GJK

GLOBAL JUSTICE KENYA

FROM EVIDENCE TO REMEDY

A Practical Handbook for Civil Society Documentation of Labour Migration-Related Abuses in Support of Access to Justice

- ACCESS TO JUSTICE
- PROTECTION
- ACCOUNTABILITY
- ADVOCACY
- PARTNERSHIPS



PRACTICAL TOOLS.
Step-by-step guidance you can use.

STRONGER EVIDENCE.
Better documentation, greater impact.

STANDARDIZED PROCESSES.
Consistent, ethical and secure.

EMPOWERING SURVIVORS.
Advancing rights, building change.

FROM EVIDENCE TO REMEDY

A Practical Handbook for Civil Society Documentation of Labour Migration-Related Abuses in Support of Access to Justice

Prepared by

Valentina Cominetti

Global Justice Kenya

October 2026

Nairobi, Kenya

Version: 01

Copyright © 2026 Global Justice Kenya. All rights reserved.
No part of this publication may be reproduced, modified, distributed, or used for commercial purposes without the prior written permission of Global Justice Kenya, except as permitted by applicable copyright law.

Contents

Introduction 5
Purpose of the Handbook 6
Who Is This Handbook For? 8
Violations Covered 8
How to Use This Handbook 9
MODULE 1. Defining the Scope: Information vs Evidence and Documentation vs Investigation 11
1.0 The Role of Civil Society in Labour Migration Contexts 11
1.1 Information vs Evidence 11
1.2 Documentation vs Investigation 14
1.3 Why These Distinctions Matter 16
1.4 Scope of Action for Civil Society Actors 17
1.5 Documentation as a Foundation for Access to Justice and Accountability 18
MODULE 2. Ethical Principles for Civil Society Documentation 19
2.0 Ethical Framework for Documentation 19
2.1 Ethical Principles for Documenting Information 20
2.1.1 Do No Harm 20
1.2 Informed Consent 22
2.1.3 Confidentiality 23
2.1.4 Referrals to Professional Assistance 24
2.1.5 Recognizing and Preventing Re-Traumatization 25
2.1.6 Impartiality 27
2.1.7 Managing Expectations 28
2.1.8 Preserving the Chain of Custody of Information 29
2.1.9 Protection of Documentation 30
MODULE 3. Preparation and Planning for Documentation 32
3.0 Contextualizing Documentation in Labour Migration Settings 32
3.1 Understanding the Context and Nature of the Case 32
3.2 Defining Purpose, Scope, and Methodology 33
3.3 Prioritization, Coordination, and Avoidance of Harm 35

3.4 Risk Assessment and Security Planning 36
3.5 Preparing Documentation Outputs and Information Systems 38
MODULE 4. Interviewing Migrant Workers and Witnesses and Taking Accounts 41
4.0 The Role and Importance of Account-Taking in Labour Migration Documentation..... 41
4.1 Planning and Preparing the Interview 42
4.2 Engaging with Migrant Workers and Witnesses 45
4.3 Obtaining the Account 45
4.4 Taking Accounts from Family Members and Indirect Witnesses 48
4.5 Closing the Interview 48
4.6 Evaluation and Documentation of the Account 50
MODULE 5. Evidence Collection and Documentation Standards 51
5.0 The Role of Evidence in Labour Migration Documentation 51
5.1 Types of Evidence in Labour Migration Contexts 52
5.2 Testimonial Evidence 53
5.3 Documentary Evidence 53
5.4 Digital Evidence (Messages, Photos, Audio) 54
5.5 Medical and Psychological Evidence 55
5.6 Financial Evidence and Recruitment Fees 56
5.7 Chain of Custody and Evidence Preservation 56
MODULE 6. Information Management, Storage, and Preservation 58
6.0 The Importance of Information Management and Preservation 58
6.1 Establishing Basic Information Management Systems 58
6.2 Standard Operating Procedures (SOPs) 60
6.3 Organizing and Cataloguing Information 60
6.4 Storage of Information 61
6.4.1 Physical Storage 61
6.4.2 Digital Storage 61
6.5 Managing Information for Use: Overview Systems. 62
6.6 Protecting Information and Reducing Risks 63
Conclusion 64
ANNEX 1: CONSENT FORM 66

