

রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বুধবার, জুন ৬, ২০১৮

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
লেজিসলেটিভ ও সংসদ বিষয়ক বিভাগ
আইন, বিচার ও সংসদ বিষয়ক মন্ত্রণালয়
মুদ্রণ ও প্রকাশনা শাখা।

প্রজ্ঞাপন

তারিখ : ১৫ জ্যৈষ্ঠ, ১৪২৫ বঙ্গাব্দ/২৯ মে, ২০১৮ খ্রিস্টাব্দ

নং ৪৪.০০.০০০০.০৭৬.০৭.০০৯.১৪—সরকারি কার্যবিধিমালা, ১৯৯৬ এর প্রথম তফসিল (বিভিন্ন মন্ত্রণালয় এবং বিভাগের মধ্যে কার্যবন্টন) এর আইটেম ২৯ (খ) এর ক্রমিক ৫ ও ৮ এবং মন্ত্রিপরিষদ বিভাগের বিগত ০৩-০৭-২০০০ ইং তারিখের সভায় গৃহীত সিদ্ধান্ত বাস্তবায়নের নিমিত্তে “স্বরাষ্ট্র মন্ত্রণালয়ের অধীন জননিরাপত্তা বিভাগ কর্তৃক ইতোপূর্বে বাংলায় জারীকৃত (মানব পাচার প্রতিরোধ ও দমন বিধিমালা, ২০১৭) প্রজ্ঞাপন এস,আর,ও নং ৫-আইন/২০১৭, তারিখ ২৯ পৌষ, ১৪২৩ বঙ্গাব্দ মোতাবেক ১২ জানুয়ারি, ২০১৭ খ্রিস্টাব্দ” এর ইংরেজিতে অনূদিত পাঠ সর্বসাধারণের জ্ঞাতার্থে প্রকাশ করিল।

মোহাম্মদ দেলোয়ার হোসেন
সহকারী সচিব।

(৬৩৮৩)
মূল্য : টাকা ৪০.০০

Government of the People's Republic of Bangladesh
Ministry of Home

Notification

Date: 29 Paush, B.S.1423/ 12 January, 2017 A.D.

S.R.O No. 5-Law/2017.—In exercise of the powers conferred by section 46 of the Prevention and Suppression of Human Trafficking Act, 2012 (Act No. 3 of 2012) the Government is pleased to make the following rules, namely:—

Chapter I
Preliminary

1. Title.—These rules may be called the Prevention and Suppression of Human Trafficking Rules, 2017.

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

- (1) “Act” means the Prevention and Suppression of Human Trafficking Act, 2012;
- (2) “rescuing officer” means any police officer or an officer of any government or non-government organization or any person directly rescuing a victim of human trafficking or victim;
- (3) “National Authority” means the National Anti-Human Trafficking Authority constituted under section 43 of the Act;
- (4) “Tribunal” means the Tribunal defined in sub-section (5) of section 2 of the Act;
- (5) “Schedule” means any Schedule to these rules;
- (6) “fund” means the Anti-Human Trafficking Fund constituted under section 42 of the Act;

- (7) “Probation Officer” means an officer appointed or designated as Probation Officer under the Probation of Offenders Ordinance, 1960 (Ordinance No. XLV of 1960) or any other existing law;
- (8) “non-government organisation” means any non-government organisation approved or registered under any existing law in Bangladesh, by whatever name it may be called;
- (9) “person” means any person, company, association, partnership firm, statutory or other bodies and shall also include any representative thereof;
- (10) “Form” means any Form of the Schedule to these rules;
- (11) “victim of human trafficking” or “victim” means a person against whom the offence of human trafficking has been committed under these rules and shall also include the legal guardian or heirs of the person; and
- (12) “Monitoring Cell” means the Monitoring Cell constituted under sub-section (6) of section 19 of the Act.

Chapter II

Provisions relating to the prevention of human trafficking

3. Collection of information for the purpose of preventing human trafficking.—For the purpose of preventing human trafficking, the National Authority shall, in order to be informed of the nature, scope, and tendency of unlawful activities and movements regarding human trafficking, collect necessary information on, among others, the following issues, namely:—

- (a) risks of human trafficking;
- (b) internal and cross-border routes and strategies of human trafficking;
- (c) unlawful crossing of border and documents used for migration;

- (d) transportation and accommodation network used for trafficking in human beings;
- (e) network of organized human traffickers, the list of the masterminds, pimps and shelter-givers, the permanent and temporary addresses and the role of such persons involved in human trafficking;
- (f) activities and movements of human traffickers released after serving their punishment as well as of the accused persons released upon bail; and
- (g) any house, establishment or place where victims of human trafficking or victims are detained or enclosed.

4. Registration of persons sent or going to another place for work.—(1) For the purpose of preventing human trafficking, there shall be a register in every Union Council of the country.

(2) If any person wishes to move to somewhere else within Bangladesh or outside Bangladesh for work, whether at his own initiative, private management or at the advice of any other person, or having been influenced by words or proposal of that person, he shall apply to the Union Council for registration, providing the following information, namely:—

- (a) information about the address of the place where he is going to move, name of the country, office etc.;
- (b) details of the person through whom he is so moving;
- (c) information, so far as may be, relating to the work to be engaged or the purpose for which he is moving out;
- (d) the details of the passport, where applicable.

(3) For the purpose of monitoring the registration of information under sub-rule (2) and preventing human trafficking locally, there shall be a local counter-trafficking committee in every Union, Paurashava and Ward of City Corporations, as the case may be.

(4) The Ministry of Home Affairs shall, by a circular and in consultation with the National Authority, determine the formation and activities of the committees mentioned in sub-rule (3).

