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THE MECHANISM FOR IDENTIFYING VICTIMS OF HUMAN TRAFFICKING IN THE REPUBLIC OF AZERBAIJAN

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Introduction

Easily identifying victims of human trafficking, restoring their rights, and determining that they belong to this category are important components of the activities of official organizations. Official institutions base their activities on the regularly updated National Action Plans (NAP). The Main Department for Combating Human Trafficking of the Ministry of Internal Affairs, the State Labor Inspectorate Service, the State Migration Service, the State Border Service, the Ministry of Labor and Social Protection of the Population, non-governmental organizations, etc. participate in the process of identifying and directing victims. These organizations determine whether the exploited are victims of human trafficking. These organizations rely on indicators in the identification process. The identification is carried out on the basis of Resolution No. 131 “On the Rules (Indicators) for Identifying Victims of Human Trafficking”. These rules were developed on the basis of the NAP. Since the NAPs are compiled every four years, the innovations made in the next action plans, in turn, lead to changes in the rules for identifying victims of human trafficking. Indicators for identifying victims of human trafficking are divided into general indicators and indicators determined for those suffering from various types of exploitation. General indicators include the characteristics that characterize forced labor. Such characteristics include forced labor, restriction of personal freedom by another person, concern for the safety of oneself and one's loved ones, a sense of fear, threats of punishment by various state organizations, and the seizure of identity and other documents. Those who are exploited in a foreign country do not know the local language, their living and working address, live and work in places that do not correspond to normal living conditions, and cannot use social and medical services sufficiently. Indicators for children who are exploited are characterized by the lack of contact with parents or guardians, being exploited, and having the opportunity to play with children and various children's games [8]. Victims of sexual exploitation are usually under 30 years old and are subjected to torture by various exploiters. Symptoms of exploitation manifest themselves in the form of physical, psychological, and social effects. Physical effects damage various parts of the victim's body or expose them to infectious diseases. Psychological symptoms are observed with depression, suicide, depressive disorders,

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emotional problems, and severe psychological conditions leading to cancer [9, pp. 124-126].

Social symptoms include disruption of family relationships, stigma, social exclusion, isolation, financial difficulties, difficulties in obtaining social services, problems in integrating into society, etc. Victims of sexual exploitation are often met negatively by their families, are not accepted by their native families, and do not receive the social support they need. Feelings of shame, guilt, and stigmatization create difficulties in re-adapting to social life. Such situations cause the victim to distance himself from society, self-isolate, and avoid social events, and negatively affect the reintegration process. Victims of sexual exploitation suffer from low levels of education, unemployment, and are characterized by a lack of financial income. The low level of their education creates difficulties in applying to state institutions for social services. Thus, it becomes impossible for the victim to benefit from the necessary medical, legal, psychological, pedagogical, etc. services in a timely manner [1, pp.113-115].

1. Rules for Providing Social Services to Victims of Human Trafficking

Social services provided to victims of human trafficking by NGOs are characterized by their short-term nature. Short-term rehabilitation is multifaceted (psychological, pedagogical, legal, etc.). Victims can use all rehabilitation services during their stay in the shelter at their own request. However, victims need long-term rehabilitation in many areas. These include housing, reintegration into their native family, permanent employment, access to education, etc. If victims of human trafficking are women who have been subjected to sexual exploitation, their reintegration into their families is long-term or impossible. Various types of rehabilitation help the victim in shaping their future life and starting an independent life. Sometimes reintegration measures may not be effective the first time. In such cases, the victim needs reintegration again and the process of self-recovery takes a long time. Because during integration into the family or society, they return to their previous economic situation and environment. Both national and international law obligate States to assist victims of trafficking, but this promise has been unevenly fulfilled in practice. The main forms of assistance include shelter, medical, psychological and legal assistance, as well as assistance in finding employment, permanent housing, and reunification with family and the community. Each type of assistance can play a role in helping to restore personal autonomy, giving survivors the chance to actively participate in shaping their lives and futures after trafficking. However, most victims of trafficking require at least one to two years of support, and they need a process of reintegration and recovery, as they face many setbacks along the way. The physical and psychological effects of trafficking can be long-lasting.

