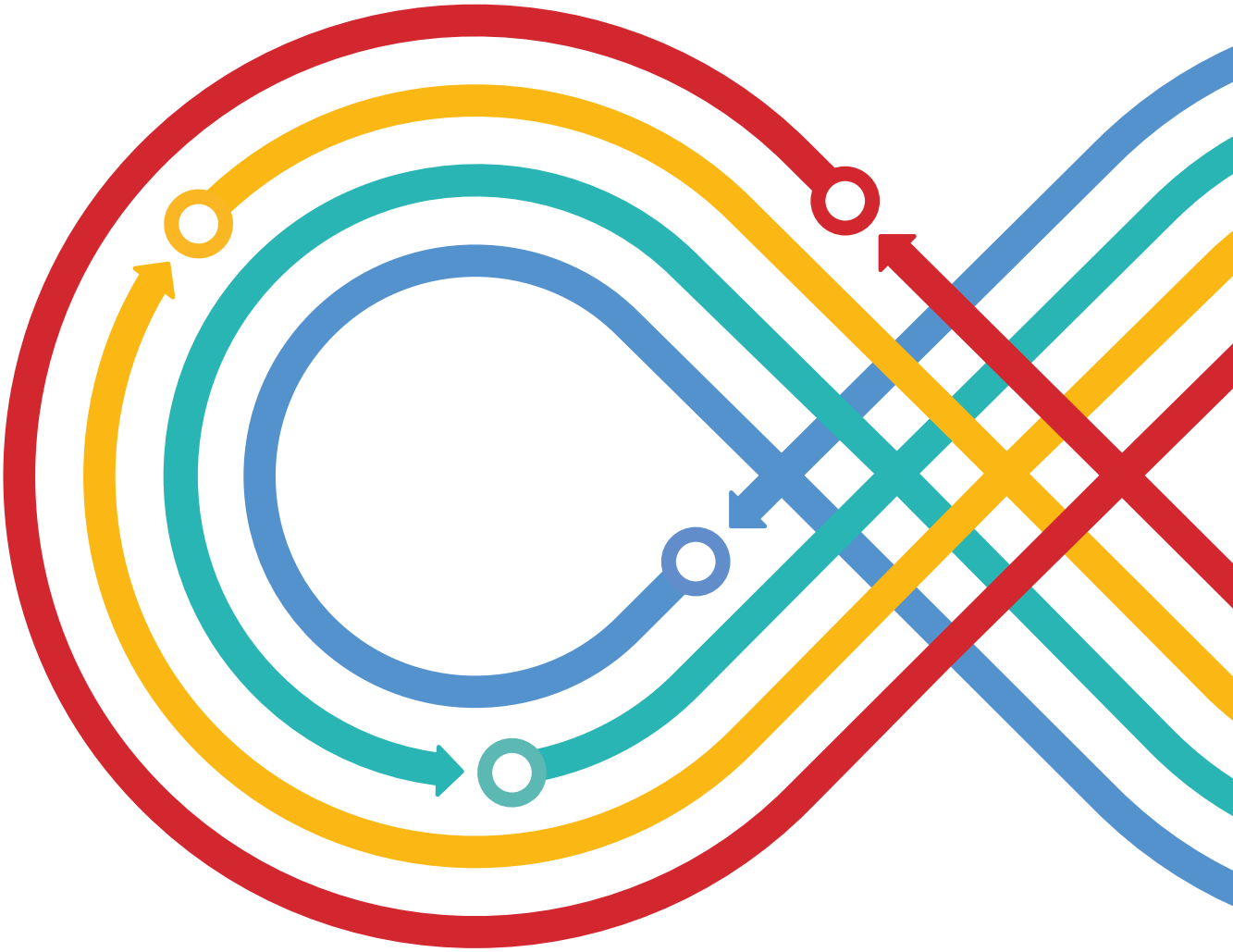
IOM GUIDANCE ON REFERRAL MECHANISMS

FOR THE PROTECTION AND ASSISTANCE OF MIGRANTS VULNERABLE TO VIOLENCE, EXPLOITATION AND ABUSE AND VICTIMS OF TRAFFICKING



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CONTENT

LIST OF ABBREVIATIONS v

GLOSSARY OF KEY TERMS vii

1. PURPOSE AND SCOPE 1

2. INTRODUCTION 3

3. PROTECTION AND ASSISTANCE 5

4. WHAT ARE REFERRAL MECHANISMS? 7
   - 4.1 Why are referral mechanisms necessary? 8
   - 4.2 Different types of referral mechanism 9

5. COMPONENTS OF A REFERRAL MECHANISM 13
   - 5.1 Identification 13
   - 5.2 Status or case-type determination 15
   - 5.3 Case management 15
   - 5.4 Provision of protection and assistance services 16

6. HOW TO DEVELOP REFERRAL MECHANISMS 23
   - 6.1 Set up a steering committee 23
   - 6.2 Carry out a country assessment 24
   - 6.3 Prepare a memorandum of understanding 25
   - 6.4 Prepare standard operating procedures 27
   - 6.5 Prepare other documents 28

7. HOW TO IMPLEMENT REFERRAL MECHANISMS 29
   - 7.1 Coordination and oversight 29
   - 7.2 Funding 29
   - 7.3 Outreach 30
   - 7.4 Data collection and management 31
   - 7.5 Feedback 32
   - 7.6 Monitoring, evaluation and reporting 32
   - 7.7 Capacity-building 33

8. CONCLUSION 35

ANNEXES 37

FIGURES

Figure 1: Protection systems 5
Figure 2: Types of assistance for vulnerable migrants 6
Figure 3: Referral mechanisms for migrants vulnerable to violence, exploitation and abuse 7
Figure 4: Referral mechanisms for migrants vulnerable to violence, exploitation and abuse: key documents 8
Figure 5: Potential steering committee members 23

ANNEXES

Additional acronyms used in the annexes 37

ANNEX 1: RESEARCH QUESTIONS FOR COUNTRY ASSESSMENTS 39

ANNEX 2: FLOW DIAGRAMS 41
- ANNEX 2.1 Flow diagram of the National Referral Mechanism for Vulnerable Migrants in Zambia 42
- ANNEX 2.2 Flow diagrams of Djibouti's National Referral Mechanism for Vulnerable Migrants 43
- ANNEX 2.3 Flow diagram for the preliminary identification of profiles and referrals, Regional Conference on Migration 48
- ANNEX 2.4 Flow diagram of the TACT project 49
- ANNEX 2.5 Flow diagram of the remediation process in extended mineral supply chains 52
- ANNEX 2.6 Flow diagram of the PAVE project 53
- ANNEX 2.7 Flow diagram of the ATiP-LEVANT project 54

ANNEX 3: FORMS 55
- ANNEX 3.1 Profiling form – National Referral Mechanism for Vulnerable Migrants in Zambia 56
- ANNEX 3.2 A guide for conducting an interview and collecting information – Regional Conference on Migration 59

LIST OF ABBREVIATIONS

IOM	International Organization for Migration
NGO	Non-governmental organization
OSCE	Organisation for Security and Co-operation in Europe
TACT	Transnational Action – Safe and Sustainable Return and Reintegration for Victims of Trafficking returning from France, Greece, Italy, Poland and Spain to Albania, Morocco and Ukraine
UNICEF	United Nations Children's Fund
UNHCR	Office of the United Nations High Commissioner for Refugees
WHO	World Health Organization

GLOSSARY OF KEY TERMS

Community	A number of persons who regularly interact with one another, within a specific geographical territory, and who tend to share common values, beliefs and attitudes (depending on the migration context, it may be the migrant's own community or a host community or both)
Flow diagram	A visual aid depicting the relationship between different aspects of a process or a sequence of actions, generally using geometric shapes and arrows
Migrant vulnerable to violence, exploitation and abuse	A migrant or group of migrants exposed to or with experience of violence, exploitation or abuse within a migration context and with limited capability to avoid, resist, cope or recover, as a result of the unique interaction of individual, household/family, community and structural characteristics and conditions
Referral mechanism for migrants vulnerable to violence, exploitation and abuse	A process of cooperation between multiple stakeholders to provide protection and assistance services to vulnerable migrants
Standard operating procedure	Detailed, written instructions to achieve uniformity of the performance of a specific function
Protection	All actions intended to maintain individual safety and well-being in accordance with the letter and spirit of relevant bodies of law

1. PURPOSE AND SCOPE

Practical guidance contained in this publication provide information on how to develop and implement referral mechanisms for the protection and assistance of migrants vulnerable to violence, exploitation and abuse. The objective is to strengthen operational responses and thereby improve protection and assistance at the local, national and transnational levels. The publication should be considered as complementing the *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* (hereafter the IOM Handbook).

This Guidance is intended for government officials and practitioners working on migrant protection and assistance worldwide. They can be applied in countries of origin, transit and destination, and in developing and developed contexts. Given that countries face different challenges when it comes to migrant protection and assistance and have various capacities and service delivery models, it would be impossible to come up with a one-size-fits-all solution; the Guidance is therefore intended as a general blueprint and are not region- or country- specific.

According to the IOM Handbook, "the term 'migrant vulnerable to violence, exploitation or abuse' means a migrant or group of migrants exposed to or with experience of violence, exploitation or abuse within a migration context and with limited capability to avoid, resist, cope or recover, as a result of the unique interaction of individual, household/family, community and structural characteristics and conditions".[1] The IOM Handbook also states that "the term 'migrant' does not refer to refugees, asylum seekers or stateless persons, for whom specific protection regimes exist under international law, but it may refer to victims of trafficking in persons and smuggled migrants, who also benefit from particular protection regimes under international and national law".[2] The term "vulnerable migrant" – used for stylistic purposes throughout this publication – should be understood to mean migrants vulnerable to violence, exploitation and abuse.

This Guidance has been drawn up as part of the project entitled Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants (GLO.ACT), a joint initiative undertaken by the European Union and the United Nations Office on Drugs and Crime. The project is being implemented in partnership with IOM and UNICEF in 13 countries across Africa, Asia, Eastern Europe and Latin America.

1 IOM, *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* (Geneva, forthcoming), p. 3.
2 Ibid.

2. INTRODUCTION

National referral mechanisms have been a centrepiece of counter-trafficking efforts worldwide in recent decades, contributing to a more coordinated approach to combating trafficking in persons and protecting the victims, and facilitating cooperation between victim protection and law enforcement stakeholders. In 2004, the OSCE published a practical handbook[3] that has become a reference for countries wishing to establish a counter-trafficking national referral mechanism. Referral mechanisms are also common in other sectors assisting vulnerable individuals, including child protection, sexual violence and HIV/AIDS.

This publication provides guidance on how to develop and implement referral mechanisms for migrants vulnerable to violence, exploitation and abuse. It responds to the needs of various stakeholders, including governments, civil society and international organizations. Indeed, the need to address vulnerabilities in migration and strengthen assistance and protection for migrants in a situation of vulnerability is an integral part of the Global Compact for Safe, Orderly and Regular Migration.[4] The Global Compact stresses the need to "[e]stablish comprehensive policies and develop partnerships that provide migrants in a situation of vulnerability, regardless of their migration status, with necessary support at all stages of migration, through identification and assistance, as well as protection of their human rights…".[5] It underlines the need for a whole-of-government approach to migration to ensure cooperation across all sectors of government; a whole-of-society approach to promote multi-stakeholder partnerships, including with local communities and the private sector; and international collaboration, since migration is inherently a transnational phenomenon.[6]

This publication is unique in that it is the first to provide guidance on how to develop referral mechanisms for vulnerable migrants. Moreover, it does not limit itself to referral mechanisms at the national level but also includes referral mechanisms at the local and transnational levels. IOM has been prompted to develop these practical guidance as a provider of both direct assistance to vulnerable migrants worldwide and technical support to Member States with regard to migrant protection. As a provider of direct assistance, IOM needs to collaborate with a wide array of stakeholders within a country

3 OSCE, *National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook* (Warsaw, 2004). Available at www.osce.org/odihr/13967.

4 The Global Compact is the first-ever intergovernmental agreement covering all dimensions of international migration holistically and comprehensively. It was adopted in Marrakesh, Morocco, on 10 December 2018.

5 Global Compact for Safe, Orderly and Regular Migration, para. 23. Available at https://refugeesmigrants.un.org/sites/default/files/180713_agreed_outcome_global_compact_for_migration.pdf.

6 Ibid., para. 15.

and across borders to meet the needs of vulnerable migrants. The lack of formal cooperation arrangements can result in fragmented service delivery and higher operational costs. In addition, IOM Member States often turn to the Organization for support to set up cooperation mechanisms that allow them to fulfil their responsibility to protect the rights of migrants. This publication draws extensively on the IOM determinants of migrant vulnerability model and framework for providing protection and assistance to migrants vulnerable to violence, exploitation and abuse.

The IOM determinants of migrant vulnerability model and framework for providing protection and assistance to migrants vulnerable to violence, exploitation and abuse

The IOM determinants of migrant vulnerability model[7]

The determinants of migrant vulnerability model was specifically developed to identify, protect and assist migrants who have experienced or are vulnerable to violence, exploitation and abuse before, while or after migrating, and to guide the development and implementation of interventions to reduce such vulnerability.

The model encompasses not only vulnerability but also resilience. It therefore considers both risk factors (which contribute to vulnerability) and protective factors (which improve capabilities to avoid, cope with or recover from harm), and the way that the two interact.

The model recognizes that migrants and the households/families, communities and groups to which they belong are all situated in a broader social environment. It considers both resilience and vulnerability to be determined by the presence, absence and interaction of risk and protective factors at different levels: individual, household/family, community and structural. Each factor, at each level, is considered to be either a risk or a protective factor, depending on the context.

Further, each factor may have a different impact on the type of harm (violence, exploitation or abuse) migrants may be vulnerable or resilient to. For example, being female and travelling along a migration route plagued by widespread acceptance of sexual assault is a risk factor for experiencing such violence. Being a male migrant in a context where male migrants are perceived as dangerous is a risk factor for arbitrary detention. In many contexts, belonging to a higher socioeconomic group is a protective factor against a range of ill-treatment, such as labour exploitation or exclusion from education and health services. Being in a context where rights are protected empowers individuals and is a protective factor against violence, exploitation and abuse.

This approach therefore considers the vulnerability or resilience of migrants to violence, exploitation and abuse before, during or after migration as the net impact of the interaction of these factors at different levels.

The IOM framework for providing protection and assistance to migrants vulnerable to violence, exploitation and abuse[8]

An appropriate, comprehensive and sustainable programmatic response is one that addresses the risk factors that contribute to vulnerability and mobilizes protective factors that enhance resilience, at all levels and with the engagement of all relevant stakeholders.

Depending on the level, responses will require the involvement of different protagonists, with expertise in different fields and various levels of capacity. Responses at individual and household/family level are typically delivered person to person, by case managers and service providers coming from different spheres: governmental, non-governmental and the private sector. They may be, for example, government social workers, doctors in private practice, or lawyers working for a non-profit organization.

Responses at the community level should involve the community itself, local government and other stakeholders, such as the private sector and development partners.

Responses at the structural level are typically the domain of local and national governments, regional or international institutions, and major development partners, such as United Nations Country Teams.

7 IOM (2019), op. cit., note 1, pp. 5–11.
8 Ibid., pp. 9–11.

3. PROTECTION AND ASSISTANCE

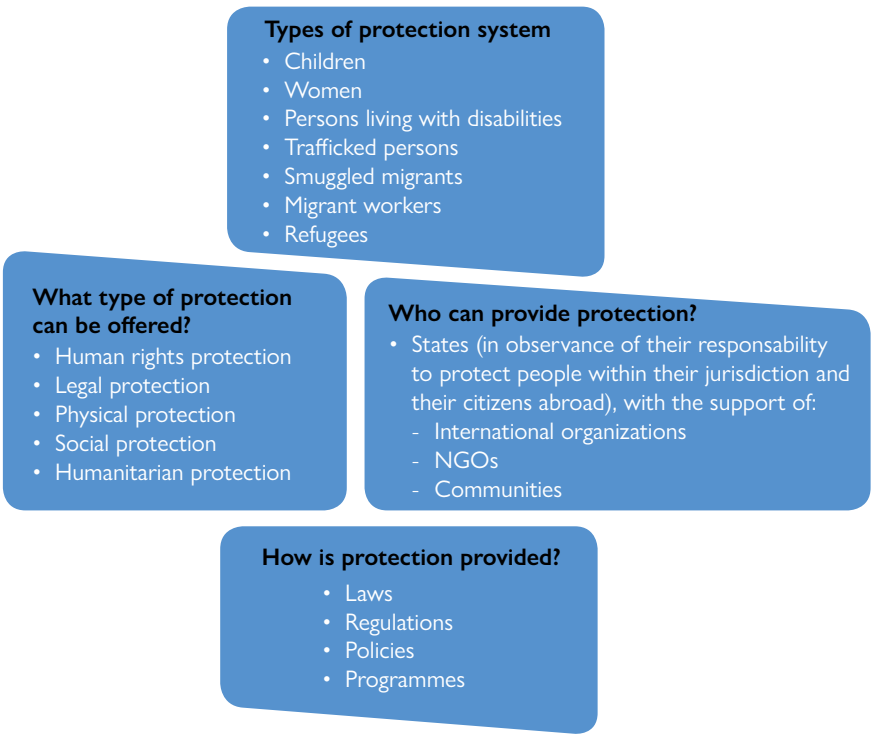
Although there is no generally accepted definition of "protection", the term is often used to describe "all actions intended to maintain individual safety and well-being in accordance with the letter and spirit of relevant bodies of law".[9]

States and the responsibility to protect

"Under international law, it is the State's responsibility to protect people within their jurisdictions by respecting, protecting and fulfilling their rights and by establishing and allowing ways of implementing those rights meaningfully. States must also protect their citizens abroad".[10]

Various types of protection can be afforded to migrants and other vulnerable individuals. Figure 1 below depicts the various components of a protection system.

Figure 1: Protection systems[11]

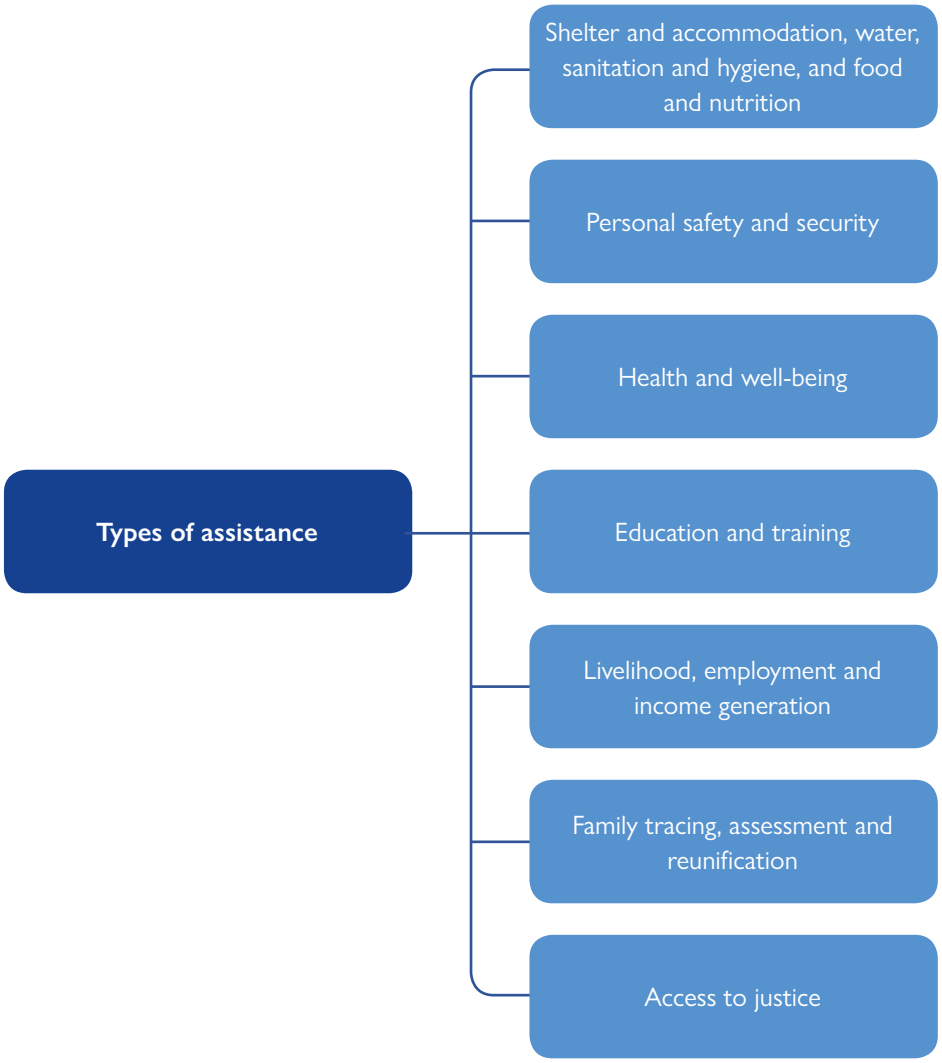


9 Ibid., p. 19.
10 Ibid.
11 Adapted from ibid., Section 2.1.

While multiple and overlapping protection systems can exist in a single context, most countries do not have a protection system specifically for migrants. If migrants are unable to access other protection systems, their protection and assistance needs may go unmet.

