



THE PREVENTION OF TRAFFICKING IN PERSONS ACT, 2018 WITH RULES, 2020

Amendment Up to Date 2025

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THE PREVENTION OF TRAFFICKING IN PERSONS ACT, 2018

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THE PREVENTION OF TRAFFICKING IN PERSONS ACT, 2018

ACT NO. XXXIV OF 2018

[30th May, 2018]

An Act to prevent and combat trafficking in persons especially women and children

WHEREAS it is necessary to provide for effective measures to prevent and combat the trafficking in persons especially women and children; to promote and facilitate national and international co-operation in this regard; to protect the trafficking victims; and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows: —

1. Short title, extent and commencement. — (1) This Act may be called the Prevention of Trafficking in Persons Act, 2018.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions. — In this Act, unless there is anything repugnant in the subject or context, —

- (a) “child” means a person under eighteen years of age;
- (b) “Code” means the Code of Criminal Procedure, 1898 (V of 1898);
- (c) “Government” means the Federal Government;
- (d) “Penal Code” means the Pakistan Penal Code, 1860 (XLV of 1860);
- (e) “prescribed” means prescribed by the rules made under this Act;
- (f) “Provincial Government” means the Government of a Province; and
- ¹[(fa) “sexual exploitation” means any actual or attempted abuse of position of vulnerability or trust for sexual purpose, including but not limited to profiting monetarily or any other gain for the sexual exploitation of another;]**
- (g) “victim” means a person against whom an offence under this Act is committed regardless of whether the perpetrator is identified, apprehended, prosecuted or

¹ New Clause (fa) Inst. By Act No. IX of 2025, Sec.2.

convicted.

3. Trafficking in persons. — (1) Any person who recruits, harbours, transports, provides or obtains another person, or attempts to do so, for compelled labour ²[or organized beggary or sexual exploitation] through the use of force, fraud or coercion, commits an offence of trafficking in persons and shall be punished with imprisonment which may extend to ³[ten years and fine which may extend to one million rupees].

(2) If the offence of trafficking in persons under sub-section (1) is committed against a child or a woman, the person who commits the offence shall be punished with imprisonment which may extend to ⁴[fourteen years and with fine which may extend up to two million rupees].

(3) In this section:

- (a) “coercion” means use or threat of use of force, or other forms of nonviolent use of force including—
 - (i) threat of harm to or physical restraint of any person;
 - (ii) any scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint of any person;
 - (iii) threat due to the vulnerable position of a person; or
 - (iv) psychological pressure; ⁵[*]
- (b) “compelled labour” includes involuntary servitude, slavery or practices similar to slavery, or debt bondage and forced labour ⁶[; and]
- ⁷[(c) “organized beggary” includes an act of a person to allure, entice or coerce a person intentionally, knowingly, by use of force, fraud or without fraudulent intention to indulge or to be indulged in soliciting or receiving alms directly, indirectly or on any pretext and includes,—
 - (i) soliciting or receiving alms at a public place, under any pretence visibly in a form of beggary;

² Words Subs. by Act No. IX of 2025, Sec.3(a).

³ Punishment Subs. by Act No. IX of 2025, Sec.3(a).

⁴ Punishment Subs. by Act No. IX of 2025, Sec.3(b).

⁵ Omitted. by Act No. IX of 2025, Sec.3(c) (i)

⁶ Subs by Act No. IX of 2025, Sec.3(c) (ii)

⁷ Added by Act No. IX of 2025, Sec.3(c) (iii)

- (ii) having no visible means of subsistence and wandering about or remaining in any public place in such condition or manner which raise a presumption that the person doing so subsists by soliciting or receiving alms;
- (iii) enters on any private premises for the purposes of soliciting or receiving alms;
- (iv) exposes or exhibits with the object of obtaining or extorting alms, any sore, wound, injury, deformity or disease, whether of human being or of an animal; or
- (v) allows oneself to be used as an exhibit for the purpose of soliciting or receiving alms.]

⁸[(4) A victim's consent or consent of guardian on behalf of minor victim to, or acquiescence in, any of the acts constituting the offence of trafficking in persons as provided in sub-section (1), shall be irrelevant and shall not be considered a defence in any proceeding as to the conduct that would otherwise constitute an offence under this Act.]

4. Aggravating circumstances.— Where an offence under section 3 involves:

- (a) serious injury, life-threatening illness or death of the victim or another person;
- (b) activity of an organized criminal group;
- (c) confiscation or destruction of any travel document of the victim; or
- (d) repetition of the offence by the same offender;

the offender shall be punished with imprisonment ⁹[of not less than fourteen years] and fine which may extend to two million rupees.

Explanation. — In this section, 'organized criminal group' means a structured group of two or more persons, existing for a period of time and acting in concert with the aim of committing any offence under this Act, in order to obtain, directly or indirectly, any financial or other material benefit.

5. Abetment and criminal conspiracy. — (I) Any person who participates as an accomplice, aids, or abets an offence under section 3 or

⁸ Sub-Sect (4) added by Act No. IX of 2025, Sec.3(d)

⁹ Punishment Subs. by Act No. IX of 2025, Sec.4

section 4, shall be punished in accordance with Chapter V of the Penal Code.

(2) Any person who is a party to a criminal conspiracy to commit an offence under section 3 or section 4, shall be punished in accordance with Chapter V-A of the Penal Code.

¹⁰[**6. Victims of trafficking in persons.** — Without prejudice to any other defence available under any law, a victim of trafficking in persons shall not be criminally or otherwise liable for acts and omissions that were the direct result of having been trafficked or were in obedience to the order made by the trafficker in relation thereto, but may become witness in the case:

Provided that the acts done by the victim of trafficking in persons were direct result of force, fraud or coercion by the Trafficker.]

7. Presumption in case of child victim. — Where the victim is a child, the prosecution may not prove actual use of force, fraud or coercion and the Court may not consider the consent of the victim, his parent or guardian as a defence.

8. Investigating agency. — (1) Subject to sub-section (2), the police shall investigate an offence under this Act.

(2) If the offence involves transportation of the victim into or out of Pakistan and it constitutes part of the transaction constituting the offence, the Federal Investigation Agency shall investigate the offence.

9. Cognizance. — An offence under this Act shall be cognizable ¹¹[non-compoundable] and non-bailable under the Code.

¹²[**10. Cognizance of offences.** — (1) Notwithstanding anything contained in the Code, a Magistrate of the First Class shall try an offence punishable under this Act and may impose any punishment provided under this Act:

Provided that if an offence involves transportation of the victim into or out of Pakistan and it constitutes part of the transaction constituting the offence, the Special Court (Central) constituted under the Pakistan Criminal Law Amendment Act, 1958 (XL of 1958) shall try such offence, punishable under this Act and may impose any punishment provided under this Act.

(2) Where in any trial before a Special Court of an offence punishable under sections 3, 4 and 5, it is proved that an accused person has accepted or obtained, or has agreed to accept for himself or any other person, any financial or material benefit from a victim or any person on his behalf, it shall be presumed unless the contrary is proved, that he accepted or obtained, that financial or material benefit, or as the case may be, as such as is mentioned in sections 3, 4 and 5.]

¹⁰ Sect.6 Subs by Act No. IX of 2025, Sec.5.

¹¹ Inst. by Act No. IX of 2025, Sec.6.

¹² Subs. by Act No. IX of 2025, Sec.7

11. Safety of victims and witnesses of offences. — (1) The Government or a Provincial Government may, in the prescribed manner, take appropriate measures to ensure that a victim, witness of an offence under this Act or any other related person is provided adequate protection, if safety of the victim, witness or the person is at risk.

(2) When it is necessary to safeguard the physical safety of a victim or witness of an offence under this Act, the Government or a Provincial Government may, in the prescribed manner, take necessary measures to relocate victim or witness or to limit the disclosure of name of the victim or witness, address and other identifying personal information or both.

12. Protection of victims and witnesses by the Court. — (1) The rules made under this Act may specify circumstances in which the Court may—

- (a) conduct the Court proceedings in camera;
- (b) seal or restrict access to record of the Court proceedings;
- (c) permit evidence of a victim or a witness behind a screen or similar adequate means out of view of the accused, or through a video link or the use of other communications technology; or
- (d) use a pseudonym of a victim or a witness.

13. Compensation to victims. — Where an offender is convicted of an offence under this Act, the Court may direct payment of compensation to the victim under section 545 of the Code.

14. Awareness raising and prevention. — The Government may—

- (a) develop and disseminate information programmes to increase public awareness regarding offences of trafficking in persons and dangers to victims;
- (b) promote and strengthen development programmes and national and international cooperation in order to address the root-causes of trafficking in persons, and the special vulnerabilities of women and children;
- (c) establish procedures to collect data and to promote research in relation to trafficking in persons, the factors that cause trafficking in persons, and on the best practices to prevent trafficking in persons, prosecution of offenders, and protection of victims.

15. Power to make rules. — (1) The Government or a Provincial Government may, by a notification in the official Gazette, make rules to carry out the purposes of this Act.

(2) if the rules made by a Provincial Government are inconsistent with the rules, at any time, made by the Government, the rules of the Government shall prevail over the rules of the Provincial Government.

16. Repeal. — (1) The Prevention and Control of Human Trafficking Ordinance, 2002 (LIX of 2002) is hereby repealed.

(2) Notwithstanding repeal of the Prevention and Control of Human Trafficking Ordinance, 2002 (LIX of 2002), any act done, prosecution or proceedings undertaken or the rule made under the repealed Ordinance shall deemed to have been done, undertaken or made under this Act.

(3) In the Penal Code, section 369-A shall be omitted.

Prevention of Trafficking in Persons Rules, 2020

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GOVERNMENT OF PAKISTAN
(INTERIOR DIVISION)
MINISTRY OF INTERIOR

Islamabad, the 22 October, 2020.

NOTIFICATION

S.R.O. (I)/2020.- In exercise of the powers conferred under section 15 of the Prevention of Trafficking in Persons Act, 2018 (XXXIV of 2018), the Federal Government is pleased to make the following rules, namely: -

1) **Short title and commencement** — (1) These rules shall be called the Prevention of Trafficking in Persons Rules, 2020.

2)) They shall come into force at once.