ANNEX 2: IMMEDIATE NEEDS ASSESSMENT FORM 67
ANNEX 3: CHAIN OF CUSTODY FORM 69
ANNEX 4: RISKS ASSESMENT TEMPLATE 71
ANNEX 5: DOCUMENTATION PREPARATION CHECKLIST 74
ANNEX6: INTERVIEW RECORD TEMPLATE 78
ANNEX 7: STANDARD OPERATING PROCEDURES (SOP) TEMPLATE 80

Introduction

Labour migration is a central component of Kenya's development pathway and an important source of livelihood for hundreds of thousands of workers seeking employment opportunities regionally and internationally. However, migration processes are often shaped by structural inequalities, including unemployment, poverty, gender discrimination, and unequal access to safe and transparent recruitment systems. These factors contribute to the increased vulnerability of migrant workers, particularly women and young people, to a continuum of risks ranging from unfair recruitment practices and labour rights violations to severe exploitation, including forced labour and human trafficking.

Across Kenya and the wider East African region, migration takes place within complex and evolving labour markets. Countries such as Kenya, Tanzania, Uganda, and Ethiopia act as countries of origin, transit, destination, and return. While national legal frameworks and international standards, including those promoted by the International Labour Organization (ILO) on fair recruitment, decent work, and protection of migrant workers, provide important safeguards, significant gaps remain in implementation, enforcement, and, particularly, access to remedies.

Women migrant workers, especially those employed in domestic work in the Middle East and other regions, face disproportionate risks. The feminization of migration has expanded women's participation in labour migration, yet it has also intensified their exposure to gender-based violence, discrimination, and exploitation, particularly in sectors characterized by informality, isolation, and limited oversight. These risks persist throughout the migration cycle, from recruitment and departure to employment abroad and return.

Evidence increasingly shows that exploitation often originates at the recruitment stage. Despite government measures to regulate recruitment agencies, including accreditation systems, monitoring mechanisms, and financial guarantee requirements, deceptive and unethical recruitment practices remain widespread. These include misinformation about employment conditions, contract substitution, excessive recruitment fees, and coercive debt arrangements. Such practices undermine principles of fair recruitment and decent work, and frequently lead to further violations during employment, including non-payment of wages, excessive working hours, restriction of movement, and various forms of abuse.

Civil society organizations, Migrant Resource Centers (MRCs), and frontline service providers play a critical role in addressing these challenges. They often serve as the first point of contact for migrant workers and returnees, supporting identification of abuses, documentation of violations, provision of assistance, and referrals to relevant services and justice mechanisms. However, many of these actors face limitations in technical capacity, standardized documentation procedures, and secure information management systems. As a result, evidence may be fragmented, inconsistently recorded, or insufficiently preserved for use in legal and administrative processes.

Strengthening documentation practices is therefore essential to bridging the gap between lived experiences of exploitation and access to remedy. Effective documentation supports case management, enables migrant workers to pursue labour, civil, administrative, and criminal claims, and contributes to evidence-based advocacy and policy reform. It also facilitates the identification of systemic patterns of abuse across recruitment and employment chains, in line with ILO priorities on strengthening labour migration governance.

This Documentation Handbook, titled "*From Evidence to Remedy: Practical Handbook for Civil Society Documentation of Labour Migration-related abuses and access to justice*", has been developed to support civil society organizations, Migrant Resource Centers, and frontline actors in documenting labour migration-related abuses in a consistent, secure, and migrant-centered manner. It provides practical guidance on documentation protocols, evidence collection, preservation and case management, with the aim of strengthening the quality, reliability, and usability of information that may support future access to remedies through legal, administrative, labour, or advocacy processes.

The publication is designed to complement Global Justice Kenya's (GJK) Legal Roadmap, *Pathways to Justice: A Practical Guide to Remedies and Advocacy for Kenyan Migrant Workers*, which maps available avenues for accountability and redress, including civil, criminal, administrative, and alternative dispute resolution mechanisms. While the Legal Roadmap focuses on available pathways to remedy, this handbook focuses on strengthening documentation practices that can support those processes.