Assistance is a particular type of protection and can take various forms along a time continuum (e.g. short, medium and long term) or be provided as a matter of urgency (e.g. immediate/life-saving). Assistance should be offered alongside protection. Different types of assistance service can be provided to vulnerable migrants, as outlined below. Non-formal assistance – mainly from family and communities – is especially relevant in non-Western settings, as it is often the only source of support for many migrants who have suffered violence, exploitation and abuse.

Figure 2: Types of assistance for vulnerable migrants[12]

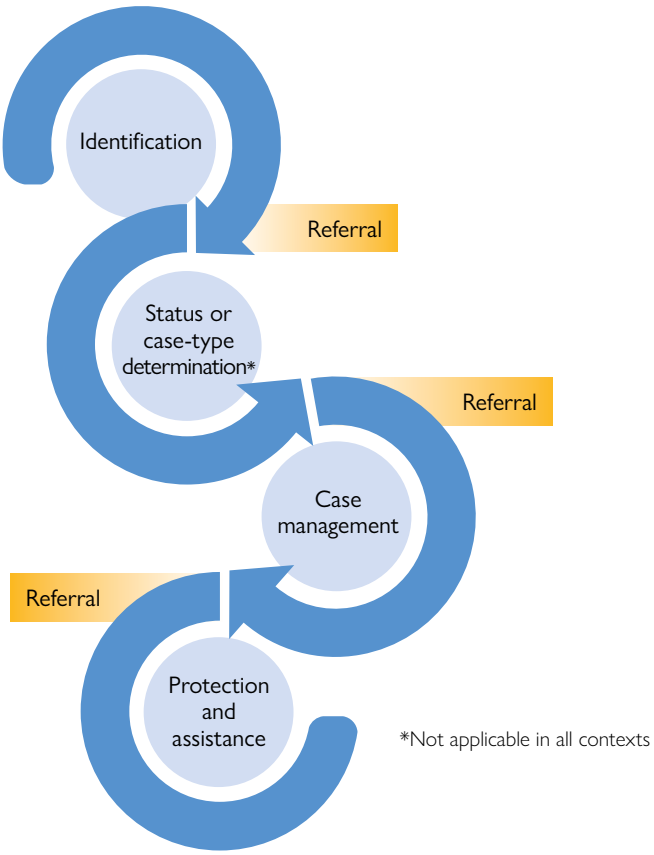


12 Adapted from ibid., Figure 2.1.

4. WHAT ARE REFERRAL MECHANISMS?

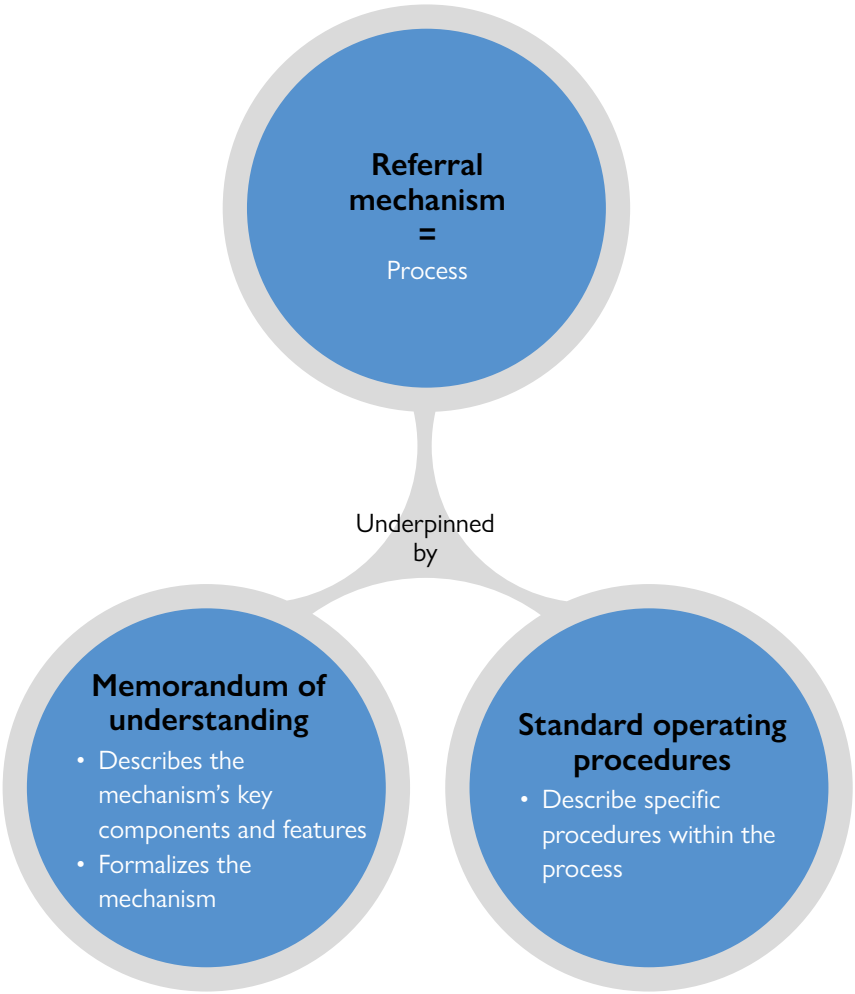
IOM defines a referral mechanism for migrants vulnerable to violence, exploitation and abuse as a process of cooperation between multiple stakeholders to provide protection and assistance services to vulnerable migrants. The process includes the various components or steps for providing protection and assistance. These steps may vary in each country, but they generally include identification of vulnerable migrants, status or case-type determination, case management and the provision of protection and assistance services.

Figure 3: Referral mechanisms for migrants vulnerable to violence, exploitation and abuse



It is important to emphasize that a referral mechanism is not a one-off document, but rather the *process* of working together through various steps of the assistance process. A referral mechanism nevertheless requires certain key documents if it is to function appropriately, including a memorandum of understanding and standard operating procedures.

Figure 4: Referral mechanisms for migrants vulnerable to violence, exploitation and abuse: key documents



4.1 Why are referral mechanisms necessary?

Referral mechanisms are necessary because vulnerable migrants have a wide array of needs that cut across sectors and providers and it is unlikely that any one government entity or organization can meet them all. Multiple and overlapping protection systems might exist in a specific context, with multiple organizations, each with a different mandate, providing different services. Coordination is thus essential to ensure that migrants get the protection and assistance that they need and to avoid fragmentation in service delivery. Referral mechanisms also promote effective use of resources (they help to avoid duplication of roles and responsibilities) and accountability (it is easier to hold stakeholders accountable for providing the protection and assistance needed by vulnerable migrants).

Case studies: Multidisciplinary needs and responses

Mary is a 16-year-old migrant who recently arrived in a country of destination unaccompanied. She completed primary school in her home country and is eager to continue her education. She does not wish to return to her country of origin and wants to regularize her immigration status.

Mary's protection and assistance needs by sector and type of assistance

Sector	Type of assistance
Child protection sector	• Ensuring procedural safeguards, including guardianship • Carrying out a best interest determination
Education sector	• Provision of secondary education
Migration sector	• Regularization of immigration status

Ibrahim has recently returned to his home country after 20 years living abroad. He is HIV-positive and has a history of mental health problems. He has some technical skills and is eager to find a job.

Ibrahim's protection and assistance needs by sector and type of assistance

Sector	Type of assistance
Health sector	• Provision of antiretroviral drugs • Mental health support
Employment sector	• Job placement

4.2 Different types of referral mechanism

Referral mechanisms for migrants vulnerable to violence, exploitation and abuse can be developed at three different levels: local or subnational, national and transnational.

Local referral mechanisms

Government entities or service providers at the local level are the first point of contact for many vulnerable migrants. Migrants may be able to receive all the protection and assistance they need at this level without the involvement of government entities or service providers at the national level. The provision of services at the local level should be encouraged, as local entities are usually more attuned to the needs of their members and are knowledgeable about local conditions and services.

Local governments

Local government is commonly defined as the lowest tier of public administration within a given State. Different names are used for local administrative units in different countries (e.g. county, prefecture, district, city, town, borough, parish, municipality, village). Local governments exist geographically in both urban and rural settings.[13]

Local entities that are affected by violence, exploitation and abuse within a migration context, whether of origin, transit, destination or return, should consider developing and implementing a local referral mechanism to ensure that individual vulnerable migrants, their families and their communities are identified and can receive appropriate protection and assistance.

When developing local referral mechanisms, it is important to consider the role of communities. The IOM Handbook defines community as "a number of persons who regularly interact with one another, within a specific geographical

13 United Nations, Human Rights Council, Role of local government in the promotion and protection of human rights – Final report of the Human Rights Council Advisory Committee (A/HRC/30/49) (2015), paras. 8 and 9. Available at https://digitallibrary.un.org/record/848739.

territory, and who tend to share common values, beliefs and attitudes".[14] Depending on the migration context, it may be the migrant's own community or a host community, or both. Communities can play an essential role in the identification of vulnerable migrants and vulnerabilities, and in the provision of assistance and protection. It is also important to note that in some contexts, governments, NGOs and international organizations rely on community-based workers or volunteers to deliver critical services.

Communities as service providers

There are various ways in which communities can provide services to migrants. For example, a community might organize donation drives or provide ad hoc shelter. In some countries, communities also provide basic services. In Uganda, for example, Village Health Teams (VHTs) made up of community volunteers selected by fellow community members are trained to identify and treat uncomplicated diseases and to mobilize community members to seek out health services.[15] Uganda has also used the VHT model in the refugee context, whereby VHTs have been recruited from within the refugee community in Uganda to provide basic health services to other refugees. Community-based child protection groups or networks are also common in some non-Western contexts. These groups act as community focal points and resource persons for a wide array of child protection efforts, including identification of protection concerns, provision of non-expert services and referrals.[16]

Referral mechanism members should consider the standards and guidelines set forth by protection authorities at the national level when developing local referral mechanisms. They should also develop a referral pathway to the national referral mechanism, if one exists.

National referral mechanisms

Many protection and assistance measures for vulnerable migrants are offered by national government entities and service providers.[17] This is particularly the case for international migrants – as opposed to other vulnerable groups, such as children and victims of sexual violence – as the oversight of entry, stay and departure of non-nationals in and out of a country is typically the purview of national governments. As States bear ultimate responsibility for upholding human rights, they must ensure that all people, including migrants, obtain the protection enshrined in international law.[18] It is also important to note that "under general international law a State, as represented by the central government, is responsible for all acts of all its organs and agents".[19]

In addition to providing key services for vulnerable migrants, national governments and other entities at the national level have a central role to play in carrying out structural interventions, as per the IOM framework for providing protection and assistance to migrants vulnerable to violence, exploitation and abuse (see text box on page 4). This might include developing or improving migration, social protection and/or labour policies to benefit vulnerable migrants, developing large-scale national programmes of protection and assistance for vulnerable migrants, signing bilateral labour agreements to prevent violence, exploitation and abuse of migrant workers, and concluding readmission agreements. In this regard, it is vital that referral mechanisms, whether local or national, share information on protection gaps with stakeholders involved in structural action to improve policy and programmes.

National governments can also play an essential coordination role, as they can ensure coherence among multiple referral mechanisms and the inclusion of fundamental principles of assistance. In addition, national referral mechanisms can contribute to the effective implementation of transnational referral mechanisms.

14 IOM (2019), op. cit., note 1, p. 14.
15 See http://health.go.ug/community-health-departments/vht-community-health-extension-workers.
16 See, for example, the community-based child protection model for South Sudanese children in Gambella, Ethiopia (https://resourcecentre.savethechildren.net/node/14041/pdf/community_based_child_protection_for_south_sudanese_refugees_in_ethiopia.pdf) or community-based child protection mechanisms in Kenya (http://childprotectionforum.org/wp-content/uploads/2016/05/Integrated-ethnographic-report-Kenya-1.pdf).
17 National service providers are entities that operate in more than one locality and work with national government entities. They often have a physical presence in a country's capital.
18 IOM (2019), op. cit., note 1, p.19.
19 United Nations, Human Rights Council, op. cit., note 13, para. 18.

Examples of referral mechanisms at the national level

Djibouti's National Referral Mechanism for Vulnerable Migrants

Djibouti's national referral mechanism is headed by the National Office for Assistance to Refugees, whose terms of reference were recently extended to include protection and assistance for vulnerable migrants. Its other members include the Directorate of Immigration, IOM, UNHCR and two NGOs that assist migrant children. Its main objective is to facilitate coordination and referral among national and international institutions that provide assistance and protection to migrants. The mechanism is activated for the following categories of migrant: vulnerable migrants in an irregular situation, migrants in an irregular situation, asylum seekers and stateless persons. For the purposes of the mechanism, a vulnerable migrant is one who is elderly, pregnant, suffering from a chronic illness or serious medical condition, a victim of trafficking, a victim of abuse, violence or exploitation, or an unaccompanied and separated migrant child.[20] (See Annex 2.2 for flow diagrams of Djibouti's National Referral Mechanism.)

National Referral Mechanism for Vulnerable Migrants in Zambia

Zambia's national referral mechanism aims to promote coordination of national stakeholders for the provision of effective and comprehensive protection and assistance to selected categories of vulnerable migrants (refugees, asylum seekers, victims of trafficking, unaccompanied and separated migrant children, stranded migrants and stateless migrants). It comprises the following components:

- Initial interview of the vulnerable migrant;
- Status determination;
- Referral for service to lead service provider;
- Assistance (immediate needs);
- Assistance (medium- to long-term needs);
- Return; and
- (Re)integration.[21]

(See Annex 2.1 for a flow diagram of Zambia's national referral mechanism.)

Transnational referral mechanisms

Transnational referral mechanisms serve to link various stakeholders from two or more countries involved in the identification, referral and assistance of vulnerable migrants.[22] They can help ensure a continuum of care across various locations. Ideally, each country involved in the transnational referral mechanism should have a national referral mechanism.[23] Transnational referral mechanisms can be particularly helpful for cases of vulnerable migrants who plan to continue their migration journey or who wish to return to their country of origin. They can also be useful for tracing or reuniting family members, especially unaccompanied or separated children.

Transnational referral mechanisms are the most complex to develop and implement, as they require international coordination and cooperation. Bilateral or regional agreements can take a considerable amount of time to develop and formalize, as they may involve multiple government entities and organizations in various countries. International agreements, even if they are operational in nature, usually undergo thorough national review procedures before a country adheres to them. If this is the case, referral mechanism members might wish to develop certain tools, such as standard operating procedures and flow diagrams, and, if possible, begin implementing them while the agreement is being reviewed.

20 IOM, *Reducing Vulnerabilities and Empowering Migrants. The Determinants of Migrant Vulnerability Model as an Analytical and Programmatic Tool for the East and Horn of Africa* (Nairobi, 2018), p. 26.

21 IOM, *Guidelines: Protection Assistance for Vulnerable Migrants in Zambia* (Lusaka, n.d.). Available at www.iom.int/files/live/sites/iom/files/Country/docs/Guidelines_Protection-Assistance-for-Vulnerable-Migrants.pdf.

22 See www.iomfrance.org/tact/about-trm.html.

23 IOM, *Enhancing the Safety and Sustainability of the Return and Reintegration of Victims of Trafficking. Lessons learnt from the CARE and TACT projects* (Paris, 2015), p. 48. Available at https://publications.iom.int/system/files/pdf/essrrvt_en_0.pdf.

Example of a referral mechanism at the transnational level

Transnational referral mechanism between France, Greece, Italy, Poland, Spain, Albania, Morocco and Ukraine for the return and reintegration of victims of trafficking

IOM France, in coordination with other IOM offices, developed a transnational referral mechanism as part of the TACT project. The mechanism comprises the following:

- Identification;
- Referral;
- Decision-making process;
- Travel organization;
- Arrival in the country of origin; and
- Reintegration.

IOM France has identified the following lessons from implementing this transnational referral mechanism:

- The existence of functioning national referral mechanisms and action plans to combat trafficking in persons is an essential prerequisite;
- Since trafficking is a complex and constantly evolving phenomenon (new migratory routes, new victim profiles, new recruitment methods), the strategies and roles of the stakeholders involved must be constantly adapted;
- Political will is key to finding common ground for transnational cooperation.

The referral mechanism was developed to coordinate the return and reintegration of victims of trafficking; however, it can be used as a reference point for a transnational referral mechanism for the return and reintegration of vulnerable migrants more broadly.[24] (See Annex 2.4 for a flow diagram of the TACT transnational referral mechanism.)

24 See www.iomfrance.org/tact/the-tact-project.html.

5. COMPONENTS OF A REFERRAL MECHANISM

As set out in Figure 3, the essential components of a referral mechanism are identification; status or case-type determination; case management; provision of protection and assistance; and the referrals that occur between these components. This section provides guidance on incorporating these steps into a referral mechanism so as to improve coordination and cohesion within and across the various components. It does not provide information or guidance on implementation more generally, as this is provided in Part II of the IOM Handbook.

5.1 Identification

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

Government	Immigration and police officers often play an important role in identifying vulnerable migrants, but social workers, labour inspectors, health workers and consular staff are among those who can also do so.
NGOs and international organizations	In many contexts, NGOs and international organizations do the bulk of the identification as they have specific programmes for vulnerable migrants, or identify vulnerable migrants through their work with other vulnerable individuals.
Community	Either the migrant's community or the host community may identify the migrant as vulnerable. Community-based identification may be spontaneous (community members recognizing problems faced by vulnerable individuals in their community) or more systematic (committees set up by governments, NGOs or international organizations).[25]
Private sector	Employees of transportation companies, hotels, health facilities and other businesses in contact with the general public and hidden populations may identify vulnerable migrants in the course of their work. Companies may have policies and systems to identify exploitative practices in their operations and supply chains, especially in high-risk sectors such as agriculture and fishing, construction or manufacturing.

25 K. Roelen, S. Long and K. Edstrom, *Pathways to Protection – Referral Mechanisms and Case Management for Vulnerable Children in Eastern and Southern Africa. Lessons learned and ways forward* (Brighton, Centre for Social Protection, Institute of Development Studies, 2012), p. 14. Available at www.ids.ac.uk/files/dmfile/Pathwaystoprotection_finalreport_Jun12.pdf.

In many instances, the entity that identifies a vulnerable migrant does not have the mandate, resources or capacity to provide all the assistance needed. Therefore, the primary objective of identification in the context of a referral mechanism is to determine whether the migrant needs assistance and from whom, all in a coordinated and standardized manner.

The referral mechanism members should decide whether any government entity or organization can identify vulnerable migrants for the purpose of "activating" the referral process, or if this task should be assigned to a few stakeholders. If the latter, then the designated government entities and organizations might need to receive referrals from other stakeholders who de facto identify presumed vulnerable migrants but cannot formally identify and refer them in the context of the referral mechanism. Limiting the number of organizations that can formally identify vulnerable migrants for the purposes of the referral mechanism works best for localities and countries that aim for a highly structured and formalized process; it may prove too restrictive, however, in other contexts and may limit the ability of eligible recipients to access services.