2. Definitions — (1) In these rules unless, there is anything repugnant in the subject to context,

- (i) **“Act”** means the Prevention of Trafficking in Persons Act, 2018 (XXXIV of 2018);
- (ii) **“authorized officer”** means an officer of the investigation agency authorized to perform any function on behalf of the investigation agency by or under the Act;
- (iii) **“prosecutor”** means an officer authorized to prosecute offences under the Act;
- (iv) **“broadcasting”** means transmitting, relaying or distributing by wireless telegraphy, digital means or by any other means, or by wireless telegraphy in conjunction with any other means, of communications, sounds, signs, visual images or signals intended for reception by any person whether such communications, sounds, signs, visual images or signals are received by that person or not, that are likely to lead any person to identify a person as a victim or witness of any offence under the Act but excluding broadcasting for navigational or for securing safety purposes;
- (v) **"case property"** means items seized during enquiry or investigation;
- (vi) **“commercial sex act”** means any sex act on account of which anything of value is given to or received by any person;
- (vii) **“Additional Director”** means Additional Director of the Federal Investigation Agency;
- (viii) **“court”** means the court having jurisdiction to try the offences under the Act;
- (ix) **“debt bondage”** means the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or

the length and nature of those services are not respectively limited and defined;

- (x) **“Director”** means Director of the Federal Investigation Agency;
- (xi) **“Director General”** means Director General of the Federal Investigation Agency;
- (xii) **“Additional Director General”** means Additional Director General concerned of the Federal Investigation Agency;
- (xiii) **“informed consent”** means given that the person is given complete relevant information to get that person’s approval without any pressure or coercion and shall be called an informed consent only when
 - (a) all relevant information is conveyed to the person.
 - (b) possible advantages and disadvantages of a decision are discussed with the person.
 - (c) it is given without any stress, pressure or coercion; and
 - (d) the person is in a safe and comfortable place.
- (xiv) **“Investigating officer”** means an officer of the investigating agency assigned to enquire or investigate complaints under the Act;
- (xv) **“investigating agency”** means the Federal Investigation Agency and a police organization having jurisdiction in matter as provided in section 8 of the Act;
- (xvi) **“medical officer”** means a registered medical practitioner in the service of the Government or a Provincial Government or Government of Azad Jammu and Kashmir, or Government of Gilgit Baltistan, and includes a registered medical practitioner in any teaching hospital of a university;
- (xvii) **“Ministry”** means the Ministry to which the business of the Act stands allocated;
- (xviii) **“non-governmental organization”** or **“NGO”** means a Non-governmental Organization and a body registered by the Ministry under these rules from time to time;
- (xix) **“police organization”** means a police station or any outfit of the Federal Investigating Agency, a Province, Azad Jammu and Kashmir or Gilgit Baltistan;
- (xx) **“premises”** means any house, building, factory, land, tenement, easement of any tenure, whether open or enclosed, whether built on or not, whether public or private, and whether maintained or not under statutory authority, and includes any container, building, structure, land, place, location, tent, or conveyance or any part thereof and includes any source, transit or destination of trafficking or transportation of persons;
- (xxi) **“publishing”** means publishing to any person, and includes publishing on the internet;
- (xxii) **“resident”** means a person admitted to a shelter home;
- (xxiii) **“vessel”** means any type of watercraft, including no displacement craft and seaplanes, used or capable of being used as a means of transportation on water, except a warship, naval auxiliary or other vessel owned or operated

by a government and used, for the time being, only on government non-commercial service;

- (xxiv) “**victim**” has the same meaning as defined in the Act and includes an alleged victim and a person who may be determined as a victim within the parameters of the definition in the Act.
- (2) Words and expression used but not defined in these rules shall have the same meaning as in the Act.

Response to information regarding trafficking in persons

3. Actions and obligations on receiving information disclosing trafficking in persons — (1) Whenever an officer of an investigating agency —

- a) develops reasonable suspicion on receipt of a complaint or oral or written information or his own initiative to believe that the offence of trafficking in person under sections 3, 4 or 5 of the Act is being or has been committed;
- b) receives any information from an anonymous or confidential source concerning a possible trafficking in persons irrespective of the fact that such information does not on its face constitute a reasonable suspicion; or
- c) determines, while in the course of investigating any offence pursuant to law, that any of the relevant circumstances that are specified in the provisions of the Act or these rules exists,

the officer or another member of the investigating agency shall —

- (i) promptly investigate the possible trafficking in persons violation in accordance with the provisions of the Act and the Code; or
 - (ii) promptly refer the matter to the appropriate investigating agency having jurisdiction to investigate the offence for investigation in accordance with the provisions of section 8 of the Act.
- (2) An officer of the investigating agency receiving a request by any person for assistance from trafficking in persons shall respond to such request and shall offer protection in a case of alleged trafficking in persons, even where the person reporting is not the victim of the trafficking.
 - (3) Officers of the investigating agency receiving information disclosing an offence of trafficking in persons shall take appropriate actions as are necessary to protect the immediate safety and security of persons who may be

the victims of trafficking and shall make certain that all inquiries and investigations are properly coordinated and the rights of these victims are respected and safeguarded.

- (4) Where an officer of the investigating agency has reason to believe that it is necessary to rescue a person without delay because of any imminent danger to the life of such person or the serious exploitative circumstances such person is facing; the officer shall act to remove such person from any place or premises and may cause him or her to be produced before the Court in accordance of the provisions of the Code.
- (5) Failure to respond to a request for assistance or to inquire into or investigate the alleged offence under the Act shall be a misconduct and the officer who fails to respond to a request for assistance or to initiate inquiry of investigation shall, on a report filed by the complainant to a superior officer, be subject to disciplinary action according to applicable rules and procedure related to efficiency and discipline of the investigating agency.

Identification of victims of trafficking

4. Guiding principles for identification of victims — (1) When determining the status of a person as a victim of human trafficking, officers of an investigating agency shall consider all the circumstances of the particular case, including the following guiding principles that may be relevant in a particular case —

- (a) whether the person is in an exploitative situation through one or more of the following means: —
 - (i) violence, force, coercion, intimidation, undue influence, or threats;
 - (ii) threats of violence against the family members or friends of the person;
 - (iii) forcing the person to use narcotic drugs or causing the person to be addicted to drugs;
 - (iv) photographing or video-recording a person for the purpose of blackmailing the person;
 - (v) forcing the person to witness the beating, rape or murder of any other persons as a demonstration of what will happen to the person if the person fails to obey; or
 - (vi) threatening the person with arrest by the police for being in the country illegally or for an offence committed as a direct result of the trafficking.
- (b) whether the movement of the person is restricted or confined through one or more of the following means: —

- (i) keeping the person under surveillance;
 - (ii) withholding of passport or other identity or travel documents by another person;
 - (iii) keeping the person in unhygienic or crowded conditions or in isolation; or
 - (iv) not allowing a person to leave the premises unless accompanied by a guard or keeping the person behind closed doors, under constant guard or surveillance;
- (C) whether the person suffers from one or more of the following health conditions:
- (i) signs of rape or other forms of sexual exploitation;
 - (ii) emotional distress or manifestations of trauma;
 - (iii) bruises, lacerations, burns, broken limbs and other signs of physical abuse;
 - (iv) forced abortion;
 - (v) impairment or removal of any organ from the person's body;
 - (vi) untreated illness or infection; or
 - (vii) malnutrition or poor personal hygiene;
- (d) whether the passport, identity or other document has been destroyed or withheld by another person or whether a person is in possession of a fraudulent passport, identity document or other travel document;
- (e) whether a person is travelling under suspicious circumstances, for example, minors with no relations to the adult who is travelling with them, or a group of vulnerable categories with one individual in charge of the whole group;
- (f) whether evidence exists that a person has been forced to lie to his or her family or friends about his or her safety, welfare and whereabouts;
- (g) whether a person has been subjected to debt bondage; or
- (h) whether a person has been forced to work while earning a small amount or not earning any income at all; or whether a person has been forced to do work that is different from that which was originally promised to that person.
- (2) If person reports to any officer of an investigating agency that he is a victim of trafficking, or relates to an officer facts that, if true, would make the person a victim of trafficking within the meaning of section 2(g) of the Act, the officer concerned and other members of the investigating agency shall treat the person making the report or relating the information as a victim for purposes of these rules, notwithstanding that the person may have committed an offence, unless and until an investigation determines that any such report or information is false or unfounded.

- (3) If the age of a victim or a victim has not been identified, and there is a reasonable ground to presume that he or she is a minor, the victim of human trafficking shall be considered to be a minor and special protective measures shall be taken in relation to him or her until his or her age is identified.
- (4) A person identified as victim shall not be arrested or kept in custody and shall —
 - (a) not be placed in facilities inappropriate to his status as victims; (b) receive necessary medical care and other assistance;
 - (c) be protected if his safety is at risk or if there is a danger of harm by recapture of the victim by an accused, including taking measures to protect victims and their family members from intimidation and threats of reprisals and reprisals from traffickers and their associates; and
 - (d) be kept separated from the accused at all times by sight and sound, from the point of rescue to the end of the period of appeal for he accused, except when it is legally required or for the best interest of the victim.

Medical examination and treatment of victims

5. Medical examination of the victim — (1) An officer of the investigating agency may, if deemed appropriate by him, get the victim examined by a medical officer specifically nominated by the department of health concerned for purposes of examination of victims of trafficking in persons, or a medical officer at a government hospital as early as possible.

- (2) The medical officer conducting medical examination shall, in addition to providing a medico-legal report, also provide the investigating agency with an assessment of the age of the victim, alleged victim or the person who may be determined as a victim.
- (3) The investigating officer shall take informed consent of a victim for any medical examination according to this rule. In case the victim is a child, consent for examination should to be sought from the parent or guardian, if available and if the parent or guardian was not involved in the trafficking, or if such parent or guardian is unavailable or was complicit in the trafficking, any other person in whom the child reposes trust or confidence
- (4) After consulting with the victim, the medical examination of a female victim may be conducted by a female doctor.
- (5) Medical examination of a child shall be conducted in the presence of the parent or guardian of the child or any other person in whom the child reposes trust or confidence.
- (6) In case the parent of the child or other person cannot be present, for any reason, during the medical examination of the child, or if the parent or guardian was involved in the trafficking, the medical examination shall be conducted in the presence of a medical personnel nominated by the head of the medical institution

in addition to the person conducting the medical examination.

- (7) Where an officer of the investigating agency who takes a person who is or may be determined to be a victim of an offence under provisions of the Act is of the opinion that such person is in need of medical treatment, the officer may present such person immediately to a medical officer.
- (8) In case the victim is already a patient in a hospital, that person may continue his or her treatment in the hospital till the time the medical officer deems it required.

6. Medical treatment of the victim A medical officer before whom a person is brought under rule 3 —

- (a) shall conduct or cause to be conducted an examination of the person;
- (b) may in examining the person administer or cause to be administered such procedures and tests as may be necessary to diagnose the person's condition; and
- (c) shall provide or cause to be provided such treatment as he considers necessary as a result of the diagnosis.

7. Authorization for hospitalization — (1) Where the medical officer who examines a victim is of the opinion that his or her hospitalization is necessary for the purpose of medical care or treatment, such medical officer in consultation with an officer of the investigating agency, may authorize that such person may be hospitalized for such period as deemed necessary by the medical officer.

(2) Where the person is hospitalized under this rule, the investigating officer or the officer dealing with the case shall have control over, and responsibility for, the security and protection of that person.

(3) A person who is medically examined under rules 3, 4 or 5 may be produced before the Court within twenty-four hours -

- (a) of the completion of such examination or treatment; or
- (b) if the person is hospitalized, on his discharge from the hospital.

