)

☐ No

☐ Yes

If YES, could you tell me what they did or said?

4h). Did anyone where you worked [or did other activities] ever harm or threaten to harm people close to you, like family or friends?

☐ No

☐ Yes

If YES, could you tell me what they did or said?

4i). Were you ever allowed to take breaks where you worked [or did other activities]? (eg. eat, use the telephone, use the bathroom, etc.)

☐ No ☐ Yes

If **unable** to, what if you were sick or had some kind of emergency?

What did you think would happen if you took a break without getting permission?

4j). Were you ever injured or did you ever get sick in a place where you worked [or did other activities]?

☐ No ☐ Yes

If YES, were you ever stopped from getting medical care? ☐ No ☐ Yes

If you feel comfortable, could you tell me more about what happened?

Section 5: LIVING AND WORKING CONDITIONS
--

[INTERVIEWER: Next, I just have a few more questions I'd like to ask you about problems you may have had in your living or working situation here in Palau.]

5a). What is your current living arrangement?

☐ By yourself

☐ With family

☐ With significant other

☐ With Other: _____

5b). Do you live, or have you ever lived, in the same place where you work?

☐ No ☐ Yes

5c). Have you ever felt you could not leave the place where you worked [or did other activities]?

☐ No ☐ Yes

If YES, could you tell me why you couldn't leave?

What do you think would have happened to you if you tried to leave?

5d). Have you ever worked [or did other activities] or lived somewhere where there were locks on the doors, windows, or anything else that stopped you from leaving?

☐ No ☐ Yes

5e). Did anyone at the place where you lived or worked [or did other activities] monitor or try to stop you from contacting your family, friends, or others? [REPHRASE: did you have to ask permission to contact your family, friends or others?]

☐ No ☐ Yes

If YES, could you tell me why not?

5f). Did anyone ever take and keep your identification? (eg. Passport, DL, etc.)

☐ No ☐ Yes

Could you get them back if you wanted to?

5g). Did anyone ever force you to get or use false identification or documentation? (eg. a fake green card)

☐ No ☐ Yes

[Probe for details]

5h). Did anyone where you worked [or did activities] ever tell you to lie about your age or what you did?

☐ No ☐ Yes

Could you explain why they asked you to lie?

5i). Did anyone you ever worked [or did other activities] for or lived with threaten to report you to the police or other authorities?

☐ No ☐ Yes

[INTERVIEWER: Probe for details]

5j). Did you ever see anyone else at the place where you lived or worked [or did other activities] harmed, or threatened with harm? [This can include any physical, sexual, or emotional harm]

☐ No ☐ Yes

(If you are comfortable talking about it) could you tell me what happened?

5k). Did anyone where you worked [or did other activities] ever trick or pressure you into doing anything you did not want to do?

☐ No ☐ Yes

(If you are comfortable talking about it) could you please give me some examples?

5l). Did anyone ever pressure you to touch someone or have any unwanted physical [or sexual] contact with another person?

☐ No ☐ Yes

(If you are comfortable talking about it) could you tell me what happened?

5m). Did anyone ever take a photo of you that you were uncomfortable with?

☐ No ☐ Yes

(If you feel comfortable talking about this) could you tell me who took the photo?

Do you know what he/she planned to do with your photo(s)? (If posted online, please inquire the website).

5n). Did you ever perform sexual activities for things of value (eg. money, housing, gifts, etc.)?

☐ No

☐ Yes → Were you pressured to do this? ☐ No ☐ Yes

→ Were you under the age of 18 when this occurred? ☐ No ☐ Yes

5o). Did anyone where you worked [or did other activities] ever take your money for things? (eg. transportation, food, or rent)

☐ No

☐ Yes → Did you agree to this person taking your money? ☐ No ☐ Yes

→ Could you describe this situation?

5p). Did anyone you ever worked [or did other activities] for or lived with control how much food you could get?

☐ No

☐ Yes → Did you get enough food? ☐ No ☐ Yes

5q). Did anyone you ever worked [or did other activities] for or lived with control when you could sleep?

☐ No

☐ Yes → Did you get enough sleep? ☐ No ☐ Yes

5r). In this situation, did language difficulties ever prevent you from seeking help when you needed it?

☐ No

☐ Yes

5s). INTERVIEWER: If client volunteered additional information relevant to force, fraud or coercion in a work or living situation in Palau, please record it here:

FINISHING THE INTERVIEW:

[INTERVIEWER: Please tell client what services are available at AHTU]

Do you want us to inquire other services for your assistance? ☐ No ☐ Yes

TELL THE CLIENT THE INTERVIEW IS OVER AND THANK THEM FOR THEIR TIME.

Post-Interview Assessment (to be completed by interviewer)

6a. Note any nonverbal indicators of past victimization:

6b. Note any indicators that responses may have been inaccurate:

6c. Indicate the likelihood that the client is a victim of trafficking:

☐ Certainly Not ☐ Likely Not ☐ Uncertain Either Way ☐ Likely ☐ Certainly

6d. Briefly state up to three reasons for your rating:

1.

2.

3.

6e. What kind of service referrals, if any, will you make for the client?

Additional Notes:

APPENDIX II

VICTIM INITIAL RISK ASSESSMENT FORM

INITIAL RISK ASSESSMENT FORM

Initial Risk Assessment Form		
	Observations/Interview	Notes
1.	Physical condition and signs of violence <ul style="list-style-type: none"> • Previous and present injuries • Physical challenges/disability 	
2.	Psychological condition <ul style="list-style-type: none"> • Insomnia • Stressful condition -anxiety • Depression • Mental disorders • Mental illness (supporting documents) 	
3.	Health condition identified <ul style="list-style-type: none"> • Present health condition • High Risk conditions • Hereditary factors • Hazardous lifestyle 	
4.	Security Risk Assessment <ul style="list-style-type: none"> a.) Current safety concerns b.) Previous safety threats c.) Specific person(s) who may cause problems d.) Concern for the safety of family members or friends e.) Risky locations for the Person f.) Other... 	

APPENDIX III

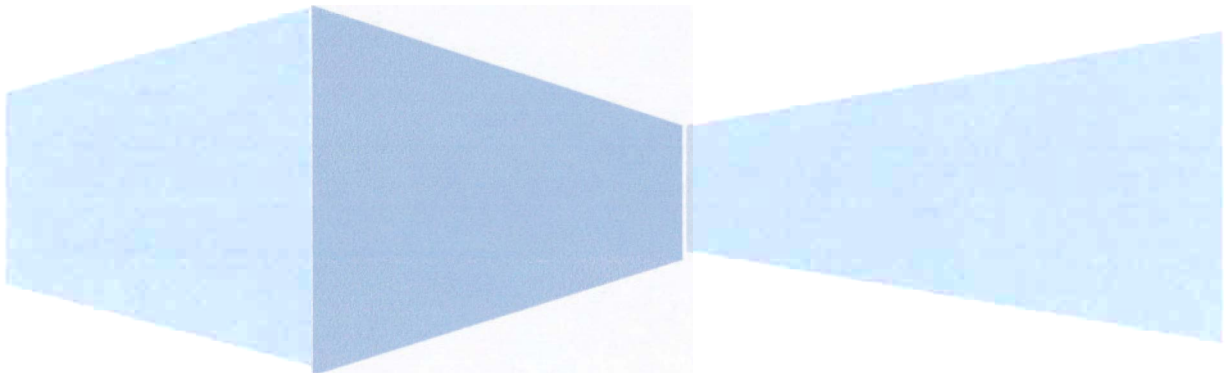
DIRECTORY OF SERVICE PROVIDERS

DIRECTORY OF SERVICE PROVIDERS

2023

Republic of Palau

by IOM



Foreword

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This working document is intended to be a tool for those providing services to victims of trafficking for referral purposes. International Organization for Migration (IOM) consulted with countertrafficking stakeholders' networks to draft the list and takes no responsibility for the services provided or organizations listed below. It is encouraged that before referrals for services, further investigation is undertaken to determine the organization's details are verified and services are suitable.

International Organization for Migration (IOM)

Palau Sub-Office

Suite 210 RT Building, Madalaii, P.O. Box 8006, Koror, Republic of Palau PW 96940

Tel.: 680-488-3113

For more information on human trafficking:

Contact IOM/Micronesia at email:

micronesiaenquiries@iom.int or by calling (+691)-320-8735.

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Human Trafficking is defined by Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as:

- “(a) ‘Trafficking in persons’ shall mean 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, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or removal of organs.
- (b) The consent of a victim of trafficking in persons to the intended exploitation shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (d) ‘Child’ shall mean any person under eighteen years of age.”

Relevant Palau Criminal Code Section

The *Anti-People Smuggling and Trafficking Act* defines and criminalizes different forms of trafficking and related exploitative practices, including: people trafficking (§2106); exploitation of a trafficked person (§2108); child trafficking (§2107); labor trafficking (§2002 and §2003); people smuggling (§2103).

Furthermore, within the legislative framework of Palau, victims of human trafficking are entitled to the immunity from prosecution for immigration-related offenses committed as a result of trafficking, temporary residence permits, and certain labor and immigration rights.

Overview of Service Provider Service Areas

Service Provider	Area of Expertise/Assistance
Anti-Human Trafficking Unit	24-hour hotline, general information provision and guidance, referral to service providers
Belau National Hospital	Basic and specialized medical care
Community Health Centers - Ngarchelong (Northern CHC) - Melekeok (Eastern CHC) - Ngaremlengui (Western CHC)	Basic medical care

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- Peleliu (Southern CHC): - Anguar - Kayangel	Basic medical care
Consulates and offices of honorary consuls	Consular and immigration-related services
International Organization for Migration	Direct Assistance, repatriation and reintegration support
Micronesia Legal Services Corporation – Palau	Free legal aid/counseling
Ministry of Health Division of Behavioral Health	Counseling and mental health services, drug and substance abuse treatment
Ministry of Health Division of Human Services	Social services
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Palau Community Action Agency	Vocational training and programs, household food security programs, early childhood education programs
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Palau Small Business Development Center	Small Business counseling (for Palauan, FSM, RMI, and US, citizens and U.S. green card holders)
Victims of Crime Advocate	Support and advocacy services

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Services Provided by Organizations

General information and guidance

- Anti-Human Trafficking Unit

Drug and Substance Abuse Treatment

- Ministry of Health Division of Behavioral Health

Counseling and Mental Health Service

- Ministry of Health Division of Behavioral Health

Medical Care, HIV/AIDs and Sexual Reproductive Health and Rights

- Belau National Hospital
- Koror Community Health Center

Legal Assistance

- Micronesian Legal Services Corporation

Shelter Services/Humanitarian Assistance

- Anti-Human Trafficking Office
- Palau Red Cross Society

Repatriation and reintegration

- International Organization for Migration

Social, Support & Advocacy Services

- Ministry of Health Division of Human Services
- Victims of Crime Advocate (VOCA)

Vocational programs and training

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Services provided:

- Legal assistance and representation

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The Office of the Attorney General represents and defends the legal interest of the people of Palau and Palau as a sovereign nation. As such, the AG’s office has a broad and comprehensive range of duties. The Office of the Attorney General has primary responsibility for the prosecution of criminal cases and appeals and can assist victims with work visa extensions and job placements in partnership with labor and immigration officials.