5. Preservation of information, database, etc.—(1) For the purpose of preserving the information concerning the rescue, repatriation, rehabilitation, integration, and protection of victim of human trafficking or victim as well as the information concerning human trafficking cases, the National Authority shall maintain a database to which every person shall have reasonable access, subject to the provisions of sub-rule (3).

(2) In addition to the information preserved in the database, the Authority shall create and preserve a file for every victim of human trafficking or victim with a distinct code number, in which information related to the rescue, repatriation, rehabilitation, integration and protection of the concerned person or victim shall be preserved.

(3) The information preserved in the database shall be used and displayed without impairing the victim of human trafficking or victim's privacy, security, reputation and dignity.

Chapter III

Rescue, repatriation, and rehabilitation

6. Rescue and identification of victim of human trafficking or victim.—(1) The police and other law-enforcing agencies shall work, on a continuous basis, to identify victim of human trafficking or victim that may remain both at home and abroad, based on information derived from the mass media or from the victim of human trafficking or victim's relatives, neighbours, friends or colleagues or from any non-government organisation or any victim of human trafficking or victim rescued.

(2) As soon as the police and other law enforcing agencies come to know about any incident of human trafficking or the location of the victim of human trafficking or victim, they shall commence a drive or initiate measures to rescue the concerned victim of human trafficking or victim and shall always keep the concerned Police Station, the Monitoring Cell, and the Authority informed about the progress of such rescue process.

7. Repatriation of victims of human trafficking.—(1) For carrying out the purposes of section 33 of the Act, the concerned Bangladesh Embassy or Mission shall solicit assistance of the National Authority and, if necessary, the Ministry of Foreign Affairs or the Ministry of the Expatriates' Welfare and Overseas Employment, other government agencies connected with the matter, non-government organisations, and the appropriate authorities of the concerned country in order to identify, rescue, and repatriate victims of human trafficking or victims who are Bangladeshi citizens.

8. Recording of personal information and handing over to the police.—(1) Upon the rescue of the victim of human trafficking or victim, the rescuing officer shall register the victim's personal information in Form-1 of Schedule-A.

(2) In the first 8 (eight) hours after the rescue, no question can be posed to the victim of human trafficking or victim nor shall he be interrogated, other than the questions and interrogations necessary for recording his personal information.

(3) The time for the recording of information under sub-rule (2) shall be not less than 8 (eight) hours:

Provided that, before handing over the victim of human trafficking or victim to the police in accordance with sub-rule (4), he may, for the purpose of physical or psychological treatment, be kept in the custody of the rescuer for not more than 12 (twelve) hours.

(4) If any victim of human trafficking or victim is rescued by any rescuing officer other than the police, the rescuing officer shall, with the assistance of the Probation Officer when necessary, hand over the victim to the police, and shall send a copy of the Form mentioned in sub-rule (1) along with the hand-over note to the Police Station concerned, the Monitoring Cell and the National Authority.

(5) If a case has not already been filed, the concerned officer shall, as soon as may be after rescuing the victim of human trafficking or victim, record the complaints and initiate a criminal case for the offence of trafficking, and shall send the information relating thereto to the Central Monitoring Cell and the National Authority.

(6) Upon the rescue of the victim of human trafficking or victim, the provisions of section 36 of the Act shall, so far as may be, have to be followed.

(7) If the rescued victim of human trafficking or victim is a foreign citizen, legal procedures to be followed with regard to him shall be those as provided in sub-section (4) of section 33 of the Act.

9. Monitoring, database, etc.—(1) The Monitoring Cell shall closely monitor the progress and investigation of trafficking cases filed under the Act, and shall provide necessary consultation to all concerned officials or to the authorities, when necessary, for the purpose of rendering protection to the informant or the victim of human trafficking or victim and for making the anti-human trafficking measures effective.

(2) The Monitoring Cell shall prepare and maintain a separate computer-based database with information received under sun-rule (1) and information obtained from different districts, and the said information may be used by all government agencies.

(3) The Monitoring Cell, in consultation with the National Authority and taking assistance thereof, shall from time to time arrange for wide publicity of photographs of, and relevant information about, human traffickers and their detailed particulars so far as they may be available.

(4) The Monitoring Cell shall send a report in every month on activities for the previous month, along with necessary recommendations, to the National Authority.

(5) In regard to matters related to the administration, maintenance, etc. of the database under section 34 of the Act and these rules, the Monitoring Cell shall be entitled to have all necessary assistance from the National Authority and shall remain obliged to provide for any information sought by it.

(6) The concerned Police Station shall, in consultation with the Monitoring Cell and the local counter-trafficking committee, monitor the activities or movement of any traffickers who are freed after having served out their term of imprisonment under the Act or of the accused who is released upon bail.

10. Seeking opinion from the Special Prosecutor regarding investigation report.—(1) Before submitting the investigation report, the Investigating Officer shall obtain opinion of the Special Prosecutor appointed under sub-section (2) of section 17 of the Act, on the investigation report, especially on the memorandum of evidence thereof.

(2) The Public or Special Prosecutor of the concerned Tribunal shall give his opinion within (seven) working days of receiving the investigation report under sub-rule (1).

11. Measures to be taken regarding victim of human trafficking or victim rescued within the country.—(1) For carrying out the purposes of section 36 of the Act, the police or the concerned officer shall, as soon as possible, undertake measures to help the victim of human trafficking or victim rescued from within the country to integrate him into his family and society.

(2) For the purpose of sub-rule (1) and in order to trace the family of the victim of human trafficking or victim or to determine his appropriate custody, the police may, by filling in Form-2 of Schedule-A, obtain assistance from the Social Welfare Officer or Probation Officer, concerned local government body, local counter-trafficking committee and any non-government organisation.