8. Special treatment of victims under 18 years of age — (1) The investigating officer, or any officer of the investigating agency handling a matter under the Act, with assistance of a child protection officer, if possible, when the matter involves a child under eighteen years of age or an individual who appears to be under eighteen years of age, shall —

- (a) establish the facts surrounding the circumstances giving rise to the child being trafficked;
 - (b) where the child's guardian or parent is identified, immediately notify such guardian or parent of the child victim, subject to considerations of safety and security of the child and for example possible complicity of the parent or guardian in the trafficking;
 - (c) where possible and expedient, evaluate the child's parental circumstances including parental characteristics, mental stability, maturity, physical or emotional impairment, substance and alcohol abuse, temperament, employment status, and level of support given to the child;
 - (d) if possible, evaluate the child's family circumstances, including family violence or inappropriate discipline;
 - (e) evaluate the child's environmental circumstances, including poverty, homelessness, isolation, and mobility of the parents;
 - (f) identify the level of risk that the child may be exposed to, including any gender related needs;
 - (g) identify actual and potential protective and supportive factors in the home and broader environment to minimize risk to the child; and
 - (h) decide on the appropriate protective measures or intervention as provided for in the Act and these rules.
- (2) The investigating agency shall submit a report under sub-rule (1) above before the Court and the Court may pass an appropriate order for placing a child in care for the duration of the court order and a copy of the said order shall be handed to the investigating officer and the prosecutor dealing with the matter.

9. Information for victims — (1) Following identification of the victim, the investigating agency shall forthwith provide the victim with the following information in a clear manner and in a language which he understands: —

- (a) the right to benefit from any of the protection measures as provided in these rules;
- (b) in the case of foreign citizens without the necessary legal papers, information regarding the right to a period of reflection and recovery and the possibility of obtaining a temporary residency and work permit or assisted repatriation or return, in accordance with the terms laid down in the law especially the Immigration Act, 1979 and following the corresponding rules;
- (c) In the case of a foreign citizen who has the necessary legal papers but whose visa or residency permit is close to expiry, information regarding the possibility of applying for extension in visa without delay;

- (d) information about additional protective measures in accordance with the victim's risk status, as assessed by the investigating agency;
 - (e) information about the support resources available to the victim; and
 - (f) the possibility of referral to any of the support resources provided by the Government, the Provincial Government, local public authorities or Non-Governmental Organizations and bodies with experience in attending to victims of trafficking duly registered under these rules.
- (2) In addition to the information in sub-rule (1), the victims shall also be informed that, depending on the circumstances of the case, they might be required to —
- (i) attend any test identification parade procedures, and if so, the fact that these proceedings may be conducted on a face-to-face basis;
 - (ii) attend any other investigative procedures that, while the investigating agency will make reasonable efforts to avoid unnecessary contact of the victim with the accused, may involve being in the presence of their accused under the provisions of the Act or the Code or any other applicable law or rule;
 - (iii) testify, subject to his or her consent, during trial hearings and may be required to face the accused in the courtroom; and
 - (iv) whether or not the victim can adduce evidence from behind a screen, or via a video link or whether there is any provision for the accused in the case to be removed from the courtroom while the evidence is adduced by the victim.
- (3) The investigating officer, or any other officer handling the victim, shall ensure that the victim has understood all parts of the information communicated to the victim under this rule and the victim has been given an opportunity to seek clarification on any point.

Protection of victims and witnesses

10. Protective measures for victims — (1) The investigating officer shall conduct an evaluation of the existing risks to a victim, following which the investigating officer shall inform the victim of the possible risks and of the protection and security measures which need to be adopted.

- (2) The investigating officer and other officers of investigating agency connected with a case, a complaint or an information disclosing a possible offence under the Act, at the minimum, shall
 - (a) conduct a basic security assessment in respect of the place at which the victim is going to reside;
 - (b) provide permanent contact telephone numbers for the officers responsible for the

- investigation;
- (C) provide basic security advice to the victim on how to contribute to ensuring his or her safety, such as not divulging his or her location address or any contact numbers, being cautious with communication with other parties, and avoiding areas where the accused, suspected traffickers and/or their associates may congregate;
 - (d) provide advice on other measures deemed appropriate to the risk situation of the victim including the need to remain in secure accommodation or to move to another location;
 - (e) provide advice and assistance in cancellation of bail of the accused when granted;
 - (f) maintain periodic contact with the victim even after conclusion of the investigation, wherever practically possible, to ensure that the victim is safe and his or her welfare needs are being attended to;
 - (g) facilitate provision of police or Federal Investigation Agency protection of a temporary nature and for a specified area such as from home to court and back;
 - (h) provide or assist in providing round the clock protection by personnel of the Federal Investigation Agency or those of a police organization; and
 - (i) maintain a documentary record of the above actions.
- (3) In the event that the victim expressly refuses all or any of the proposed protection and security measures, this refusal shall be placed on record duly signed by the concerned officer and by the victim.

11. Protection of information regarding victims and witnesses — (1) In any proceedings, be it before, during or after trial, the investigating officer or any officer or employee of the investigating agency, or any prosecutor or a person connected with the prosecution, or any person connected with the shelter home where the victim or witness resides, shall not reveal the name or address, or include any particulars calculated to lead to the identification of any victim, or a member of the family of a victim, or a witness to any proceedings to any person.

- (2) The investigating officer or any officer or employee of the investigating agency, or any prosecutor or a person connected with the prosecution, shall not share or transmit by any means the picture or other representation of any victim, or any member of the family of the victim, or a witness to the proceedings, or of any other person, place or thing which may lead to the identification of the victim or any witness to the proceedings.
- (3) The investigating officer, or any employee of the investigating agency, who knows or has reasonable grounds to suspect that an investigating officer is acting, or is proposing to act, in connection with an investigation which is being, or is about to be, conducted under or for the purposes of the Act shall not disclose to any other person information or any other matter which is likely to prejudice that investigation or proposed investigation.
- (4) The investigating officer, or any employee of the investigating agency, who

knows or has reasonable grounds to suspect that a disclosure has been made to an investigating officer under the Act, shall not disclose to any other person information or any other matter which is likely to prejudice any investigation which might be conducted following the disclosure.

- (5) A person who commits a breach of the confidentiality enjoined by this rule shall be deemed to have committed misconduct and shall be liable to disciplinary proceedings under the relevant rules.

Investigative conduct

12. Overarching investigative principle — All investigative actions related to an offence under the Act shall adhere to a victim-centered, human rights-based approach adhering to the fundamental rights guaranteed in the Constitution of the Islamic Republic of Pakistan, 1973.

13. Interview of victims — In accordance with an individualized assessment of the personal circumstances of the victim, and without prejudice to the rights of the accused, the investigating officer shall ensure that during an investigation of an offence under section 3, 4 or 5 of the Act, the victim receives specific treatment aimed at preventing secondary victimization by avoiding, as far as possible—

- (i) unnecessary repetition of interviews;
- (ii) any physical or visual contact between the victim and the accused, using appropriate means; and
- (iii) unnecessary questioning concerning the private life of the victim.

14. Interview of child victims — (1) In addition to provisions of rule 11, if the victim is a child under the age of eighteen, the investigating officer shall ensure that —

- (i) interviews with the child victim take place without unjustified delay after the facts have been reported;
- (ii) interviews with the child victim take place, where necessary, in premises designed or adapted for the purpose;
- (iii) interviews with the child victim are carried out, where necessary, by or through persons trained for the purpose;
- (iv) when appropriate and possible, child victims are interviewed by interviewers of the same sex;
- (v) if possible and where appropriate, the same persons conduct all the interviews with the child victim;
- (vi) the number of interviews with the victim is as limited as possible and interviews are carried out only where strictly necessary for the purposes of the investigation.

- (2) A child victim may be accompanied by a parent or guardian or an adult of the victim's choice, unless the investigating officer decides to the contrary and records the reasons for that decision in writing in the case diaries and for

example if the parent, guardian or other adult is suspected of being complicit in the trafficking.

15. First Information Report — (1) As far as possible, the first information report for an offence under sections 3, 4 and/or 5 of the Act shall be self-contained and shall aim at substantiating the offence of trafficking in persons and the provisions of law under which it is registered.

(2) Where applicable, a first investigation report of an offence under sections 3, 4 or 5 of the Act shall contain —

- (i) essential ingredients of sections of the law referred to, based on the facts of the case to support the offence or offences;
 - (ii) details of source, transit, and destination and the process of trafficking;
 - (iii) adequate and sufficient identifying information including telephone numbers, cell numbers, internet sites, and addresses of the suspects;
 - (iv) a brief description of scene of crime and the case property or material seized which should be accompanied with photographic or video graphic record of the scene of crime when possible;
 - (v) authority of the officer who conducted or is conducting the operations or activities of rescue or investigation;
 - (vi) names of officers, private persons, and/or witnesses involved in the rescue or recovery of victims; and
 - (vii) details of the physical injuries and trauma noticed on the victims.
- (3) When additional offences are revealed in course of an inquiry or an investigation, the investigating officer may add the appropriate provisions in accordance with relevant rules.

16. Recording of statements of victims — (1) Any statement of a victim, including those recorded in exercise of the powers under section 161 of the Code, shall be recorded in writing only when the victim is willing, comfortable and fit to make the statement correctly. In case a victim does seem to be physically or mentally fit to make a statement, the investigating officer shall provide adequate time before recording the statement.

- (2) Statement of a victim may be recorded in writing at any place convenient to the victim for recording of statement.
- (3) Statement of a woman or child victim shall, where possible, be recorded either by a woman officer of the investigating agency, or in presence of a woman officer.
- (4) The statement of a victim recorded under section 161 of the Code shall contain a

narration of facts, which should be as complete as possible, inclusive of details, if relevant, of the process of luring, false and fabricated promises, deception, different transits and destinations, physical, emotional and mental harm done to the victim, and key circumstances proving or indicating the purposes of the suspect as well as identification details of the suspected offenders and their contacts, where available.

17. Recording of statements of witnesses — (1) Statement of a witness related to an offence under the Act shall be recorded by the investigating officer under section 161 of the Code after registration of the first information report preferably at a place convenient to the witness for recording of the statement.

(2) The witnesses in a case under the Act shall be protected from unwanted exposure, threat, intimidation or harassment by the accused and where possible, the witnesses shall be provided transportation and shall be informed about the time, place and requirement of their presence.

18. Questioning and Interview of suspects —The questioning and interview of a suspect shall focus on all aspects of the trafficking process and all activities of the offenders particularly for the following purposes, namely: —

- (i) to reveal the entire organized linkage of the offences under the Act;
- (ii) to understand the entire process including the dimensions, demand-supply patterns, and other relevant facts which can assist in locating evidence against the offenders besides providing intelligence in prevention of offences under the Act;
- (iii) to explore contacts, sources and witnesses in the source, transit and destination areas;
- (iv) to locate the means, routes and methods used for transportation of victims;
- (v) to discover the communication channels (cell phones, internet, etc.) used by suspect;
- (vi) to investigate the modus operandi of the accused of traffickers;
- (vii) to ascertain the criminal antecedents of the offenders which can be used to investigate the various dimensions of organized crime for securing an enhanced sentence; and
- (viii) to locate and rescue victims trafficked earlier by the same offenders.