Services provided:

- Work visa extensions and job placements

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Services provided:

- General information and guidance (24-hour hotline)
- Referral to other service providers
- Shelter assistance

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Societies (IFRC) on 20 November 1997, joining a membership of 190 National Red Cross and Red Crescent Societies around the world. Our mandate is to serve the most vulnerable, alleviate human suffering and contribute to the promotion of human dignity and peace. International Organization for Migration (IOM)

Services provided:

- Humanitarian assistance and basic needs

International Organization for Migration (IOM)



IOM • OIM

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Services provided:

- Direct assistance
- Return and reintegration support

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Belau National Hospital

Health services are available at the Belau National Hospital, four community centers known as super dispensaries and four additional satellite dispensaries. Belau National Hospital is the main health facility in the country and the referral hospital for the entire population of Palau. It provides primary healthcare, emergency care, surgery, inpatient, pediatric and outpatient services. The hospital has basic diagnostic radiology equipment including CT scan, X-rays, and mammograms. There is also a small basic physiotherapy unit, decompression chamber for diving related accidents and a dialysis unit available. A pharmacy is present within the hospital, however medical supplies are limited and frequently out of stock. International specialist doctors make regular temporary visits to Palau, and during the course of their visits offer consultations at the Belau National Hospital, which acts as the national hub for specialist treatment. The Ministry of Health provides information for future specialist visits and patients are generally required to obtain a referral from their general practitioner prior to making an appointment.

Services provided:

- Medical care – primary care and specialized care

Community Health Centers

Besides the Belau National Hospital, Palau's public health system relies of a network of community health centers and dispensaries dispersed throughout the islands. Community Health Centers and dispensaries are located in the main islands of Koror and Babeldaob and the other islands of Peleliu, Kayangel, and Anguar.

Services provided:

- Medical care – primary care

Ministry of Health Division of Behavioral Health

The Division of Behavioral Health under the Ministry of Health provides free counseling and mental health services for individuals who are in need of emotional and mental health support. Besides its mental health and therapy services, the Division of Behavioral Health also conducts community outreach and preventions activities to combat drug and substance abuse within the country.

Services provided:

- Counseling and mental health services

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- Drug and substance abuse treatment

Ministry of Health Division of Human Services

The Division of Human Services was established pursuant to Presidential Executive Order No. 466. The Division provides a range of social services to assist and support vulnerable populations as well as to enable individuals, families, and communities to achieve the best possible levels of personal and social well-being through the restoration of social functioning, access to basic resources and services, and prevention of social dysfunction. The Victims of Crime Advocate (VOCA) works in the Division of Human Services. VOCA is responsible for providing support and advocacy services to victims of crime, which include, but are not limited to arranging for crisis intervention, assisting to maximize the capacity of the Republic to support and assist victims of crime, to do so in a manner that is efficient and effective, and to ensure equitable access for all victims to available support services. VOCA, CDU, DEH and other relevant subdivisions within the Ministry of Health and Human Services accept referrals of suspected victims of human trafficking from AHTU for further victims' services.

Services provided:

- Crisis intervention, including crisis counseling and support
- Short-term housing

Palau Community Action Agency

Established in 1968, Palau Community Action Agency (PCCA) works for the primary mission of delivering community action programs and other related anti-poverty programs. The PCCA assists individuals and families to improve their living standards through small business development activities, household food assistance programs, and early childhood education programs

Services provided:

- Vocational trainings and programs
- Food assistance

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Palau Workforce Innovation and Opportunity Act Office



The Workforce Innovation and Opportunity Act (WIOA Office) administers federally-funded programs mandated under the Workforce Innovation and Opportunity Act of 2014. Our partners are employers and our customers are job seekers. We network with employers, both private and public, and place job seekers in employment, education, training and support services. The WIOA Office provides on-the-job trainings and occupational/apprenticeship programs.

Services provided:

- Vocational training and programs



Palau Chamber of Commerce

The Palau Chamber of Commerce (PCOC) is a nonprofit organization established in 1992 in the Republic of Palau to promote and advocate for businesses and business opportunities; its core objectives are: to create jobs and to grow the economy of Palau.

Services provided:

- Mentoring opportunities for jobs and for starting a business

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Palau Small Business Development Center

The Palau Small Business Development Center (Palau SBDC) is a member of the University of Guam's Pacific Islands Small Business Development Center Network (PISBDCN). The mission of PISBDCN is to support the growth and economic development of the U.S. affiliated islands in the Western Pacific region by providing high-quality training and one-on-one confidential counseling to existing small businesses and to small business start-ups.

Services Provided: Free confidential one-to-one counseling in all areas of business management. [This service is available to all existing and/or small business owners/managers that are U.S. citizens, green card holders, or citizens of the Freely Associated States].

DIRECTORY

Anti-Human Trafficking Unit

Focal point: Amber Osima (Victim Advocate)

PO Box 1365

Koror, Palau 96940

Phone: 680-775-4066 (24-hour Hotline) 680-488-4845 (Anti-Human Trafficking Unit Office number) E-mail: amberosima@gmail.com

<https://www.palau.gov.pw/executive-branch/ministries/justice/>

Belau National Hospital

Bureau of Hospital & Clinical Services

Meyuns

Koror, Palau 96940

Phone: 680-488-2552 / 488-2558 (emergency room)

E-mail: yuriko.bechesrrak@palauhealth.org

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<https://www.facebook.com/pages/Belau-National-Hospital/182533675818927>

Community Health Centers (CHCs) and Dispensaries

Phone: Community Health Centers Program-680488-4804/4805/4368

Ngarchelong (Northern CHC): 680-855-1070

Melekeok (Eastern CHC): 680-654-1077

Ngaremlengui (Western CHC): 680-733-1066

Peleliu (Southern CHC): 680-345-1002

Anguar: 680-277-1010

Kayangel: 680-876-1010

Philippines Consulate General in Agana, Guam

(Consular jurisdiction over Caroline Islands, Guam, Marshall Islands, Micronesia, Palau, Wake Islands)

Suite 601 & 602 ITC Bldg Marine Drive

Tamuning, Guam 96931-5880

Phone: 1-671-646-4620/30

<http://www.philippinesguam.org/>

The Office of the Philippine Honorary Consul

Focal point: Eric Ksau Whipps

Surangel's Worldwide Travel Building - P.O. Box 295

Koror, Palau PW 96940

Phone: 680-488-5077 E-mail:

hpcpalau@outlook.com

Embassy of the Republic of China in Palau

3F., Ben Franklin Building

Koror, Palau PW 96940

Phone: 680-775-6688

(emergency number)

(680)-488-8149/8150/8349/8646

https://origin-www.roc-taiwan.org/pal_en/

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International Organization for Migration (IOM)

Focal point: Lori J. Williams

Suite 210 RT Building, Madalaii,

Koror, Palau PW 96940

Phone: 680-488-3113

E-mail: lowilliams@iom.int

[https://: www.iom.int](https://www.iom.int)

Micronesian Legal Services Corporation (MLSC)

Focal Point: Ronald Ledgerwood, Directing Attorney

P.O. Box 57

Koror, Palau PW 96940

Phone: 680-488-2473/74

E-mail: legalhelp@mlscnet.org

<http://micronesianlegal.org/>

Ministry of Health Division of Behavioral Health Services

Focal point: Everlyn B. Temengil

One Hospital Road P.O. Box 6027

Koror, Palau PW 96940

Phone: 680-488-2552/2553

E-mail: everlyn.temengil@palauhealth.org

<http://www.palauhealth.org/default.aspx>

Palau Community Action Agency

P.O. Box 3000

Koror, Palau RW 96940-6013

Phone: 680-488-1170/4909

E-mail: pcaa@piango.net / dnagata@pcaa.org

Palau Red Cross Society

Across Ernguul Park

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Suite 208 RT Building, Madalaii, P.O. Box 9085, Koror, Republic of Palau PW 96940

Tel: 680-488-3113 • Internet: <http://www.iom.int>

Koror, Palau PW 96940

Phone:680-488-5780

E-mail:

info@palauredcross.org

<http://palauredcross.org/>

Palau Workforce Innovation and Opportunity Act (WIOA Office)

Palau Community College, Keskas Building P.O. Box 100

Koror, Palau PW 96940

Phone:680-488-2513

E-mail: wia@palaunet.com

<https://palauwioa.org/>

Palau Chamber of Commerce

Focal Point: Ltlatk H. Fritz, President

Address: P.O. Box 1742

Koror, Palau PW 96940

Phone:680-488-3400

E-mail:

admin@palauchamber.org

<https://palauchamberofcommerce.com>

Palau Small Business Development Center

Focal Point: Ltlatk H. Fritz, Director and Business Advisor

Ngetkib, Airai

At National Development Bank Complex

c/o NDBP

PO Box 816

Koror, Palau PW 96940

Phone:680-587-6004

E-mail:

palausbdc@pacificsbdc.com

<https://www.pacificsbdc.com>

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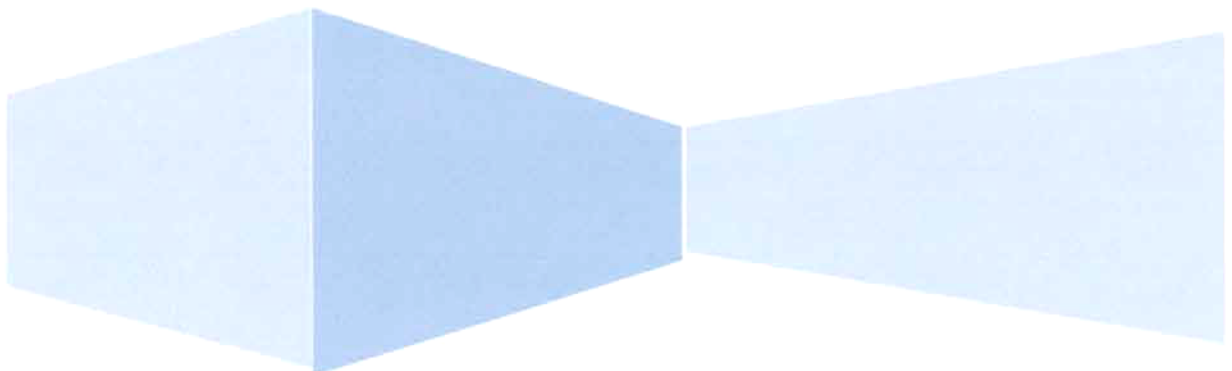
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Tel: 680-488-3113 • Internet: <http://www.iom.int>



Belau National Hospital

Health services are available at the Belau National Hospital, four community centers known as super dispensaries and four additional satellite dispensaries. Belau National Hospital is the main health facility in the country and the referral hospital for the entire population of Palau. It provides primary healthcare, emergency care, surgery, inpatient, pediatric and outpatient services. The hospital has basic diagnostic radiology equipment including CT scan, X-rays, and mammograms. There is also a small basic physiotherapy unit, decompression chamber for diving related accidents and a dialysis unit available. A pharmacy is present within the hospital, however medical supplies are limited and frequently out of stock. International specialist doctors make regular temporary visits to Palau, and during the course of their visits offer consultations at the Belau National Hospital, which acts as the national hub for specialist treatment. The Ministry of Health provides information for future specialist visits and patients are generally required to obtain a referral from their general practitioner prior to making an appointment.

Services provided:

- Medical care – primary care and specialized care

Community Health Centers

Besides the Belau National Hospital, Palau's public health system relies of a network of community health centers and dispensaries dispersed throughout the islands. Community Health Centers and dispensaries are located in the main islands of Koror and Babeldaob and the other islands of Peleliu, Kayangel, and Anguar.

Services provided:

- Medical care – primary care

Ministry of Health Division of Behavioral Health

The Division of Behavioral Health under the Ministry of Health provides free counseling and mental health services for individuals who are in need of emotional and mental health support. Besides its mental health and therapy services, the Division of Behavioral Health also conducts community outreach and preventions activities to combat drug and substance abuse within the country.

