

# **GETTING TO GOOD HUMAN TRAFFICKING DATA**

Assessing the Landscape in Southeast Asia and Promising Practices from ASEAN Governments and Civil Society



WSD **HANDA** CENTER FOR HUMAN RIGHTS & INTERNATIONAL JUSTICE Stanford University



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# EXECUTIVE SUMMARY

ver the past two decades, tremendous progress has been made in raising awareness of human trafficking, enhancing relevant legal norms, and ensuring more robust care for survivors. Yet, the anti-trafficking movement continues to struggle to evaluate the quality of approaches, interventions, and policies. It is critical at this juncture to encourage not only more, but *better* data that can help practitioners to understand the issue more holistically, including its root causes and where limited resources should be directed to have the most impact. Good, responsible data accurately reflect reality with maximum possible completeness and minimal bias and error, while giving proper consideration to privacy and security.

Historically, calls for enhanced data related to human trafficking have focused rather exclusively on prevalence estimates and descriptive statistics related to monitoring and evaluation metrics set by donors. From open source investigation to big data analytics, the widespread digitization of data combined with technological advancements and innovations in analysis have brought new opportunities to begin answering the call for a datadriven understanding of the complex problem of human trafficking – and an evidence-based approach to combatting it. However, this is not the daily work of the great majority of anti-trafficking practitioners. As resources continue to be invested into new technologies and big data, the movement must likewise invest in the fundamental data infrastructure and skills training of civil society organisations and government agencies at the frontlines.

Enhancing and aligning data standards and practices in support of interoperable systems and comparable

data will help clarify the problem and make the movement better equipped to combat it. In Southeast Asia specifically, the recently adopted Association of Southeast Asian Nations' (ASEAN) Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) and associated ASEAN Plan of Action promise to be important tools for the region in realizing the objective of good, responsible data to promote a more effective anti-trafficking effort. Getting there will require tremendous investments on behalf of governments and the donor community into human and technological resources needed to support better data practices, as well as a fervent commitment on behalf of the practitioners in both civil society and government who are doing the day-to-day work of collecting these data. The companion Getting to Good Human Trafficking Data: Everyday Guidelines for Frontline Practitioners in Southeast Asia aims to support this work.

Semi-structured interviews with dozens of practitioners in Cambodia, Indonesia, the Philippines, and Thailand over a period of eight months revealed four predominant challenges. A general lack of capacity, resources, and access to technology, as well as educational systems that favour rote learning over analytical thinking are contributing to these realities.

### Though data are increasingly digitized, the benefits of that process are not yet being fully realized.

Generally, agencies and organizations could not articulate how they might use the data they do collect to, for example, better understand their constituencies, design interventions that respond to their needs, distribute workloads more effectively, and automate processes related to required reporting.

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Lack of infrastructure and technical support related to digital data are hampering important and necessary security practices, including the setting of organisational policies that proactively address these challenges to ensure effective data management and compliance with ethical and legal standards in the long term. Though awareness of the often private and confidential nature of data related to human trafficking was commonly observed, there were varying levels of commitment to operationalising these norms into day-to-day data security practice.

The creation of databases is commonly viewed as an outcome in and of itself, as opposed to a resource to support better understanding of the problem and evidence-based interventions. There were numerous instances of data systems being devised with insufficient understanding of the operating environment or broad engagement of relevant stakeholders. In other cases, databases were created for a specific project without consideration for sustainability or further use cases.

National, inter-agency anti-trafficking task forces are not realising their full potential to facilitate standardisation of data norms and practices by diffusing best practices across their broad, diverse membership. This is, in part, due to limited funding, insufficient guidance and resources on data governance and security, and lack of trust both across government agencies and between government and

That said, there are exciting and encouraging promising practices emerging in the anti-trafficking field generally, as well as specifically in the four countries observed for this research.

Globally, there is traction around **global data repositories and directories** such as the recently launched Counter-Trafficking Data Collaborative led by the International Organization for Migration in partnership with Polaris and Liberty Asia, and United Nations University's global knowledge platform, which aims to bridge the research and policy fields to encourage an evidence-based approach to antitrafficking policies.

In Cambodia, the National Committee for Counter Trafficking in Persons made a significant step forward toward standardisation of human trafficking data with the proliferation of **Guidelines on Forms and Procedures for Identification of Victims of Human Trafficking for Appropriate Service Provision**. The practical guidelines came about through consultation with diverse stakeholders and are being implemented fairly widely across both government and civil society in a way that promotes alignment on definitions and how data are generated and recorded.

Indonesia's **One Data Policy** is successfully propagating norms around accessibility, comparability, and interoperability of government data/data systems. It is directly impacting antitrafficking efforts at the Ministry of Foreign Affairs and the Ministry of Women's Empowerment and Child Protection, where integrated web-based systems have been created with the promise to address existing challenges around the inconsistency of human trafficking data reported by the dozens of government agencies whose work touches this issue.

By explicitly defining the roles of the various government agencies tasked with implementing preventive, protective, and prosecutorial policies in response to human trafficking, as well as the makeup and objectives of its national anti-trafficking task force, the **Philippines' Anti-Trafficking in Persons Act** has helped promote standardisation of practices and norm proliferation around good, responsible data collection.

In Thailand, a broad, multidisciplinary team of anti-trafficking practitioners has launched a web-based, cross-ministerial database of human trafficking cases in partnership with a local technical university. The Database System on Anti-Human Trafficking is the result of years of work across the country to understand current data systems in police units, courts, and social services to come up

civil society.

with a system that allows for de-duplication and a more holistic understanding of each case, as well as research on trends and patterns over time and localities.

Successfully combatting human trafficking will require data that can answer not only questions of prevalence, but also shed light on critical issues such as survivor reintegration needs, successful prosecution tactics, effective organizational strategies of anti-trafficking entities, or key geographic, demographic, and industry-specific vulnerabilities, for example. The collective understanding of the anti-trafficking movement in Southeast Asia - and globally - will thus require strengthening and harmonization of norms, standards, and practices around all aspects of data collection, from victim identification processes, to designing data systems and databases, to conducting and disseminating data analysis. To be successful, these efforts must first take place locally and scale up to national, regional, and global levels.

While there is no single, perfect database that can answer all of the movement's questions related to human trafficking, an effective ASEAN Regional Trafficking Database is an achievable goal if deliberate and collaborative efforts are made at the front end to strengthen and standardise approaches to data collection. Getting to good, responsible data on human trafficking will require buy-in from all stakeholders – including donors, civil society organizations, ASEAN member state governments, and relevant ASEAN bodies – as well as a commitment to collaboration between them. Policy recommendations to this effect are summarized below.

For donors: encourage grantees/implementers/ partners to carefully review their policies on data collection as a component of funding; allocate funding to long-term training and technical support on data collection and analysis best practices; support research aimed at better understanding risk and protective factors of human trafficking and evaluating interventions and policy responses; and invest in machine translation technologies for the languages of Southeast Asia. For civil society organisations: create/document organisational policies and workflow around all aspects of data management based on input from all levels of the team and constituencies the organisation aims to serve; create opportunities to implement strong data systems that support datadriven programming and enable alignment with current reporting requirements; identify partner or peer organisations with strong research pillars and solid data practices; and ensure that the systems implemented with contractors/outside partners are sustainable and accessible.

For ASEAN member state (AMS) governments: set whole-of-government policies and offer guidance around all aspects of data collection on human trafficking to be shared across relevant ministries and agencies; allocate funding, technology, and human resources to support implementation of enhanced data collection practices at all levels of government, with a particular focus on the national anti-trafficking task force as a key leader in this effort; and ensure national human trafficking laws are commonly understood across relevant agencies/ministries, using such legislation as a framework to support the creation or further operationalisation of common victim identification practices.

For relevant ASEAN bodies: identify a key focal point on human trafficking for each AMS and convene them regularly to support the setting of common, priority data points and harmonization of data dictionaries; establish the objectives of building a regional human trafficking database under the leadership of the Senior Officials Meeting on Transnational Crime and clearly define the types of data it will hold well before implementation; position ASEAN as a resource for AMS on the issue of enhanced and standardised data; and map current approaches to data collection on human trafficking across AMS, including identifying key challenges and promising practices to be learned from and adapted in informing implementation of ACTIP.

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# LIST OF ACRONYMS

AAPTIP	Australia-Asia Program to Combat Trafficking in Persons
ACMW	ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers
ACTIP	ASEAN Convention Against Trafficking in Persons, Especially Women and Children
ACWC	ASEAN Commission on the Promotion and Protection of the Rights of Women and Children
AICHR	ASEAN Intergovernmental Commission on Human Rights
AMS	ASEAN member states
ΑΡΑ	ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children
ASEAN	Association of Southeast Asian Nations
<b>BNP2TKI</b>	National Agency for Placement and Protection of Indonesian Workers
CS0	civil society organisation
CTDC	Counter Trafficking Data Collaborative
DI	Development Innovations
DCLI	Data Collaboratives for Local Impact
DP3APPKB	Department of Women Empowerment, Child Protection and Population and Family Planning (Indonesia)
DSWD	Department of Social Welfare and Development (the Philippines)
EU	European Union
IACAT	Inter-Agency Council Against Trafficking (the Philippines)
ICT4D	information and communication technologies for development

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# METHODOLOGY AND LIMITATIONS

his policy report is informed by nearly 100 in-person interviews with government and civil society anti-trafficking practitioners conducted in Cambodia, Indonesia, the Philippines, and Thailand between July 2017 and February 2018. Additional interviews were conducted via phone and in person with international experts both on human trafficking<sup>1</sup> and data management. The majority of interviews were conducted in English, though interpretation was available as necessary and used in about one in five cases. The research team endeavoured to identify promising practices and understand the most salient challenges for those individuals carrying out the critical day-to-day work from criminal investigations to advocacy campaigns to direct service for survivors - of the anti-trafficking movement. Obviously, the collective understanding presented herein is informed by these sources and should not be taken as reflective of the entire region.

Participants were identified for inclusion using a non-probabilistic sampling method most closely resembling a combination of availability and snowball sampling, albeit with a concerted focus on adequate representation of relevant government ministries, international nongovernmental organisations (NGO), and local civil society organisations (CSO). This was based on both cold contact through email, physical mail, phone calls, or SMS to entities identified through research, and through pre-existing personal and professional connections of the research team. The author acknowledges the limitations and biases inherent to these methods.

In an effort to solicit the most honest and thorough answers, while being cognizant not to compromise

the work of these individuals and the organisations/ agencies they represent, information was shared "on background" or at times "on deep background," and thus is not attributed directly to the source (or in some cases, not referenced in any way). When direct quotes are used, they are referenced with limited information as to protect sources from any potential negative impact of candidly sharing their perspective. The author was careful to use direct quotations only when the sentiment expressed therein was widely shared by additional sources.

Researchers relied on a common template of general questions for semi-structured interviews<sup>2</sup>, with an eye on understanding organisational norms around data, the ways data support each entity's work, and the technical details of how data are collected, managed, secured, analysed, and shared. Additional questions were introduced throughout each interview based on the trajectory of the conversation, but the research team endeavoured to be consistent in order to make the analysis as comparable and generalisable as possible.

The author acknowledges that being based in the United States (when not conducting field research) with a lack of proficiency in the languages of Southeast Asia implies that her perspective is shaped, in part, by conversations happening within the American academe and in circles around the work of the United Nations (UN), as well as information sources available via the internet in English. That said, extensive fieldwork conducted by the author, as well as the use of local researchers and interpreters in each country has helped to rebalance some of these biases.

<sup>2</sup>See Appendix 2 for standard set of questions for semi-structured interviews.

<sup>&</sup>lt;sup>1</sup>Though the author acknowledges ongoing debate around preferred terminology, for ease, the phrase "human trafficking" will be used throughout based on the international legal definition of "trafficking in persons" set out in the Palermo Protocol to the United Nations Convention against Transnational Organized Crime.

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## INTRODUCTION

he modern anti-trafficking movement has gained tremendous momentum over the past two decades. Everyday there are growing numbers of activists, civil servants, journalists, researchers, doctors, advocates, data scientists, members of the business community, law enforcement officers, academics, litigators, social workers, and others committing their energy to this seemingly intractable problem. Great strides have been made in raising awareness of the issue among the general public, enhancing prosecutions and strengthening sentencing laws, and offering more holistic care that accounts for the diverse needs and desires of survivors. Yet, it will never feel like enough. The movement continues to lament the collective struggle to identify more victims, prosecute more traffickers, and assist more survivors - not to mention, the challenge of effectively evaluating interventions aimed at accomplishing the goal of curbing human trafficking altogether.

Fortunately, awareness of the need for more data to drive desired outcomes is beginning to permeate the anti-trafficking movement, from grassroots civil society up to governments, as well as into regional and multilateral institutions. In response to the movement of humans across borders at an unprecedented scale, of which human trafficking is an inextricable component, a new report from the International Organization for Migration (IOM) emphasizes the critical role data will play in effectively responding to the myriad economic, humanitarian, social, and political impacts, from labour markets to border management (IOM & McKinsey 2018). In their words, reliable data can: • Support decision-making by informing policymakers on the nature of specific migration-related challenges, their root causes and potential future developments

- Facilitate the implementation of policies by helping direct interventions to where and when they are needed
- Help inform policy adjustments over time by measuring and evaluating the results of policy interventions. (IOM & McKinsey 2018)

Data are also key to informing approaches at the micro level, helping individual actors and the entities they represent to tailor approaches to the realities they confront and evaluate the efficacy of their work. It is important at this moment to promote not only more data, but better data, meaning data that accurately reflect reality with maximum possible completeness and minimal bias and error. After all, good data can support all areas of anti-trafficking work. They can tell us how to make awareness-raising campaigns more effective or how to better train community workers. They can help us understand the experience of a survivor five years post-trafficking or show what percentage of survivors are accessing holistic services in a given area. Data can reveal the average amount of restitution in a certain jurisdiction or demonstrate how different regions are performing when it comes to trafficking cases reaching local courts - or how the very concept of human trafficking diverges across localities.

The challenge of getting to higher-quality data is by no means limited to the region of Southeast Asia. For example, in a report on how the European Union (EU) has supported anti-trafficking efforts in South and

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Southeast Asia, the European Court of Auditors noted that no comprehensive data were available to track EU financial support to such efforts for the period of 2009 – 2015, and that the database of various projects they had supported was incomplete, making it impossible to "efficiently support relevant decision-makers and practitioners in setting priorities and steering actions" (European Court of Auditors 2017). In other words, it is challenging to adequately collect data on how others are collecting data. Similarly, the United Kingdom's Independent Chief Inspector of Borders and Immigration noted in a 2014 inquiry into the collection and use of human trafficking data that, "[Home Office] data capture, data handling is generally weak and sometimes extremely poor. ... There doesn't seem to be a culture whereby data handling is something that the staff on the front end see as an important part of their work, and that has to change" (All-Party Parliamentary Group on Human Trafficking and Modern Day Slavery 2014). That is to say this is a collective challenge that will require a coordinated, systematic response.



### What are good data?

Before the anti-trafficking movement can put its collective data to use in designing better interventions and assessing approaches and impact, it is critical that these data are accurate and robust, meaning they paint a full, honest picture of what is actually happening (de Cock 2013). It is equally important that data are collected and used responsibly with the needs of atrisk communities, clients, and survivors at their core – and prioritizing their safety and privacy.<sup>1</sup> Only through such an approach to rigor and standardisation do data become comparable.

