



# GUIDELINES FOR SEA RESCUE WORKERS

ON IDENTIFICATION, PROTECTION AND REFERRAL OF VICTIMS OF TRAFFICKING

The following guidelines are the result of a **collaboration** that the Be Free team, as part of the **TIATAS - Transnational Initiative Against Trafficking in the context of Asylum Systems project**, carried out with the permanent staff of Open Arms. Through meetings and exchanges of experiences, **Be Free and Open Arms** developed the following operating recommendations in the context of rescues at sea, to help the men and women engaged in S.A.R. operations to make the preliminary identification of potential victims of trafficking in human beings for the purpose of exploitation. The guidelines, containing the information reported hereunder, will be distributed to operators in the form of a booklet to be carried with them. The information directly addressing the persons rescued at sea will instead be in poster or video format.

# ANALYSIS OF THE CONTEXT

To draw up these guidelines, it was necessary, through dialogue with Open Arms, to gain full understanding of the context in which the volunteers, alternating with one another in sea rescue operations from time to time, operate. Although volunteers can rely on the Captain's constant presence, they are not a fixed team. Moreover, volunteer personnel, trained in technical, social, and health areas, is not adequately skilled to recognize the phenomenon of trafficking in human beings for the purpose of exploitation. For this reason, the determination has been made to provide operators with both:

## **GUIDELINES FOR OPERATORS:**

simplified in terms of technical vocabulary and the amount of information provided, and compatible with the timing of S.A.R. operations, which can be a practical tool; and

## **INFORMATIVE MATERIAL FOR RESCUED PERSONS:**

posters put up inside the vessels themselves or videos to be shown during navigation to the assigned port, to raise potential victims' awareness of people smuggling and to provide useful information.

A final consideration arising from the dialogue with the sea rescue professionals was the awareness of the ship environment and of the traumatic condition, often at the limits of survival, of the persons who have just been rescued; these persons certainly find themselves dealing with an unimaginable load of stress and violence suffered during the journey that brought them to Europe. The priority at that time is to make them feel safe, not overburdening them with stresses that might aggravate their condition of vulnerability<sup>1</sup>.

<sup>1</sup> A position of vulnerability means a situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved (art. 2, paragraph 2, of DIRECTIVE 2011/36/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA)

# DEFINITIONS AND BASIC VOCABULARY

Trafficking in human beings, as defined by the Additional Protocol to the United Nations Convention against Transnational Organized Crime to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (Palermo, 2000) is a transnational phenomenon that consists of several phases: **“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, 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 labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

## **ELEMENTS OF THE TRAFFICKING PHENOMENON**

**PHASES**

RECRUITING, TRANSFER, STAY

**PROCEDURES**

THREAT OR USE OF FORCE OR OTHER FORMS OF COERCION, ABDUCTION, FRAUD OR DECEPTION, OR THE ABUSE OF POWER OR OF A POSITION OF VULNERABILITY

**PURPOSE**

EXPLOITATION

**THESE THREE ELEMENTS MUST ALL BE PRESENT WHEN SPEAKING OF TRAFFICKING IN HUMAN BEINGS.**

For trafficking victims, consent is irrelevant: this means that even if you accepted the conditions of travel and exploitation in the country of arrival, you are to be considered as such to all effects.

While the expressions “trafficking” and “smuggling” overlap in everyday use, they are actually two different phenomena, each with its own specific characteristics:

<b>TRAFFICKING</b>	<b>SMUGGLING</b>
<b>Crime against THE INDIVIDUAL</b>	<b>Crime against THE STATE</b>
<b>Relationship of exploitation, which takes concrete form in the destination country</b>	<b>Commercial relationship Possibility for the smuggled person to become free of the smuggler once the destination is reached</b>
<b>There is no consent, or initial consent becomes irrelevant</b>	<b>Consent</b>
<b>Crossing borders is not required</b>	<b>Crossing borders</b>
<b>Purpose of exploitation</b>	<b>Purpose of movement, when states repress the mobility of persons</b>

The identification of trafficking victims may be defined as a process organized in several phases, aimed at understanding – through analysis of the history and of the elements in general (the “trafficking indicators”) that emerge from observation (behaviour, reactions, interaction with other people, health status) or from interviews with the person (in case of individual clinical meetings) – whether a person is a trafficking victim. Of course, this level of certainty cannot be arrived at in a setting like that of rescues: this is why, more than identification plain and simple, we may speak in this case of what is defined as “preliminary identification”: the collection of all the indicators that may raise the reasonable doubt that the person might be a trafficking victim. These indicators are represented by a set of characteristics that “fit” the profiles of the persons on whose observation the operator must focus.