The post-trafficking phase also often requires ongoing treatment. Return and reintegration are also made difficult because many survivors return to similar economic and family situations that led them to trafficking in the first place. Reintegration is a deeply personal process and each survivor experiences it differently, depending on the context of their family and society (gender relations, stigma) as well as the structural conditions of the area (employment opportunities, education, availability of services). Despite all the assistance provided, the return of victims to normal living conditions is a long and resource-intensive process (housing, permanent income, education, etc.). NGOs are better examples of providing temporary assistance. This is the case in Eastern Europe, Asia, and the United States [6, pp.118-120].

When human trafficking occurs between different continents, it becomes difficult to enter the country of destination illegally, as documents are checked at airports, ferries, and trains. Traffickers can return and then take back documents to cross the border. A common element of the control and coercion mechanisms used by traffickers include

the confiscation of documents at the regional and intercontinental levels of human trafficking for the purpose of sexual exploitation. The lack of identity documents for a trafficked person is considered a significant indicator of human trafficking. In most cases, asylum seekers and those illegally transported do not have documents. The characteristics of each specific case are assessed and a conclusion is drawn according to the current situation. The last place where human trafficking was identified and signs of violence are included in the mechanisms for determining. Organizations providing services to victims of human trafficking should consider regional characteristics, all of the above elements and then make a decision. Special aspects should be taken into account when conducting interviews to determine the status of victims of human trafficking. What is meant by special aspects? When interviewing a child victim of human trafficking, it is best to have a staff member of the same sex present. The parent of the child victim should be present. If the parent is not present or if there is a suspicion of human trafficking, the interview should include a guardian, psychologist, or social worker [3, pp.19-23].

2. Methods of Social Work with Victims of Human Trafficking

Measures taken to identify victims of human trafficking should be carried out with sensitivity. Victims have difficulty understanding what is happening when they are identified. Victims have difficulty determining whether they have been arrested, rescued from the situation they are in, or sold back to human traffickers. A careful approach to involving victims in rehabilitation measures stems from the fact that their psychological state requires special sensitivity. Depressive states, high excitability, anxiety, sleep disorders, and personality disorders may be among the psychological characteristics of victims of human trafficking. Attempts to free themselves from involuntary, unconscious, meaningless, and stereotypical actions lead to a state of anxiety. Victims subjected to psychological violence may experience mental disorders such as memory problems, difficulty remembering the sequence of events, indifference to real time, failure to remember the sequence of criminal acts committed by criminals, indifference to their fate, and making decisions that do not match the current situation, etc. Mental disorders include fear, sadness, hopelessness, avoidance of communication, self-isolation, aggression, irritability and other states.

Victims of violence are unable to properly assess what is happening under the influence of psychological trauma. Some consequences of exploitation and violence embarrass the victims, so they do not complain to law enforcement agencies. Men who have been subjected to labor exploitation, despite being subjected to heavy physical labor, take on all responsibility, become withdrawn, anxious, controlled, and have difficulty concentrating. Male victims do not report what happened to the police for fear of condemnation and misunderstanding. Some authors consider it advisable to organize theoretical and practical forms of work that can reduce the consequences of exploitation in order to provide psychological assistance to victims. It is necessary to implement special programs to change the attitude of society towards victims of human trafficking and to weaken this phenomenon [5, pp. 93-94].

3. Characteristics of Labor Exploitation in the Republic of Azerbaijan

Various types of child exploitation, labor exploitation, domestic slavery, and exploitation of illegal migrants are areas that require special attention. The Ministry of Labor and Social Protection of the Population, the State Migration Service, and the Main Department for Combating Human Trafficking have noted a low incidence of human trafficking in the areas of labor exploitation in construction, household, and agriculture. Representatives of the State Labor Inspectorate Service can only conduct inspections in