#### Good data are:

- valid: the data must measure what they purport to measure
- accurate: data should truthfully reflect what they aim to describe
- relevant: only information that is applicable and necessary should be collected
- reliable: data fields are clearly defined, lending consistency and fidelity to the information
- **impartial:** data should be collected in a way that is objective and transparent in its methods while acknowledging and limiting any biases
- **accessible:** data and information on how it was generated should be easily available to key stakeholders both within and outside an organisation
- **timely:** the utility and validity of data may change over time so data should be processed quickly for good decision making
- **responsible:** there is a collective duty to ensure people's rights to privacy and security of their information with regard to collection, analysis, storage, presentation, and reuse of data, though whenever possible we should strive for data transparency and openness
- **empowering:** promotes stakeholders having access to the necessary tools, context, knowledge, and skills to make use of data to meet specific objectives

<sup>&</sup>lt;sup>1</sup> When discussing data collection, whether related to human trafficking or otherwise, one cannot ignore the issue of legal liability relevant to holding and using other people's data, which varies based on jurisdiction. In other words, these conversations about data are often set in an ethical framework of should, when in fact they also fall very firmly into the legal framework of must, and breach of a relevant law may create risk for your organisation, directors, and employees.

As data standards and practices are enhanced and better aligned, and thus comparable, the picture of the problem will become clearer and the movement will grow stronger and more effective. Data collected in different places by different people in different languages can be compared if gathered using similar methods and definitions. The recently adopted Association of Southeast Asian Nations' (ASEAN) Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) and associated ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children (APA) promise to be important tools for the region of Southeast Asia in realizing the objective of better data to promote a more effective anti-trafficking effort.

But the work does not begin with data. It starts with questions, particularly the questions of *why* and *how*. Why, for example, is a given industry more vulnerable to exploitation linked to forced labour or how might the movement better evaluate the quality of services survivors are receiving? In the words of an antitrafficking NGO representative, "We're sitting on a gold mine, but it's collecting dust in file cabinets."<sup>3</sup>

To get to the quality, granular data that can be aggregated and collectively analysed, where appropriate, to begin answering these questions will require tremendous investments on the part of governments and the donor community to the infrastructure, both human and technological, needed to support better data practices, as well as a fervent commitment on behalf of the practitioners in both civil society and government who are doing the dayto-day work collecting these data. But it is an effort well worth making, both to ensure the considerable capital and energy spent on anti-trafficking efforts are worthwhile, but most notably to serve the collective aim of putting an end to one of the most egregious human rights violations.

There is a key assumption underlying the arguments presented here that should be acknowledged: that armed with higher-quality data, policymakers and civil society leaders will use that information to make decisions that are responsive to the realities they describe. That will not always be the case. This demands a willingness to change, whether that means taking time to self-educate on signs of trafficking and report suspicious activity, ignoring the temptation to abuse positions of power for personal economic gain, adjusting consumption habits to be more conscious of the potential of forced labour in supply chains, or better balancing social impact with the economic interests of stakeholders. Fortunately, as good, responsible data on human trafficking become more readily available and public pressure builds around the issue, it becomes increasingly difficult to ignore the problem. Moreover, good data de facto promote transparency, which in turn fosters accountability, two qualities at the heart of realizing human rights for all.

<sup>3</sup> Interview in Phnom Penh in August 2017.



This high-level policy report is being released in conjunction with *Getting to Good Human Trafficking Data: Everyday Guidelines for Frontline Practitioners in Southeast Asia.* The guidelines are intended to support the day-to-day work of frontline actors through the introduction of seven principles for a data-driven movement and actionable, practical information on data ethics, data systems and databases, data storage, data security, data sharing, data analysis and interpretation, and data

presentation and visualisation. These two publications are meant to be complementary, while serving distinct audiences.

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## THE CURRENT LANDSCAPE OF HUMAN TRAFFICKING DATA

**n contemplating the path** to better data, it is useful to begin with an overview of where the movement stands today. Appeals for more data collection and investment in research are nothing new to the field of human trafficking. Fifteen years ago, researchers from IOM raised the flag – "One of the biggest gaps in our understanding of trafficking is in the area of statistics and data collection" (Laczko & Gramegna 2003) – yet historically such calls have focused largely on providing better prevalence estimates<sup>\*</sup> or, at times, meeting monitoring and evaluation (M&E) requirements negotiated with donors. But human trafficking data can mean many things beyond prevalence and M&E.

For example, tremendous energy and resources have gone into the creation of global estimates of human trafficking, including the much-anticipated 2017 Global Estimates of Modern Slavery (ILO and WFF 2017). This estimate – that on any given day in 2016, 40.3 million people were victims of modern slavery – resulted from a collaboration between Walk Free Foundation (WFF) and the International Labour Organization (ILO), which had historically released separate global estimates based on very distinct methodologies and resulting in quite disparate numbers (Brunner 2015). This new estimate has inherent value as an advocacy tool, and is an important development in helping to harmonize definitions and approaches across major actors in the global anti-trafficking effort. Moreover, it has motivated the movement to push the bounds of using statistical methods to estimate hidden populations, an inherently difficult task, even more so when it involves criminal activity. Yet, it is concerning that this number may be seen as a baseline against which progress toward achievement of the UN Sustainable Development Goals will be measured given the limitations to available methodologies (Guilbert 2017).

That is not to undermine the importance of these two forms of data, but there is other highly valuable information that remains elusive – data on people's needs, how they were and will be served, what makes someone vulnerable to trafficking in the first place, what are the various *modus operandi* of the crime, what makes a community resilient in the face of trafficking, what is an appropriate amount of restitution for

★ It is worthwhile noting that existing global human trafficking prevalence estimates are just that - estimates. Though rooted in real, hard data, such as reported trafficking cases or semirandomised household surveys, these numbers are limited by the impossibility of identifying and reaching significant portions of the trafficked population. In other words, substantial parts of the population we aim to count never had a chance of being included in the observed sample that serves as at the backbone of the given estimate. Nevertheless, the global estimates serve as highly visible signals of the value of data to the movement. In the words of Freedom Fund CEO Nick Grono, "This high level focus on data and measurement should encourage governments to do a much better job of measuring slavery in their countries, and responding accordingly. It will also drive a stronger focus on measurement and impact by those organisations working to end this abuse, and that's to be welcomed" (Reuters 2017). trafficking survivors, what is a fair sentencing for a trafficker, how do we deter the crime in the first place, or even institutional data on how anti-trafficking organisations operate.

Fortunately, the widespread digitization of data combined with advancements in computer processing and data science, as well as emerging technologies, have brought new opportunities to begin answering the call for a data-driven understanding of the complex problem of human trafficking. That said, the movement's collective success will require more investment at the frontlines in geographies with fewer existing resources.

To offer some concrete examples, Thorn's<sup>4</sup> Spotlight programme relies on machine learning algorithms and law enforcement expertise to help identify previously hidden child victims of human trafficking based on the content of publicly available web advertisements. In 2014, building off the success of its Slavery Footprint platform, the San Francisco-based anti-trafficking organisation Made in a Free World<sup>5</sup> launched Forced Labor Risk Determination & Mitigation software, which offers businesses customized dashboards that calculate the risk of forced labour in their products and suppliers based on proprietary and public data sources, including UN trade data (Lapowsky 2015). AnnieCannons<sup>6</sup> uses data as a tool for empowerment, offering human trafficking survivors a phased curriculum starting with digital literacy up to full-stack web development that equips them to become highearning software professionals, including in designing tools and websites for the anti-trafficking community. The Rights Lab at the University of Nottingham<sup>7</sup> houses the Geospatial Slavery Observatory, which draws on various data sources, including archival satellite imagery, and analysis techniques, including machine learning, in an attempt to identify physical indications of activity related to human trafficking.

The movement's collective success will require more investment at the frontlines in geographies with fewer existing resources.

Issara Institute's Golden Dreams<sup>8</sup> smartphone app aims to support safe migration, ethical sourcing, and worker empowerment in the face of human trafficking by enabling Burmese migrant workers in Thailand to exchange information and advice about employers, recruiters, and service providers. And just this year, Monterey Bay Aquarium Seafood Watch programme, Liberty Asia, and the Sustainable Fisheries Partnership together launched the Seafood Slavery Risk Tool in response to increased public awareness of the prevalence of human trafficking and other human rights abuses within the seafood industry. The free interface<sup>9</sup> allows users to search seafood products to identify their risk rating, which is derived from publicly available data sources such as reports from the media, governments, intergovernmental organisations, NGOs, and academia.

Such applications of data and technology toward combatting human trafficking are exciting and gripping, and should be expanded. Still, this is not the work of the great majority of practitioners engaged in the anti-trafficking movement. Equally important to putting resources into the latest technologies and data analysis techniques is investing in the fundamental data infrastructure and skills training of civil society organisations and government agencies at the frontlines of protection, prevention, and prosecution work. That is how the movement will get to the higher-quality, more localized data needed

<sup>&</sup>lt;sup>4</sup> https://www.wearethorn.org

<sup>&</sup>lt;sup>5</sup> https://madeinafreeworld.com/

<sup>&</sup>lt;sup>6</sup> https://www.anniecannons.com

<sup>&</sup>lt;sup>7</sup> http://rightsandjustice.nottingham.ac.uk/items/show/36

<sup>&</sup>lt;sup>8</sup> https://www.issarainstitute.org/issara-labs

<sup>9</sup> http://www.seafoodslaveryrisk.org/

to truly understand the systems of exploitation behind the crime of human trafficking and to guide decision-making in designing effective policies and programmes. Such data will also be needed to effectively evaluate those interventions.

Focusing on Southeast Asia, numerous examples of promising practices around human trafficking data are explored in this report, including crossministerial government and civil society partnerships to implement common standards for victim identification, resource-constrained human rights NGOs developing cutting-edge relational databases, and the development of complex, secure, and userfriendly data systems for law enforcement and service provision to coordinate on anti-trafficking efforts (see Promising Practices in ASEAN on page 29). But there is still significant room for improvement.

The following section goes on to elucidate some of the common challenges observed in the four ASEAN Member States (AMS) that were the focus of this research, namely that the benefits of digital data are not yet being fully realized; a lack of infrastructure and technical support is hampering data security; the creation of databases is commonly viewed as an outcome in and of itself, as opposed to a tool to get the information we need; and finally that national anti-trafficking task forces are not realizing their full potential as data hubs. It is useful to set this stage before going on to share promising practices both because it gives a realistic sense of the operating environment while also highlighting the transformational power of passion and innovation.

Fortunately, equipped with ACTIP, ASEAN has a unique opportunity to demonstrate its leadership on the issue of data quality as a hub of source, transit, and destination sites of human trafficking. The convention and action plan clearly affirm the need for common data standards and practices to promote "stronger and more effective regional and international cooperation" through research, collection, sharing, and dissemination of accurate information (ASEAN Convention Against Trafficking in Persons 2015). The next task is defining this goal in clear, concrete terms and laying out a path toward achieving it.

### A role for ASEAN

As the key regional body, ASEAN has a distinctive role to play in aligning norms, approaches, and systems on data collection across its ten member states; as the stewards of ACTIP, the Senior Officials Meeting on Transnational Crime (SOMTC) is uniquely placed to lead this effort. However, an issue as complex as human trafficking touches very clearly on other relevant ASEAN bodies as well, and the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW), the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), and the ASEAN Intergovernmental Commission on Human Rights (AICHR) has also taken a role as collaborators in this effort, and each entity has unique expertise to lend to this complex issue. Engagement of ASEANAPOL, which facilitates regional police cooperation, may also be useful. In 2016, the body put human trafficking high on its agenda - alongside terrorism - for its 36<sup>th</sup> conference (Naidu 2016) and later that year implemented a weeklong thematic course on Prevention and Investigation on Human Trafficking for officers from AMS.<sup>10</sup>

The entry into force in March 2017 of ACTIP was a very important step with regard to aligning standards and practices pertinent to better data, from definitional issues to victim identification to collaboration. Articles 11 and 12 of the convention address these issues directly, calling on parties to "conduct research" and "exchange and share information" across borders, as well as collaborate better with civil society.<sup>11</sup>

<sup>&</sup>lt;sup>10</sup> That said, none of the central or local police units consulted for this report made mention of the body when asked about opportunities for cross-border cooperation. A couple referenced work with INTERPOL, however.

<sup>&</sup>lt;sup>11</sup> Article 11.2 and 12 (c) affirm that states parties will endeavor to conduct research and information sharing in an effort to prevent and combat TIP. Article 12 emphasizes the importance of cooperation and collaboration generally with CSOs and across boarders, with subsection (f) highlighting the need to exchange and share information on efforts to reduce children's vulnerability to TIP and (g) focused on promoting capacity building. Article 14.2 contains language on respecting victim identification standards across borders.

Moreover, the related action plan builds on many of the aspirations of the convention, while cementing what will need to be a multilateral approach to a regional challenge. The APA opens by listing seven common challenges among the AMS. Though proper data collection is not listed therein, several of the points are relevant to the challenge of poor data, such as capacity of frontline officers, proper identification of victims, mechanisms for direct communication, and regional collaboration. The plan goes on to specifically note the need to, "Develop national data collection systems in relation to trafficking in persons and methods of exchange of such data between and among ASEAN Member States with a view to developing a regional database for trafficking in persons" (ASEAN Plan of Action Against Trafficking in Persons 2015). In support of this, there is emphasis on the need for capacity building to support "coordination and coherence within ASEAN" on anti-trafficking efforts, including through the identification of focal points for data exchange and the creation of regional guidelines (APA 2015).

The Bohol TIP Work Plan developed by the SOMTC Philippines in collaboration with other relevant ASEAN entities aims to operationalize the objectives laid out in the APA with specific targets and biannual reporting through 2020. It calls for states parties to "Conduct sharing of best practices among AMS when developing national collection systems in relation to TIP with a view to explore developing a regional database on trafficking in persons" (Bohol TIP Work Plan 2017). The ACWC is also soon to publish Regional Guidelines and Procedures to Address the Needs of Victims of Trafficking in Persons.

A regional database is an ambitious and exciting goal, but as emphasised throughout this report, its success will ultimately rest upon the character of the data it contains, and that begins at the local level.

A regional database is an ambitious and exciting goal, but as emphasised throughout this report, its success will ultimately rest upon the character of the data it contains, and that begins at the local level. Until the relevant government agencies and CSOs doing the day-to-day work of data collection have the appropriate normative framework and tools/resources to support its implementation, any regional database that these data feed into is doomed to repeat the fate of the many observed examples of databases in the region that proved unsustainable or unsuccessful (as discussed on page 24). The technology behind any data system will inevitably adapt over time, and there will be opportunities to introduce new data fields and innovative functionalities. But in order to achieve

A recent report from Liberty Asia, ASEAN & ACTIP: Using a Regional Legal Framework to Fight a Global Crime Liberty Asia 2017, highlights some gaps in ACTIP about victim protection, relevant to the question of data security. Though Article 14.6 notes the need to "protect the privacy and identity of victims," no specific guidance is offered on use or storage of personal data, which is of particular concern for child victim (Liberty Asia 2017). An independent evaluation of United Nations Action for

Cooperation Against Trafficking in Persons (UN-ACT) released last year noted the lack of a treaty-monitoring body to oversee implementation of the convention's provisions, such as the regional commitment to data sharing, as well as a lack of monitoring on the associated action plan (Dottridge 2017). Hopefully, the Bohol Work Plan will prove successful in addressing some of the issues of coordination and oversight.

the multiple, diverse functions that meet the various objectives of any given institution working to combat human trafficking, a well-functioning data system requires a considerable commitment across the organisation to putting good, responsible data at the centre of its design and implementation.