# USEFUL INDICATORS

- 1. ORIGIN** from countries where the phenomenon of trafficking in persons for the purpose of exploitation is highly widespread (Nigeria above all, but also Ghana, Cameroon, Gambia, Senegal, Ivory Coast, and Bangladesh – the latter above all for labour exploitation and domestic servitude)
- 2. GENDER**, which is a strong factor of trafficking risk, often in correlation with such elements as feminization of poverty; domestic violence; forced marriage; lack of access to power in the communities and more general socioeconomic disparity; and sexual orientation and gender identity subject to discrimination in the country of origin. In this framework, there is no “neutrality” when speaking of such phenomena as immigration or trafficking in human beings. The latter are indissolubly connected with the view of women, with the roles of subordination that women have in Italy and in other parts of the world, and with gender violence, of which trafficking is an expression.
- 3. YOUTHFUL AGE**, both for women, who are at greater risk of trafficking for sexual exploitation, and for unaccompanied minors. Ages may also be lower than reported, due to the false information that the persons involved in the crime of trafficking in human beings give to women (“if you say you’re a minor, you’ll be repatriated”; “if you say you’re a minor, the police will arrest you,” etc.).
- 4. CLEAR SIGNS OF PRIOR PHYSICAL VIOLENCE**  
scars, burns...

# USEFUL INDICATORS

- 5. LACK OF EDUCATION/ILLITERACY**  
or at any rate a very low level of education.
- 6. ECONOMIC CONDITIONS**  
of deprivation or extreme hardship.
- 7. PRECARIOUS CONDITIONS OF MENTAL AND PHYSICAL HEALTH**
- 8. ATTITUDES OF SUBMISSION TO AND SIGNALS OF CONTROL EXERTED** by people who may even be presumed as belonging to the family unit: observation of the relational dynamics of small groups is highly important in this sense, as is the awareness that at times the persons involved in trafficking, even those with tasks that are more those of “unskilled labour,” pretend they are the brothers, sisters, husbands, etc, of trafficked women, and in some cases might also travel with them.
- 9. LONG STAY IN A COUNTRY OF TRANSIT**  
Although the above indicators have been remodulated on the basis of the rescuers’ needs, and are neither a complete list nor a tool of definitive identification, they allow workers to signal a possible situation of trafficking for the purpose of exploitation, and to facilitate emergence.

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## THE INDIVIDUAL CLINICAL INTERVIEW:

the healthcare worker plays a crucial role in the process of the collection of indicators and the emergence of trafficking victims. Recent studies have shown that, in the united states, 28% to 50% of trafficking victims came into contact with healthcare workers at least once, but went unrecognized as such. The health problems found in trafficking victims are to a large degree the result of a variety of co-existing factors: malnutrition, lack of sleep, and violence (physical and sexual) during the journey, with clinical expressions in many forms.

## CONTACT WITH HEALTHCARE PERSONNEL IS EXTREMELY IMPORTANT:

in an initial phase, for building a relationship of trust with the person by putting him or her at ease and explaining the importance of providing truthful information; and, in a second phase, through “observation of the body” and the possibility of guaranteeing a safe and protected setting for collecting the indicators, and of providing the person with information of use for receiving adequate reception, protection, and legal assistance, after debarkation.

## THE OPERATOR MUST KNOW THAT:

In italy, there is an

1

**ACTIVE ANTI-TRAFFICKING TOLL-FREE NUMBER 800.290.290 - 342.7754946**

with phone operators on call **24 hours** a day, connecting the person to the various anti-trafficking bodies present on national territory that are accepting victims.

2

The potential trafficking victim is entitled to an emersion, assistance, and social integration programme, receiving:



**FIRST ASSISTANCE**  
reception at shelter/safe house



**PSYCHOLOGICAL SUPPORT**



**ACCOMPANIMENT TO MEDICAL CARE**



**LEGAL ASSISTANCE**



**SUPPORT IN REGULARIZATION PROCEDURE** on national territory



# APPLICATION AND COLLECTION OF TRAFFICKING INDICATORS

The operator who intercepts a possible trafficking victim invites him or her to view the Project's informative graphic material present in various areas of the vessel: posting these materials on the walls of the ship avoids the risk of endangering and/or stigmatizing people who would otherwise find themselves in a situation of having to conceal them from their exploiters. Since nearly all the rescued persons have a phone, they can take a photo of the posters hanging on the walls. The posters will have a QR code referring them to a webpage with the contacts of the anti-trafficking toll-free number.



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