Seeing the Unseen: Barriers and Opportunities in the Identification of Trafficking Victims in Indonesia

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In partnership with:

Cover photo by Peter Biro for NEXUS Institute: Returned female migrant worker walking through her home village.

Photographs in this study illustrate various aspects of daily life in Indonesia. Unless stated otherwise, individuals in these photographs are not trafficking victims.
Preface from the Ministry of Social Affairs

First of all, let us praise the presence of God, the Most Holy and Exalted because of the overflow of His grace and favor, so that the result of the research titled: *Seeing the Unseen. Barriers and Opportunities in the Identification of Trafficking Victims in Indonesia* was successfully published by NEXUS Institute and will be a reference/referral for policymakers in the handling of trafficking victims in Indonesia. It also provides input for frontline officers to improve the identification of victims of trafficking so as to guarantee these victims’ access to justice, help and protection.

We recognize and at the same time appreciate that NEXUS Institute has been doing research and deepening an understanding about human trafficking issue in Indonesia and has also directly supported practices to combat trafficking in Indonesia.

This book – *Seeing the Unseen. Barriers and Opportunities in the Identification of Trafficking Victims in Indonesia* – will be a guide and reference for various parties from the government and local communities in identifying trafficking victims.

With the publication of *Seeing the Unseen. Barriers and Opportunities in the Identification of Trafficking Victims in Indonesia*, it is hoped that the multi-disciplinary teams on the front line (frontline responders) can perform optimally and fully commit to identify victims of trafficking in persons so that it will lead to more justice for these identified victims of trafficking. Through active role of various parties, both agencies and related stakeholders, we strongly hope that victims of trafficking can be better identified so that it will mean that assistance services and access to justice can be realized in accordance with the established standards.

So our hope may God Almighty always give His guidance to us all, Amen.

Jakarta, Juli 2018

Dr. Sonny W. Manalu, MM
Director of Social Rehabilitation for Socially Disadvantaged and Victims of Trafficking,
Ministry of Social Affairs
Jakarta, July 2018
Foreword from NEXUS Institute

I am very pleased to present Seeing the Unseen: Barriers and Opportunities in the Identification of Trafficking Victims in Indonesia. This report, based on extensive work at the national and community level, has been developed in the framework of the NEXUS Institute’s project entitled Increasing Victim Identification and Improving Access to Criminal Justice in Human Trafficking Cases in Indonesia. This work would not have been possible without the generous support of the Australian Government through the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP).

The NEXUS Institute been working and conducting research on human trafficking in Indonesia for many years, in partnership with the government of Indonesia and in particular the Ministry of Social Affairs and the Ministry of Women’s Empowerment and Child Protection. Over the course of our longitudinal research with victims and direct engagement with stakeholders at the national, district and village levels, we have learned that many Indonesian trafficking victims are never officially identified or recognized as victims of human trafficking.

For an individual who escapes or is rescued from being trapped and exploited by traffickers, among the most important things that a country can do is to offer and implement an integrated mosaic of well-considered policies and programs that are comprehensively accessible, adaptable and effective in supporting each individual’s recovery. Understanding barriers to and opportunities for the identification of trafficking victims is critical for improving victim identification.

Identification of victims of human trafficking presents numerous challenges. As our work in Indonesia and in other countries shows, overcoming these challenges requires countries to design and adopt well-conceived multi-layered systems that foster the possibility of identification at different times and in different contexts. Overcoming these challenges further requires that implementing officials and others be fully trained to effectively identify not only the most obvious cases, but also more complex and subtle presentations of the range of all forms of trafficking in persons. It means recognizing that there is not a single “type” of person who is a victim of trafficking and understanding that improved identification is not about checking boxes on lists of pre-fabricated indicators but about listening and sensitivity and an unwavering commitment to getting it right. Sometimes even this will not be enough. But it will go a long way toward ethically revealing reluctant truths about the nature of an individual’s experience and increase the likelihood of reaching correct determinations.

When countries fail to have processes to accurately identify the men, women and children who are, or have been, victims of sex trafficking or labor trafficking we see that this commonly undermines the effectiveness of every other component of a country’s anti-trafficking response. Identification is the necessary first step to trigger investigation and prosecution of cases – and thus the success or failure of a country’s criminal justice response to human trafficking. Only by improving identification can the virtual impunity of traffickers be ended. And only by improving identification can the provision of assistance and protection that victims need and to which they are entitled be offered and obtained.

For a person who has survived being trafficked, shortcomings in victim identification are often devastating. Our report includes the voices of trafficking victims whose suffering continued long after surviving having been trafficked as the hardships they faced in life were prolonged as a result of failure to identify them by those who had the opportunity to do so.
While there are many obstacles to identification, none are insurmountable barriers for any community or country firmly committed to supporting those who have been held in circumstances of contemporary forms of slavery. This report discusses opportunities and solutions to achieve more effective, sensitive and appropriate approaches to improved identification. The findings and recommendations presented here have relevance well beyond the borders of Indonesia.

I would like to begin by thanking the Government of Indonesia for its partnership over the course of our past research in Indonesia as well as the implementation of this current project. The current project has been conducted in partnership with the Ministry of Social Affairs and in particular the Directorate of Social Rehabilitation, Social Disadvantage and Victims of Trafficking. I am also grateful to the various levels of governments in the districts of Sukabumi, Cianjur and Cirebon for their partnership in this pilot project, including the Chief of Jambenenggang Village, Kebon Pedes Sub-district of Sukabumi District; the Chief of Sukamaju Village of Cibeber Sub-district, Cianjur District; and the Chief of Babakan Gebang Village Babakan Sub-district, Cirebon District.

The paper also benefits from the important work and experiences of the 33 members of the three multi-disciplinary teams in Jambenenggang Village (Sukabumi District); Sukamaju (Cianjur District); and Babakan Gebang Village (Cirebon District). These 33 individuals represent the following institutions and organizations: Village chiefs and village administration, Motekar (Motivator Ketahanan Keluarga or Family Resilience Motivator), PKH (Program Keluarga Harapan or Family Hope Program), SBMI (Serikat Buruh Migran Indonesia or Indonesian Migrant Workers Union), SKBM (Solidaritas Keluarga Buruh Migran or Solidarity of Migrant Workers Family), PKK (Pembinaan Kesejahteraan Keluarga or Family Welfare Guidance), Posyandu (Pos Pelayanan Terpadu or Integrated Service Post), Puskesmas (Pusat Kesehatan Masyarakat or Community Health Center), Karang Taruna (Youth Organization), FWBMI (Forum Warga Buruh Migran Indonesia or Citizen Forum of Indonesian Migrant Workers), TKSK (Tenaga Kesejahteraan Sosial Kecamatan or Sub-district Social Welfare Workers), Bhabinkabtibmas (Bhayangkara Pembina Keamanan dan Ketertiban Masyarakat or Trustees of Public Order and Safety), PAUD (Pendidikan Anak Usia Dini or Early Childhood Education Program), Babinsa (Bintara Pembina Desa or NCO Village Commando, Army), RT (Rukun Tetangga or Harmonious Neighborhood), Kepala dusun (Head of hamlet), BUMDES (Badan Usaha Milik Desa or Village-owned enterprise) and MUI (Majelis Ulama Indonesia or Indonesian Clerics Council).

I would like to thank Rebecca Surtees, who led the work of this project and who has, over the past two decades, been a leading figure in the field of human trafficking through her work in illuminating the lives of trafficked victims. Thanks are also due to Thaufiek Zulbahary who co-authored this study and whose work contributed significantly to the success of this project. I am also grateful to Suarni Daeng Caya for her valuable work on and contribution to this project. Finally, I wish to thank Laura S. Johnson, who has been an invaluable member of NEXUS team for this project and over many years.

The NEXUS Institute thanks the Government of Australia for supporting our work. The Government of Australia continues to demonstrate its laudable long-term commitment to confronting these important issues regionally and within individual nations in Asia. We are grateful to our colleagues at AAPTIP and Cardno, whose support and partnership have been key to the success of this work. I would like to acknowledge, in particular, the contributions of Fatimana Agustinanto (Country Program Coordinator for AAPTIP Indonesia), Hera Shanaj (Regional Victim Support Advisor) and Kevin Carty (International Advisor for AAPTIP Indonesia). The Government of Australia – as well as AAPTIP and Cardno – should be applauded for recognizing that investing in institutionalizing improved identification efforts in communities concurrently contributes to supporting the recovery of victims while also supporting improvements in criminal justice responses.
The NEXUS Institute works throughout the world to develop innovative approaches to combating human trafficking and related issues. We do this by pioneering new knowledge and innovating solutions driven by investigation, actionable research, deep analysis and insight. Our work amplifies the voices of those who have suffered and survived these extreme and oppressive abuses. The goal of our work is to serve as a catalyst to inspire and inform action for positive change in the lives of individuals, families and communities around the world. We invite you to follow our work at www.NEXUSInstitute.net and @NEXUSInstitute.

Stephen Warnath
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## Acronyms and abbreviations

- **AAPTIP**: Australia-Asia Program to Combat Trafficking in Persons
- **ACTIP**: ASEAN Convention on Trafficking in Persons
- **ASEAN**: Association of Southeast Asian Nations
- **CoE**: Council of Europe
- **DFAT**: Australian Government Department of Foreign Affairs and Trade
- **DHA**: South Africa Department of Home Affairs
- **IDR**: Indonesian Rupiah
- **IO**: international organization
- **IOM**: International Organization for Migration
- **LK3**: Lembaga Konsultasi Kesejahteraan Keluarga (Family Welfare Consultation)
- **MDT**: multi-disciplinary team
- **MoWECP**: Kementerian Pemberdayaan Perempuan dan Perlindungan Anak (Ministry of Women’s Empowerment and Child Protection)
- **NGO**: non-governmental organization
- **OECD**: Organisation for Economic Co-operation and Development
- **P2TP2A**: Pusat Pelayanan Terpadu Pemberdayaan Perempuan dan Anak (Integrated Service Center for Women and Children)
- **PKH**: Program Keluarga Harapan (Program for Family Hope)
- **PKK**: Pembinan Kesejahteraan Keluarga (Family Welfare Guidance)
- **PPT**: Pusat Pelayanan Terpadu (Integrated Service Center)
- **RPSW**: Rumah Perlindungan Sosial Wanita (Social Protection Home for Women)
- **RPTC**: Rumah Perlindungan Trauma Center (House of Protection and Trauma Center)
- **RT**: Rukun Tetangga (Harmonious Neighborhood)
- **SOP**: standard operating procedure
- **UAE**: United Arab Emirates
- **USD**: United States Dollar
- **VoT**: victim of trafficking
Executive summary

1. Introduction
The identification of trafficking victims remains one of the more challenging and vexing aspects of anti-trafficking efforts globally, including in Indonesia. Many trafficking victims are never officially identified or recognized as victims of human trafficking and, as such, “fall through the cracks” of the anti-trafficking response. And yet the identification of trafficking victims is an important, even necessary, step in combatting human trafficking. Victims must be identified before they can be offered assistance and protection. Identification is also essential for the criminal process to be triggered and to ensure trafficking victims’ access to justice.

Understanding who is (and is not) identified as trafficked (and why this happens) is critical in improving the identification of Indonesian trafficking victims and, by extension, their access to protection and justice. This paper presents the identification experiences of more than 100 Indonesian trafficking victims to better understand what is going well in the identification of Indonesian trafficking victims in Indonesia and the countries where they are exploited, as well as what needs improvement. The paper considers patterns of both successful and unsuccessful identification of Indonesian trafficking victims exploited for various forms of labor as well as the different issues that inform whether or not they are formally identified as trafficking victims. These include: the nature of trafficking, with victims isolated, controlled and “out of sight”; institutional challenges in the identification response; and the decisions and behaviors of trafficking victims themselves. While this study is intended for anti-trafficking policymakers and practitioners in Indonesia, these findings also have relevance for practitioners and policymakers in other countries and regions who are seeking to enhance the identification of trafficking victims and to better meet the needs and guard the rights of trafficking victims originating from the country or exploited within its borders.

This paper was drafted in the context of NEXUS Institute’s project – *Increasing Victim Identification and Improving Access to Criminal Justice in Human Trafficking Cases in Indonesia* – which is enhancing victim identification in three villages in West Java, Indonesia. The project was funded by the Australian Government’s Department of Foreign Affairs and Trade (DFAT) through the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP)

2. Data collection and methodology
This paper is based on the reanalysis of data collected in the context of NEXUS’ longitudinal research project in Indonesia (from 2013 to 2016), involving interviews with 88 trafficked persons (male and female). Trafficking victims were from a cross-section of ages, sexes, ethnicities, forms of trafficking, countries of exploitation and at varying stages of their post-trafficking lives. They ranged in age from 16 to 49 when trafficked and were both male (n=49) and female (n=39). Most respondents (55 of 88) were married when they were trafficked. Many married respondents had one or two children, although some had more. Twenty-two respondents were unmarried at the time of trafficking and had no children. Nine respondents were divorced or separated (8 women and one man) and two women were widows when trafficked. Respondents were trafficked for different forms of labor, including construction (n=3), domestic work (n=39), fishing (n=32), factory work (n=4), work on plantations (n=8) and work for a professional cleaning service (n=2). They were exploited in 17 different destination countries. Many were trafficked in the Middle East (n=28) – Bahrain, Jordan, Oman, Qatar, Saudi Arabia, Syria and United Arab Emirates (UAE) – and in Asia (n=34) – Brunei, Malaysia, Singapore, South Korea and Taiwan (Province of China). Most men trafficked for fishing (n=23) were trafficked in less common destinations such as Ghana, Mauritius, South Africa, Trinidad and Tobago and Uruguay.
We also conducted interviews with 144 key informants, primarily government and NGO service providers (social workers, social assistants, psychologists, lawyers, paralegals, medical personnel) as well as administrators, policymakers, law enforcement, researchers, migrant worker activists and village leaders. Interviews were conducted with representatives of the Indonesian government (32), national and international NGOs (97), international organizations (5), donors/Embassy staff in Indonesia (4) and academics/researchers (6). Twenty-five (25) informants were interviewed on more than one occasion; some informants were interviewed on multiple occasions.

The paper also benefits from lessons learned in the implementation of a pilot project from 2016 to 2018 to increase victim identification through the establishment of village level multi-disciplinary teams (MDTs). The pilot project was implemented in three villages in three districts in West Java, Indonesia. The project involved the establishment and then training and monthly mentoring of multi-disciplinary teams in each village for the duration of the project. The experiences, reflections and lessons learned shared in monthly mentoring meetings in each of the three villages were documented in monthly reports that were analyzed for this paper. The paper also includes an analysis of 26 presumed victims of trafficking preliminarily identified by the three MDTs in the context of the pilot project, including the steps taken by the MDT in each case in terms of identification and referral. Case files for each presumed victim were analyzed for this paper.

3. Identification (and non-identification) of Indonesian trafficking victims

Men, women and children from Indonesia are trafficked for different forms of exploitation – sexual exploitation and various forms of forced labor including domestic work, factory work, construction, agriculture and plantation work and work on fishing boats. Indonesian citizens are trafficked within the country or exploited abroad – in neighboring countries in Asia as well as further afield including the Middle East, Africa and Latin America. Many Indonesian trafficking victims are not identified as trafficked and do not receive the assistance and support that they need to recover from their trafficking experiences and reintegrate into their families and communities. Other trafficking victims that are identified are not always referred for the assistance needed to support their reintegration.

Victim identification refers to the process by which a trafficked person is formally identified as a “trafficking victim” by someone with the authority to make this determination and is afforded rights accordingly. This involves the formal assignation of the administrative status of a trafficking victim, with the attendant rights and, when involved in the legal process, also responsibilities as victim/witnesses. Victim identification is central to any effective anti-trafficking response, to ensure access to assistance and access to justice.

The identification of trafficking victims is an obligation of states under national and international law and is implied in legal instruments that provide for victim protection and support. The process of victim identification differs by country, not least in terms of the institutional framework and which institution(s) have authority to formally identify victims of trafficking. Most commonly it is a government authority that provides formal trafficking status to victims – for example, law enforcement, prosecutors, state social services and/or a specified agency for victim identification. The relevant authority will differ depending on where identification takes places – for example, in the country of destination or origin – as well as the form of exploitation. While the institutional response to trafficking in a country will determine the relevant authority, there are also other “frontline responders” who may come into contact with trafficking victims and may be well-positioned to assess that an individual may be a presumed victim of trafficking and notify the relevant authorities to conduct an assessment.
At a site of exploitation or in a destination country, frontline responders may be professionals with functions related to migration, the justice sector or economic sectors where exploitation occurs. They may also be those in facilities where victims seek out or have some access to assistance. In countries of origin – in this case for individuals returning to Indonesia – there is a range of potential frontline responders who may meet victims at various stages of their lives after trafficking. Victim identification is not a one-off event but rather a process of interactions, which, cumulatively, lead relevant authorities to formally identify an individual as a trafficking victim.

Many Indonesian trafficking victims are successfully identified as trafficking victims and offered the range of rights associated with this status, not least assistance and access to justice. Nonetheless, other Indonesian trafficking victims are not identified as trafficking victims. And some trafficking victims are both identified and unidentified at different stages of their lives. Better understanding victims’ experiences of identification and non-identification both abroad and at home is an essential starting point for improving the identification and wider protection response in Indonesia, as well as in the destination countries where Indonesia trafficking victims are exploited for various forms of labor. The following sections explore Indonesian victims’ experiences of successful identification (being identified as a trafficking victim); missed identification (not being identified as a victim of trafficking); and situations when trafficking victims are both identified and unidentified, at different stages of their post-trafficking lives.

3.1 Successful identification. Being identified as a trafficking victim
Successful identification refers to situations when an individual is formally identified as a trafficking victim by relevant authorities and offered assistance in an appropriate, sensitive and timely fashion. A number of trafficking victims interviewed for this study were successfully identified by a range of different professionals, including law enforcement, embassy staff, NGOs and IOs (at home and/or abroad), among others. Some victims escaped their trafficking situations on their own and were subsequently identified as trafficked. Other trafficking victims were identified once they returned to Indonesia. Nonetheless, successful identification was not generally the experience of Indonesian trafficking victims interviewed for this study nor the cases handled by the multi-disciplinary teams in the three villages. Most of these individuals were not successfully identified as trafficking victims.

3.2 Missed identification. Going unidentified
“Missed identification” refers to situations when trafficking victims are not recognized as having been trafficked. Many Indonesian trafficking victims were unidentified while trafficked. Being unidentified meant being forced to remain in a trafficking situation for months and even years as a consequence. Being unidentified also led to being misidentified as an irregular migrant (leading to detention and deportation) or being criminalized for forced involvement in criminal activities (like illegal fishing or prostitution). Unidentified trafficking victims returned home without knowledge that they were victims of the crime of human trafficking and unaware of that they were entitled to protection, assistance and access to justice as trafficking victims. Missed identification typically meant being unassisted not only abroad but also once home and in the longer-term. While the full scope of “missed identification” is not known, indicia suggest that the problem is sizable. This means that large numbers of trafficking persons do not receive assistance or have access to justice after trafficking.