### A role for the donor community

The donor community – including governments like the United Kingdom, United States, and Australia; private entities/foundations; as well as multilateral institutions like the United Nations – plays a significant role in shaping the practices and priorities of civil society and governments. As such, these funders have a unique opportunity to not only encourage progress at the local level, but if they can coordinate to facilitate and assist in the development of common indicators and data standards, the various actors will more readily be able to compare data across the movement.

Public reports issued by these entities offer an opportunity to demonstrate strong methodologies and robust data norms in the hopes they permeate the broader movement. Historically, global reports on human trafficking, namely the U.S. Department of State's Office to Monitor and Combat Trafficking in Persons (J/TIP) Trafficking in Persons Report<sup>12</sup> and the UN Office on Drugs and Crime (UNODC) Global Report on Trafficking in Persons, have focused disproportionately on the number of cases of trafficking from a criminal justice perspective (investigations, prosecutions, and convictions), which has likely contributed to the tendency for CSOs and government entities in the region to present such numbers when questioned on data generally (as discussed in more detail on page 22).

Furthermore, each funding solicitation is an opportunity to jointly set learning objectives founded on stronger data policies<sup>13</sup> as well as develop M&E frameworks that incorporate indicators linked to enhanced data standards. Every year, there are increasing numbers of private funds and foundations supporting anti-trafficking efforts, with a number of programmes focused on countries in Southeast Asia (Suhr 2016). The Freedom Fund has been the major actor in this space since launching in 2013, placing a strong emphasis on data collection as well as research aimed at evaluating interventions for impact. Each grantee is supported with in-person training on data collection at the outset, as well as ongoing support through the project period. They are required to create "a clear data collection plan" (Freedom Fund 2018) and report on that to the in-country Freedom Fund program team each quarter. Overall, reported indicators seem to focus on the number of survivors accessing services/support, with some breakdown on age and gender.

Following a \$25 million<sup>14</sup> award from the U.S. Department of State, the newly launched Global Fund to End Modern Slavery promises to invest in research as well as data collection and analysis. The Global Fund highlights "the lack of robust, actionable and insightful data" (Global Fund to End Modern Slavery 2018) as one of four main challenges inherent to combatting human trafficking, though it is not entirely clear from their Framework for Action how they might invest in enhancing widespread understanding of data norms and best practices to be operationalized at the grassroots level. As has been the case historically, the fund's position on data in relation to human trafficking seems to centre on prevalence data in particular.

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<sup>&</sup>lt;sup>12</sup> It was obvious in conversations with public officials in Thailand, the Philippines, and Indonesia that their country's ranking in J/TIP's annual Trafficking in Persons Report is of great concern. This has two significant implications. First, the methodology behind the tier rankings must become increasing transparent – a report from the U.S. Government Accountability Office in 2016 pushed J/TIP to more clearly justify its rankings in each country narrative in the latest report – and second, J/TIP should consider ways to explicitly incorporate data quality into the criteria for assessment as a key component of any governments' effort to work toward the elimination of human trafficking. It is encouraging that the office has recently incorporated Data Collection Systems as one of 15 categories within the common measures its grantees report on, namely the number of "TIP data collection and/or reporting mechanism(s)" developed of strengthened. Hopefully over time, the indicator can become more granular around efforts to align such data systems around common data points and definitions.

<sup>&</sup>lt;sup>13</sup> For example, a component of the U.S. Agency for International Development's grant monitoring toolkit includes guidance data quality, collection, storage, and security and the organisation requires a data quality assessment to be conducted on any data reported externally. That said, there are some potentially problematic components to its development data policy (https://www.usaid.gov/sites/default/files/documents/1868/579.pdf) with regard to mandating partner organisations to release data that may adversely impact their ability to continue operations in unfriendly or restricted environments, or even put them at risk. While promoting open data and transparency, it will be critical that all entities keep this delicate balance in mind.

<sup>&</sup>lt;sup>14</sup> Note all monetary figures are given in USD.

### ICT4D movement

This discussion of good data relevant to human trafficking should take place within the larger framework of the "data revolution" that has swept over the international development field broadly, often framed under the banner of information and communication technologies for development (ICT4D). Though at times development agencies have let themselves be carried away in painting big data and machine learning as a bit of a panacea, there are significant signs of investment at the grassroots level with regard to better management of digital data.

As the anti-trafficking movement in Southeast Asia aims to operationalize better data principles, the following efforts may offer useful resources, tools, and ideas.

- The UN Office for the Coordination of Humanitarian Affairs (OCHA) launched the **Humanitarian Data Exchange**<sup>1</sup> in 2014 with the goal of enhancing access to and easy exchange of humanitarian data among UN agencies, governments, and civil society. As of March 2018, more than 300 organisations have registered to share data on the site and more than 6,000 datasets are available for use, including links to databases that automatically publish updates. OCHA operates offices in Indonesia, the Philippines, and Thailand.
- USAID-funded Development Innovations (DI)<sup>2</sup> is in the final year of a five-year project focused on supporting Cambodian civil society to design and use ICT solutions to address social, economic, and political development challenges. Some of its projects are particularly relevant to the issue of enhanced human trafficking data. Its Technovation programme supports the critical skilling up of an ICT-enabled workforce through a 12-week curriculum for school-aged girls, which includes, among other soft skills, coding and computer skills often lacking in the traditional education system. With a nearly all-Khmer team and through a partnership with the Cooperation Committee for Cambodia, DI supports the delivery of sustainable ICT services among the CSO community. Also, the project supported research on the development of Optical Character Recognition technology for Khmer, which will be critical in rendering paper records digitally searchable.
- In 2015, the U.S. President's Emergency Plan for AIDS Relief and the Millennium Challenge Corporation spent over \$20 million USD to create Data Collaboratives for Local Impact (DCLI)<sup>3</sup>. DCLI provides a unique model for improving the capacity of individuals, communities, and organisations to use data to address development problems relating to HIV/AIDS, global health, gender equality, and economic growth.
- The Principles for Digital Development<sup>4</sup> were revealed in 2016 after a broad, yearlong consultation among more than 100 organisations, including The Bill and Melinda Gates Foundation, the Swedish International Development Agency, the World Health Organization, and several UN agencies. These nine succinct principles such as Understand the Existing Ecosystem, Reuse and Improve, Be Data Driven are aimed at integrating best practices into tech-enabled development programmes. They resonate highly with the approaches outlined in the *Getting to Good Human Trafficking Data* guidelines that complement this report.
- The Global Partnership for Sustainable Development Data<sup>5</sup> is a growing network of hundreds of members across government, the private sector, civil society, international organisations, academia, and foundations working to improve communication, innovation, and standardisation of approaches, and global collaboration on inclusive data on critical development issues.

<sup>5</sup> http://www.data4sdgs.org/

<sup>&</sup>lt;sup>1</sup> https://data.humdata.org/

<sup>&</sup>lt;sup>2</sup> http://www.development-innovations.org/

<sup>&</sup>lt;sup>3</sup> http://gpsdd.squarespace.com/dc-data-collaboratives-for-local-impact

<sup>&</sup>lt;sup>4</sup> https://digitalprinciples.org/about/

Earlier this year, the Global Fund put out its initial funding solicitation with a clear focus on India, the Philippines, and Viet Nam, demonstrating potential to have a significant impact in the region.

From the donor government perspective, the U.S. Agency for International Development's (USAID) \$21.5 million Asia Counter Trafficking in Persons programme is currently being implemented by Winrock, alongside partners Global Alliance Against Traffic in Women, Liberty Asia, the Mekong Club, the NEXUS Institute, and SSG Advisors. The five-year programme is focused on finding regional solutions to curb human trafficking, with a stated focus on improving "the quality of data associated with human trafficking" (Winrock 2018). How this will be accomplished remains to be seen. Looking to Winrock's counter-trafficking efforts in Cambodia, where they are implementing their second four-year, multimillion-dollar Cambodia Counter-Trafficking in Persons programme, may provide some indication.

The Phnom Penh-based team recently launched a web-based database (created by a Cambodian developer) among its local partners, which has promise in supporting a culture of data-driven work and enhanced norms around data security and confidentiality. As it stands, the system appears to be more focused on understanding how well Winrock is meeting the targets/M&E indicators they have developed with USAID, including tracking more holistic survivor service provision across partners, than understanding patterns and trends in case data. That said, the system pushes beyond the typical metric of "number of victims assisted," which the team did not feel adequately captured the desired outcome, to try to better understand the quality and completeness of services, and partners seem to appreciate the time and effort saved through the automation of reports. Moreover, the database is capable of supporting analysis of case trends, including breakdowns on sex, age, industry, and source and destination locations over time, even if this is not its core purpose.

Winrock Cambodia recently developed promising guidelines around protecting client records in the system with a useful working definition of confidentiality as well as stipulations around how the system can be demonstrated without compromising client confidentiality, minimizing the number of staff who have access to detailed case files, and implementation of consent forms to share client data among various partners in order to ensure consistency (and minimize the need to re-interview). The system will also be moving onto a secure communications protocol (https v. http), meaning website information is encrypted as it is sent and received. One potential area for growth would be to enable implementing partners to take a more active role in the analysis of their data by equipping them with tools and trainings. Moreover, though technically more complex, it would be useful to explore how such functions could be integrated into existing data systems to save partner organisations the duplicative work of adding case data into multiple databases, which is currently happening in some cases.

Assessing the Landscape in Southeast Asia and Promising Practices from ASEAN Governments and Civil Society

## COMMON CHALLENGES ON DATA COLLECTION

efore exploring a sampling of the promising practices on human trafficking data observed in this research, it is useful to lay out some of the challenges currently impeding the quest for better data in Southeast Asia (though these are by no means limited to the region). Overcoming such barriers will necessitate both a belief in the value of data to drive effective policies and programmes, as well as the investment of time, human resources, and capital on behalf of individuals and governments alike. Fortunately, there is certain to be a positive feedback loop as better data practices are implemented, thus generating more reliable, accurate information to inform decision-making, the value of data will be realized, and this will encourage further investment of resources into the efforts to support enhanced data collection.



<sup>15</sup> Interview in Manila in July 2017.

- <sup>17</sup> Interview in Bangkok in August 2017.
- <sup>18</sup> Interview in Bangkok in February 2018.
- <sup>19</sup> Interview in Phnom Penh in August 2017.

When sources were asked directly about the challenges to more robust data collection, the most common answers centred on:

- Lack of capacity and resources to implement robust data systems
   "We don't have the technical support we need." <sup>15</sup>
- Insufficient access to appropriate technology "There are digital systems in offices without computers."<sup>16</sup>
- Development partners uninterested in long-term support for professional development/capacity building

"There is no money for updates and trainings after the project runs out."<sup>17</sup>

- Shortage of human resources to support this work "Nobody wants to do this kind of job."<sup>18</sup>
- Educational approaches that support rote learning more than analytical thinking skills central to effective data analysis and lack of curriculum on computer literacy

"We aren't taught to think this way."<sup>19</sup>

Some of these issues can be addressed with a greater investment of resources as already noted, but no stock of computers or program of trainings can address some of the normative and structural challenges underlying these issues. These larger challenges, based on observation and consideration of evidence presented in interviews across four AMS, are discussed more in depth here.

<sup>&</sup>lt;sup>16</sup> Interview in August 2017.

### Benefits of digital data are not being fully realized

"The challenge is we have no good data collection system in place and that's why we have no clear picture of the problem of human trafficking. The data that we collect is to produce reports rather than understand the picture of TIP as a whole."<sup>20</sup>

To varying degrees, the anti-trafficking agencies and organisations consulted for this research have digitized their data, typically on investigations and prosecutions of human trafficking cases or client details held by service providers. In most cases, paper forms are being filled in, and data are later manually keyed into an electronic system (often an Excel sheet), though in some cases out-of-the-box or customized software are used. The few entities that are using such databases emphasized the benefits these systems bring in terms of understanding their constituencies better, designing interventions that respond to their needs, distributing workloads more effectively across the organisation, and easing the requirements of donor reporting.<sup>21</sup>

Presumably, the digitization of data would *de facto* simplify data collection, retrieval, storage, and sharing, as well as support more robust analysis of trends and patterns, yet there was limited evidence of data analysis beyond summary counts of human trafficking cases or victims served by a given organisation, sometimes broken down by age (adult or child) or gender (male or female). Typically data are reported on an annual basis, though in some rare cases, particularly by entities focused on a smaller geography (such as provincial/district offices), it was broken down by month.<sup>22</sup> This seemed to be reflective, in part, of the metrics set by the entities to whom they report, whether donors or central governments, and as referenced earlier, reporting requests from the likes of J/TIP, UNODC, or relevant ASEAN bodies. This begs the question of how and for what purpose data are being collected in the first place, and what are the means and methods governing the process. Frequently, sources could not articulate how they might use the data they do collect to inform their approaches much beyond tracking prevalence of cases over time. In the words of a representative of a relevant government anti-trafficking agency, "I only care about the monthly report – just the number of cases we are working on. So far we are collecting a lot of information, but we are not yet processing it."<sup>23</sup>

When pushed further to see how they might use data to enhance their understanding of the nature of the crime – whether that's the factors that make people vulnerable, the dynamics of the traffickers, the qualities that make a given community more or less resilient, the loopholes that make a given industry more susceptible to exploitation - it was clear this type of analysis is not commonly being undertaken. By no means is it lack of curiosity perpetuating this analytical shortfall; many of the front-line practitioners in the anti-trafficking field are extremely passionate about their work and motivated to put an end to this heinous crime. It was clear that many organisations have amassed rich data sets, but they are often not being used or analysed to shape the work. This perpetuates the sensation that data collection, and particularly the careful task of data entry, is tedious and "a distraction from the real work."24

<sup>23</sup> Interview in August 2017.

<sup>24</sup> Interview in Phnom Penh in August 2017.

<sup>&</sup>lt;sup>20</sup> Interview Phnom Penh in August 2017.

<sup>&</sup>lt;sup>21</sup> One organisation that recently moved from storing data in Microsoft Excel to a CMS highlighted this last point, "More and more, we see how the tool fits in to our reporting system and the team is very happy to see this process. We initially thought when we have this system that it is more work on the computer, but then we realize it saves us a lot of time." Another remarked, "It's really helpful to have a database; the data are more reliable and accessible than paper files – and you can put as much information in there as you want." Lastly, "We want enough information to make decisions within minutes, not years.""Having systems and protocols can remove some of the pressure off case workers."

<sup>&</sup>lt;sup>22</sup> In some cases, government agencies were unable to produce or reference such statistics at all. For example, at one relevant government ministry, representatives said they had been unable to provide case counts to the national task force the past year because they had run out of funding to maintain the database they'd set up to gather information from the provincial level and thus had stopped counting. In another country, there were discrepancies between statistics supplied directly by a government agency working on human trafficking cases and those reported by the national task force for that same agency.

### Lack of infrastructure and technical support on data security

#### "I don't know the security around our public file system."<sup>25</sup>

For all the benefits of digital data, there are also some significant challenges. Recent reports about significant security concerns with systems used to collect sensitive beneficiary information at the likes of Catholic Relief Services (Cornish 2017) or within the Government of India (Safi 2018) highlight the critical needs for increased awareness of security issues around digital data, particularly sensitive information, whether in the non-profit or government sector.<sup>26</sup> The anti-trafficking field in particular must consider the inherent risks to the data subject, their families and personal networks, as well as the person (and their organisation) collecting the information, including potential for physical, psychological, or reputational harm.