(3) If social integration of any victim of human trafficking or victim under sub-rule (1) is not possible or if he refuses to return to his family, he shall, after taking his will into consideration and by following the appropriate procedure and with the help of the concerned Social Welfare or Probation Officer, be placed in the custody of any government or non-government shelter home or any appropriate person.

(4) If it is not possible to send any victim of human trafficking or victim to the custody of any government or non-government shelter home or any appropriate person under the provisions of sub-rule (3), the concerned police officer shall, within 24 (twenty four) hours, apply to the Tribunal or the competent Magistrate under section 22 of the Act for an order of custody of the said victim of human trafficking or victim:

Provided that the victim of human trafficking or victim shall, at all times including the time while presenting him before the Tribunal or Magistrate, be kept separate from the accused persons, and be treated sympathetically and humanely.

(5) Any person or the responsible officer of any shelter home taking custody of the victim of human trafficking or victim under sub-rule (1), shall record the information related to the receipt of the victim and his personal information in Form-1 of Schedule-A, and shall send a copy thereof to the concerned Police Station and the National Authority within 3 (three) working days.

(6) No government or non-government shelter home or rehabilitation center shall refuse a request to accept any victim of human trafficking or victim except for a reasonable cause to be shown in writing.

12. Procedures to be followed in regard to Bangladeshi victim of human trafficking or victim rescued abroad.—(1) If any Bangladeshi citizen is rescued in a foreign country as a victim of human trafficking or victim under section 41, to be read with section 33, of the Act, the Standard Operating Procedures provided in Schedule-B shall have to be followed in dealing with matters related to his return, repatriation, integration into family, and rehabilitation:

Provided that if there is any treaty or standard operating procedure signed between Bangladesh and any other country, that treaty or procedure shall have to be followed.

(2) In regard to procedural matters related to the repatriation, return and integration into his family, and rehabilitation of Bangladeshi victim of human trafficking or victim rescued from a foreign country under sub-rule (1), provisions of rule 11, so far as possible, shall have to be followed.

13. Procedures to be followed in regard to foreign victim of human trafficking or victim rescued in Bangladesh.—While repatriating or rehabilitating any foreign victim of human trafficking or victim rescued in Bangladesh or integrating him into his family or society, the provisions of sub-section (4) of section 33 of the Act and the Standard Operating Procedure provided in Schedule-B shall have to be followed subject to their being not conflicting with any treaty or standard operating procedure, if any, between Bangladesh and any other country.

14. Providing information to the victim and the protection of victim's privacy.—(1) The authorities of the Police Station concerned shall, at least once in every month from beginning the period of filing a case and until the submission of investigation report, inform the victim of human trafficking or victim or his representatives about the measures taken against the human traffickers and the progress of the case in Form-3 of Schedule-A.

(2) The concerned Special Prosecutor shall, at least once in every month from beginning the period of submission of investigation report and until the delivery of judgment in the case or appeal, as the case may be, inform the victim of human trafficking or victim or his representatives about the progress of the case and the next following measures to be taken in Form-3 of Schedule-A.

(3) In intimating the victim of human trafficking or victim or his representatives any information under sub-rules (1) and (2), the police or the Special Prosecutor, as the case may be, may receive assistance from any non-government organisation.

(4) Following the lodgment of a case, the concerned police authority shall ensure the security of the informant or complainant of the case, witnesses, the victim of human trafficking or victim, and the members of family or the representatives thereof pursuant to an application made in Form-4 of Schedule-A, and shall keep the name, photo, and address of the victim of human trafficking or victim confidential.

(5) No information about the victim of human trafficking or victim can be transmitted or given to any other person or disclosed except with the permission of the Tribunal.

15. Duties of the rescuing officer and non-government organisations.—(1) After the rescue of a victim of human trafficking or victim, the rescuing officer or the investigating officer or the non-government organisation involved with the rescue, shall—

- (a) during the first meeting, inform the victim of human trafficking or victim about his right to protection, medical care and other services, right to compensation, provision of legal aid, and the option to stay in any government or non-government shelter home or rehabilitation center, and about other benefits to which he might be legally entitled through Form-5 of Schedule-A;

- (b) pursuant to any request from the victim of human trafficking or victim, submit an application to the Tribunal for a protection order under sub-section (1) of section 22 of the Act;
- (c) concerning the victim of human trafficking or victim who are in need of security, furnish Form-6 of Schedule-A or a Case Management Intake Form to the National Authority;
- (d) when necessary, undertake measures to check the health of the victim of human trafficking or victim and send a report of such health checkup to the concerned Police Station; and
- (e) arrange for psycho-social counseling and treatment in order to mitigate trauma or mental break down of the victim of human trafficking or victim.

Chapter IV

Regulation of, and responsibilities and the standard of services provided by non-government organisations

16. Non-government organisation and the operation of shelter homes or rehabilitation centers.—(1) If any non-government organisation intends to undertake any programme related to rescue, assistance, repatriation and integration of victims of human trafficking or victims, it shall have to obtain licence from the National Authority.

(2) To obtain a licence, the non-government organisation shall, upon payment of such fees as may be determined by the Authority, make an application in Form-7 of Schedule-A, and the application shall be accompanied by the following documents, namely:—

- (a) an annual report of activities;
- (b) a brief statement of annual accounts;
- (c) a copy, if any, of the registration, permission, or licence, as the case may be, obtained under any other law;

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- (d) a declaration stating that there is no complaints, by the residents of shelter homes or rehabilitation centers, of human rights violations against the applicant non-government organisation;
 - (e) a guarantee that the standards to be determined by the National Authority shall be maintained and complied with; and
 - (f) any other document as may be required by the National Authority.