This Handbook adopts a migrant-centered and gender-transformative approach, grounded in principles of dignity, safety, informed consent, and confidentiality. It aligns with ILO commitments to promote decent work, gender equality, and rights-based approaches to labour migration.

By strengthening the technical capacity of frontline actors and standardizing documentation practices, the Handbook aims to ensure that migrant workers' experiences are translated into credible, actionable documentation that may support future accountability and access to justice processes, while also contributing to broader efforts to strengthen labour migration governance.

Purpose of the Handbook

The purpose of this manual is to strengthen the capacity of civil society organizations, Migrant Resource Centers, frontline service providers, and survivor-led networks in Kenya and across East Africa to effectively document labour migration-related abuses and associated human rights violations in a consistent, secure, and migrant-centered manner.

Documentation is often the first step in a migrant worker's pathway toward protection, assistance, and justice. When conducted systematically and ethically, it can:

- Preserve critical evidence of labour rights violations and exploitation
- Support referrals to appropriate services

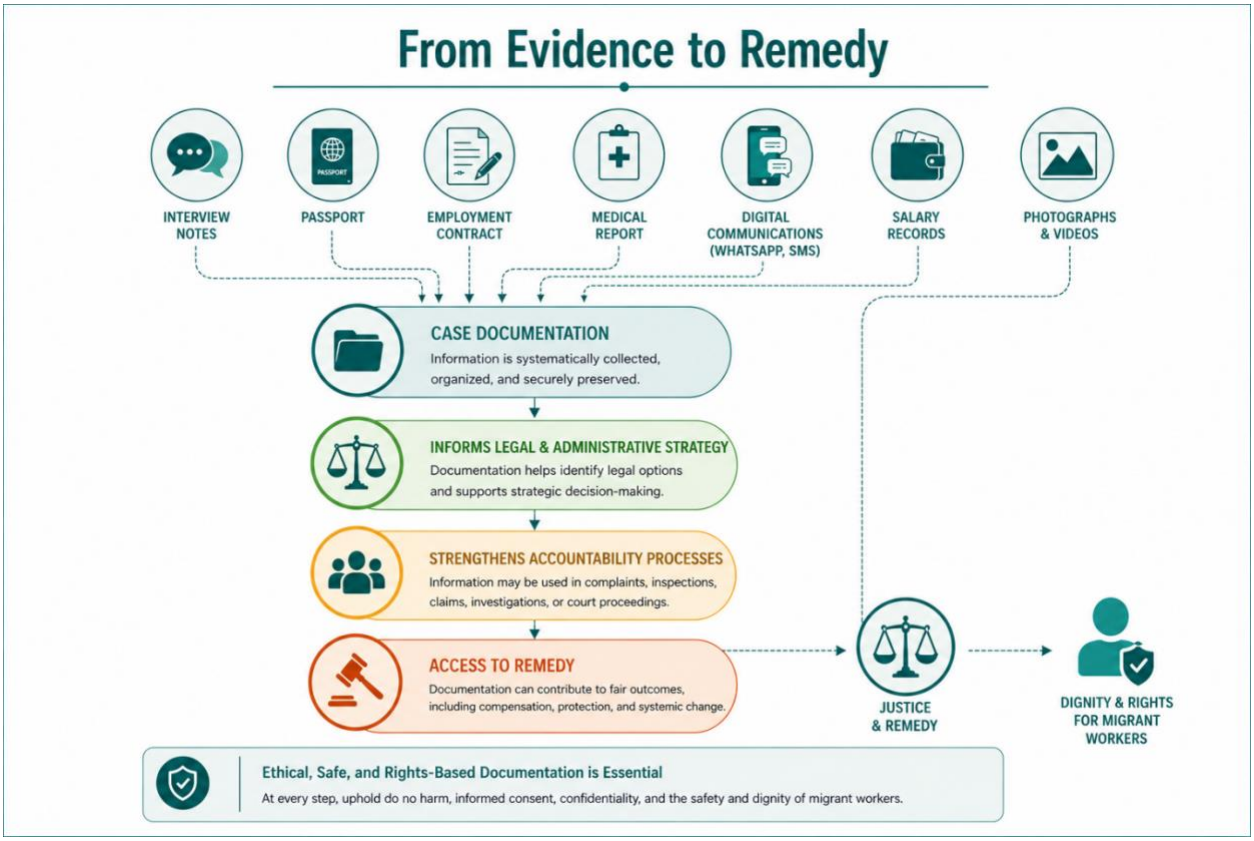
- Strengthen accountability
- Strengthen the ability of migrant workers to pursue labour, civil, administrative, or criminal remedies