As such, it will be increasingly important for antitrafficking entities to set organisational policies that proactively address these challenges to ensure effective data management and compliance with ethical and legal standards in the long term. That does not yet seem to be happening across the board.

Though awareness of the often private and confidential nature of data related to human trafficking was prevalent among the entities consulted for this report, there were varying levels of commitment to operationalising these norms into day-to-day data security practice. Of all the entities interviewed in the process of researching this report, none was able to furnish a written policy related to data security or confidentiality. That is not to say they did not have standards, but ensuring adherence to set practices across a team of people will be challenging without written guidance that can be easily referenced, disseminated, and translated into daily operations. Some common challenges related to data security include:

- Lack of awareness of how data were stored and backed up (for example, in-house servers vs. cloudbased storage)
- Sharing of account log-in information over multiple users
- Lack of awareness of encryption as a tool for data security or lack of access to appropriate software to enable its use
- WiFi network and password information being displayed in public places
- Testimony that websites had been hacked and pages remained down over time

This is not to say antitrafficking entities are lackadaisical about the importance of security, but in many cases there is a lack of awareness of specific tools and practices that might enhance security.

Though it is impossible to guarantee complete security, if a critical level of protection cannot be achieved, alternative avenues for data collection and management likely need to be explored or sensitive data should not be collected in the first place. This is not to say anti-trafficking entities are lackadaisical about the importance of security,<sup>27</sup> but in many cases there is a lack of awareness of specific tools and practices that might enhance security. In the words of a high-level government representative working closely on the issue of human trafficking: "Having a strong

<sup>&</sup>lt;sup>25</sup> Interview in Manila in August 2017.

<sup>&</sup>lt;sup>26</sup> In the words of researchers at the Harvard Humanitarian Initiative (and equally relevant to the human rights community at large), "The humanitarian community must not press the 'snooze button' on the alarms that are likely now ringing .... Rather than circling the wagons, humanitarian leaders need to address the growing threat posed by potential catastrophic data breaches head on." (https://www.irinnews.org/opinion/2017/12/08/humanitarian-data-breaches-real-scandal-our-collective-inaction)

<sup>&</sup>lt;sup>27</sup> One anti-trafficking CSO made use of resources offered by Front Line Defenders, including the protection grants aimed at supporting organisational efforts to improve security and protection of human rights advocates as well as trainings on the how to address risks and threats. (https://www.frontlinedefenders.org/en/programme/ protection-grants)

password is one step to security, but educating people is the most important piece.<sup>#28</sup> This is another area where development agencies are well poised to make progress by starting conversations and supporting access to appropriate data security trainings and resources tailored to local legal contexts.<sup>29</sup>

The potential for data loss, which can obviously have significant impacts on the ability to carry out organisational objectives, is another significant consideration in appropriately securing data. Though not specific to the anti-trafficking field, a related example from Cambodia is illustrative: earlier this year, the electronic health records (including medical histories and demographic information) for one-third of HIV/AIDS patients being treated at Roka Referral Hospital in Battambang province were lost when a fire caused by an electrical malfunction destroyed some of the hospital's computers (Kong 2018).

For the moment, discussions around data in the antitrafficking movement are generally happening under a framework of what *should* be done in terms of the collection, use, storage, and protection of digital information. However, such issues are also governed by national and international legal frameworks, and increasingly so, as with the European Union's new General Data Protection Regulation. In this case, relevant entities will first need to clearly establish a legal basis for the use of personal data, which will then be rather tightly regulated as not to violate what have been identified as eight key individual rights (the rights to be informed, of access, and to erasure, for example).

As internet connectivity grows and digital data proliferate, and thus digital data stocks relevant to the crime of human trafficking grow, it will become increasingly urgent for governments and civil society organisations working on this issue to wrestle with these challenges.

### Databases viewed more as an outcome than a resource

#### "Setting up systems that can't be sustained is like me buying a Porsche and not maintaining it."<sup>30</sup>

Well-designed digital databases have the potential to make many elements of the work of anti-trafficking practitioners easier, particularly in terms of accessing information quickly to draw key insights from and report on our work: "Where it chaotically worked on paper and in physical records is being translated into digital formats, which makes it so much easier to process and understand."<sup>31</sup> Of course, building a single database that meets the unique needs and specifications of the numerous types of actors in the anti-trafficking field would be extremely challenging, if not impossible. That said, it is not critical that everyone is using a singular database, but that we endeavour to ensure standardisation and comparability across systems - essentially interoperability. This means setting standards for good data practices to ensure data from disparate sources can be combined, de-duplicated, and collectively scrutinised, as makes sense, whether for trend analysis or tracking an individual case.<sup>32</sup>

That said, it is not critical that everyone is using a singular database, but that we endeavour as much as possible to ensure standardisation and comparability across systems – essentially interoperability.

<sup>&</sup>lt;sup>28</sup> Interview in Phnom Pehn in August 2017.

<sup>&</sup>lt;sup>29</sup> The Data Security section of the related Getting to Good Human Trafficking Data guidelines may be helpful in operationalizing recommended security practices.

<sup>&</sup>lt;sup>30</sup> Interview in Bangkok in August 2017.

<sup>&</sup>lt;sup>31</sup> Interview in Phnom Penh in August 2017.

<sup>&</sup>lt;sup>32</sup> See Getting to Good Human Trafficking Data guidelines, specifically section on Data Systems.

Unfortunately, for every functioning or semifunctioning data system referenced during the research phase of this project, there were a handful of failed attempts at database creation. Numerous sources reported stories about investing significant time and money into developing data systems that became obsolete. The primary causes of this phenomenon were:

- Databases were created for a specific project (most often funded by an external development partner), ran for a few years, but dwindled once the project ended
- Scarce landscape analysis was undertaken neither by the entity itself nor the donor supporting its creation – to understand the operating environment at all levels of the organisation or identify lessons learned from past attempts to create databases that ultimately failed (or perhaps if out-of-the-box software could be sufficient)
- Considerations were not made for the costs associated with keeping the technology up to date
- Insufficient investment was made to encourage buy-in from the whole of the organisation and sustain training and technical support to ensure long-term viability

In other words, database creation was approached as an outcome in and of itself, as opposed to a repository for valuable information that can get the movement to better outcomes. The reality is that even the most technologically advanced systems will fail if primary users are not confident in using them or if they are not adequately tailored to the operating environment. Consideration must also be given to the fact that many anti-trafficking practitioners are working in crisis settings or without reliable internet access. Databases that lack collective buy-in and responsive technology will likely result in data that likewise are deficient in terms of quality, timeliness, and completeness.

Data system failures are a particularly pernicious problem in that an organisation not only risks losing massive amounts of valuable data, but that their staff will likely become distrustful of digital systems generally, having done all the work of keying in data never to realise the benefits of that significant effort. This point was illustrated by an anti-trafficking NGO that invested in building a fairly rudimentary database that crashed after two years of operation, causing them to lose all the data that had been keyed in (a good reminder to install proper backup systems or consider using cloud-based systems if internet is reliable). They went back to using paper forms for a while before eventually investing in a new cloud-based system: "It was a big sticking point for the team for a long time; when we entered discussions about a new system, the team was initially very hesitant because of this past experience."33

As highlighted in the case study on page 34, using open source technology and building databases that are flexible and easily updated is one key antidote to this challenge, as is working with reliable partners on pre-existing systems. Often it is only by using these systems for some time that teams are able to identify the roadblocks and make necessary improvements, such as adding data fields, changing options in dropdown menus, or adding functionality like an internal communication mechanism. In other words, database development is not a finite process that ends with the launch: "it's hard to get it completely right from the start; it's an organic process, but we are lucky to have a system that we can improve over time."<sup>34</sup>

Failed databases exemplify the challenge to realization of the benefits of digital data, without which the process of careful, time-consuming data entry feels simply tedious. This will remain a significant hindrance to having good, responsible data to inform policy and programmes.

<sup>&</sup>lt;sup>33</sup> Interview in August 2017.

<sup>&</sup>lt;sup>34</sup> Interview in August 2017.

### Anti-trafficking task forces not realising full potential as data hubs

### "We submit our reports every semester, but we do not get much support or guidance from the task force."<sup>35</sup>

Each of the four AMS governments studied for this report has an operational inter-agency antitrafficking task force whose function is essentially to coordinate the efforts of various government institutions, civil society, and other stakeholders to combat human trafficking in line with national legislation and priority work areas. This is by no means an easy task, and the efforts of such bodies are absolutely critical to the success of the movement. In addition to demonstrating a commitment at the central government level to combatting human trafficking, these task forces can play an important role in standardisation of data norms and practices by diffusing best practices across their broad, diverse membership. Unfortunately, this potential is not being fully realized.

Firstly, data reporting requirements to the task force are generally limited to tabulations of number of cases investigated and prosecuted or number of victims served, sometimes, but rarely disaggregated by such characteristics as gender, age, location of the crime, and type of exploitation. Moreover, official reporting is happening infrequently – typically once or twice a year. As previously discussed, this sort of general, aggregated data has limited potential in answering the question of "why" and aiding the movement in designing responsive interventions and policies.

Other common challenges across the countries studied include:

• Task forces are not receiving guidance or resources from the central government on policies for data governance and security (this is an area where it is worth trying to engage the national statistics agencies, which are not currently represented on any of the task forces studied)

- The work of task forces is not sufficiently funded, particularly with regard to support for coordinating bodies to have regular convenings with broad participation of task force membership
- Lack of trust between parties (both across government agencies and between government and civil society) impedes productive collaboration
- Hierarchies across government bodies and challenges to authority often limit the ability of coordinating bodies to effectively lead

Without changing the metrics and motivations for reporting, it is likely entities will continue to perceive data collection as a tedious duty as opposed to a learning opportunity. Moreover, aggregating these data will continue to be a challenge for the task force, being that each relevant government agency tends to have its own methods for data collection, management, and analysis. In the words of a representative from one of the coordinating bodies, "The Ministry tries to troubleshoot how these data can be integrated, but the difficulties that the Ministry faces are due to each of the institutions having their own records and methods for collection."<sup>36</sup> A more fundamental issue in some cases will be aligning understanding of the crime of human trafficking in accordance with national laws across the whole of government.

There is also a challenge of discrepancies in resources and approaches between the local and central offices of any given agency. Data from sub-national offices of relevant government ministries are typically reported infrequently to the central level, sometimes in hard copy through in-person exchange or courier, or in soft copy via fax or as email attachments. In very rare cases where web-based systems connect local offices to a hub, it was frequently reported that these data were keyed in by administrators at the central level due namely to issues of capacity and lack of access to appropriate technology at the local level. In the words of a ministry representative: "We have people to enter it for the provincial level, but maybe in the future the provincial level becomes more skilful to input from

<sup>&</sup>lt;sup>35</sup> Interview in July 2017.

<sup>&</sup>lt;sup>36</sup> Interview in August 2017.

paper themselves."<sup>37</sup> A different ministry reported that provincial offices simply do not have someone to administer the case data so "it's somehow lost in space."<sup>38</sup>

This point is very much linked to broader challenges around data sharing within the anti-trafficking movement. There is generally strong awareness within this community of the risks of sharing data, particularly when it comes to personal information about potential trafficking victims or survivors. And many argue that the competition over limited funding keeps actors from sharing data, whether from fear of disclosing proprietary information and approaches or revealing gaps and weaknesses in programmes: "All these actors don't speak to each other and they all have their own standards. Everyone thinks their standard is the best, but we need to have some kind of agreement."<sup>39</sup> Unfortunately, less attention has been paid to the vast benefits of sharing information, which include:

- Getting to a more robust picture of the scale and scope of the problem of human trafficking
- Making progress in efforts to de-duplicate data being reported by multiple entities
- Limiting re/traumatization of survivors and avoiding the general discomfort of sharing sensitive, personal information with service providers, when possible
- Creating opportunities for specialisation and resource sharing while minimizing duplication of efforts
- Learning from the constructive scrutiny that comes from allowing others to give feedback

It goes without saying that any data sharing must be undertaken with a certain level of trust and methods for secure transfer and responsible use clearly stipulated. And permission from the data subject to disclose their information outside the organisation is absolutely necessary, noting that if sharing opens data up to uses or interpretations beyond the original intent at time of collection, additional consent must be given. The associated *Getting to Good Human Trafficking Data* guidelines offer some practical suggestions and resources on various methods for sharing data, specifically with regard to implementing data sharing plans and agreements that stipulate policies and expectations between sending and receiving parties.<sup>40</sup>

If done well, sharing information and insights can maximise the collective impact of the movement, while minimising duplicative efforts, meaning it is in the interest of civil society, governments, and donors alike. A critical component of such collaboration is aligning practices, definitions, and standards around data collection, security, and analysis to support more accurate, valid, and useful information with which to understand the nature of the problem and what makes interventions successful. Genuine collaboration will also help the movement streamline its objectives, better identify knowledge gaps, and enhance transparency and accountability, including to those communities at the core of the work.

As discussed, each country's respective national antitrafficking task force provides a useful framework for collaboration on data not only across official agencies, but between government and civil society. Of course, there are encouraging exceptions where we see such partnerships in action. For example, in one country, the Ministry of the Interior has signed a memorandum of understanding (MOU) with a well-regarded antitrafficking NGO to systematically collect more information on survivors who are returning, including where they are coming from and basic demographic information, in the hopes of identifying trends on routes and *modus operandi*.

<sup>&</sup>lt;sup>37</sup> Interview in January 2018.

<sup>&</sup>lt;sup>38</sup> Interview in February 2018.

<sup>&</sup>lt;sup>39</sup> Interview in August 2017.

<sup>&</sup>lt;sup>40</sup> Again, this is an area where legal governance will need to be considered.

There are many examples of data sharing happening at various levels of operation in Southeast Asia, but there are few indications that this is happening systematically and with due consideration for security and privacy of the data subjects.

Getting to Good

Human Trafficking Data

including across multiple generations. Though these communication tools offer many benefits in terms of rapid, easy communication, it is concerning to learn from dozens of sources that case data - including personal identifying information of traffickers and survivors alike - are being shared across these platforms. Oftentimes this is happening in group chats, which present additional challenges in terms of verifying the identity of everyone in the group, which can easily change at the behest of the group administrator. Moreover, because messages are easily forwarded, it may also become difficult to track the original source. Despite some of these applications having hearty encryption features, if a device on which the app is installed is lost and not encrypted, that information will be quickly compromised. Furthermore, from an efficiency standpoint, search functionality and archival processes for data shared in WhatsApp are rather limited. That is not to say practitioners should not use these tools in their work, but that it is important to consider the potential security implications of the information shared therein.

It is important to acknowledge that there are many examples of data sharing happening at various levels of operation in Southeast Asia, such as between police units or across service providers, but there are few indications that this is happening systematically and with due consideration for security and privacy of the data subjects. Messaging apps like WhatsApp and Line have gained tremendous traction in the region,

# PROMISING PRACTICES ON DATA COLLECTION IN ASEAN

### o effectively enhance data collection

practices – from standardizing definitions and victim identification forms, to creating interoperable databases, to securing digital data, to implementing more complex data analytics software – the normative shift toward data-driven programmes and policies will need to permeate more deeply. In the same way that one might look for positive deviance among a population – meaning identifying rare, successful behaviours or strategies that enable actors to achieve better outcomes than their peers despite facing similar challenges and having no additional resources – it is useful to highlight promising practices on human trafficking data from each of the four countries studied in the hopes of drawing lessons to emulate elsewhere.

In addition to efforts of specific AMS, there are several broader civil society efforts worth highlighting as they stand to have a significant impact in the region.