Roles and responsibilities with regard to identification and initial referral should be clearly spelled out in the memorandum of understanding, which should also include an estimate of how long the identification and initial referral should take.

Identification in the context of national referral mechanisms

The United Kingdom's National Referral Mechanism[26]

Within the framework of the United Kingdom's National Referral Mechanism, only the following organizations can identify potential victims of trafficking or modern slavery:

- the National Crime Agency;
- Police forces;
- the Border Force;
- Home Office Visas and Immigration;
- Home Office Immigration Enforcement;
- the Gangmasters and Labour Abuse Authority;
- Local authorities;
- Health and Social Care Trusts (Northern Ireland); and
- 12 NGOs throughout the country.

These organizations are known as "first responders". After identifying a potential case of trafficking in persons or modern slavery, the first responders must fill in a form referring the case to one of two "competent authorities" who decide "whether there are reasonable grounds to believe the individual is a potential victim of human trafficking or modern slavery".

National Referral Mechanism for Vulnerable Migrants in Zambia

"The identification of vulnerable migrants in need of protection will be conducted at two levels. For the purpose of these Guidelines, the first level will be referred to as the initial interview to be carried out by first line officials using the migrant profiling form. Based on the information provided by the migrant, the initial interview will be used to assist the first line official in determining which category/categories the individual may fall into. Thereafter the migrant will be referred to the relevant actor for the second level of identification. For the purposes of these Guidelines, the second level identification is referred to as case-type determination. Case-type determination is the process of identifying and confirming the category that the migrant belongs to, using key elements or criteria as provided for by the legal provisions. The mandated actor for such determination will be responsible for referring the migrant to other actors providing protective services. These actors, among others may include the Commissioner for Refugees, the Ministry responsible for social welfare, the Ministry responsible for health, the Ministry responsible for Home Affairs (including Department of Immigration, Office of the Commissioner for Refugees, Zambia Police, Home Affairs Research and

26 See also www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre/national-referral-mechanism.

Information Department, Prisons Service, National Registration Citizenship and Passport Office), UNHCR, IOM and UNICEF and relevant non-governmental organizations depending on the migrant's category. Other actors may also be involved through further referrals for status determination."[27]

5.2 Status or case-type determination

As outlined in the examples above, in some countries, or for specific categories of vulnerabilities, it may not be possible to refer migrants to case management or direct assistance without having an authority determine their status as a specific type of vulnerable migrant. In addition, irregular migrants may need to report to immigration authorities before receiving any support. If this is the case, the referral mechanism members should consider including this step in the referral process. As much as possible, case managers should evaluate any competing interests between State systems and non-governmental systems and coordinate and collaborate to the degree possible to serve the vulnerable migrant's best interest.[28]

5.3 Case management

From a protection and assistance standpoint, the next step after identification is case management. According to the IOM Handbook, "[a] case management approach is a model of providing assistance to individuals with complex and multiple needs who may access services from a range of agencies and organizations. (…) Case management allows for collaboration between multidisciplinary 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."[29]

Once a case manager receives a referral, he or she needs to carry out a more thorough screening to identify vulnerabilities as well as needs. It is important to clarify that case managers rarely provide all the assistance a vulnerable migrant may need. Their exact role and involvement depend on the organization, its mandate and resources, and on the local or national context. Case managers operate within the referral mechanism to refer migrants to other services that their organization may not be able to provide. A referral directory is a useful tool to this end.

Case management and Western models of social work

Some critics stress that the case management approach is adapted from Western models of social work, which tend to be characterized by an individualized focus on the vulnerable individual and little involvement of non-formal services, and that a "Western model of case management, with a highly individualized caseload, will be untenable and too costly for most countries".[30] Not having a case management approach to assistance should not discourage localities or countries from developing a referral mechanism. Instead, the referral mechanism should reflect the way services are provided in that particular context and try to ensure coherence and timely referrals. Depending on the context, community-based case management might even be an essential component of the referral mechanism.

Referral mechanism members should decide which government entities and organizations can officially carry out specific tasks. To that end, they have to carry out a mapping exercise (see Section 6, *How to develop referral mechanisms*) and take into consideration eligibility or intake criteria, the location and distance of service delivery, risks to safety and security, and nationality or immigration status requirements. The organizations selected should provide all the services needed by migrants in that particular locality or country.

27 IOM (n.d.), op. cit., note 21, p. 19.
28 IOM (2019), op. cit., note 1, p. 38.
29 Ibid., p. 28.
30 K. Roelen, S. Long and K. Edstrom, op. cit., note 25, pp. 7 and 14.

5.4 Provision of protection and assistance services

The ultimate aim of the referral mechanism is to provide protection and assistance services to vulnerable migrants. As previously mentioned, most countries do not have a migrant-specific protection system, so other protection systems have to be used to create a protective environment. When there are multiple options, the protection system affording the highest level of protection should be used.[31] Case managers are responsible for helping migrants navigate these various protection systems and identify the system that affords them the highest level of protection.

Assistance for vulnerable migrants should be offered alongside protection and can include the following services:

- Shelter and accommodation;
- Water, sanitation and hygiene;
- Food and nutrition;
- Safety and security;
- Health care (physical and psychological);
- Education and training;
- Livelihood, employment and income generation;
- Family tracing, assessment and reunification; and
- Access to justice.

The subsections below provide guidance on how to include these assistance services in a referral mechanism and therefore highlight the coordination and referral aspects. Readers interested in learning how to deliver each of the services should consult Part II of the IOM Handbook. The IOM Handbook also provides information on the principles of assistance, which should be considered by all referral mechanism members tasked with providing services to vulnerable migrants.

Shelter and accommodation; water, sanitation and hygiene; food and nutrition

Many vulnerable migrants require assistance to secure shelter and accommodation. This is an important step to ensure their safety, security and general well-being. There are various types of shelter and accommodation for vulnerable migrants. Temporary settlements can be camp-like settings and are mostly used for migration crises or large-scale migrant flows. Institutional shelters are common in many contexts and are often set up specifically either for migrants or for other vulnerable individuals, such as victims of trafficking, victims of intimate partner violence, or children. Vulnerable migrants can also live in semi-independent or independent quarters, either on their resources or with the financial support of the government or organizations. Whatever the location of the settlement or accommodation, migrants must have access to safe drinking water, human-waste disposal facilities, and adequate food and nutrition.

Referral mechanism members should ensure that the various shelter and accommodation options are mapped out when developing the referral mechanism. While institutional shelters may be the only option in many contexts, it is important to consider alternative options, especially if institutional shelters cannot house all the vulnerable migrants in need. Furthermore, some localities and countries may not have any institutional shelters at all, and alternative arrangements may have to be found. Communities in a specific locality can be a crucial entry point for semi-independent and independent living in specific contexts. For example, they may help negotiate accommodations for migrants with landlords or the inhabitants of a dwelling.

31 IOM (2019), op. cit., note 1, p. 26.

The role of migrant communities in the provision of shelter

The Ethiopian Community Association in Sudan operates a safe house for vulnerable Ethiopian migrants in Khartoum. The safe house is funded by community members and the Ethiopian embassy with support from international organizations, including IOM. Members of the community pay an annual fee, which is used to fund the community´s activities, including those related to migrant protection. IOM supports the association by providing food assistance for the safe house beneficiaries.[32] If communities and community organizations are going to be relied on to provide shelter or accommodation, they should be included in the referral mechanism.

When developing a referral mechanism, it is essential that members involved in operating shelters or other accommodations share the requirements for entry/stay and any organization-specific referral and intake forms. Financing arrangements should also be clear from the onset. In addition, it is important to consider which service providers can provide water, hygiene, sanitation and food in camp-like settings.

Personal safety and security

Vulnerable migrants often face security risks while migrating. These risks can include actual violence and abuse, threats and intimidation, harassment and discrimination. The migrant's family and community are also vulnerable to these risks.[33]

The safety and security of vulnerable migrants should be a priority for all referral mechanism members, not just case managers. Law enforcement agents active in the referral mechanism should work to ensure that migrants, their families and communities can live in a general context of safety and security, preventing violence, abuse and exploitation from taking place or re-occurring. Whenever possible, data on occurrences of violence, abuse and exploitation should be collected by case managers and fed back to law enforcement with the consent of the migrant. Case managers, in coordination with security personnel, law enforcement agents and other stakeholders, can carry out contextual and individual security assessments.[34]

Health and well-being

Many vulnerable migrants may have health-care needs arising from the migration journey or a pre-existing condition. For those migrants who have experienced violence, exploitation or abuse, the physical and mental consequences can be acute. Concomitantly, migrants who are in poor physical or mental health may be more vulnerable to violence, exploitation and abuse.[35]

Migrants may need different health-care interventions provided by various practitioners. For the purposes of the referral mechanism, it can be helpful to separate urgent health care from other types of care aimed at improving the health and well-being of migrants. Urgent health care is meant to save lives and/or address serious, life-changing injuries or conditions. The need for emergency health care may be identified by certain referral mechanism members, including frontline officers such as immigration officials, law enforcement agents, outreach personnel, and community or family members.[36] It should therefore be clear to all referral mechanism members, and not just case managers, how to refer vulnerable migrants to urgent care.

Non-discrimination in the provision of health care

"[A]ccess to health care should not be discriminatory, and health care should be made available to vulnerable migrants. Health-care systems and practices should strive to ensure access to health services regardless of immigration status and avoid disclosing the identities of vulnerable irregular migrants."[37]

32 IOM (2018), op. cit., note 20, p. 21.
33 IOM (2019), op. cit., note 1, p. 44.
34 Ibid.
35 Ibid., p. 48.
36 Ibid., p. 52.
37 Ibid., p. 48.

The need for non-urgent care is generally identified by case managers, who can conduct more thorough screenings or a health assessment. It is important to recall that WHO defines health as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity".[38] Mental health is thus an important aspect when analysing the needs of migrants, and referrals to mental health and psychosocial practitioners should also be considered.

Education and training

Education and training can have a significant impact on the well-being of vulnerable migrants, their families and communities. Not only will such interventions have economic outputs, they will also affect migrants' well-being and possibly their social standing within the community. For children, a disrupted education can have a life-long negative impact, as it may be difficult for them to catch up and complete their schooling. While education and training opportunities vary depending on the context and resources, they should nonetheless be among the essential services catered for under the referral mechanism.

While it is the State's responsibility to provide primary education for children, in many contexts NGOs, international organizations and the private sector are also involved, providing education for both adults and children as well as training. Education and training do not necessarily need to be formal or classroom-based. Examples of education, training and related support that may be suitable for vulnerable migrants include:

- Vocational training;
- Apprenticeship schemes;
- On-the-job training;
- Professional mentorship programmes;
- Life skills courses;
- Youth or adult education programmes;
- Literacy or numeracy classes;
- Language training;
- Financial literacy and household financial management training;
- Small-business management training; and
- Career planning and guidance.[39]

When referring adolescents and adult vulnerable migrants to education and training, their livelihood aspirations should be taken into consideration.

In order to refer migrants to appropriate educational and training opportunities, it may be necessary to assess their formal education, literacy, numeracy and language proficiency.[40] While such assessments should ideally be carried out by the relevant education authorities, schools and teachers, it might not always be possible to do so, and case managers should therefore be prepared to carry out the basic assessment needed to refer vulnerable migrants under their care for appropriate education and training opportunities.

In some countries, there are myriad education and training opportunities. It can be costly and extremely time-consuming to map such opportunities from scratch for the purposes of the referral mechanism. Where possible, referral mechanism members should use maps or directories prepared by government entities, organizations and development partners involved in the education and employment sector.

38 See WHO Constitution, available at www.who.int/governance/eb/who_constitution_en.pdf.
39 IOM (2019), op. cit., note 1, p. 63.
40 Ibid.

Livelihood, employment and income generation

Many vulnerable migrants aim to generate an income at some point during the migration. They may pursue any of the following options, or a combination thereof:

- Income-generating activities, such as self-employment, starting a small business and small-scale agricultural activities;
- Employment, including formal employment on a contractual basis; and
- Cash-based interventions, for example, cash grants distributed by the government, the United Nations, other international organizations, NGOs or community support mechanisms.

The best livelihood option for vulnerable migrants depends on multiple factors, including each migrant's human, financial, natural, physical and social capital, the laws and regulations of each country on access to employment and other livelihood opportunities, and the economic landscape (e.g. demand and supply of products, labour and skills). The stage of migration must also be taken into consideration. For example, migrants in transit who are stranded may need cash-based interventions or activities able rapidly to generate an income. Immigrants and returnees, on the other hand, might need more long-term and sustainable livelihoods.

Each vulnerable migrant's human and financial capital should be assessed, along with his or her wishes, by the case manager as part of the migrant's assistance plan. The case manager then uses this information to refer the migrant to the best livelihood programme.

As in the case of education and training, some countries are host to a wide array of stakeholders involved in livelihood support for vulnerable groups and young people. The support can take the form of, for example:

- Government-sponsored programmes, such as training and education grants or employment support initiatives, that support the employment of those who are un- or underemployed;
- Livelihood programmes implemented by United Nations agencies, international organizations, NGOs, civil society organizations such as labour unions, or academic/educational institutions;
- Private sector entities that have employment schemes that are known to have inclusive human resource policies, or recruitment and employment services;
- Career counselling programmes that offer assistance with job placements, résumé drafting and employment counselling.[41]

It may be costly and extremely time-consuming to map such opportunities from scratch for the referral mechanism. Where possible, referral mechanism members should use maps or directories prepared by government entities, organizations and development partners involved in the employment sector. Youth employment initiatives may prove particularly helpful.

Livelihoods are the centrepiece of most assistance plans and essential to the well-being of migrants, their families and their communities, yet many case managers find that there is insufficient information to assist vulnerable migrants in this field. For example, a vulnerable migrant might be interested in starting a small business, yet there are no market analyses available to determine whether a particular product or service is in demand. Often, case managers counselling migrants on vocational training or opportunities do not have labour market needs assessments. Furthermore, the policy environment may be particularly challenging in this sector of assistance and can result in bottlenecks to assistance. Against this backdrop, it is particularly important for stakeholders to consider how the referral mechanism can serve as an advocacy tool to improve policy and programmes for livelihood options for vulnerable migrants (see Section 7, *How to implement referral mechanisms, in particular 7.4, Data collection and management*).

41 Ibid., p. 69.

Family tracing, assessments and reunification

Family tracing, assessments and reunification may be necessary if families become separated at some point during migration, or if children are travelling unaccompanied. Family separation can happen within and across borders. It is important that the referral mechanism serve as a platform to facilitate family tracing and reunification, particularly of unaccompanied and separated children, as this can require extensive coordination among various partners, often across borders. Transnational referral mechanisms can facilitate family tracing and reunification across borders, while local referral mechanisms can help locate family members within communities.

Usually, case managers identify the need for family reunification through screening and when developing an assistance plan. In the case of unaccompanied and separated children, the need for family reunification may be identified by a frontline officer, as re-establishing family links may be considered urgent, necessary and appropriate in some contexts. Indeed, in some circumstances frontline officers may be able to re-establish such links easily, especially if the family has just been separated. When reuniting a family, it is crucial to consider the best interest of the child (see *The best interest of the child, below*).

In many instances, case managers are not able to trace family members themselves and have to refer to other organizations and entities, such as:

- States (including through embassies and consulates);
- IOM;
- The International Committee of the Red Cross;
- The National Red Cross or Red Crescent Society;
- UNHCR;
- UNICEF;
- International Social Services;
- The International Commission on Missing Persons; and
- NGOs.[42]

Access to justice

When screening vulnerable migrants and assessing their needs, case managers should determine whether they have legal needs, including in the form of:

- Support to determine or regularize their immigration status;
- Assistance to report a crime committed against them, their families or communities;
- Action as a victim or witness; or
- Legal representation if they have been accused, charged or convicted of a crime.[43]

If such needs exist, case managers should refer the migrants to organizations that provide legal aid and representation, so it is important for the providers of these services to be part of the referral mechanism. Likewise, the referral mechanism should also encompass informal justice systems (defined as "those that are established and maintained by communities, including social norms and traditions derived from religious institutions and practices or indigenous governance systems"[44]) able to meet some of the needs of vulnerable migrants in a country or locality.

Sustainable solutions

As recommended by the IOM Handbook, "All support provided to vulnerable migrants should begin with case closure in mind. Assistance plans should therefore include strategies comprising long-term plans for return and reintegration, integration, third-country relocation or onward migration."[45]

42 Ibid., p. 73.
43 Ibid., p. 77.
44 Ibid., p. 78.
45 Ibid., p. 83.

Return and reintegration

Referral mechanism members should consider the various ways in which a migrant might return to his or her country of origin:

Modalities of return

Return: The act of going from a country of presence to the country of previous transit or origin. There are numerous subcategories of return, depending on the way in which the return takes place or is supported.

Spontaneous return: Individuals or a group initiate and proceed with their return plans without any outside assistance.

Voluntary return: Return based on a decision taken by a migrant free from any pressure or coercive measures and informed by all available information about the risks and benefits of return.

Forced return: Forcible returns to the country of origin or suspected country of origin by State(s).

Assisted voluntary return and reintegration: Organizational and financial assistance for the return and reintegration of migrants to their country of origin.

Reintegration assistance: Support provided to migrants having returned to their country of origin, to help them re-establish themselves.[46]

Forced returns usually involve immigration or other law enforcement authorities at the departure, travel and arrival stage. While these coordination efforts may already be catered for in government agreements, it remains important to consider them in the referral mechanism. For example, law enforcement in the returnee's country of origin can use the referral mechanism to refer the returnee for protection and assistance after the forced return, including the reception process. For voluntary returns that are not assisted, it is important to have outreach mechanisms enabling vulnerable migrants to seek assistance on reaching their country of origin.

A transnational referral mechanism can be extremely helpful to coordinate the assisted voluntary return and reintegration of vulnerable migrants. When mapping services for the purpose of developing a transnational referral mechanism, members should consider the whole return and reintegration process, which takes place across countries, including facilitating travel documentation, travel arrangements, reception assistance on arrival in the country of origin (including temporary accommodation before onward travel to the final destination), onward travel and case management support for reintegration. If vulnerabilities persist after return or new vulnerabilities emerge, continued assistance as outlined above may be necessary. The role of communities in the reintegration of migrants should also be considered when developing and implementing referral mechanisms.

The role of communities in reintegration

"The role that communities play in migrant reintegration can be manifold. Communities can provide an environment conducive for reintegration in terms of safety nets, strong social networks, psychosocial support, and financial resources. When communities perceive return positively, this allows migrants to return without the risk of being stigmatized, enabling them to re-establish social ties and facilitating reinsertion into society. Similarly, the reintegration process should also benefit (or, at least, not harm) communities through migrants' contributions, skills, and experiences."[47]

Integration

The integration of vulnerable migrants into a country of destination is particularly relevant for national and local referral mechanisms. National authorities have a role to play, for example, in regularizing immigration status and issuing work permits, while local authorities might oversee access to health care, schooling and other social services. As with reintegration, communities are a vital component of successful integration and referral mechanism members should consider ways in which to integrate community members when supporting integration processes.

46 Ibid.

47 IOM, *A Framework for Assisted Voluntary Return and Reintegration* (Geneva, 2018), p. 14.

Third-country relocation

It is imperative to ensure continuity of care for vulnerable migrants relocated to a third country, given that – unlike a return context – this is an entirely new environment for the migrants. "Where possible, referrals should be made before relocation to ensure continuity of protection and assistance. Vulnerable migrants meeting the intake criteria should be referred to any specialized support agencies in the country of relocation."[48] Transnational referral mechanisms can be extremely helpful in this respect.

Onward migration

Referral mechanism members can facilitate onward migration as a sustainable solution if opportunities exist for it to take place via the appropriate legal channels. If legal pathways are limited, vulnerable migrants may choose to continue their journey irregularly. Referral mechanisms can help case managers diminish vulnerabilities in the context of onward migration by facilitating referral of migrants to service providers in the intended country of destination or transit. Stakeholders can also use referral mechanisms to alert others to the needs of vulnerable migrants travelling in large groups, so that authorities and service providers can be prepared to receive these migrants in countries of transit and destination.