3.3 Successful and unsuccessful identification. Being identified and unidentified
The distinction between successful and unsuccessful identification is not always clear. Many trafficking victims experience complicated and contradictory identification processes. Some victims may be both identified and unidentified, at different stages, in different locations and in interacting with different stakeholders. The vast majority of trafficked persons interviewed
for this study were unidentified abroad and even for quite some time after their return to Indonesia. Even when individuals were eventually identified as trafficked persons (at a later stage or by other authorities), it is important to recognize the impact that this “missed identification” had on their lives, including extending their exploitation and abuse and continuing their vulnerability and risk once they had exited trafficking. Issues of trust and confidence in authorities also arise given that they have “failed” to intervene on behalf of the victims in previous encounters.

4. Barriers and challenges in the identification of Indonesian trafficking victims

Trafficking victims from Indonesia went unidentified for various (and sometimes multiple) reasons and at different stages of their trafficking and post-trafficking experiences. Reasons for non-identification center on the following three themes: the nature of trafficking where victims are isolated and controlled; institutional challenges; and decisions and behaviors of trafficking victims themselves. Often the reasons for non-identification were multiple, co-terminous and mutually reinforcing.

4.1 The nature of trafficking. Victims are isolated, controlled and “out of sight”

Difficulties in identifying trafficking victims were often the result of the nature of trafficking, with victims forced to work and live in hidden or isolated locations. Isolation often began very early in the migration process. Prospective migrant workers were isolated in pre-departure training centers, with heavy restrictions on their freedom of movement before deployment. Once deployed they were strictly monitored by the recruitment agency – during the journey and upon arrival in the destination country. Employers/exploiters were often strategic in isolating and controlling trafficking victims, keeping them largely out of sight. This was the case for the various forms labor trafficking experienced by Indonesian victims including domestic work, work on plantations, factory work, commercial fishing and construction. Communication with family at home while exploited was often limited and controlled. The isolation of the trafficking situation in some destination countries was often compounded and reinforced by language barriers, with trafficking victims unable to communicate with persons in the destination country who might have been able to assist them in some way, including potentially in raising the alarm with the relevant authorities about exploitation.

4.2 Institutional challenges in the identification response

In many instances, barriers to victim identification are a function of the institutional framework for anti-trafficking efforts. That is, how a country’s anti-trafficking framework is designed will directly inform opportunities for and barriers to victim identification. In addition, and more broadly, Indonesian trafficking victims frequently went unidentified due to lack of skills and capacity among frontline responders, both in destination countries and once home in Indonesia. Lack of an appropriate response was another barrier to the identification and referral of Indonesian trafficking victims.

Lack of victim identification undertaken in destination countries

Many Indonesian trafficking victims went unidentified while abroad, often in spite of coming into contact with persons who should have been able to identify them as victims of trafficking. This included authorities and professionals who, it might be assumed, were trained in the identification of trafficked persons – such as border guards, immigration officials, law enforcement, health professionals, social workers, embassy and consulate staff, port authorities and so on.

In some cases, there did not seem to be screening procedures in place even in cases where migrant workers exhibited indications of possible abuse and trafficking. In some countries, complaints from exploited migrant workers were not always taken seriously nor acted upon
by authorities. Some frontline responders seemed to have recognized that individual migrant workers had been exploited and even trafficked but this, nonetheless, did not trigger a formal identification and referral process. Some countries have a high threshold for formal victim identification – for example, when only a prosecutor has the legal authority to formally identify trafficking victims or when identification only occurs in the case of a trafficking prosecution – which means, in practice, that many trafficking victims are not legally entitled to the official designation of “trafficking victim” and the rights and entitlements associated with this status. Lack of a common language between victims and authorities in the destination country was another barrier to victim identification.

Inadequate screening for TIP during victims’ return
Missed identification also occurred during victims’ return to Indonesia, with many trafficked persons not recognized as trafficking victims during the return process. To some extent this was a function of how victims returned – i.e. either self-returned or sent home by employers – which meant that they did not naturally come into contact with authorities who might have screened them and assessed their case as trafficking, either at departure or upon arrival in Indonesia. Victims who left trafficking situations when they were released by their employers/exploiters at the end of their work contracts generally travelled home on valid immigration documents, crossed formal border crossings and did not necessarily manifest visible signs of their exploitation. Because victims were most commonly concerned with getting home as quickly as possible, they did not seek out support from authorities in the return process. Some victims actively avoided being identified. Other victims went unidentified upon arrival in Indonesia often in spite of quite visible indicia of abuse that should have alerted identifying actors to the possibility of trafficking or other violation. Trafficking victims interviewed for this study did not report being screened as potential trafficking victims when entering Indonesia even when there were visible indications that this might be the case.

Lack of victim identification procedures in Indonesia
Most of the trafficking victims interviewed for this study returned to live in their home villages after trafficking. Most went unidentified abroad and then were also often, at least initially, unidentified once home. When returned Indonesian trafficking victims were identified it was often “reactive” – that is, when trafficked persons approached identifying actors themselves. This was, at least in part, due to the lack of an institutional response to human trafficking at the village level. In spite of robust anti-trafficking policies at a national level as well as an institutional response at the district level, an operational response on the ground, particularly at the village level, was lacking.

The institutional framework to identify and assist trafficking victims in Indonesia is uneven, not least due to decentralization of government functions according to which it is the responsibility of individual provinces to prioritize and fund the anti-trafficking response. As such, how identification and referral take place differs according to the location. Some provinces have established anti-trafficking taskforces and fund victim identification while others lack an institutional framework and funds for victim identification and assistance. Some district level governments have implemented local regulations and programs that support victim identification and assistance, while others have not.

Village-based institutions which could provide important entry points for victim identification – for example, health clinics, village administration, schools, NGOs, youth organizations, religious leaders and so on – have not generally been engaged in the anti-trafficking response by district, provincial or national institutions. Lack of an institutional framework at the village level for the identification and referral of trafficking victims is compounded by other practical challenges including lack of resources for district level authorities to conduct village-based outreach or to support trafficking victims to travel to the district for formal identification and referral.
Skills, capacity and tools to identify trafficking victims
Not all frontline responders were trained in victim identification or had sufficient capacity to identify trafficking victims. This was the case both in destination and origin countries. Lack of capacity to identify trafficking victims may be particularly pronounced in institutions with high rotation of frontline responder staff, like law enforcement. In some destination countries, the low priority given to human trafficking by authorities translates into lack of staff training to identify and refer trafficking victims. In other countries, there is no legislative framework or institutional response in place to address human trafficking.

There is also a lack of capacity to identify trafficking victims – for example, among local authorities, law enforcement, community groups and community leaders – as well as skills in how to sensitively and ethically interact with presumed trafficking victims. And yet proactive outreach by community-based organizations and institutions plays a critical role in the identification of returned trafficking victims. Moreover, many frontline responders continue to perceive trafficking first and foremost as trafficking of women and girls for sexual exploitation, which negatively influences real life responses, including the identification of victims of labor trafficking and male trafficking victims. There is also a lack of practical tools available to frontline responders to support them in their identification work.

Lack of an appropriate response
In some instances, there was a lack of an appropriate response on the part of authorities. Even when trafficking victims’ trafficking situation was made clear to authorities, in some cases there was an unwillingness to formally identify them as trafficking victims. In a number of instances, trafficked persons reported being required to pay “fines” and fees to the authorities in the destination country (for example, to avoid arrest), instead of being identified and assisted as victims of human trafficking. In some settings, it appeared that authorities were not willing to address issues of exploitation and trafficking of which they were most likely aware.

4.3 Decisions and behaviors of trafficking victims
Lack of identification in some cases was related to decisions and behaviors of trafficking victims themselves. Some returned migrant workers simply did not know that they were trafficking victims. In other cases, trafficked persons actively avoided being identified or declined to be identified when they came into contact with the authorities for various reasons, including fear and lack of trust in authorities; not wanting to be involved in the legal process; not wanting to disclose their trafficking experience; and/or because identification did not offer what they needed or wanted. Some victims did not know where to go for help. And still other victims faced practical barriers related to time, distance and resources when seeking out identification and assistance once home.

Victims don’t recognize their experience as trafficking
Many returning migrants did not know about human trafficking; others knew about human trafficking but did not recognize their experience as such. Often returned migrants spoke about “bad luck” during migration, rather than viewing their experiences as human trafficking. This was particularly the case among victims of labor trafficking, given that many Indonesians (including within civil society and the government) continue to associate trafficking with the sexual exploitation of women and girls. A number of respondents, particularly those who migrated through formal labor migration channels, described how their initially satisfactory working situation deteriorated over time into a trafficking situation, when they did not receive their full salaries, their movements were restricted, work conditions changed, they were abused and so on. Even after exit from exploitation, returned migrants did not always equate their experiences of abuse and exploitation with human
trafficking. Recognizing that one’s experience is human trafficking is a necessary precondition for being able to seek out or accept being identified and assisted.

**Fear of traffickers and recruiters**
Some trafficking victims did not want to be identified because they feared that this would lead to problems with their recruiters and traffickers, many of whom lived and worked in their home communities. Fear of traffickers and recruiters also influenced victim’s decisions about escape from trafficking, including whether it was safe to report the case to authorities while still abroad and what mechanisms for protection this would trigger. A number of victims preferred to negotiate their return home with the recruitment agency as they felt that this was the safest avenue. Many trafficked persons faced threats and intimidation after they returned home to Indonesia. Some trafficking victims reported being intimidated and coerced by recruitment agencies upon return, interfering with options for formal identification as a trafficking victim.

**Fear and lack of trust in authorities**
Many trafficking victims described being afraid after their trafficking experiences, which led them to avoid or decline being identified. In some cases, this was a generalized sense of fear, which was the result, in large part, of their trafficking experience. Other trafficking victims feared authorities because they were irregular migrants and did not want to be detained and deported or imprisoned abroad. Some victims did not know (or trust) that disclosing their trafficking experience would lead to tangible benefits, like assistance and protection, fearing instead that they would be arrested.

**Victims don’t know where to go for help**
Many trafficked persons did not know where and to whom they might turn for help in destination countries, either to escape their trafficking situation or once they had escaped on their own. Not knowing where to go for help and, moreover, whether this assistance would cost money, was a significant inhibitor to identification, with many trafficked persons finding their own way home, often at great risk and expense. Most trafficking victims also did not know where to go for help once they were home in Indonesia. Information about assistance options – for trafficking victims, exploited migrant workers or vulnerable persons more generally – was not widely available to trafficking victims interviewed for this study.

**Victims do not want to be involved in the legal process**
Some resistance to formal identification and referral was because trafficking victims did not want to report their case to law enforcement and get involved in the criminal justice process. Of the 26 presumed trafficking victims identified as part of the pilot project on victim identification, only four expressed a willingness to report their case to the police and three had done so at the time of writing. To the extent that victims feel or understand that identification requires involvement in the legal process, this may dissuade them from being identified as a victim of trafficking. Some trafficking victims described being obliged by recruitment companies to sign statements that they would not pursue legal action against recruitment companies in exchange for a small payment, which also inhibited their willingness to pursue legal avenues.

**Victims don’t want to disclose their trafficking experiences; want to leave trafficking experiences in the past**
In some cases, trafficking victims did not seek out or accept identification because they did not want to talk about their experiences. Many victims were frightened, confused, traumatized and disoriented after trafficking, which hindered their ability and willingness to disclose their experiences to authorities or service providers. The context in which much identification takes place – in police stations, detention centers, during raids – also does not lend itself to trust in authorities and an inclination toward disclosure. Identifying actors necessarily face much difficulty in navigating such situations, trying to encourage the
openness required for successful identification while working in settings that work against this comfort and trust.

Once victims were home there was also an inclination among some, arguably many, to leave their trafficking experience in the past rather than to pursue avenues of recourse. Shame and embarrassment played a role in trafficking victims’ decisions not to be identified. Many trafficking victims felt uncomfortable, stressed and even ashamed because they had failed in their migration.

Identification does not offer trafficking victims what they want; identification means not being able to work abroad
Some trafficked persons were aware of their exploitation but had limited options given their personal and family circumstances. Having incurred debt to fund their migration or given their general economic problems, some trafficking victims remained in trafficking situations as it allowed them to earn even small amounts of money, which they assessed to be better than not earning anything at all. Others stayed in a trafficking situation because of promises that they would be paid. Some trafficking victims who were able to escape their trafficking situations found ways to stay in the destination country and find other work, which allowed them to earn and remit money to their family at home. Because being identified as a trafficking victim would have meant being returned home to Indonesia, some trafficking victims proactively evaded contact with officials.

Practical barriers to identification – time, distance and resources
Most trafficking victims returned to live in their home villages, which were located long distances from the closest administrative center, over difficult roads and with limited transportation options. Reaching needed services was further impeded by the time and costs involved in travel as well as the lost income when not working. Many trafficking victims lacked the resources to contact service providers by phone or to travel to the offices of the relevant authorities at the sub-district or district level to seek out support. Practical constraints around time, distance and resources meant many victims went unidentified and unassisted.

5. The impact of going unidentified
Going unidentified generally meant continued vulnerability and risk and a range of challenges and constraints in trafficking victims’ post-trafficking lives. For some victims, it meant not being able to leave their trafficking situation. For others, it meant vulnerability in the initial aftermath of escape or exit and during their return to Indonesia. It also meant, for the vast majority of trafficking victims, that they went unassisted and without access to justice.

On-going trafficking exploitation
In some cases, failure to identify trafficking victims meant that they remained in their trafficking situations and continued to be exploited. Regardless of the form of trafficking endured, this generally meant poor living conditions, inadequate food and water, dangerous and hazardous working conditions, violence and abuse, lack of medical care and psychological trauma. On-going exploitation not only by extended their suffering, but also affected their ability to cope and to recover and reintegrate once free and home in Indonesia.

Continued vulnerability and risk after exit
Being unidentified after having escaped or exited one’s trafficking situation was a source of considerable risk and vulnerability. For those trafficked internationally, it meant being in the destination country, generally without documents or money. Many victims were unable to speak the local language and lacked information about any avenues for support. This put trafficking victims in a situation of continued risk even once their trafficking exploitation had ended.
Risks and problems associated with return
Being unidentified abroad often meant having to make one’s own way home which, for many trafficking victims, posed substantial risk and complication. Trafficking victims who self-returned faced a number of issues during the return process, including going into debt to fund their travel, being stressed and afraid during the return process, traveling when physically and mentally unwell, being at risk of re-trafficking or retribution from traffickers, being extorted for money during the return and crossing borders illegally or without documents.

Going unassisted
Going unidentified generally meant being unassisted in the destination country and/or once home. Not only was this frequently stressful for individual victims but it also directly impeded their recovery and reintegration and potentially exposed them to additional vulnerabilities that could have led to further exploitation and even re-trafficking. Going unassisted generally meant trafficking victims returned to the same (or very similar) economic situations that made them vulnerable to trafficking in the first place. Further, for many, their economic situation had worsened because of trafficking, having returned without money and often having incurred further debt.

6. Conclusion and recommendations
Indonesian trafficking victims exploited for labor have vastly different experiences after trafficking, including in terms of identification and, by extension, assistance and access to justice. Their experiences are also informed by the different forms of labor trafficking for which they have been exploited, their different experiences while trafficked, the range of identifying actors involved with differing roles and capacities and the myriad contexts and settings in which victim identification does (and does not) take place.

Victims’ experiences of both identification and missed identification are vital in understanding the different barriers to and issues in victim identification in the destination country, during return and once home. These barriers and issues center around the nature of human trafficking, institutional responses and decisions and behaviors of trafficking victims themselves. Some barriers are a function of how trafficking plays out – largely invisible and out of sight. Other barriers are related to the institutional framework in which identification takes place, including the lack of victim identification undertaken in destination countries; inadequate screening for TIP during return; lack of victim identification procedures in Indonesia; lack of skills and capacity to identify trafficking victims; and lack of an appropriate response by authorities. Lack of identification was, in some cases, related to decisions and behaviors of trafficking victims themselves including not knowing that they are trafficking victims as well as avoiding or declining to be identified by authorities for various reasons, including fear and lack of trust in authorities; not wanting to be involved in the legal process; not wanting to disclose their trafficking experience; and/or because identification did not offer what the victim needed or wanted. Some victims did not know where to go for help, while others lacked the resources to seek out identification once home.

Understanding why victims are (and are not) identified is necessarily only one part of the discussion. As important is to document and appreciate the serious and severe impact that missed identification has in the lives of Indonesian trafficking victims, including enabling their on-going exploitation, contributing to risk after exit and during the return process and not having access to assistance or support once home. The following recommendations focus on how to increase the safe and sensitive identification of Indonesian trafficking victims and ensure that they can access their rights accordingly.
Train frontline responders in destination countries to identify trafficking victims from origin countries like Indonesia.

- “Frontline responders” should include a wide range of officials and other professionals from various sectors who are in a position to interact with individuals who may be trafficking victims. This may include immigration authorities, criminal justice practitioner, and law enforcement, labor inspectors, port authorities, fisheries inspectors, social services, and civil society organizations, among others.
- Ensure that frontline responders in destination countries have adequate skills in the identification of trafficking victims and are guided by a professional code of conduct in undertaking this task.
- Train frontline responders in how to ethically and sensitively engage with exploited migrant workers in screening them as possible trafficking victims while in the destination country.
- Ensure that all training of frontline responders in destination countries is in line with the real and evolving nature of trafficking in the country, including different forms of TIP and different types of victims.
- Update training and tools in response to how trafficking trends in the country change over time and in different labor sectors.
- Adapt and update indicators of human trafficking to the specific nature and context of trafficking in the destination country, including changes over time.
- Assess options for screening in different settings in the destination country, including different economic sectors, different locations where trafficking victims may be identified and in different areas of the country.
- Ensure that victim identification procedures in the destination country lead to formal identification as a trafficking victim and the referral of victims for assistance and access to justice in the destination country and subsequently in the country of origin.

Build the capacity of immigration and border authorities to identify victims of trafficking for labor upon their return to Indonesia.

- Develop and test a system for immigration and border authorities to screen Indonesian migrant workers for signals and indications of human trafficking upon their return to Indonesia.
- Train and conduct on-going mentoring of border and immigration officials in Indonesia in how to screen returned migrants for the possibility of human trafficking.
- Ensure that frontline responders, like immigration and border authorities, are able to ethically and sensitively engage with exploited migrant workers in screening them as possible trafficking victims upon their return to Indonesia.
- Ensure that all capacity building efforts for immigration and border authorities are in line with the real and evolving nature of trafficking in Indonesia, including an understanding of different forms of TIP and different types of victims.
- Ensure that victim identification procedures are linked to the formal identification and referral of victims for assistance and access to justice.
• Provide written information to returning migrant workers and trafficking victims at border crossings about possible assistance available to them in Indonesia in order that they can follow-up after their return, as needed.

Increase the capacity of local authorities, law enforcement, community groups and community leaders in Indonesia to recognize trafficking victims within their communities and refer them for assistance.