#### **IOM & Counter-Trafficking Data Collaborative**

For nearly two decades and across about 75 missions worldwide, the International Organization for Migration (IOM) has been collecting primary data on tens of thousands of human trafficking cases, which have informed research on a number of topics, including victim and trafficker profiles, trafficking routes, and patterns of exploitation.

The organisation has demonstrated a strong commitment to issues of data over the years. Its 2007 Handbook on Direct Assistance for Victims of Human Trafficking was one of the first resources to set out principles around security and privacy related to victim data, highlighting the primacy of protecting the confidentiality of trafficking victims/survivors, including through diligence in the management and disposal of personal data such as by employing cryptography and using unique identifiers. The records management section of the 300-page document encourages anti-trafficking service providers to set out "written policies and specific procedures and instructions regarding the collection, storage and use" (IOM 2007) of data related to staff and clients. IOM followed up in 2010 with the *Data Protection Manual*, which emphasised the need for conversations, early and often, about data protection in the rapidly changing context of data digitization and other technological advancements.

Given the significant energy and resources it has invested in designing systems to collect reliable, comparable data while being responsive to the diverse needs and capacities of its missions worldwide, IOM is well-poised to be a leader in the movement toward data standardisation on human trafficking in Southeast Asia, particularly when it comes to victim identification and around issues related to migration generally. For decades, IOM has played a significant role in anti-trafficking efforts in the region, and has used it various partnerships to promote enhanced data collection through technical assistance and capacity building efforts. IOM highlights the need for better migration data to support evidence-based policies and responses in its current strategy document for Asia (IOM 2017). Particularly in Indonesia, sources for this research provided evidence of support from IOM in creating training manuals supporting better data collection and alignment on practices.

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### Voices from the movement

This collection of quotes highlights just how ripe the region is for progress on getting to good, responsible data. These come directly from interviews conducted with anti-trafficking practitioners across government agencies and CSOs in Cambodia, Indonesia, the Philippines, and Thailand over the periods of July – September 2017 and January – February 2018.<sup>1</sup>

"If you lobby for change, they always ask for data so we have to prepare. You don't go to the battle without your bullets." "We understand the importance of knowing who your clients are, where they come from, and how we can meet their needs. Anything we do in terms of programmes should be based on evidence."

"We need to use every tool in the toolbox to tackle the issue of trafficking and by not having good data, we are not using a critical tool."

"We want everything at our fingertips – and we want it to be valid, reliable, and sustainable so we can depend on data for decision making."

"We feel what's really needed is constant guidance and collective checking on each other that good data is a regular part of our work." "Before we thought data wasn't important, but we have realised it is very important because now we can more easily know our progress. That has helped us ignore the short-term pain to see the long-term benefit."

"We still want to know the outcome and impact of the programmes we implement; it's not only the activity, but what is the result."

"We would like to share our data because we believe nobody should monopolise knowledge and information. The more of us doing the work in this field, the more we have a chance to end this problem."

"Right now we are not using data for policy and strategy – that is what we want!" "If we can look at all the data together, we will have a much better sense of what's going on." "Our data analysis is really not that deep, but we would like to look at patterns and trends to better understand what's happening."

"Information is a tool for us to develop programming. We want our interventions to be responsive to reality, which we understand through data."

<sup>1</sup> Some were translated through simultaneous interpretation.



Original source: ASEAN CT Infographic from July 2016. Reprinted with permission from IOM.

The image above, taken from an infographic produced by IOM, is illustrative of their commitment to the tenets of good data. Notice that IOM did not claim that 92% of all victims of human trafficking who were exploited in ASEAN countries in 2015 were subjected to forced labour, just those their organisation assisted. IOM is not claiming that this sample is necessarily representative of the full picture of human trafficking in the region. There may be reasons that this organisation in particular received more victims of labour trafficking than sex trafficking, but this is a useful example of the importance of context, an awareness of bias, and why it is important not to draw conclusions about entire populations beyond the sample that has been observed and analysed, as discussed in the complementary Getting to Good Human Trafficking Data guidelines.

IOM has further demonstrated a commitment to integrating data into the heart of the global antitrafficking movement with the launch last year of the Counter-Trafficking Data Collaborative (CTDC), touted as the "first global data hub on human trafficking."<sup>41</sup> Their Global Dataset aggregates (and anonymises using a process called k-anonymisation<sup>42</sup>) data from IOM's Migrant Management Operational System Application/Counter Trafficking Module, hotline data obtained through Polaris' National Human Trafficking Hotline and BeFree Textline, and NGO partner data

from Liberty Asia's Victim Case Management System (profiled on page 32). The dataset contains records on about 80,000 trafficking victims globally, about half of which are anonymised and available to the public for download. In addition to numerous data visualisations, the web portal includes data stories on trends amongst trafficking victims by region (Asia coming soon), using interactive data visualisations to illustrate the breakdown of cases by type of exploitation, age, gender (including transgender and gender non-confirming), region of origin, means of control, marital status, sector for labour exploitation, recruiter relationship, and duration of trafficking, among other data points. There are also plans to integrate additional functionality around GIS mapping of trafficking routes from available location data.

The difficult and imperfect process of harmonising data that were collected and classified in distinct ways has forced IOM and its partners to grapple with thorny questions around common standards and definitions for data collection as well as best practices on data management and de-identification. In inviting other organisations to contribute their de-identified data to CTDC, this is an opportunity to diffuse data quality standards across the movement. For those with internet access, CTDC offers a compelling example of what can be learned from large-scale data analysis.

<sup>&</sup>lt;sup>41</sup> https://www.ctdatacollaborative.org/

<sup>&</sup>lt;sup>42</sup> Realising that existing approaches to data de-identification left opportunities for data to be easily reconnected to their data subject, Pierangela Samarati and Latanya Sweeney developed the process of k-anonymisation in the late 1990s. In an effort to ensure true anonymity, a k-anonymised dataset has the property that each record is indistinguishable from at least k-1 other records within the dataset. This ensures data subjects cannot be identified through triangulation of more than one data point while still preserving the main statistical trends of the dataset.

### Liberty Asia's Victim Case Management System

After two years of development, Hong Kong-based Liberty Asia launched its Victim Case Management System (VCMS) in 2015. The system aims to support anti-trafficking CSOs to more easily store, share, and analyse their cases records, whether focused on law enforcement or social services, in response to a perceived "vacuum" of actionable knowledge among the anti-trafficking community.<sup>43</sup> VCMS has been implemented at no charge within 50 anti-trafficking organisations, mainly in Southeast Asia, but also other parts of Asia and in Sub-Saharan Africa with the goal of aggregating and anonymising data to identify trends on such factors as vulnerability, recruitment, and trafficking routes. VCMS now promises to be the largest data set on human trafficking in Asia, with information on about 20,000 victims/survivors. Creating common systems like VCMS is a significant step toward the goal of making case data comparable across the region, most notably by collecting data for the same fields and in setting common definitions<sup>44</sup> for them. It is also a promising tool for encouraging better norms around privacy and standards for data security, which are baked into the system to a large degree.

The system is built on the Salesforce platform, meaning the data contained therein are protected by the corporation's rather robust security measures. In addition to supporting access from mobile phones, using a cloud-based<sup>45</sup> system means that, given the proper consent, organisations can easily share data across the platform, say between an organisation offering legal support and one focused on vocational training.

VCMS includes tools for high-level analysis and report building, and creators are looking into partnerships with data analytics firms in the hopes of gleaning additional insights from the aggregated data. The system further encourages clients to engage more in the analysis of their data by tailoring report functions and dashboards to their monitoring metrics. Clients have noted the benefit of instantly generating reports for donors and government agencies that would have previously taken days.

In addition to supplying clients with a step-by-step user guide, Liberty Asia staff offer intensive trainings at the outset of partnerships and remain available for troubleshooting and remote assistance, but tailored support may become difficult to maintain as the system permeates.<sup>46</sup> Funding from Liberty Asia, itself a charitable organisation, to support licensing will also become an issue as more clients get on the system, and organisations will likely need to start carrying a portion or all of this cost over time (roughly \$75/year). Based on feedback from clients and potential clients garnered in the context of this research, which is seemingly quite positive, the main challenges for the system at present are:

- Case managers feel intimidated by the number of data fields they must fill in for each case
- Staff struggle to familiarize themselves with a webbased system and to integrate legacy data from spreadsheets or paper forms
- Organisations are resistant to systems distinct from those they have designed internally
- Fear that data in the system will be shared or seen by other organisations using the VCMS

On the back end, Liberty Asia is working to support the matching of cases where names might be spelled differently owing to transliteration between various languages – the system is currently available in English and Thai, and the team is working to integrate additional regional languages including

<sup>&</sup>lt;sup>43</sup> Internal VCMS Briefing Document.

<sup>&</sup>lt;sup>44</sup> Liberty Asia supplies clients with a comprehensive data dictionary, which defines terms used in the system, such as "suspected trafficking," online sexual exploitation," "fraud," and "contract substitution."

<sup>&</sup>lt;sup>45</sup> From the VCMS User Guide: "Salesforce is an international cloud based system. This means that if an individual, organisation or government requested the information from an organisation based in a certain country then because the information is not housed locally, there would be no legitimate grounds to divulge what was stored on the VCMS. This may change as local data privacy and access laws change to incorporate the concept of privacy cloud based databases."

<sup>&</sup>lt;sup>46</sup> That said, the organisation is exploring web tutorials and the creation of other training materials to be hosted on Freedom Collaborative (www.freedomcollaborative.org).

Khmer and Vietnamese - or simply user error during the data entry process. Thus far, Liberty Asia has made an effort to be responsive to clients' needs and realistic about their operating environments, maintaining flexibility to add and change features as they develop the system. One recent addition was the integration of Google Maps to allow case managers to drop a pin on a map, say for the site of exploitation or location of the family home, and use that to track trafficking flows. Outstanding questions for VCMS centre on de-duplication of cases across the system, being that several organisations are likely providing distinct services to the same survivors, as well as a verification and standardisation of the process for victim identification to ensure data are valid and reliable, and thus comparable.

#### **UN-ACT & Alliance 8.7**

Building off the work of United Nations Inter-Agency Project on Human Trafficking, the UN Action for Cooperation against Trafficking in Persons (UN-ACT) launched in 2014 to support a coordinated approach to anti-trafficking efforts in the Greater Mekong Subregion by supporting regional and national actors, including governments and CSOs, to work together more effectively. UN-ACT has long viewed the lack of reliable data as a significant challenge undermining anti-trafficking efforts in the region, and thus endeavors to support more robust research and data collection. This was cemented as one of four areas of focus in its current project document, namely meeting the objective of: "Policy makers, academics, non-government actors and the public have increased access to evidence-based research and knowledge

on human trafficking," with the project also having developed a dedicated research strategy guiding its work in this space (UN-ACT 2016).

Furthermore, as Secretariat to the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT), UN-ACT supports member countries - Cambodia, China, Lao PDR, Myanmar, Thailand and Viet Nam - in strengthening and drawing upon the evidence base for more informed policy and programming decisions. This is reflected in COMMIT's current Subregional Plan of Action, in which member governments agreed to ground policy and programming in "relevant research and other data analysis," as shown in the image below. Article 29 of the COMMIT MOU stipulates that states will work toward "Developing procedures for the collection and analysis of data and information on trafficking cases and ensuring that anti-trafficking strategies are based on accurate and current research" (COMMIT 2004).

The chosen indicator measuring success on prevention efforts is the number of interventions that reference data analysis and research findings on vulnerabilities of target groups. Higher-quality, comparable data will be critical to achieving the primary objectives of the COMMIT Process, namely enhancing systems for regional cooperation on counter-trafficking efforts. A significant achievement toward this goal was the release in 2016 of Common Indicators of Trafficking and Associated Forms of Exploitation developed jointly by ASEAN and COMMIT, aiming to offer some structure for states to adopt their own tailored frameworks for identification while supporting more alignment across the region.

Outcome 1.4 : Policy and programming under COMMIT are based on relevant research and other data analysis	
Output 1.4.1 : Relevant research reports, data systems and analysis on trafficking in persons developed and utilised for governments' decision-making	Indicators : # of research reports published upon endorsement by COMMIT countries
Indicative activities : - Commission research into new and emerging trafficking trends and related issues - Conduct policy dialogues and consultations on the findings of	Research and data analysis is utilised in COMMIT policy and programming development
<ul> <li>Conduct poincy datagues and consultations on the findings of trafficking research</li> <li>Develop a database for consolidation of trafficking research findings</li> <li>Develop joint research on anti-trafficking to inform policy and programmes</li> </ul>	# of COMMIT countries with a central-level, integrated human trafficking database

Original source: COMMIT 4th Sub-Regional Plan of Action (2015 - 2018). Reprinted with permission from UN-ACT.



### Relational database of local human rights CSO<sup>1</sup>

For the past decade, a local human rights CSO with significant experience, including work on human trafficking, has operated an impressive relational database – meaning it is structured to recognize the connections between data points – to track violations. The system offers a number of unique features that support both case analysis and case management for human rights investigators and service providers. Complex, but easy to use search functionality, from a basic query box to advanced, customizable options, allow users to search across various criteria, such as the type of crime, victim and perpetrator profiles, time ranges, and geographies. A statistics module allows users to quickly create customized tables populated with real-time data from the system, which can be easily visualised into graphs and charts. Moreover, aggregated case data can be quickly exported into a CSV file for analysis or, in the case of geographic data, KML files for easy integration and visualization with Google Earth or similar software. Users can record client information in both English and the local language, and toggle the interface easily between the two, and the interface can accommodate all languages recognized by UNICODE standards, meaning complex scripts like Arabic, Thai, or Chinese.

Aware of the need to carefully protect confidential client information, security measures include unique logins and privileges for each team member accessing the system and regular backups to an offsite server. This particular organisation has benefited tremendously from the experience of a team member who not only knows the field of human rights investigation, but is also trained in web and software development – a very rare combination.<sup>2</sup> Prior to this team member's tenure, the organisation had been using a database (funded by an external partner) that was running on outdated, licensed software. After researching several existing systems used in the human rights field, this individual crafted a new database that more adequately met investigators' needs as to "justify the time and energy that goes into data entry." The ensure sustainability and adaptability, the system was built on top of vetted, open source software products – "I didn't want a solution where only five people on earth are able to use it."<sup>3</sup>

The system allows for the attachment of files in various formats, such as photographs of evidence or paperwork scanned from law enforcement agencies, and the contents of any text-based documents are automatically searched in database queries. The database has embedded Optical Character Recognition (OCR) functionality to allow for plain text to be extracted from scanned documents, though this technology is still under development as some languages are not easily recognized through OCR. Preview thumbnails of images and videos are displayed for quick review, and videos can be played within the database. New data fields are easily added and the system maximises the use of drop-down menus as a way to minimise data entry error, including multi-level drop-down lists to record locations relevant

<sup>&</sup>lt;sup>1</sup> The name and location of the organisation have been purposefully hidden to protect the system from being targeted by nefarious actors.

<sup>&</sup>lt;sup>2</sup> Unfortunately, this is a fairly rare combination of skills, thus it is going to take significant effort on behalf of both anti-trafficking practitioners and tech experts to find opportunities to share ideas and perspectives, particularly when it comes to designing systems that both meet the technical demands around data collection and privacy while also responding to the capacities and needs of the team implementing them. A practical first step to implement this type of collaboration is to start speaking the same language, literally and figuratively, and try to avoid specialized, technical vocabulary.