registered enterprises in accordance with the law adopted in 2011. Employees of the State Labor Inspectorate Service may conduct an inspection after sending a 3-day advance notice to the enterprise to be inspected. However, if information about human trafficking is received, a surprise inspection may be conducted. However, sometimes the transmission of information through unofficial channels prevents the identification of such facts. Analysis of the survey results shows that respondents do not consider it appropriate to obtain permission from the Ministry of Economy and the Ministry of Justice to conduct raids. Also, conducting inspections only in state-registered entities leads to an increase in gaps in the informal employment sector. Crimes in the field of labor exploitation remain unnoticed. Monitoring conducted in registered entities leads to the identification of cases of violations of the Labor Code. However, labor exploitation cannot be detected. The report submitted by Azerbaijani officials to GRETA on trafficking in human beings reflects the results of raids and monitoring conducted in different years. In 2014, no facts of labor exploitation were detected during raids on construction sites where migrants worked. It was noted that the illegalities detected during raids conducted in various sectors of agriculture in 2010-2011 regarding the exploitation of child labor did not have the character of labor exploitation. In 2013, NGOs specializing in human trafficking did not detect any cases of exploitation during monitoring conducted in 31 farms, 8 road construction sites, and 4 light industrial enterprises in 18 regions where human trafficking is suspected to occur. However, GRETA representatives noted shortcomings in the field of child exploitation. Beggars and destitute children are brought to aid centers. They are released after 3 hours without a full analysis of their condition. The relevant authorities have confirmed that children working in various fields of agriculture with their parents are not exposed to labor exploitation. Since October 2007, a "Hotline" has been put into operation under the Ministry of Internal Affairs to serve "victims of human trafficking and potential victims of human trafficking" in accordance with Order No. 590 dated October 12, 2007. In 2014, 13,216 applications were received to the "Hotline". Of these, 28 were exclusively about victims of human trafficking. Of the 13,000 calls received in 2015, 20 were about human trafficking. The hotline 152 operates within the Main Department for Combating Human Trafficking of the Ministry of Internal Affairs and accepts calls from within the country. It should also be noted that similar hotlines are also available at the Center for Assistance to Victims of Human Trafficking under the Ministry of Labor and Social Protection of the Population and at two specialized NGOs. Respondents participating in the surveys expressed their satisfaction with the activities of the hotlines and their services in the mechanism for identifying victims of human trafficking. Other respondents participating in the survey noted that the public is not sufficiently aware of the hotline operating for the identification of human trafficking. It was acknowledged that there are shortcomings in the indicators for identifying victims of human trafficking. It was recommended to further improve the National Referral Mechanism in the National Action Plans to be adopted in the coming years. In addition, the need to involve law enforcement officers operating in the field of identifying human trafficking in training was emphasized. It was noted that it is necessary to provide employees working in various institutions (State Migration Service and State Labor Inspectorate Service) with training materials for conducting surveys.

Identification and targeting indicators are divided into framework and operational indicators. Framework indicators reflect the theoretical provisions provided for in the National Targeting Mechanism, while operational indicators reflect practical activities. The Law "On Combating Trafficking in Human Beings" and other assistance programs provide for material support for victims. However, restrictions have been imposed on the provision of grants to NGOs by foreign donors. These restrictions are set out in the

Law “On Grants” and the Law “On State Registration of Legal Entities and the State Register”. Thus, NGOs may be fined if they violate administrative regulations. NGOs note that financial resources are insufficient to meet the needs of shelters and victims. They attributed the lack of financial resources to the inability to receive sufficient funds from international NGOs [4, pp. 12-19].

The Republic of Azerbaijan has acceded to the Convention on Action against Transnational Crime relating to human trafficking. Accordingly, it has undertaken to establish, investigate and prosecute trafficking in persons as a crime. The provisions set out in the Convention cover general provisions on the protection of victims and assistance to them. The Council of Europe (CoE) Convention on Action against Trafficking in Persons was ratified in our republic on 23 June 2010. For the first time, this Convention highlights the importance of protecting victims of human trafficking, providing them with legal, medical, psychological, etc. assistance. In order to ensure the protection of victims, their identification is important. Potential victims need assistance during the identification process. If the potential victim is a foreign citizen, the extension of temporary registration for the reflection period, placement in a shelter are reflected as measures to be taken. The European Convention on Human Rights supports the issues of protecting victims of human trafficking. The protection of the rights of migrants and their family members was reflected in the UN Convention. In 1951, the UN adopted the Convention relating to the Status of Refugees, and in 1967, the Protocol was adopted. The Republic of Azerbaijan, by joining this convention, undertook to ensure the protection of victims of human trafficking and people subjected to persecution. If there are risky conditions in the country of origin, the refugee should remain in the country of destination and be provided with shelter. ILO Conventions 97 and 143 impose broader obligations in the field of protection of the rights of migrant workers. The Republic of Azerbaijan has not ratified these conventions. The conventions on the protection of the rights of the child and the rights of persons with disabilities have been ratified in the Republic of Azerbaijan and their provisions are being carefully observed through the implementation of various measures [7, pp. 12-14].