19. Conduct of investigation — (1) The investigating agency shall finalize investigation as diligently as possible in a time bound manner as prescribed by section 173 of the Code.

(2) The principles and values of investigation constituting the fundamental standards for investigations of any offence under the Act shall include following: —

- (i) all investigative activities by the investigating officer are performed with the highest level of integrity;
 - (ii) persons responsible for the conduct of an investigation demonstrate the highest professional competence possible;
 - (iii) investigators maintain impartiality, objectivity and fairness throughout investigation and declare any potential or real conflict of interest;
 - (iv) investigators endeavour to maintain both the confidentiality and the protection of witnesses;
 - (v) conduct of the investigation demonstrates the investigator's commitment to ascertaining the facts of the case; and
 - (vi) findings are based on substantiated facts and are impartial, objective and clear.
- (3) The investigative process shall aim at determining additional accused other than those identified with their personal details including names, address, phone numbers and other identifiers; ownership of movable and immovable property owned or held by the accused and ownership of movable and immovable property of other individuals in case of an organized network of trafficking; conducting and record of test identification parades of other accused; verification of travel details of the accused and, when relevant, the victims; evidence regarding mean, routes, methods used for transportation of victims; the entire chain of demand and supply where there is involvement of trafficked victims in production of goods; and the modus operandi adopted.

20. Use of Special Investigative techniques — (1) In addition to other evidence, including statements of the victim and witnesses, the investigating agency may, depending on the circumstances of the case, employ special investigative and evidence gathering techniques including, but not limited to, covert surveillance of suspect individuals and premises, analysis of digital data and call records, decoy operations, and controlled deliveries in investigation of cases under the Act.

- (2) Use of special investigative techniques shall be undertaken when necessary and proportionate and must be implemented in strict compliance with the applicable law, rules, policy and standard operating procedures of the investigative agency.

21. Filing of Investigation Report The investigating officer, at the conclusion of the investigation, shall prepare and submit the Investigation Report in accordance with the provisions of section 173 of the Code that shall —

- (a) be factually accurate, precise and comprehensive;
- (b) be submitted without delay within the statutory period of fourteen days;
- (c) all relevant material inclusive of expert reports including where applicable, but not limited to, the following:

- (i) medico-legal report of physical injury to the victim;
- (ii) medico-legal report of sexual abuse perpetrated on the victim;
- (iii) medical report of sexually transmitted diseases;
- (iv) relevant medical history of victim (e.g. medical termination of pregnancies, miscarriages, etc.) to indicate earlier violations on the victim;
- (v) report of age verification/determination of the victim;
- (vi) expert opinion on psychosocial trauma;
- (vii) report of DNA matching where there is an issue of establishing identity of the persons;
- (viii) any other relevant forensic reports to substantiate the offence or the role of the offenders;
- (ix) copies of statements recorded under section 164 of the Code in the case, or in any other case, which are relevant to the case;
- (x) copies of statements of suspects;
- (xi) test identification parade memorandum/report; and
- (xii) prosecution sanctions, if any.

Support and Assistance to victims

22. Assistance to victims — (1) Victims shall be entitled to support and assistance either provided by the Government, a Provincial Government, the Government of Azad Jammu and Kashmir, or the Government of Gilgit-Baltistan, as the case may be, or by a Nongovernmental Organization duly registered by the Government in accordance with these Rules as herein under provided.

(2) The support and assistance which may be provided under this rule includes, but is not to be restricted to, the provision of —

- (a) appropriate and safe accommodation;
- (b) assistance in obtaining healthcare services including counseling;
- (c) material assistance as per policy of the Government or a Provincial Government;
- (d) appropriate information on any matter of relevance or potential relevance to the particular circumstances of the victim;
- (e) translation and interpretation services;
- (f) assistance in obtaining legal advice or representation as provided in rule 21;
- (g) assistance with repatriation in case of a victim of foreign origin.

(3) Support and assistance shall be provided under this rule until there is made in relation to that person —

- (a) a determination by the investigating officer that there are no reasonable grounds to believe that the person is a victim of trafficking of persons under the provisions of the Act; or
- (b) a conclusive determination by the investigating officer that the person is or is not

a victim of trafficking of persons; however, if a conclusive determination that a person is a victim of trafficking is made within the relevant period, support and assistance under these rules shall be provided until the end of that period.

- (4) Assistance and support provided to a person under this rule —
- (a) shall not be conditional on the person's acting as a witness in any criminal proceedings;
 - (b) shall only be provided with the consent and agreement of that person;
 - (c) shall be provided in a manner which takes due account of the needs of that person as regards safety and protection from harm;
 - (d) shall be provided to meet the assessed needs of that person, having regard in particular to any special needs or vulnerabilities of that person caused by gender, pregnancy, physical or mental illness, disability or being the victim of serious violence or serious abuse; and
 - (e) shall normally continue till the conclusion of the trial and any appeal or revision thereof.

23. Legal assistance to victims — (1) Victims of an offence under the Act shall have access to legal advice and assistance in order that they are able to inform and meaningfully consent to any decisions which they take.

- (2) The Government shall, and the Non-Governmental Organizations may, provide necessary legal assistance to the victim during trial of the case and other legal proceedings under the Act. Such assistance shall include free legal advice and representation of the victim in investigation, any trial or proceeding in a Court, tribunal or before an authority related to any criminal, civil, or family matter, and matters related to immigration.
- (3) Officers and members of the investigating agency shall facilitate access of the victim to legal assistance provided by the Government of a Non-Governmental Organization as soon as possible.
- (4) The legal assistance to the victim shall be provided unconditionally and shall not be contingent upon the victim's willingness to serve as witness and thereby cooperate with the investigating agency, the prosecution or any other authority which is concerned with the prosecution of the accused.
- (5) Legal assistance to the victim shall in all cases be with his or her voluntary and informed consent and in consultation with the support person, if any.
- (6) A victim is entitled to ask for a change of his or her legal assistance provider, legal representative, or counsel if the victim has reasonable concerns about the legal advice and representation that is being provided.
- (7) All information shared by a victim with any legal assistance provider, legal representative, or counsel, or the contents of the legal assistance provider, legal representative, or counsel correspondence with the victim shall be kept confidential.

Shelter Homes for the victims

24. Establishment of shelter homes and security arrangements — (1)

The Government shall establish shelter homes specifically for the protection and safe housing of victims of trafficking in persons.

- (2) Each shelter shall be designed to provide the following basic services to the victims:
- (a) temporary secure housing and food facilities;
 - (b) psychological support and counseling;
 - (c) referrals to existing services and follow-up on the outcome of the referrals; and
 - (d) emergency transportation to the shelter and, when appropriate, arrangements with the concerned law enforcement agency for assistance in providing such transportation.
- (3) Where a Government shelter home is not available, or it is not feasible to lodge a victim in a Government shelter home in view of reasons of safety or otherwise, other residential institutions of a Non-Governmental Organization duly registered by the Government under these rules which meet the minimum standards specified in these rules may be additionally treated to as shelter homes for this specific purpose.
- (4) The Non-Governmental Organization to which the victim is handed over, shall be responsible for proper shelter, food and medical treatment at a notified place.
- (5) Before referring a victim to the shelter home, the investigating officer shall conduct a safety and risk assessment in relation to premises and environment of such shelter home which shall be recorded in writing and regularly reviewed. Referral to a shelter home managed by a Non-Governmental Organization shall be made only after ensuring that the sources of risk to the victim residents are adequately identified and eliminated wherever possible. Where complete elimination of these risks is not possible care shall be taken to work out a plan to minimize the effect of the danger and to handle the situation in case any danger befalls.
- (6) Considering the nature of the offence committed with respect to the victim, the shelter shall be well protected and shall give access only to certain authorized individuals and after due scrutiny. Under no circumstance the suspects their representatives, any other offenders, or persons detained under a criminal charge shall get access to the victim placed in the shelter.

Registration of Non-Governmental Organizations to provide services to victims of trafficking

25. Procedure for registration — (1) Subject to the provisions of sub-rule (2) of this rule, an application for the registration of a Non-Governmental Organization to provide services to victims of trafficking in persons shall be lodged with the Ministry in a form that corresponds substantially with Form 23.1 annexed to these rules.

- (2) The following information shall accompany the application referred to in sub-

rule (1): —

- (a) the proposed process of screening, admission, care and support of an adult person determined by the investigating agency as a victim or is suspected of being a victim of trafficking;
 - (b) what programs the organization offer which are aimed at the —
 - (i) provision of accommodation to adult and child victims of trafficking;
 - (ii) provision of counseling to victims of trafficking;
 - (iii) reintegration of victims of trafficking into their families and communities;
 - (iv) provision of rehabilitation and therapeutic services to adult victims; and
 - (v) provision of education and skills development training to victims of trafficking;
 - (c) programmes offered by the Non-Governmental Organization to a child in the care of a victim of trafficking, which must include, at a minimum, a programme aimed at the reception, care and development of that child;
 - (d) specialized facilities and programmes for accommodation, rehabilitation and re-integration of child victims of trafficking in persons;
 - (e) evidence that the Non-Governmental Organization and the facilities therein are accessible in accordance with the minimum standards as outlined in Annexure A;
 - (f) evidence that the safety and protective environment of the NonGovernmental Organization, health care and support, and recreational facilities of the organization meet the minimum standards as provided for in Annexure A;
 - (g) evidence that the Non-Governmental Organization complies with the minimum standards to accommodate victims as provided for in Annexure A;
 - (h) evidence that the Non-Governmental Organization has the ability to provide a safe environment for children; proper care for sick children; and safe storage of anything that may be harmful to children.
- (3) The designated officer of the Ministry may, upon receipt of an application referred to in sub-rule (1) request such other information as he may deem necessary for the finalization of the application.
- (4) The designated officer of the Ministry may direct any official to conduct an inspection of the organization prior to accreditation in order to ensure compliance with the minimum standards as provided for in Annexure A and to submit a written report on the outcome of the inspection to the Ministry within fourteen days of such inspection.
- (5) Wherever possible, the official conducting the inspection shall be accompanied by a health care provider who is an employee of the Government or a Provincial

Government assigned with the responsibility to inspect facilities for compliance with health services.