<sup>&</sup>lt;sup>3</sup> Both quotes taken from the same interview in August 2017.

to a case. Several color-coding and tagging elements enhance search functionality, which also allows for matching of misspelled and sound-alike terms that may arise through transliteration.<sup>4</sup>

From a case management perspective, the system allows users to attach intervention modules to any case and in turn rate the impact of the actions taken, thus creating opportunities to learn from and replicate what works. As cases are amended and updated over time, the system maintains a history of all additions and changes, which is quite useful in assessing not only outcomes of cases, but in improving case management strategies and establishing effective workflows across the organisation. This further ensures institutional memory is properly recorded so that as staff come and go, there are records of all actions taken.

A member of the organisation's team emphasized that the amount of primary documentation they have been able to incorporate into reports and advocacy campaigns has grown 10-fold since launching the database. In the words of another team member: "In my experience, using data for advocacy does make a difference – it makes the argument that much more powerful because we've got the data to back up everything we do."<sup>5</sup>

<sup>4</sup> This is an important feature given that names, places, and other key data points can be spelled different across borders in Southeast Asia or when translated into English characters.

<sup>5</sup> Interview in August 2017.

In support of the achievement of Target 8.7 of the UN Sustainable Development Goals - aimed at eradicating forced labour, modern slavery, human trafficking, and the worst forms of child labour - UN University is building a global, online knowledge platform to scale up general interest in and understanding of data and measurement as related to human trafficking. With an expected launch of September 2018, the Delta 8.7 platform will feature dashboards that visualise and track multiple quantitative indicators and present detailed gualitative information, summaries of current thinking on relevant policy issues, and a multimedia publishing platform that aims to be a reliable source for research, data, and evidence about progress towards Target 8.7. Overall, the goal is to create an interface that can bridge the research and policy fields to encourage an evidence-informed approach to antitrafficking policies.

### Aligning victim identification standards in Cambodia

The Cambodian National Committee for Counter Trafficking in Persons (NCCT) - its 27 member bodies include the Minsters of Interior, Labour, Women's Affairs, Justice, Social Affairs, and Education, as well as representatives from other agencies like the National Police, Ministry of Planning, and Ministry of Foreign Affairs - made a significant step forward toward standardisation of human trafficking data with the launch in 2016 of the Guidelines on Forms and Procedures for Identification of Victims of Human Trafficking for Appropriate Service Provision. As it should be, the primary objective in creating such guidelines is to provide proper care and services to the victim. Nonetheless, important secondary impacts are the move toward aligning definitions and general understanding of the crime and its component elements, as well as how the data generated through implementation of the guidelines may help anti-

trafficking practitioners identify those victims still in situations of exploitation.<sup>47</sup>

These points on alignment and process were emphasized by NCCT Permanent Vice Chair Chou Bun Eng and Minister of Interior Sar Kheng at the release event for the guidelines, as well as cemented in the introduction to the guidelines: "the Cambodian government has released guidelines for organisations and government departments dealing with human trafficking that it hopes will lead to a more coordinated approach to the problem [emphasis added], more prosecutions and victims getting appropriate assistance more quickly" (NCCT 2016). A key metric in Cambodia's National Plan of Action (2014 - 2018) to combat human trafficking, guideline development began in 2013 under the leadership of the Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSVY) with wide participation from members of the NCCT, local and international NGOs like Hagar International, and representatives from relevant UN bodies (IOM, UNODC, UN-ACT), with technical support from Winrock International.

Such broad, diverse collaboration is important for so many reasons. First, resources in the anti-trafficking field are limited and this presents an opportunity to minimise duplicative efforts and maximise collective impact, while integrating the distinct expertise of various types of actors in the anti-trafficking community. Moreover, alignment of practices, definitions, and standards around data collection leads to more accurate, valid, and useful information driving the movement. Genuine collaboration will also help the movement streamline its objectives, better identify knowledge gaps, and enhance transparency and accountability. Moreover, tremendous amounts of time can be saved by learning best practices from colleagues and replicating or building on them in new contexts.

The victim identification guidelines appropriately begin by situating the process of identification within the definition of human trafficking established in the Palermo Protocol and cemented into Cambodian law through the 2008 Law on Suppression of Human Trafficking and Sexual Exploitation (Article 51). The document goes on to clearly establish who is responsible for implementing these procedures, which includes police, social affairs officials, and relevant civil society organisation representatives, and stipulates that they should first be properly trained on the forms, methods of implementation, ethical protocols, and proper communication techniques.

The guidelines aim to be highly practical and it is clear that diverse stakeholders were considered in their creation. There is both a quick, short form that can be implemented by a non-expert, and a more detailed long form to be employed by trained practitioners. Workflows for how information is to travel once a victim is reported are clearly outlined both in text and diagrams, with distinct procedures for Cambodian nationals trafficked domestically and abroad, as well as foreign nationals trafficked to Cambodia. Moreover, critical points around not criminalising victims in a suspected trafficking case and understanding why victims may not identify as such are highlighted throughout.

The guidelines offer a substantial section on ethics, which covers standards on ensuring safety, privacy, and confidentiality; informed consent; being aware of and responding appropriately to trauma that surfaces during the interview; and how best to communicate with and respond to the interviewee, notably through active listening, use of proper interpretation, and managing expectations. There is useful language here on how to ensure confidentiality and security:

The respondent shall be informed of the specific measures to be taken to keep information confidential. Assurance of confidentiality requires paying regular attention to confidentiality of written information, verbal communication, data via electronic systems, telephone, video, and other forms of information relation to the respondent. The information shall be shared

<sup>&</sup>lt;sup>47</sup> This point is directly acknowledged in the guidelines: "Victim identification can also provide further information related to other victims who need to be rescued."

among relevant people based on the principle of 'must-know necessity.' The information shared based on this principle shall be known to the resident and she/he must be clearly informed of the measures in relation to anonymity (such as use of code number, abbreviation, nickname, face masking, hiding place and marks on the photos and so on). It is a breach of individual rights if the information or pictures about medical and health status or identification of the respondent are shared without prior consent. (NCCT 2016)

As data are increasingly digitized, making them easier to duplicate, re-purpose, and disseminate, consent must not only be informed, but active, meaning it will need to be revisited and revised as the intended use changes from the time consent was given. from the time consent was given.

The NCCT guidelines also offer a helpful checklist of the components of proper consent, including introductions of the purpose and methods, rights to documentation related to the interview, explanations of confidentiality and rights of refusal, as well as offering guidance on behaviour and conduct for the interviewer. There is further guidance instructing the interviewer, regardless of their personal demographics, to "not have biased feelings or behaviour towards the respondent during the interview" (NCCT 2016). Of course, bias is not something that can be eliminated altogether, but it is useful to consider how one can minimise it in the context of data gathering and analysis, noting that everything from the wording of a question, to who asks it, to the medium we use to capture it can inject bias into the data collection process. Everyone has inherent biases that affect the way they understand information, but being aware of how such distortions can affect the data we access in the first place and how we understand the resultant information is a critical first step in ensuring we minimise the effects bias has on the final product. Bias is not by default a bad thing; it is simply a reality that people have preexisting perceptions related to what information and populations they access in their day-to-day lives.

In addition to templates for consent and referrals, the blank short and long identification forms are included in the Annexes to the guidelines, making them available and easy for others to adopt as the region eyes standardisation of practices. While the short form takes a cursory assessment of the act, means, and purpose of the suspected case, the long form elicits much more granular detail on recruitment, transportation, living conditions at destination, border crossings (if relevant), working conditions, payment processes, and the process of escape.

As these guidelines continue to permeate the antitrafficking sector in Cambodia, and hopefully beyond, it will be critical that the vast amounts of data being collected therein are used productively in driving policies and interventions. That will likely entail

An awareness of the need to obtain informed consent seems to be widely socialized in the anti-trafficking field in Southeast Asia, but it is equally imperative that the spirit of the consent process is widely implemented, as opposed to simply approaching it is as the tick of a box or signing of a form. Whether in law enforcement or social services, anti-trafficking practitioners are often working in environments of uneven power dynamics, making it challenging to secure legitimate consent. Moreover, as much as possible, an individual should be made aware of the myriad ways their personal data could be used both now and in the future. As data are increasingly digitized, making them easier to duplicate, repurpose, and disseminate, consent must not only be informed, but active, meaning it will need to be revisited and revised as the intended use changes

digitizing these data so that trends and patterns can be quickly and easily identified among these fields, such as where victims are being recruited from, in which industries they are being exploited, and transit routes and methods. Unfortunately, the NCCT has not yet implemented a digital database to collate data coming in from its member entities, though they report this is a goal and that they are first focusing on strengthening the capacity of each individual entity to collect data, which seems a prudent approach. It will be further useful to analyse commonalities on what is being written in as an "Other" choice in cases where interviewers can select answers from a list. This can guide the inclusion of additional answer choices in the future, or the weeding out of options that are never selected. Moreover, if the form is to be implemented in other localities, it would need to be adapted to have selections that make sense for that area and the unique characteristics of their population (for example, options for nationality on the Cambodian form include only Khmer, Vietnamese, Lao, and Burmese).

Socialisation and operationalisation of these forms will be critical to their success. For now, several NGOs and relevant government agencies reported that the long form takes too long to complete (typically two hours), though one would expect this timeframe to shorten as practitioners become accustomed to its use. Some others said they do not use it at all, owing to the perception that it is overly complicated or too tailored to law enforcement needs as opposed to social services. So far, only some provincial countertrafficking committees have been trained on the guidelines, with the NCCT planning additional trainings for 2018. It has not been socialized at the district and commune levels yet. The Phnom Penh office of International Justice Mission reported that they now include the guidelines as a component of their trainings for anti-trafficking police, though several CSOs noted wanting additional training, ideally with fewer people in each session to ensure the ideas penetrate, and suggested having mock interviews to allow service providers to practice using the form.



#### A One Data policy for Indonesia

The government of Indonesia, currently led by President Joko Widodo ("Jokowi"), has demonstrated a strong awareness of the practical value of aligning practices and standards on data, as well as a commitment to achieving the benefits of enhanced transparency and service delivery for the nation.

The Minister of National Development Planning for Indonesia, Bambang Brodjonegoro, summarized the challenge at a public event earlier this year: "Every minister has his own data, they are quite resourceful; but the problem is, sometimes the data are not accessible to other ministries or agencies" (Rohaidi 2018). He went on to emphasise the need for collaboration and partnerships to achieve these goals: "Better public service delivery and participatory government is not going to work if only being promoted by one government agency or just by the central government alone" (Rohaidi 2018).

The government's Satu Data (One Data) initiative started nearly five years ago in an effort to enhance the accessibility, comparability, and interoperability of government data, both between institutions and with the public. This grew out of the passage in 2008 of freedom of information legislation, the Public Information Disclosure Act, which essentially switched the default on data from being closed to the public to being open. One of the stated objectives in Article 3 of the act affirms a commitment to enhancing the quality of information and using it to inform the creation of better policy. Three years later, Indonesia become one of eight countries to launch the Open Government Partnership, which encourages states to commit to polices that promote transparency and accountability.

President Jokowi is expected to soon issue a presidential decree on the policy, following months of public consultations among various stakeholders, including the private sector and CSOs. According to Pulse Lab Jakarta, a component of the UN's Global Pulse big data initiative, the policy will help to overcome issues such as "overlapping datasets, lack of data quality, and difficulty in data sharing" (Rohaidi 2018). Promising features of the law include setting official standards for the production of data to allow for interoperability across government entities, and mandating that data are released along with metadata related to how and why they were collected. A steering committee as well as national and subnational teams will oversee the implementation strategy, and specific delegates in each agency will be appointed as *Pembina Data* (data mentors) and *Wali Data* (data custodians) to lead on capacity building and quality assurance (Angelina & Rahwidiati 2017).

Language from the official website explaining the policy and hosting the related Indonesian Data Portal – a repository of about 2,500 (and counting) government data sets – encapsulates some of the very same norms emphasized in this research. In response to the FAQ on what a non tech-savvy person can get out of open data, the site proclaims, "Basically everyone can use open data, as long as they have basic knowledge about data processing ... As a non tech savvy guy, users can utilize open data to create reports, analysis, visualization, stories, journalism products, and other interesting things."<sup>48</sup> This is the goal for the antitrafficking community – to get to better data so that it can be wielded for change and realising that one does not need to be a data scientist to get there.

These lessons are easily extrapolated to the antitrafficking movement, which, as established, not only needs more data to better target advocacy campaigns, criminal investigations, prosecution efforts, and service provision to be responsive to current operating environments, but also to be able to evaluate and enhance the effectiveness of efforts taken thus far. This policy, if implemented successfully, should be hugely impactful in addressing existing challenges around the inconsistency of human trafficking data reported by the dozens of government agencies whose work touches this issue.<sup>49</sup>

With that in mind, there were numerous indications in meeting with government ministries and agencies of how the One Data policy is beginning to take hold around anti-trafficking efforts. For example, the Ministry of Women's Empowerment and Child Protection (KPPA) launched an impressive web-based, real-time database for recording and monitoring instances of violence against women and children in 2016, specifically motivated by the policy. The Sistem Informasi Online Perlindungan Perempuan dan Anak or Online Information System for the Protection of Women and Children, also known as SIMFONI, connects disparate regional units throughout the country, such as local police, service centers, and CSOs. Each relevant actor is assigned a unique account and given appropriate access to encode cases directly into the system, which includes legacy data going back to 2014. The public can access aggregated data through a public portal.<sup>50</sup> In explaining the motivation behind the system, sources noted that as the body nominally leading government anti-trafficking efforts, "it is much better and easier if you have a single data system. We

<sup>50</sup> http://kekerasan.kemenpppa.go.id/

<sup>48</sup> https://data.go.id/

<sup>&</sup>lt;sup>49</sup> A slide in a deck provided by the Ministry of Women's Empowerment and Child Protection (as translated), reported various ministries' human trafficking data as follows:

Ministry of Foreign Affairs (2012-2016): 2,285 people were indicated as trafficking victims abroad.

January - July 2017, 223 Indonesian migrant worker (IMW) victims of trafficking were assisted abroad.

Ministry of Social Affairs (2012-2016): 2,157 TIP victims were handled in the Trauma Center.

January - July 2017, 281 victims were handled in the Trauma Center and Children's Safe House.

Witness and Victim Protection Agency (2016): 32 cases were handled, with 162 people (TIP victims/witnesses) under the protection of the Agency, 11 people under physical protection, 19 people received medical support, 17 people received psychological services, 143 people are to receive restitution, and 12 victims have received their restitution.

Ministry of Health: There no data of TIP victims, there is only data of violence victims (bruises, due to blunt object).

The Indonesian Police: 148 Indonesian illegal migrant worker recruits were prevented from departing to Saudi Arabia with Umrah visas and Working visas. 68 illegal migrant workers who worked as domestic workers in Saudi Arabia were sent home in the past year. 2011-2016 shows that the TIP modus via Umrah Visa reached 365 police reports out of the total of 782 police reports.

The Ministry of Labour and BNP2TKI Immigration Office: In 2015, there were 1,584 IMWs prevented from departing, and in 2016 there were 1,310 IMWs prevented from departing. In 2016, 199 recruitment agencies were suspended, 46 received administration sanction, and 15 were banned.

don't want to have redundancy and then we can also get more precise on policy."<sup>51</sup>

Though not squarely focused on human trafficking, it is one case type that is reported into the system alongside physical and sexual violence (cases of male victims are not included). System architects are hopeful that the back end structure could further support more integration on human trafficking specifically. The SIMFONI team reports rather widespread integration at the local level, with systems installed in most of the country's 34 provinces, where data are input directly by users. At the central KPPA office in Jakarta, where the SIMFONI data center is housed, administrators with adequate privileges can monitor cases in real time. Instances populate onto a map with details on the case type, demographics on relevant actors and relationships between them, dates of the incident and report, and services received.