Consular assistance

Vulnerable migrants may need the assistance of consular authorities. In many instances, consular officials can provide or arrange for legal aid to vulnerable migrants, including those in detention. Vulnerable migrants and their case managers may also turn to consulates for the documents needed for the provision of assistance (e.g. birth certificates, guardianship arrangements for children remaining in the country of origin). Consular authorities can help plan sustainable solutions and pre-departure assistance.

The best interest of the child

The best interest of child migrants should be a primary consideration when providing protection and assistance. It must never be forgotten that all child migrants, including those accompanied by family members, are considered vulnerable; however, unaccompanied and separated children are particularly vulnerable and specific responses are needed to address their protection needs. If child migrants are going to be identified, referred and assisted through a referral mechanism, it is essential that the mechanism include procedures to determine the best interest of the child, including a best interest assessment and a best interest determination. Depending on the national context, different entities may be responsible for such assessments and determinations.[49] The IOM Handbook contains an annex providing guidance for the protection, care and assistance of vulnerable child migrants, which includes comprehensive information on how to guarantee the child's best interest throughout the protection and assistance process.

48 IOM, op. cit., note 1, p. 86
49 Ibid., p. 101.

6. HOW TO DEVELOP REFERRAL MECHANISMS

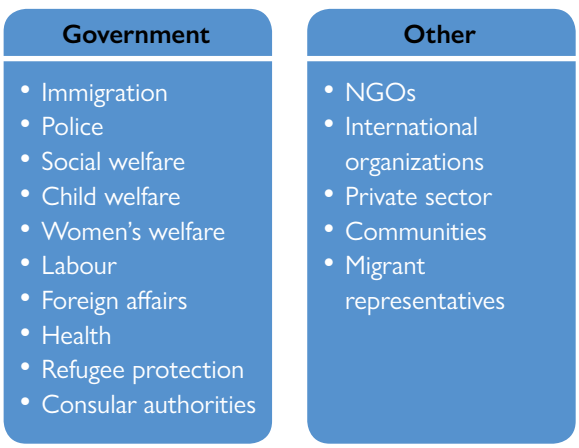
This section outlines how to develop referral mechanisms. Unless otherwise stated, the guidance applies to local, national and transnational referral mechanisms. The government – whether local or national – should take the lead in developing referral mechanisms, to ensure ownership from the onset. Any other entity that plays a vital role in the identification and assistance of vulnerable migrants, including NGOs, international organizations, the private sector and communities, should also be included.

There is no one-size-fits-all approach to developing referral mechanisms. The process described below comprises recommended steps, but localities, countries and regions may need to adjust it based on local realities.

6.1 Set up a steering committee

A steering committee can provide overall guidance and coordination. If the country has a national coordination mechanism on migration, the steering committee can be a subset thereof, to avoid fragmentation and stakeholder fatigue. The steering committee should be multisectoral and include all the stakeholders expected to play a role in the referral mechanism's implementation. It should be chaired by a government entity and its members should ideally be senior technical staff.

Figure 5: Potential steering committee members



Bringing together corporate and government efforts to protect and assist victims of exploitation

Many governments have been developing new policies and regulations to promote greater corporate accountability. As a result, the expectation that businesses carry out due diligence has grown considerably. An increasing number of companies are taking action to prevent and mitigate the risks of human trafficking and associated forms of abuse and exploitation in their operations and supply chains, usually in partnership with business peers, civil society and organizations such as IOM.

Beyond strengthening their due diligence, companies must also take responsibility for harm perpetrated against their workers and ensure that all possible steps are taken to assist victims of severe forms of exploitation in their recovery, through the provision of protection and assistance. This is a new area of work for the private sector, however, and there is currently little practical guidance on how the private sector can connect to, and leverage, existing systems to protect and assist victims run by governments, NGOs and international organizations, such as referral mechanisms.

In 2018, IOM launched a set of practical guidelines to help companies address this challenge. Its *Remediation Guidelines for Victims of Exploitation in Extended Mineral Supply Chains*[50] describe the many avenues that businesses can take to offer remediation to victims of exploitation, in partnership with local State and non-State actors. They define the practical steps companies need to take when responding to incidents of exploitation in their operations or supply chains, the stakeholders they need to engage with locally, and the factors they need to consider every step of the way – so that ultimately victims are provided with an effective remedy.

6.2 Carry out a country assessment

When developing a referral mechanism, it is helpful to have a general overview of the migrant protection landscape in the country or countries (for the case of transnational referral mechanisms) concerned. The steering committee should spearhead the assessment, which may take the form outlined below. Annex 1 contains research questions for the assessment.

General migration context

The assessment should include a brief overview: is the country mainly a country of origin, transit, destination or return of vulnerable migrants, where do the vulnerable migrants originate from, where do they reside and work, and what is their demographic profile? If possible, this section should also cover the role of communities vis-à-vis migration, if they play any role in migrant protection, local sentiments towards vulnerable migrants and the presence of diaspora communities.

The regulatory and institutional framework

This section should cover the policy, laws, regulations, procedures and international agreements that may affect vulnerable migrants. It should include an analysis of who is entitled to protection and assistance, under what circumstances, and whether there are any barriers to accessing rights enshrined in the regulatory framework, plus information on the government entities and organizations currently involved in the protection and assistance of vulnerable migrants and any existing coordination structures (e.g. working groups, committees, task forces). Assessments prepared in the context of transnational referral mechanisms should cover any agreements on migration between the parties to the referral mechanism (e.g. bilateral labour agreements, readmission agreements).

50 IOM, *Remediation Guidelines for Victims of Exploitation in Extended Mineral Supply Chains* (Geneva 2018). Available at https://publications.iom.int/system/files/pdf/remediation_guidelines.pdf.

Protection and assistance concerns

This section should highlight what the primary protection and assistance concerns are in a particular locality, country or region. Examples might include:

- Many migrants are reporting symptoms related to living through trauma, yet it is difficult for stakeholders to refer these migrants to psychosocial or psychological care;
- There are no shelter facilities for men in the country;
- There are reports that stranded migrant women are turning to sex work as they are unable to access livelihood opportunities;
- Unaccompanied and separated children are being returned to their country of origin without a best interest determination being carried out;
- Migrants have limited interaction with service providers and may opt to continue with their irregular migration journey if quick solutions are not available to meet their needs.

For countries and regions wishing to integrate the IOM determinants of migrant vulnerability model, this section can also include an analysis of where vulnerabilities originate (e.g. at individual, household, community and/or structural level).

Mapping of services and referral processes

This component of the assessment should include a map of the services that are available for vulnerable migrants. It should mention who offers the services, under what conditions, and if there are any barriers or limitations to access for migrants. Possible barriers to services include eligibility or intake criteria that exclude migrants or require specific identification documents; location and distance; risks to safety and security; and nationality or immigration status requirements.[51] The section should include information on how migrants are referred to services. For example, a particular service provider might have a memorandum of understanding with a government entity, but also assist migrants referred informally from various NGOs. If relevant, communities should be included as service providers even if some of the services that they offer are more informal or ad hoc.

6.3 Prepare a memorandum of understanding

A referral mechanism is a process of cooperation. To be effective, it must be formalized through a memorandum of understanding. This is a document providing information on the various parts of the referral mechanism, its members and the services they offer. Its components are described below.

Introduction

The introductory text is usually centred at the top of the document and reads, for example, "Memorandum of understanding between [insert referral mechanism members] for the implementation of the referral mechanism for vulnerable migrants in [insert locality, country or region]".

Background and purpose

Describe why the partnership is needed and the relevance of the cooperation. This should draw on the findings of any assessments conducted (see Section 6.2, *Carry out a country assessment*).

51 Ibid., p. 31.

Target group

Ideally, a referral mechanism should target all migrants who are vulnerable to violence, abuse and exploitation. However, many localities or countries do not have the resources, expertise or political will to set up a system to assist and refer all vulnerable migrants. They may want to start with a particular category of vulnerable migrant. For example, a country might choose to focus on vulnerable migrants in transit and subsequently create a referral mechanism for vulnerable returnees who also need assistance, but for whom the institutional and legal framework is different, as they are nationals of the country. Some countries may choose to focus on a particular category of vulnerable migrants (e.g. unaccompanied and separated children).

A detailed description of each member's responsibilities

This section should list all the referral mechanism members and their specific responsibilities in as much detail as possible. At a minimum, the various steps in the referral mechanism process (identification, status determination (if applicable), case management, provision of protection and assistance) should be covered by at least one member. The services offered by members should be listed as precisely as possible, with information on who can benefit, for how long and any exclusions.

Coordination methods

This section should describe how the members will coordinate with each other in specific cases and the general workings of the referral mechanism. It should stipulate whether the referral mechanism will have a national coordinator or focal point (see Section 7, *How to implement referral mechanisms*).

Financing arrangements

The memorandum of understanding should outline how services will be funded. More information on funding options is provided in Section 7.2, *Funding*.

Duration

This section should mention when the memorandum of understanding will come into effect and for how long. Referral mechanism members can choose to set a time limit to their cooperation within the mechanism, in order to allow for review and amendments.

Annexes

This section lists any annexes to be appended. Standard operating procedures, flow diagrams and referral directories are among the tools that should be included as annexes, if available.

Contact details

The referral mechanism members should provide contact details, including phone number, physical address and email address.

Signatures

All referral mechanism members should sign the memorandum of understanding. This section should include the date and place of signature.

Ideally, the memorandum of understanding should be signed by all members of the mechanism. If necessary, members can sign additional bilateral memoranda or other types of agreement, such as service agreements, in order to carry out specific tasks in the context of the referral mechanism (e.g. issuing payments to another member). Formalization of a transnational referral mechanism may require a bilateral or multilateral memorandum of understanding, the development and approval of which can be lengthy, as multiple entities in more than one country are involved.

Government entities that are part of the referral mechanism may need to issue internal directives to ensure that the commitments thus made are implemented. A government directive can be defined as "an authoritative order or instrument issued by a high-level body or official".[52] For example, the Director of Immigration may issue a directive that suspected victims of trafficking are not to be deported but instead referred for assistance. Directives can only be issued for entities under the authority of the official signing them. In other words, they are internal, as opposed to memoranda of understanding, which seek to regulate, and are signed by, the various entities party thereto.

6.4 Prepare standard operating procedures

Standard operating procedures are defined as "established or prescribed methods to be followed routinely for the performance of designated operations or in designated situations".[53] They are used to describe specific procedures of the referral mechanism process, such as:

- Initial screening procedures;
- Transportation of vulnerable migrants;
- Sharing of vulnerable migrant information in line with data protection principles;
- Storing, access and use of vulnerable migrant information in line with data protection principles; and
- Cost recovery, payments and billing.

Standard operating procedures are operational documents. As such, they should use clear and precise language to ensure that procedures are carried out correctly. They can be reviewed annually and modified if necessary. It is important to recall that referral is a process and that localities or countries unable to develop all necessary standard operating procedures from the outset can do so at a later stage. Moreover, referral mechanism members may not consider it necessary to spell out a specific procedure at a particular point in time, but may feel that need later as they engage with new situations or circumstances. All the members involved in the procedure should be involved in the development of the standard operating procedure.

How to develop standard operating procedures for a referral mechanism for vulnerable migrants[54]

- **Identify the procedure to be described.** It is essential to clearly define the scope, so as to reduce overlap with other procedural documents.
- **Define the purpose.** Are the standard operating procedures being developed to adhere to standards and best practices? Or to ensure that all referral mechanism members are clear about how to implement a particular process?
- **Decide how the procedure will be presented.** The layout will be influenced by the kind of information the referral mechanism members want to display. Templates from various sectors and industries can be found online.
- **Capture all the steps in the procedure.** All the steps should be captured from start to finish. Potential problems can also be assessed at this point, and referral mechanism members can discuss whether to add or remove anything. The language used should be clear and actionable.
- **Test the process.** To make sure the procedures documented are the most effective and are properly described, test them with referral mechanism members using them daily.
- **Obtain approval or endorsement.** The standard operating procedures will likely be developed by technical staff from referral mechanism member organizations and may need to be approved or endorsed by senior officials.
- **Finalize and implement the standard operating procedures.** Once all referral mechanism members have signed off on the document and agreed to its use, it should be implemented and correctly filed.

52 Merriam-Webster online dictionary. Available at www.merriam-webster.com/. Consulted on November 2018.
53 Ibid. The clinical definition used by the International Council for Harmonization is also helpful: "Detailed, written instructions to achieve uniformity of the performance of a specific function". Available from https://ichgcp.net/1-glossary/.
54 Adapted from A. Henshall, 20 Free SoP Templates to Make Recording Processes Quick and Painless. Retrieved from www.process.st/sop-templates/ in November 2018.

6.5 Prepare other documents

The steering committee can develop additional tools, such as those listed below, to promote the referral mechanism's implementation. It is important to recall that the referral mechanism is a process and that countries unable to develop all the necessary tools from the outset can do so at a later stage.

Flow diagram

A flow diagram is a visual aid. It depicts the relationship between different aspects of a process or sequence of actions, generally using geometric shapes and arrows. It can be used to reflect the whole referral mechanism process and the more specific procedures set out in the standard operating procedures. Annex 2 contains various examples of referral mechanism flow diagrams.

Referral directory

A referral directory contains the information set out in the country assessment. An initial referral directory prepared during the referral mechanism development process should be updated by the referral mechanism coordinating entity (see Section 7.1, *Coordination and oversight)*. At some point, the steering committee should adopt inclusion criteria for the directory. The referral directory should also include community-based care, if available.

Forms

As much as possible, forms should be standardized when the referral mechanism is being developed. At a minimum, referral mechanism members should develop standard referral forms. Standard screening, intake, assistance and case monitoring forms may also be helpful.

When recording a vulnerable migrant's personal data, it is essential to bear in mind confidentiality, privacy and data protection concerns, and to obtain the migrant's informed consent.

> **Informed consent, confidentiality, privacy and data protection**[55]
>
> **Informed consent** – Before receiving assistance or accessing services, vulnerable migrants should freely give their permission with the knowledge of possible risks and benefits. Inherent in the right to give consent is also the right to refuse assistance. Consent is not static and should be evaluated throughout the time vulnerable migrants are accessing support. Consent can be given in full or in part, and access to one service should not be contingent on consenting to others. Consent is a process that includes providing information to migrants, giving them the opportunity to ask questions, ascertaining that the information is complete and understood, clarifying and restating information, and documenting consent. Consent forms are one way to record consent, but may not be appropriate for children, migrants with low levels of literacy, and/or those without the capacity to give consent. Consent can also be given verbally, but should be recorded in a secure and confidential manner.
>
> **Confidentiality, privacy and data protection** – Information should not be requested or required from vulnerable migrants unless it is essential to the provision of assistance. Information regarding a vulnerable migrant's location, health and well-being, and participation in any services should be considered confidential and not be shared without the vulnerable migrant's prior knowledge and informed consent. Where vulnerable migrants are accessing various services and their care and support would benefit from sharing of information, appropriate information-sharing protocols should be put in place, and the vulnerable migrants informed of and consent to their information being shared. Any information obtained through direct or indirect disclosure in the course of providing services should be considered confidential.

55 IOM (2019), op. cit., note 1, pp. 27–28.

7. HOW TO IMPLEMENT REFERRAL MECHANISMS

This section presents fundamental aspects of the implementation of a referral mechanism. There is no one-size-fits-all approach to referral mechanisms, and each locality, country or region may therefore need to include additional components to ensure effective implementation of the mechanism.

7.1 Coordination and oversight

Ideally, a government entity should be tasked with ensuring oversight of the referral mechanism and coordination of all its members. It may be helpful for the coordinating government entity to designate a national coordinator or a national focal point. Referral mechanisms at the subnational level can have a local coordinator who can liaise regularly with a national coordinator.

The coordinator can take steps to ensure proper implementation of the referral mechanism, including requesting reports or inputs from the members, calling regular coordination meetings, presenting information on the referral mechanism to external stakeholders, and reporting. In addition, the coordinator can improve and update standard operating procedures, the referral directory, forms, flow diagrams and other tools aimed at standardizing processes.

7.2 Funding

While funding aspects should be considered when the referral mechanism is being developed and spelled out in the memorandum of understanding, they are also an important factor of implementation. The counter-trafficking sector is a source of pointers for how protection and assistance interventions can be financed.

Financing arrangements used in the counter-trafficking sector

Service-based financial assistance funded by national governments

In many countries, assistance to victims of trafficking is provided by NGOs that are in turn financed by national governments.

Service-based financial assistance funded by international organizations and/or NGOs

In the counter-trafficking sector, it is also common for international organizations to provide services for victims. Some of these funds can be implemented directly or through national or local partners.

Service-based financial assistance funded by international/national entities

Other countries have a combined model of international and national funding of services. Some assistance interventions are initially funded by an international donor and then gradually taken over by national governments.[56]

It is important to recall that States bear primary responsibility for protecting the rights of migrants. Ideally, the majority of the efforts related to referral mechanism operations should be financed by the government(s). However, this does not necessarily mean that a government entity implements the services. It may choose to outsource the delivery of assistance services, either because it considers that to be the more efficient option, or because vulnerable individuals might feel more comfortable receiving assistance from an NGO. If a government has no resources to fund the referral mechanism, then other stakeholders should consider providing technical assistance for resource mobilization, including through government budgets for the mechanism's operations.

For practical purposes, the referral mechanism members should decide whether organizations are financed independently or centrally through a fund.

- **Independent financing:** Under this model, each member is responsible for guaranteeing that it has the resources needed to carry out the tasks assigned to it in the referral mechanism. If such is not the case, it needs to mobilize resources. For government entities, this may entail integrating the related costs into upcoming institutional or sectoral budgets. If no government funds are available, government entities may need to request support from development partners. International organizations and NGOs may have to solicit funds from the government or development partners if their current programmes cannot cover the costs of their responsibilities within the referral mechanism.
- **Central financing:** Referral mechanism members can decide to have a centrally managed fund, with each member requesting resources from the fund to carry out its designated tasks. Ideally, the government should finance this fund.

Regardless of the approach, referral mechanism members should report on their budget availability regularly and highlight any expected gaps in funding so that measures can be taken to ensure continuity of care for vulnerable migrants. To attract funding to the referral mechanism, members should insert protection of vulnerable migrants into broader policy debates across various sectors, such as human rights, child protection, social protection and job creation. This strategy can allow them to tap into resources that are not exclusively set aside for migrant protection but have strong links thereto.

7.3 Outreach

Referral mechanism members should consider outreach strategies to inform vulnerable migrants, and any external groups that might come into contact with them, about the mechanism's existence and the availability of protection and assistance services. The ultimate aim of outreach strategies should be to ensure that all vulnerable migrants in need are correctly identified and referred to services. Sufficient resources should be allocated for outreach and public information efforts. Referral mechanism members should also place information on the mechanism on their institutional websites. All outreach efforts should be clear about who can benefit from the assistance offered through the referral mechanism, what services are offered, and how vulnerable migrants can access them.

56 OSCE, op. cit., note 3, pp. 71–72.

7.4 Data collection and management

In their work to provide protection and assistance to vulnerable migrants, referral mechanism members are likely to collect and have access to significant amounts of data on the migrants. There are a number of things they need to bear in mind in this regard.

First, referral mechanism members should determine what sorts of data should be collected, how, and for what purposes.

Personal data and personal histories are important information enabling providers to design and deliver appropriate assistance and protection services. They are typically collected in face-to-face interactions with vulnerable migrants and recorded in interview notes and databases. Referral mechanism members should consider whether to use standardized data-collection forms, and/or whether all referral mechanism members should endeavour to collect data on a few key topics, such as age, sex, country of origin, type of violence, exploitation or abuse suffered, etc. Personal data must be subject to the highest levels of data protection and confidentiality.

More broadly speaking, data collected through the referral mechanism can help governments and other stakeholders obtain an overview of the plight of vulnerable migrants, so as to inform national policy as well as operations. Anonymous data collected through the referral mechanism can also be used in research on migration, which in turn can strengthen advocacy efforts to improve protection and assistance services for vulnerable migrants. They can help governments report on the implementation of international conventions, treaties and protocols, the Global Compact for Safe, Orderly and Regular Migration, the Sustainable Development Goals and the IOM Migration Governance Indicators.