• Recognize that identifying Indonesian trafficking victims must not be focused solely at the border; develop identification systems and procedures that seek out and identify trafficking victims in their home communities.

• Develop and test a village-based system for screening returned migrant workers for signals and indications of TIP once back in their home communities, engaging a wide range of frontline responders in preliminary identification and referral.

• Design and implement multi-layer processes for preliminary victim identification and referral that reinforce and strengthen the likelihood of effectively identifying victims of trafficking living in their communities.

• Enhance proactive outreach by community-based organizations and institutions to identify self-returned trafficking victim in the community.

• Expand the range of individuals and institutions/organizations involved in victim identification to increase the preliminary identification of trafficking victims. This might include village administrators, teachers, medical staff, NGOs, volunteer social workers, religious leaders and so on.

• Train and conduct on-going mentoring of frontline responders who can preliminarily identify trafficking victims living in their home communities and refer these presumed victims to relevant authorities for formal identification and assistance.

• Ensure that frontline responders at the village level are able to ethically and sensitively engage with exploited migrant workers in screening them as possible trafficking victims upon their return to their home communities.

• Develop and enforce tools like Codes of Conduct and Ethical Principles among village-based frontline responders to ensure preliminary identification is done appropriately, safely, sensitively and ethically.

• Ensure that all victim identification (either preliminary at the village level or formal identification by relevant authorities) is linked to the referral of victims for assistance and, should they so choose, access to justice.

• Identify different opportunities and entry points for screening presumed trafficking victims once home and tailor identification procedures to the settings in which screening may take place.

• Provide written information about possible assistance options to returned migrant workers and trafficking victims who decline to be identified, in the event that they wish to access assistance at a later stage.

• Establish and implement a village regulation (perdes) regarding trafficking in persons as the legal basis for the anti-trafficking activities at a village level and ensure an adequate budget allocation for these activities, including for the identification and referral of victims of trafficking.
Ensure that all frontline responders have a comprehensive and nuanced understanding of who may be a victim of trafficking and how to refer them to obtain needed services and support.

- “Frontline responders” in Indonesia should include a wide range of officials and professionals who interact with individuals who may be trafficking victims once home and are in a position to identify them (if only preliminarily) as having been trafficked. This may include social services, health professionals, government administrators (at the village, sub-district and district level), civil society organizations, law enforcement and so on.
- Train and mentor frontline responders in what constitutes human trafficking and the current trends and patterns in Indonesia on an on-going basis and in response to changes over time.
- Ensure that frontline responders recognize that trafficking victims may be men or women, adults or children, legal or irregular migrant workers and may come from any country of the world. Ensure that frontline responders are able to identify victims trafficked internally as well as internationally and for any form of exploitation outlined in the law.
- Document, on an on-going basis, trafficking trends and patterns in the country to ensure that the knowledge of frontline responders keeps pace with the nature of TIP and how the trafficking situation may change over time.
- Ensure that identification criteria for victims is in line with current trafficking trends and responsive to different forms of TIP and different types of victims. Adapt and update victim identification criteria over time and in response to the changing nature of human trafficking in the country.
- Ensure that victim identification procedures are linked to the referral of victims for assistance and reintegration services as well as, if they so choose, to access to justice.
- Regularly update information about available assistance options for returned migrant workers and trafficking victims to ensure that they are informed about and have access to assistance and support from a wide range of institutions and organizations at the village, sub-district and district level.
- Create a supportive environment for conducting victim identification interviews that helps foster trust, comfort and safety and will lead trafficked persons to disclose their trafficking experiences.
- As much as possible, institutionalize processes that include opportunities for more than a one-off interview with trafficking victims as more time and comfort will build more trust which will enhance the likelihood of disclosure.

Increase the knowledge and awareness of trafficking victims to encourage self-identification and access to assistance and justice.

- Increase awareness among exploited migrant workers in their home communities about what constitutes human trafficking and whether their experiences of exploitation may rise to the level of human trafficking.
• Increase awareness among returned trafficking victims about their right to protection and support including what assistance is available and where and how trafficking victims can access assistance, support and justice.

• Ensure that all information is clear and accessible and tailored to the target audience in terms of language and education level. In the case of children, ensure that information is tailored to their age and stage of maturity. Provide both written and verbal information.

• Be flexible in supporting trafficking victims to ensure that assistance aligns with victims’ needs, including any changes in their needs over time. Some trafficking victims may initially decline to be identified and assisted, which will require providing referral information that victims can access at a later stage, when they can better understand, process and make decisions around identification and assistance.
1. Introduction

In many countries in the world, including in Indonesia, identification of trafficking victims remains one of the more challenging and vexing aspects of anti-trafficking efforts. Many individuals are never officially identified or recognized as victims of human trafficking and, as such, essentially “fall through the cracks” of the anti-trafficking response. And yet the identification of trafficking victims is a critical, indeed necessary, step to combat human trafficking. Victims must first be identified before they can be offered assistance and protection. Identification is also essential for the criminal process to be triggered and to ensure trafficking victims’ access to justice.

There has been much attention to the global deficiencies in the identification of trafficking victims. And yet there remains a dearth of empirical research globally, as well as in Indonesia, to ground and underpin improved, evidence-based identification practices. Understanding who is (and is not) identified as trafficked (and why this happens) is critical in improving the identification of Indonesian trafficking victims and, by extension, their access to protection and justice. This paper considers patterns of successful and unsuccessful identification of Indonesian trafficking victims trafficked for various forms of labor as well as the factors that inform whether or not Indonesian trafficking victims were formally identified. These include: the nature of human trafficking, with victims isolated, controlled and “out of sight”; institutional challenges in the identification response; and the decisions and behaviors of trafficking victims themselves.

In presenting the identification experiences of Indonesian trafficking victims, the intention is not to unduly criticize anti-trafficking professionals or the anti-trafficking efforts being undertaken in Indonesia or further afield. Rather, the intention is to better understand what is going well and what needs improvement in terms of victim identification in Indonesia as well as in the countries where Indonesians are exploited. While this study is intended for anti-trafficking policymakers and practitioners in Indonesia, these findings also have relevance for practitioners and policymakers in other countries and regions who are seeking to enhance the identification of trafficking victims, to better meet the needs and guard the rights of trafficking victims who originate from their country or are exploited within their borders.

This paper was drafted in the context of NEXUS Institute’s project – *Increasing Victim Identification and Improving Access to Criminal Justice in Human Trafficking Cases in Indonesia* – which is improving victim identification in three villages in West Java, Indonesia. The project was funded by the Australian Government’s Department of Foreign Affairs and Trade (DFAT) through the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP).
2. Data collection and methodology

This paper is based on the reanalysis of data collected in the context of a longitudinal research study conducted by NEXUS institute in Indonesia from 2013 to 2016, including interviews with 88 Indonesian trafficking victims and 144 interviews with stakeholders from government and non-governmental organizations (NGOs), at a national, district, sub-district and village level in West Java. The paper also draws on lessons learned during the implementation of a pilot project to enhance victim identification in three villages in West Java, conducted from 2016 to 2018. This includes an analysis of 26 cases of presumed trafficking victims preliminarily identified and handled by the three multi-disciplinary teams (MDTs) in the context of the pilot project as well as experiences and lessons identified during monthly mentoring meetings in each of the three villages.

Reanalysis of interviews with trafficking victims and anti-trafficking stakeholders

Interviews were conducted with 88 Indonesians trafficked for forced labor between September 2014 and April 2016. Eighty-eight trafficking victims were interviewed in the first round of interviews (49 males and 39 females). Second interviews were conducted between six to nine months after the first interview with 55 of the 88 respondents (24 males and 31 females).

Respondents were from a cross-section of ages, sexes, ethnicities, forms of trafficking, countries of exploitation and at varying stages of their post trafficking lives. They ranged in age from 16 to 49 when trafficked but were all adults when interviewed. Respondents were both male (n=49) and female (n=39). Most respondents (55 of 88) were married when they were trafficked. Many married respondents had one or two children, although some had more. Twenty-two respondents were unmarried at the time of trafficking and had no children. Nine respondents were divorced or separated (8 women and one man) when trafficked and two women were widows at the time that they were trafficked.

Respondents were trafficked for different forms of labor, including construction (n=3), domestic work (n=39), fishing (n=32), factory work (n=4), work on plantations (n=8) and work for a professional cleaning service (n=2).

Some victims suffered multiple forms of exploitation and abuse – most commonly women trafficked for labor who were also sexually abused or exploited. Three of 39 domestic workers interviewed were raped while trafficked; nine suffered attempted rapes, sexual assault and sexual harassment. One man, trafficked for labor, reported sexual abuse while
Trafficked persons were exploited in 17 different destination countries, largely in the Middle East (n=28) – Bahrain, Jordan, Oman, Qatar, Saudi Arabia, Syria, United Arab Emirates (UAE) and in Asia (n=34) – Brunei, Malaysia, Singapore, South Korea, Taiwan (Province of China). Most men trafficked for fishing (n=23) were exploited in less common destinations such as Ghana, Mauritius, South Africa, Trinidad and Tobago and Uruguay. Three individuals were trafficked first within Indonesia and subsequently abroad. Some trafficking victims were exploited in more than one destination.

Map #1. Countries of exploitation for 88 trafficked Indonesians

Research was conducted in Jakarta and seven districts in West Java (Bandung, Bogor, Cianjur, Cirebon, Indramayu, Karawang and Sukabumi) and select interviews were conducted in Central Java, East Java and South Sulawesi to capture specific trafficking experiences. Research was conducted in the communities where trafficking victims were integrating or reintegrating and where we had a working relationship with authorities or civil society. Potential respondents were first approached by NGO staff, a community leader or a migrant worker activist, who explained the research and provided a written project description. Potential respondents were then given time to decide whether to participate in the research. Interviews were conducted in a location chosen by the respondent and began with a detailed process of informed consent. Following the interview, the researcher provided each respondent with referral information, explaining assistance options and how to access them. We reimbursed transportation and meal costs and provided a small gift in recognition of the respondent’s contribution to the research. Researchers contacted

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1 This is likely an underreporting as some victims may have chosen not to share this information. In addition, some respondents did not disclose their experiences of rape in the first interview and we only learned about such experiences in later interviews and informal conversations. More instances may have been disclosed in future rounds of interviews.

2 One woman was trafficked in both UAE and Oman for domestic work. Two men trafficked for labor were exploited in multiple destinations (one within Indonesia and then in Malaysia, the other in both Singapore and Malaysia). Trafficked fishers were often exploited in multiple destinations and jurisdictions over the course of trafficking. Some men trafficked for fishing flew to the Caribbean where they worked before sailing onward to fishing grounds around South America and/or Africa. Others flew to West Africa before sailing to South Africa. One man was initially working in the waters off of Mauritius and then moved to vessels fishing around South Africa. Another was trafficked on a fishing vessel that moved along the coast of Angola, Namibia and South Africa.
respondents after several months to be re-interviewed and, if they agreed, the above process was repeated.

Interviews were conducted using standardized questionnaires, adapting lines of inquiry according to the specifics of the individual's experiences. Interviews were conducted in Bahasa Indonesian by two Indonesian researchers and recorded with the respondent's permission. Interviews were then transcribed verbatim in Bahasa Indonesian and translated into English.³

We also conducted interviews with 144 key informants, primarily government and NGO service providers (social workers, social assistants, psychologists, lawyers, paralegals, medical personnel) as well as administrators, policymakers, law enforcement, researchers, migrant worker activists and village leaders. The 144 stakeholder interviews were conducted with representatives of the Indonesian government (32), national and international NGOs (97), international organizations (5), donors/Embassy staff in Indonesia (4) and academics/researchers (6). Twenty-five (25) informants were interviewed on more than one occasion; some informants were interviewed on multiple occasions.

³ We use verbatim translation to stay as true as possible to the respondent's voice and meaning.

Analysis of cases of trafficking for labor identified by village-based multi-disciplinary teams (MDTs) in three villages and project lessons learned

This study is also based on lessons learned in the implementation of a pilot project in three villages in three districts in West Java, Indonesia to increase victim identification through the establishment of village level multi-disciplinary teams. Each of the multidisciplinary teams is comprised of volunteers representing different village-based institutions including, for example, the village leader (and/or the village administration), *Puskesmas* or *Posyandu* (village health clinic), NGO/civil society organizations, teachers, *Bhabinkamtibmas* (community police officer), *Motekar* (Family Resilience

![A man walks through the field outside of a village in West Java. Photo by Peter Biro for NEXUS Institute.](image)
Movement), Karang Taruna (Youth Organization), Pembinaan Kesejahteraan Keluarga (Family Welfare Guidance), Program Keluarga Harapan (Program for Family Hope), Babinsa (Village Army Officer), Rukun Tetangga (Harmonious Neighborhood) and Dusun Kepala (Hamlet Head). The MDT is tasked with conducting preliminary identification of trafficked victims (identifying presumed trafficking victims) and referring them, with their informed consent, to relevant authorities for formal identification and access to legal and non-legal services. Work with the MDTs involved formal training and monthly mentoring meetings in each village for the duration of the project. Experiences and lessons learned from monthly mentoring meetings in three villages were documented in monthly reports, which were analyzed for this paper. The paper also includes analysis of the cases of 26 presumed trafficking victims, preliminarily identified by the three village-based MDTs in the context of the pilot project. We analyzed case files for each presumed victim for this paper, including the steps taken by the MDT in each case in terms of identification and referral.

A member of the MDT participates in a monthly mentoring meeting. Photo by Thaufiek Zulbahary.
3. Identification (and non-identification) of Indonesian trafficking victims

Labor migration is an important economic strategy in Indonesia for both women and men. Large numbers of Indonesian men and women migrate each year for work in construction, factories and agriculture, on plantations, in domestic work and on fishing boats. Much migration from Indonesia, including that which ends up as human trafficking, takes place through formal migration channels. Often recruiters contact prospective migrants in their home communities and facilitate their contact with recruitment agencies. Indonesian male migrants generally pay recruitment fees up front (borrowing money at high interest rates); female migrants usually have their salary deducted once abroad. Although not inevitable, these migration patterns may lead to exploitation, abuse and even human trafficking. Many find work and return home with money; many others are unpaid or under-paid, poorly treated and exploited. The extent to which these latter instances rise to the level of human trafficking remains unclear.

A man working in the fields in rural West Java. Photo by Peter Biro for NEXUS Institute.

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4 In Indonesia, both women and men engage in formal and informal income-earning activities or employment. While men are considered the primary breadwinner, women’s economic role is important and was further entrenched by State policies in the 1970s encouraging women to join the wage-earning formal labour market and, in the 1980s and 1990s, that promoted transnational female labour migration for domestic work, largely among rural, low-income, uneducated women. Surtees, R. (2018) ‘Being Home: Exploring Family Re-Integration amongst Trafficked Indonesian Domestic Workers’ in R. Piotrowicz, C. Ripken and B. Heide Uhl (Eds.) Routledge Handbook of Human Trafficking. Abingdon, United Kingdom: Routledge. See also Chan, C. (2014) ‘Gendered Morality and Development Narratives: The Case of Female Labor Migration from Indonesia’, Sustainability.


What is increasingly clear is that some (and arguably very many) migrants (both regular and irregular) end up exploited in ways that constitute human trafficking, suffering violence, deprivation, restricted freedom and severe exploitation, among other violations. Men, women and children from Indonesia are trafficked for different forms of exploitation – sexual exploitation and various forms of forced labor including domestic work, factory work, construction, agriculture and plantation work and work on fishing boats. Indonesian citizens are trafficked within the country or exploited abroad – in neighboring countries in Asia as well as further afield including the Middle East, Africa and Latin America. Nonetheless, many Indonesia trafficking victims are not identified as trafficked and do not receive the assistance and support that they need to recover from their trafficking experiences and reintegrate into their families and communities. Other victims, who are identified, are not always referred for the assistance needed to support their reintegration.

**Victim identification** refers to the process by which an individual is formally identified as a “trafficking victim” by someone with the authority to make this determination and is afforded rights accordingly. This involves the formal assignation of the administrative status of a trafficking victim, with the attendant rights and, when involved in legal process, also responsibilities. Victim identification is central to any effective anti-trafficking response. It is the first step in the:

1. **Protection of trafficking victims**, to ensure their access to assistance that can support their recovery and long-term reintegration;

2. **Prosecution of traffickers**, to secure access to justice for trafficking victims and end the impunity of traffickers.

**Diagram #1. Identification leads to protection and prosecution**

![Identification Diagram](image)

The identification of trafficking victims is an obligation of states under national and international law and is implied in all legal instruments that provide for victim protection and support. In Indonesia, the obligation is implied in the Indonesian Government Regulation Number 9, Year 2008 on Procedures and Mechanism of Recovery Services for Witnesses and/or Victims of Trafficking. The Association of Southeast Asian Nations (ASEAN) Convention against Trafficking in Persons (ACTIP) also has important provisions on victim identification including, in Article 14(1), that “Each party shall establish national guidelines or procedures for the proper identification of victims of identification (with victim’s consent) protection (with victim’s consent) prosecution (with victim’s consent) trafficking.

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8 Some international legal instruments specifically obligate states to identify victims. For example, the Council of Europe (CoE) Convention on Action Against Trafficking in Human Beings, in Article 10, obliges signatory states to identify victims (including trafficked children) and, where appropriate, issue residence permits (according to Article 14 of the same Convention). Further, states are obliged to have legislation or other measures in place to identify victims and, if there are reasonable grounds to believe that a person has been trafficked, he or she must not be removed from the territory until the identification process has been completed by a competent authority. Please see Council of Europe (2008) Convention on Action Against Trafficking in Human Beings. CETS No. 197.

9 Republic of Indonesia (2008) Regulation Number 9, Year 2008 on Procedures and Mechanisms of Recovery Services for Witnesses and/or Victims of Trafficking.
trafficking in persons and, where appropriate, may collaborate with relevant non-government victim assistance organizations”. In addition, according to the ASEAN Convention on Trafficking in Persons (ACTIP), Article 14.2, a victim who is identified in a destination country in ASEAN does not need to go through an additional process of identification to be able to access protection and assistance.\footnote{ASEAN (2015) ASEAN Convention on Trafficking in Persons (ACTIP). Jakarta, Indonesia: Association of Southeast Asian Nations.}

**Diagram #2. Different stages at which trafficking victims may be identified by authorities or self-identify**

At a site of exploitation or in a destination country, frontline responders may be professionals with functions related to migration, the justice sector or economic sectors vulnerable to labor abuses and exploitation – for example, police, labor inspection authorities, immigration authorities and so on. They may also be those in facilities where trafficking victims seek out or have some access to assistance – for example, staff of a helpline, medical staff in private or public facilities, outreach organizations in prostitution arenas and social workers.