Services provided:

- Counseling and mental health services

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Suite 208 RT Building, Madalaii, P.O. Box 9085, Koror, Republic of Palau PW 96940

Tel: 680-488-3113 • Internet: <http://www.iom.int>

- Drug and substance abuse treatment

Ministry of Health Division of Human Services

The Division of Human Services was established pursuant to Presidential Executive Order No. 466. The Division provides a range of social services to assist and support vulnerable populations as well as to enable individuals, families, and communities to achieve the best possible levels of personal and social well-being through the restoration of social functioning, access to basic resources and services, and prevention of social dysfunction. The Victims of Crime Advocate (VOCA) works in the Division of Human Services. VOCA is responsible for providing support and advocacy services to victims of crime, which include, but are not limited to arranging for crisis intervention, assisting to maximize the capacity of the Republic to support and assist victims of crime, to do so in a manner that is efficient and effective, and to ensure equitable access for all victims to available support services. VOCA, CDU, DEH and other relevant subdivisions within the Ministry of Health and Human Services accept referrals of suspected victims of human trafficking from AHTU for further victims' services.

Services provided:

- Crisis intervention, including crisis counseling and support
- Short-term housing

Palau Community Action Agency

Established in 1968, Palau Community Action Agency (PCCA) works for the primary mission of delivering community action programs and other related anti-poverty programs. The PCCA assists individuals and families to improve their living standards through small business development activities, household food assistance programs, and early childhood education programs

Services provided:

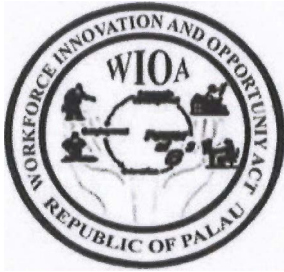
- Vocational trainings and programs
- Food assistance

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Tel: 680-488-3113 • Internet: <http://www.iom.int>

Palau Workforce Innovation and Opportunity Act Office



The Workforce Innovation and Opportunity Act (WIOA Office) administers federally-funded programs mandated under the Workforce Innovation and Opportunity Act of 2014. Our partners are employers and our customers are job seekers. We network with employers, both private and public, and place job seekers in employment, education, training and support services. The WIOA Office provides on-the-job trainings and occupational/apprenticeship programs.

Services provided:

- Vocational training and programs



Palau Chamber of Commerce

The Palau Chamber of Commerce (PCOC) is a nonprofit organization established in 1992 in the Republic of Palau to promote and advocate for businesses and business opportunities; its core objectives are: to create jobs and to grow the economy of Palau.

Services provided:

- Mentoring opportunities for jobs and for starting a business

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Suite 208 RT Building, Madalaii, P.O. Box 9085, Koror, Republic of Palau PW 96940

Tel: 680-488-3113 • Internet: <http://www.iom.int>



Palau Small Business Development Center

The Palau Small Business Development Center (Palau SBDC) is a member of the University of Guam's Pacific Islands Small Business Development Center Network (PISBDCN). The mission of PISBDCN is to support the growth and economic development of the U.S. affiliated islands in the Western Pacific region by providing high-quality training and one-on-one confidential counseling to existing small businesses and to small business start-ups.

Services Provided: Free confidential one-to-one counseling in all areas of business management. [This service is available to all existing and/or small business owners/managers that are U.S. citizens, green card holders, or citizens of the Freely Associated States].

DIRECTORY

Anti-Human Trafficking Unit

Focal point: Amber Osima (Victim Advocate)

PO Box 1365

Koror, Palau 96940

Phone: 680-775-4066 (24-hour Hotline) 680-488-4845 (Anti-Human Trafficking Unit Office number) E-mail: amberosima@gmail.com

<https://www.palau.gov.pw/executive-branch/ministries/justice/>

Belau National Hospital

Bureau of Hospital & Clinical Services

Meyuns

Koror, Palau 96940

Phone: 680-488-2552 / 488-2558 (emergency room)

E-mail: yuriko.bechesrrak@palauhealth.org

IOM PALAU SUB-OFFICE

Suite 208 RT Building, Madalaii, P.O. Box 9085, Koror, Republic of Palau PW 96940

Tel: 680-488-3113 • Internet: <http://www.iom.int>

<https://www.facebook.com/pages/Belau-National-Hospital/182533675818927>

Community Health Centers (CHCs) and Dispensaries

Phone: Community Health Centers Program-680488-4804/4805/4368

Ngarchelong (Northern CHC): 680-855-1070

Melekeok (Eastern CHC): 680-654-1077

Ngaremlengui (Western CHC): 680-733-1066

Peleliu (Southern CHC): 680-345-1002

Anguar: 680-277-1010

Kayangel: 680-876-1010

Philippines Consulate General in Agana, Guam

(Consular jurisdiction over Caroline Islands, Guam, Marshall Islands, Micronesia, Palau, Wake Islands)

Suite 601 & 602 ITC Bldg Marine Drive

Tamuning, Guam 96931-5880

Phone: 1-671-646-4620/30

<http://www.philippinesguam.org/>

The Office of the Philippine Honorary Consul

Focal point: Eric Ksau Whipps

Surangel's Worldwide Travel Building - P.O. Box 295

Koror, Palau PW 96940

Phone: 680-488-5077 E-mail:

hpcpalau@outlook.com

Embassy of the Republic of China in Palau

3F., Ben Franklin Building

Koror, Palau PW 96940

Phone: 680-775-6688

(emergency number)

(680)-488-8149/8150/8349/8646

https://origin-www.roc-taiwan.org/pal_en/

IOM PALAU SUB-OFFICE

Suite 208 RT Building, Madalaii, P.O. Box 9085, Koror, Republic of Palau PW 96940

Tel: 680-488-3113 • Internet: <http://www.iom.int>

International Organization for Migration (IOM)

Focal point: Lori J. Williams

Suite 210 RT Building, Madalaii,

Koror, Palau PW 96940

Phone: 680-488-3113

E-mail: lowilliams@iom.int

[https://: www.iom.int](https://www.iom.int)

Micronesian Legal Services Corporation (MLSC)

Focal Point: Ronald Ledgerwood, Directing Attorney

P.O. Box 57

Koror, Palau PW 96940

Phone: 680-488-2473/74

E-mail: legalhelp@mlscnet.org

<http://micronesianlegal.org/>

Ministry of Health Division of Behavioral Health Services

Focal point: Everlyn B. Temengil

One Hospital Road P.O. Box 6027

Koror, Palau PW 96940

Phone: 680-488-2552/2553

E-mail: everlyn.temengil@palauhealth.org

<http://www.palauhealth.org/default.aspx>

Palau Community Action Agency

P.O. Box 3000

Koror, Palau RW 96940-6013

Phone: 680-488-1170/4909

E-mail: pcaa@piango.net / dnagata@pcaa.org

Palau Red Cross Society

Across Ernguul Park

IOM PALAU SUB-OFFICE

Suite 208 RT Building, Madalaii, P.O. Box 9085, Koror, Republic of Palau PW 96940

Tel: 680-488-3113 • Internet: <http://www.iom.int>

Koror, Palau PW 96940

Phone:680-488-5780

E-mail:

info@palauredcross.org

<http://palauredcross.org/>

Palau Workforce Innovation and Opportunity Act (WIOA Office)

Palau Community College, Keskas Building P.O. Box 100

Koror, Palau PW 96940

Phone:680-488-2513

E-mail: wia@palaunet.com

<https://palauwioa.org/>

Palau Chamber of Commerce

Focal Point: Ltlatk H. Fritz, President

Address: P.O. Box 1742

Koror, Palau PW 96940

Phone:680-488-3400

E-mail:

admin@palauchamber.org

<https://palauchamberofcommerce.com>

Palau Small Business Development Center

Focal Point: Ltlatk H. Fritz, Director and Business Advisor

Ngetkib, Airai

At National Development Bank Complex

c/o NDBP

PO Box 816

Koror, Palau PW 96940

Phone:680-587-6004

E-mail:

palausbdc@pacificsbdc.com

<https://www.pacificsbdc.com>

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Suite 208 RT Building, Madalaii, P.O. Box 9085, Koror, Republic of Palau PW 96940

Tel: 680-488-3113 • Internet: <http://www.iom.int>

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Tel: 680-488-3113 • Internet: <http://www.iom.int>

APPENDIX IV
REFERRAL FORM

Referral Form

Note: This form should be filled out by first responders who first came into contact with a potential victim of trafficking and wish to refer the victim to relevant authorities (law enforcement in Palau). The use of this form not only streamlines information-gathering processes and enhances coordination between and among service providers and law enforcement but also ensures that the victim does not have to go through repetitive interviews, which itself can be highly stressful and even traumatizing.

Basic screening questions to identify if the person is a victim of trafficking:

- 1) Did the person move out of his/her community because he/she was offered an opportunity to improve his/her family's condition of life; or because he/she was forced to leave his/her community against her will or because he/she was told lies about the place or nature of work he/she was going to do?
- 2) Was the person exploited and not able to leave the situation of exploitation i.e., was freedom of movement denied upon arrival at the destination or did not know his/her whereabouts or how to get back to his/her home?

If both answers are YES, please inform the person that what happened to him/her may be considered a crime known as human trafficking and that you would like to interview him/her to understand the situation better in order to help him/her. If both answers are NO, refer the client for appropriate assistance accordingly.

Important: Please ask his/her consent to be interviewed before proceeding with the following questions. (When recording the victim's personal data, it is essential to bear in mind confidentiality, privacy, and data protection concerns, and to obtain the victim's informed consent.)

Section A: Victim's Details

Last name: _____ First name(s): _____

Also known as: _____ Sex: _____


Date of birth: ____/____/____ Age (approximate if not known): _____

Place of birth: _____

Nationality: _____

Immigration status (where known): _____

Language(s) spoken: _____

 Any English spoken/Interpreter needed: _____

Visa reference (where known): _____

Any other reference numbers: _____

Home address: _____

Method of entry (where known): _____

Section B: Contact Details of Referrer

1. Name: _____
Job title: _____
Organization: _____
Unit or area: _____
Tel: _____ Fax: _____
Mobile: _____
Email: _____
Signature: _____ Date: ____/____/____

2. Name: _____
Job title: _____
Organization: _____
Unit or area: _____
Tel: _____ Fax: _____
Mobile: _____
Email: _____
Signature: _____ Date: ____/____/____

3. Name: _____
Job title: _____

	Organization: _____ Unit or area: _____ Tel: _____ Fax: _____ Mobile: _____ Email: _____ Signature: _____ Date: ____/____/____
4.	Name: _____ Job title: _____ Organization: _____ Unit or area: _____ Tel: _____ Fax: _____ Mobile: _____ Email: _____ Signature: _____ Date: ____/____/____

Section C: General details of the encounter with the potential victim	
Date encountered (if relevant) or date of first agency contact:	

Address encountered or place of first contact with your agency (if different from above):	

Date of referral to local authority: ____/____/____	
Local authority/social worker contact details:	

Responsible police force area for this location:

Have you reported the case to the police:

- ☐ Yes
- ☐ No
- ☐ NRM referral is being made by the police

Crime reference numbers relating to this incident (where available):

If you have not referred the case to the police, what was the reason for this?

Section D: General information about the suspected exploitation

Suspected form of exploitation:

- ☐ forced labor or services
- ☐ provision of sexual services or the commission of sexual offenses by the victim
- ☐ criminal services (i.e., involved the commission of an offense by the victim)
- ☐ unknown
- ☐ other (please state) _____

APPENDIX V

INFORMED CONSENT FORM: BENEFICIARY

INFORMED CONSENT FORM: BENEFICIARY

NOTE: This form needs to be filled out by the victim before he/she receives any assistance or services from service providers.