In this regard, referral mechanism members should consider collecting various types of non-personal data and information and sharing them with the coordinating body. Helpful information can be obtained on the number and types of vulnerable migrants assisted, new migration and protection trends, new vulnerabilities identified at personal, household, community or structural level, and barriers to accessing protection and assistance.

Referral mechanism members should also take account of any related data-collection and management systems that exist, and consider how to pursue coordination between systems. For example, service providers and/or law enforcement agencies may have systems for collecting data on trafficking in persons or smuggling of migrants. Efforts should be made to ensure coherence between the two systems and to reduce duplication of data-collection efforts.

Data collection and management may face challenges that should be identified and overcome. Common challenges include inconsistency in the type of data collected; limited resources for data collection, storage and analysis, such as computers for storing data and software for databases that collect and analyse data; and lack of clear rules and procedures for sharing personal data between service providers and anonymized data for research purposes. Data-collection efforts should not be overly onerous, particularly at the initial stages of implementation, when most referral mechanism members have to adjust to the workings of the mechanism. The limitations faced by community-based workers and non-formal service providers, mainly in remote settings, should be taken into consideration when determining how data are collected and disseminated. Many of these challenges can be addressed, over time, with measures that include standardization in data-collection efforts, improving resources for data collection and management, development of standard operating procedures for data collection and sharing, and training for staff on data collection, protection, storage and analysis.

Over time, it may be beneficial to establish a data management system to be used by all referral mechanism partners. This is likely to be most useful in contexts in which a significant number of vulnerable migrants are being assisted by a wide range of partners. When establishing a shared data management system, the following questions should be asked:

- Who will use the system in their daily work? This includes both which organizations will have access to the system and specific personnel within those organizations.
- Who will maintain, configure and act as the system administrator? Data management systems require regular upkeep and it is most efficient to have one organization perform this role.

- What software or technology will be required? How frequently will it need to be upgraded?
- Will the system be closed, or will it need to communicate with other systems, either to receive incoming and/or to share outgoing data?
- What security measures will be put in place, such as password protection and data encryption?
- How will personal data be protected to ensure that only those with legitimate needs can access them? How will data be anonymized for statistical and research purposes?
- How will personal data be deleted once no longer needed?
- What procedures will be put in place to ensure that migrants can correct and/or delete their personal data?

Finally, data collection and management are likely to require some form of governance. Typically, this should be the role of the coordinating body, which can ensure the best use of data by:

- Engaging all referral mechanism members at an early stage to discuss the issues above and to reach agreement on data-collection and management procedures;
- Documenting decisions and standard operating procedures, and developing tools such as standard data-collection forms or a list of key data points to be collected;
- Taking a lead role in developing and resourcing a shared data management system, if necessary and appropriate;
- Arranging for quality assurance and upkeep;
- Ensuring referral mechanism members are kept abreast of developments in data collection and management and that their internal processes are kept up to date;
- Identifying capacity development needs and organizing training;
- Contributing to effective use of data, for example by overseeing the development of regular statistical reports and sharing them with relevant stakeholders and policymakers.

As stated in the *IOM Data Protection Manual*,[57] it is of the utmost importance that all data collection adheres to data protection principles that recognize both the right of individuals to protect their data and the need of individual stakeholders to collect, use and disclose personal data with a view to fulfilling their migration mandate. The Manual can serve as a guide for referral mechanism members developing their own data protection principles.

7.5 Feedback

Migrants should be given the opportunity to provide feedback on the quality of the referrals and assistance being provided through the referral mechanism. Members can solicit the feedback directly from the vulnerable migrants or through comment boxes or online forms. All members should use the feedback constantly to improve the referral mechanism.

7.6 Monitoring, evaluation and reporting

The referral mechanism should be monitored to ensure it is functioning correctly and to inform operational and management decisions. This can be done by the coordinating entity, but each member should also continuously monitor its own operations. Evaluations can be carried out internally or externally and should consider the elements listed in the text box below.

Evaluation of referral mechanisms[58]

- **Effectiveness:** Did the referral mechanism function effectively and in line with basic principles of assistance? Has it been referring cases of vulnerable migrants effectively? How appropriately have the needs of vulnerable migrants been addressed?
- **Impact:** What have the results been since the development of the referral mechanism? Have there been any unintended positive or negative effects as a result of its establishment?

57 IOM, *IOM Data Protection Manual* (Geneva, 2010), p. 13. Available at https://publications.iom.int/system/files/pdf/iomdataprotection_web.pdf.
58 Adapted from OSCE, op. cit., note 3, pp. 51–52.

- **Efficiency:** How effective was cooperation and coordination among the referral mechanism members? Have the human, material and financial resources been utilized professionally and efficiently? How did the members perform? Outcomes and progress should be checked against previously agreed benchmarks. Financial reporting should also be analysed, to assess whether activities are cost-effective and well managed.
- **Sustainability:** What follow-up is required? Referral mechanism members should agree on the next phase of an operational plan, including tasks and responsibilities, and the appropriate timeline.

The referral mechanism is a process and not a static structure. It requires constant adaptation, not only to better serve the needs of the people for whom it was designed, but also to adjust to new migration trends and protection needs.

7.7 Capacity-building

All referral mechanisms should have the capacity to identify, refer and assist vulnerable migrants. The capacity of members should be assessed, and capacity-building interventions designed to close any gaps. Training is a helpful way to address knowledge gaps. Training courses for referral mechanism members can cover:

- International migration in general;
- Migration and human rights;
- Identification and screening of vulnerable migrants;
- Assistance to vulnerable migrants;
- Interviewing techniques;
- Trafficking in persons;
- Smuggling of migrants;
- Shelter management;
- Case management; and
- Prevention of sexual exploitation and abuse.

As much as possible, training should improve skills and not just enhance knowledge. Hands-on methods can prove useful and may include simulations with vulnerable migrants and expert accompaniment over time. Capacity-building activities should also aim to identify institutional bottlenecks (e.g. the absence of a human resource strategy and procedures within an organization) and provide technical assistance to resolve them. They should thus ensure that all service providers have the right resources, policies and procedures in place to meet the needs of vulnerable migrants.

8. CONCLUSION

Referral mechanisms can enhance the provision of protection and assistance services for vulnerable migrants by improving cooperation between multiple stakeholders. A referral mechanism for vulnerable migrants is a process comprising various components or steps, including identification, status or case-type determination, case management and the provision of protection and assistance services. In addition to proposing referral mechanisms at the national level, these guidance also encourage the development of referral mechanisms at the local and transnational levels, where necessary and appropriate.

Beyond conceptualizing referral mechanisms in the context of protection and assistance for vulnerable migrants, these guidance provide information on how to develop such mechanisms. This includes setting up a steering committee; carrying out a country assessment; and preparing key documents, such as the memorandum of understanding and standard operating procedures, and other helpful tools, such as referral directories and forms. They also discuss key considerations, such as coordination and oversight; funding; outreach; data collection and management; feedback; monitoring, evaluation and reporting; and capacity-building.

This publication is the first to provide guidance on how to develop referral mechanisms specifically for vulnerable migrants and it is expected that it will promote the development and effective implementation of such mechanisms worldwide. It is a timely publication, coinciding with the adoption of the Global Compact for Safe, Orderly and Regular Migration, which is the first-ever intergovernmental agreement covering all dimensions of international migration and which stresses the need to strengthen assistance and protection for vulnerable migrants.

ANNEXES

Additional acronyms used in the annexes

ANEFIP	National Agency for Employment, Training and Labour Integration (Djibouti)
AVRR	Assisted voluntary return and reintegration
ATiP-LEVANT project	Preventing Conflict-driven Trafficking in Persons and Ensuring a Protection-sensitive Approach across the Levant
BID	Best interest determination
CMH	Medical centre or hospital
CNSS	National Social Security Fund (Djibouti)
CSO	Civil society organization
GO	Government organization
IO	International organization
MCDMCH	Ministry of Community Development, Mother and Child Health (Zambia)
MFF	Ministry of Women and Family (Djibouti)
MoFA	Ministry of Foreign Affairs (Zambia)
MRC	Migrant response centre
ONARS	Office of National Assistance for Refugees and Disaster-stricken People (Djibouti)
PAVE	Action to Protect and Assist Vulnerable and Exploited Migrant Workers in the Middle East and North Africa
VoT	Victim of trafficking
UASC	Unaccompanied and separated children
UNFD	National Union of Women of Djibouti

ANNEX 1

RESEARCH QUESTIONS FOR COUNTRY ASSESSMENTS

1. General migration context

- Who is considered a vulnerable migrant?
- Is the country concerned mainly a country of origin, transit, destination or return for vulnerable migrants?
- Where do vulnerable migrants come from?
- Is there a predominant demographic profile of vulnerable migrants in a country (e.g. adult male, children)?
- What parts of the country are most affected by immigration, transit migration or emigration of vulnerable migrants?
- In what parts of the country do most vulnerable migrants reside?
- How long do most vulnerable migrants typically stay in the country (e.g. days, months, years)?
- How long do vulnerable returnees spend abroad before returning?
- Do vulnerable migrants reside in camp-like settings?
- Is it common for vulnerable migrants to be held in detention centres?
- Are migrants organized in the country (e.g. into diaspora organizations with clear leadership structures)?
- How does the country perceive migration? Are there different perspectives of emigration, immigration, transit migration and return migration? Are there any differences of opinion between the government and the general public? What about the communities affected by migration?
- How does the country perceive vulnerable migrants? Are there different perspectives on vulnerable emigrants, vulnerable immigrants, vulnerable transit migrants or vulnerable returnees? Are there any differences of opinion between the government and the general public? What about the communities where vulnerable migrants reside?

2. Regulatory and institutional frameworks

Regulatory framework

- What legal instruments govern migration?
- Is irregular migration criminalized? If so, what are the penalties and consequences of being in the country irregularly?
- Does the country detain irregular migrants? For how long?
- Under what conditions can non-nationals remain in the country?
- Are there any special provisions for granting temporary residence for humanitarian reasons?
- Under what conditions can non-nationals work in the country?
- Are social services accessible to non-nationals?
- Are irregular migrants entitled to any social services?
- Has the country ratified the United Nations Convention against Transnational Organized Crime and its Protocols?
- Does the country have a law criminalizing trafficking in persons and smuggling of migrants? Is it in compliance with the United Nations protocols on trafficking and smuggling?
- What international human rights instruments has the country ratified?
- Has the country ratified the Geneva Convention relating to the Status of Refugees and its Protocol?
- Do the country´s regulations, policies and programmes governing migration have a rights-based approach?

Institutional framework

- What are the primary government entities involved in the protection and assistance of vulnerable migrants?
- What are the main civil society organizations and international organizations involved in the protection and

assistance of vulnerable migrants? Are any of these civil society organizations community-based?

- Are there any inter-institutional bodies that coordinate issues related to migration (e.g. National Coordination Mechanism on Migration)? Do their members include civil society and/or international organizations?
- Are there any working groups related to the protection of vulnerable migrants? These could be limited to a particular category of vulnerable migrants (e.g. unaccompanied and separated children).
- Does the country have any referral mechanisms (e.g. for victims of trafficking, children)?
- Is the country part of a regional consultative process on migration?
- Are there any regional or transnational working groups on migrant protection?
- Does the country have a national body that monitors human rights? If so, has it issued any reports on the situation of vulnerable migrants?

3. Protection and assistance concerns

- What causes migrants to become vulnerable?
- What types of violence, exploitation and abuse are they exposed to?
- Who is entitled to protection and assistance, and under what circumstances?
- What protection systems can vulnerable migrants access?
- Is lack of shelter, water, sanitation and hygiene a concern? For all vulnerable migrants or specific categories (e.g. are there shelter facilities for men?)? Country-wide or in specific parts of the country?
- Are the safety and security of vulnerable migrants a concern? For all vulnerable migrants or specific categories? Country-wide or in specific parts of the country? Who poses a threat to the safety and security of migrants?
- What are the more common health (both physical and psychological) conditions or problems faced by vulnerable migrants? Generally, are there sufficient services to cater for their needs? For example, assess whether, if many migrants are reporting symptoms related to living through trauma, it is difficult for stakeholders to refer these migrants to psychosocial or psychological care.
- Are vulnerable migrants able to access education and training services, if needed? Do certain categories of vulnerable migrants face more challenges accessing these services?
- Are migrants able to generate an income? Are certain categories of migrants finding it more difficult to do so? For example, are there reports that stranded migrant women are turning to sex work as they are unable to access livelihood opportunities?
- Are there any difficulties with carrying out family tracing, assessment and/or reunification of vulnerable migrants? For all vulnerable migrants or specific categories?

4. Mapping of services and referral processes

a. Name of organization

b. Population it serves

The description should be as specific as possible (e.g. female victims of trafficking under the age of 30; migrants who have not requested asylum).

c. Services offered

List all the services offered by the organization and the location(s) where they can be accessed.

d. Other helpful information
   - Requirements for referring cases to this organization
   - What organizations it refers to for additional services
   - Barriers or limitations to accessing services
   - Financial requirements to provide assistance
   - If the organization is party to any existing memorandum of understanding or cooperation agreements

e. Contact details

Include the organization's address, telephone number and email, and a focal point.

ANNEX 2

FLOW DIAGRAMS

2.1 Flow diagram of the National Referral Mechanism for Vulnerable Migrants in Zambia

2.2 Flow diagrams of Djibouti's National Referral Mechanism for Vulnerable Migrants

2.3 Flow diagram for the preliminary identification of profiles and referrals, Regional Conference on Migration

2.4 Flow diagram of the TACT project

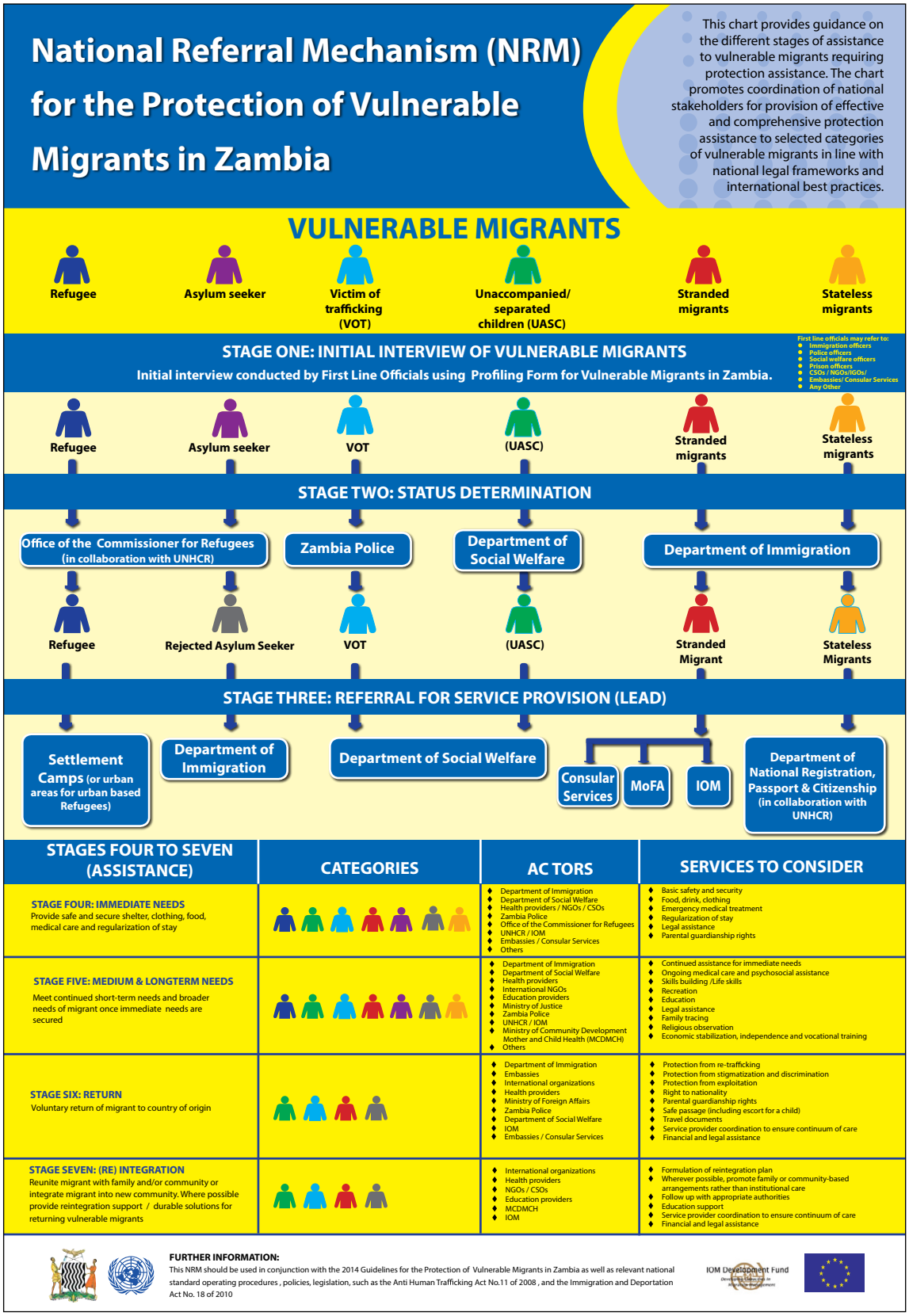
2.5 Flow diagram of the remediation process in extended mineral supply chains

2.6 Flow diagram of the PAVE project

2.7 Flow diagram of the ATiP-LEVANT project

ANNEX 2.1

Flow diagram of the National Referral Mechanism for Vulnerable Migrants in Zambia[59]

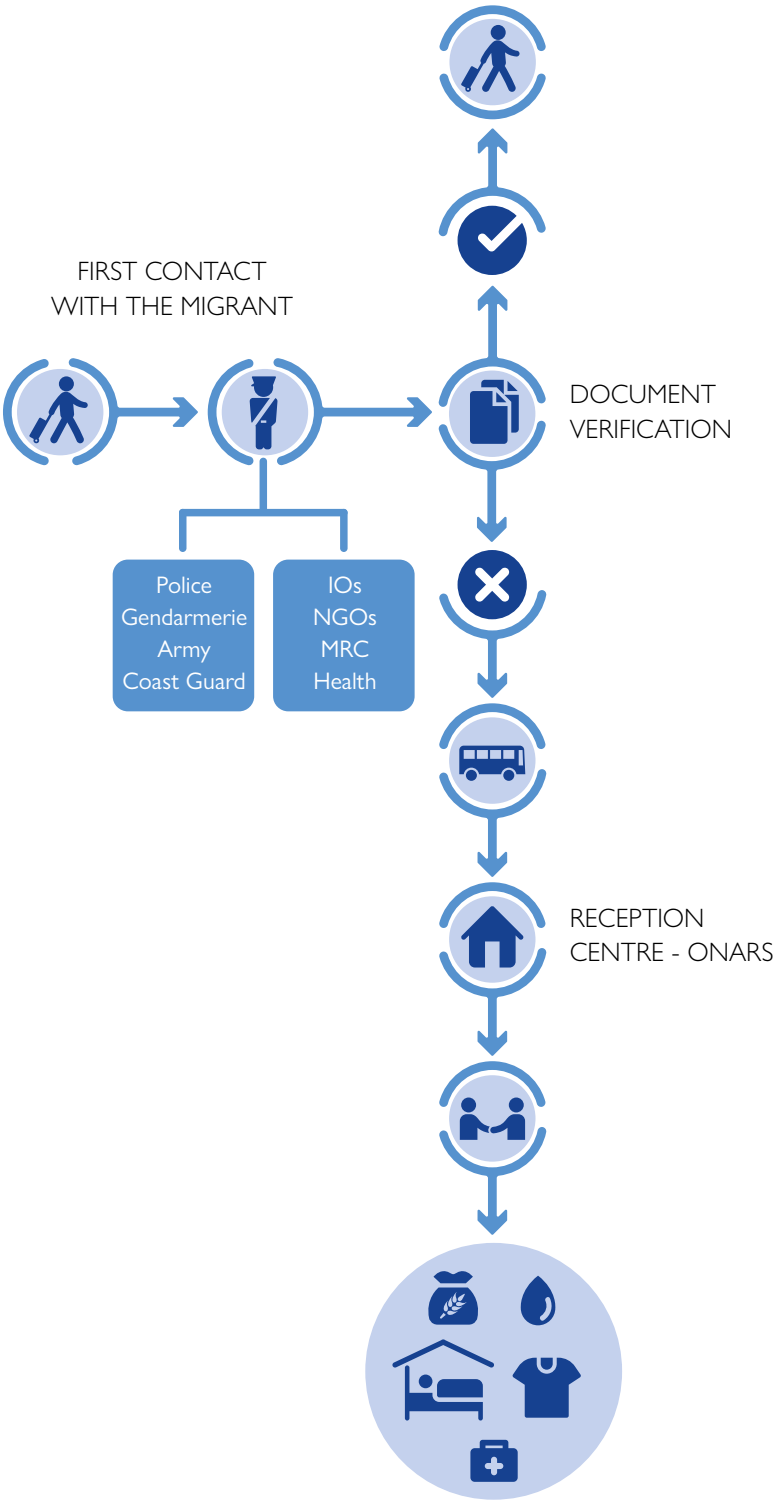


59 Adapted from the National Referral Mechanism for the Protection of Vulnerable Migrants in Zambia available at: www.iom.int/files/live/sites/iom/files/Country/docs/National-Referral-Mechanism-NRM-for-the-Protection-of-Vulnerable-Migrants-in-Zambia.pdf