The system was designed by Indonesian developers with input from relevant ministries across various localities, in an effort to meet diverse user needs and capacities. Data from the Ministry of Home Affairs was integrated to allow the data of Indonesian nationals to be auto-populated with demographic data linked to their national ID numbers. This feature has also helped address the issue of de-duplication of cases.

The system is maintained and managed by a team of five data science/IT professionals at the central office in Jakarta. They have made substantial consideration for capacity building, including through trainings at the national and provincial levels (including two trainings of trainers in 2017). A manual on how to use the system is circulated to all users and paper forms are made available for case details to be recorded manually (and later encoded into the system) in cases when the internet is down or unavailable. Evidence of the system's function was observed at the Department of Women Empowerment, Child Protection and Population and Family Planning in Batam province (DP3APPKB), where civil servants are entering data from police reports on cases of human trafficking (and other offenses). The office receives annual training on

the system and each user has a unique account so the team leader can monitor who is entering reports as well as their progress.

Meanwhile, the Ministry of Foreign Affairs (Kemlu) has taken the lead on a joint initiative alongside the National Agency for Placement and Protection of Indonesian Workers (BNP2TKI), and the Ministries of Law and Human Rights, Home Affairs, and Manpower to align their data collection standards and systems. Earlier this year, this partnership resulted in the launch of the joint Service and Protection Portal for Indonesians Overseas, demonstrating significant movement toward a single database populated by these various actors. The Portal integrates the processes of registration, service provision, and case management, meaning the entities involved will, in principle, be able to better ensure data accuracy, completeness, and consistency as well as more efficient data management and sharing. The common goal is to have a more robust picture of Indonesian citizens abroad to ensure they are adequately protected and to use the data contained therein to inform relevant policies to better meet migration realities. In a recent news report, the Director of Protection of Indonesian Citizens and Legal Entities of Indonesia from Kemlu noted (as translated), "Good policy needs to be supported by a complete database" (Anon. 2017).

Two other databases already operated by Kemlu will also be integrated into the Portal. The new system builds on the recently revamped e-Protection (e-Perlindungan) system, a 5-year-old database mainly used by case workers to track reported violations related to Indonesians overseas. The second comes from the more recently created SafeTravel application, which gathers self-reported data from Indonesians going abroad for less than a year, typically for leisure purposes as opposed to employment. The application provides users with practical travel information, such as weather or tourist sites, but also has functionality for connecting to consular services or other nearby emergency

<sup>&</sup>lt;sup>51</sup> Interview in Jakarta in January 2018.

Given a clear linkage between migration and human trafficking, the new Portal will support a more cohesive response to human trafficking cases, and the aggregated data promise to offer key insights into early warning signs and key demographics among victims.

support using GPS data. If Indonesia nationals encounter any trouble or issues while abroad, they can immediately report it through the application, which includes a panic button.

Given a clear linkage between migration and human trafficking, the new Portal will no doubt support a more cohesive response to human trafficking cases, and the aggregated data promise to offer key insights into early warning signs and key demographics among victims. The system is the result of years of convenings of focal points from each ministry/ agency to develop both a front end that serves the various constituencies, as well as an IT team that could develop a functioning back end that integrates these disparate data sources. Specific to human trafficking, the Government of Indonesia reported on the progress of the e-Protection system in a recent report to the UN Office of the High Commissioner for Human Rights Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, in response to the mandate to "systematically compile disaggregated data on trafficking in persons ... including the number of reported cases of trafficking in persons, investigations, prosecutions, and the sentences imposed on perpetrators" (Committee on the Protection of the Rights of All Migrant Workers and Members of their Families 2017).

With a sizeable population of migrant workers abroad, Indonesia stands to benefit greatly from enhanced data on this population. Sources at Kemlu report that they currently have data on about two million migrants registered in the various systems, though they estimate that there are about three to nine million Indonesians living and working abroad and another 16 million Indonesians going overseas for shorter periods.

There is further evidence that Kemlu is committed to not only collecting, but disseminating quality data. The 2017 edition of the ministry's annual report, Kaleidoskop, provides compelling quantitative and qualitative data in a chapter devoted to human trafficking. The report goes far beyond the common reporting of tabulations of cases to include infographics on trafficking routes, modus operandi, and key demographics of victims. The text of the document explores the observed trends among the various forms of trafficking and is forthright in identifying challenges to the handling of human trafficking cases, demonstrating an openness to learning and improvement. For example, in reporting a decline in the number of reported cases of human trafficking in 2017 compared to the prior two years, the report specifically notes that there are additional victims that they are not able to identify (Kemlu 2017).

The critical element to the success of these new integrated systems will rest of the ability of those responsible for reporting to be collecting highquality data, and in an ethical manner. Sources at Kemlu did note the use of the The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, of which Indonesia is a member, as a source for shared standards on victim identification.



### The Philippines' Anti-Trafficking in Persons Act of 2003

Within Southeast Asia, the Philippines was at the vanguard in criminalizing human trafficking. Republic Act No. 9208, also known as the Anti-Trafficking in Persons Act of 2003, lays out very

clearly the country's responses to human trafficking under the framework of prevention, prosecution, and protection. The law very explicitly defines the roles of the various government agencies that are tasked with implementing preventive, protective, and rehabilitative programmes through concrete actions (Section 16). For example, the Department of Foreign Affairs is called on to implement machinereadable passports to reduce the use of fraudulent identification documents (which could also facilitate digital data collection of demographic information and travel patterns). The Department of the Interior and Local Government is charged with implementing prevention campaigns and maintaining "a databank for the effective monitoring, documentation and prosecution of cases on trafficking in persons" (Republic of the Philippines 2003). In addition to their obvious investigative and arrest duties as the primary law enforcement agency, the Philippine National Police are meant to establish a complaint system to receive calls for assistance.

Section 21 of the law formally established the Inter-Agency Council Against Trafficking (IACAT) with an emphasis on effective collaborative and integrated strategies in addressing the problem of human trafficking. Among the defined powers and functions is the provision to "Complement the shared government information system for migration ... with data on cases of trafficking in persons, and ensure that the proper agencies conduct a continuing research and study on the patterns and scheme of trafficking in persons which shall form the basis for policy formulation and program direction" (Republic of the Philippines 2003).

Furthermore, the makeup of the IACAT is clearly delineated, namely with representatives of the Departments of Justice, Social Welfare and Development, Foreign Affairs, Labour and Employment, and Interior and Local Government, as well as representatives from the Philippine Overseas Employment Administration, Bureau of Immigration, Philippine National Police, Philippine Commission on Women, Commission on Filipinos Overseas, and the Philippine Center for Transnational Crimes. Moreover, the law stipulates that the three NGO delegates must specifically represent women, overseas Filipinos, and children, respectively.

Article 6 cements the norm of confidentiality, calling on all parties involved in investigation and trials relevant to human trafficking to "recognize the right to privacy of the trafficked person and the accused." Moreover, the law encourages collaboration across sectors, noting that relevant agencies are welcome to enlist support from civil society organisations in implementing their duties.

The law was further strengthened a decade later, particular with regard to data collection, by the amending Republic Act No. 10364, or the Expanded Anti-Trafficking in Persons Act. Section 16-A was added, calling for a data repository meant "to ensure the harmonization and standardisation of databases, including minimum data requirements, definitions, reporting formats, data collection systems, and data verification systems," to be administered by IACAT. Each relevant government agency is in turn mandated to "develop their respective monitoring and data collection systems, and databases, for purposes of ensuring efficient collection and storage of data on cases of trafficking in persons handled by their respective offices" (Republic of the Philippines 2003).

Although it could benefit from more granularity in defining the objectives and intended function of the database, the added article does define broadly the type of data it will house; cementing this into law provides an aspirational goal and accountability for those tasked with achieving it. These respective databases are meant to contain data on:

- (a) The number of cases of trafficking in persons, sorted according to status of cases, including the number of cases being investigated, submitted for prosecution, dropped, and filed and/ or pending before the courts and the number of convictions and acquittals;
- (b) The profile/information on each case;

- (c) The number of victims of trafficking in persons referred to the agency by destination countries/areas and by area of origin; and
- (d) Disaggregated data on trafficking victims and the accused/defendants.

Nearly a decade ago, the Department of Social Welfare and Development (DSWD),<sup>52</sup> one of the key members of IACAT, released a comprehensive document that laid out the Referral System on the Recovery and Reintegration of Trafficked Persons. This policy was developed through a consultative process across the government as well as civil society and multilateral agencies "to establish a systematic documentation of cases of trafficking" (DSWD and ILO 2009) as a component of providing better, comprehensive services to survivors.

One critical component of standardisation was the recognition that the various members of IACAT would benefit from using shared systems and unified forms "to maintain accuracy, efficiency and consistency and for data-banking purposes," thus a collection of forms was created and disseminated on client demographics, intake, and referral for service. Quite notably, there was also a form for referral feedback, which aims to record a client's satisfaction with services rendered and any issues encountered therein. Each form is clearly marked as confidential with proper instructions on use and a caveat that forms must be completed by "fully trained and designated staff" and they "shall be held in strict confidence" (DSWD and ILO 2009). At the outset, the referral system outlines general principles that relevant agencies are to implement, namely around protecting the best interest of the child, emphasizing confidentiality and the right to privacy (including not releasing information to the media or allowing photographs/interviews), as well as informed consent and practicing gender sensitivity and nondiscrimination.

There was strong evidence in meetings with relevant member agencies of IACAT, both at the national and local levels, specifically in Zamboanga province, that these actors felt fairly satisfied with the processes for data collection and reporting on human trafficking. Several cited compliance with and appreciation for the standards and protocols that they receive from IACAT (and regular trainings to ensure adequate socialization), as well as satisfaction with regular reporting periods (quarterly meetings at the regional council and monthly reports sent to the national council). Sources further supported the idea that data flows well across the member agencies of IACAT, who are generally open to sharing. IACAT has been working to develop a centralised system to collect and aggregate the reports of its members. For now, standardised Excel spreadsheets are completed and sent to the central level, generally via email.53 In the words of a representative of a local office of the Department of Justice (DOJ), "We use the same system. For example, the IACAT in Manila told us how to number the cases/entries in the Excel form for the monthly reports, sometimes they will say add this certain column. It is centralized." 54,55

The efforts that have gone into standardisation of practices and norm proliferation around good, responsible data collection arguably compensate for what is lacking in regard to technology. When and if a common database is launched, it will be that much stronger and sustainable owing to these efforts on the front end; technical challenges are far easier to overcome than normative ones. For example, in response to how the Philippine Center on Transnational Crime uses data to inform their approach to counter-trafficking, a representative said, "Because of the data that we collect as well as the closer coordination we have in the task force because of our regular activities, our operations

<sup>&</sup>lt;sup>52</sup> Notably the document was prepared by the Social Technology Bureau of DSWD, which oversees the creation of citizen-driven social protection technologies addressing the needs of vulnerable populations.

<sup>&</sup>lt;sup>53</sup> These forms could benefit from further disaggregation of victim demographics.

<sup>&</sup>lt;sup>54</sup> Interview in February 2018.

<sup>&</sup>lt;sup>55</sup> This is complementary to a proprietary web-based system that DOJ operates both at the central and local levels for human trafficking case management. DSWD also has their own National Referral and Reintegration Database.

have improved, we have become more effective. The data is useful in coming up with new innovations in handling TIP cases."<sup>56</sup>

In 2014, IACAT approached the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP) for assistance in building such an integrated data system, the development of which is ongoing. According to a source at AAPTIP, "IACAT understands the value of data, of sharing data, and how to get value out of an information management system."57 Together, the partners have engaged on an extensive consultation process with relevant practitioners to see what will work at the frontline level and try to avoid past mistakes. They are making an effort to ensure the longevity of the system through access to necessary technology and ongoing IT support, and have created a written manual on how to use the system, which will be complemented by video tutorials. The system is currently being tested at two regional offices of IACAT. Following the resignation of Prosecutor Darlene Pajarito from the position of executive director of IACAT in February of this year, it will be critical that the chair appoints a new leader who brings the same passion and enthusiasm for the work.

### Building a common anti-trafficking data system for Thailand

With extensive experience combatting human trafficking both at the highest levels of government and in multilateral fora, Dr. Saisuree Chutikul and a broad, multidisciplinary team of anti-trafficking practitioners have devoted the past decade to establishing a database of human trafficking cases across the Thai government. The team felt frustrated by the quality of existing data and lack of protocols governing its collection. So they set out with the aim of facilitating coordination between relevant government entities to support better, more holistic handling of human trafficking cases, while ensuring more accurate data to inform more effective policies. In the words of one of the architects of the database, "We want to put data at the fingertips of those engaged on the front lines of this work in a way that adds value, is reliable and sustainable so you can depend on your data for decision making."<sup>58</sup>

To begin, the team spent more than a year travelling to 11 provinces across the country to meet with hundreds of police, prosecutors, judges, social workers, and shelter administrators to understand their data collection processes and the journey this information took to reach the central level. Furthermore, significant effort has gone into matching cases from relevant law enforcement and social services agencies by comparing case and identification numbers to get a more holistic picture of each case and avoid double counting.

This landscaping and need-finding informed the creation of Thailand's Database System on Anti-Human Trafficking in partnership with Mahanakorn University of Technology (MUT), which built the system. Because it is quite rare that someone possesses both the skills needed to build technically complex data systems and investigate and respond to human trafficking cases, much time and energy went into breaking down the literal and figurative barriers that oftentimes exist between the human rights and tech communities. The technical team at MUT spent three years creating a platform that attempts to meet the diverse recordkeeping, analytical, and procedural needs of the various agencies using it. Though the contents of the database remain secured from students, partnering with a technical university has the added benefit of encouraging academic experts and students to consider applying their education toward critical social issues.

A dedicated, 26-member subcommittee under the Prime Minister's National Committee to Combat Human Trafficking Thailand is now responsible for

<sup>&</sup>lt;sup>56</sup> Interview in February 2018.

<sup>&</sup>lt;sup>57</sup> Interview in Bangkok in August 2017.

<sup>&</sup>lt;sup>58</sup> Interview in Bangkok in August 2017.

the database. The Ministry of Social Development and Human Security developed a manual governing the use of the system, which has served as a framework for trainings; this is an important step toward enhancing the accuracy and reliability of the data, while ensuring the sustainability of the system. The manual provides both practical guidance on navigating the functionalities of the system and regulations for how the database is to be used. For example, police are mandated to enter a case within a week of the incident; the Office of the Attorney General has 30 days from the termination of the court case to enter it. There is obvious recognition among the team that created the system that having protocols in place that govern each step - from how a case is first entered to how it can be closed - helps ensure accountability and reliability by putting checks and balances in place.

As of April 2015, the Royal Thai Police, Department of Special Investigation, Office of the Attorney General, and Ministry of Social Development and Human Security have all signed on to a MOU supporting implementation of the database. In 2017, the team began working with the Ministry of Interior to link the system to their database that governs the assignment of national ID numbers; this is being formalised in the development of an updated MOU.