I, the undersigned, _____, express my informed decision to cooperate with the [your organization] and to participate voluntarily in the [assistance] program. This program aims to [specify objective of assistance]. I understand that the personal data of myself and my dependents [name of child/family members] are necessary for the provision of [describe assistance].

I have been informed about the specified and additional purpose(s) and hereby authorize [your organization] and any authorized person or entity acting on behalf of [your organization] to collect, use, disclose and dispose of the personal data provided in this form. I am aware and agree that the personal data will be shared with and processed by [name of third party e.g. donors, relevant institutions/government entities] to achieve the specified purpose(s). I hereby release, discharge and agree to hold harmless [your organization] from any liability or damage cause, directly or indirectly, to me, my child or my family in connection with this authorization.

I declare that the information I have provided is true and correct to the best of my knowledge. I understand that if I make a false statement in signing this form, the assistance provided by [your organization] can be terminated at any time.

Date:

Applicant's signature:

APPENDIX VI

INFORMED CONSENT FORM: INTERVIEWER

INFORMED CONSENT FORM: INTERVIEWER

NOTE: This form needs to be filled out by all staff members of service provider organizations or law enforcement who are involved in case management.

Has the individual been informed that your organization and/or partnering organization reserves the right to share her/his individual case data for assistance purposes and only with your organization and to share her/his individual case data for assistance purposes and only with your organization and partnering organizations involved in direct assistance? ☐ Yes ☐ No

Has the individual further been informed that your organization reserves the right to make a limited disclosure of non-personal information collected at the interview to law enforcement for the purpose of rescuing other victims under the control of traffickers or preventing potential victims? ☐ Yes ☐ No

Has the individual further been informed that your organization reserves the right to use (*only anonymous, aggregate*) data for research purposes? ☐ Yes ☐ No

Has the individual's full and informed consent has been obtained to conduct the screening interview based on information given regarding the role of the organization, the voluntary nature of the interview and the use of the information provided by the individual as outlined above?

☐ Yes ☐ No

If the individual is a minor, has the consent of the parent(s)/guardian(s) been obtained?

☐ Yes ☐ No

1. Name: Organization: Staff Signature _____	Title: _____ Manager Signature _____
---	--

2. Name: Organization: Staff Signature _____	Title: _____ Manager Signature _____
---	--

3. Name: Organization: Staff Signature _____	Title: _____ Manager Signature _____
---	--

4. Name: Organization: Staff Signature _____	Title: _____ Manager Signature _____
---	--

APPENDIX VII

VICTIM NEEDS ASSESSMENT QUESTIONS

VICTIM NEEDS ASSESSMENT QUESTIONS

Description	Explain in the space below	Intervention
1. Case bio data ([Name, Case file no., Age, Gender]		
2. Do you feel that your personal safety is under threat?		
3. Was the VOT followed by certain person(s) in a certain period?		
4. Do you have a need for accommodation services?		
5. Food and special diet required?		
6. Is there a need for clothing and other personal effects?		
7. Are you under any special medication?		
8. Are there health needs, for example a medical examination, or high risk medical conditions?		
9. Are there disability challenges and support needs?		
10. Is there a location or are there locations which may not be safe for the VoT to visit?		
11. Are there any concerns for family members?		
12. Does VoT wish to communicate with family members? (Specify details)		
13. Any other important needs? (probe and/or observe)		

APPENDIX VIII

VICTIM IDENTIFICATION CHECKLIST

VICTIM IDENTIFICATION CHECKLIST

Proper victim identification ensures that victim rights are upheld and that victims have access to justice and support services. When deciding whether a person is a victim of human trafficking, the following should be considered:

- Is the person confined, under constant surveillance or have restricted movement?
- Is the person in possession of their own identity or travel documents?
- Are the travel or identity documents authentic?
- How was the person moved, voluntarily or involuntarily?
- Who paid for the travel expenses (and accommodation)?
- Is the person in debt bondage, compelled labor or labor with no pay?
- Was any money paid to the recruiter in advance?
- What was the person promised?
- What activities has the person been engaged in since he or she arrived?
- How soon after arrival did the activity begin?
- What were the working conditions?
- How much did the person earn and where is the money worked for?
- Has the person had any contact with family or friends?
- Has the person been forced to lie about their whereabouts to their family or friends?
- How was the person recruited? Was contact established by:
 - The victim
 - The trafficker
 - A family member, relative or friend
 - An agent or other third party
- Is the person's exploitation as a result of:
 - Violence or threats to themselves or their family or friends?
 - Threats of exposure or humiliation by photographing or videotaping the person in a compromising position?
 - Threats of arrest or deportation?
 - Forcing the person to witness the beating, rape or murder of another person in order to intimidate them?

- Does the person show signs of:
- Rape, burns, bruising or some other physical injury?
- Emotional distress, depression, anxiety, post-traumatic stress or self-inflicted injuries?
- Forced abortions, malnutrition and/or poor personal hygiene?

APPENDIX IX
CASE MONITORING FORM

CASE MONITORING FORM

NOTE: Monitoring starts when the victim is still in a shelter or receiving assistance from service providers. Please fill out this form after three months or when the victim is about to leave the shelter.

- Date of monitoring interview, visits, or calls: _____
- Type of monitoring: ☐ In-person interview ☐ Visit ☐ Call

Health	<input type="checkbox"/> Excellent	<input type="checkbox"/> Good	<input type="checkbox"/> Average	<input type="checkbox"/> Poor	<input type="checkbox"/> Extremely bad
Education	<input type="checkbox"/> Excellent	<input type="checkbox"/> Good	<input type="checkbox"/> Average	<input type="checkbox"/> Poor	<input type="checkbox"/> Extremely bad
Family Situation	<input type="checkbox"/> Excellent	<input type="checkbox"/> Good	<input type="checkbox"/> Average	<input type="checkbox"/> Poor	<input type="checkbox"/> Extremely bad
Work options	<input type="checkbox"/> Excellent	<input type="checkbox"/> Good	<input type="checkbox"/> Average	<input type="checkbox"/> Poor	<input type="checkbox"/> Extremely bad

- Comments: What type of follow-up is needed?

INTERVIEW DATA

- Date of first encounter with the beneficiary: _____
- Name of interviewer: _____
- Interviewer's title/organization: _____
- Where was the interview conducted?
 - ☐ CSO Office ☐ Police Station ☐ Other (please specify): _____
- Type of referring agency:
 - ☐ Police (Identify station: _____)
 - ☐ Other law enforcement (Identify agency and location: _____)
 - ☐ Community leader (Identify location: _____)

☐ Media (Identify the name of the media outlet: _____)

☐ NGO (Identify name of NGO: _____)

☐ Church (Identify name and location: _____)

☐ Other (please specify: _____)

● Interview language: _____

Other languages spoken by the beneficiary: _____

● Date of completing the interview: _____

Interviewer's signature: _____

APPENDIX X

PRE-DEPARTURE CHECKLIST FOR REPATRIATION

PRE-DEPARTURE CHECKLIST FOR REPATRIATION

Description	Tick As Appropriate & Explain
Good physical and mental health condition. Can travel back to Country of origin or place of habitual residence	<input type="checkbox"/> YES <input type="checkbox"/> NO
The VoT has a safe place to stay on arrival	<input type="checkbox"/> YES <input type="checkbox"/> NO
All legal, administrative, identity and travel documents are secured	<input type="checkbox"/> YES <input type="checkbox"/> NO
Name, contact and focal person of receiving agency and initial reintegration plan (IRP)	<input type="checkbox"/> YES <input type="checkbox"/> NO
Copies of necessary documents and VoT security information to be forwarded to the receiving agency	<input type="checkbox"/> YES <input type="checkbox"/> NO
Travel documents and other personal documents/items	Explain below:
a) Passport/Visa	<input type="checkbox"/> YES <input type="checkbox"/> NO
b) Air ticket(s)	<input type="checkbox"/> YES <input type="checkbox"/> NO
c) Bus ticket(s)	<input type="checkbox"/> YES <input type="checkbox"/> NO
d) Medical records	<input type="checkbox"/> YES <input type="checkbox"/> NO
e) Personal documents/items	<input type="checkbox"/> YES <input type="checkbox"/> NO

APPENDIX XI

STAFF CONFIDENTIALITY AGREEMENT FORM

Staff Confidentiality Agreement Form

NOTE: This form needs to be filled out by all staff members of service provider organizations or law enforcement who are involved in case management.

I understand the importance of maintaining confidentiality in order to protect the safety of victims and their families.

I am required to keep a victim's information confidential and will not disclose personal information without the permission of the victim or my supervisor in case of an emergency.

I will not discuss information related to victims with the media unless I request and receive express permission from my supervisor regarding the nature, purpose, and limits of any communication with the press. I will not discuss resident matters in public areas.

I will direct any questions or concerns regarding confidentiality to my immediate supervisor.

I understand that a willful violation of the confidentiality policy can entail disciplinary action against me, including suspension or termination of employment.

1. Name:

Organization:

Staff Signature

Title: _____

Manager Signature

2. Name:

Organization:

Staff Signature

Title: _____

Manager Signature

3. Name:

Organization:

Staff Signature

Title: _____

Manager Signature

4. Name:

Organization:

Staff Signature

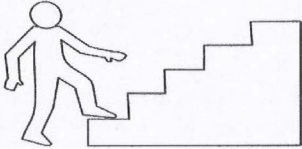
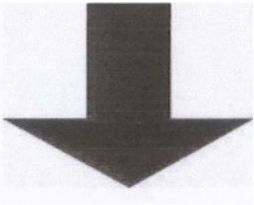
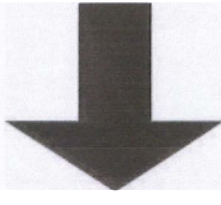
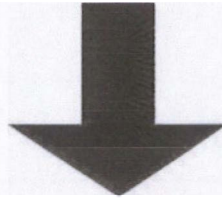

Title: _____

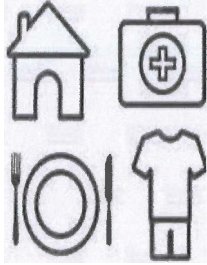


Manager Signature


APPENDIX XII

FLOW CHART – PROVISION OF SERVICES FOR VICTIMS OF TRAFFICKING

ASSISTANCE TO VICTIMS OF TRAFFICKING	This flow chart outlines the different stages for the provision of assistance to Victims of Trafficking (VOTs) in the Republic of Palau—including the Service Providers involved at each stage. The chart is intended to promote coordination among governmental and nongovernmental actors to ensure that the comprehensive needs of VoTs are met.
---	---

There are 5 steps in VoT service provision: 	WHO takes the lead? 	WHO are the actors? 	WHAT TO CONSIDER? 
1. IDENTIFICATION  Initial and formal assessment to establish whether or not an individual is a VoT	LAW ENFORCEMENT LED BY THE ANTI-HUMAN TRAFFICKING UNIT (AHTU)	Initial identification may be made by: <ul style="list-style-type: none"> • National HT Hotline • Labor Officers • Immigration Officers • Customs Officers • Health Workers • Traditional/Faith-based Leaders • Anybody 	<ul style="list-style-type: none"> • Conduct an assessment with VOTs informed consent; • Ensure Confidentiality of Data; • Unless absolutely necessary, VoTs should not be requested to recount their trafficking experience other than during counseling.
2. IMMEDIATE TO MID-TERM ASSISTANCE	VICTIM ADVOCATE in AHTU; AND DIVISION OF HUMAN SERVICES	<ul style="list-style-type: none"> • Health Care Providers • NGOs • Faith-Based Organizations • Immigration • Labor • Dept of Soc. Serv • VOCA • Traditional Leaders • Community Leaders 	<ul style="list-style-type: none"> • Safety and security/housing • Medical Care/treatment • Clothing, bedding, and hygiene • Food • Legal assistance/advice