\footnote{ASEAN (2015) ASEAN Convention on Trafficking in Persons (ACTIP). Jakarta, Indonesia: Association of Southeast Asian Nations.}
In countries of origin, in this case Indonesia, there is a range of potential frontline responders who may come into contact with trafficking victims at various stages of their lives after trafficking. This includes police, border officials and immigration authorities who may be able to detect signals of abuse or exploitation (sometimes quite visible indicia of exploitation) as well as irregular migration or deportee status that may signal trafficking, especially from known countries of trafficking exploitation and in combination with other signals of trafficking. Once home, victims may come into contact with police or other state authorities when they apply for new documents, access services (like health care or job placement) or seek out services for their children (for example, school registration or reinsertion, day care, health care). Assistance institutions and organizations (for example, state and NGO social workers, health care workers, employment centers, helplines) are also possible frontline responders, as are community and religious leaders in victims’ home communities.\textsuperscript{12}

\textbf{Victim identification is not a one-off event} but rather a process of interactions, which cumulatively lead relevant authorities to formally identify an individual as a trafficking victim. Before formal identification takes place, there are often various steps whereby an individual is preliminary assessed to be a \textit{presumed victim of trafficking}, based on various signals and risk factors that arise in observation, interactions and conversations with the individual. When there are indicators that an individual is a trafficking victim, he or she should be considered a presumed trafficking victim and, if the individual agrees, referred for assistance and protection as outlined in the anti-trafficking law and related regulations.\textsuperscript{13}

Procedures for victim identification in Indonesia are detailed in the 2010 \textit{Standard Operating Procedures (SOP) for Integrated Services for Witnesses and/or Victims of Human Trafficking}, which set forth that individuals who are formally identified as victims of trafficking are entitled to services and the identifying officer is required to start an assessment of the trafficking victim’s needs.\textsuperscript{14}

Many Indonesian trafficking victims are successfully identified as trafficking victims and offered the range of rights associated with this status, not least assistance and access to justice. Nonetheless, other trafficked Indonesians go unidentified as trafficking victims. And some trafficking victims are both identified and unidentified by relevant stakeholders and frontline responders at different stages of their lives. These contradictory experiences – of being identified and unidentified – are discussed in more detail below.

\begin{thebibliography}{99}
\bibitem{13} In Indonesia, under the \textit{Standard Operating Procedures (SOP) for Integrated Services for Witnesses and/or Victims of Human Trafficking}, if the assessment of the witness and/or victim’s needs reveals that the individual is not a trafficking victim, the officer is still obligated to refer the individual for services. If that person is assessed to be a victim of another crime or violation (e.g. rape, physical or sexual assault, kidnapping), they should be referred to the relevant institutions working to protect victim of other crimes. See MoWECP (2010) \textit{Regulation Number 22, Year 2010 Standard Operating Procedures for Integrated Services for Witnesses and/or Victims of Human Trafficking}.
\bibitem{14} MoWECP (2010) \textit{Regulation Number 22, Year 2010 Standard Operating Procedures for Integrated Services for Witnesses and/or Victims of Human Trafficking}, Chapter III ‘Procedure for Reporting/Identification Services’, paragraph 3.2(3).
\end{thebibliography}
Diagram #3. Different experiences for trafficking victims in terms of identification and non-identification

- Identified trafficking victims
- Unidentified and Identified (at different stages)
- Unidentified trafficking victims

Better understanding victims’ experiences of identification and non-identification both abroad and at home is an essential starting point for improving the identification and wider protection response in Indonesia as well as in the destination countries where Indonesia trafficking victims are exploited. The following sections explore Indonesian victims’ experiences of successful identification (that is, being identified as a trafficking victim); missed identification (that is, not identified as a victim of trafficking) and situations when victims are both identified and unidentified, at different stages of their post-trafficking lives.

3.1 Successful identification. Being identified as a trafficking victim

Successful identification refers to situations when an individual is formally identified as a trafficking victim by relevant authorities and offered assistance in an appropriate, sensitive and timely fashion. In some cases, this means authorities come into contact with trafficking victims while they are still exploited and facilitate their exit from exploitation, referring them for protection and assistance. In other cases, this means identification after the person has escaped and is either recognized by authorities or self-identifies to authorities at various stages of his or her post-trafficking life – for example, seeking out help from police or through a helpline. A number of trafficked persons interviewed for this study had previously been successfully identified by different professionals, including law enforcement, embassy staff, NGOs and IOs (at home and/or abroad), among others.

While some trafficking victims were formally identified while trafficked, leading to their exit from trafficking, this was generally not the experience of trafficking victims interviewed for this study nor the trafficking cases handled by the multi-disciplinary teams in the three pilot project villages. Some trafficking victims escaped their trafficking situations on their own and were subsequently identified as trafficked – either through the work of anti-trafficking authorities or because they approached authorities themselves for assistance (i.e. self-identified). One woman was trafficked as a domestic worker in Malaysia where she was forced to work long hours, was unpaid and suffered violence from her employer. She escaped her exploiters and received help from migrant workers also working in the country. The migrant workers contacted her family in Indonesia who then sought help from a local NGO, which contacted an NGO in Malaysia. The Malaysian NGO identified and assisted the
A woman in Malaysia and then assisted her to return to Indonesia where she also received assistance from an international organization and the local NGO in her home community.

Other trafficking victims were identified once they returned to Indonesia. This commonly occurred when victims sought out some form of help after their return, although not always as victims of trafficking. For example, a number of returned migrant workers sought the help of NGOs in processing health insurance claims after their return to get treatment for health problems that had resulted from their migration/trafficking. In this process, it became clear to NGO staff that these individuals were victims of trafficking and they were referred for identification as such.

3.2 Missed identification. Going unidentified

**Missed identification** refers to situations when trafficking victims are not recognized as having been trafficked. Often victims were unidentified even when they came into direct contact with persons and institutions (for example, law enforcement or service providers), that should have the skills and capacity to identify and refer them or, at minimum, to recognize signals of vulnerability often synonymous with trafficking. Missed identification also refers to situations when indications of possible exploitation were sufficiently visible that authorities should have intervened and investigated.

Many Indonesian trafficking victims were unidentified while trafficked which meant remaining in a trafficking situation for months and even years as a consequence. Missed identification occurred even in contexts where identification should have been possible – for example, on work sites that were monitored by police or labor inspectors as well as in ports with various port and fisheries authorities. In some cases, being unidentified meant that trafficked persons ended up re-trafficked or in another exploitative or abusive situation.
Many trafficking victims are unidentified both in destination countries and in Indonesia; being unidentified may lead to being misidentified as an irregular migrant. Photo by Peter Biro for NEXUS Institute.

Being unidentified may also lead to being misidentified as an irregular migrant (leading to detention and deportation) or being criminalized for forced involvement in criminal activities (like illegal fishing or prostitution). A number of Indonesia trafficking victims interviewed for this study were detained while abroad (as irregular migrants or working in illegal fishing) and subsequently deported, rather than being identified as trafficking victims. Other trafficking victims went unidentified upon their return to their home communities even when they recognized themselves as trafficking victims (i.e. self-identified) and actively sought out help from authorities. Some trafficked persons (indeed very many of those interviewed) went unidentified both abroad and at home. This included situations when victims disclosed their trafficking experience and asked for assistance.

Being unidentified meant trafficking victims returned home without knowledge that they were victims of the crime of human trafficking and the protection and assistance to which they were entitled. They typically went unassisted and without access to justice, which resulted in victims of trafficking (and their family members) navigating their post-trafficking lives without recognition of their abuse and without any support in their recovery and reintegration. The full scope of missed identification is not known but indicia suggest that the problem is sizable. Because of this, there are large numbers of trafficking victims who do not receive assistance or have access to justice after trafficking.

3.3 Successful and unsuccessful identification. Being identified and unidentified

The distinction between successful and unsuccessful identification is not always clear. Many trafficked persons experienced complicated and contradictory identification processes.
Some victims were both identified and unidentified, at different stages, in different places and in interacting with different stakeholders. The majority of trafficking victims interviewed for this study were unidentified abroad and many also for quite some time after their return to Indonesia.

![Travelers at Jakarta’s main bus station](image)

Travelers at Jakarta’s main bus station. Many trafficked persons are not identified in destination countries, but only upon return to Indonesia, in some cases only after they have been home for some time. Photo by Peter Biro for NEXUS Institute.

For example, some victims interviewed for this study were unidentified while abroad but were later identified after they returned to Indonesia. Most commonly this involved situations when victims were detained while abroad (as irregular migrants) and subsequently deported, but then recognized as trafficking victims by Indonesian authorities upon their return home. This non-identification while abroad often meant being held in prison or immigration detention facilities before being deported and receiving none of the immediate protections and assistance needed in the aftermath of their exploitation. In one case, South African authorities did not identify 74 Indonesian fishers who were exploited on a group of ten fishing vessels in and around South Africa. The men were held for several months in South Africa – initially on their vessels in the Cape Town port and then at a detention center. They were treated as irregular migrants and only formally recognized as trafficking victims once they returned to Indonesia. A noteworthy number of women trafficked as domestic workers also reported never being identified as exploited and instead were held in detention centers in Malaysia and in various countries in the Middle East.  

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Diagram #4. Trafficking victims may be both identified and unidentified at different stages and when interacting with different stakeholders.
In some cases, individuals were recognized as trafficking victims by Indonesian authorities abroad who assisted them as such — for example, offering them temporary shelter in the embassy and assisting with travel documents. But these individuals were not formally identified as trafficking victims by authorities in the destination country, which limited options for immediate assistance and, in some cases, meant being held in detention in the destination country and deported to Indonesia.

Some trafficking victims made multiple attempts to escape or leave their trafficking situations. In the process, they reported coming into contact with various authorities who should have been able and willing to identify them, at minimum, as presumed victims of trafficking. This was particularly the case with law enforcement officials, although it also included medical staff and other service providers, embassy staff and so on. Some victims came into contact with authorities and practitioners on multiple occasions before they were identified, some even actively seeking out assistance.

Even when individuals were eventually identified as trafficking victims (at a later stage or by other authorities), it is important to consider the impact that this missed identification had on their lives, including extending their exploitation and abuse and continuing their vulnerability and risk once they had exited trafficking. Issues of trust and confidence in authorities arise as a result, given that the authorities had failed to intervene on behalf of the victim in previous encounters. For example, having been unidentified by the police previously (and possibly even returned by them to a trafficking situation) would likely mean that trafficking victims are less likely to seek out or disclose trafficking experiences in later encounters with law enforcement or other authorities whom they may perceive in the same light.

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16 Indonesia’s anti-trafficking law provides that: “If a victim located in a foreign country requires legal protection as a consequence of the criminal act of trafficking in persons, the Indonesian government through its representative mission in the said country has the obligation to protect the person and interests of the victim, and must make efforts to return the victim to Indonesia, the expense arising from which will be borne by the state”. Republic of Indonesia (2007) Law Number 21, Year 2007 on the Eradication of the Criminal Act of Trafficking in Persons, Article 54.
4. Barriers and challenges in the identification of Indonesian trafficking victims

Trafficking victims from Indonesia went unidentified for various (and sometimes multiple) reasons and at different stages of their trafficking and post-trafficking experiences. Reasons for non-identification center around three main themes: the nature of trafficking where victims are isolated and controlled; institutional challenges in the identification response; and decisions and behaviors of trafficking victims themselves. Often the reasons for non-identification were multiple, including those that were overlapping, co-terminous and mutually reinforcing. For example, failure of authorities to identify trafficking victims in destination countries or during return may compromise a victim’s trust in authorities and prevent them from disclosing their trafficking experience later on. Similarly, lack of skills and capacity to identify trafficking victims may inform trafficking victims’ willingness to engage with the legal process as well as other decisions around formal identification.

**Barriers and challenges in victim identification**
- The nature of trafficking. Victims are “out of sight”
- Institutional challenges in the identification response
- Decisions and behaviors of trafficking victims

**The nature of trafficking ("out of sight")**

**Institutional challenges**

** Victims' decisions & behaviors**
4.1 The nature of trafficking. Victims are isolated, controlled and “out of sight”

Difficulties in identifying trafficking victims were often a result of the nature of trafficking itself, which is commonly invisible, with victims forced to work and live in hidden or isolated locations. Isolation often began very early in the migration process. Prospective migrant workers were isolated in pre-departure training centers with heavy restrictions on their freedom of movement before deployment. Once deployed they were strictly monitored by the recruitment agency during the journey and upon arrival in the destination country. Recruitment agencies were also, to varying degrees, involved in controlling trafficking victims during their employment and also return. Employers/exploiters were strategic in ensuring the isolation and control of trafficking victims, keeping them largely out of sight. This was the case for most forms of labor trafficking experienced by Indonesian victims, including domestic work, plantation work, factory work, commercial fishing and construction work.

Indonesian domestic workers trafficked in various destinations in SE Asia and the Middle East described being held in private homes with few or no opportunities to leave. Many were locked in the house during the day and in their rooms at night when they slept, as one trafficked domestic worker explained of her time in Saudi Arabia:

I was not treated decently. I was put to live in the storage [room] for the children’s toys. When the night came I was locked in the room from the outside.

Another Indonesian woman, trafficked to Saudi Arabia as a domestic worker, had no contact with anyone apart from the recruitment agency and her employers/exploiters during the entire duration of her stay abroad including being accompanied to the airport when she was sent home. This created ample opportunity for the brutality and exploitation that she suffered while abroad.

Those who were able to leave the houses where they were exploited were generally accompanied by the employer, which prevented them from making contact with anyone outside of the home. Communication with family at home was often limited. Trafficked domestic workers were often away for long periods of time, with little to no contact with family, as this same domestic worker explained:

I was imprisoned, not allowed to go outside. If I was going out with the employer, I was not allowed to talk with Indonesians. I had to be quiet. I was very depressed. I was not allowed to call my family [in Indonesia] [...] While in Saudi Arabia, there was no one helping me. It was so difficult for me to meet Indonesian people there. When accompanying my employer outside, I met them but I couldn’t speak to them. It was prohibited by my employer. How can I ask for help? Every day I was locked in my room. [I had] no opportunity to make a call as well. If the employer went outside, the telephone was hidden. I was so sad at that time. I was traumatized.

The nature of trafficking – features of trafficking isolation

- Limited or no communication opportunities
- Isolated work sites
- No contact with others
- Language barriers
- Isolation during migration
- Fear of authorities
Trafficked domestic workers who were allowed to contact their families were usually only permitted brief and infrequent telephone calls – one call every one to three months. Not infrequently, these calls were monitored by the employer.  

Men trafficked for fishing were also isolated and “out of sight”. Men described spending months and years at sea, seldom even coming into ports, as one man noted: “I was at sea for eleven months then it docked at Cape Town”. Said another of his time at sea:

[Our] boat operated in the ocean around four months and after four months it was changed to six months. After six months, it then became nine months. It was uncertain.

Some men never came into a port while trafficked, as one man explained of his trafficking experience:

During the two years that I was on the boat, we never docked... I only know it was in the Atlantic [Ocean]. [...] After the first two years, we docked and the boat was scrapped. My captain went home. The collecting ship docked and the crew had finished their contracts. I wanted to go home but I was not allowed. So, I was moved to another ship.

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Fishermen in the port in Jakarta. Men trafficked for fishing were isolated and “out of sight”. Men described spending months and years at sea, seldom even coming into ports. Photo by Peter Biro for NEXUS Institute.

When trafficked fishers did come into port, their movements were often strictly controlled. Communication with family at home was limited. Trafficked fishers described not have any means of communicating with their families at home for long periods of time, if at all:

My wife did not communicate with me for a year. In the meantime, life was going on ... she could not send messages because I was on the sea.

[After my return], I kept working and tried to provide for my family but my wife felt that it wasn’t enough. We often argued. She felt that during my three years away I never gave her updates or money. My family even thought that I was dead since they never heard from me for two and a half years.

Isolation and control were common for trafficking victims exploited on plantations, in factories and on construction sites. Men trafficked for construction work generally lived at the worksite, which limited contact with persons off the site, as one man explained:

[The worksite] was a house that was still under construction. We were taken there directly. That’s where we slept. We were surprised because the agreement was that we would sleep at a hotel. We slept on the floor with some cardboard that we found ourselves. [...] We barely had enough money to buy food. [...] We barely had enough to eat. We were always hungry, let alone having coffee in the morning, which we craved.

Plantations were often in remote locations, deep in the forest, which further entrenched the isolation, as one man explained:

It was in the middle of rain forest with the access to the city but very far away, around forty kilometers... to the market, to the city was around forty kilometers... but we were never there. The conditions in the camp and beds were far from appropriate...
not a camp it was actually just a hut. [...] When I got there, frankly, if I can say so, the place was not humane.

The isolation of trafficking situations in some destination countries was often compounded and reinforced by language barriers, with trafficking victims unable to communicate with persons in the destination country who might have been able to assist them in some way, including in raising the alarm with relevant authorities about their exploitation.

A man works on a plantation in Indonesia. Plantations are often in remote locations. Photo by Peter Biro for NEXUS Institute.

### 4.2 Institutional challenges in the identification response

In many instances, barriers to victim identification were a function of the institutional framework for anti-trafficking. The design of a country’s anti-trafficking framework directly informs opportunities for and barriers to victim identification. In many destination countries where Indonesian trafficking victims were exploited, there were inadequate mechanisms and initiatives to screen and identify trafficking victims, even among abused migrant workers. Equally, there was inadequate screening of migrant workers returning home to Indonesia, even those with visible indicia of abuse. And while, on paper, there is a robust anti-trafficking policy framework in Indonesia, in practice the institutional framework does not have sufficient reach at the community level to lead to the identification of victims.

#### Institutional challenges in the identification response

- Lack of victim identification in destination countries
- Inadequate screening for TIP during return
- Lack of victim identification procedures in Indonesia
- Skills, capacity and tools to identify trafficking victims
- Lack of an appropriate response
of returned trafficking victims. In addition, and more broadly, Indonesian trafficking victims frequently went unidentified due to lack of skills, capacity and tools among frontline responders, both in destination countries and once home in Indonesia. Lack of an appropriate response from authorities was another barrier in the identification and referral of Indonesia trafficking victims.

Lack of victim identification undertaken in destination countries

Many Indonesian trafficking victims went unidentified while abroad, often in spite of coming into contact with persons who should have been able to identify them. This included authorities and professionals who, it might be assumed, would have been trained in the identification of trafficked persons – such as border guards, immigration officials, law enforcement, health professionals, social workers, embassy and consulate staff, port authorities and so on.

In some cases, screening procedures did not seem to be in place, even when migrant workers exhibited indications of possible abuse and trafficking. For instance, a number of Indonesian trafficking victims came into contact with medical personnel while in situations of exploitation abroad but were not identified in spite of suffering injuries and illness, which signaled maltreatment, abuse and neglect. One woman became gravely ill while working as a domestic worker in Bahrain, with her weight dropping from 60 to 49 kilograms and suffering from severe exhaustion and weakness. Her employer brought her to the hospital where she was treated by doctors and subsequently released back to her employer. At no stage during her stay at the hospital was she asked by any hospital staff about her living and working conditions or other potential contributors to her extremely poor health condition.