ANNEX 2.2

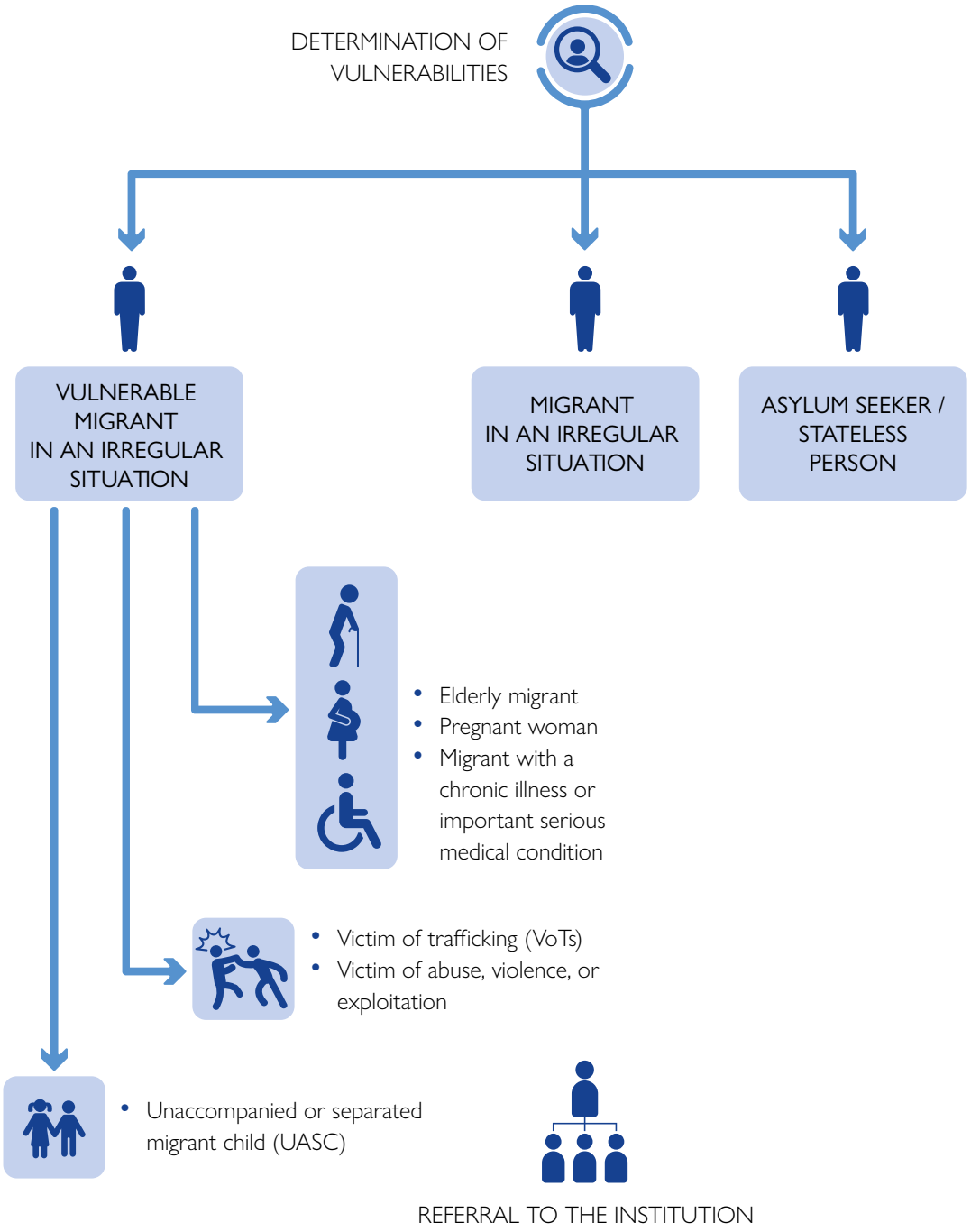
Flow diagrams of Djibouti's National Referral Mechanism for Vulnerable Migrants[60]

2.2.1 General flow diagram

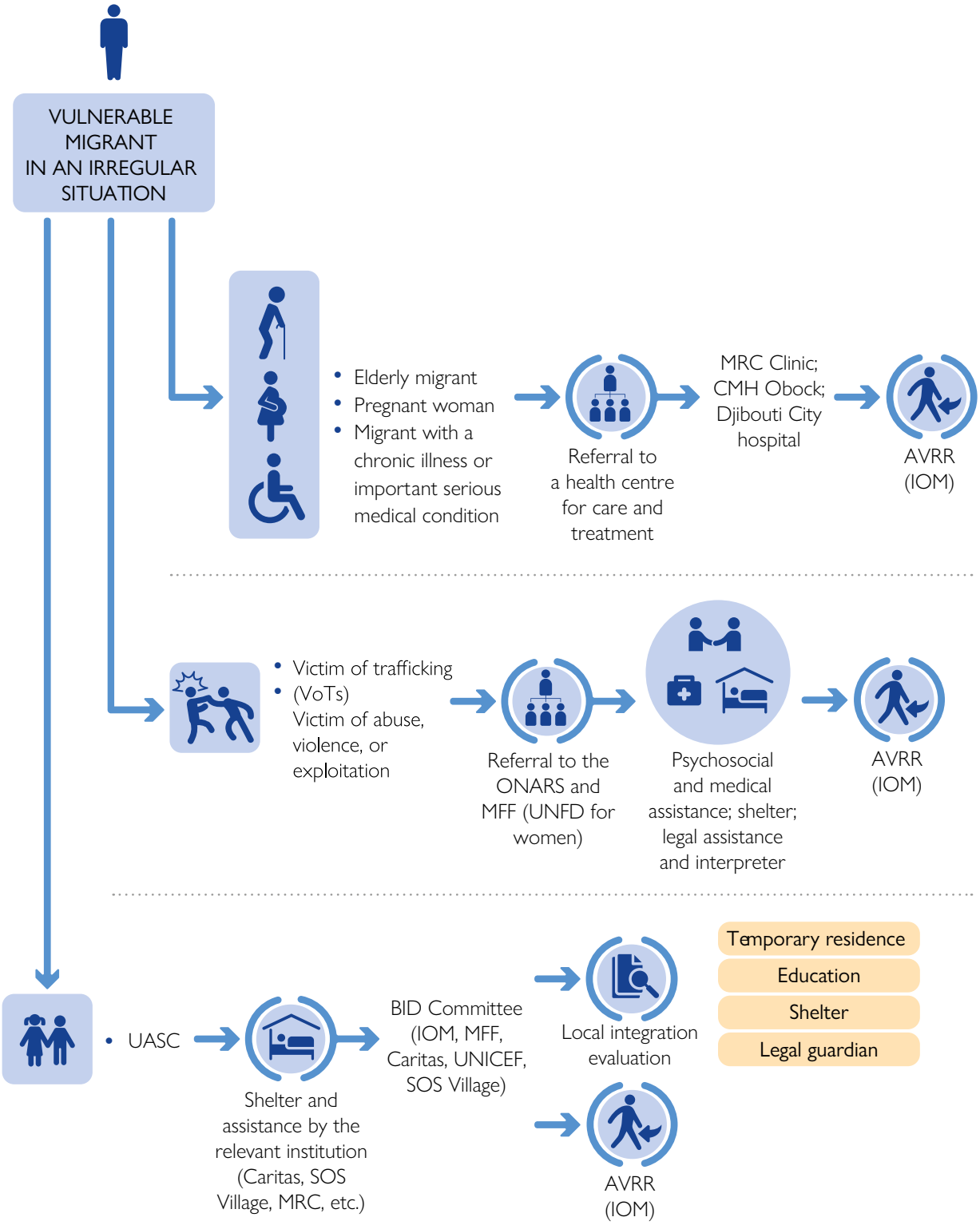


60 Adapted from a presentation by Giulia Ravassard (IOM Djibouti), Referral Mechanism for Migrants in Vulnerable Situations in Djibouti, slides 9-12. Regional Technical Workshop on Improving Identification and Referral of Migrants in Vulnerable Situations in the Horn of Africa, 20-21 March 2018, Nairobi, Kenya.

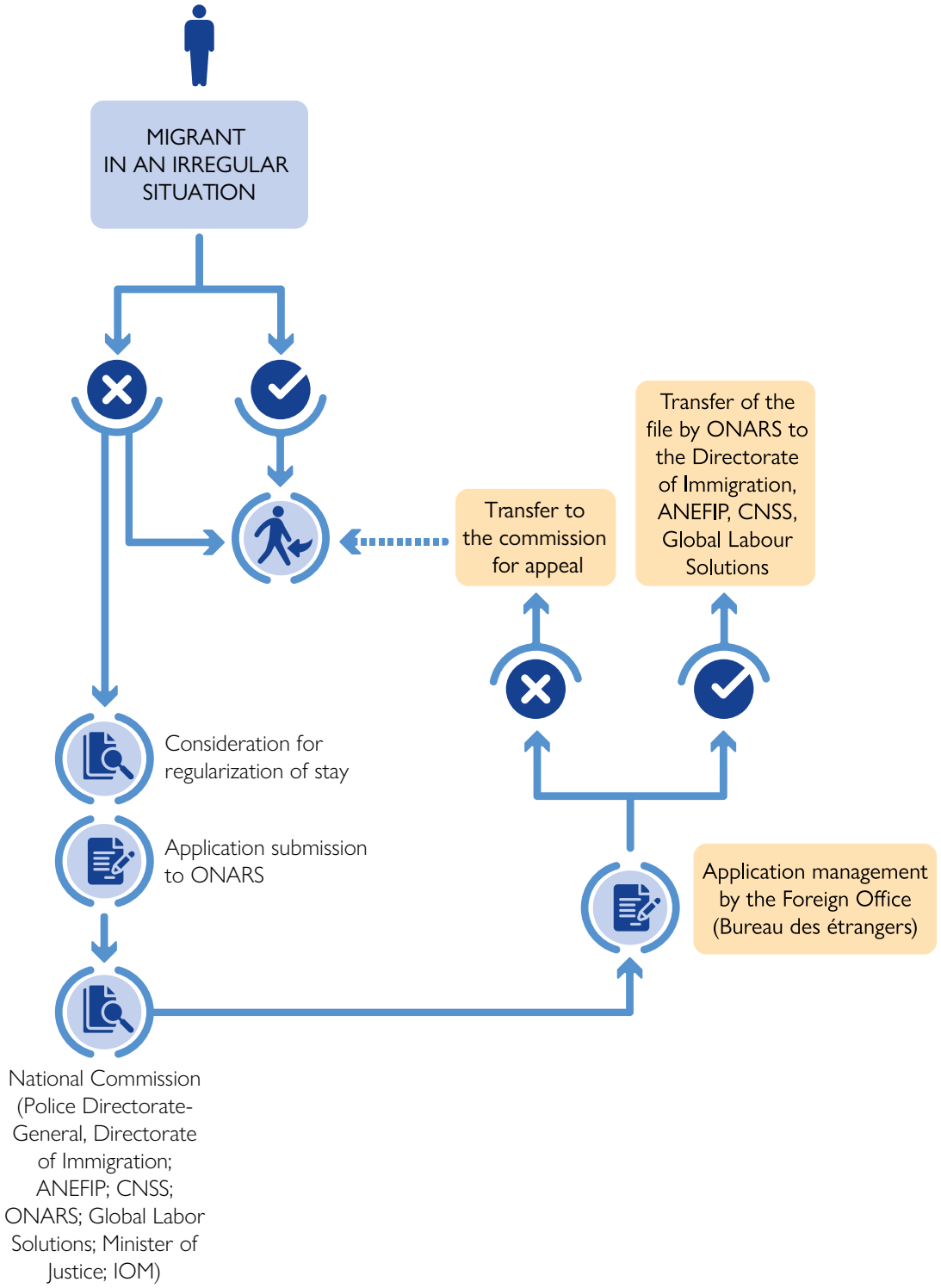
2.2.2 Flow diagram for determination of vulnerabilities



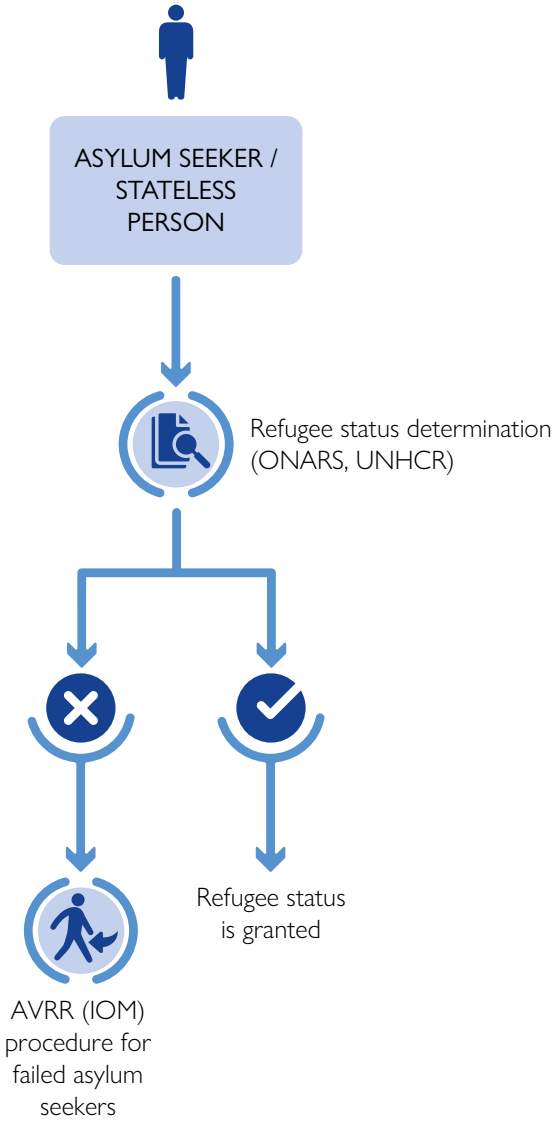
2.2.3 Flow diagram for vulnerable migrants in an irregular situation



2.2.4 Flow diagram for a migrant in an irregular situation

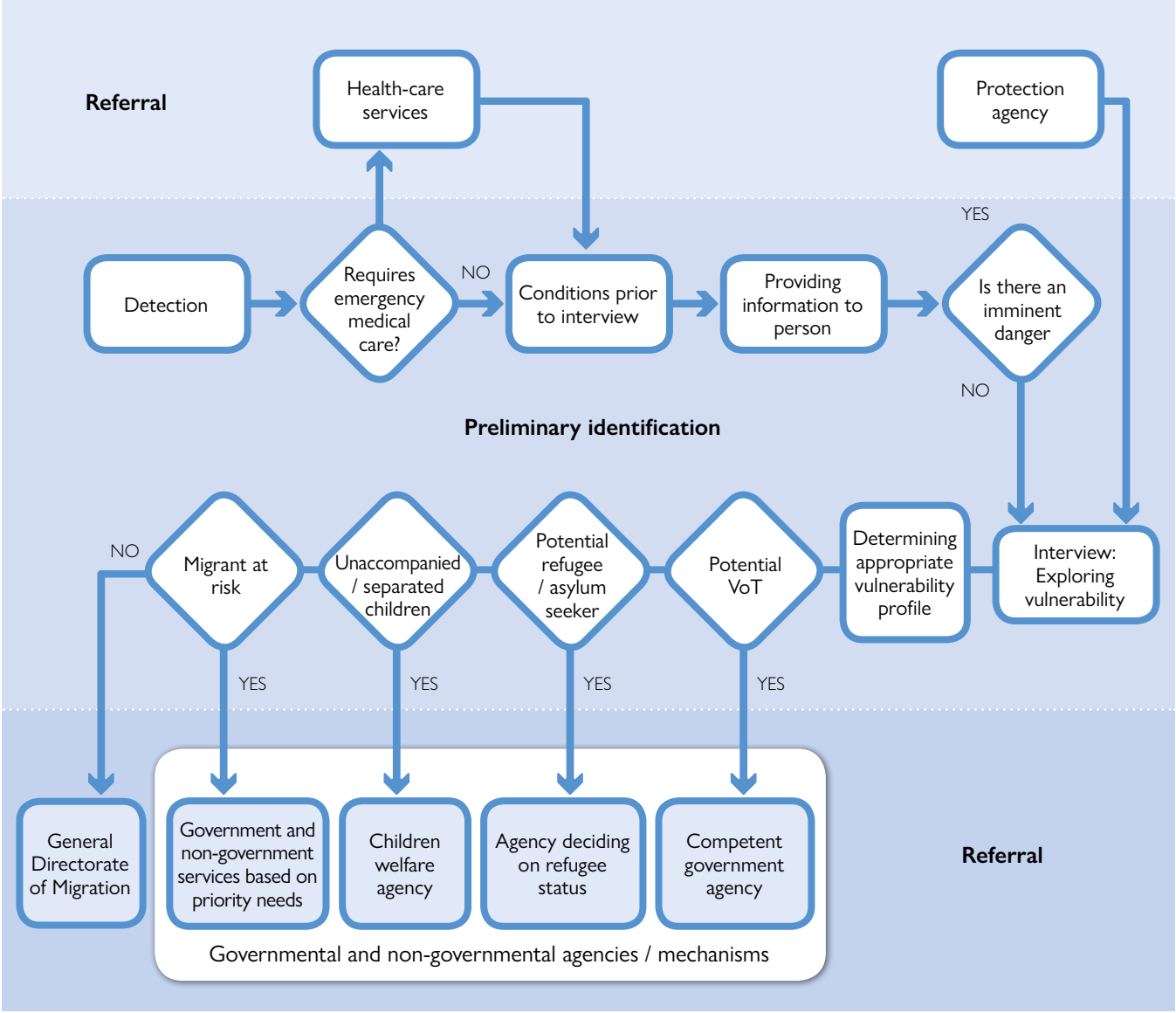


2.2.5 Flow diagram for an asylum seeker/stateless person



ANNEX 2.3

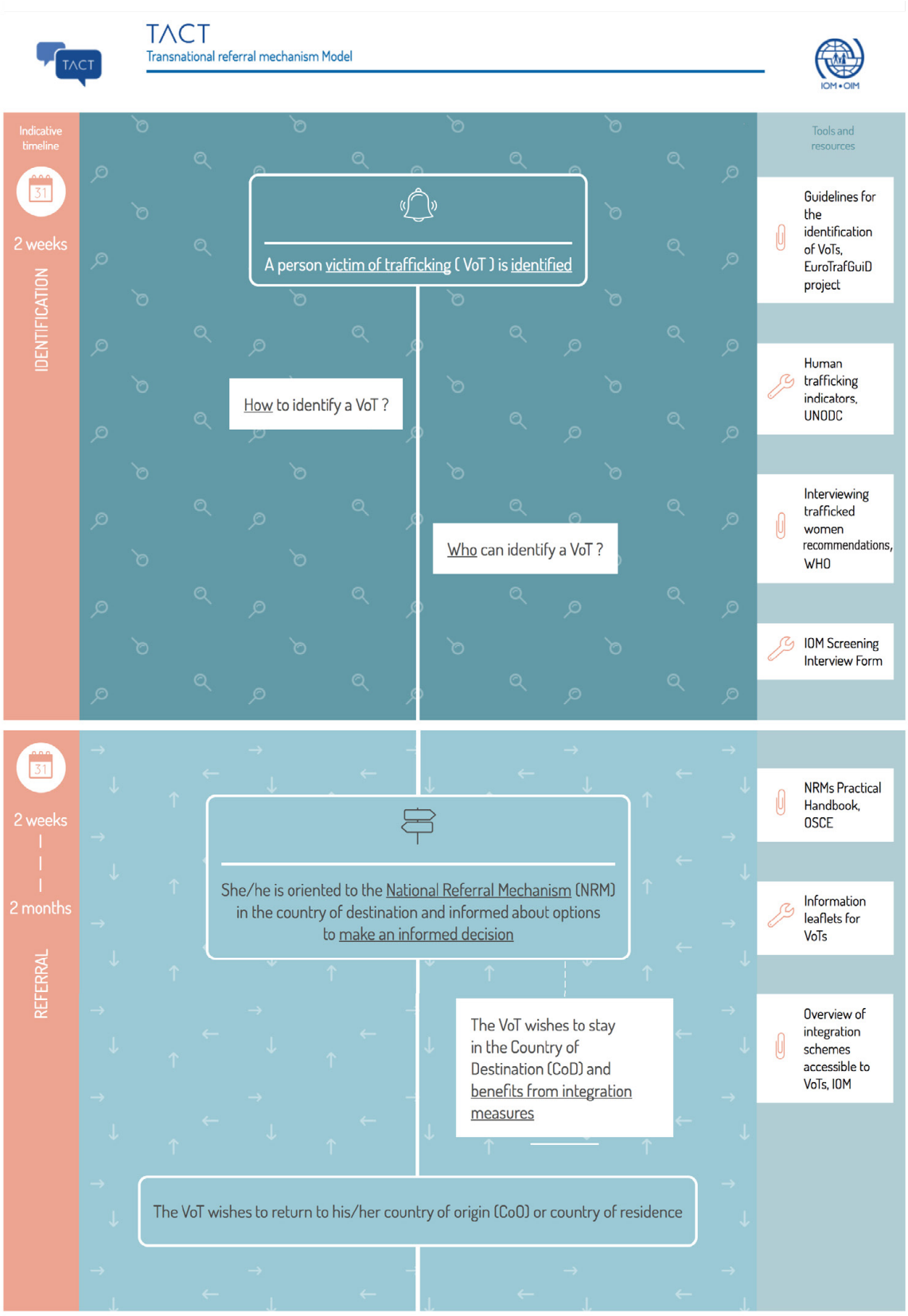
Flow diagram for the preliminary identification of profiles and referrals, Regional Conference on Migration[61]