 <p>Address immediate needs, including shelter, clothing, food, medical care and regularization of stay</p>			<ul style="list-style-type: none"> • Regularization of stay for foreign nationals • Mental Health Counseling
<p>3. CRIMINAL PROCEEDINGS</p>  <p>Consensual & informed involvement of VoTs in criminal proceedings.</p>	<p>ATTORNEY GENERAL'S OFFICE/OR SPECIAL PROSECUTORS OFFICE AS APPROPRIATE DEPENDING ON THE CIRCUMSTANCES OF EACH CASE</p>	<ul style="list-style-type: none"> • Investigators and Detectives • Trained Interviewer • Immigration • MLSC • Witnesses • AHTU • VOCA • Service Providers 	<ul style="list-style-type: none"> • Continued safety of VOT • Psychosocial support • Confidentiality • Preparation for hearings • Mental Health Counseling • Continued Legal Counseling
<p>4. SAFE & VOLUNTARY RETURN</p>  <p>Return of a VoT to his/her community/country of nationality under specific conditions laid down in international instruments</p>	<p>ANTI-HUMAN TRAFFICKING UNIT (AHTU); MINISTRY OF STATE</p>	<ul style="list-style-type: none"> • Immigration • Embassies/Consulates • Health Care Providers • Int'l Orgs/NGOs • Law Enforcement • Atty Generals Office • Faith-based Organizations and other community Service Providers 	<ul style="list-style-type: none"> • Protection from re-trafficking • Protection from stigmatization and discrimination • Right to nationality • Parental /guardianship rights • Safe travel (including escort for a child); travel documentation • Service providers coordination to ensure the continuation of care

			<ul style="list-style-type: none"> • Financial and legal assistance
<p>5. REINTEGRATION</p>  <p>Reunite a VoT with his/her family or community, or reintegrate the person into a new community in a safe, dignified, and sustainable way</p>	<p>ANTI-HUMAN TRAFFICKING UNIT (AHTU); DIVISION OF HUMAN SERVICES</p>	<ul style="list-style-type: none"> • Dept of Education • Embassies/Consulates • Health Care Providers • Int’l NGOs • Ministry of State • Ministry of Health and Human Services including VOCA and Social Workers • Faith based and other Community Organizations 	<ul style="list-style-type: none"> • Development of reintegration plan • Whenever possible, favor family or community based arrangements rather than institutional care • Follow up with appropriate authorities

Note: The *Directory of Service Providers* contains information to assist in identifying and locating service providers in the Republic of Palau.

APPENDIX XIII

MOU BETWEEN THE MINISTRY OF JUSTICE AND THE MINISTRY OF HUMAN RESOURCES, CULTURE, TOURISM, AND DEVELOPMENT

Memorandum of Understanding

on

**Sharing of labor compliance reports and data
relating to suspected cases of human trafficking**

between

The Ministry of Justice

and

The Ministry of Human Resources, Culture, Tourism and Development

Purpose

1. The purpose of this Memorandum of Understanding (MOU) is to express a common understanding between the Ministry of Justice (MOJ) and the Ministry of Human Resources, Culture, Tourism and Development (MHRCTD) (collectively “the parties”) for sharing labor compliance reports and data.

MOU to supersede all prior agreements

2. This MOU supersedes any prior agreement or arrangement entered into between the parties and any of their respective current or previous bureaus, divisions or offices however described regarding the matters they have agreed to in this MOU

Amendments and disputes

3. Any amendments, additions or corrections to this MOU or departure from their contents or application are subject to express agreement in writing between the parties.
4. The parties are required to negotiate in good faith in respect of any dispute that may arise between them as to the interpretation, meaning, application or understanding of any of the provisions expressed in this MOU.

Interpretation

5. “Human trafficking” and “human trafficking offense” means any offense as per 17 PNCA Chapter 20.

Recitals

6. The MOJ oversees the Bureau of Public Safety, which includes the Division of Transnational Crime. The Anti-Human Trafficking Unit (AHTU) is the office within the Division of Transnational Crime responsible for managing, coordinating and responding to incidences of human trafficking across and within the territorial borders of the Republic of Palau.
7. The MHRCTD oversees the Division of Employment Services and the Office of Labor Compliance ("the Labor Compliance"). The Labor Compliance is responsible for enforcing compliance with all labor-related law applicable to the employment of all citizens, residents and non-residents located within the Republic of Palau. The Labor Compliance is empowered by the law of Palau to conduct pre-arranged and random inspections of any workplace without notice at any location within the territory of the Republic of Palau for this purpose.
8. The Labor Compliance prepares and retains reports ("labor compliance reports") detailing the findings obtained in the course of workplace inspections and all other labor compliance investigative activities.
9. The Labor Compliance possesses or otherwise is in a position to obtain relevant data including, but not limited to, the total number of workplace inspections undertaken, total number of labor compliance reports involving suspected human trafficking, and details of outreach and other public information activities completed by the Labor Compliance in a given timeframe (described herein as "labor compliance data").
10. Labor compliance reports involving cases of suspected human trafficking can be used by the AHTU to ensure that the National Government complies with its domestic and international obligations to respond to and reduce instances of human trafficking, and therefore it is appropriate and desirable that the parties enter into a formalised agreement as per the provisions of this MOU for sharing such reports and data.

Labor Compliance Reports

11. The AHTU commits to:
 - (a) taking all reasonable steps to ensure that it has capacity and capability to provide the Labor Compliance with the information and guidance that it requires to make a decision as to whether it is reasonable to suspect that a human trafficking offense may have been committed;
 - (b) providing the Labor Compliance with useful and pertinent information and guidance as to how to make a decision as described at paragraph (a) herein;
 - (c) providing the Labor Compliance with all reasonable assistance and support it requires to make a decision as described at paragraph (a) herein;

- (d) being available and responsive to any requests it may receive from Labor Compliance as to the making of a decision as described at paragraph (a) herein or any other matter or issue relevant to the obligations of the Labor Compliance pursuant to this MOU, and to respond to such requests in a timely manner and otherwise as soon as practicable; AND
- (e) liaising with the Labor Compliance to clarify any matter or issue relating to cases of suspected human trafficking arising from a labor compliance report or any other information which the Office of the Labor Compliance has provided to the AHTU.

12. The Labor Compliance commits to:

- (a) making an assessment as whether there is a case of suspected human trafficking in respect of all labor compliance complaints, enquiries and investigations, and to make this assessment in accordance with information and guidance provided to the Labor Compliance by the AHTU in accordance with clause 11 herein.
- (b) ensuring that all labor compliance reports are completed in a timely manner and as soon as practicable;
- (c) ensuring that all labor compliance reports contain full and complete details in respect of any suspected human trafficking, including, but not limited to, names of all persons involved, dates, locations, employment conditions, the known criminal and labor compliance history of all relevant persons, nationalities and countries of origin and any other information that the Labor Compliance may deem relevant to human trafficking;
- (d) ensuring that all labour compliance reports attach copies of all relevant documents including, but not limited to, employment contracts, records of payment of salaries and other entitlements, taxation documents, passports, work permits and visa documents, and any other documents that Labor Compliance may deem relevant;
- (e) providing copies of all such labor compliance reports indicating cases of suspected human trafficking to the AHTU in a timely manner or otherwise as soon as practicable; AND
- (f) alerting and otherwise drawing the attention of the AHTU to any matter or issue relating to any suspected case of human trafficking, whether or not such matters or issues are the subject of a labour compliance report, in a timely manner or otherwise as soon as practicable.

13. For the avoidance of doubt, the Labor Compliance is not required to make any conclusive findings or judgment as to whether or not a human trafficking offense may or may not have been committed. The Labor Compliance is only required to make an initial assessment as to whether such offenses have been committed, and to make this assessment in accordance with information and guidance provided by the AHTU in accordance with clause 11 herein.

14. To the extent of any uncertainty as to whether a particular labor compliance case may give rise to a suspicion of human trafficking, the Labor Compliance will err on the side of caution by providing copies of all relevant reports and information to the AHTU in accordance with clause 14 herein.

Sharing Data

15. The parties will work constructively together to ensure that the Labor Compliance provides the AHTU with data and statistics as described at clause 10 herein, and any other data the parties may agree is relevant to the fulfilment of the National Government's obligations to combat human trafficking.

16. The AHTU commits to:

- (a) liaising with the Labor Compliance as to the information and data it may require to discharge its reporting and other obligations relating to its anti-human trafficking obligations; AND
- (b) providing technical information or assistance as the Labour Division may reasonably require to collect and collate data relating to human trafficking.


17. The Labor Compliance commits to:

- (a) liaising and working constructively with the AHTU as to the information and data it may require to discharge its reporting and other obligations relating to its anti-human trafficking obligations, and details of the timing as to when Labor Compliance will provide this data to the AHTU; AND
- (b) providing the AHTU with all data as described at clause 15 herein on a regular basis and otherwise from time to time as may be reasonably requested by the AHTU.

Termination

18. Either party may terminate this MOU by giving express notice to the other party in writing of not less than sixty (60) days from the date the notice is given.
18. This MOU does not terminate except in accordance with clause 18 herein or otherwise by express agreement in writing between the parties.

Ministry of Justice


Honorable J. Uduch Sengebau Senior
Vice President and Minister of Justice
Dated: December 16, 2021

Ministry of Human Resources, Culture, Tourism
and Development

Honorable Ngiraibelas Tmetuchi
Minister of MHRCTD
Dated: Ngiraibelas Tmetuchi 21/12/21

APPENDIX XIV

IOM EMERGENCY FUND FOR VICTIMS OF TRAFFICKING BROCHURE



EMERGENCY FUND FOR VICTIMS OF TRAFFICKING



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The Emergency Fund

The Emergency Victim Assistance Fund, also known as the Emergency Fund (EF), is a U.S. Department of State, TIP Office-funded project launched in 2012 with the aim of providing urgent, short-to-medium term assistance to victims of trafficking worldwide. Since 2012, IOM Washington has received around \$2,000,000 to provide a range of services to victims of both sex and labor trafficking, regardless of the country in which they are identified.

The assistance provided by the EF are tailored-made to each individual's unique requirements. Once a victim of trafficking is identified using the Palermo Protocol definition, an IOM case worker completes an initial screening interview form to determine the migrant's immediate needs. Immediate needs often include urgent medical care and immediate safety and shelter. Once these needs are attended to, the case worker undertakes longer-term assistance planning with the individual, so that their unique concerns are addressed and a pathway towards successful reintegration is established. The case worker coordinates provision of the services required by the victim, and ensures continuity of care through to eventual case closure.

Access & Eligibility

Potential victims, government officials, NGO staff, service providers, and law enforcement are all able to request IOM assistance in screening for potential eligibility, or can refer victims directly to IOM. When a potential victim of trafficking is identified, contact your local IOM Office for guidance on assistance and options available.

Potential victims must be screened by an IOM staff using the IOM Victim of Trafficking Screening Interview Form.

Contact EF Program Coordinator, Alexis Rogers (arodgers@iom.int) for inquiries or to request EF assistance. Guaranteed 48 hour response time.

Types of assistance provided by the Emergency Fund include:

1. Shelter & Accommodation
2. Food
3. Basic Needs (Toiletry & hygiene products)
4. Medical Services
5. Legal Assistance
6. Travel Documentation
7. Family Reunification
8. Return & Reintegration

* Expense categories are intentionally broad to account for the unique needs of an individual case. Please contact EF program manager (arodgers@iom.int) with inquiries.