Through a mix of text-based and selection-based data entry (with limited functionality for attachments of image files), fairly granular details of a case as well as information on the victim(s) and alleged perpetrator(s) are recorded into the system by the police. The case then moves on to the courts, with prosecutors entering data on their decision to prosecute or not and details of the court case. This includes tracking movement, if applicable, from the court of first instance up through the justice system, potentially to the Supreme Court. These records are then matched through the victim's identification information with data from the social sector, including additional socioeconomic demographics, profiles of actors involved in the trafficking incident, details of migration/movement (where applicable), information on what social services have been provided, and if any monetary remedies have been awarded. In an effort to encourage recognition of the value of data, users of the system are greeted by a dashboard containing visualisations of aggregated data, including heat maps illustrating where reports of various forms of human trafficking are most prevalent.

The system has also resulted in the recent publication of a sizeable book<sup>59</sup> summarizing the contents of the database for the years 2013 through 2015, namely the number of victims according to nationality, age, gender, and type of exploitation (and whether they were placed in a government shelter), and the number of suspects who have been indicted within a court of first instance.

Before a case goes into the system, a multisector team composed of social workers, police, prosecutors, labour officers, and NGO representatives must review the case and decide if it indeed constitutes the crime of human trafficking based on identification and investigation protocols they have established. Once a positive decision is made, the workflow begins with the police, who initiate a case in the system and enter pertinent details of their investigation. The workflow and protocols of these teams is laid out in the graphic on the following page taken from a document issued by the Thai government (© Government of Thailand 2016).

Like any new system, the database is not without its challenges, namely getting legacy data encoded, building buy-in from those responsible for data entry, ensuring as a case moves through the system from one agency to another that all relevant data are entered, and that all this is done in a timely manner. That said, the database team is continually looking for ways to improve the system. For now, specific officers in the Office of the Attorney General are receiving hard copy case files from the courts and entering that data into the system, but the plan is

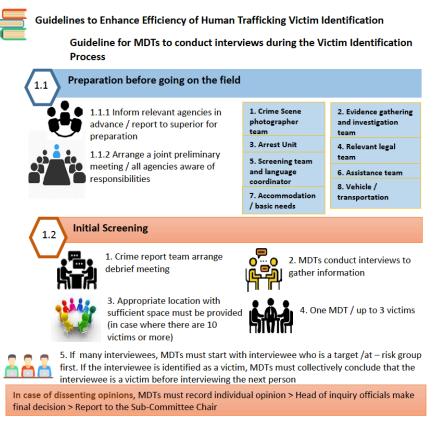
<sup>&</sup>lt;sup>59</sup> For now, it is available only in Thai with plans to have it translated to English.

that courts will soon take over their own data entry. There is certainly room for more granular analysis of the data contained therein and exploration of additional questions relevant to prevention and protection work, which the team behind the database is encouraging. They highlighted a desire to better understand trafficking routes, what makes a particular case more or less likely to be prosecuted, and how long it takes a trafficking case to reach a verdict in a particular court; the team has released an initial report on patterns and routes of human trafficking in Thailand based on a mixed methods analysis of database contents and other data sources. In the words of a Thai prosecutor, "What we want is to use the data that has been collected in the system as the basis for laying out

policies on prevention and suppression of trafficking in persons, and where to focus our law enforcement efforts."<sup>60</sup> Meanwhile the technical team at the university is looking to initiate more data mining of the contents to identify trends and patterns among the roughly 2,000 cases contained therein, and is researching ways machine learning might be used to try to identify vulnerable populations before they are trafficked.

For now, this new human trafficking database is separate from the databases used by police for all cases, meaning they have to enter data twice into two systems, but the team is exploring ways that data from human trafficking cases can be easily exported from the general police system into the new system to avoid the duplicative effort.

<sup>60</sup> Interview in Bangkok in January 2018.



Original source: Referral system for victims of trafficking: New guidelines for victim identification by multi-disciplinary teams (2016). Reprinted with permission from the Ministry of Social Development and Human Security.

## CONCLUSION

Successfully combatting human trafficking will require data that can answer not only questions of prevalence, but also shed light on critical issues such as survivor reintegration needs, effective prosecution tactics, effective organisational strategies of anti-trafficking entities, and key geographic, demographic, and industryspecific vulnerabilities. The collective understanding of the anti-trafficking movement in Southeast Asia – and globally – will thus require the strengthening and harmonization of norms, standards, and practices around all aspects of data collection, from victim identification processes, to designing systems and databases, to conducting and disseminating analysis.

As the international anti-trafficking community looks to cutting-edge technology or advanced data analytics to provide solutions to this complex challenge, it is critical that the groundwork is simultaneously laid to ensure those doing the frontline work of this movement are empowered to take an active role in getting us to a better understanding of the nature, scale, and scope of the problem, as well as evaluating our efforts to combat it. This work must be rooted in a fundamental understanding of and appreciation for good, responsible data. In turn, the professionalisation of the movement will no doubt attract much-needed support in the form of financial capital, access to technologies, and investment in human resources that can push us toward the goal of eradicating human trafficking.

While there is no single, perfect database that can answer all of the movement's questions related to human trafficking, an effective ASEAN Regional Trafficking Database is an achievable goal if deliberate and collaborative efforts are made at the front end to strengthen and standardise approaches to data collection that will encourage comparability of data and, in turn, enhance collective understanding. With ASEAN Member States making efforts to coordinate the activities of the various agencies engaged in antitrafficking efforts, the time is ripe to consider how best to configure national data collection in ways that will ensure the comparability and standardisation necessary at the regional level. The present research endeavours to provide a modest initial step that would ideally be followed with an in-depth, 10-country analysis outlining existing data systems of relevant government agencies and CSOs in detail – focusing on their development, function, reporting, and technical specifications – that could serve as a roadmap towards informing a regional database in the future.

The time is ripe to consider how best to configure national data collection in ways that will ensure the comparability and standardisation necessary at the regional level.

The following policy recommendations aim to practically support this endeavour. It is worth emphasising that better data are a necessary, but not sufficient component of successfully curbing this abhorrent crime. The utility of such information will only be realised when governments, communities, policymakers, civil society, consumers, and the private sector use that newfound knowledge to inform their decision-making. **That is the duty of each of us – let us begin.**  Assessing the Landscape in Southeast Asia and Promising Practices from ASEAN Governments and Civil Society

## POLICY RECOMMENDATIONS

B oth the challenges and promising practices elucidated in this report suggest a number of policy recommendations for various antitrafficking constituencies, notably donors, civil society organisations, governments, and relevant ASEAN bodies. The reality is, getting to good data on human trafficking will require significant efforts on behalf of *all* of these entities, as well as a commitment to collaboration between them.

#### For donors

- Encourage grantees/implementers/partners to **carefully review policies on data collection** (including ethical issues, systems, security, and transparency) as a component of funding calls and consider how you might support alignment of those policies across grantees. This effort would be further enhanced through the creation of a clearinghouse for all private, corporate, and governmental grants related to human trafficking, which could include a **mechanism for donor coordination**.
- Allocate funding to long-term training and technical support on data collection and analysis best practices, including core support for (ideally local) staff who are expert in these fields. CSOs stand to benefit immensely from investment in infrastructure, in the same way that a functioning society relies on public goods like roads and schools. Relatedly, conduct appropriate needs and capacity assessments with regard to funding data-driven interventions to ensure they rely as much as possible on good, responsible data.
- As better data are generated at the local level, support research aimed at better understanding risk and protective factors of human trafficking, sectorspecific vulnerabilities, and other key research

questions, as well as evaluating interventions and policy responses.

 Invest in optical character recognition and machine translation technologies for Southeast Asia languages, recognizing human analysis will still be needed for appropriate contextualisation.

#### For civil society organisations

- As much as possible, document organisational policies around all aspects of data management, from designing data systems, to conducting risk assessments, to setting responsible data policies. This serves to ensure the benefits of digital data are realized and the risks avoided. Such policies should be based on input from all levels of the team as well as input from the constituencies the organisation aims to serve. This should serve to attract additional funding as well as prepare the team for inevitable, additional regulations of digital data.
- Engage actors at all levels of the organisation on the benefits of digital data as a means of garnering buy-in for implementing strong data systems that support data-driven programming. This can be accomplished by having inclusive conversations about organisational strategy, demonstrating how data can be used to evaluate efficacy, and emphasizing the potential for career advancement commensurate with skill development. Then work with donors to better align reporting requirements with existing data collection efforts that support organisational objectives and learning.
- Identify partner or peer organisations with strong research pillars and solid data practices, and create learning opportunities for resource sharing and mentorship.

- Identify and share among your team resources on good, responsible data. Several suggestions are included in Getting to Good Human Trafficking Data: Everyday Guidelines for Frontline Practitioners in Southeast Asia.
- Before implementing contract or volunteer technical support relevant to data collection, ensure that the systems they will help to implement are sustainable and accessible beyond the time of their involvement.

#### For ASEAN member state governments

- Set and distribute whole-of-government policies and offer guidance around all aspects of data collection on human trafficking to be shared across relevant ministries and agencies. Such policies should be based on input from frontline actors to ensure policies are responsive to their needs, capacity, and operating environment. Engage representatives of the national statistics agencies (based on their mandate of producing appropriate and reliable data that adhere to rigorous standards) in this effort to align standards across the government. Down the road, their involvement will be useful in exploring new techniques to estimate prevalence.
- Allocate resources, including funding, technology, and staff, to support implementation of enhanced data collection practices at all levels of government, with a particular focus on the national anti-trafficking task force as a key leader in this effort.
- Ensure national human trafficking laws are commonly understood across relevant agencies/ministries through trainings and simulations. Use such legislation as a framework to support the creation or further operationalisation of common victim identification practices to both align standards and avoid the need to re-interview survivors, should they choose to participate, as cases pass through the various stages of social and criminal justice responses.
- Implement policies that encourage the retention of key personnel in agencies and institutions engaged on counter-trafficking efforts so as to ensure

sustainability of initiatives and that experience and expertise gained over time are retained. Create systems to ensure institutional knowledge can continuously inform new and ongoing initiatives and policies as well as be put to use in the training and mentoring of new staff.

#### For relevant ASEAN bodies

- Identify a key focal point on human trafficking for each AMS, likely the head of the national antitrafficking task force, and convene them regularly at locations throughout Southeast Asia to share challenges and lessons learned in efforts to coordinate and aggregate human trafficking data. Use this as a forum to support the setting of common, priority data points and harmonization of data dictionaries (standard definitions and descriptions of the contents of a database and how elements relate to one another).
- Establish, under the leadership of the SOMTC, the **objectives of building a regional human trafficking database** as set out in ACTIP and clearly define the types of data it will hold well before building such a database, ideally with input from AMS focal points who can bring lessons from the national level.
- Highlight the importance of higher quality data in designing and implementing effective policies to combat human trafficking in high-level speeches and convenings. The SOMTC can lead in further positioning ASEAN as a resource for AMS on the issue of enhanced data, notably through convening power in support of common approaches and standards on data collection, including on victim identification. Consider support for building capacity among frontline workers, including law enforcement, the judiciary, and social workers.
- Conduct a mapping of all current approaches to data collection on human trafficking across AMS, including identifying key challenges and promising practices to be learned from and adapted in informing implementation of ACTIP, notably the strengthening of national data systems and future creation of a regional database.

## **APPENDICES**

#### Appendix 1: The practical side of Getting to Good Human Trafficking Data

In an effort to directly support enhanced data norms and practices across Southeast Asia, this report was drafted in conjunction with operational guidelines to be used by anti-trafficking practitioners across government and civil society. *Getting to Good Human Trafficking Data: Everyday Guidelines for Frontline Practitioners in Southeast Asia* offers seven principles for a data-driven movement and actionable, practical information on data ethics, data systems and databases, data storage, data security, data sharing, data analysis and interpretation, and data presentation and visualisation.

The full text of those guidelines is available in English at https://handacenter.stanford.edu/publications/gettinggood-human-trafficking-data-everyday-guidelines-frontline-practitioners. They are forthcoming in Bahasa Indonesia, Khmer, and Thai.

#### Appendix 2: Standard set of questions for semi-structured interviews

Below is a list of standard questions that were used in semi-structured interviews. The questions were tailored to each unique circumstance, but this was a starting template for all interviews.

What is your general perception of the problem of human trafficking in [country or locality]? Where do you get information to support this?

What kind of data on human trafficking does [entity] collect? What is your role in this process?

What are [entity's] methods for gathering data? Once data are collected, what happens? Do you ever share these data with partners? If so, by what means?

What security measures do you take to protect the data? Do you have guidelines or manuals you use to train new staff?

How did your organisation design these data systems? What were the conversations that went into their creation? How were the details decided?

How would you describe the role of data in [entity's] work? How do you use data in your day-to-day work? What questions would you like to be able to answer with your data?

What have been your major successes and challenges when it comes to data collection on human trafficking? What about on human trafficking survivors specifically (if relevant)?

What is your process for identifying victims of human trafficking? Are their standards/forms you use? If so, can you share them (blank ones)?

To whom do you have to report your data? In what format and how often? How do you produce statistics currently for your website/print materials or other reporting requirements?

If relevant, are regional offices working on the same data systems used at the central level? How does a report from there get to the central office?

Do you receive any general guidance on data collection from the central government/international organisation or otherwise?

What is your general sense of how the government of [country] is doing on data collection? Are there particular ministries that you believe are leading in this area?

What resources do you believe are most needed to support data collection?

Who do you collaborate with on human trafficking issues? What information do you share and how? Are there protocols in place that govern this exchange?

What would make any guidelines/tools on data collection most useful? Do you have any advice on how to best present such information?

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The Human Rights Resource Centre is a non-profit academic centre headquartered at the University of Indonesia in Jakarta, with a partnership network throughout Southeast Asia. The Centre is currently active in seven out of 10 member states of the Association of South East Asian Nations (ASEAN). The Centre was established in 2010 by several of the original members of the Working Group for an ASEAN Human Rights Mechanism, as well as other prominent regional human rights advocates and academics, all of whom have been engaged in the protection and promotion of human rights for several decades. The Centre was accorded consultative status by the ASEAN Intergovernmental Commission on Human Rights (AICHR) in November 2016.

The Centre was established to foster an institutional network that would produce high-quality, independent, research on human rights issues of most pressing concern to ASEAN and aims to shape the discourse on human rights in ASEAN. The Centre also supports the human rights agenda of the AICHR, especially through public education, research and training programmes. Through pedagogical initiatives with partners both within and outside ASEAN, the Centre hopes to build the capacities of researchers, promote knowledge exchange, and support the protection and promotion of human rights in the Centre's core thematic areas. These are rule of law, business and human rights, and the rights of vulnerable populations.



#### WSD **HANDA** CENTER FOR HUMAN RIGHTS & INTERNATIONAL JUSTICE Stanford University

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The WSD Handa Center for Human Rights and International Justice at Stanford University equips a new generation of leaders with the knowledge and skills necessary to protect and promote human rights and dignity for all. Reflecting a deep commitment to international justice and the rule of law, the Center collaborates with partners across Stanford University and beyond on innovative programs that foster critical inquiry in the classroom and in the world.

The Center pursues its mission through a range of international programs including justice sector capacitybuilding initiatives, civil society outreach efforts, trial monitoring, expert consultancies, and archival resource development, with a focus on transitional justice initiatives and new technologies.

The Handa Center operates globally, with international partnerships reaching particularly deep into Southeast Asia. Our overseas programs and partnerships focus on major global issues such as migration and human

trafficking, accountability and peacebuilding in post-conflict societies, gender-based violence, freedom of religion and expression, corruption and the rule of law, and atrocity prevention. The Center also partners with the Stanford University Libraries to implement cutting edge justice sector and human rights archival resource projects in developing countries and elsewhere, with a focus on new technologies.

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