Lack of screening procedures seems also to have been the case among various law enforcement authorities. As mentioned above, South African authorities did not identify Indonesian fishers who were exploited on a group of ten fishing vessels in and around South Africa when they arrested the fishing vessels in the Cape Town port for illegal fishing.\(^{18}\) The authorities did not screen the men for human trafficking\(^{19}\) in spite of visible evidence that they had endured brutal living and working conditions on board the vessels, gone unpaid and been subjected to violence.\(^{20}\) The men were forced to stay on their vessels in the Cape Town port, living in inhumane conditions with no food, electricity or fresh water, relying on food donations from private citizens and civil society groups. One man described how, after some months of being forced to live on the vessels, the authorities moved the men in the middle of the night to a detention center for irregular migrants:

After some time living on the boats, at 3am the police and the immigration team came to the boats. All of my friends were confused. Most of them can’t speak English… They [the authorities] brought guns and said: “Hurry up, move your things!” The voices were loud. They forced us to move from the boat. [They said]: “Hurry up, take everything that you need!” … We, 74 people, were moved to the police office. [...] Then it was around a 16-hour ride [to] Johannesburg [from] Cape Town under strict guard. We only ate bread and drank water. At midnight, we arrived at a place called Lindela, it’s a detention center. [...] The officers there took all

\(^{18}\) To arrest a vessel means to seize and detain a vessel in order to gain jurisdiction over it and therefore be able to impose a fine (e.g. for illegal fishing) or to bring a claim against the vessel owner(s) (e.g. for unpaid debts) in court. Arresting the vessel does not mean that the crew is arrested – in arresting the vessel, the vessel itself is the defendant (known as an in rem proceeding). The ability in Admiralty Law to bring a claim against the vessel itself (rather than a person) provides certain advantages, particularly if the vessel owner is a foreign-based person or corporation. See OECD (2004) *Fish Piracy: Combating Illegal, Unreported and Unregulated Fishing*. Paris: Organisation for Economic Co-operation and Development.


of our things such as mobile phones and all personal things. It was like a jail. The only difference was that we did not wear a [prison] uniform.

The men were held at the detention center for several months before being returned to Indonesia. The men were not formally identified as trafficking victims at any stage while abroad.

In some countries, complaints from exploited migrant workers were not taken seriously or acted upon by the authorities. One man, trafficked on a fishing boat in Taiwan (Province of China), escaped his employer because he was not paid his full salary and was regularly beaten by the employer. When he reported his case to the police, his report was dismissed and he was not screened as a potential victim of trafficking. He then worked on another worksite but was arrested by the police as an irregular migrant as he did not have working documents. Once again, he was not screened as a potential trafficking victim in spite of detailing his experience of exploitation and abuse to the authorities.

An Indonesian fisher. Many Indonesian trafficking victims went unidentified while abroad, including men trafficked on fishing vessels. Photo by Peter Biro for NEXUS Institute.

Inadequate recognition of and institutional responses to trafficking for labor means that many Indonesia trafficking victims were misidentified. Some trafficked persons were not, at least initially, identified as trafficking victims but were instead treated as irregular migrants or as criminals – e.g. prostitutes, perpetrators of petty crime, street beggars and so on. Many Indonesian women trafficked for domestic work in the Middle East, for example, were arrested and detained as irregular migrants, often for long periods of time, rather than identified and assisted as abused and trafficked domestic workers. One man, trafficked for labor in Malaysia, was arrested and kept in prison for several weeks after the police raided the plantation where he was exploited. The police did not consider he and his co-workers to be trafficked, in spite of strong indications and information from the workers that the work site was exploitative – for example, the workers reported not having been paid, being unable
to leave the work site, facing inhumane living conditions and so on. Rather, he explained that the police assessed the workers to be irregular migrants and arrested and detained them in harsh conditions:

We were powerless. Finally, we were arrested...we were taken to a police office [...] For one week nobody could sleep and everyone was sick...48 persons [crammed into a tiny room]. Everyone slept in the sitting position...only one toilet, forced to sleep together, it was not humane at all, for a week. After a week, we were processed and taken to prison...in that prison, one cell was for, more or less, 18 persons.

Being detained in destination countries was a source of considerable stress and even trauma for many trafficking victims and negatively impacted their mental health and well-being. Men trafficked on fishing boats who ended up in detention facilities as irregular migrants described this as a very stressful and difficult period, as one man explained:

We really very much regretted being there. Why were we detained like this? What was our fault?... When we got there, we wanted [to] go home. Why was it like this?"

Another man, detained in the same detention center, also described his experience as stressful and trying:

While in jail we were only provided food two times a day. They gave us some bread in the morning and in the afternoon they provided us with some rice. So we only ate rice one time. Sometimes my friends sold their personal things at a very cheap price to buy food. We had to queue with the other 8,000 persons from around the world. Most of them were illegal workers, in that jail.

In some cases, frontline responders seemed to recognize that individual migrant workers had been exploited and even trafficked but nevertheless this did not trigger a formal identification and referral process. One man, trafficked for fishing in the Pacific, described being in contact with Indonesian embassy staff when the vessel entered one port but he did not receive any assistance until after he was home in Indonesia. The embassy staff, he explained, was sympathetic to his poor work situation but did not consider him to be a potential trafficking victim, screen him as such or intervene:

No one, until my arrival to Indonesia, not anyone assisted me. [...] [The embassy staff] did not say anything. He only said, “You were oppressed”. He said, “You were really oppressed, so poor you”. He said like that. He only said that.

Lack of a common language in the destination country can constitute a barrier to victim identification. Victims were often uncertain of what was happening when they came into contact with authorities because they did not understand the language in the destination country nor did they share another common language with authorities. In some cases, victims spoke the local language but not fluently enough to be able to convey what had happened to them and the exploitation that they had endured. Access to interpretation was often challenging in many destination countries. For example, one Indonesian fisher, trafficked to South Africa, explained how he was the unofficial spokesman of the group of fishers with whom he was trafficked because he was able to speak English with the South African authorities.

**Inadequate screening for TIP during victims’ return**

Missed identification also occurred upon return to Indonesia; many trafficking victims were not screened or recognized as trafficking victims during the return process. To some extent this was a function of how victims returned – that is, self-returned or sent home by
employers – which meant that they did not naturally come into contact with authorities who might have screened them and assessed their case to be human trafficking, either at departure or upon arrival in Indonesia. One woman, trafficked to UAE for domestic work, was released when her employers abruptly sent her home without payment for her many months of her work. She described how they took her to the airport without any warning but she was so relieved to return home after the abuse and exploitation that she had suffered that she did not seek out any assistance or intervention:

They said they wanted to go to the supermarket but they bought me a plane ticket and I went home... They gave me a ticket and money. I was shocked because my clothes and my food were still in their house and I was wearing my pajamas and bringing my passport... I just got money for the ticket and I didn't know about my salary... They liked to hit me so I'm grateful that they sent me back home.

With legal documents and a valid plane ticket, she both exited UAE and entered Indonesia without triggering any trafficking indicators with the authorities.

Other victims left trafficking situations when released by employers at the end of their work contracts. They generally travelled home on valid immigration documents, crossed formal border crossings and did not necessarily manifest visible signs of their exploitation. Like the woman mentioned above, they were most commonly concerned with getting home as quickly as possible and did not seek out support. One man, who migrated on multiple occasions to Singapore for work (including being trafficked in some instances), explained that he did not face any questions when returning to Indonesia nor did he request help from the authorities:

Returning home was fairly simple. We didn't have to deal with the immigration. We were brought to Changi airport [in Singapore] then we flew to Indonesia and we never got questioned by the Indonesian immigration authorities.

Individuals interviewed for this study did not generally describe being screened as a potential trafficking victim when entering Indonesia even when there were indications that this might be the case. Some trafficking victims sought out assistance at borders but
nonetheless were not identified as trafficked. One woman, trafficked as a domestic worker to Qatar, was forced to work long hours, was unpaid, not given enough food to eat, prevented from leaving the house where worked and was verbally abused by her employer. She explained what had happened to her to airport authorities upon arrival in Indonesia, but the authorities assessed her to be a failed migrant worker rather than a trafficking victim.

[They told me] that I was an unsuccessful migrant worker. […] I told them my experiences there, that my employer was mean, the food that they gave to me to eat was not proper and so on and so forth.

Other victims went unidentified upon arrival in Indonesia often in spite of quite visible indicia of abuse that should have alerted identifying actors to the possibility of trafficking or some other violation. One woman, trafficked in the UAE for domestic work, was sent home by her employers on a commercial flight and with her documents. She had a visible and still bleeding wound and several other visible scars when she arrived in Indonesia but was not screened by airport authorities as a possible trafficking victim. Another trafficked domestic worker who returned from Bahrain explained that she was so visibly ill that the flight attendant on the airplane asked about her condition and whether her employer had abused or tortured her:

When I was on the way to go home, on the airplane the stewardess asked about my condition. [She asked], “What’s wrong with you? Did your employer torture you?” She gave me a blanket, since I was so chilly and could not sleep. I just get better nowadays. Actually I should have been hospitalized, but I did not have any money…

Nonetheless, this woman was not screened as a potential trafficking victim by the authorities upon entry into Indonesia.

**Lack of victim identification procedures in Indonesia**

Most of the trafficking victims interviewed for this study returned to live in their home communities after trafficking. Most went unidentified abroad and then were also often, at least initially, unidentified once home. When returned Indonesian trafficking victims were formally identified it was often reactive— that is, when trafficked persons themselves approached identifying actors to seek out some support. This is, at least in part, because, in practice, the institutional framework to identify and assist trafficking victims is uneven. With regional autonomy (or decentralization), it is the responsibility of individual provinces to prioritize and fund the anti-trafficking response within the province. Some provincial governments have prioritized identifying and assisting trafficking to victims. For example, in the province of West Java, the *Regulation Number 3, Year 2008 On Prevention and Handling of Victims of Trafficking in West Java* establishes that local governments must provide some forms of assistance (temporary shelter, legal aid, medical care, psychological support, economic empowerment and education) to trafficking victims who originate from the province of West Java. However not all district level governments in West Java have implemented local regulations and programs that support victim identification and assistance and resources available to identify and assist victims are often inadequate. And while the *Standard Operating Procedures for Integrated Services for Witnesses and/or Victims of Human Trafficking* establish that victim identification should be conducted by

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22 Currently in West Java province, 18 of 24 districts/regencies or cities have regulations on the prevention and handling trafficking in persons as well as a task force.

23 This is stated in MoWEC (2010) *Regulation Number 22, Year 2010 Standard Operating Procedures for Integrated Services for Witnesses and/or Victims of Human Trafficking*, which has its basis in law in Republic of Indonesia (2008) *Regulation Number 9, Year 2008 on Procedures and Mechanism of Recovery Services for Witnesses and/or Victims of Trafficking*. Article 46 of the anti-trafficking law states: ”(1) In order to protect
the Integrated Service Center (Pusat Pelayanan Terpadu or PPT),\(^{24}\) not every district in West Java has a PPT. The Ministry of Women’s Empowerment and Child Protection (MoWECP) Regulation Number 5, Year 2010 on Guidelines for the Establishment and Development of Integrated Service Centers (PPT) does note that PPT is a generic term for various institutions that provide services for victims of violence and, as such, when there is no PPT in the immediate vicinity, identification may be undertaken by representatives of various state authorities.\(^{25}\) However, in practice, the referral mechanism is not fully operationalized nor are all stakeholders at the district level fully aware of how the process for identification and referral should work in practice. In implementing a pilot project on victim identification in three villages in three districts in West Java, an important component of the project was coordination with district level authorities to map out the process of victim identification and referral, which was different in each of the three districts. Another key feature of the project was informing village-based stakeholders of the identification and referrals procedures and mentoring them through the process, a process that, in practice, was often riddled with obstacles and challenges. Policies for identification and assistance have not always translated into operational responses on the ground, particularly at the village level.

Moreover, in reality, opportunities for victim identification and referral are limited by lack of reach into villages where most trafficking victims live and have returned. Institutions typically tasked with victim identification either do not have a presence at the village level or have not been trained specifically on the issue of victim identification and referral, an issue that will be discussed in more detail below. Village-based institutions that could provide entry points for victim identification – for example, health clinics, village administration, schools, NGOs, youth organizations, religious leaders and so on – have not generally been engaged in this response by district, provincial or national institutions. Lack of an institutional framework at the village level to support the identification and referral of trafficking victims is further compounded by other practical challenges, including lack of resources to support village outreach by district level authorities or for trafficking victims to travel to the district for formal identification and referral.

witnesses and/or victims, an integrated service center may be established in each district/municipality for witnesses or victims of a criminal act of trafficking in persons; (2) Further provisions on the procedures and mechanisms of the integrated service center as referred to in paragraph (1) shall be regulated by a Government Regulation”. The Indonesian Anti-Trafficking Law does not specify who is responsible for formal victim identification. Republic of Indonesia (2007) Law Number 21, Year 2007 on the Eradication of the Criminal Act of Trafficking in Persons,

\(^{24}\) The Integrated Service Center (PPT) is a functional unit that carries out integrated services for witnesses and/or victims of violence. Integrated services are a series of activities carried out jointly by the relevant institutions and civil society to provide medical rehabilitation, social rehabilitation, repatriation, social reintegration and legal aid. Officers of the PPT are civil servants from different government institutions – for example, health workers, psychologists, psychiatrists, social workers, legal aid workers. PPTs can be formed at the national, provincial and district/city level. PPTs may be hospital-based (that is, located in a government or police hospital, private or public health center or community-based (that is, located outside of the hospital). In West Java province, there are six hospital-based PPTs, including one at a public hospital (PPT RSUD Hasan Sadikin Bandung) and five at police hospitals (PPT RS Bhayangkara TK II Sartika Asih in Bandung; PPT RS Bhayangkara TK IV in Bogor; PPT RS Bhayangkara TK IV Brimob Kelapa Dua Cimanggis in Depok; PPT RS Bhayangkara TK IV in Indramayu; and PPT RS Bhayangkara TK III Secapa POLRI in Sukabumi). MoWECP (2010) Regulation Number 22, Year 2010 Standard Operating Procedures for Integrated Services for Witnesses and/or Victims of Human Trafficking.

\(^{25}\) This might include, for example, the Integrated Service Center for Women and Children (P2TP2A), Safe House, Social Protection Home for Children (RPSA), House of Protection and Trauma Centre (RPTC) and Social Protection Home for Women (RPSW) as well as state social workers, including RPTC, RPSW and Family Welfare Consultation staff (LK3), police officers, members of Gugas Tugas (Pencegahan dan Penanganan Tindak Pidana Perdagangan Orang or District Level Anti-Trafficking Task Force) and medical staff. MoWECP (2010) Regulation Number 5, Year 2010 on Guidelines for the Establishment and Development of Integrated Service Centers (PPT).
Skills, capacity and tools to identify trafficking victims
Not all frontline responders were trained in victim identification nor had sufficient capacity to identify trafficking victims. It remains unclear, for instance, to what extent law enforcement and immigration officials in the Middle East, where many Indonesian women are trafficked for domestic work, have been trained in the identification of trafficking victims. Most of the trafficked domestic workers interviewed for this study were not, at any stage in the destination country, screened for trafficking, even when they showed visible indicia of abuse. Equally, frontline responders in other economic sectors like the fishing industry have often not been trained in how to identify trafficking victims. Lack of capacity to identify trafficking victims may be particularly pronounced in settings where there is a high rotation of frontline responder staff, like law enforcement.

In some destination countries, lack of training may be a consequence of the low priority given to human trafficking by the state. In other countries, there is a lack of a legislative framework and institutional response to address human trafficking. For instance, in 2013 when Indonesian fishers were detained on vessels in the Cape Town port anti-trafficking legislation had only recently been amended to include trafficking for labor, which meant that many frontline responders may not have been trained to screen and identify victims of trafficking for labor.

Indonesian trafficking victims also described a lack of capacity among frontline responders in Indonesia, like law enforcement. One woman, trafficked for domestic work, explained how improvements were needed in how police handled cases, explaining that the police did not accept her case in spite of consistency with the human trafficking law. This seems to have been due to a lack of understanding as to what constitutes human trafficking.
Community leaders were also not generally involved in the identification of returned trafficking victims, in spite of often being aware that these migrants had suffered while abroad. This seems to be a function of lack of skills and training on how to identify trafficking victims as well as options for referral and assistance. And yet village and community leaders are a natural contact point for trafficked persons seeking out assistance to support their post-trafficking recovery and reintegration. Over the course of the 18-month pilot project implemented in three villages in West Java, members of village-based MDTs preliminarily identified and referred many presumed victims of trafficking for forced labor in their villages. This, however, required intensive capacity building efforts through monthly training and mentoring sessions with MDTs in each village as well as the development of guidelines, indicators, a code of conduct and other tools.

To ensure that training and capacity building efforts translate into meaningful identification and referral, these should be in line with the real and evolving nature of human trafficking in the country. Yet many frontline responders understand human trafficking first and foremost as the trafficking of women and girls for sexual exploitation, which negatively influences real life responses, including victim identification. This means that, in practice, male victims and victims of labor exploitation face barriers to being formally recognized as trafficking victims and, thus, having access to assistance and justice.

As important is that tools are available to frontline responders – for example, identification criteria and TIP indicators – and that these resources keep pace with changes in traffickers’ behaviors and methods. Yet many identification tools and resources are oriented to women over men, trafficking for sexual exploitation over other forms of exploitation, transnational over internal trafficking and the trafficking of foreign nationals in the country over the

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26 This is not unique to Indonesia but has also been noted in other regions, like the Balkans and the former Soviet Union where the image of the typical trafficking victim has dominated anti-trafficking advocacy and awareness raising – that is, young, female, trafficked for sexual exploitation – and continues to inform how many frontline responders perceive trafficking and, thus, act and react in their work. Surtees, R. and A. Brunovskis (2019) ‘The identification of trafficking victims in Europe and the former Soviet Union’ in J. Bryson Clark and S. Poucky (Eds.) The SAGE Handbook of Human Trafficking and Modern Day Slavery. Thousand Oaks, California: SAGE Publications. See also Surtees, R. (2008) ‘Trafficked Men as Unwilling Victims’, St. Antony’s International Review, 4(1), pp. 16-36.
exploitation of country nationals. Indicators of human trafficking also need adaptation depending upon where and when victim identification takes places. Relevant indicators will differ depending on whether frontline responders are conducting victim identification in a destination country where it may be possible to observe sites of exploitation (for example, work sites) or in the home country after return where indicators will be more retrospective and based on what one can learn about someone’s experience abroad.

Training session on victim identification and referral with members of one village-based multi-disciplinary team. Photo by Thaufiek Zulbahary.

One tool for victim identification in Indonesia is *Guidelines for Frontline Responders and Multi-Disciplinary Teams at the Village Level*, developed in partnership with the Ministry of Social Affairs as part of the NEXUS Institute’s pilot project to enhance victim identification through village-based multi-disciplinary teams. The *Guidelines*, which were piloted, revised and published as part of the pilot project, offer step-by-step instructions on the different stages of preliminary and formal identification and how to refer and support presumed victims through the identification and referral process.27

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In addition, the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP) has, in collaboration with Task Force 115, developed and piloted an identification tool and guidelines for frontline officers to identify potential trafficking victims among foreign fishermen exploited for forced labor on fishing vessels operating in Indonesia’s water. Task Force 115 will adopt the tool and guidelines into its Standard Operating Procedure for future implementation.