EMERGENCY FUND FOR VICTIMS OF TRAFFICKING

INTERNAL GUIDANCE THE IOM EMERGENCY VICTIM ASSISTANCE FUND

WHAT IS EF?

The Emergency Victim Assistance Fund, also known as the Emergency Fund (EF), is a U.S. Department of State, TIP Office-funded project launched in 2012 with the aim of providing urgent, short-to-medium term assistance to victims of trafficking worldwide. Since 2012, IOM Washington has received around \$2,000,000 to provide a range of services to victims of both sex and labor trafficking, regardless of the country in which they are identified.

HOW DO I CONTACT EF?

The EF is managed by IOM Washington's Counter-Trafficking and Protection Unit (CTUnitAtIOMWashington@iom.int). For direct inquiries, please contact the EF project manager, Alexis Rogers (arogers@iom.int) cc'ing EmergencyFund@iom.int. Remember to copy your RTS when writing to EF.

WHO MAY REQUEST EF ASSISTANCE?

Cases for EF assistance may be referred directly from the TIP Office, a US Embassy, IOM Headquarters, IOM Missions, and/or other NGOs to IOM Washington.

WHO IS ELIGIBLE FOR EF ASSISTANCE?

All victims of trafficking as defined by the Palermo Protocol (2000). IOM Washington will make the final determination as to whether an identified beneficiary is or is not a victim of trafficking based on the "Act, Means and Purpose" criteria laid out in the Protocol.

****Please note that EF eligibility is determined by IOM, not governments. A person may still be eligible for EF assistance without official recognition by a government as a victim of trafficking.**

The Emergency Fund is an emergency mechanism intended to fill critical gaps in IOM, NGO, and host government funding.

The EF donor requires that any other sources of funding be utilized before engaging the EF, meaning you should check at the Country Office and Regional Office level if there are any IOM projects, other NGO service providers, or other government funding that can provide or cover the costs of case needs.

The EF PF will ask requesting parties to confirm before approval of assistance is granted.

HOW DO I DETERMINE IF SOMEONE MEETS THE CRITERIA?

Through use of the [IOM Victim of Trafficking Screening Interview Form](#). The completed screening form must be translated to English for IOM Washington records. Staff in the field are responsible for completing the form in its entirety and submitting it to EF upon the initial request for assistance.

WHAT ARE THE REQUIRED DOCUMENTS FOR THE APPROVAL OF EF FUNDS?

The EF is a rapid response mechanism that aims to respond to requests **not longer than 48 hours** after the request is made. To expedite the approval process, please provide the following with your request:

- [IOM Victim of Trafficking Screening Interview Form](#)
- ~~Estimated Budget for Assistance Requested~~
- [IOM Risk Assessment Form](#) (if repatriating VoT)

All assistance from EF is to be provided in coordination with relevant NGO partners, and local IOM offices (where applicable). Assistance may include but is not limited to:

- Shelter/Accommodation
- Food
- Clothing and hygiene items
- Medical services
- Legal assistance
- Travel documentation
- Mental health assistance
- Family tracing, risk assessment, and reunification
- Voluntary Return Assistance
- Reintegration
- Domestic and International Travel
- Monitoring & Evaluation (incl. DSA, travel and accommodation of IOM/non-IOM staff)





International Organization for Migration

Emergency Victim Assistance Fund

Internal Guidance

The requesting mission is responsible for submitting all receipts for approved expenses. Upon request from Country Offices, IOM Washington's CT Unit may deploy a staff member to assist in management of EF cases.

CAN I USE EF FUNDS FOR SERVICE FEES?

No. Service fees are not an allowable cost through this project. However, EF can fund DSA and travel expenses for IOM staff or non-IOM staff on a case by case basis while carrying out assistance to the trafficking victims, including monitoring and evaluation.

HOW WILL EF COSTS BE APPROVED?

Upon receipt of a screening form and proposed budget, IOM Washington will approve EF costs and will provide the necessary WSB codes to IOM Missions. EF is not allowed to provide cash directly to beneficiaries. Missions should pay vendors directly for expenses and provide proof of payment after the expenses have been incurred to IOM Washington.

EF PROCESS

- ☐ [Optional] Notify EF of the potential case
- ☐ [Mandatory] Complete Victim of Trafficking Screening Form
- ☐ [Mandatory] Email the completed form to the EF Program Manager, Alexis Rogers (arogers@iom.int) and ask if the case is eligible for assistance
- ☐ [Mandatory] Develop the assistance plan and budget and submit to EF for approval
- ☐ [Mandatory] Obtain unique case number and WSB codes from EF and use on all procurement and financial documentation
- ☐ [Mandatory] If the case involves return, have the beneficiary complete a declaration of voluntariness form and IOM must conduct a risk assessment using the IOM Risk Assessment Form.
- ☐ [Mandatory] If the case involves travel, have the beneficiary complete a fitness to travel check

HOW DO I MONITOR THE CASES?

Monitoring is extremely important for EF to ensure the wellbeing of its beneficiaries, provide donor reporting, and determine future funding. As a result, monitoring of approved cases is encouraged (on a voluntary basis) at 3, 6, and 9 months increments to assess if all protection and assistance needs are being met, and if the person is recovering well.¹ Monitoring can include in-person visits and follow up calls. If traveling is required to visit the recipient, EF can cover the cost of travel pending IOM Washington approval.

In the case of reintegration assistance, **IOM Missions should conduct M&E six months after the VoT has received the reintegration assistance and report back to IOM Washington.** The EF PM will contact the case manager at 3, 6, and 9-month increments for monitoring updates and can provide guidance on M&E upon approval of case assistance.

I HAVE IDENTIFIED A LARGE CASELOAD OF INDIVIDUALS WHO MAY MEET THE CRITERIA. CAN I APPLY FOR SUPPORT FOR LARGE GROUPS?

Yes, depending on the availability of funding. For requests involving more than 10 individuals, EF is required to seek written approval from the donor. This decision of approval by the donor shall be provided no more than 48 hours after the initial request for assistance.

IS THERE A TIME OR BUDGET LIMIT ON EMERGENCY ASSISTANCE TO VICTIMS?

EF is meant to assist in providing identified victims of trafficking with support for their immediate-term and short-term needs when no other support options are available. After the victim's immediate needs are met, IOM Missions will offer to work with the victims, in collaboration with relevant government agencies and NGOs (if appropriate), to draft a realistic and sustainable reintegration plan to ensure the safety and well-being of the EF beneficiary. Reintegration assistance is completely voluntary and is not compulsory for other types of EF assistance. If the victim agrees to reintegration assistance, EF can provide up to \$1,500 for reintegration assistance once the trafficking victim is returned.

¹ Please refer to IOM's Internal Guidance Note (IN/219), "Assessing Risk When Assisting Victims of Trafficking" for guidance on identifying and carrying out monitoring needs of individual cases





International Organization for Migration

Emergency Victim Assistance Fund

Internal Guidance

In certain circumstances, beneficiaries of EF require prolonged assistance, generally for reintegration, medical or psychological support expenses. The EG PM has discretion on an individual basis to approve these prolonged costs.

CASE INFORMATION & INFORMED CONSENT

Complete case information is important because it helps to ensure that trafficking victims receive the assistance they need and helps IOM track assistance provided. Upon approval for EF assistance, the EF PM will assign the case a specific case identifier code (ex: Q1-2019-DO200). This case identifier **must** be included into all financial documents including in PRISM under the below fields. This will allow for easy tracing of costs for each case.

- At the beginning of the text in the "Text description field"
- "Refkey2" on FB50 and FB60 entries
- "Requisitioner" field on each Purchase Order line"

Remember that you should never use personal identifying information, like names, in financial documentation for victims of trafficking. All photos and written materials pertaining to the case must be accompanied by a [General Consent Form](#) before this information may be released and all personal identifiable information must be redacted.²

EF is also making efforts to ensure compliance with IOM's requirement to use MiMOSA for case information management. (Refer to [IN/184 Guidelines for mandatory use of MiMOSA for data management and reporting of movement, migrant assistance \(AVR/CT\) and refugee medical cases](#)). **It is the responsibility of the requesting Mission to enter case information into MiMOSA, not IOM Washington.** According to IN/184 missions who are not currently using MiMOSA and who process fewer than 25 victim of trafficking or 100 assisted voluntary return and reintegration cases can have their cases assigned to a different mission for entry into MiMOSA.

² Case managers must comply with the following guidance regarding informed consent of the victim of trafficking in question.

- I. [IN/194 Media access to IOM beneficiaries who have been trafficked](#)
- II. [IN/197 Assisted voluntary return and reintegration \(AVRR\)](#)
- III. [IN/198 Assisted voluntary return and reintegration \(AVRR\) for trafficked migrants](#)

OTHER SOURCES OF FUNDING

If an individual is determined not to be a victim of trafficking and, therefore, ineligible for EF assistance (ex: vulnerable or stranded migrants), there are two alternative funding sources of emergency support in IOM: The Global Assistance Fund (GAF) and the Humanitarian Assistance Fund for Stranded Migrants (HASM).

THE CONTACTS ARE:

Global Assistance Fund (GAF): Heather Komenda at hkomenda@iom.int and Damiano Toffano at dtoffano@iom.int

Humanitarian Assistance Fund for Stranded Migrants (HASM): Resettlement and Movement Management Division RMM@iom.int, cc: osu@iom.int and raly@iom.int



APPENDIX XV

IOM VOLUNTARY RETURNS SUPPORT AND REINTEGRATION ASSISTANCE PROGRAM FOR BALI PROCESS MEMBER STATES

(AVRR BP) BROCHURE



3 Bangladeshi migrants were assisted by AVRR BP and received additional support from the Embassy of Bangladesh. © IOM 2020



Voluntary Returns Support and Reintegration Assistance Program for Bali Process Member States (AVRR BP)

Thinking about returning to your home country but lack the funds or ability to do so? Or is asylum no longer an option for you? IOM can help you through our **Voluntary Returns Support and Reintegration Assistance (AVRR)** program. IOM can provide you with assistance in traveling to your home country and make a fresh start. This offers you the opportunity to return home with support, safety, and dignity. We will inform you about your options. If AVRR is the right choice for you, we will be there to help you every step of the way.

HOW IOM CAN HELP YOU?

IOM will help you obtain **travel documents** such as passport or emergency travel document as a regular passenger.

IOM can organize individual **counselling sessions** with you to give advice on matters such as the situation in your home country, safety, job opportunities, and tips to start a new life upon return.

IOM will conduct a **pre-departure session** with you to share information about procedures at the airport before you leave.

IOM will **pay for your flight** to your home country and land transportation to your home.

IOM will **pay for the COVID-19 testing** as a requirement for travelling.

IOM will provide you with **airport assistance** when you leave Thailand, transit in another country, and upon arrival at your home country.

IOM will help you start a new life and reintegrate back into society by providing a **cash grant** which can be used to support your reinstallation.

WHAT IS THE APPLICATION PROCESS?

First Stage: Application

IOM understands that choosing to leave is a big decision, come and talk to us!

Call us at **+66 02 343 9327** or send an email to thbkavrr@iom.int with details about your situation.

If we think you will be eligible for assistance, we will schedule a formal interview with you.

Second Stage: Interview

During the interview, we will ask you for more information about your situation to determine your eligibility.

Please bring any documents you have that can support your AVRR application. These can include IDs, passports, medical reports or letters.

Third Stage: Final Approval

After the interview, IOM will make a decision and contact you about your AVRR application.

If your application has been **approved**, IOM will provide you with information about your return. If your application has been **rejected**, you will not be eligible for assistance.

ARE YOU ELIGIBLE?