(3) Upon being satisfied about the documents furnished under sub-rule (2), the National Authority shall, in such manner as may be determined by it, issue a licence to the said applicant non-government organisation.

17. Grant, duration, renewal, revocation, etc. of licence.—(1) The National Authority may, upon the scrutiny of the application received under rule 16, within such time and such manner as may be determined by it, accept or reject the application.

(2) The validity of a licence issued under rule 16 shall be of 2 (two) years, and shall be renewable after every 2 (two) years, subject to fulfilling such terms and conditions and the payment of such fees as may be determined by the Authority.

(3) In case of failure to apply for the renewal of the licence before it expires, the non-government organisation may apply for the renewal of the licence upon payment of such late-fees as may be determined by the National Authority.

(4) The National Authority may grant or reject an application for the renewal of licence within such time and in such manner as may be determined by it.

(5) If any non-government organisation is aggrieved by any order of the National Authority, it may appeal against such order to the Government and the decision of the Government in that regard shall be final.

(6) If any licence is lost, burnt, or damaged, a duplicate thereof may be obtained by following such procedures and upon payment of such fees as may be determined by the National Authority.

18. Services to be provided by non-government organisations, obligations, etc.—(1) Any non-government organisation providing services to the victim of human trafficking or victim shall extend following types of assistance to him, namely:—

- (a) free legal assistance, physical or psychological medical treatment, and psycho-social counseling for free;
- (b) free assistance to the victim of human trafficking or victim in submitting applications to different offices and in availing of any other benefits and privileges;
- (c) accompanying and ensuring the security of the victim of human trafficking or victim or witnesses while staying in or travelling from the shelter home or the rehabilitation center for the purposes related to the criminal case or medical treatment;
- (d) submitting application to the police or the Tribunal for security and protective measures when any victim of human trafficking or victim or witness of the concerned case faces any threat or risk; and
- (e) helping the victim of human trafficking or victim staying in the shelter home or the rehabilitation center to integrate into their family or society, providing them earning oriented training, and placing them in any business or employment.

(2) While providing services to women and children victim of human trafficking or victim, welfare of them shall have to be ensured and, especially, appropriate arrangements should be made for the amusement, rest, travel and study of the children.

(3) The officers of the non-government organization or the shelter home who are engaged in providing services to the victim of human trafficking or victim shall have appropriate training for conducting such activities, and the victim of human trafficking or victim shall always be treated with humanity, courtesy and compassion.

(4) While sending any victim of human trafficking or victim residing in the shelter home or the rehabilitation center back to his family, or while providing him training or placing him in any business or employment, written consent of the said victim of human trafficking or victim shall have to be obtained.

(5) No victim of human trafficking or victim can be kept in the shelter home or the rehabilitation center against his will or for a longer period than necessary, and a report regarding the victim of human trafficking or victim who was sent in custody by an order of the court shall have to be submitted to the Tribunal or the concerned Magistrate once in a month.

(6) The authorities of the non-government organisation or shelter home shall keep confidential all personal information, photo, or identity of each victim of human trafficking or victim who is receiving their service, nor shall they disclose any offence or cruelty committed against him, and shall inform each victim of human trafficking or victim, once in every month, about the latest status of the concerned criminal case and the measures to be taken for their interest.

19. Principles applicable to services and programmes of non-government organisations.—The principles to be observed while undertaking and implementing any programmes for the victim of human trafficking or victim and providing services to residents of shelter homes or rehabilitation centers shall be as follows, namely:—

- (a) respect for human dignity;
- (b) non-discrimination;

- (c) the highest level of protection of the victim of human trafficking or victim and, with regard to children, ensuring the protection of their best interest and welfare;
- (d) improvement of the overall standard of life of victim of human trafficking or victim;
- (e) participation of the victim of human trafficking or victim in decision making regarding any issues concerning him including rehabilitation, and reflection of the victim of human trafficking or victim's consent in such decisions.

20. Standard of services and condition of shelter homes run by non-government organisations.—(1) The shelter homes and the rehabilitation centers run by any non-government organisation shall have the following facilities, namely:—

- (a) reasonably comfortable rooms;
- (b) a decent and crowd-free environment;
- (c) enough electric fans in every bedroom;
- (d) provisions for adequate light and ventilations for air; and
- (e) hygienic toilets in adequate numbers.

(2) The non-government organisation shall ensure that the residents of every shelter home or rehabilitation center are examined by a registered physician at least once in each month.

(3) The non-government organisation, for the purpose of ensuring essential health-services and medical treatment, shall adopt its own policy or method with the previous approval of the National Authority.

(4) The non-government organisation shall make arrangements for appropriate recreation, amusement, and psycho-social and legal counseling for the residents of shelter homes or rehabilitation centers operated by it.

(5) It shall be ensured that the residents of every shelter home or rehabilitation centers are provided with balanced diet of standard quality, and are supplied reasonable quantity of daily essentials and toiletries.

(6) As and when necessary, the National Authority may from time to time issue directions to non-government organisations to follow the minimum international standards of care with regard to the services to which the victims of human trafficking or victims residing in shelter homes and rehabilitation centers are entitled and the facilities to be extended to them, in accordance with the Children Act, 2013 (Act No. 24 of 2013), and the rules made thereunder, and any other applicable law.