Frontline responders involved in victim identification (including at the early stages of an initial screening or assessment of presumed trafficking victims) should be trained in how to sensitively and appropriately interact with trafficking victims. Thus, identification is not only about authorities being able to recognize signs of trafficking but, equally, about being able to screen and interact with trafficked persons in ways that will translate into disclosure and identification. This necessarily requires an environment of safety and trust that will lead presumed victims to disclose their trafficking experience. This disclosure, in many cases, will not come from a one-off interview. Rather, identification needs to be recognized as a process, which takes time, trust and sensitivity on the part of identifying actors.

Engaging community leaders and members in frontline identification at a village level requires that they are sensitive to and aware of the experiences that trafficked persons have suffered and treat them with sensitivity and respect. One woman, trafficked for domestic work, described receiving support from community leaders and being treated sensitively upon her return, support that was important in her recovery:

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28 Task Force 115 is an ad hoc agency under the leadership of the Ministry of Marine Affairs and Fisheries, established by Presidential Regulation No.115 year 2015. Task Force 115 reports to the President of Indonesia and is mandated to address illegal, unreported and unregulated fishing crime.

When I was so stressed, all of my family and relatives were supporting me. There was also a religious leader who gave me motivation and advice so that I could manage myself and so that I could also accept my destiny with sincerity.

However, other returned trafficking victims faced recrimination and blame from community leaders for their failed migration and the problems they faced as a consequence of trafficking, such as having been raped, forced to commit illegal acts while trafficked or having been detained as an irregular migrant. One woman, trafficked for domestic work, was raped while abroad and gave birth to a child as a result of the rape. When she returned home with this child she faced recrimination from a religious leader in her village who publically declared her an adulteress rather than recognizing and supporting her as a trafficking victim. This is in line with negative reactions experienced by other victims in their home community after return. One man, trafficked for labor, described gossip and rumors among community members about what he was said to have done while abroad:

There was a rumor from the neighbors, “Ah your husband likes to go to prostitutes”. ...that was just the reality around the neighborhood. “Ah your husband was just a drunkard abroad, returning home without money”.30

A code of conduct and the development of core ethical principles for frontline responders is an important tool in fostering and monitoring identification processes in the community.31

On-going training and mentoring in how to sensitively engage with trafficking victims is also important.

Lack of an appropriate response

In some instances, there was a lack of an appropriate response on the part of the authorities. Some trafficked persons approached authorities, explained what had happened to them and asked for assistance but authorities nonetheless seemed unwilling to formally identify them as trafficking victims. One Indonesian man, trafficked on a fishing boat in Taiwan (Province of China), was abused by his employer on the vessel but the agent and the police failed to act when he reported this violence to them. He explained that this meant that his suffering continued until he was eventually able to escape:

I always suffered violence when we were on the boat. Yes, I reported him [to the police] but he told the police that it was a misunderstanding. Yes, [I reported him] to the agent. I thought maybe the agent received some money because my employer is rich. So there was no one who believed my report and because of that he did violence again and again to me and finally I escaped from there.

In some situations, authorities took advantage of the individual’s vulnerability for their own benefit. One woman, trafficked to Malaysia for domestic work, escaped the home where she was exploited and found work on a construction site to earn money to be able to return home. While there she encountered a police officer who asked about her documents and whether she was working legally. She explained to the police officer that she had been exploited and abused in the home where she worked, that she had escaped and that she was now working in construction to pay for her trip home and to bring money home to her family. The police officer did not identify her as a trafficking victim and refer her for assistance (which would likely have included free transportation to return home) but rather


asked her to work in his home for several months in exchange for the boat ticket home. While not representative of all authorities, this example nonetheless highlights the scope for taking advantage of unidentified trafficking victims.

In a number of instances, trafficked persons reported being required to pay “fines” to the authorities in the destination country (for example, to avoid arrest), instead of being identified and assisted. One man, trafficked on a palm oil plantation in Malaysia, escaped and was trying to return home when he was detained by police. He did not have his passport (it was held by his employer on the plantation) but this potential signal of trafficking was ignored by the police:

When I wanted to return, I was held up in the road. I was arrested and asked for my passport. I had no passport so I was detained. Then I was released because I paid 50 Malaysian Ringgit [12.60USD] ... The term is “sweeping on the road”, sweeping to detain those who had no passport. The police said, “You were detained because your passport was not available”. I was arrested and I was asked for ransom. I gave 50 Malaysian Ringgit [12.60USD] and I was released.

In some settings authorities appeared unwilling to address issues of exploitation and trafficking, of which they were likely aware. One Indonesian man, trafficked to Malaysia to work on a plantation, described the small community setting where the plantation was located and what he assessed to be collusion between his employer on the plantation and local authorities and institutions, which prevented opportunities for identification and assistance.

[The boss], he was really vicious, his cruelty was famous. The police in [that town], all police in [that town] knew him, knew his scandal, cruelty and wealth. [It] was a small town. In fact, the police were afraid of doing anything to [him]. Once, I even took my friend to the hospital but the hospital did not serve us. [The boss] kicked in the door of the hospital. If Indonesian people got sick, the hospital did not serve us. He would get mad.

The lack of an appropriate response meant that a number of trafficking victims interviewed for this study went unidentified in ways that extended their trafficking exploitation and prevented them from being identified and assisted.

4.3 Decisions and behaviors of trafficking victims

Lack of identification in some cases was related to decisions of trafficking victims themselves. Some returned migrant workers did not know that they were trafficking victims, which meant that it did not occur to them to seek identification or assistance. In other cases, trafficked persons actively avoided or declined to be identified when they came into contact with the authorities for various reasons, including fear and lack of trust in authorities; not wanting to be involved in the legal process; not wanting to disclose their trafficking experience; or because

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identification did not offer what they needed and wanted. Some trafficking victims simply did not know where to go for help. And still other victims faced practical barriers to identification once home, related to time, distance and resources.

**Victims don’t recognize their experience as trafficking**

Many returning migrants did not know about human trafficking or did not recognize their exploitation as human trafficking. Often returning Indonesian migrants spoke about their “bad luck” during migration, rather than recognizing their experiences as trafficking. This was particularly the case among victims of labor trafficking, given that many Indonesians (including within civil society and the government) continue to associate human trafficking solely with trafficking of women and children for sexual exploitation, as one woman, who had been trafficked for domestic work, explained of her own understanding of the issue:

> I thought that trafficking is only to traffic a woman as a prostitute. So right now I understand that [my situation as a domestic worker] was also a trafficking situation.

A number of respondents, particularly those who migrated through formal labor migration channels, described how they slowly came to understand their exploitation as human trafficking when they did not receive their full salaries, when their movements were restricted, when the work conditions changed, when they were abused and so on. In some cases, these individuals explained that the initial weeks and months of work were satisfactory, but that the situation deteriorated over time into a trafficking situation.

Many trafficking victims described how they sought to evade detection by authorities – for example, as irregular migrants, for being involved in illegal fishing – fearing that contact would result in beingcriminalized or detained. Many trafficking victims made their own way home, proactively avoiding contact with authorities who might have been able to identify them but whom they feared would interfere in their return home. In such cases, identification was only possible once individuals had returned home to their villages, highlighting the critical importance of information and outreach to returned trafficking victims at the community level in Indonesia.

Even after some time, migrants did not always equate their experiences with trafficking. One woman had been home for five years and had never been identified as a trafficking victim. It was only when she participated in community discussions about trafficking some years after her return that she understood that she had been trafficked. As a consequence, she did not know that she was entitled to assistance as a trafficking victim, nor did she know what assistance might be available to her. And yet she spoke about her need for help in moving on from her trafficking experience:

> I need to heal my trauma, what is the solution for this? Where can I go to remove it? I want to heal my trauma, to get recovered. There should be a program to heal the trauma. How to get help for this?

Similarly, another formerly trafficked domestic worker explained that she had had only recently understood (several years after the event) that the exploitation she had endured was in fact human trafficking:

> I was also trafficked. And it was only [much later] that I understood that I had been trafficked. I did not understand during that time that I was a victim of trafficking. [One institution] asked me to be involved in paralegal training. Then I understood the term of human trafficking. Later I realized that I was a victim of trafficking and also a victim of domestic violence. When I understood this I had to tell other people who had the same experience. I should help them to learn from my experience. That was important knowledge.
Not recognizing one’s experience as trafficking was also an issue for trafficked men who, until very recently, were not understood to be victims of the crime of human trafficking. One Indonesian man, who was exploited on three different plantations in Malaysia, only understood that he was a trafficking victim some time after his return home. He explained that while he had known the term human trafficking, he was never identified as a trafficking victim nor did he see his experience in these terms. Rather, he came to understand that this term applied in his case when, after returning to Indonesia, he watched a news program in which human trafficking was explained:

Indeed, the term is human trafficking victim. At that time, that was the term. But no one informed me [that I was a trafficking victim]. I knew it by myself, from the news [later on].

Another man trafficked for labor also explained that he had not really grasped that he had been trafficked; he came to this recognition slowly over some time:

No one before [told me that I was a trafficking victim], but I feel so nowadays, that we were being sold or traded. It crossed my mind but whatever happened the only thing is that we survived. [I realized that I was sold] shortly after I returned. [...] I didn’t feel that I was being sold back then. I felt it after.

Recognizing that one’s experience of exploitation was the crime of human trafficking is a necessary precondition for being able to seek out or accept being identified as a trafficking victim and, in turn, have access to assistance and justice.
Fear of traffickers and recruiters

Some trafficking victims did not want to be identified by authorities because they feared that this would lead to problems and risks with their recruiters and traffickers, many of whom lived and worked in victims’ home communities. This was the case for those who were still abroad as well as those who had returned home. Fear of traffickers and recruiters influenced victims’ decisions about escape from trafficking. One woman was trafficked in Saudi Arabia as a domestic worker where she was exploited by her employer and not paid for her work. She contacted her husband and asked to return home. Instead of contacting the authorities, her husband contacted the recruiter to facilitate her return to Indonesia. The woman and her family assessed this to be the safest way to return home as they did not want her to be harmed by the agency abroad if she reported her case to the police and the embassy nor did they want her to spend time in prison as an irregular migrant if she fled her employer. The family was not confident that she would be safe in the case that they reported to the authorities and their primary concern was her safe return.

Some trafficking victims reported being intimidated and coerced by recruitment agencies upon return, interfering with options for formal identification as a trafficking victim. It was not uncommon, for example, that returned fishers were met upon arrival at the airport in Indonesia by the crewing agency and brought to the agency office where they were, in many instances, intimidated by agency staff. One man, trafficked on a fishing vessel, described how he was met and threatened by the recruitment agency upon his return:

I was picked up by people from the recruitment office. I was interrogated in the office. I was threatened. They just wanted to give me severance pay\(^{32}\) and send me home.

Other men, trafficked as fishers, also spoke about being threatened and intimidated by brokers and recruitment agency staff who knew where they and their families lived:

I was afraid because once they threatened me from the office. [They said], “Watch out if you do things. You take your own risk. You can sue us if you like. I am a sailor too”.

At that time my parents were also worried because of [the agency] calling my home, that I might be hurt by the company personnel, whether I was abducted or whatever... They were afraid. Even yesterday they [my parents] asked what if I faced some risks.

[The recruitment company] asked about my address. Then I reported to [an NGO] asking for protection. I was being threatened. Why did the recruitment company search for me? “Where are you?” It was clear that they were looking for me.

These men’s experiences highlight the reach and power of some recruitment agencies, which may prevent some returned trafficking victims from contacting authorities and may also lead trafficking victims to avoid identification by authorities, fearing repercussions from the agency.

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\(^{32}\) So-called “severance pay” is most commonly only a very small amount of money (100-200USD) rather than an amount that is in any way appropriate for the work completed and contractual arrangement.
Similarly, one woman who was trafficked to Malaysia for domestic work returned home before the end of her contract because of the working conditions. She was forced by the recruiter to sign a document obligating her to repay her recruitment and transportation fees to the recruitment agency. When the MDT in her village learned about her bad migration experience, one team member contacted her to discuss her case and ask if she wished to be referred for formal identification and assistance. She declined the help of the MDT because she was afraid of her recruiter and the recruitment agency, both of which were based in her home village.

**Fear and lack of trust in authorities**

Many trafficking victims described being afraid after their trafficking experiences, which led them to avoid or decline being identified by authorities. In some cases, this was a generalized sense of fear, which was the result, in large part, of the individual’s trafficking experience. One woman, trafficked for domestic work, explained that after her exploitation she feared everyone with whom she came into contact. She described being afraid of all men that she encountered during her flight, fearful that they would hurt or rape her. She also explained how she was offered assistance by one police officer but questioned whether she could trust him and fled. Even when she was identified and referred for assistance at an NGO shelter in the destination country she described her fear and uncertainty:

> One day, there was a staff member from [the NGO] who came to... pick me up. I was brought in a car [to the NGO shelter]. At the beginning, I was worried that they would also do bad things to me. I was brought to a house after a long journey using that car. Then I realized that that place was a shelter of [the NGO]. There were so many Indonesian people there.
In spite of being well treated by the NGO, her fear and lack of trust endured and, at one point, she ran away from the NGO shelter:

I got assistance from [the NGO]. [The] staff treated me well, taking care of me and providing me with food, medicine, and clothes. They accommodated me so that I could sleep well. I was there for about two weeks. I was also involved in some activities like dancing, exercise, aerobics, singing, group discussions, and counseling. Once I escaped from the shelter. I ran through the back door. At that time I thought that they lied to me and that they wouldn't return me home. But the staff of [the NGO] finally found me. “Just stay here at the shelter. Please don't ever escape again. You will go home soon”, a staff said to me. When I knew that I finally could go home, I said, “Thank God. They did not lie to me”.

Other trafficking victims feared interacting with authorities because they did not want to be detained and deported or imprisoned abroad as irregular migrants. One man, trafficked for work on a plantation in Malaysia, described how, when the plantation was raided by the police, he and his co-workers fled the worksite and hid in the jungle to avoid police detection. They had no money (as they had not been paid for their work) and no documents (these were held by their employer) and, as such, they feared what would happen to them as irregular migrant workers:

No, we did not think about reporting to the police. Because we thought that all police were the same, right? We considered them to be same... And actually we wanted to go home but we did not have anything. [No money] from six or seven months of work. We did not have any money... We did not hold our passport and our passports actually had already expired.

Like this man, many trafficking victims did not know that they were entitled to be identified and assisted as trafficking victims nor did they trust that this is what would happen in practice, leading them to fear and avoid contact with authorities. One woman, trafficked for domestic work in Saudi Arabia, explained that her employer had threatened her with arrest by police were she to escape and seek assistance from the authorities:

[My employer said]: “It’s okay if you want to escape but there’s police out there. They will arrest you and you will be a prisoner”. That’s why I didn’t have the courage to escape.

Poor treatment by some authorities did little to overcome this fear and may also have had implications for victims’ willingness to interact with authorities later on. The man mentioned above, trafficked for plantation work, described how he and his colleagues were eventually arrested by police at gunpoint and detained in deplorable prison conditions. At no stage were they interviewed about their experiences to assess whether they might have been trafficked in spite of the police being aware of the poor working and living conditions on the plantation, their lack of documents and the commonplace violence by the plantation boss:

In the prison, actually it was not better [than trafficking conditions], even though we had a space to sleep with sleeping pad... In there, we suffered more because we could only eat for one hour... There were hundreds [of] people in the prison. When we ate, we must queue for the kitchen. So imagine hundreds of persons and when we took rice, mealtime was finished. When we ate, the police slapped us because the mealtime had finished... We were given food but we did not eat it because we did not have time. When fortunately we got time to eat, we were not full. It was just one plate of rice... Most of us were sick.
Being arrested and imprisoned while trafficked also impacted how victims were perceived and received in their families and communities after return.

A number of trafficking victims who were misidentified as irregular migrants faced discrimination and censure from family and community members who thought that they had committed crimes. One man, trafficked for labor, was detained as an irregular migrant but the distinction between immigration detention and being in prison as a convicted criminal was not understood by his family. He described how when his parents were told that he was in prison abroad they understood this because he had committed a crime: “I was in prison. My father was shocked and then my father passed away. He was sick one day. The following day, he was taken to hospital and passed away. I did not see him... [My] parents were shocked. [They] had the perception that if I was in prison, maybe I was a thief or doing criminal things. It was in his mind, whereas I did not do anything like that. I was just an illegal [migrant worker].”

Some trafficking victims described lack of trust in law enforcement, which meant being unwilling to seek out protection after trafficking. One man, who was threatened by the recruitment company after he initiated legal proceedings once back in Indonesia, explained that he did not feel that protection from police was a realistic option and so did not report this incident to the police:

I actually wanted to call the police. But some police are good and some are not.

Some victims did not know (or trust) that disclosing their trafficking experience would lead to tangible benefits, like assistance, and feared instead that they would be arrested. They, therefore, did not share with authorities all that had happened to them. The issue of non- or limited disclosure might be alleviated if trafficked persons were more aware that identification should translate into assistance and support. However, as discussed earlier, many trafficking victims did not know that their experiences of exploitation rose to the level of human trafficking, entitling them to protection and legal recourse. Moreover, as will be discussed in the next section, many Indonesian trafficking victim were not aware of what support and help might be available to them, even had they known that, once identified, they were entitled to protection.

**Victims don’t know where to go for help**

Overall, trafficking victims seemed to have little knowledge of where they could go for help – both in destination countries and once back on Indonesia. Many trafficked persons interviewed for this study explained that they did not know where and to whom they might turn for help either to escape their trafficking situation or once they had escaped. This was particularly an issue in destination countries where civil society work was constrained and options for NGO assistance were limited. One man, previously trafficked onto a palm oil
plantation, explained how his friend’s wife was currently in a potential trafficking situation abroad and unable to return home. Neither his friend nor those in his family and community were able to offer advice on what steps should be taken to get help:

[My] friend told me that his wife wants to come home but is not allowed. We are confused about where to report this... Because there is no dissemination [about help], people fear that they would need to pay.

Some victims were aware that they could approach the Indonesian embassy for help while abroad and a handful of respondents did seek support from the embassy. However, in some cases, victims were intimidated by employers who threatened them that going to the embassy would lead to them being arrested and jailed by police as irregular migrants, as one woman trafficked in Saudi Arabia as a domestic worker explained:

When I worked for the last employer, after one week, I cried to her and asked to return me home. If not, [I said that] I would go to the Indonesian Embassy. I would complain to the embassy and ask them to find me a proper place and a decent employer. But she didn’t agree. She said, “What for? You will be jailed if you report to the embassy.”

Not knowing where to seek out help while abroad meant that many trafficking victims needed to escape and make their own way home to Indonesia, often at great risk and personal expense.

Many trafficking victims also did not know where to go for help once home in Indonesia. Information about assistance options – for trafficking victims, exploited migrant workers or vulnerable persons more generally – was not widely known among trafficking victims interviewed for this study.33 One man, trafficked on a palm oil plantation in Malaysia, described his need for assistance once home but also his inability to access the services and support he needed:

Because I did not know how to get it, in what way I could access [assistance]. I had no information [about] what organization I could go to and how I could ask for assistance.