Article 38 of Chapter 1 of the Convention on Action against Human Trafficking provides for the monitoring and evaluation of the implementation of the measures taken by GRETA. The first stage involves monitoring the implementation of measures arising from the Convention. The second stage collects information on laws adopted in this area, measures taken, measures to protect victims and punish criminals. The second stage includes the protection of children's rights and the application of innovative technologies in the field of trafficking in human beings as priority issues. In the third stage, GRETA focused on monitoring the protection of victims' rights in the Convention, medical, psychological, pedagogical, etc. issues. The Human Rights Convention supports the protection and rehabilitation of victims of trafficking in human beings, regardless of their age, language, religion, gender, cooperation in the investigation of the crime, etc., and the use of effective measures. The principle of effectiveness should be applied in identifying victims of trafficking in human beings and in applying urgent rehabilitation measures to them. The above-mentioned provisions were examined in detail during the monitoring of the first and second stages conducted by GRETA. In the third stage, instead of the same questions as in the first and second stages, partner countries were asked to add innovations on the selected topic. A period of 4 months has been allocated for the implementation of the third phase. Responses are requested to be prepared and sent in one of the official languages of the Council of Europe. During the third evaluation, reference may be made to the first and second reports in resolving some issues. It is recommended to involve specialized NGOs in the preparation of questionnaires [2, pp. 3-4].

Conclusion

Thus, the mechanism for identifying victims of human trafficking in the Republic of Azerbaijan can be summarized as follows:

- The mechanism for identifying victims of human trafficking is an important aspect of the system of measures to organize the protection of victims of human trafficking. The implementation of the victims' rights to receive assistance is a factor that significantly affects their reintegration into society and their return to a normal lifestyle. The rights of victims to receive assistance also reduce the risk of becoming victims again.

- For the effective and efficient implementation of the mechanism for identifying victims of human trafficking in our republic, it would be advisable to organize a unified electronic cooperation of the responsible organizations. There is a need to educate employees working in these organizations (Ministry of Labor and Social Protection of the Population, State Labor Inspectorate Service, State Border Service, Main Department for Combating Human Trafficking of the Ministry of Internal Affairs, etc.). It is necessary to take into account the impact of changes in our daily lives on the mechanism for identifying victims of human trafficking (the impact of the Internet on this area, the development of a free market economy, etc.).

- There is a need to conduct large-scale propaganda and campaigning activities to identify victims of human trafficking and to involve civil society members more actively.

- Conducting raids on officially registered or unregistered workplaces by the State Labor Inspectorate and police agencies to identify labor exploitation will yield positive results in solving the problem.

- In order to protect street children from exploitation, it is important to provide them with social services, place them in orphanages, and solve their educational, medical, and other social problems. Establishing the activities of non-governmental organizations and volunteers to ensure that they benefit from social assistance for effective education and leisure will lead to a decrease in the number of children suffering from human trafficking.

- There is a need to create an electronic application database for victims of human trafficking to use shelter services. This can be a reference source for supporting victims of human trafficking in solving problems such as education, employment, and settlement in the post-rehabilitation period.

LITERATURE

1. Doneva N. Social integration of victims of human trafficking. Proceedings of the International Scientific Conference // Social Changes in the Global World " 2023, 1(10), pp.113-129. (<https://doi.org/10.46763/SCGW231113d>).
2. GRETA. Questionnaire on the Evaluation of the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Participating States. Third Evaluation Round. France: Council of Europe, 2018, 56 pp.
3. International Organization for Migration (IOM). Direct Assistance to Victims of Human Trafficking: Guidance Document. Baku, Azerbaijan: International Organization for Migration, 2018, 253 pp.
4. International Organization for Migration (IOM). Needs Assessment: Response Measures to Combat Human Trafficking in the Republic of Azerbaijan. Baku, Azerbaijan: International Organization for Migration, 2016, 90 pp.
5. Larin A. Psychological features of victims of human trafficking // Psychology and

- (law psyandlaw.ru). 2015, Vol. 5, № 3, pp. 90-97.
6. McCarthy L. Life after Trafficking in Azerbaijan: Reintegration experiences of survivors // Anti-Trafficking Review, 2018, Issue 10, pp.105-122. (www.antitraffickingreview.org).
 7. Organization for Security and Cooperation in Europe (OSCE). Needs Assessment Report. Baku, Azerbaijan: OSCE Office in Baku, 2012, 56 pp.
 8. Republic of Azerbaijan. Law of the Republic of Azerbaijan on Combating Trafficking in Human Beings (Law No. 958-IIQ), 2025. (<https://e-qanun.az/framework/18436>).
 9. Salimov K., Salimov K., Movsumov F. Criminological characteristics of sexual violence (on the materials of judicial and investigative practice of foreign countries). "Metafizika" Journal, 2022, Vol 5, Issue 3, serial 19, pp.123-138.