Weak, fragmented or inconsistent documentation remains a major barrier to access to justice. This publication addresses these challenges by equipping frontline actors with practical tools for migrant-centered interviewing, informed consent procedures, evidence preservation, and case file management.

The handbook is intended to complement GJK's Legal Roadmap by ensuring that documentation practices align with the evidentiary and procedural requirements of different accountability mechanisms. Together, the two tools create a coherent pathway from **documentation → legal strategy → remedy**.

The handbook also promotes a gender-transformative approach, recognizing the distinct and intersecting vulnerabilities faced by women migrant workers and supporting documentation practices that capture these experiences responsibly and effectively.

Ultimately, the handbook seeks to position documentation as a strategic tool that strengthens access to remedies, supports accountability efforts, and contributes to fair, safe, and rights-based labour migration systems.



Who Is This Handbook For?

This handbook is designed for civil society organizations and frontline actors in Kenya and across East Africa who work directly or indirectly with migrant workers, returnees, and individuals affected by labour exploitation and related human rights violations.

These actors play a critical role within the broader labour migration ecosystem, particularly in supporting access to justice and remedies.

The primary users include:

- Civil society organizations (CSOs) working on labour migration, migrant rights, labour rights, gender-based violence, and access to justice
- Community-based organizations (CBOs) supporting migrant workers and returnees
- Migrant Resource Centers (MRCs), particularly staff responsible for case intake, counselling, and referrals
- Frontline service providers, including caseworkers, social workers, shelter staff, and field officers
- Paralegals and legal aid providers supporting migrant workers in pursuing remedies
- Migrant/Survivor-led networks engaged in peer support, advocacy, and awareness-raising
- Organizations supporting migrant domestic workers and other vulnerable migrant populations

The publication may also be useful for:

- Legal practitioners and institutions engaged in labour and migration-related cases
- Policymakers and institutions involved in labour migration governance
- Organizations providing technical assistance and capacity building

The tools are designed to be adaptable to different levels of technical capacity and can be integrated into existing case management and referral systems.

Violations Covered

This manual supports the documentation of violations occurring across the entire labour migration cycle, including recruitment, transit, employment, and return.

It adopts a broad labour migration perspective, recognizing that exploitation exists along a continuum and that many serious labour rights violations do not meet the legal threshold of trafficking but nonetheless require documentation and access to remedy.

Violations covered include:

- Deceptive and fraudulent recruitment practices
- Contract substitution and misinformation
- Excessive recruitment fees and debt bondage

- Confiscation of identity documents
- Restriction of movement and communication
- Non-payment or withholding of wages
- Excessive working hours and denial of rest
- Unsafe or degrading working and living conditions
- Physical, psychological, and sexual violence
- Threats, coercion, and intimidation
- Trafficking in Persons and Forced Labour

These violations often intersect with gender-based violence and discrimination, particularly affecting women migrant workers in domestic and informal sectors.

While some cases may constitute forced labour or trafficking in persons, this hanbook emphasizes that all forms of labour exploitation should be documented, as they may give rise to different forms of remedy, including labour claims, civil litigation, administrative complaints, and alternative dispute resolution mechanisms, as outlined in the Legal Roadmap.

How to Use This Handbook

This handbook is designed as a practical, modular resource that can be used by civil society organizations, Migrant Resource Centers, and frontline actors at different stages of case management.