Many trafficked persons said that they did not know what assistance they were entitled to or where to go to get assistance or services. A significant number of trafficked persons spoke about their lack of knowledge about opportunities for help once home in Indonesia. One man, trafficked for labor, described his confusion about his eligibility for services:

No one offered us assistance... I wonder why people in a pinch like me always have a hard time getting into that recipient list [for help]. I don’t know what the problems are. Do I have to make a statement that I’m poor to the RT [rukun tetangga or neighborhood] and the village? I’m not sure.

33 To fill this gap and as part of the pilot project to increase victim identification and protection, NEXUS Institute, in partnership with the Indonesian Ministry of Social Affairs, developed a Directory of Services, which explains the assistance programs available from government institutions and NGOs for trafficking victims, migrant workers and vulnerable persons more generally. The Directory has been disseminated to trafficking victims in their home villages throughout West Java to allow them to self-identify and self-refer, if they wish to. See: NEXUS Institute (2018) Directory of Services for Indonesian Trafficking Victims and Victim/Witnesses: Jakarta and West Java. Washington, D.C.: NEXUS Institute and Jakarta, Indonesia: Ministry of Social Affairs.
A woman registers for health care in West Java. Many trafficking victims do not know where to go to receive assistance and services. Photo by Peter Biro for NEXUS Institute.

Even when victims knew about available services, they were uncertain around their eligibility for assistance. One man, trafficked on a palm oil plantation in Malaysia, described how many trafficking victims do not know that assistance and services they are entitled to are free of charge:

I just knew about things related to NGOs, assistance. Now we are grateful that there is some assistance provided if we have complaints. But most people like us would wonder whether there would be some cost that we need to pay if we requested assistance from NGOs.

A number of returned trafficking victims expressed concern that receiving assistance would cost money, that they would need to pay for any help they received.

**Victims do not want to be involved in the legal process**

In some cases, resistance to identification was because victims did not want to report their case to law enforcement and get involved in the legal process. One woman, trafficked for domestic work, explained that she did not want to become involved in any legal procedures and when one government agency asked to interview her about her trafficking experience she agreed only on the condition that she would not have to report her case to the police or initiate any legal proceedings:

I said [to the agency] if it gets complicated and there’s a law involved, I don’t want to. I don’t like complicated things like that. I don’t want to be involved with the law. If there’s another person who becomes a migrant worker, I feel pity for them. I hope they don’t go to [the same] agent again and also pay money [to the agency] for work placement. But if I have to be involved with [the] law, I don’t want to.
Of the 26 presumed victims identified as part of the pilot project to enhance victim identification in West Java, only four expressed a willingness to report their case to the police and only three had actually done so by the end of the pilot project. Needing to interact directly with law enforcement was an intimidating prospect for many trafficking victims and the criminal justice process was difficult to understand. One important contributor to trafficking victims being willing to report their case to the police was the support of the village-based multi-disciplinary teams, who informed victims about the steps involved in the criminal justice process and their roles and responsibilities as a victim/witness. Each victim was also accompanied by members of the MDT when he or she reported the case to the district level police and MDT members were available afterward to answer any questions that the victim had and to serve as a liaison with the police at the district level. To the extent that victims feel or understand that victim identification requires involvement in the criminal justice process, this may dissuade them from being identified as a victim of trafficking.

A police station in West Java. In some cases, resistance to identification was because victims did not want to report their case to law enforcement and get involved in the legal process. Photo by Peter Biro for NEXUS Institute.

Some trafficking victims may not have initiated criminal justice procedures because they had been forced by recruitment companies to sign statements that they would not pursue legal action against recruitment companies in exchange for a small payment. One man, trafficked for labor to a factory in Taiwan (Province of China), described how, upon his return home, he went to the recruitment agency to claim his unpaid salary. While he was owed 20 million IDR [1,818USD], the agency only agreed to reimburse seven million IDR [636USD], contingent upon his willingness to sign a statement not to bring legal action:
[The agent] said, “I cannot refund all. I can only give you seven million IDR [636USD] back”. I didn’t accept, I felt cheated with this *modus operandi*. [...] After consulting with [the NGO staff], he suggested to accept the money. So I did what [he] suggested and I went back there to accept the seven million IDR [636USD]. The seven million IDR [636USD] was to pay my debt. And we had to write a statement there [...] that I will not press charges against [the recruitment agency] regarding this. [...] How could I refuse? I have a huge debt to pay. I was confused.

While it is unclear if this man would have initiated legal proceedings in this case, what is clear is that this tactic is used by recruitment agencies to preempt trafficking victims from pursuing this legal avenue.

**Victims don’t want to disclose their trafficking experience; victims want to leave trafficking experiences in the past**

In some cases, trafficking victims did not seek out or accept identification because they did not want to tell the authorities about their trafficking experiences and talk about what they had suffered. Unwillingness to disclose trafficking experiences may be particularly acute in destination countries. Many victims, having just emerged from trafficking, were frightened, confused, traumatized and disoriented, which hindered their ability and willingness to disclose experiences to authorities or service providers. The context in which much identification takes place in destination countries—for example, in police stations, detention centers, during work site raids—also does not foster high levels of trust needed for disclosure. Identifying actors necessarily face difficulty in navigating such situations, trying to encourage the openness required for successful identification while working in settings that work against this.

Once victims were home in Indonesia there was also an inclination among some, arguably many, to leave their trafficking experience in the past rather than to pursue avenues of recourse. One woman, trafficked to the UAE for domestic work, was falsely accused of adultery by her employer, likely to deflect from her trafficking exploitation. After serving her prison sentence she was deported to Indonesia where she was approached by members of the village-based multi-disciplinary team in her home village responsible for preliminary identification and referral of presumed trafficking victims. However, she declined to be referred for formal identification by the MDT in spite of the assistance options that this would have afforded her. She said that she was grateful to be back in her home village and did not want to ask for anything except to have her identity documents returned by the recruiter. Similarly, one man, trafficked for labor, explained that he had never reported his trafficking experience to authorities as he did not want his trafficking experience to drag on and interfere with his life:

> ...all of this time we never reported this to anyone... I got some advice to report [my case] to the nearest [community] police department, but I never did. [I didn’t want to report because] I feared that this matter will drag on.

Shame and embarrassment also played a role in trafficking victims’ decision not to be identified. Many trafficking victims felt uncomfortable, stressed and even ashamed in the wider community because they failed in their migration, as one man trafficked for fishing explained:

> It was a feeling of longing and being a bit ashamed. Because after working abroad for so long we came home with nothing. As the time went by, other people began to ask why my life was still the same back at home. I did not have the heart to tell my story to everybody...
Many trafficking victims initially avoided or declined to be identified as trafficking victims in destination countries, insisting on immediately returning home. However, these same individuals later sought assistance once they recovered from the initial shock of trafficking and began to make decisions about the rest of their lives. As such, not wanting to disclose one’s trafficking experience may be influenced by time (once the initial shock has abated) as well as need (when victims are unable to cope on their own). This highlights the importance of victim self-identification and the need for referral and assistance information that is accessible to victims in their home communities so that they can self-refer at a later stage, when they can better understand, process and make decisions around identification and assistance.\textsuperscript{34} In the context of the village-based multi-disciplinary teams tasked with preliminary identification, it has been important to leave open the option for victims to approach the team at a later stage, after a period of decompression and if they wish later on to disclose their trafficking experience.

\textbf{Identification does not offer trafficking victims what they want; identification means not being able to work abroad}

Some trafficking victims were aware of their exploitation but had limited options given their personal and family circumstance. Most had incurred (often substantial) debt to fund their migration and also faced economic problems in their families that had triggered their migration. Some trafficking victims received small amounts of money while exploited which they assessed was better than not earning anything at all and, as such, remained in their trafficking situation. Others stayed because of the promises made to be paid in the future. One woman, trafficked in Saudi Arabia as a domestic worker, explained that she remained in

her work situation for many months in the hope that she would eventually receive the money that was owed to her:

The employment contract did not apply to them. They never gave me bonuses, even the salary was very difficult to get. Every day I fought to ask for my salary. However, even until now, they had not paid my full salary... When I asked for my salary, it was very difficult. There were so many reasons [they gave not to pay me]... If I asked for my salary, my employer always said, “Later, later”.

Escaping before being paid would have left her in an extremely vulnerable position, not least given the debt she had incurred to migrate. She assessed that even small and intermittent payments were preferable to not receiving anything at all.

Some trafficking victims who managed to escape trafficking situations found ways to stay in the destination country and find other work, which allowed them to earn and remit money to their families at home. One woman, trafficked in Saudi Arabia as a domestic worker, managed to leave her employer after one year and find work as a beautician. Her previous employer had kept her passport and she was without legal status in the country, which meant working illegally and living covertly with other undocumented workers. She was, however, able to earn money in this period, which allowed her, as a divorced mother, to support her three children and also her aging parents. In the end she worked abroad for ten years in these conditions. Similarly, another woman, trafficked for domestic work in Malaysia, escaped the home where she was exploited but then found work on a construction site where she worked as a cleaner to fund her return transportation to Jakarta:

[The man] said, “Do you want to work in construction?” I said, “Sure. The important thing is I go back home to Indonesia”. He said, “Okay, I will recruit you to work at a construction project. Then you can collect money after getting your salary so that you can go back home to Indonesia”. Then I worked with him at the construction project, cleaning and wiping the doors... I worked there for three months... I could pay for my transportation cost to Jakarta.

One man, trafficked initially for work in a factory in Malaysia, escaped and managed to find work in another factory, where he was able to stay and work temporarily and earn money in satisfactory conditions, which was critical in being able to pay for his return home and also come home with money:

I worked at shipbuilding. There was freedom and I felt comfortable working there. I got money if I worked and so on. It’s about 3.5 Malaysian Ringgit per hour [0.88USD] so I got 100 Malaysian Ringgit [25USD] for a month... [...] Yes [the place was good]. We can take a one hour break and the salary was suitable and there was also overtime work. [...] [I returned to Indonesia] when I got my salary and I got enough money.

35 In the context of NEXUS’ pilot project to identify trafficking victims through village-based multi-disciplinary teams, there were some instances in which trafficking victims sought help not to be identified but rather to be able to find a better job in the destination country. In two instances, women working as domestic workers in the Middle East contacted their families when they were exploited by employers – for example, abused, unpaid, forced to work long hours, unable to move freely and so on. The women’s families, in turn, contacted the MDTs working in their home villages for assistance. When the MDTs contacted the women to discuss their needs, the assistance requested was not to return home but to find another employer so that they could continue to work and send money home to support their families.
A man works in a factory in West Java. Photo by Peter Biro for NEXUS Institute.

Being identified as a trafficking victim meant being returned by authorities to Indonesia, which interfered with the victim’s ability to find and earn money in another job. As such, some trafficking victims proactively evaded contact with officials who may have been able to identify them as victims but whose intervention would have involved a return home. One man, trafficked for work on a construction site in Malaysia, described how he and his colleagues would often hide from the police when they passed the work site:

I installed marble daily. But my mind was always uneasy because sometimes there were police cars patrolling. Sometimes they just passed by or stopped. And when they did stop, we hid in some alleys, parks, under the marbles, or someplace else that the police wouldn’t be able to find us. Once there were some police operations, labor controls. We tried to hide and run. Among the six people, we always warned each other if the police were near.

Some trafficking victims were re-trafficked in their attempts to avoid being returned to Indonesia. One man, trafficked in Malaysia, was exploited on three different palm oil plantations. He escaped from one plantation when the conditions and violence became too much but faced similar conditions on the second plantation. He escaped again and found work on a third plantation, where conditions were even worse. He then found work at a stone cutting factory where the conditions were acceptable and he received his salary, which allowed him to return home with money after a period of working there.

**Practical barriers to identification – time, distance and resources**

Most trafficking victims returned to live in their home villages, which are located quite long distances from the district capital where formal identification would take place and assistance was available. One woman had never been formally identified as a trafficking victim and had received no assistance. She expressed a desire for counseling as she was still traumatized by her trafficking experience. However, formal identification would not
necessarily mean that she could access this service given that she lives in a village that is four hours by car from the district capital and several more hours to Jakarta where such services are available. With the rigorous, costly and challenging travel involved in the repeated visits necessary for a full program of mental health treatment such care is meaningfully available to this trafficking victim, nor would formal identification provide this opportunity.

A town in West Java. Most services are located in the district capital. Photo: Peter Biro for NEXUS Institute.

Reaching needed services once identified was impeded not only by distance but also by the time involved in traveling as well as the costs – i.e. the cost of travel and loss of income when not working. Many trafficking victims lacked the to travel to the offices of relevant authorities and even to contact authorities or services providers by phone. One man, trafficked for labor exploitation, said simply that he could not look for help and be identified by the police because he lacked money to pay for transportation:

I didn’t have money. [...] Yes, we need money for transportation to go to the police.

Another man, trafficked for labor in Malaysia, described how transportation barriers and the long distance from his home to the district administration prevented him from being able to seek out formal identification and assistance:

I used to talk about [getting assistance] to people. But since it was far and I needed some funds to get there, then that was a dead end... I don’t have a car, so it depends also if people want to go there... So I stopped and discontinued it...it is far.

Practical constraints around time, distance and resources meant many victims went unidentified and unassisted, including in terms of options for access to justice.
5. The impact of going unidentified

The previous section describes a number of significant barriers in the successful identification of victims of human trafficking. When these barriers are not addressed and individuals are not identified as trafficking victims, there are severe and negative consequences for these individuals. While going unidentified meant different things for different trafficking victims, for many, it meant that they lost the opportunity to escape and move on from trafficking. Going unidentified generally meant continued vulnerability and risk and a range of challenges and constraints in trafficking victims’ post-trafficking lives. For some victims, it meant not being able to leave their trafficking situation. For others, it meant vulnerability in the initial aftermath of escape or exit and during their return. It also meant, for the many Indonesian trafficking victims, that they went unassisted and were without access to justice.

On-going trafficking exploitation

Regardless of the form of trafficking or the specific destination, Indonesia trafficking victims suffered violence and abuse, psychological trauma, poor living conditions, dangerous and hazardous working conditions, inadequate food and water and lack of medical care, among others. All trafficking victims interviewed for this study described harrowing conditions while exploited:

There was no room. I slept in the living room under the dinner table... Sometimes I fell asleep in the bathroom while I washed the clothes. I worked. I did not sleep. (Woman trafficked for domestic work)

I was starving. I suffered inner torment. My employer was really stingy. I took food from the trash because I was really hungry. (Woman trafficked for domestic work)

I worked [in the factory] for twelve hours, 7am until 7pm, and then overtime until 10pm. [...] We didn’t get any days off and we worked until noon on Friday. We worked for twelve hours and took a break for 20 minutes. When we worked, we kept silent otherwise our supervisor would get mad at us. (Man trafficked for factory work)

[There were] ...lots [of accidents], cases of broken legs, loss of an eye, being pierced by metal, hot liquid lead running down a thigh. The last one happened to my friend... It was treated when we saw him. He said it was healing but it later turned out [that the leg] was amputated. There were many cases of accidents. (Man trafficked for factory work)

I worked so hard. There with strict discipline. If we were late by only a minute, we were beaten up. They beat us using a baseball bat. [...] I was beaten up using a stick. [...] It could be [a beating until we were bloody]. That’s why no one could stand it any longer. (Man trafficked for fishing)

I was beaten with high heels, until I was bleeding [from my head] ... I was tortured with a cable and broom until the stick was broken... The boss woke me up and flushed my eyes with soap, it was Clorox, a chemical substance. I went directly to bathroom; I could not see anything. Even though I was blind, the boss did not believe
it and told me to work and work all the time. She did not send me back [to Indonesia] directly. I was told to work so I broke everything [because I could not see], then they beat me again. (Woman trafficked for domestic work)

Failure to identify trafficking victims at work sites meant that they remained in trafficking situations and continued to be exploited. Going unidentified prolonged trafficking victims’ suffering for months and even years. The experience of one man mentioned above, who was trafficked on a fishing boat in Taiwan (Province of China) serves to illustrate this risk. After suffering violence and abuse from his employer, he reported this to the police and the recruitment agency but to no avail. They took no action and, as he explained, his exploitation and abuse continued:

So there was no one who believed my report and because of that he did violence again and again to me and finally I escaped from there.

On-going exploitation necessarily had a critical impact on Indonesian trafficking victims, not only by extending and worsening their suffering, but also affecting their ability to cope and to recover and reintegrate once home.

**Continued vulnerability and risk after exit**

Being unidentified after having escaped or exited one’s trafficking situation was a source of considerable risk and vulnerability. For those trafficked internationally, it meant being in a foreign country, often without documents, money or any avenues for support. This put trafficking victims in a situation of continued vulnerability. Risk was amplified when trafficking victims were unable to speak the local language and, thus, unable to communicate with those who may have been able to assist.

Some women experienced sexual violence following their escape from trafficking. One woman escaped the home where she was exploited as a domestic worker but ended up sexually harassed and abused by passers-by on her way for help:
When I walked by, there was a car horn at me. The driver then asked why I didn’t answer his salaam [greeting]. [...] He told me that maybe my employer will find me... Then he said, “Don’t be afraid, we will not do any harm to you”. [...] They said, “Don’t go back home. Come to my place first” ... But I refused and asked them to please take me back home, if not, I would jump out from the car... I said to them, “You are Muslim, why do you do harmful things to me (touching me sexually), remember there is Allah [God] that sees”. [...] I did not want them to touch me. It’s harmful things... I prayed that it would stop then. But after that he touched and grabbed [me].

Large numbers of trafficking victims were detained and arrested instead of being identified as trafficked. They reported substandard living conditions during their time in detention, including inadequate or poor-quality food and crowded and unsanitary living conditions, as one woman trafficked for domestic work explained:

There was no activity at the detention center. We only chatted, sat, slept... There were thousands of people there. There were hundreds [of] people in one room. There were also people who got stressed.

Many detained trafficking victims were exposed to verbal abuse, threats and intimidation by guards and authorities. Some were also physically or sexually abused in detention centers. One man, trafficked for factory work, was detained by immigration officials in the destination country and described being interrogated without an interpreter and beaten by authorities:

They beat me to get [me] to confess. I didn’t understand the language so I just stayed silent. I was instructed by the [recruitment agency] to just stay silent if something happened and so I did. [...] I was hit with a foldable chair once on the chest and the back. They saw me as a smuggler.

Eventually he was deported. Once home, he sought medical treatment for the injuries he had sustained during the beating, but he struggled to overcome the psychological impact of his detention and abuse. Similarly, one woman, trafficked to the Middle East for domestic work, reported being abused by police while in detention and having to fight off the assault. She was visibly upset and unsettled when describing what she had suffered while in detention:

...the door [to the cell] was unlocked, not locked at all. So I could not sleep. How could I sleep? I was afraid of the police. They were so evil... I was only a maid and he tried to do something [sexual] to me.... All police there were evil... They just pretended to be saints, but that was only what they said. But they are all evil.