21. Report of non-government organisations.—The non-government organizations implementing any programmes of rescuing, repatriating, and socially integrating the victim of human trafficking or victim and operating, for that purpose, any shelter home or rehabilitation center shall in September of each year, send the National Authority a report for the preceding year, containing the details of their programmes and activities, especially the details of services provided to the victim of human trafficking or victim and witnesses and the particulars of the standard and condition of such shelter homes or centers.

Schedule-A
Form-1
PERSONAL DATA FORM
[see rule 8(1)]

Instructions

After the victim is rescued or admitted to any care or safe custody, this Form has to be filled in and sent to the National Anti-Human Trafficking Authority and, in case of a foreign national, to the appropriate authority of the victim's home country.

1. Family name:
- Given names:.....
- Other names:.....
2. Father's name:.....
3. Mother's name:.....
4. Guardian's name:.....
5. Native language:.....
6. Age:.....
7. Date of birth:.....
8. Is the victim a child? (Y/N):
9. Gender: (M or F):
10. Nationality:.....
11. Permanent address:.....
.....
12. Is the victim pregnant? (Y or N):.....
13. Whether the victim is accompanied by child (Y or N):.....
14. Educational qualification:.....
15. Religion:.....
16. Height:.....
17. Distinguishing mark:.....
18. Date of entry into the country of rescue:.....
19. Victim's current or last address in the country of rescue:.....
20. Phone or Mobile Phone:.....

Photograph

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21. Relatives or friends in the country of rescue, if any (names, address, phone):
 22. The likely reason for which the person became a victim of human trafficking:
 - Run away: [.....]
 - Family problems or violence: [.....]
 - Dowry /conjugal feud, or child marriage: [.....]
 - Eviction from home: [.....]
 - Forced labour: [.....] ; Form of labour: [.....]
 - Migration fraud or exploitation (please describe the form):
 - Others (describe): [.....]
 23. Victim's problem (tick one or more):
 - Victim of domestic or cross-border trafficking: [.....]
 - Describe victim's trafficking destination, means of trafficking, and the trafficker:.....
.....
 - Whether the victim is also raped or not?: [.....]
 - Whether the victim is rescued from a brothel?: [.....]

Juridical or legal information

24. Place of rescue: Date of rescue: Date of referral to the court or tribunal:.....
25. Rescuing organisation or agency:.....
26. Concerned Police Station:.....
27. Particulars of the case; General Diary (GD) or FIR number and dates:
28. The first court of the case and date:.....
29. If the case is in progress, its details:.....

Signature of the Recorder
(with name and contact details)

Form-2
INFORMATION FOR FAMILY TRACING
[see rule 11(2)]

Instructions

After collecting family information, this Form has to be sent to the National Anti-Human Trafficking Authority and, in case of a foreign victim, to the appropriate authority of the victim's country.

Note: This form is revisable if the victim provides further information. In that case, this Form has to be resent.

1. Date of collecting the information: _____
2. Victim's family name: _____
Victim's given names: _____
Other names: _____
3. Date of birth: _____, Age: _____
4. Gender: _____
5. Marital status: _____
If married or divorced, spouse's or ex-spouse's name: _____
6. Current or last address in the victim's home country (details of any important place or individual, phone number, etc.): _____
7. Phone or Mobile Phone: _____
8. Date of last contact with primary family member or caretaker in the country:

9. Reasons for separation from the family or other persons with whom the victim used to live in his or her home country: _____
10. Family member or other primary contact in home country (if known):
 - (a) Family member's name: _____
Given name: _____
 - (b) Relationship: _____
 - (c) Occupation: _____

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- (d) Country: _____; (e) State or district: _____
- (f) Municipality (if any): _____
- (g) Police Station: _____
- (h) Union or locality: _____; (i) Post Office: _____
- (j) Name and address of work-place or office, if any: _____
- (k) Phone or Mobile numbers, if any: _____
11. Does the victim wish to return to his or her parents or family? Yes or No
12. If the victim does not wish to return to his or her parents or family, explain why? :
- _____
- _____
13. Whom does the victim wish to stay with, if not with his or her parents:
- (a) Name: _____
- Given name: _____
- (b) Relationship: _____
- (c) Occupation: _____
- (d) Country: _____; (e) State or district: _____
- (f) Municipality (if any): _____
- (g) Police Station: _____
- (h) Union or area: _____
- (i) Post Office: _____
- (j) Name and address of contact's work-place or office, if any: -----
- (k) Phone or Mobile numbers, if any: _____
14. Other contacts in home country (if known):
- (a) Name of the person to contact: _____
- Given name: _____
- (b) Relationship: _____
- (c) Occupation: _____
- (d) Country: _____; (e) State or district: _____

- (f) Municipality (if any): _____
- (g) Police Station: _____
- (h) Union or locality: _____
- (i) Post Office: _____
- (j) Name and address of work-place or office, if any:

- (k) Contact's phone numbers, if any: _____

15. Additional information to identify the location of the family or other persons with whom the victim used to live (include, if available):

- Notable buildings or institutions in the community (masjid, temple, government buildings, markets, etc.);
- Details of school the victim attended (name of school, names of teachers, uniforms, etc.);
- Transportation routes, border crossings, etc. so far as remembered;
- Names of community leaders, community personalities, etc.;
- Signs, symbols, cultural features distinctive of the community (flags, slogans, local dress, local history, name of local ethnic groups, etc.);
- Notable geographical features or constructions near the community (mountains, lakes, dam-sites, large highways, etc.);
- Linguistic information: (accent, vocabulary, local dialect, informal vocabularies, etc.)
-
-

16. Geographical information as to the family location. (If the victim provides drawings or other visual information that may assist in locating his or her family, put that information in the box below.)

Note: Send all pages of this Family Tracing Form.