It supports the full documentation process, from initial contact and intake to evidence collection, case file management, and referral.

The manual can be used in several ways:

- **As a training resource:** to build the capacity of staff, volunteers, and community actors on safe and effective documentation practices
- **As an operational guide:** to support day-to-day case intake, interviewing, and documentation
- **As a standardization tool:** to develop internal protocols and ensure consistency across teams
- **As a case management reference:** to organize documentation in ways that support legal and administrative processes

The handbook should be used in conjunction with the Legal Roadmap, which provides detailed guidance on available pathways to remedy. While this hanbook focuses on documentation practices, the Legal Roadmap provides guidance on available pathways to remedy.

The manual does not replace professional legal, medical, or psychosocial services. Instead, it supports frontline actors in documenting cases responsibly and identifying when referrals are required.

Users are encouraged to adapt the tools to their context, considering:

- National legal frameworks
- Available services and referral pathways
- Organizational capacity and resources
- Data protection and security considerations

All documentation practices should be guided by the following key principles, aligned with international documentation standards. A dedicated module provides detailed guidance on how these principles should be applied consistently throughout the different stages of case management:

- Do no harm
- Informed consent
- Confidentiality and data protection
- Migrant/Survivor safety and dignity

When applied consistently, this guide ensures that documentation can effectively support pathways to remedy, enhances coordination among stakeholders, and contributes to building a more effective, rights-based labour migration system. In doing so, it supports the transformation of individual cases into credible evidence for accountability, empowers migrant workers to assert their rights, and reinforces broader efforts to promote fair recruitment, decent work, and access to justice across the migration cycle.

MODULE 1. Defining the Scope: Information vs Evidence and Documentation vs Investigation

1.0 The Role of Civil Society in Labour Migration Contexts

Civil society actors cannot replace competent authorities in conducting investigations, but the quality of their documentation can determine whether access to justice remains possible.

Civil society actors engaged in documenting labour migration-related abuses and human rights violations play a critical role in identifying affected individuals, preserving accounts of exploitation, and contributing to future accountability and access to remedial processes. In many contexts, particularly where migrant workers fear authorities, face retaliation, or lack access to formal protection mechanisms, civil society organizations (CSOs), Migrant Resource Centers (MRCs), and frontline service providers are often the first, and sometimes only, point of contact.

At the same time, this role is fundamentally distinct from that of mandated authorities such as labour inspectorates, law enforcement agencies, prosecutors, or judicial bodies. A clear understanding of these distinctions is essential to ensure that documentation efforts remain ethical, effective, and do not unintentionally create legal, operational, or security risks.

This handbook is designed to support **documentation**, not formal investigation. While it introduces standards that may strengthen the potential future use of information in legal, administrative, and accountability processes, it does not, and cannot, substitute the role of competent authorities.

1.1 Information vs Evidence

At the core of civil society documentation is the collection of **information**.

Information refers to raw data collected in the context of labour migration-related abuses. This may include testimonies, statements, observations, documents, photographs, medical records, digital communications, and other materials that describe alleged violations. These violations may occur across the migration cycle and include deceptive recruitment practices, contract substitution, non-payment of wages, excessive working hours, restriction of movement, or physical, psychological, and sexual abuse.

However, information should not be confused with evidence.

In legal and administrative contexts, evidence is information that has been formally admitted in proceedings to prove or disprove a fact. For information to become evidence, it must meet specific procedural and legal standards, including relevance, reliability, authenticity, and admissibility.

These determinations can be made exclusively by competent authorities such as courts, labour tribunals, or administrative bodies.

Concept	Definition	Key Characteristics	Implications for Civil Society Actors
Information	Raw data collected about labour migration-related abuses (testimonies, documents, photos, observations)	Broad, not yet legally assessed	Must be collected carefully, accurately, and ethically from the outset
Evidence	Information formally admitted in legal or administrative proceedings	Must meet legal standards (relevance, admissibility, authenticity)	CSOs do not determine what is evidence, but their documentation can influence whether information becomes usable

At the same time, it is important to recognize that **well-collected, properly managed, and securely preserved information has the potential to become evidence** within legal or administrative processes. For this reason, while maintaining the distinction between the two concepts, this handbook may at times refer to information and evidence interchangeably in a practical sense, particularly when emphasizing the importance of collecting and handling information in ways that maximize its potential future use. However, it remains essential to understand that only competent authorities can formally determine and admit what constitutes evidence.