- (6) The Ministry shall consider the application within thirty days of receipt of the documents. If the Ministry approves the application, a certification of registration that corresponds substantially with Form 23.2 shall be issued and a copy thereof shall be supplied to the registered Non-Governmental Organization.
- (7) In case the Ministry does not approve the application —
 - (a) it shall advise in writing the Non-Governmental Organization in question and provide reasons for the decision; and
 - (b) the organization affected by the decision of non-approval of the application for registration to provide services to victims of trafficking in terms of this rule may, within fourteen days of being informed of that decision, make an application for review to the Ministry.
- (8) The original certificate of registration issued in Form 23.2 shall be —
 - (a) displayed in a prominent place clearly visible on the premises and the residents of the Non-Governmental Organization; and
 - (b) maintained in such a state that it can be produced undamaged and in a legible condition.
- (9) The registered Non-Governmental Organization must at least six months before the expiry of the certificate of registration, submit an application for the renewal of its registration on a form that corresponds substantially with Form 23.3, where after the provisions of this rule apply.
- (10) A registered Non-Governmental Organization may be visited, monitored and evaluated periodically by officials from the Government of a Provincial Government responsible to ensure continuous compliance with the minimum standards as provided for in Annexure A.

26. Cancellation of registration of a registered Non-Governmental Organization — (1) If the Ministry has reason to believe that, after a registered Non-Governmental Organization has been issued with a certificate of registration —

- (a) it is necessary to eliminate the risk of harm, abuse, health hazard or death of victims of trafficking; or
- (b) the registered Non-Governmental Organization is found involved in maltreatment with the victim;
- (c) the registered Non-Governmental Organization no longer complies with the norms and minimum standards as provided for in Annexure A; or
- (d) or fails to fulfill its responsibilities of providing proper shelter, food and medical treatment after having given that the registered Non-Governmental Organization a reasonable period to rectify the conditions at that organization or to comply with such norms and standards, the Ministry may give that organization written

notice of one month of its intention to cancel its registration.

- (2) The decision of cancellation of registration of the registered NonGovernmental Organization shall be communicated to such NonGovernmental Organization in writing with the reasons for the decision.
- (3) The Ministry immediately cancel the registration of a registered Non-Governmental Organization in extraordinary circumstances, such as danger to the safety or health of the resident victim, that necessitate such immediate cancellation.
- (4) The Non-Governmental Organization in question shall immediately after having been advised that its registration has been cancelled, hand over its certificate of registration to the Ministry.
- (5) In the event a decision is made in terms of sub-rule (4), the Ministry shall immediately arrange alternative accommodation to the affected beneficiaries.

27. Admission of victims to registered Non-Governmental Organizations — (1) On admission of a victim to facilities of a NonGovernmental Organization, the following information shall be shared with the victim by the management of the registered Non-Governmental Organization: —

(a) security measures and the victim's role and responsibility to protect the other victims at the Non-Governmental Organization;

(b) shelter house rules of such an organization which must contain information about the organization such as —

- (i) levels of services provided;
- (ii) services rendered by such organization;
- (iii) type of accommodation; and
- (iv) types of other services to be provided such as meals, clothes, toiletries, nursing services, laundry services, bed linen and towels and cleaning services.

(c) the complaints procedure for addressing the complaints of residents.

(d) the obligations, expectations and requirements expected from victims in order to ensure the smooth working of the shelter.

(2) A registered Non-Governmental Organization which provides care and accommodates a victim, shall keep a comprehensive record of each victim, and which must contain the following information —

(a) the names and surname and national identity card or passport number of the victim;

(b) the residential address and contact numbers of the victim before being accommodated as well as the country of origin;

- (c) the medical condition of the victim;
- (d) particulars and details of medical treatment of such victim;
- (e) details of hospitals, clinics and medical practitioners attending to the victim;
- (f) particulars of next of kin or other relatives of the victim;
- (g) details of the referral person or investigating agency; and
- (h) details on the case as observed and assessed by the investigating agency.

28. Victim who is removed from shelter home — Any victim who is removed without the free will of the victim from a shelter home without lawful authority may be recovered by any officer of the investigating agency and may be brought back to the shelter home.

29. Additional support resources — (1) As the contribution of Non-Governmental Organizations with experience in attending to victims of trafficking in persons, in particular those which provide comprehensive support and are involved in public administration programmes for victim support and protection is acknowledged, provision is, therefore made for the involvement of such organizations and bodies in all processes described in these Rules, in particular with regard to material and psychological support for victims.

- (2) When victims are referred to a shelter home established and run by a Non-Governmental Organization duly registered for the purpose under these rules, such Non-Governmental Organization, in addition to shelter and secure accommodation, shall provide comprehensive support, including, healthcare, psychological care, psychiatric care, other social, educational and training resources, along with assistance for their social and professional inclusion, legal advice, interpreters or support to facilitate voluntary return.
- (3) In addition to the above, the residents of the shelter home shall be entitled to make complaints, suggestions or requests about any matter concerning their personal or communal environment. In case of a request made by a resident the management of the shelter home shall ensure that all efforts are made to entertain reasonable requests having regards to available resources.

30. Financial assistance to registered Non-Governmental Organizations — (1) A registered Non-Governmental Organization may apply to the Government or the Provincial Government for financial assistance.

- (2) The application under sub-rule (1) shall be considered subject to the availability of funds, and the policy on financial awards to Non-Governmental Organizations of the respective government.

Referral to support resources

31. Referral by the investigating agency — (1) If immediate access to the Court is not possible or convenient, the investigating officer or any other officer of the investigating agency, when initiating a notice referring a victim for shelter and support, shall —

- (a) act within a duty of care, addressing and flagging in any referral the victim's immediate needs including medical, food, clothing, accommodation, hygiene, children, pregnancy, and the importance of being located within a particular area to maintain treatment and schooling if needed, or of being moved away from risk including carrying out an immediate risk and needs assessment in accordance with Form 29.1;
 - (b) act only with the victim's informed consent, which shall include considering whether the individual has the capacity to understand and to consent;
 - (c) explain to the victim the referral process and what this will mean in practice, which shall include explaining the support entitlements available to a possible victim as well as the limitations of support.
- (2) If the victim so agrees, he or she shall be provided with a referral to the governmental organizations dealing with support or the services of registered non-governmental organizations and bodies in particular those which provide a comprehensive support service and protection.
- (3) All bodies involved must guarantee the confidentiality and informed consent of the victim.
- (4) Where any victim is not satisfied with the Non-Governmental Organization to which the victim was referred, he may apply to the investigating agency or the Court for alternate shelter.

32. Notice of referral — The notice of referral by an officer of the investigating agency shall be in Form 29.2 and shall, where available: —

- (a) a copy of all documentation containing all information to which the investigating agency may have had access, and in particular that provided by organizations or bodies with proven experience in attending to victims of trafficking;
- (b) information on any statements which the victim may have given;
- (c) information on the victim's legal status in the country;
- (d) information on the victim's personal circumstances; and
- (e) any other information deemed relevant for the referral.

33. Application to the Court by parent, guardian or relative — (1) Where a victim below the age of 18 years or of unsound mind placed in a shelter home established by the Government or by a duly registered Non-Government Organization is a citizen or permanent resident of Pakistan, the parent, guardian or relative of that person may, at any time, make an application to the Court to commit that person into

the custody of the parent, guardian or relative.

- (2) Upon receipt of an application under Sub-rule 1, the investigating officer shall prepare, or cause a report to be prepared, in relation to —
 - (a) the victim of an offence under the Act;
 - (b) the status of any investigation or prosecution for any offence under the Act in relation to the victim;
 - (c) the background of the victim, his or her parents, guardians or relatives including suspected complicity of said parents, guardians or relatives in the trafficking; or
 - (d) any other matter as the investigating officer deems relevant to enable the Court to determine the application in the best interest of the victim.

- (3) After having read the report of the investigating officer, and if the Court is satisfied that it is in the best interest of the victim who is a child or is of unsound mind, the Court may —
 - (a) commit such victim into the care and protection of the parent, guardian or relative of the person, upon such conditions as he may deem fit to impose;
 - (b) require the parent, guardian or relative of the victim to enter into a bond for safe custody of the victim and his production before the Court at the time and place mentioned in the bond; or
 - (c) require the person to be placed under the supervision of a public authority, for a period to be determined by the Court.

- (4) The Court may, for the welfare of the victim who is under eighteen years of age or is of unsound mind, hand over the custody to any of his blood relation after requiring a bond from such custodian for safety of the victim and, in case the victim is required to be produced before the Court, that the custodian shall continue to produce as the victim before the Court as and when directed.
- (5) The Court may, at any time, for reasons to be recorded, revoke or withdraw any order made under this rule.
- (6) Upon revocation or withdrawal of an order by the Court or expiry of the period specified in the order, the investigating officer shall in the case of a victim who is a foreign national who is a child under 18 years of age or is of unsound mind and possesses valid documents, release that person, or in any other case as may be prescribed, refer that person for facilitated return to his country of origin in accordance with any laws, rules, regulations or procedures relevant to the return. All necessary steps to facilitate the return of such victim to his country of origin shall be taken without unnecessary delay, with due regard for the victim's safety and welfare.
- (7) Notwithstanding sub-rule (6), the Court may, upon an application made by the investigating officer, and being satisfied that such person is in need of further care and protection, make an order that such victim be placed in the shelter home for any further period as the Court deems fit.

Prosecution and Proceedings in the Court

34. Recording of statement under section 164 of the Code — (1) A victim of an offence under the Act, shall be produced before a Magistrate or the Court for recording his voluntary statement under section 164 of the Code, except where the victim is unable, or otherwise it is not feasible for any reason to be recorded in writing, to get his statement recorded.

- (2) The Magistrate or the Court shall preferably record the statement in exclusion of persons other than officers of the court, persons directly concerned in the proceedings and such other persons, if any, as the Magistrate or the Court may determine.
- (3) If the victim speaks a different language, his or her statement under Section 164 of the Code shall be recorded by a Magistrate who speaks language of the victim. If it is not possible, the services of an appropriate translator may be utilized. The investigating officer shall take the initiative in identifying the appropriate and duly vetted translator.
- (4) If the victim's statement is required in more than one cases, registered elsewhere for different offences which may be part of the same continuing transaction, the victim's statements may be recorded once and a certified copy is utilized for the other court.

35. In camera proceedings — (1) In proceedings for an offence under sections 3, 4 or 5, of the Act, all persons, other than officers of the court, persons directly concerned in the proceedings and such other persons (if any) as the Court may determine, shall be excluded from the court during the proceedings.

- (2) In any proceeding involving a victim or an alleged victim who -
 - (a) is a child;
 - (b) is mentally or physically challenged;
 - (c) has been traumatized by the experience of being trafficked; or
 - (d) has been subjected to sexual abuse, commercial sexual activities or forced marriage

the Court shall order that such proceedings are to be held in camera under sub-section (1) of section 12 of the Act.

36. Recording of evidence by live video link — (1) In any proceedings under the Act in the Court, a person other than the accused may give evidence through a live video link if the Court is satisfied as to the arrangements for the giving of evidence in that manner by that witness and the rules applicable to the Court permit the same.