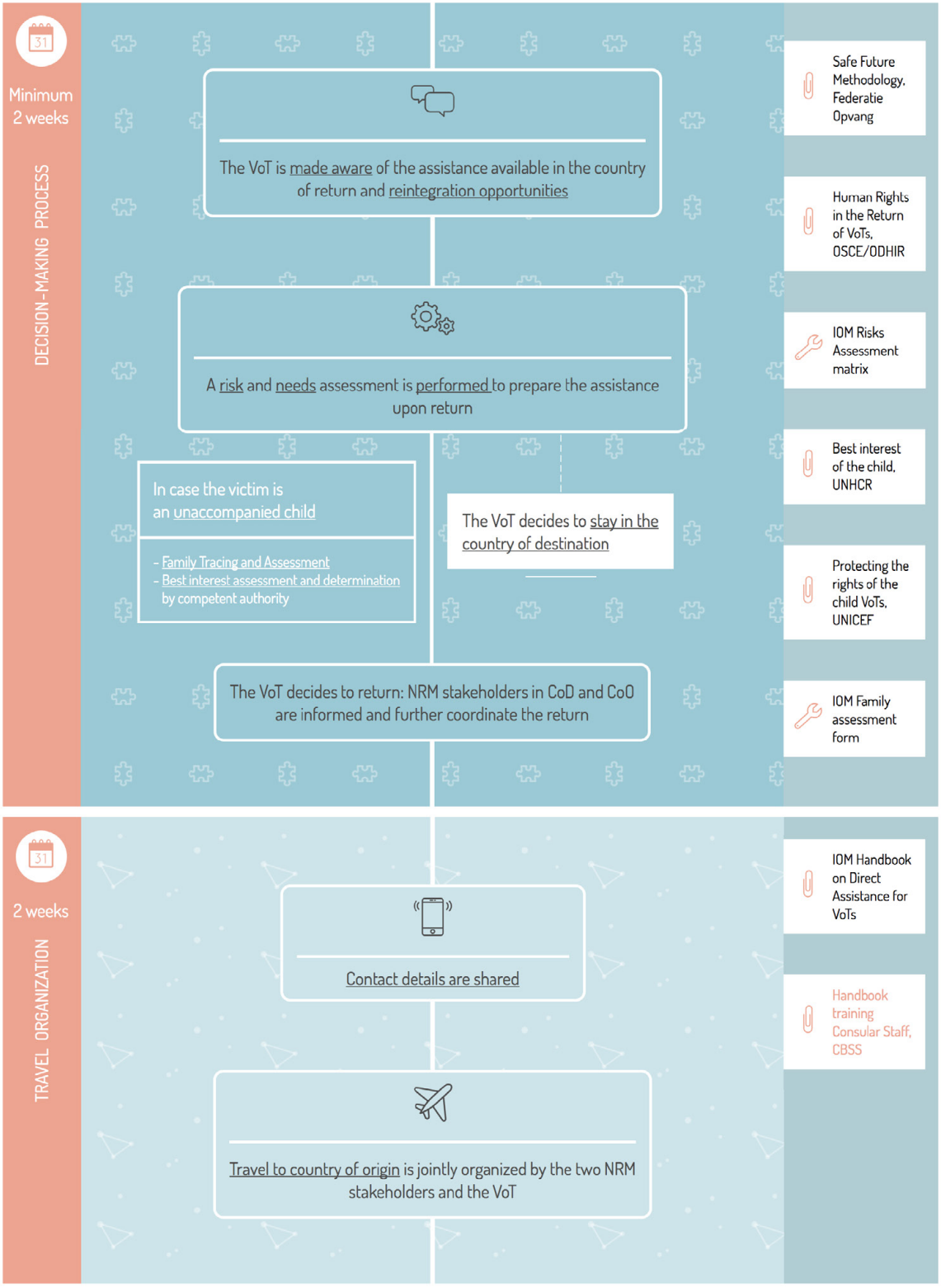
61 Adapted from Regional Conference on Migration/IOM, *Regional Guidelines for the Preliminary Identification and Referral Mechanisms for Migrant Populations in Vulnerable Situations* (Costa Rica, 2014). Available at http://rosanjose.iom.int/site/sites/default/files/Documents/Lineamientos%20versi%C3%B3n%20ingl%C3%A9s.pdf.

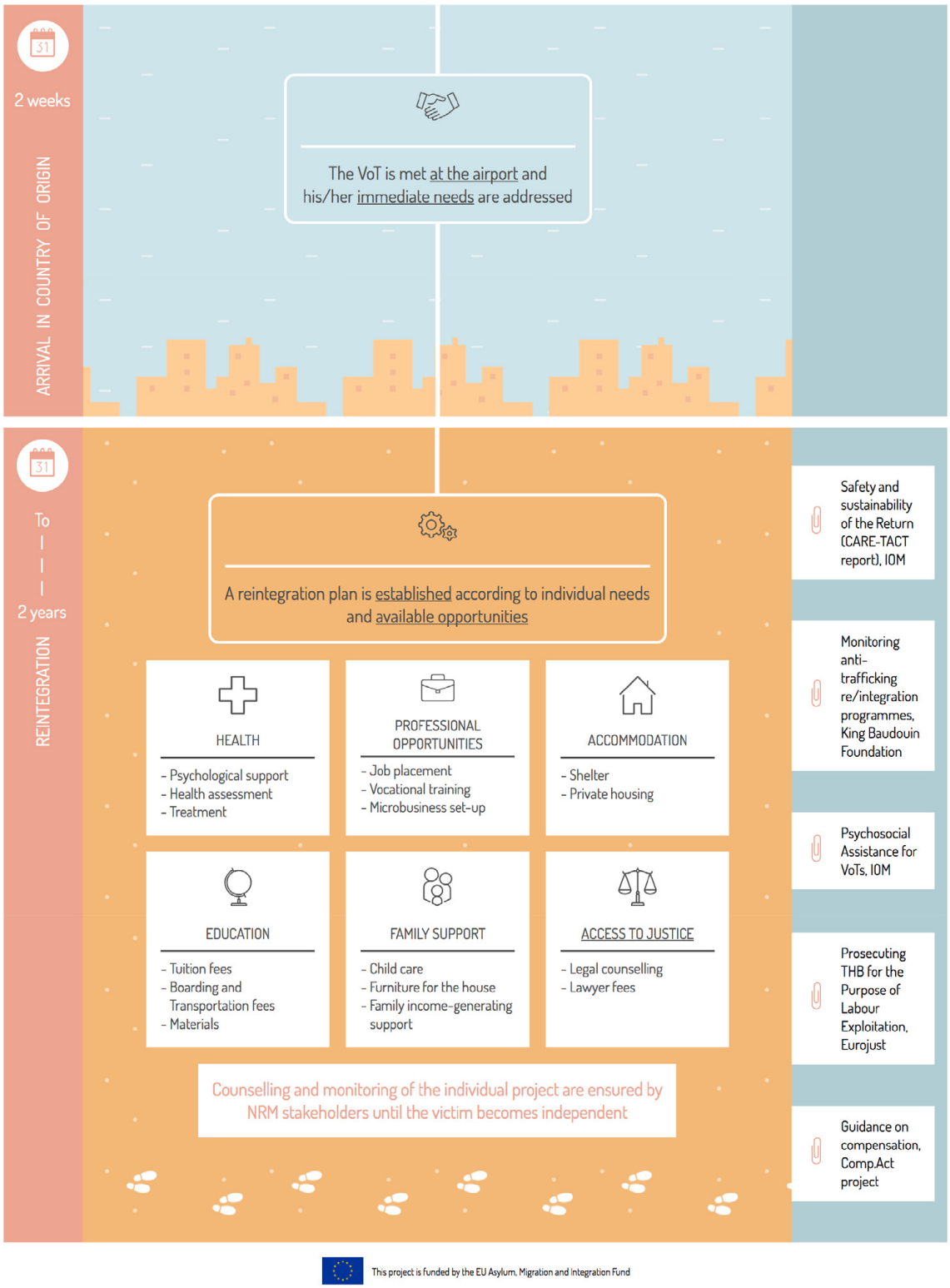
ANNEX 2.4

Flow diagram of the TACT project[62]



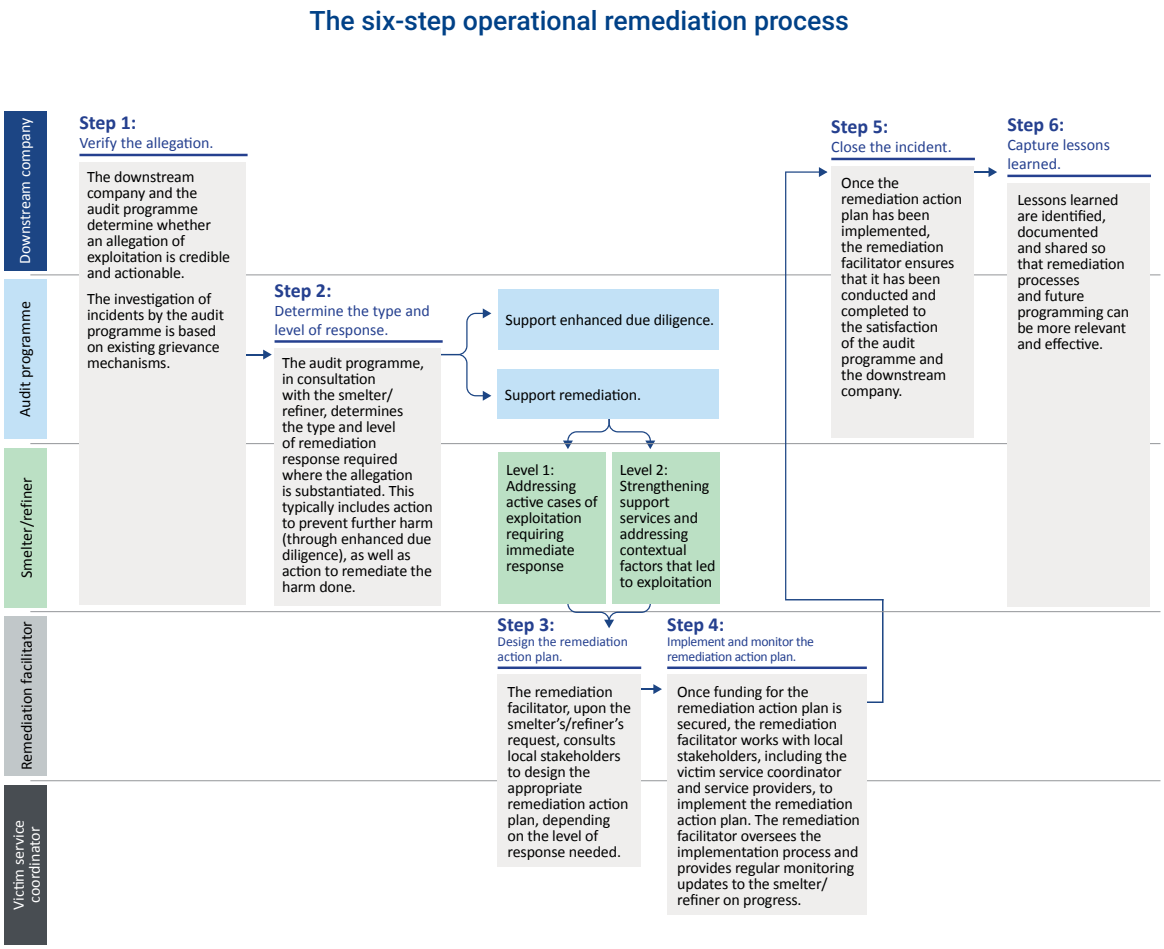
62 www.iomfrance.org/tact/


Minimum 2 weeks
DECISION-MAKING PROCESS
The VoT is made aware of the assistance available in the country of return and reintegration opportunities
A risk and needs assessment is performed to prepare the assistance upon return
In case the victim is an unaccompanied child
- Family Tracing and Assessment
- Best interest assessment and determination by competent authority
The VoT decides to stay in the country of destination
The VoT decides to return: NRM stakeholders in CoD and CoO are informed and further coordinate the return
Safe Future Methodology, Federatie Opvang
Human Rights in the Return of VoTs, OSCE/ODHIR
IOM Risks Assessment matrix
Best interest of the child, UNHCR
Protecting the rights of the child VoTs, UNICEF
IOM Family assessment form
2 weeks
TRAVEL ORGANIZATION
Contact details are shared
Travel to country of origin is jointly organized by the two NRM stakeholders and the VoT
IOM Handbook on Direct Assistance for VoTs
Handbook training Consular Staff, CBSS


2 weeks
ARRIVAL IN COUNTRY OF ORIGIN
The VoT is met at the airport and his/her immediate needs are addressed
To
2 years
REINTEGRATION
A reintegration plan is established according to individual needs and available opportunities
HEALTH
- Psychological support
- Health assessment
- Treatment
PROFESSIONAL OPPORTUNITIES
- Job placement
- Vocational training
- Microbusiness set-up
ACCOMMODATION
- Shelter
- Private housing
EDUCATION
- Tuition fees
- Boarding and Transportation fees
- Materials
FAMILY SUPPORT
- Child care
- Furniture for the house
- Family income-generating support
ACCESS TO JUSTICE
- Legal counselling
- Lawyer fees
Counselling and monitoring of the individual project are ensured by NRM stakeholders until the victim becomes independent
Safety and sustainability of the Return (CARE-TACT report), IOM
Monitoring anti-trafficking re/integration programmes, King Baudouin Foundation
Psychosocial Assistance for VoTs, IOM
Prosecuting THB for the Purpose of Labour Exploitation, Eurojust
Guidance on compensation, Comp.Act project
This project is funded by the EU Asylum, Migration and Integration Fund

ANNEX 2.5

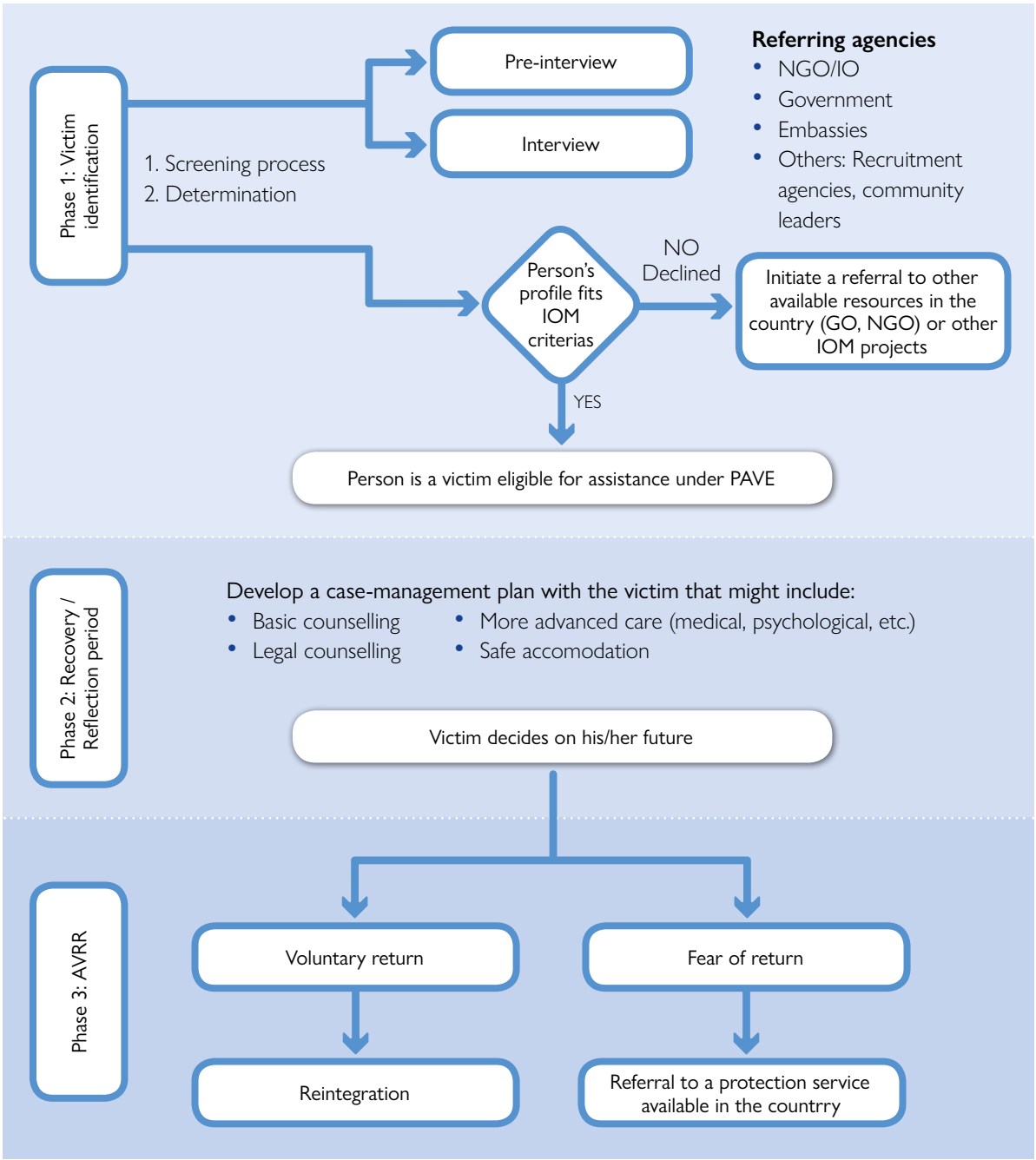
Flow diagram of the remediation process in extended mineral supply chains[63]



63 IOM, *Remediation Guidelines for Victims of Exploitation in Extended Mineral Supply Chains* (Geneva, 2018). Available at https://publications.iom.int/system/files/pdf/remediation_guidelines.pdf.