This distinction is critical for managing expectations. Even when collected according to high standards, information gathered by civil society actors will not automatically be accepted as evidence. In some cases, it may never be used directly in formal proceedings. This does not diminish the importance of documentation.

When collected rigorously, documentation can play a decisive role in supporting access to justice and remedy. It can contribute to labour claims, civil litigation, administrative complaints, compensation mechanisms, and, where relevant, criminal proceedings. The quality of documentation can directly influence whether information is considered credible, persuasive, or ultimately usable.

Properly collected information can:

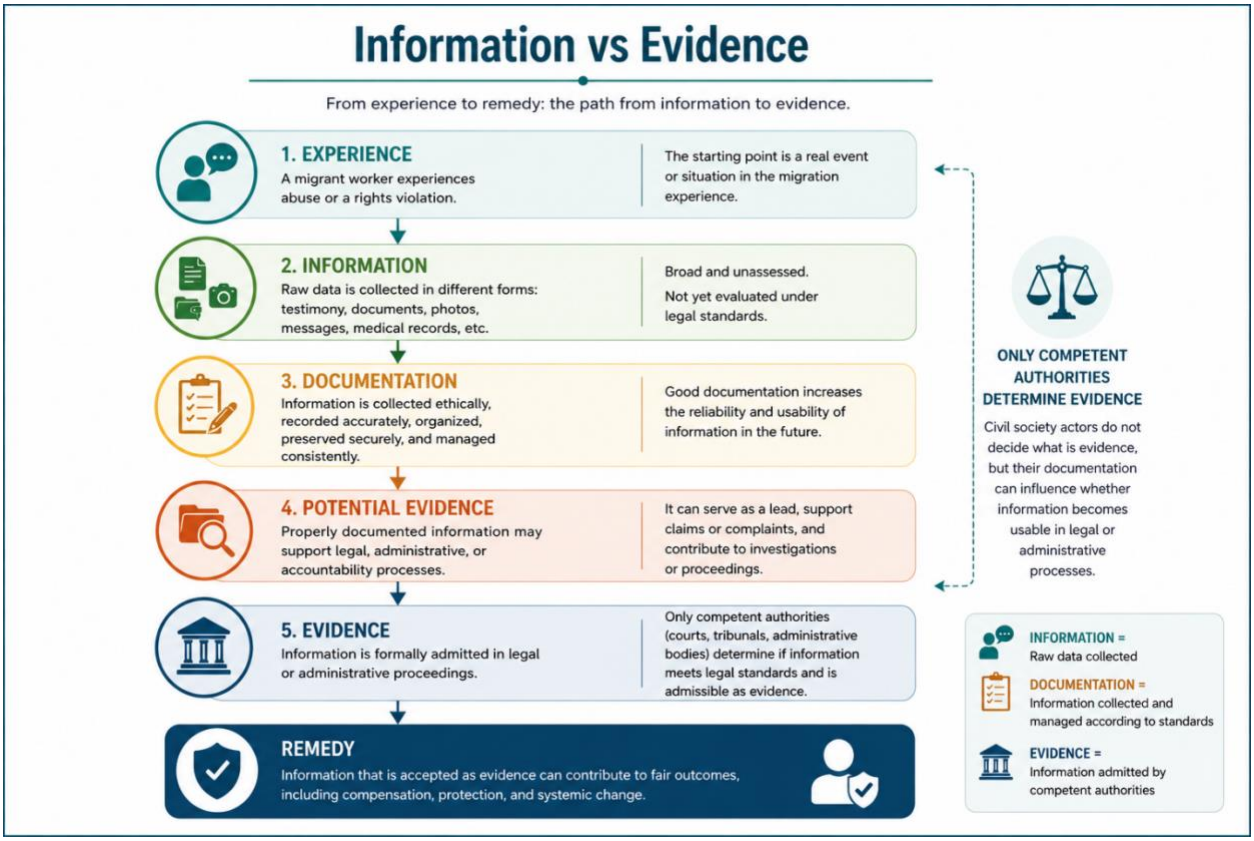
- serve as a lead for formal investigations or labour inspections;
- support identification and protection of migrant workers;