- (2) The prosecutor may apply to the Court in which the proceeding is to take place for passing an order for assistance in facilitating the giving of evidence by that witness through a live television link. An application under this sub-rule shall be granted only if the Court is satisfied that—
 - (a) the evidence which it is averred the witness is able to give is necessary for the proper adjudication of the trial; and
 - (b) the granting of the application —
 - (i) is in the interests of justice; and
 - (ii) in the case of an application by the authorized prosecutor, is not unfair to the accused.

37. Appointment of interpreters — The victim or any other witness may, at any stage of trial or proceedings under the Act, request for provision of assistance of a translator or interpreter, including a sign-language interpreter, and the Court may issue an appropriate order on such request.

38. Restriction on media reporting and publication — (1) The Court in which proceedings for an offence under sections 3, 4, or 5 of the Act, are brought may, on an application by the investigating officer, or on basis of an oral or written request by the victim, or in its own discretion order under the provisions of sub-section (1) of section 11 of the Act prohibiting publishing or broadcasting through printed or any electronic medium of any information, including—

- (i) the name or address, or include any particulars calculated to lead to the identification of any victim or alleged victim of the offence or the family members of a victim or alleged victim or as being a witness to the proceedings, or
 - (ii) any photograph of, or that includes a depiction of, the victim or alleged victim of the offence or the family members of the victim or the alleged victim, or a witness to the proceedings, or
 - (iii) any other representation of the physical likeness, or any representation that includes a depiction of the physical likeness, of the victim or the alleged victim of the offence, or a witness to the proceedings that is likely to enable the identification of the victim or the alleged victim of the offence, or a witness to the proceedings, or
 - (iv) a photograph or a representation of any other person, place or thing which may lead to the identification of the victim, the alleged victim of the offence, or a witness to the proceedings.
- (2) A person who commits a breach of the order of the Court shall be guilty of contempt of court.

- (3) Where the Court considers that the interests of justice so require, by a written order containing reasons thereof direct that such information as the court shall specify in the order may be published or broadcast in such manner and subject to such conditions as the court may specify in the order.

Return and Repatriation of victims

39. Repatriation of victims of foreign origin — (1) Where a person who is a foreign national has been identified to be a victim of trafficking in Pakistan, the Ministry shall inform the embassy or, as the case may be, the High Commission of the country to which such foreign national belongs of the facts inclusive of the identity of the foreign national through the Ministry of Foreign Affairs and after concluding the due process in accordance with relevant procedures and policy initiate the process to return the victim to his or her country in a dignified and facilitated manner.

- (2) Where a victim is not a citizen of Pakistan, the Court shall record the evidence of the victim at the earliest.

Provided that the victim whose presence is considered necessary by the court for the trial of the case or his or her immediate repatriation is not possible, shall be entitled to apply to the National Alien Registration Authority for his temporary registration as alien or for work permit.

- (3) If the repatriation of the victim is decided, the Government shall, through the Ministry of Foreign Affairs and in consultation with the concerned Embassy or, as the case may be, the High Commission of the country to which the victim belongs, make necessary arrangements for safe return of the victim. Non-Governmental Organizations or entities (NGOs) working on the issue of trafficking in persons duly registered under these rules, especially those which have track record in repatriation of victims from other countries, may provide assistance to the Government in the process of repatriation of the victim at both ends.
- (4) A reference file of a victim being repatriated shall be prepared and handed over to receiving organization for necessary followup. The file should include following documents:
- (i) a copy of the First information report;
 - (ii) a list of offenders arrested or identified;
 - (iii) names and addresses of the accused or convicted perpetrators at the source;
 - (iv) health details including HIV Status (with the informed consent of the victim) and psychological assessment and current and followup treatment;
 - (v) any request made by the victim for assistance.

- (5) The Government may establish special funds for preparation and repatriation of the victim.
- (6) Nothing in this Rule shall prejudice any prosecution of an act of trafficking in persons made an offence under the Act.

40. Repatriation of victims to Pakistan — (1) If a person who is a citizen or a permanent resident of Pakistan is identified to be a victim of trafficking in persons in a foreign country, the Ministry of Foreign Affairs shall, in cooperation with the concerned embassy or diplomatic mission of Pakistan in that country, initiate the process to repatriate the victim to Pakistan.

- (2) If an embassy of Pakistan in a foreign country receives information by any means that a victim of trafficking in persons who is a citizen of Pakistan is under arrest or detention in that country, the embassy or diplomatic mission of Pakistan in the country shall initiate measures to rescue, release and return such victim to Pakistan. In addition, the embassy or diplomatic mission of Pakistan shall take measures provide legal assistance or counseling to a victim who has been compelled by any reasons in a foreign country.

Measures preventative of trafficking in persons

41. Awareness and outreach — In addition to the provisions of section 14 of the Act, all investigating agencies empowered with investigation of offence under the Act shall —

- (a) collaborate with the Government and other governmental, international or non-governmental stakeholders to initiate and conduct public awareness programmes and other measures to inform and educate members of the communities at risk of being victims of trafficking on issues related to trafficking of persons including
 - (i) common recruitment techniques used by traffickers;
 - (ii) measures and tactics employed to keep a victim of trafficking in exploitative situation;
 - (iii) forms of abuse to which victims of trafficking are subjected;
 - (iv) rights of victims of trafficking;
 - (v) agencies, institutions and organizations that may be approached for assistance; and
 - (vi) legal measures and remedies to effect recovery of victims of trafficking and their safety.
- (b) prepare and disseminate public awareness materials to discourage the demand

that fosters the exploitation of persons, especially women and children, and that leads to trafficking including:

- (i) Information on the impact of trafficking in individual victims, aggregate information on trafficking world-wide and domestically, as well as warnings of the potential for criminal consequences for taking part in trafficking;
 - (ii) Information on the impact of trafficking on individuals victims. However, any information on the experiences of individual victims shall preserve the privacy of the victims and the victim's family;
- (c) coordinate the activities of relevant institutions on matters relevant to trafficking in persons at various levels;
 - (d) propose and promote strategies to prevent trafficking in persons; and
 - (e) liaise with governmental agencies, Non-Governmental Organizations and other stakeholders to promote rehabilitation and re-integration of victims of trafficking.

42. Training to identify and protect victims — Training shall be made available in all relevant judicial, prosecution and investigating agencies such as social welfare and labour inspectorates, police organizations, and other relevant agencies and bodies including, but not limited to those related to health care, hospital, labor, and social service, to:

- (a) educate officers and other employees of the relevant agencies and bodies on the phenomenon of trafficking in persons, laws and rules on trafficking in persons, the rights and needs of trafficked persons, and the tools necessary to provide effective services to trafficked persons;
- (b) identification and recognition of victims of trafficking;
- (c) framework and methods for protecting trafficking victims and advising them of their rights; and
- (d) procedures and techniques for handling specialized needs of victims who may face cultural, language and other barriers that impede ability to request and obtain available services.

Data related to trafficking in persons

43. Database on trafficking — (1) A centralized database on trafficking of persons shall be developed and maintained by the National Police Bureau for mapping trends and routes of offences under the Act, perpetrators and suspected perpetrators of offences under the Act, identification of indicators of vulnerability, and coordination at various stages amongst the various stakeholders including the Provincial Governments, the Government of Azad Jammu and Kashmir, and the Government of Gilgit-Baltistan. The said database shall, *inter alia*, include -

- (i) number of cases registered;
 - (ii) the age, sex and nationality of the trafficking victims and defendants in all cases prosecuted;
 - (iii) the number of cases investigated;
 - (iv) the number of prosecutions under the Act;
 - (v) the number of convictions under the Act; and
 - (vi) status of each case.
- (2) In addition to the above, the databank may also contain information obtained as a result of criminal intelligence activities, investigation and judicial examination conducted in relation to the offences under the Act and information received from the International Criminal Police Organization (INTERPOL) and other appropriate organizations.
- (3) The investigating agencies and police organizations shall share their respective data relevant to trafficking in persons with the National Police Bureau in both soft and printed forms every three months. The National Police Bureau shall design and form for submission of data and shall make the form available on the website of the National Police Bureau.
- (4) To eliminate the risk of storing, and disseminating incriminating or other relevant information, the National Police Bureau shall place and shall strictly adhere to standards for data protection at all stages of the data processing cycle, especially ensuring that -
- (a) personal data is not disclosed without prior knowledge of the victim and informed written consent by the victim, or in case of a child victim, that of his or her parent or guardian on condition that they were not complicit in the trafficking;
 - (b) the only exceptions to this rule is the situation where the limited release of non-personal, case-based data is necessary to enable an investigating agency to secure the safety of other victims still under the control of offenders, or of those who are at risk of being trafficked.
- (5) Any information fed or derived from the national database on trafficking in persons can be used/shared for the following purposes:
- (a) investigation, prosecution and assisting victims;
 - (b) sharing to relevant stakeholders;
 - (c) writing reports to international and regional bodies;
 - (d) planning different programmes and strategies to combat trafficking in persons;
 - (e) monitoring and evaluation of interventions to combat trafficking in persons;
 - (f) research; and
 - (g) fund raising.

- (6) The National Police Bureau will share the data collected under this rule with the stakeholders during every biannual coordination meeting on trafficking of persons to be held under rule 42.

44. Biennial coordination meetings — (1) For the purposes of evaluating and coordinating the implementations of provisions of the Act and these rules, the Federal Investigation Agency shall hold after every two years a meeting of the stakeholders at the Headquarters of the Federal Investigation Agency at Islamabad.

- (2) The report and minutes of the coordination meeting shall be submitted to the Ministry by the Federal Investigation Agency.

ANNEXURE A

Minimum standards for registered Non-Governmental Organizations rendering services to victims of trafficking [see rule 23]

The Minimum Standards and Norms are the prescripts for registered NonGovernment Organizations in terms of rule 23 of the Trafficking in Persons Rules, 2020. The Minimum Standards and Norms are in place as a measure to promote the rights of victims of trafficking.

The core principles of these standards are to ensure that the basic human rights of the victim is upheld and respected; individualized, inclusive and comprehensive to address the needs of each individual through a continuum of care opportunities for all life domains of victims; equitability and accessibility; gender sensitivity and child friendliness; and accountability.

Standard 1: Registration of the service providing Non-Governmental Organization —

1. The Non-Governmental Organization must be registered for providing services to victims of trafficking.
2. The Non-Governmental Organization should ensure that measures are in place to promote and protect the rights of victims.

Standard 2: Location —

1. The location of a shelter home shall be consistent with its purpose and function. The location shall be well connected with amenities such as water, electricity, sanitation, communications, etc.
2. The premises of a shelter home shall not be used for functions unrelated to the shelter home which compromise or have an adverse effect on the care of residents.
3. Any shelter home meant for victims of trafficking exploitation should be located in a residential area and should be maintained and integrated in the local scenario. The name board of the home should not reveal either the purpose or the kind of benefit it provides.
4. The location of the home should minimize risk to the residents and should have a favorable ambience with adequate privacy for the residents.
5. The home/shelter should be well connected with other amenities such as water, electricity, sanitation, approach road, etc. Care should be taken to ensure that the physical infra-structure allows no undesirable outside contact.
6. All the residents shall have equal access to all facilities of the shelter home including medical check-up, food, bedding, clothing, awareness sessions, vocational training, psychological and legal support and all other facilities made available by the shelter home from time to time.
7. Cases referred by the Court shall be dealt with strict caution and permission to

leave the premises shall only be granted in case of emergency. The management of the shelter home shall ensure that such cases are provided with proper security before they leave the shelter home premises.