Form-3
UP-TO-DATE REPORT OF THE MEASURES TAKEN
AGAINST THE TRAFFICKER
[see Rule 14(1) and 14(2)]

Date:

To (concerned victim)

.....

Concerned case number:.....

Mr./Ms.,

The measures taken, and the progress of the case, against the offender who committed the heinous offence of human trafficking against you as well as against the accomplices in the past days andmonths are provided below for your kind information, namely:—

Sl. No.	Name of the trafficker or the accomplices	Measures taken	Latest status of the case	Next date of the case and measures to be taken

The above information is true and correct to the best of my knowledge. You may contact the office of the undersigned to know further in this regard.

Name and signature
(Designation and Seal)

Form-4
APPLICATION FOR SECURITY MEASURES
[see Rule 14(4)]

1. Name of the applicant:

Applicant: child, female, male or other (please tick)

Father's name:

Mother's name:

Present address:

Permanent address:

Fax, e-mail, telephone, and mobile number (if any):

Age:

Occupation:

2. Case No:

3. Description of the Tribunal and the District:

4. What type of protection is being sought and against whom it is sought:

5. Name of the person assisting the applicant (if applicable):

6. Date of application:

Signature of the applicant

Signature on behalf of the applicant

Form-5
NOTICE OF ASSISTANCE/COOPERATION OBTAINABLE BY VICTIM
[see Rule 15(a)]

To (victim of human trafficking)

.....

Concerned case No.....

As a victim of human trafficking, you are entitled to or may receive compensation, legal aid, and other facilities and privileges under the Act from the following persons or agencies, namely:

Sl. No.	Person or institution from whom or which assistance may be obtained	Right to compensation	Legal aid	Other facilities and privileges

The above information is true and correct to the best of my knowledge.

Date:

Name and signature
(Designation and seal)

Form-6**CASE MANAGEMENT INTAKE FORM***[see rule 15(c)]*

To be completed by the Rescuing Officer, Investigating Officer and Private Agency for a victim if protection needed.

Index/Code No..... (for office uses only)

Victim's name				
Gender/Sex	Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Is the victim a child?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If the victim is a child, is his/her birth registered?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Date of birth of the victim, if known:	dd/mm/yyyy			
Victim's actual or approximate age (when date of birth is not known)				
Name and address of the informant				
Relationship of the informant with the victim				
Victim's mother's name and occupation				
Is victim's mother alive?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Victim's father's name and occupation				
Is the victim's father alive?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Name of the Union				
Village or Ward				
Any other significant place or phone numbers or name of persons				

Further description of the victim (please tick): Disabled victim; Victim's disabled parent(s); Working person; Working child; others.... (describe):
Describe the reasons for giving information. Give details of the situation and location of the victim and how she or he was brought into the present situation.....

Victim's status before trafficking: (Tick the most important one)	Was living with both parents	<input type="checkbox"/>	Was living with mother/ father only	<input type="checkbox"/>
	Was living with someone other than any relatives	<input type="checkbox"/>	Was living with an adult sibling or other member(s) of the family	<input type="checkbox"/>
	Was living in an orphanage or elsewhere	<input type="checkbox"/>	Others (Please describe)	<input type="checkbox"/>

Current family status (Tick one)	Parents alive	<input type="checkbox"/>	Orphan (mother or father or both parents deceased)	<input type="checkbox"/>
	Separated from parent(s) or family	<input type="checkbox"/>	Others (describe)	<input type="checkbox"/>
	Living in an orphanage		Living in an institution	<input type="checkbox"/>
Victim's current or pre-trafficking problem (Tick as appropriate)	Victim to Physically abused or victim of domestic violence	<input type="checkbox"/>	Victim to sexual abuse	<input type="checkbox"/>
	Early marriage or victim to dowry	<input type="checkbox"/>	Victim to serious negligence	<input type="checkbox"/>
	subjected to migration fraud	<input type="checkbox"/>	Other problems (specify):	<input type="checkbox"/>

What action has been agreed upon to be taken by the social worker, the informant, or law-enforcing agency?	
Name of the person recording information and address	

For office uses only

Name of the social worker or member of law-enforcing agency empowered to verify the information	
Date of verification of the information	

Form-7**NATIONAL ANTI-HUMAN TRAFFICKING AUTHORITY****APPLICATION FOR LICENCE TO ESTABLISH OR OPERATE A
SHELTER HOME OR REHABILITATION CENTER***[see rule 16(2)]*

Date of application:

Application No.:

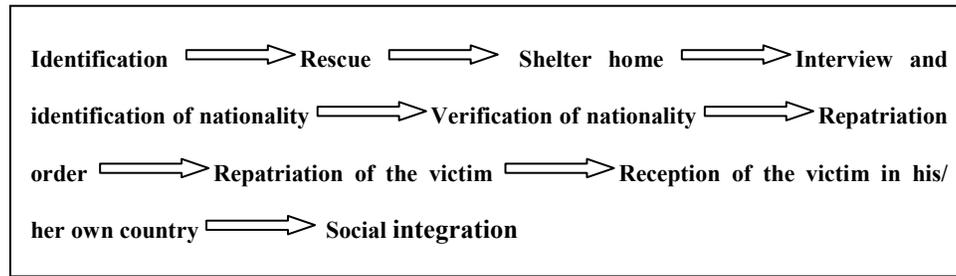
1. Name of the applicant or the organisation:
2. If the applicant is a person, his/her father's and mother's names:
 - (a) Present address:
 - (b) Permanent address:
3. Address of the applicant organisation (including phone and fax numbers, e-mail and website):
4. Name and address of the appropriate representative of the applicant organisation (including phone and fax numbers, and e-mail address):
5. The place where the shelter home or rehabilitation center shall be established:
6. Description of the proposed shelter home or rehabilitation center (attach a sample photo):
7. Number of people to be accommodated in the proposed shelter home or rehabilitation center, and whether it has separate facilities for women and children (a brief description, if any):
8. Brief description of the services to be rendered:
9. Description of any licence obtained under any other law (a copy shall be attached):
10. Experience and recognitions of the applicant (separate sheets may be attached):
11. Whether there is any allegation of human rights violation against the applicant, or any legal proceedings were drawn against him/her/it:
12. List of documents and reports or statements attached in accordance with rule 17(2):
 - 1); 2); 3)