Poor conditions in detention facilities as well as long periods of detention affected detained victims’ physical and mental well-being, as one woman described:

We were told to just stay in the room. Every morning they counted how many of us because they were afraid if someone escaped. Every morning we needed to line up from 7am to 8am. After they counted us we went back inside. When it was time to eat, we were told to go outside the room and pick up our meals and then eat”.

Said another woman: “There were many [women], maybe around ten people [in one cell. Then I moved, there were eight or nine [people]. We fought for food, smelly bread. I was crying. I remembered Indonesia.” Another woman trafficked for domestic work described having to fight for food in the detention center where she was held: “Sometimes I got some food. Sometimes they ran out of food before I could eat. People competed to get food”.

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And one man, trafficked for labor, described similar conditions and abuse in the detention facility where he was held after being arrested as an irregular migrant but not identified as a trafficking victim:

> When we ate, the police slapped us... The time [to eat] was finished... when we just eat one spoon. We did not even have time to swallow the rice, time was up. So we got in and we did not eat.

Some trafficking victims were threatened and brutalized by recruitment agency staff prior to their return home. One woman trafficked for domestic work in the Middle East described being held at the recruitment agency where she was intimidated and abused by agency staff:

> I requested to go home as I could not take it [the working conditions] any longer. I was taken to the [agency] office and I was beaten... I was scolded. The person said I was stupid... It made me cry.

Another trafficked domestic worker was beaten by the agent abroad when she asked to go home after being abused by her employer:

> Then, just before I was about to leave, I was hit with a rock...by the agent. He told my employer that he wanted to beat me up because I asked to go home. This was despite the fact that I was complying with the rules and conditions to go back home.

Another woman trafficked to Malaysia as a domestic worker was raped by the recruitment agency staff and security guard when she was held at the agency before being sent home to Indonesia.

Being unidentified after having escaped or exited trafficking situation involved many difficulties and violations. For some trafficking victims, being unidentified led to detention and further abuse in the destination country. Without documents, money or any avenues for support, unidentified trafficking victims remained in situations of continued vulnerability.

**Risks and problems associated with return**

Being unidentified abroad often meant having to make one’s own way home which, for many trafficking victims, posed substantial risk and required navigating complicated and stressful return processes. Trafficking victims who self-returned faced a number of issues during the return process including going into debt to fund their return home, being stressed and afraid during the return process, being at risk of re-trafficking or retribution from traffickers, being extorted for money by authorities and crossing borders illegally or without documents. One woman, trafficked as a domestic worker to Malaysia, executed a dramatic escape and was exposed to many risks as a result. She escaped after being beaten by her employers, fleeing into the nearby jungle where she remained for a week without proper food, drinking water and shelter: “In the jungle, I just leaned against a tree to sleep, drank swamp water, and only ate bananas or whatever fruit I found. During my escape in the jungle, my body and clothes were soaked and wet because of the rain but I had only one set of clothes. I often cried because I wanted to go home”. She also described extreme physical risk including an attempted rape and the risk of being re-trafficked:

> I was almost raped by a man who was walking in the jungle collecting palm oil... He brought me to his place and tied my hands. He tried to rape me and turned a knife to my stomach and chest. Fortunately, I could escape. Before he started to rape, he was preparing marijuana. There was a time when he was not looking at me. Then, I escaped. [...] Once, I was approached by a man while walking on the street. He pretended to be a good man and offered me a job as a domestic worker. I agreed and
then I followed him. But I was brought to a hotel room with three men inside. [...] Then, I thought that I will be forced to be a prostitute, to serve sex to those three men. I escaped from that hotel and jumped from the second floor. It made my hands hurt, my hands were bleeding. I was afraid to be raped by them. [...] All I wanted was just to go home to Indonesia but, at that time, I did not know where to run to. I did not know where to go for help. [...] I was found by five Indonesian migrants who worked in a palm oil plantation. They brought me to their place. [...] One man called my family...

Traffic in a village in West Java. The process of return was fraught with risk for many trafficking victims. Photo by Peter Biro for NEXUS Institute.

Trafficked fishers were often deported from the destination country (rather than being identified as trafficking victims and assisted to return) and then collected from the airport and “processed” at recruitment companies in Indonesia for some days after arrival. This occurred even in situations when institutions and organizations were seemingly aware of the likelihood that the men had been exploited or trafficked, as one returned trafficking victim explained:

We were picked up by the head of [one government institution]. We were then interrogated about how much of our salary that hadn’t been paid. How long had we been working there? We filled out and signed forms then they called the company to pick us up ... our minds weren’t settled yet. [...] Yes, [the company] was called [by the government agency] to pick us up and to inquire about their responsibility... [...] [The government agency] handed us over to the company. But, as far as I know, I shouldn’t have been handed over to the company.

The process of return itself was fraught with risk for many trafficking victims including extortion, violence and the risk of re-trafficking. One woman, trafficked as a domestic worker to the UAE, returned after her employers decided to move to another country. She was forced to pay for her own plane ticket home (with the agency deducting the cost from her
still-unpaid wages). Upon her arrival in Indonesia, she traveled by car to her home village, which was a few hours away, and described being threatened and extorted for money by the driver:

At the airport, there were thirteen of us. The travel car stopped first in [one town] at a small restaurant. The driver changed and three women joined the travel car. So there were four people in total. The driver asked each person to sit in front when it was near her house. At that moment, the driver threatened us. If we did not pay 300,000 IDR [27USD], he would not responsible of our safety during the trip. I was so afraid. I just paid it.36

Being unidentified abroad posed substantial risk to Indonesian trafficking victims who navigated complicated and stressful return processes as a result. Self-return can result in a number of issues for trafficking victims, including going into debt to fund return, being stressed and afraid during the return process, being at risk of re-trafficking or retribution from traffickers, being extorted for money by authorities and crossing borders illegally or without documents.

**Going unassisted**

Going unidentified generally meant being unassisted – that is, not having access to assistance or support, in the destination country or once home. Lack of support was stressful and impeded victims’ recovery and reintegration, which, in turn, exposed them to vulnerabilities that could have led to further exploitation and even re-trafficking. Many victims struggled to come to terms not only with the exploitation they had suffered, commonly involving multiple layers of violence and hardship, but also the challenges faced after return.

Going unassisted generally meant trafficking victims returned to the same (or a very similar) economic situation that made them vulnerable to trafficking in the first place. Further, many victims’ economic situation had worsened because of trafficking, not having returned with money and having incurred migration debt. One woman, trafficked for domestic work, described returning to the same economic situation that she had migrated to improve:

When I went home, it was so sad and unsuccessful because I didn’t bring money home. My daughter thought that I would bring some money. I cried and my tears dropped when I saw my daughter and my husband. I was mentally depressed...I am afraid it will happen again. When I slept and woke up, then I remembered what happened in Saudi Arabia. Until now, maybe it was five or six years ago, it is still on my mind, not being removed from my life. I was traumatized.

Similarly, one man, trafficked for fishing, when asked about his biggest challenge after returning to Indonesia, focused on the problems in his family, largely linked to his failure to remit and return with money. He described tension and conflict within his family related to his migration debt and his failure to send money home while trafficked:

[Our relationship when I returned] was pretty good. My wife once said that it was okay to just stay in the village, we could get by with whatever work we could find... But eventually things changed. After seven months, her attitude started to change and she brought up the problem of when I was away sailing a lot [trafficked]. [...] That I worked for three years but never sent money home for covering our children’s education, daily expenses. It always came down to that.

In addition, because trafficking victims emerged from stressful and traumatic experiences, many struggled to behave and interact with family members in constructive, healthy and positive ways, particularly when they did not receive assistance or services for their (sometimes severe) physical and mental health needs. One woman, trafficked as a domestic worker, described being stressed, anxious and angry with her family when she first returned home, often fighting with her husband without cause:

...my mind was everywhere. Sometimes I got angry with my husband... What did he do wrong that I was angry at him? But he never said a word.

Not receiving much-needed assistance negatively impacted recovery and reintegration for many trafficking victims. One woman, trafficked as a domestic worker, described a raft of post-trafficking needs, including medical and psychological support, which she did not receive:

I suffered in pain. I was divorced from my husband. When I returned home, I was also sick. I did not bring any money since my five month-salary was not paid...I could not walk properly. I was so stressed since I did not have money. [...] Since I was so stressed, it was not about the material things but my tension was related to marriage and my relationship with my husband.

One man, trafficked for work in a factory, spoke of his need for counseling services but being unable to access this support:

I got shocked and scared sometimes, but I discipline myself. I schedule when I must rest and work. Sometimes when I wake up from my sleep I get shocked so I sit down then sleep again. I don't know how to erase that feeling. Maybe I could go to a
psychiatrist when I have money… I really want to visit a psychiatrist and get treatment. I don’t want to be like this when I get older.

Similarly, one woman, trafficked for domestic work, who was blinded by her employer while trafficked, returned to her community, unable to work and unable to access the on-going medical care that she needed:

I really hope for assistance. I will be thankful if I get assistance. I am honest. I must get help from government, with my condition and my economic condition.

By contrast, a number of trafficking victims described the importance of the assistance they had received in supporting their recovery and reintegration. One young man, trafficked for labor, received monetary support, housing and assistance to pursue further education following his return, which was important in allowing him to move on from his trafficking experience:

My mental state is more brave, more confident. Because before I was experiencing what the other migrant workers face.

The importance of assistance in the recovery and reintegration of trafficked persons is highlighted in the Guidelines for Law Enforcement and the Protection of Victims of Trafficking in Handling Trafficking in Persons Cases in Indonesia, which note specifically that: “…recovery assistance needs to be given to the victim[s] to allow them to fully recover for their own good and for the interest of the community.”37 Enhanced victim identification both at destination and in Indonesia is an important step in being able to provide this assistance and protection.

6. Conclusion and recommendations

Indonesian trafficking victims exploited for labor have vastly different experiences after trafficking, including in terms of victim identification and, by extension, assistance and access to justice. Their experiences are also informed by the different forms of labor trafficking for which they have been exploited, their different experiences while trafficked, the range of identifying actors involved with differing roles and capacities and the myriad contexts and settings in which victim identification does (and does not) take place. Victims’ experiences of both identification and missed identification are vital information in understanding the different barriers to and issues in victim identification in the destination country, during return and once home.

Some barriers are a function of how trafficking plays out – largely invisible and out of sight. Traffickers proactively sought to create and maintain victims’ isolation and invisibility for the duration of the trafficking experience precisely to evade identification. Some features of this isolation included limited or no communication with anyone outside of the trafficking situation; being isolated and/or on remote work sites; no contact with others and language barriers. Other barriers related to the institutional framework in which identification takes place including the lack of victim identification undertaken in destination countries; inadequate screening for TIP during migrants’ return; lack of victim identification procedures in Indonesia; lack of skills and capacity to identify trafficking victims; and lack of an appropriate response by authorities. And, in some cases, going unidentified was the result of decisions of trafficking victims themselves – because victims did not recognize their experience as trafficking; fear and lack of trust in authorities; not knowing where to go for help; not wanting to be involved in the legal process; not wanting to disclose their trafficking experience to authorities; because identification does not offer trafficking victims what they need; identification meant returning home and not being able to work abroad; and lack of resources to access assistance.

Understanding why victims are (and are not) identified is necessarily only one part of the discussion. As important is to document and appreciate the serious and severe impact that missed identification has in the lives of Indonesian trafficking victims including enabling their on-going exploitation; creating substantial risk after escape/exit and during the return process; and victims not having access to assistance or support. These impacts are not only experienced by individual trafficking victims, but also by their families and within the communities where they return to live. These serious impacts highlight the urgent need to enhance victim identification efforts, to ensure that trafficking victims have access to assistance to support their return, recovery and reintegration as well as access justice, if they so choose. The following recommendations offer guidance in how to increase the safe and sensitive identification of Indonesian trafficking victims and ensure that they can access their rights accordingly.

Train frontline responders in destination countries to identify trafficking victims from origin countries like Indonesia.

- “Frontline responders” should include a wide range of officials and other professionals from various sectors who are in a position to interact with individuals who may be trafficking victims. This may include immigration authorities, criminal justice practitioners and law enforcement, labor inspectors, port authorities, fisheries inspectors, social services and civil society organizations, among others.
• Ensure that frontline responders in destination countries have adequate skills in the identification of trafficking victims and are guided by a professional code of conduct in undertaking this task.

• Train frontline responders in how to ethically and sensitively engage with exploited migrant workers in screening them as possible trafficking victims while in the destination country.

• Ensure that all training of frontline responders in destination countries is in line with the real and evolving nature of trafficking in the country, including different forms of TIP and different types of victims.

• Update training and tools in response to how trafficking trends in the country change over time and in different labor sectors.

• Adapt and update indicators of human trafficking to the specific nature and context of trafficking in the destination country, including changes over time.

• Assess options for screening in different settings in the destination country, including different economic sectors, different locations where trafficking victims may be identified and in different areas of the country.

• Ensure that victim identification procedures in the destination country lead to formal identification as a trafficking victim and the referral of victims for assistance and access to justice in the destination country and subsequently in the country of origin.

Build the capacity of immigration and border authorities to identify victims of trafficking for labor upon their return to Indonesia.

• Develop and test a system for immigration and border authorities to screen Indonesian migrant workers for signals and indications of human trafficking upon their return to Indonesia.

• Train and conduct on-going mentoring of border and immigration officials in Indonesia in how to screen returned migrants for the possibility of human trafficking.

• Ensure that frontline responders, like immigration and border authorities, are able to ethically and sensitively engage with exploited migrant workers in screening them as possible trafficking victims upon their return to Indonesia.

• Ensure that all capacity building efforts for immigration and border authorities are in line with the real and evolving nature of trafficking in Indonesia, including an understanding of different forms of TIP and different types of victims.

• Ensure that victim identification procedures are linked to the formal identification and referral of victims for assistance and access to justice.

• Provide written information to returning migrant workers and trafficking victims at border crossings about possible assistance available to them in Indonesia in order that they can follow-up after their return, as needed.

Increase the capacity of local authorities, law enforcement, community groups and community leaders in Indonesia to recognize trafficking victims within their communities and refer them for assistance.
Recognize that identifying Indonesian trafficking victims must not be focused solely at the border; develop identification systems and procedures that seek out and identify trafficking victims in their home communities.

Develop and test a village-based system for screening returned migrant workers for signals and indications of TIP once back in their home communities, engaging a wide range of frontline responders in preliminary identification and referral.

Design and implement multi-layer processes for preliminary victim identification and referral that reinforce and strengthen the likelihood of effectively identifying victims of trafficking living in their communities.

Enhance proactive outreach by community-based organizations and institutions to identify self-returning trafficking victim in the community.

Develop and test a village-based system for screening returned migrant workers for signals and indications of TIP once back in their home communities, engaging a wide range of frontline responders in preliminary identification and referral.

Design and implement multi-layer processes for preliminary victim identification and referral that reinforce and strengthen the likelihood of effectively identifying victims of trafficking living in their communities.

Enhance proactive outreach by community-based organizations and institutions to identify self-returning trafficking victim in the community.

Expand the range of individuals and institutions/organizations involved in victim identification to increase the preliminary identification of trafficking victims. This might include village administrators, teachers, medical staff, NGOs, volunteer social workers, religious leaders and so on.

Train and conduct on-going mentoring of frontline responders who can preliminarily identify trafficking victims living in their home communities and refer these presumed victims to relevant authorities for formal identification and assistance.

Ensure that frontline responders at the village level are able to ethically and sensitively engage with exploited migrant workers in screening them as possible trafficking victims upon their return to their home communities.

Develop and enforce tools like Codes of Conduct and Ethical Principles among village-based frontline responders to ensure preliminary identification is done appropriately, safely, sensitively and ethically.

Ensure that all victim identification (either preliminary at the village level or formal identification by relevant authorities) is linked to the referral of victims for assistance and, should they so choose, access to justice.

Identify different opportunities and entry points for screening presumed trafficking victims once home and tailor identification procedures to the settings in which screening may take place.

Provide written information about possible assistance options to returned migrant workers and trafficking victims who decline to be identified, in the event that they wish to access assistance at a later stage.

Establish and implement a village regulation (perdes) regarding trafficking in persons as the legal basis for the anti-trafficking activities at a village level and ensure an adequate budget allocation for these activities, including for the identification and referral of victims of trafficking.

Ensure that all frontline responders have a comprehensive and nuanced understanding of who may be a victim of trafficking and how to refer them to obtain needed services and support.

“Frontline responders” in Indonesia should include a wide range of officials and professionals who interact with individuals who may be trafficking victims once home and are in a position to identify them (if only preliminarily) as having been trafficked. This may include social services, health professionals, government
administrators (at the village, sub-district and district level), civil society organizations, law enforcement and so on.

- Train and mentor frontline responders in what constitutes human trafficking and the current trends and patterns in Indonesia on an on-going basis and in response to changes over time.
- Ensure that frontline responders recognize that trafficking victims may be men or women, adults or children, legal or irregular migrant workers and may come from any country of the world. Ensure that frontline responders are able to identify victims trafficked internally as well as internationally and for any form of exploitation outlined in the law.
- Document, on an on-going basis, trafficking trends and patterns in the country to ensure that the knowledge of frontline responders keeps pace with the nature of TIP and how the trafficking situation may change over time.
- Ensure that identification criteria for victims is in line with current trafficking trends and responsive to different forms of TIP and different types of victims. Adapt and update victim identification criteria over time and in response to the changing nature of human trafficking in the country.
- Ensure that victim identification procedures are linked to the referral of victims for assistance and reintegration services as well as, if they so choose, to access to justice.
- Regularly update information about available assistance options for returned migrant workers and trafficking victims to ensure that they are informed about and have access to assistance and support from a wide range of institutions and organizations at the village, sub-district and district level.
- Create a supportive environment for conducting victim identification interviews that helps foster trust, comfort and safety and will lead trafficked persons to disclose their trafficking experiences.
- As much as possible, institutionalize processes that include opportunities for more than a one-off interview with trafficking victims as more time and comfort will build more trust which will enhance the likelihood of disclosure.

**Increase the knowledge and awareness of trafficking victims to encourage self-identification and access to assistance and justice.**

- Increase awareness among exploited migrant workers in their home communities about what constitutes human trafficking and whether their experiences of exploitation may rise to the level of human trafficking.
- Increase awareness among returned trafficking victims about their right to protection and support including what assistance is available and where and how trafficking victims can access assistance, support and justice.
- Ensure that all information is clear and accessible and tailored to the target audience in terms of language and education level. In the case of children, ensure that information is tailored to their age and stage of maturity. Provide both written and verbal information.
- Be flexible in supporting trafficking victims to ensure that assistance aligns with victims’ needs, including any changes in their needs over time. Some trafficking victims may initially decline to be identified and assisted, which will require providing referral information that victims can access at a later stage, when they can better understand, process and make decisions around identification and assistance.
Bibliography


West Java Province (2008) *Regulation Number 3, Year 2008 On Prevention and Handling of Victims of Trafficking in West Java*.