Standard 3: Basic Infrastructure Facilities —

1. The shelter home should be well ventilated, with adequate space (approximately @50-60 square feet per resident).
2. The shelter home should have well ventilated kitchen, a common hall, medical room, dining hall, bedrooms, storage facility and staff quarters and no basements should be used for residential purposes. There should be a separate counselling room that is conducive and ensures privacy.
3. The shelter home should have open space for recreation, washing/drying arrangements which ensure privacy of the residents.
4. The residents of the shelter home should have access to public facilities such as garden, playground and recreational facilities, etc.
5. Female facilities should be equipped with sanitary disposal bins.
6. Toilet facilities for victims with special needs should accommodate wheel chairs and other relevant equipment.
7. Toilets must be kept clean and accessible.
8. One toilet for at least every eight residents of each gender should be available
9. Every resident should be provided with individual bed, bedding, two bed sheets, one blanket, one pillow, and one mosquito net per year.
10. Universal care processes should be established which enable the shelter home to provide for the special care needs of disabled, pregnant and lactating mothers and severely sick residents without any stigmatization or isolation.

Standard 4: Security —

1. The shelter home should have round the clock security arrangements. Without appearing custodial in nature the home should ensure adequate security to the residents.
2. Security staff members should be trained in the maintenance of control measures in the shelter home.
3. An emergency action plan with relevant contact details should be displayed and regularly updated.
4. An emergency generator that is functional and serviced regularly or energy backup such as candles, gas, coals, etc. should be available.
5. Emergency water supply through borehole, reservoir, tanks or other means should be arranged or planned.
6. An evacuation plan should be developed and displayed. Staff and residents/victims should be
7. trained on the plan and regular drills should be held to familiarize and prepare staff members

8. and the residents/victims in case of emergency.
9. Windows and doors should be adequately protected to ensure the safety of the residents
10. Visitors to the shelter home, excluding other service providers such as government officials; monitoring and evaluation officers, should normally make an appointment prior to the visit and must sign the visitors register. The register should reflect the name; identity number; home address; person visited and relationship with that person; phone number; time in and time out as well as the signature.
11. The visitor should present an identity document for his or her identification.
12. All visitors should be screened and searched before entering the shelter home as well as on their return.
13. A Close Circuit Television System (CCTV) and alarm system in a good working condition should be installed at the premises.

Standard 5: Safe environment —

1. The management of shelter home must ensure the victims' safety and security in the Organization and provide a secured environment in which victims are protected from physical, social and emotional harm or threat of harm.
2. All inflammatory or hazardous substances such as kerosene, petrol, pesticide, phenol, medicines, acid, bleaching powder, soaps, rat killers, especially sedatives etc) should be kept securely, out of the reach of the residents. Field security plan should be in place (fire exit marking). There should be a regular fire drill. Basements should not be used for residential purposes.
3. For residents who are suffering from psychological disturbances any task with sharp/hazardous instruments and substances such as knives, screw drivers, ropes and wires should be avoided to extent possible and if unavoidable to be done under proper supervision.
4. All doors (bathroom, toilets, kitchen, storage, bedrooms) should have provisions for opening from outside in cases of emergency.

Standard 6: Confidentiality —

1. The resident should not be exposed to the media and complete confidentiality should be maintained about the facial and other personal identity of the resident at all stages from admission to the shelter home to prosecution and social reintegration and thereafter. All case records especially medical records should be maintained with utmost confidentiality.
2. No information about a resident will be given to any outsider without the permission of the authorized person and the informed consent of the resident.
3. The organization should have a safe and lockable cabinet for files, information and personal belongings.
4. The management of the shelter home must ensure that all information on

intervention is confidential and all reports are locked under lock and key.

5. The keys to the safe should be kept by the manager or the staff member on duty. Spare keys should be accessible for managers in case there is a crisis and be signed in a register.

Standard 7: Staff Recruitment and Training —

1. Staff should be recruited only after adequate screening about their past record and assessment of their skills and attitude. Special care should be taken to ascertain any indications of past criminal record or association, psychological disorders, and addictions.
2. All staff irrespective of position should be given induction training and adequately sensitized on aspects of trafficking, needs of trafficked residents, trauma care, first aid and counseling.
3. Standardized induction training module should be developed with regular updates.
4. At least 1/3rd of the staff members should be trained on how to assist victims with special needs.
5. The shelter home should have the following human resources for operations for an average of 20 residents with:
 - (a) One head/manager of the shelter home with a postgraduate degree.
 - (b) One full time resident Warden/Superintendent who should be at least a graduate.
 - (c) One resident cook.
 - (d) Two caretakers with a minimum SSC education.
 - (e) One Accountant cum Documentation personnel.
 - (f) Four Security personnel with a reading and writing skills
 - (g) A Panel of Medical practitioners (government or private) should be identified to attend to the needs of the residents at any time of requirement and appropriate budget should be extended for medical kits, transport and honorarium
 - (h) For legal assistance it should be converged with existing free legal aid services. If such services are not easily available a budget may be provided for legal support and assistance till such a time mainstream services can be accessed.
6. Two Trained counsellors' preferably with a master's degree in Social Work, Sociology or Psychology with special training on trauma care should be recruited on a fulltime basis, and where one counsellor is to be a resident and other may be a non-resident for better functioning. The home may also choose to use primary level peer counsellors who are present in the home all the time and supported by secondary level professional counsellors as mentioned above.

Standard 8: Management and Administration —

1. The shelter home should have a suitable, furnished administrative office on the

- premises.
2. Shelter home management should ensure that an appropriate filing system are in place pertaining to the administration.
 3. The shelter home should have an annual budget available.
 4. All external and internal audit reports must be submitted in time and should be available at the administrative office.
 5. Appropriate staff should be in place. All staff members should have a personal file including job description.
 6. The residents should be directly involved in the day to day running of the shelter home. All residents should be part of the general body in running the home. On democratic lines committee should be chosen from the general body which will support in the management of the home on different aspects.
 7. The committee should be reconstituted every 3 months and every resident in the home should be given a chance to be an active committee member
 8. All process of the committee meetings, staff meetings, general body should be well documented.
 9. Shelter home management must ensure that contracts of the staff members includes agreement on confidentiality, acknowledgement of the rights of victims, victims' responsibilities and victims' rights as recipients of the service.

Standard 9: Admission and Induction of the Residents —

1. As soon as a resident enters a shelter home, he or she should be received with a welcome kit which consists of two pairs of clothes, towel, and toiletry (toothbrush, toothpaste, soap, sanitary napkins, powder, shampoo sachet, hair oil, comb etc.)
2. In the first one hour the new resident should be allowed to take bath and fresh in up. A light snack with water should be provided as the initial formalities are completed.
3. Older residents trained, as voluntary assistant counsellors should be given the task of receiving a new resident and introducing her to the other residents. As a part of the reception a tour of the home should be given.
4. The management of the shelter home should ensure that an intake form and register book are in place and completed in the pre-assessment and screening phase
5. An assessment should be conducted within 24 hours from admission and that the needs assessment is completed.
6. If the resident is brought during night, he or she should be allowed to rest and personal profile and other documentation formalities should be taken only the next day after the resident has rested.

Standard 10: Orientation and Residence —

1. A preliminary assessment report of the new resident should be recorded on the

prescribed format. A photograph of the victim should be taken at the earliest suitable time.

2. As a part of the personal profile care should be taken to establish the true identity of the resident such as her real name, whereabouts of family members, community members, relatives, next of kin, address, etc. Updating can be done in a phased manner and computerized.
3. The resident should be provided all information regarding the procedures, rules and facilities in the home. The resident should also be informed about her legal and civic rights.
4. A grievance/redress mechanism should be created.
5. The resident should be informed about all the benefits the resident is entitled from the Government and all other rehabilitation package such as livelihood skill, livelihood options, education for children, etc.
6. The resident should also be informed and counselled about the routine medical tests and examinations she will be asked to undergo and also the tests for which the resident has to provide informed consent.
7. Only after the resident is well oriented (may take a minimum of two weeks) an undertaking should be taken by the resident on his or her choice to rehabilitate/reintegrate.
8. Not more than one victim should be accommodated per bed and no sharing of beds are allowed.
9. The organization that accommodates victims with special needs are accessible and user friendly All needs must be met if not, referral to another registered organization must take place.
10. At least one family room /unit should be available when required.
11. An enabling environment should be created for children's unconditional acceptance, treatment and interaction in the organization.

Standard 11: Documentation —

1. As soon as the resident is admitted her personal profile should be recorded in a specified format. The said profile should be updated regularly. The profile to be recorded only when the resident is mentally prepared for the same. The persons responsible for recording/documenting the profile should be trained mainly on communication and documentation. She/he needs to be patient with the residents and ensure authenticity.
2. There should be separate files maintained for each resident which should include a profile consisting of personal details, informed consent and referral records with a medical file consisting of medical reports, treatment plan and prescriptions. Confidentiality to be well maintained especially in the case of residents being HIV positive.
3. Separate registers should be maintained for attendance, visitors, incoming/outgoing and restoration/reintegration.
4. There should be a victim care plan which should take into consideration the

educational background and Interests/ talents/skills of the victim (to be recorded in a prescribed format for all residents and kept in the personal profile). Individual care plans should be made based on this and appropriate training to be imparted taking into consideration the emerging areas of human resource requirements. This care plan should be updated from time to time for each resident even after return and follow up.

Standard 12: Tracking Arrangements —

1. Shelter homes should maintain all relevant details on the resident including copy of the FIR and court orders.
2. A complete record of the resident's contact information including names of relatives, address, phone numbers should be maintained in the resident's confidential file.
3. Authenticity of the resident's information should be ensured. A recent/latest passport size photo of the resident should also be kept in the confidential folder.
4. Profiles of the close associates of the resident/victim should be secured and maintained. All relevant information should be comprehensive and form a part of the initial assessments.

Standard 13: Access to adequate Health and Medical Support —

1. Immediately after a resident is admitted, he or she should be provided immediate medical support (check up, treatment for immediate ailment etc).
2. Medical examination forms part of admission criteria. Medical screening for STI, pregnancy, drug testing and other health related problems should be in place within 24 hours after the arrival of the victim.
3. Pediatric support should be given for children accompanied and a check up by a gynecologist if the woman is pregnant.
4. Information on accessibility to primary health care services should be displayed.
5. Detoxification services should be accessible for the victims.
6. A first aid kit should be readily available, maintained and the staff must be trained on how to administer first aid. The first aid kit must always be adequately stocked.
7. Medicine, cleaning substances and any dangerous substances should be kept in separate locked cupboards and are administered by trained staff.
8. Primary health care for pregnant mothers and children including should be accessible and provided.
9. Transport should be available for victims to hospitals, clinics, etc.
10. Access to medical services should be available round the clock.
11. Pathology tests for HIV/AIDS should be done only after the resident gives his or her informed consent.
12. The shelter home should have facilities for periodic and regular health check-

ups by a registered medical practitioner, referral to external medical experts, hospitals, and facilities for hospitalization, particularly gynecologist and pediatrician.