I/we affirm that the above information is true according to my/our belief and knowledge, and I/we shall abide by the terms and conditions of the licence and shall at all times endeavour to protect rights, welfare and interests of the residents of the shelter home or rehabilitation center.

Signature of the applicant and date
(With official seal)

Schedule-B*[see rule 12(1)]***STANDARD OPERATING PROCEDURE FOR
THE RESCUE, REHABILITATION, AND REPATRIATION
OF THE VICTIM**

While conducting the rescue, rehabilitation and repatriation of the victim, the following programmes and procedures shall be followed under any recognised Standard Operating Procedure, namely:-

The process of rescue, rehabilitation and repatriation

1. Identification of victim.—(a) The trafficked persons may be identified in different ways:

- Identification of the victims when the human traffickers are detained along with the victims by the law-enforcing agencies (Police, RAB, Border Guards or Bangladesh (BGB), Coast Guard, and other agencies) or by any non-government organisation (NGO); or
- On the basis of information received from reliable sources like media, Social Welfare Officer, prison authorities, social worker, Child Welfare Committee (CWC), and so on; or
- On the basis of information gathered from the victim's statement; or
- With the assistance of any NGO or INTERPOL; or
- On the basis of information given by the relatives, neighbours, or colleagues of the person trafficked.

(b) Immediately after identifying the victim, the identifying officer or person shall send the collected primary information to the National Anti-Human Trafficking Authority. If any person other than the police collects such information, that information shall be communicated, as soon as possible, to the nearest Police Station and also to the concerned counter-trafficking committee and the Authority.

Time-limit: The identification of a victim is a continuing process; information shall be collected as soon as possible after the identification of the victim.

Necessary documents: Case Management Intake Form.

2. Rescue of the victim.—Since the human traffickers move to places rapidly, the law enforcing agencies or the concerned NGO shall, promptly after they receive any information about incident of trafficking or are communicated regarding such an incident, take measures to rescue the trafficked person at the earliest. This might take a few hours to several days. The police or any immigration officer, other law enforcing agencies, NGOs, and the locals have the first call to try to rescue the victim by employing all means. The National Anti-Human Trafficking Authority constantly be informed and updated regarding the progresses in the process by the focal or designated person of the concerned law-enforcing agency.

Time-limit: 1-5 working days after the identification of the victim. If more time is required in special circumstances, the officer-in-charge of the concerned Police Station and the Authority must be informed, within seven days, of the latest status of the rescue process.

Responsible authorities: The officer-in-charge of the concerned Police Station, Border Guards (BGB), and the National Anti-Human Trafficking Authority.

Necessary documents: The general, updated Report Form used by the police officer.

3. Documentation.—(a) At this stage, the designated police officer shall file a case in the Police Station in accordance with the Act and the Rules. Information in this regard shall have to be shared with the Human Trafficking Monitoring Cell at the Police Headquarters and the National Anti-Human Trafficking Authority.

(b) The Authority shall open a file concerning the matter and allocate a distinct code number for each victim. While allocating such code number, the information received from the Police Station, NGOs, or the concerned foreign country shall be taken into consideration.

Time-limit: 24 hours.

Responsible authorities: The officer-in-charge of the concerned Police Station and the National Anti-Human Trafficking Authority.

Necessary documents: Personal Data Form.

4. Placement of the victim in a safe place and the collection of information.—(a) Immediately after the documentation, the concerned police officer shall make arrangements to place the victim in a safe place in accordance with the law. The officer-in-charge of the concerned Police Station and all others concerned shall ensure that—

- the person rescued has been produced before the court within 24 hours and that he or she has been sent to a government or non-government shelter home as per the law or an order of the court.

Time-limit: 24 hours.

Responsible authorities: Police, Probation Officer and NGOs.

- the information sent to the Authority is up-to-date and that all information regarding the case has been recorded.

Time frame: 2-5 days.

Responsible authorities: The officer-in-charge of the Police Station, Probation Officer, the National Anti-Human Trafficking Authority, and the authorities of the concerned government or non-government shelter home.

Necessary documents: Case Management Intake Form, Personal Data Form, First Information Report (FIR), and the order of the court.

(b) The authorities of the shelter home shall receive the victim from the police or on the basis of the court's order, and shall collect all necessary information including information related to his or her family for the purpose of identifying the victim's nationality or his or her identity.

Time-limit: Approximately one month. (If more time is required, the concerned Police Station and the National Anti-Human Trafficking Authority shall have to be informed).

Responsible authorities: Shelter home authorities.

Necessary documents: Personal Data Form and the Family Tracing Form.

5. The National Anti-Human Trafficking Authority to share information with the appropriate authorities of the foreign country concerned.—(a) Acting within the framework of any existing bilateral cooperation treaty with the concerned country or protocol or any regional treaty, the Authority shall share various information with concerned countries given by the victim through letters, faxes and e-mails, and shall request them to trace the nationality and family of the concerned victim.