Your participation in the AVRR project is **voluntary**.

You will not be forced to return home and can withdraw at any time.

You **may be eligible** for assistance if:

- You do not have permission or legal documents to continue to stay in the country that you currently reside.
- You are a refugee or asylum seeker willing to voluntarily return to your home country.
- Your asylum or refugee application with UNHCR has been rejected.

You **will not be eligible** for assistance if one of the following applies:

- You are currently convicted of a crime, or undergoing a prison sentence for a crime.
- You have already benefited from this AVRR project.

IOM cares about confidentiality

We will treat your information with the respect it deserves. Information can only be shared with your consent.

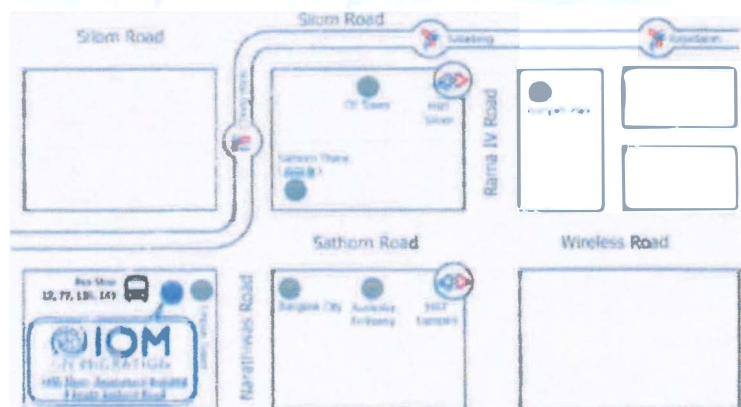
HOW TO FIND US?

Please kindly contact us first at **+66 02 343 9327** before visiting us at the office.

Address: IOM Thailand, 18th Floor, Rajanakarn Building, 3 South Sathorn Road, Bangkok 10120

BTS Station: Chong Nonsi (Silom line)

Bus: 17, 77, 116, 149



Australian Government



REGIONAL SUPPORT OFFICE
THE BAY OF BANGKOK

International Organization for Migration (IOM) Thailand
18th Floor, Rajanakarn Building, 3 South Sathorn Road, Sathorn, Bangkok 10120 Thailand
Tel: +66 2 343 9327 | Fax: +66 2 343 9329 | Web: <http://thailand.iom.int> | Email: iom.thailand@iom.int

APPENDIX XVI

MOU BETWEEN THE MINISTRY OF JUSTICE AND THE MINISTRY OF HEALTH AND HUMAN SERVICES



**Memorandum of Understanding on
Data Sharing between the Ministry of Justice and
the Ministry of Health and Human Services in
relation to supporting victims of Human Trafficking**



I. PARTIES

A. This Memorandum of Understanding (**MOU**) is entered into this 20th day of January, 2023, by and between:

the Ministry of Justice (**MOJ**), through its subdivision, the Anti-Human Trafficking Unit (**AHTU**);

and

the Ministry of Health and Human Services (**MHHS**), through its subdivisions, including but not limited to, the Victims of Crime Advocate (**VOCA**), the Communicable Disease Unit (**CDU**) and the Division of Environmental Health (**DEH**), (together, the "**Parties**").

Nothing in this MOU should be construed as limiting or impeding the basic spirit of cooperation which exists between the Parties. This MOU is entered into pursuant to the governing statutory authorities of the Parties.

II. PURPOSE, SCOPE & DEFINITIONS

- A. AHTU is a unit within the Division of Transnational Crime which focuses on proactive action to identify and reduce human trafficking within the Republic.
- B. VOCA is responsible for providing support and advocacy services to victims of crime which include, but are not limited to arranging for crisis intervention, assisting to maximize the capacity of the Republic to support and assist victims of crime, to do so in a manner that is efficient and effective, and to ensure equitable access for all victims to available support services.
- C. DEH is the agency charged with ensuring facilities, buildings, and businesses operating within the Republic of Palau do so in an environmentally safe way and utilize hygienic practices.
- D. The Communicable Disease Unit (CDU) of the Ministry of Health and Human Services is charged with the education, prevention, testing, and treatment of communicable diseases, with a focus on sexually transmitted infections, including HIV.
- E. The MOJ and MHHS must work together to achieve the purpose of this MOU by acting jointly and collectively to:

1. share information pertaining to cases in which victims of human trafficking may require support or advocacy;
2. attend training on the elements of Human Trafficking;
3. data sharing amongst the relevant offices with the Ministry of Health and Human Services (i.e. DEH, CDU, VOCA) and AHTU in accordance with the established rules and procedures within the agencies;
4. share knowledge and expertise with regards to the best practices for casework;
5. coordinate casework and any related activities to ensure that all victims are supported and can access assistance;
6. proactively avoid duplication and other inefficiencies relating to management of casework;
7. work closely with the TIP Working Group and TIP Task Force and provide reports, data, and status of cases as necessary for reporting purposes; and
8. to generally maintain open channels of communication in respect of all matters relating to casework

F. The purpose of this MOU is to provide for cooperation and coordination between the VOCA & AHTU regarding support and assistance provided to victims of human trafficking within the Republic of Palau ("**the Republic**").

G. "Casework" means all VOCA responsibilities relating to human trafficking cases as per this MOU in this Administrative Directive together with direct assistance provided to victims by the AHTU.

H. "Human trafficking" and "human trafficking offense" means any offense or offenses committed or alleged to have been committed under 17 PNCA Chapter 20.

I. "Human trafficking case" means any case that has been referred to or is currently being managed by the VOCA or AHTU in which human trafficking has been committed or is alleged to have been committed.

III. TERM

A. The initial term for this MOU is two (2) years from the date the MOU is signed.

IV. RESPONSIBILITIES:

A. The MOJ (carried out by AHTU and its employees) agrees to:

1. Victim Referral. Refer victims identified through human trafficking cases or reports, to include individuals suspected of being victims, to VOCA.
2. Case Referral. Accept suspected cases of human trafficking from VOCA for further investigation.
3. Information Sharing. Share with VOCA, on a quarterly basis, numbers of human trafficking cases and potential victims of human trafficking.

B. MHHS (carried out by VOCA, CDU, DEH and other relevant subdivisions) agrees to:

1. Case Referral. Refer victims identified through casework or in their normal line of duty, to include individuals suspected of being victims, to AHTU for potential case building and investigation.
2. Victim Referral. Accept suspected victims of human trafficking from AHTU for further victims' services.
3. Information Sharing. Provide monthly updates on casework and referred victims to the MOJ.

V. CONSULTATION BETWEEN THE PARTIES

- A. The Parties shall hold regular (no less than quarterly) consultation and coordination meetings. Additionally, either Party may initiate formal joint monitoring and review meetings.

VI. RECORD KEEPING

- A. The Parties shall maintain separate files containing this MOU and all other essential records and documentation related to this MOU for at least five (5) years following the termination of the MOU.

VII. CONFIDENTIALITY

- A. The Parties agree not to disclose any nonpublic or sensitive details regarding the implementation of this MOU, including but not limited to personnel files, investigation details, and sensitive intelligence information.


VIII. AMENDMENT, EXTENSION, TERMINATION

- A. This MOU may only be amended, extended, or terminated before the end of the term upon written agreement of the Parties.
- B. No modification of this MOU shall be valid unless in writing and agreed upon by the Parties.

IX. GOVERNING LAW

A. This MOU and the interpretation of its terms shall be governed by and construed in accordance with the laws of the Republic of Palau and subject to the exclusive jurisdiction of the Palau Supreme Court.

IN WITNESS WHEREOF, each of the Parties has executed this MOU, both Parties by its duly authorized representative, as of the day and year set forth above.



Honorable J. Uduch Sengebau Senior
Vice President and Minister of Justice



Honorable Gaafar Uherbelau
Minister of Health and Human Services

APPENDIX XVI

MOU BETWEEN THE MINISTRY OF JUSTICE
AND THE MINISTRY OF FINANCE



MEMORANDUM OF UNDERSTANDING BETWEEN THE BUREAU OF PUBLIC SAFETY AND THE BUREAU OF CUSTOMS AND BORDER PROTECTION FOR JOINT OPERATIONS

This Memorandum of Understanding ("MOU") is entered into this 15th day of February, 2023, by and between the Ministry of Finance's Bureau of Customs & Border Protection, ("BCBP"), and the Ministry of Justice's Bureau of Public Safety ("BPS") of the Republic of Palau.

I. RECITALS

WHEREAS, Executive Order No. 462 Reorganized the Ministry of Justice and created the Division of Maritime Security and Fish and Wildlife Protection within the Ministry of Justice, with the mandate to enforce the laws of the Republic within Palau's maritime borders, carry out the monitoring, control, and surveillance; and

WHEREAS, Executive Order No. 450 Reorganized the Ministry of Finance and merged the Division of Immigration and the Division of Biosecurity under the BCBP within the Ministry of Finance; and

WHEREAS, it is the responsibility of the Bureau of Public Safety to, *inter alia*, protect persons and property and the enforcement of the laws of the Republic; and

WHEREAS, it is the responsibility of the Bureau of Customs and Border Protection is to manage all programs and activities involving the administration and collection of revenue and customs duties, including trade facilitation and control of flow of goods, compilation of trade data and statistics, and the protection and security of Palau's borders; and

II. PURPOSE

The purpose of this Agreement is to establish a partnership between the Parties in the area of Border Control and Protection, and the Monitoring, Control, and Surveillance of Palau's maritime borders; and sets forth the roles and responsibilities of the Parties pursuant to such partnership in order to ensure the greatest effectiveness of law enforcement at the border in police, maritime, wildlife, customs, immigration and biosecurity cooperation which may include exploring options for strengthening partnership in the future.

In recognition of the ongoing efforts to protect the residents and visitors of the Republic of Palau, the Parties to this MOU mutually endeavor to:

- Create a unified approach to law enforcement for the detention of offenders and increase efficiency of the National Drug Trafficking Task Force;
- MOF agrees to coordinate in advance with MOJ and obtain prior approval to releasing any information to the media relating to, or exchanged under, this MOA.
- Ensure compliance with legal time limits for placing offenders in custody;
- Provide security to the residents and visitors of the Republic; and

III. TERM AND EFFECTIVE DATE

This agreement shall become effective on the date of the last signature appended hereto.

The initial term of this Agreement shall be for two (2) years.

IV. SCOPE

All joint operations and investigations conducted by the BUREAU OF PUBLIC SAFETY, with the participation of the BUREAU OF CUSTOMS AND BORDER PROTECTION shall be subject to this Agreement.

V. RESPONSIBILITIES OF THE PARTIES

A. BUREAU OF PUBLIC SAFETY:

1. Approve all acceptable BCBP candidates to be assigned to the JOC. All candidates must meet the minimum requirements to be eligible for the Police Academy. Should a candidate not be approved, a qualified substitute candidate may be submitted;
2. Provide direct supervision to the assigned Officers;
3. Provide the assigned BCBP personnel work space at the JOC and allow the use of JOC office equipment and supplies needed to carry out assigned duties;
4. Provide periodic training, and certification where applicable to assigned BCBP personnel in the areas of international law, monitoring, control and surveillance techniques, systems, and protocols;
5. Allow assigned BCBP personnel to perform BCBP enforcement activities utilizing JOC surveillance systems and equipment and assist with certain Maritime functions as directed by the Chief;
6. Communicate regularly with the assigned BCBP personnel to ensure understanding of processes and assigned tasks;
7. Ensure that BCBP Officers are properly equipped to carry out their operational duties and assigned tasks;
8. Approve the assigned BCBP personnel timesheet and application for leave accordingly;
9. Refer any other personnel action for the assigned BCBP personnel to the Director, BCBP;
10. The Chief of the Division of Maritime Security and Fish and Wildlife Protection shall serve as the direct authority over the assigned BCBP personnel while assigned to the JOC. Assigned BCBP personnel are subject to the direction of the Director, the Chief, and senior JOC personnel.