- contribute to pattern analysis, such as identifying abusive recruitment practices or migration routes;
- inform advocacy and policy reform, including reporting to national and international mechanisms;
- support future labour, legal or administrative claims, including wage recovery or compensation processes.

For this reason, it is essential to apply rigorous documentation and information management standards from the outset, even when no immediate legal action is anticipated.

Poor documentation practices, such as incomplete records, lack of informed consent, inconsistencies, or compromised integrity of materials, can significantly reduce the usability of information and may ultimately prevent it from supporting access to justice.

By aligning documentation practices, as far as possible, with standards relevant to legal and administrative proceedings, civil society actors can significantly increase the likelihood that the information they collect may later support accountability efforts, including those outlined in the Legal Roadmap.



1.2 Documentation vs Investigation

A similar distinction exists between **documentation** and **investigation**, which is particularly important in the context of labour migration.

Documentation refers to the systematic, ethical, and secure collection, recording, organization, and preservation of information related to alleged abuses. It is a continuous process that supports multiple objectives, including worker protection, service provision, advocacy, and future access to remedy.

In contrast, **investigation** refers to a formal process carried out by competent authorities—such as labour inspectorates, law enforcement agencies, prosecutors, or judicial bodies—with the purpose of establishing facts, determining legal responsibility, and, where applicable, pursuing sanctions or remedies. Investigations are conducted within a defined legal framework and may involve powers that are not available to civil society actors, such as the authority to compel testimony, access restricted information, conduct searches or seizures, and carry out forensic or evidentiary analysis.

Understanding this distinction is essential. Civil society actors do not have the legal mandate or authority to conduct formal investigations, and attempts to replicate investigative functions may create legal, ethical, and security risks, including exposing migrant workers or staff to harm or compromising the integrity of information.

Aspect	Documentation (Civil Society)	Investigation (Authorities)
Purpose	Record and preserve information	Establish facts and responsibility
Who conducts it	CSOs, MRCs, service providers	Labour inspectors, police, prosecutors
Powers	No coercive powers	Legal authority (subpoena, search, seizure)
Output	Case files, reports, records	Legal findings, charges, decisions
Role in justice	Supports access to remedy	Determines legal responsibility

In the context of labour migration, documentation by civil society actors typically includes:

- identifying and safely engaging with migrant workers and returnees;
- recording testimonies related to recruitment, migration, and working conditions;
- collecting and preserving supporting materials (such as contracts, communications, financial records, and identity documents);
- maintaining structured case files and databases;
- analyzing patterns, such as recruitment practices, migration corridors, or systemic abuses;
- producing reports, briefings, or submissions to national and international bodies;

- supporting access to legal services and remedies by ensuring that documentation is organized and accessible for use by legal practitioners, and facilitating referrals to relevant legal, administrative, and protection mechanisms.

Importantly, documentation is not limited to specialized documentation teams. Many civil society actors contribute to documentation through their direct service provision.

Organizations providing psychological, medical, legal, or social support are often in a unique position to collect and preserve critical information at an early stage, often before any formal complaint or legal process is initiated. This role can be fundamental in enabling future access to justice.

For example, psychological service providers may document trauma and long-term harm; medical providers may record physical injuries or health conditions; and case workers may collect contracts, communications, or financial records that migrant workers might otherwise lose or be unable to preserve.

Where it is safe, ethical, and based on informed consent, civil society actors should seek to collect and securely preserve relevant documentation at the earliest possible stage. This is particularly important in labour migration contexts, where migrant workers may lose access to documents, may not recognize their importance, or may be unable to retrieve them later.