(b) Having done this, the Authority shall issue a 'Final Confirmation Letter' for the repatriation of the concerned foreign victim, and shall accordingly inform the concerned Bangladesh Embassy or High Commission, Embassy or border security forces of the concerned foreign country and the concerned NGO through letter, fax or e-mails.

Time-limit: 02 weeks (approximately).

Responsible authorities: The National Anti-Human Trafficking Authority.

Necessary documents: Personal Data Form, Family Tracing Form, a copy of the order of the court, and the police report including the forwarding note.

6. Clearance for the repatriation of foreign victim.—(a) For the purpose of identifying the nationality and tracing the family of the foreign victim, the National Anti-Human Trafficking Authority shall communicate with the foreign ministry of the foreign country concerned through the Ministry of Foreign Affairs. Upon receiving any recognition letter from the foreign ministry of that country, the Ministry of Foreign Affairs shall inform the National Anti-Human Trafficking Authority about such letter.

(b) In order to repatriate the foreign victim to his or her home country, the Authority shall undertake measures to obtain visas from the immigration authorities and to obtain necessary travel documents and the ‘repatriation order’ from the High Commission or embassy of the concerned foreign country.

Time-limit: 01 week.

Responsible authorities: The National Anti-Human Trafficking Authority, the Ministry of Foreign Affairs, and the immigration authorities in Bangladesh.

Necessary documents: A request letter or a request form addressing the immigration authorities for visas, and a letter of request or a request form addressed to the High Commission or Embassy of the concerned country to obtain travel documents.

7. Administrative procedure for the repatriation of foreign victims.—(a) The National Anti-Human Trafficking Authority and other authorities concerned shall, after receiving the ‘Confirmation Letter’ of nationality identification from the concerned foreign authorities, call for repatriation, and visas or travel documents for the foreign victim, initiate the following administrative procedures for repatriation:

- to check if the trial or the final report of investigation by the police has duly become complete;
- to determine the mode of transport and route to be used from among water, land and air transports and routes;
- to determine the border or port through which to process the repatriation;

- to designate the officer who will be in charge of providing security or protection during the process of repatriation;
- to hand-over or return the foreign victim working in coordination with different concerned agencies (such as Border Guards (BGB), immigration authorities, airport and land-port authorities, Social Welfare Officer or Probation Officer, NGOs and the appropriate authorities of the concerned foreign country), and to keep a copy of the ‘Hand-over Note’.

(b) The shelter home shall issue a separate ‘release order’ for every foreign victim.

(c) A copy of the release order issued by the National Anti-Human Trafficking Authority shall be sent to the Ministry of Foreign Affairs, the concerned Probation Officer, Border Guards (BGB), immigration authorities, Civil Aviation Authorities, the shelter home authorities, NGOs, and the concerned airlines.

Time-limit: Not more than 01 week.

Necessary documents: Release Order, Release Order issued by the shelter home, Hand-over Note, and the Inquiry Form.

Responsible authorities: The National Anti-Human Trafficking Authority, the shelter home authority, and other concerned agencies.

8. Repatriation of Bangladeshi victims.—(a) If the National Anti-Human Trafficking Authority receives any information regarding any Bangladeshi citizen who has been trafficked to any other country or information about the origin of the victim’s family from any non-government organisation or any agency of a foreign country or from the Ministry of Foreign Affairs, it shall communicate such information to the Monitoring Cell at the Police Headquarters and to the Special Branch of the Police so that the police can trace the nationality and be sure about the family origin of such victim.

(b) The National Anti-Human Trafficking Authority shall, upon being certain about the identity and nationality of the Bangladeshi victim, communicate to the appropriate authorities of the concerned foreign country, the Bangladesh Embassy or Mission in the concerned country, the Ministry of Foreign Affairs and other appropriate ministries the necessary information, and shall undertake measures to get such Bangladeshi victim repatriated in cooperation with them.

Time-limit: 45-60 days.

Responsible authorities: The Special Branch of the Police, the Police Headquarters, the National Anti-Human Trafficking Authority, the Ministry of Foreign Affairs, and other concerned ministries.

Necessary documents: Family Tracing Form including the Forwarding Letter.

9. Reception of Bangladeshi victims rescued abroad.—(a)

The rescued Bangladeshi victim shall be received by the Border Guards (BGB), Social Welfare Officer or Probation Officer, concerned non-government organisation, the police, any other designated representative, and the family of the rescued victim.

(b) After receiving the Bangladeshi victim, the relevant documents shall be sent to the country where he or she was rescued from.

(c) When necessary, arrangements must be made to keep the rescued Bangladeshi victim temporarily in any shelter home in Bangladesh or abroad.

(d) Necessary psychological, financial and other assistance must be provided to the received Bangladeshi victim so that the process of his social integration can be initiated.

Time-limit: One day to stay in the temporary shelter home. One week to three months for social integration. (The Probation Officer shall keep the Authority informed by providing up-to-date information regarding the concerned victim).

Responsible authorities: Probation Officer or the person specifically given charge by the Government, the National Anti-Human Trafficking Authority, concerned non-government organisation, and the authorities of the shelter home.

10. Social integration of Bangladeshi victims rescued.—(a) After the rescue of any Bangladeshi victim from within the country or upon the repatriation of such victim following his rescue abroad, the process of his social integration shall have to be commenced.

(b) If it is not possible to return such victim to his family, the Ministry of Social Welfare, concerned non-government organisation, and the National Anti-Human Trafficking Authority shall, in addition to training and employing the victim or providing him with psychological, financial and other assistance under the Act and the rules, take other welfare measures in order to integrate him into society.

By Order of the President

জিনাত আরা
উপসচিব
জননিরাপত্তা বিভাগ।