B. BUREAU OF CUSTOMS & BORDER PROTECTION:

1. The BCBP will nominate and assign suitable and experienced BCBP personnel to the BPS;
2. All BCBP Officers shall have understanding of all laws and regulations pertinent to their station and duties within BCBPs;
3. Assigned BCBP personnel shall continue to perform Customs, Immigration and Biosecurity duties which arise in conjunction to their assignment to the BPS, and shall carry out the same when authorized while working on a joint investigation or operation under the supervision, guidance, or direction of BPS.
4. Assigned BCBP personnel shall follow all applicable BPS rules and regulations, directives and instructions while acting under any authority conveyed by BPS;
5. Assigned BCBP personnel shall remain as employees of BCBP, and BCBP shall continue to pay all their salary and benefits, including overtime and hazardous pay, in support of their training, assigned duties and functions under this MOU;
6. Allow the assigned Officers to work under the direction of the BPS; and
7. Communicate regularly with the assigned Officers to stay apprised of all the duties and activities to which the assigned Officers has been involved.
8. Allocation of Resources. BCBP agrees to make adequate funding resources available to the BPS for the implementation of the MOU. The amount that constitutes adequate funding shall be mutually agreed upon by the parties.
9. Indemnification. BCBP agrees to indemnify, defend, and protect MOJ from and against all lawsuits or legal demands, including reasonable legal fees due to any act or failure to act by BCBP and its personnel in accordance with the relevant responsibilities under this MOU.

VI. INCIDENTAL COSTS

All incidental costs incurred through the assignment of BCBP personnel to the BPS (i.e. cost of food supplies aboard patrol vessels) shall be the responsibility of BCBP.

VII. CONSULTATION BETWEEN THE PARTIES

The Parties shall hold regular (no less than monthly) consultation and coordination meetings. Additionally, either Party may initiate formal joint monitoring and review meetings.

Both parties will designate a point of contact to receive requests from, and provide information to MOF and MOJ in a timely manner.

Unless prohibited by statute or regulation, the designated point of contact shall have authority to share information with MOJ and MOF with the approval from the Director, BPS and the Director, BCBP.

VIII. RECORD KEEPING

The Parties shall maintain separate files containing this MOU and all other essential records and documentation related to this MOU for at least five (5) years following the termination of the MOU.

IX. CONFIDENTIALITY

The Parties agree not to disclose any nonpublic or sensitive details regarding the implementation of this MOU, including but not limited to personnel files, investigation details, and sensitive intelligence information.

X. AMENDMENT, EXTENSION, TERMINATION

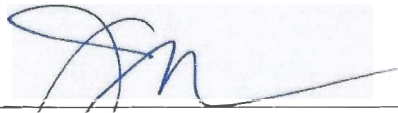
This MOU may only be amended, extended, or terminated before the end of the term upon written agreement of the Parties. No modification of this MOU shall be valid unless in writing and agreed upon by the Parties.

XI. GOVERNING LAW

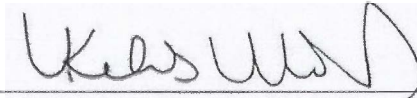
This MOU and the interpretation of its terms shall be governed by and construed in accordance with the laws of the Republic of Palau and subject to the exclusive jurisdiction of the Palau Supreme Court.

IN WITNESS WHEREOF, the Parties hereto have executed this MOU as of the day first set forth above.

By:



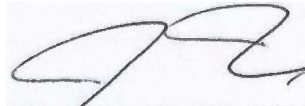
The Honorable J. Uduch Sengebau Senior
Vice President / Minister of Justice



The Honorable Kaleb Udoi, Jr.
Minister of Finance



Ismael N. Aguon
Director, Bureau of Public Safety



John Tarkong, Jr.
Director, Bureau of Customs & Border Protection

APPENDIX XVIII:

MOU FOR THE ANTI-HUMAN TRAFFICKING WORKING GROUP

MEMORANDUM OF UNDERSTANDING

Anti-Human Trafficking Working Group

Purpose

1. The purpose of this Memorandum of Understanding (MOU) is to express a common understanding for the establishment of an **Anti-Human Trafficking Working Group** ("the Working Group") tasked with coordinating efforts to reduce and eradicate human trafficking within and across the borders of the Republic of Palau ("the Republic") between:
 - (a) the Ministry of Justice (MOJ);
 - (b) the Ministry of Human Resources, Culture, Tourism & Development (MHRCTD);
 - (c) Ministry of State;
 - (d) the Division of Immigration;
 - (e) the Ministry of Health and Human Services (MHHS); AND
 - (f) the National Security Coordinator.

MOU to supersede all prior agreements, with one exception

2. Subject to paragraph 3 herein, this MOU supersedes any prior agreement or arrangement entered into between the parties and any of their respective current or previous bureaus, divisions or offices however described regarding the matters they have agreed to in this MOU.
3. The MOU between MOJ and MHRCTD signed on 16 December 2021 regarding arrangements to share information relating to human trafficking remains in effect, and nothing in this MOU should be taken as purporting to in any way to change, alter or modify the MOU signed on 16 December 2021 between MOJ and MHRCTD.

Amendments and disputes

4. Any amendments, additions or corrections to this MOU or departure from its contents or application is subject to express agreement in writing between the parties.
5. The parties are required to negotiate in good faith in respect of any dispute that may arise between them as to the interpretation, meaning, application or understanding of any of the provisions expressed in this MOU.

Interpretation

6. "Human trafficking" and "human trafficking offense" means any offense as per 17 PNCA Chapter 20.
7. "Human trafficking case" means any case that has been referred to or is currently being managed by the respective divisions, offices and units of the parties in which human trafficking has been committed or is alleged to have been committed.

Recitals

8. The following divisions, offices and personnel within the Office of Vice President and MOJ all perform crucial functions in respect of the Republic's efforts to combat human trafficking:
 - (a) The Attorney General's Office.
 - (b) The Division of Transnational Crime.
 - (c) The Anti-Human Trafficking Unit (AHTU).
 - (d) The Victims of Crime Advocate (VOCA).
 - (e) The Special Assistant to the Vice President.
9. The MHRCTD is comprised of the of the Division of Employment Services and Labor Compliance which is an essential part of the capacity of the Republic to detect and identify human trafficking cases.
10. The MOF is comprised of the of the Division of Immigration which is an essential part of the capacity of the Republic to detect and identify human trafficking cases.
11. The MHHS is responsible for administering the Republic's health care system and is an essential part of the capacity of the Republic to identify, support and provide health and related services to the victims of human trafficking.

12. The National Security Coordinator of the Office of the President is an essential part of the capacity of the Republic to coordinate effective responses to human trafficking.
13. The International Organization for Migration (IOM) is an agency of the United Nations assisting the Republic with its efforts to reduce and mitigate the impact of human trafficking.

Commitment to establish the Working Group

14. The parties hereby commit to the establishment of this Working Group and to the implementation of its processes and procedures in accordance with the provisions contained in this MOU, and to further ensure to act at all times in good faith and to use their best endeavors to do all things necessary to ensure that the Working Group successfully achieves its objectives as stated at paragraph 16 in this MOU.

Members of the Working Group

15. The Working Group shall be comprised of the following members:
 - (a) The Minister of Justice or designee who shall serve as Chair of the Working Group.
 - (b) The Minister of HRCTD or appointed designee who shall serve as Co-Chair of the Working Group.
 - (c) The Minister of State or appointed designee.
 - (d) The Minister of Health and Human Services or appointed designee.
 - (e) The Chief of the Division of Immigration, Minister of Finance or designee.
 - (f) The Attorney General or appointed designee.
 - (g) The National Security Coordinator or appointed designee.
 - (h) The Chief of the Division of Transnational Crime or appointed designee.
 - (i) The AHTU.
 - (j) The VOCA.
 - (k) The Special Assistant to the Vice President.

- (l) A designee of the IOM.
- (m) Any other government agencies, organizations or persons as determined by the Minister of Justice.

Objectives of the Working Group

16. The objectives of the working group are as follows:

- (a) Share information regarding human trafficking cases.
- (b) Identify and find solutions to any systemic issues which may limit the ability of the Republic to reduce and eradicate human trafficking.
- (c) Discover inter-governmental opportunities to collaborate and coordinate anti-human trafficking activities.
- (d) Build the capacity of the Republic to reduce incidences of human trafficking and to mitigate its impact on victims.
- (e) Coordinate the collection of data regarding human trafficking cases and work together to formulate detailed comprehensive responses to the questionnaire and any other correspondence received from the U.S. State Department for the purpose of preparing its annual Trafficking in Persons Report on Palau.

Principles, processes and procedures

- 17. The Working Group will be convened by the Minister of Justice and meet at regular quarterly intervals, with the location, date and time of such meetings to be announced by the Minister of Justice.
- 18. The Minister of Justice may further announce and convene additional ad hoc meetings of the Working Group in response to emergency or crisis situations relating to human trafficking.
- 19. If it is not practicable for members to attend a meeting in person, the Working Group shall arrange for remote attendance at meetings via Zoom or other similar communications applications.

20. Meetings of the Working Group will be chaired in accordance with paragraph 15 of this MOU.
21. Members of the Working Group shall make appropriate arrangements as to the preparation of agendas and minutes including action items as agreed to by the members.
22. All members are encouraged to attend and proactively participate in meetings of the Working Group.
23. Everyone who attends Working Group meetings will be made to feel welcome, and their ideas and contributions will be valued and respected.
24. Members attending Working Group meetings will strive to achieve the objectives of the Working Group as stated at paragraph 16 in this MOU by:
 - (a) providing verbal and/or written reports as to activities undertaken by their respective divisions, units or offices in response to human trafficking, with emphasis on both achievements and challenges;
 - (b) Identifying systemic issues and challenges associated with human trafficking;
 - (c) seeking opportunities to coordinate and work together to maximize the capacity of the Republic to efficiently and effectively combat human trafficking; AND
 - (d) being agreeable to and striving to fulfill action items proposed and finalized at Working Group meetings.

Termination

25. Any party may terminate this MOU by giving express notice to the other parties in writing of not less than sixty (60) days from the date the notice is given.
26. This MOU does not terminate except in accordance with paragraph 24 in this MOU or otherwise by express agreement in writing between the parties.

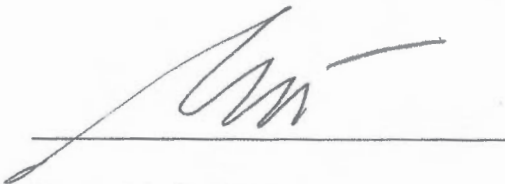
The parties have affixed their signatures hereto dated this 20th day of JANUARY, 2022.



Honorable J. Uduch Sengebau Senior
Minister of Justice



Honorable Ngiraibelas Tmetuchl
Minister of Human Resources, Culture, Tourism & Development



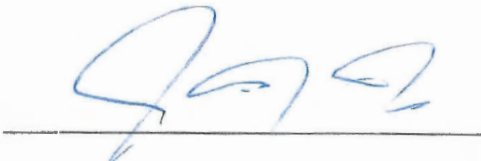
Honorable Gustav Aitaro
Minister of State



Honorable Gaafar J. Uherbelau
Minister of Health and Human Services



Jennifer Anson
National Security Coordinator



John Tarkong, Jr.
DIRECTOR, Bureau of Customs & Border
Protection