ANNEX 2.6

Flow diagram of the PAVE project[64]



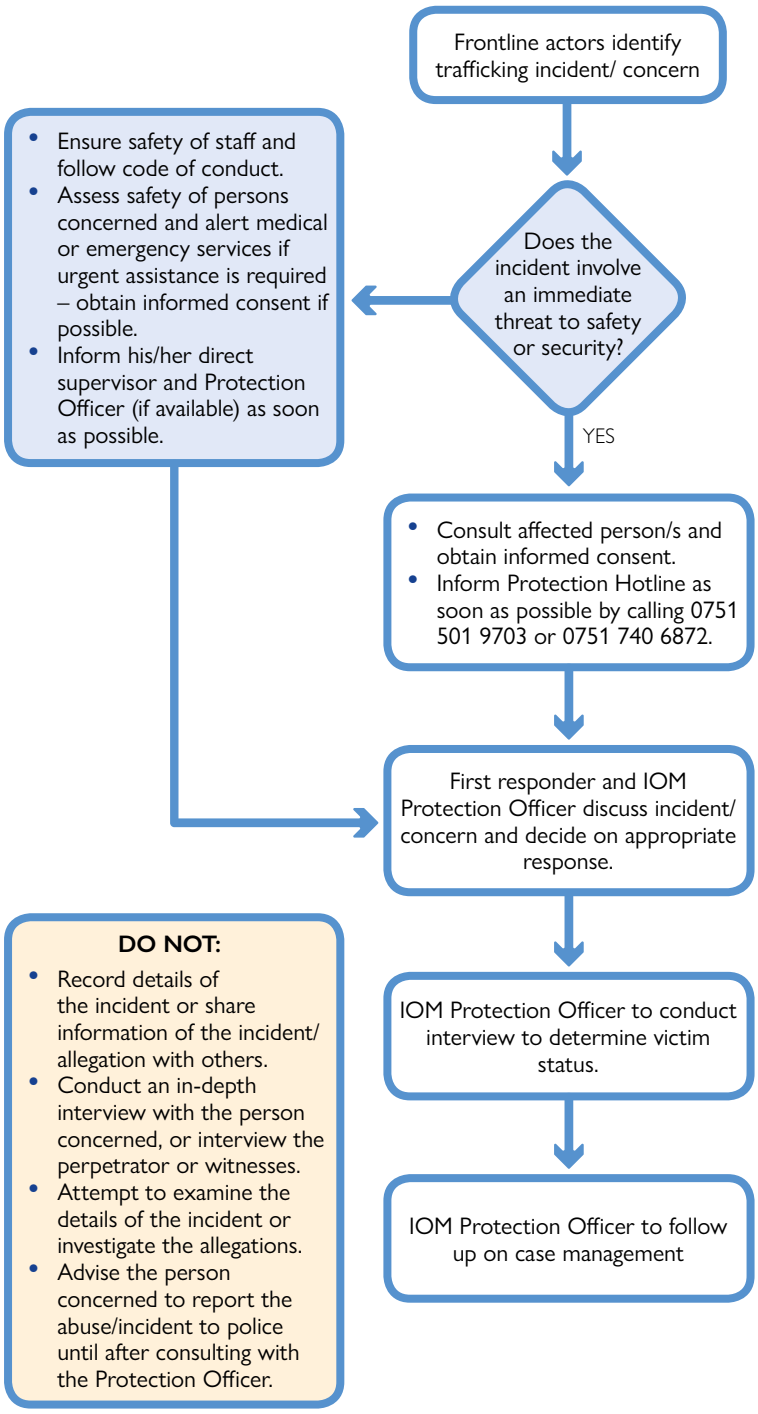
64 Adapted from a presentation by Fitriana Nur (Regional Project Manager – PAVE Project), National Referral Mechanism (practical guide), slide 15.

ANNEX 2.7

Flow diagram of the ATiP-LEVANT project[65]

Preventing conflict-driven trafficking in persons (TIP) and ensuring a protection-sensitive approach across the Levant-(ATIP-LEVANT)

Flow chart-referral of VoTs to IOM Iraq for assistance



PROTECTION HOTLINE:
0751 501 9703 or **0751 740 6872**

If the incident involves other concerns related to IOM staff members or stakeholders, contact the following IOM staff:

Type of Incident	Focal point
Safety/ Security	Steve 0782 650 4191 – Luqman (KRI) 0750 446 0212 - Mustapha (C/S) 0790 171 2362
Sexual Exploitation and Abuse	Gudrun Kroner - (Center/South) 0782 650 4195 Carly Owens - (KRI) 0751 741 6023
HR	Cecilia Maglay 0751 235 3564
Medical	Dr. Nedal Odeh 0751 2342538

65 Funded by the Office to Monitor and Combat Trafficking in Persons (J/TIP), U.S. Department of State, implemented by IOM (October 2017 – May 2019).

ANNEX 3

FORMS

3.1 Profiling form – National Referral Mechanism for Vulnerable Migrants in Zambia

3.2 A guide for conducting an interview and collecting information – Regional Conference on Migration

ANNEX 3.1

Profiling form – National Referral Mechanism for Vulnerable Migrants in Zambia[66]

REF No:

PROFILING FORM FOR VULNERABLE MIGRANTS WITH PROTECTION NEEDS

(For use by First Line Officials and Service Providers who may come into contact with vulnerable migrants in the course of their duties)

This profiling form is intended to assist First Line Officials and Service Providers in identifying indicators for 'initial case-type determination' of vulnerable migrants, including for asylum seekers who have yet to enter the asylum process. It provides a basis for the identification and referral of migrants in need of assistance and follows a victim-centered approach, taking into consideration the best interest of the child. This form should not be used for actual case-type determination or to limit claims to rights in follow-up processes.

Date of interview:		Organization/ Department:	
Name of interviewer:		Location of interview (including district):	
Name of interpreter *(if any):*		Interpreter contact details:	

Before starting the interview, the interviewer should inform the migrant that this interview is intended to facilitate protection assistance, with a focus on immediate needs. Information collected during the interview should remain strictly confidential, and will only be shared with the consent of the migrant, and should not limit claims to rights during follow-up processes.

	Information Required (To be completed in block letters)	*Information Provided by the Migrant*
1.	(a) Surname	
	(b) Other names	
2.	First language:	Other languages spoken (indicate all that apply)
3.	(a) Can the interviewer conduct the interview in a language that the migrant fully understands?	Yes ☐ No ☐ (b) If, no are vetted interpretation services available in a language that the migrant fully understands? Yes ☐ No ☐
4.	Sex (Tick (√) where applicable)	Male ☐ Female ☐
5.	Date of birth (dd/mm/yyyy)	Tick if minor *(under the age of 18 years)* ☐
6.	Place of birth	Town ☐ Country ☐
7.	Nationality	
8.	Current place of usual residence	Town ☐ Country ☐
9.	(a) Does migrant have passport or other travel/ ID documentation? *(if yes answer (b)-(e) below; if no answer (f))*	Yes ☐ No ☐
	(b) Passport/ ID No	c) Place of issue
	(d) Date of issue *(dd/mm/yyyy)*	(e) Date of expiry *(dd/mm/yyyy)*
	(f) Reason for not having documentation	
10.	Particulars of children (under age of 18) traveling with migrant. *(If more than three children, please include details in 'Comments' section overleaf)*	Name: / Date of Birth: *(dd/mm/yyyy)* / Sex (m/f): / Relationship to migrant: Details of legal guardian (name & contact information): Name: / Date of Birth: *(dd/mm/yyyy)* / Sex (m/f): / Relationship to migrant: Details of legal guardian (name & contact information): Name: / Date of Birth: *(dd/mm/yyyy)* / Sex (m/f): / Relationship to migrant: Details of legal guardian (name & contact information):
11.	Details of next of kin	Name: / Physical Address: / Contact details:
12.	Is the migrant currently facing any pain or physical discomfort? *(if so, please give details)*	No: ☐ Yes: ☐ If yes, provide details:
13.	Does the migrant have any of the following conditions? *(tick all that apply)*	Pregnancy ☐ Disability *(tick and specify):* ☐ Other health concerns: *(tick and specify)*

66 IOM, *Guidelines: Protection Assistance for Vulnerable Migrants in Zambia* (Lusaka, n.d.). Available at www.iom.int/files/live/sites/iom/files/Country/docs/Guidelines_Protection-Assistance-for-Vulnerable-Migrants.pdf. This form is included as an example only. All data collection must be undertaken in compliance with relevant local laws and regulations.

14.	Where did migrant's journey start:	Country:			Province:			Town/ village:					
15.	When did migrant leave place of origin (dd/mm/yyyy):	_____/_____/_____			When did migrant arrive in Zambia? (dd/mm/yyyy):			_____/_____/_____					
16.	Method(s) of Travel *(Tick (√) all that apply)*	Air		Water		Rail		Road					
17.	Countries passed through in transit:												
18.	Point of entry into Zambia:	Official border point - land/ air/ sea (specify)				Entered through unofficial border point (specify location)							
		Do not know											
19.	Reasons for travel *(Tick (√) all that apply)*	Education				Visit family/ friends							
		Work opportunity				Marriage							
		Security reasons				Tourism							
		Political				Do not know							
		Other (specify)											
20.	Expected length of stay in Zambia	Days		Weeks		Months		Years					
21.	Residential address in Zambia (if any)												
22.	Is Zambia migrant's intended final destination?	Yes		No		If no, specify intended destination		Country: Province: Town/ village:					
23.	Are there any barriers for migrant to return to country of origin? (specify)												
24.	Has the migrant ever applied for and/ or been granted asylum in Zambia or any other country?	Yes		No		If yes, provide details:							

DECLARATION

I hereby consent for the information provided during the interview to be shared, on a need to know basis, for the purpose of my protection. I have been informed that the information I have provided in this interview will not affect my claim to rights during follow-up.

…… …… ……

Name of migrant Signature Date

INTERVIEWERS ADDITIONAL COMMENTS:

NOTES TO INTERVIEWER – MIGRANT CATEGORIES OF CONCERN:

Asylum seeker: A person who is seeking protection from a foreign country and is still waiting to have his/her claim assessed.

Rejected Asylum Seeker: An asylum seeker whose application for asylum was unsuccessful.

Victim of trafficking: A person who has been exploited and has suffered loss of fundamental rights and psychological or physical harm as a result of being trafficked**.** A 'potential' victim of trafficking is any person intercepted before exploitation occurs and is considered to be at risk of exploitation by traffickers should they reach their final destination. A presumed victim of trafficking is any person who may reasonably be presumed under the circumstances to be a victim of trafficking

Unaccompanied children (also called unaccompanied minors): Children who have been separated from one and/or both parents and other relatives and who are not being cared for by an adult who, by law or custom, is responsible for doing so.

Separated children: Children who have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.

Stranded migrant: Migrants become legally stranded where they are caught between removal from the state in which they are physically present, inability to return to their state of nationality or former residence, refusal by any other state to grant entry. They may also be stranded where there are practical or humanitarian reasons that prevent them from returning home. Many of those who become stranded entered a country irregularly, assisted by smugglers or transported at the hands of traffickers. Some are legally stateless.

Stateless person: A person who is not considered as a national by any State under the operation of its law.

REF No:

REFERRAL FORM (*Please complete one form per migrant, including for each accompanying child)*

Bio-data of referred migrant:

Surname: …… Other names: ……..……...

Date of birth: …… Nationality: ……..……...

Please tick (*Tick (√) all that apply*) assistance required and indicate the service provider

- Medical care: (to be provided by) ……..……..……
- Shelter: (to be provided by) ……..……..……
- Legal guardian for child migrants: (to be appointed by) ……..……..……..
- Regularization of stay: (to be provided by) ……..……..……
- Family tracing: (to be provided by) ……..……..……..
- Other, please specify: (including security considerations) ……..……

Specify categories that migrant may fall into based on information collected during initial profiling interview
***(Tick (√) all that apply)*:**

- ☐ May be an **asylum seeker**
- ☐ Is a **rejected asylum seeker** requiring protection assistance
- ☐ May be a presumed/potential or actual **victim of trafficking**
- ☐ Meets the criteria set out for **unaccompanied and/ or separated child**
- ☐ May be a **stranded migrant**
- ☐ Meets the criteria set out for a **stateless migrant**
- ☐ Meets none of the above criteria, but has protection needs (please elaborate) ……

  ……

Referred by:

(Name)…… (Institution) ……..……..……..……

Contact details of referee: …….. Date of referral: ……..

Remarks including any particular/ immediate protection needs and considerations):

……..……..……
……..……..……
……..……..……
……..……..……
……..……..……
……..……..……
……..……..……
……..……..……
……..……..……

ANNEX 3.2[67]

A guide for conducting an interview and collecting information – Regional Conference on Migration

A Guide for Conducting an Interview and Collecting Information

1. General Data of the Interview

Name of interviewer, institution, position, telephone number, email address:

Date: _____ Hour: _____

Location: _____

Name of interpreter (if available) and language in which the interview is conducted:

_____

2. Information on the Migrant

1.	Full name: Known as:	
2.	Gender: Male ( ) Female ( ) Gender identity:[1]	
3.	Date of birth (dd/mm/yy): Under 18 years of age (boy, girl, or adolescent) ( )[2] Adult ( )	
4.	Place of birth:	
5.	Nationality:[3]	6. Usual place of residence:
7.	Religion:	8. Ethnic group:
9.	Language:	
10.	Marital status:	11. Contact information:
12.	Travelling alone or with family members or other persons? Specify names and relationship a) b) c)	
13.	Identity document (specify type, issuing country, number, expiration date) a. Passport: b. Other (specify): c. Not valid (specify why):	
14.	Apparent health status or as communicated by the person (dehydration, burns, bruises, injuries, anxiety, nervousness, etc.): Other conditions (pregnant, disabled, etc.): Do you suffer from any chronic or terminal illness? Are you taking any medication?	

1 If the identity document of the person does not match this person's appearance, specify the gender selected by the person (female or male).
2 If the person is separated or travels unaccompanied, the case should immediately be referred to the child protection institution in the country.
3 If a nationality is not specified, this person could be a stateless person and this should be specified in the questionnaire.

67 This form is included as an example only. All data collection must be undertaken in compliance with relevant local laws and regulations.

3. Determining the Profile and Specific Protection and Assistance Needs[4]

15. When did you leave your country of origin or residence?

16. Where did your journey begin?

17. Specify the places or countries through where you have been since your departure:

Country	Days	Means of Transportation

18. Do you know in which country you are now? When did you arrive and where did you enter?

19. Why did you leave your country of origin? Circle the appropriate answer (or answers).
    - Education opportunity
    - Seeking employment and better living conditions
    - An employment promise or offer by a third person†
    - Visiting family or friends
    - Family reunification
    - Marriage / Deception†
    - A promise of a third person
    - linked to the country of destination†
    - Persecution*
    - Your life, freedom, or personal integrity are at risk*
    - Generalized violence*
    - Domestic violence*
    - Armed conflict*
    - Disturbance of public order*
    - Natural catastrophe orclimatic situation
    - Discrimination*
    - Other (please specify):[5]

20. How did your leave your country of origin or residence? Circle the appropriate answer (or answers):
    - Through your own means
    - With help from another person†
    - You paid someone†
    - In an involuntary manner (abduction, coercion, sold by someone†)
    - Other (please specify):

4 For victims of trafficking in persons, consider that the victim could be accompanied by traffickers and therefore, could be more afraid of being asked, very anxious or even express anger, distrust, or resistance.

5 *Indicates that the person could be a refugee or refuge seeker and therefore, should be referred to the relevant national process and should be informed about the existence of UNHCR. † Indicates that this could be a victim of trafficking and therefore, the national protection mechanism should be implemented.

21. Have you been subject to threats, mistreatment, physical violence, extortion, or psychological or sexual violence by the person that contacted, helped, transferred, or sheltered you?

22. Did you have any documents at the beginning of your journey? Specify if a person or authority has taken them or withheld them.

23. Have you suffered abuse or mistreatment by any national authority?

24. Have you submitted a complaint or made a denouncement?

25. Was this country your final destination when you began your journey?
Yes ( ) No ( )
If not, specify which your final country of destination is and why:

26. Do you wish to return to your country of origin or residence?
Yes ( ) No ( ) Why?

- Detention*
- Prosecution
- Physical violence†*
- Sexual violence or genderbased
- reasons†*
- Fear of reprisal†
- Persecution*
- Discrimination*
- Other (please specify):

General comments:

4. Using Indicators to Determine a Profile:

The profile should be determined based on identified indicators. It should be considered that profiles (for example: victims of trafficking, unaccompanied or separated boys, girls, and adolescents, etc.) do not exclude each other. A person may match several profiles at the same time and therefore, have multiple needs.

Check each indicator that applies.

Profile	Indicator of Vulnerability
1. Potential victim of trafficking[6]	Received an offer for employment or education but does not know where he/she will work or study or who hired or made the offer.
	The person who made the offer facilitated the means for transfer, including travel documents.
	The person transferring or sheltering the migrant took away the migrant's identity and travel documents.
	The migrant has been subject to control and/or surveillance.
	Has been subject to constant threats against him/herself or his/her family.

6 Based on the crime components considered in Palermo Protocol: actions, means and ends.

	Has been forced to engage in an activity that is different to the employment that was promised or under different conditions to those offered and against his/her will.
	Has been forced to work to pay a debt.
	Has been subject to a situation of exploitation.
	Has been coerced to participate in illegal actions.
	Has suffered physical, sexual, and/or psychological mistreatment with the purpose of keeping him/her subjected and coercing him/her.
	A third person has taken advantage of a situation of vulnerability (poverty, marginalization, lack of opportunities, or unemployment).
	Has been abducted in the place of origin and then transferred and exploited.
2. Potential refugee / refuge seeker	Was forced to leave the country of origin due to persecution based on race, religion, nationality, belonging to a certain social group or political opinion, or because the migrant's life, safety, or freedom have been threatened due to generalized violence, foreign aggression, internal conflict, massive human rights violations, or other circumstances that have seriously disturbed public order.
	Is applying for refugee status.
	Expresses a fear of returning to the country of origin or of being persecuted.
3. Migrant in a situation of riskr	The migrant's journey has been long and placed his/her physical and emotional integrity at risk.
	Has suffered assault, theft, sexual violence, mistreatment, abduction, extortion, etc.
	Does not speak the local language or know the local customs.
	Is stranded, uprooted, without the possibility to communicate, and without any resources.
	Has been displaced by force due to natural catastrophes or climatic factors.
	A woman travelling alone, pregnant, and without any support resource – especially adolescents.
	Suffers from malnutrition, sunstroke, and serious injuries due to the risky conditions of the journey.
	Is ill or has suffered injuries, is disabled or a senior citizen travelling unaccompanied and requiring protection.
	Has been subject to a migrant smuggling network.
4. Unaccompanied or separated boy, girl, or adolescent or with other situations of risk	Travels alone or separated.
	Travels or is accompanied by an adult that is not entitled to be the caretaker or guardian.
	Has been victim of rights violations (theft, sexual violence, mistreatment, exploitation, etc.).

Based on the use of indicators it is concluded that the interviewed person has the following profile(s):

1. Potential victim of trafficking in persons;
2. Potential refugee/refuge seeker;
3. Migrant or refugee in a situation of risk;
4. Unaccompanied or separated boy, girl, or adolescent, or with other situations of risk.

5. Recording Implemented Actions

Situation(s) Affecting the Person (check all the options that apply)	Assistance Provided (A brief description of implemented actions)	Referral Institution
Potential victim of trafficking in persons		Name of institution: Person who received the referral: Telephone and email address: Date:
Refugee status applicant		
Unaccompanied or separated boy, girl, or adolescent, or with other situations of risk		
Migrant in a situation of risk		

Signature or fingerprint
of the interviewed person

Signature of the interviewing
officer

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