13. The shelter home should have referral networks with mental health professionals including psychologist, psychiatrist, and psychotherapist and mental health institutions for immediate and timely support for psychologically disturbed residents.
14. The shelter home should have referral network with de-addiction centers for those residents who have a problem of substance abuse.
15. All shelter homes should have a first aid box with basic medicines and equipment such as thermometer and updated medical record of each resident. It should be replenished on a regular basis and medicines should be checked regularly for their expiry date.
16. The shelter home should have arrangement for caretakers who will escort residents during hospitalization and also facilities for transportation of a sick resident.
17. Shelter homes should maintain proper registration of births and deaths.
18. The shelter home should have a corpus fund for health-related emergencies such as special health conditions, funeral rites
19. At every shelter home, safe drinking water, sufficient number of bathrooms and toilets, fans and proper ventilation, mosquito nets and proper drainage systems should be in place to ensure the health of all residents.
20. Residents should be provided a nutritious diet. Care should be taken to cater to special needs of residents such as lactating mothers as per the diet chart. The menu for the week should be a part of the home committee decisions.

Standard 14: Counselling and Therapeutic Support —

1. A Non-Governmental Organization providing accommodation shall provide counselling services to victims of trafficking referred to it.
2. An assessment to victims should be conducted promptly after admission to the shelter home to determine their individual needs.
3. Appropriate services should be rendered to the victims in a non-discriminatory and non-judgmental manner including but not limited to the following:
 - (a) Trauma counselling
 - (b) Psycho-social support
 - (c) Group work
4. Counselling services should be rendered by individuals with appropriate training, support and supervision to maximize their abilities and capacity to render such programmes.
5. Counselling services should be rendered in a conducive environment to assist victims to use their strength-based approach while they are assisted to deal with trauma. The best interest of the victims are served through a multidisciplinary approach.

6. The growth and development of victims should be monitored and communicated to the victims. and secondary victimization and trauma should be minimized.
7. Counselling should entail a holistic approach that is sensitive to the religious and cultural values of victims.
8. Victims should be informed of the therapeutic progress made since admission.
9. There should be both professional and peer counsellors-preferably female- in a home who would provide immediate trauma care and long-term counselling for the residents.
10. The ambience of the shelter home should be therapeutic in terms of nonjudgmental attitude of the staff, along with avenues for relaxation, recreation and spiritual growth and activities for executing responsibilities and to gain confidence and control. Illustrated activities include indoor & outdoor sports, physical exercise, cultural activities, workshops, study material, magazines, music, yoga, gardening, etc.
11. Both individual and group counselling should be available for the residents.
12. Residents showing symptoms of psychiatric disorders should be immediately referred to professional psychiatrist.

Standard 15: Access to Rehabilitation Services —

1. Service provider must ensure that each victim's Individual Development Plan (IDP) reflects the situation analysis and progress according to intervention strategies and are regularly updated.
2. The risk factors identified during assessment are addressed.
3. Victims' IDP and Care Plan should be regularly updated and should be available at the administrative office.

Standard 16: Restoration and Reintegration —

1. Any formalities for the restoration and reintegration process should begin only after getting the informed consent of the resident.
2. Restoration/repatriation plan for a resident should be undertaken only after a complete home investigation (format enclosed) is done. The home investigation should include an assessment of the family (are they involved in trafficking), family and community's willingness to accept the girl and the family's environment.
3. Before a resident is reintegrated in his or her community, a detailed discussion should be held with the resident and the restoration team on what explanation should be given to the family on her absence from his or her community. The resident's version should be adopted as the final version.
4. Proper record and documentation (photos, undertaking from parent/guardian) should be maintained for all restoration undertaken.
5. No rescued victim shall be sent back to the family without adequate assessment and without ensuring social acceptance and family support. Repatriation will be done after the stay in a shelter.

6. The members of the professional and preferably voluntary organizations who have had some interaction with the victim shall be represented in the process of repatriation.
7. No rescued victim shall be sent back to the family without reasonably ensuring that the victim shall not be re-trafficked.
8. The victim being repatriated should be counselled and prepared to return to the country of origin after providing her with adequate medical and psycho-social care as well as after empowering him or her through basic life-skills so that the victim can be reintegrated in mainstream life.
9. Adequate financial assistance should be provided for meeting the needs of rescued victims during travel while repatriating them to their families or institutions in source areas.
10. Adequate provision for dearness allowance for police escort or any other authorized escort during such travel should be made by the Government or a Provincial Government.
11. It should be ensured that the legal formalities should be completed for the residents before being restored or repatriated.

Standard 17: Follow Up —

1. Protection for the first six months after the restoration is done monthly follow up should be done. Thereafter the follow up could be done once a quarter for the next one year.
2. Follow up program should include the following:
 - (a) Protection against re-trafficking and commercial sexual exploitation;
 - (b) protection against stigma and discrimination;
 - (c) protection against any other exploitation;
 - (d) optional link with multiple professional support systems;
 - (e) confidentiality;
 - (f) mental health;
 - (g) restoration/ ensuring/exercising of rights over parental, ancestral and community property and entitlements; and
 - (h) victim friendly.

**Application for Registration of Non-Governmental Organization
to provide Services to Victims of Trafficking in Persons**

[see rule 25]

Registration/Temporary Safe Care/Reinstatement of Registration/Renewal of
Registration (*delete which is not applicable*)

A. Application for Registration

This is an application in respect of:

a. A Non-Governmental Organization who desires to be registered to provide
services to victims of trafficking including children.

b. Reinstatement or renewal of registration of Non-Governmental
Organization.

c. Registration to provide temporary safe care.

(*Indicate the type of organization in respect of which application is made*)

Name of the Non-Governmental Organization: _____

Permanent

Address: _____

Postal address:

_____ Postal code:

Name of person or body who manages the organization or who wishes to establish it:

Physical address of person or body:

Telephone : _____ Cell _____ phone:

Fax number: _____ E-mail: _____

B. The number of victims/residents to be accommodated in each category in
respect of which application is made:

Male _____

Female _____

Adults _____

Children _____

Adults with children _____

Total _____ +

C. SUPPORTING DOCUMENTS

- (a) Programmes offered by the organization offer which are aimed at the—
- (i) provision of accommodation to adult victims of trafficking;
 - (ii) provision of counselling to adult and/or child victims of trafficking;
 - (iii) reintegration of adult victims of trafficking into their families and communities; and where applicable
 - (iv) provision of rehabilitation and therapeutic services to adult victims of trafficking; and/or
 - (v) provision of education and skills development training to victims of trafficking.
- (b) Programmes are offered by the organization to a child in the care of a victim of trafficking, as provided for in Rule -of the Trafficking in Persons Rules, 2020, which must include, at a minimum, a programme aimed at the reception, care and development of that child;
- (c) Evidence that the organization and the facilities therein are accessible in accordance with the minimum standards as outlined in Annexure A;
- (d) Evidence that the safety and protective environment of the organization, health care and support, and recreational facilities meet the minimum standards as provided for in Annexure A;
- (e) Evidence that the Non-Governmental Organization complies with the minimum standards to accommodate victims as provided for in Annexure A;
- (f) Evidence that the organization has the ability to provide a safe environment for children; proper care for sick children; and safe storage of anything that may be harmful to children.

D. GENERAL REMARKS

Any additional remarks by the applicant in support of the application: _____

I certify that the above-mentioned particulars are, to the best of my knowledge, true and correct.

SIGNATURE OF APPLICANT CAPACITY

NAME AND DESIGNATION _____

DATE:

**Certificate of Registration of Non-Governmental Organization
providing care and Support Services to Victims of Trafficking in
Persons**

[see rule 25]

Registration Certificate No. _____

Non-Profit Organisation No. _____

Issued to *(Name and Physical Address of Organization)*

It is hereby certified that the above-mentioned organization, has been registered in terms of Rule 23 of the Trafficking in Persons Rules, 2020, to provide services to victims of trafficking in persons in terms of Sections 3, 4 and/or 5 of the Act.

This certificate is valid with effect from
(dd/mm/yyyy) and will expire on *(dd/mm/yyyy)*

**Early Risk Assessment of a Victim or Possible Victim of Trafficking
in Persons
(Rule 29 of the Trafficking in Persons Rules, 2020)**

Important: Any unauthorized access to and disclosure of information of a victim of trafficking or suspected victim of trafficking or child in the care of a victim of trafficking is prohibited

1. Victim information

Name	Age	Sex M/F	Nationality

2. Nature and Account of incident

Date	Source of report
	<ul style="list-style-type: none"> <input type="checkbox"/> Victim <input type="checkbox"/> Relative <input type="checkbox"/> Neighbor <input type="checkbox"/> Friend <input type="checkbox"/> Professional <input type="checkbox"/> Other <p>If other, specify</p>

3. Type of exploitation

<ul style="list-style-type: none"> <input type="checkbox"/> <input type="checkbox"/> slavery or practices similar to slavery sexual exploitation <input type="checkbox"/> prostitution <input type="checkbox"/> child and adult pornography <input type="checkbox"/> debt bondage <input type="checkbox"/> servitude <input type="checkbox"/> forced labour and services begging or forced begging criminal purposes <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

1. Is someone in immediate danger? This includes the victim, the victim's relatives or friends.
(Yes/No.)
If yes, specify

2. Are there outstanding presumed victims? (Yes/No.)
If yes, provide details

3. Have traffickers previously threatened or used violence?
(Yes/No.)

4. What knowledge do the traffickers have? Do they know the victim's home/work address or phone number or details of family?
(Yes/No)
Provide details

5. What support services, including physical protection are available?
 - Healthcare
 - Counselling,
 - Secure accommodation
 - Other
 If other, specify

6. What is the victim's social network?
 - Married
 - Has children
 - Other
 If other, specify

7. Do the traffickers know (or claim to know) the location of the Shelter Home for victims or the Registered Non-Governmental Organization, or home address of the victim?

(Yes/No)

8. Who do the traffickers have the ability to attack? Does it appear they have associates in place in locations that could enable them to attack the victim or his/her family or friends?

(Yes/No)

9. How secure is the investigation?

- Traffickers have a previous history of bribing public officials
- There a weak exhibit management system
- There is wide access to intelligence/information resources

Overall assessment of level of risk

- Low risk
- Medium risk
- High Risk

Date and time: _____

Signature: _____

Name: _____

Rank: _____

Police Station: _____