Xülasə

Validə Cəfərova

Azərbaycan Respublikasında insan alveri qurbanlarının müəyyən edilməsi mexanizmi

İnsan alveri qurbanlarının asanlıqla müəyyən edilməsi, onların hüquqlarının bərpası və bu kateqoriyaya aid olduqlarının təsdiqi rəsmi qurumların fəaliyyətinin vacib tərkib hissələridir. Bu qurumlar identifikasiya prosesində göstəricilərdən istifadə edirlər. Identifikasiya "İnsan alveri qurbanlarının müəyyən edilməsi qaydaları (göstəricilər) haqqında" 131 nömrəli Qərar əsasında həyata keçirilir. Bu qaydalar fəaliyyət planı əsasında hazırlanmışdır. İnsan alveri qurbanlarının müəyyən edilməsi üzrə göstəricilər ümumi göstəricilər və müxtəlif istismar növlərindən əziyyət çəkən şəxslər üçün müəyyən edilən göstəricilər olmaqla iki yerə bölünür. Ümumi göstəricilər məcburi əməyə xas xüsusiyyətləri əhatə edir. Bu xüsusiyyətlərə məcburi əmək, şəxsi azadlığın başqa şəxs tərəfindən məhdudlaşdırılması, özünün və yaxınlarının təhlükəsizliyi ilə bağlı narahatlıq, qorxu hissi, müxtəlif dövlət qurumları tərəfindən cəza təhdidləri, həmçinin şəxsiyyəti təsdiq edən sənədlərin və digər sənədlərin alınması daxildir.

İnsan alveri qurbanlarının müəyyən edilməsi mexanizmi insan alveri qurbanlarının müdafiəsi tədbirlərinin təşkilinə dair sistemin mühüm aspektidir. Qurbanların yardım almaq hüquqlarının təmin edilməsi onların cəmiyyətə reintegrasiyasına və normal həyat tərzinə qayıdışına əhəmiyyətli dərəcədə təsir göstərən amildir. Qurbanların yardım almaq hüquqları, həmçinin onların yenidən qurban olmaq riskini azaldır.

İnsan alveri qurbanlarının sığınacaq xidmətlərindən istifadə etməsi üçün elektron müraciət bazasının yaradılmasına ehtiyac vardır. Bu sistem təhsil, məşğulluq və reabilitasiyadan sonrakı dövrdə yerləşmə kimi problemlərin həllində insan alveri qurbanlarına dəstək göstərmək üçün istinad mənbəyi ola bilər.

Açar sözlər: *indikatorlar, müəyyən etmə proses, istismar, gender münasibətləri, stiqma*

Резюме

Валида Джафарова

Механизм идентификации жертв торговли людьми в Азербайджанской Республике

Лёгкое выявление жертв торговли людьми, восстановление их прав и подтверждение принадлежности к данной категории являются важными составляющими деятельности официальных органов. Эти органы используют индикаторы в процессе идентификации. Идентификация осуществляется на основании Постановления №131 «О правилах (индикаторах) выявления жертв торговли людьми». Эти правила разработаны на основе Плана действий. Индикаторы выявления жертв торговли людьми подразделяются на общие индикаторы и индикаторы, определяемые для лиц, пострадавших от различных форм эксплуатации. Общие индикаторы охватывают признаки, характерные для принудительного труда. К таким признакам относятся принудительный труд, ограничение личной свободы другим лицом, беспокойство за свою безопасность и безопасность близких, чувство страха, угрозы наказания со стороны различных государственных органов, а также изъятие удостоверения личности и других документов.

Механизм выявления жертв торговли людьми является важным аспектом системы организации мер по защите жертв торговли людьми. Обеспечение права жертв на получение помощи

является фактором, который существенно влияет на их реинтеграцию в общество и возвращение к нормальной жизни. Права жертв на получение помощи также снижают риск повторного попадания в ситуацию эксплуатации.

Ключевые слова: *индикаторы, процесс идентификации, гендерные отношения, стигма*

Redaksiya heyətinin üzvü f.e.d., prof. Rüstəmov İzzət Əsrəf oğlunun rəyi əsasında çapa məsləhət görülmüşdür.