Even where an organization does not directly engage in litigation or accountability processes, its documentation efforts may later become essential in supporting a migrant worker's pursuit of justice, whether through labour dispute mechanisms, civil claims, administrative processes, or other pathways outlined in the **Legal Roadmap**.

Type of Service	Examples of Documentation	Potential Future Use
Psychological Support	Clinical notes, trauma assessments	Documentation of psychological harm, damages claims
Medical Assistance	Injury reports, medical records	Corroboration of abuse
Legal Aid / Case Management	Contracts, communications, identity documents	Supporting claims, establishing patterns
Shelter / Social Support	Intake forms, timelines of events	Contextual evidence, victim identification

Finally, civil society actors should adopt a broad and forward-looking approach to documentation. This includes collecting and preserving information that may not appear immediately relevant but could later prove essential in establishing elements of a case. Such materials may include

passports, visas, employment contracts, financial records, photographs, and digital communications.

While not all such information will ultimately be used in proceedings, its early preservation can be critical in ensuring that opportunities for justice are not lost due to gaps or the later unavailability of key documentation.

1.3 Why These Distinctions Matter

Maintaining a clear boundary between documentation and investigation is not merely a theoretical concern—it has direct and significant practical implications for the safety of migrant workers, the integrity of information collected, and the effectiveness of future accountability and remedy processes.

Experience has shown that well-intentioned documentation efforts can sometimes become counterproductive, or even harmful, when these distinctions are not clearly understood or respected. At the same time, failing to document information properly or at the right time can result in missed opportunities for protection, accountability, and access to justice.

For instance, repeated or uncoordinated interviews may lead to re-traumatization, inconsistencies in accounts, and reduced credibility in future proceedings. Similarly, attempts by civil society actors to "prove" a case, identify responsible actors, or reconstruct events beyond their role may expose migrant workers, their families, or staff to retaliation, intimidation, or other risks. These actions can also unintentionally interfere with formal processes or create complications in subsequent legal or administrative proceedings.

The way information is handled is equally critical. Materials that are collected without proper safeguards, poorly recorded, or inadequately preserved may lose their reliability or become unusable in practice. Conversely, failing to collect or secure key documents—such as contracts, communications, or identity records—at an early stage may result in their permanent loss, particularly in labour migration contexts where workers often have limited control over their documentation.

Another important consideration is the management of expectations. Presenting documentation as a guarantee of legal outcomes, or implying that a case will necessarily lead to prosecution or compensation, may undermine trust and limit the ability of migrant workers to make informed decisions about their options.

For these reasons, both action and inaction carry risks. Overstepping the boundaries of documentation may compromise safety and legal processes, while insufficient or poor-quality documentation may weaken or prevent access to remedy. A careful, balanced approach, grounded in a clear understanding of roles, limitations, and responsibilities, is therefore essential.

1.4 Scope of Action for Civil Society Actors

To ensure that documentation efforts are effective, ethical, and safe, civil society actors must clearly understand both the scope and the limits of their role within the broader labour migration governance and justice framework.

Civil society organizations, Migrant Resource Centers, and frontline service providers play a critical role in documenting abuses, preserving information, and supporting migrant workers in accessing services and pathways to remedy. Their role is to collect information in a safe, survivor-centered, and systematic manner, ensure that it is accurately recorded and securely preserved, and facilitate referrals to appropriate legal, administrative, and support mechanisms.

At the same time, civil society actors must not take on functions that fall within the mandate of competent authorities. They should avoid attempting to establish legal responsibility, independently "build" a case, or engage in actions that resemble formal investigation, such as interrogating individuals or seeking to verify facts through coercive or unsafe means. They must also avoid creating expectations about legal outcomes that cannot be guaranteed.

The distinction is therefore not only about what civil society actors **can do**, but also about what they **must refrain from doing** in order to protect migrant workers, preserve the integrity of information, and ensure that documentation remains usable in future legal or administrative processes.

The table below summarizes the key actions that fall within the scope of civil society documentation, as well as those that should be avoided.

Civil Society Actors SHOULD	**Civil Society Actors MUST NOT**
Collect information ethically and safely	Present themselves as investigators
Obtain informed consent	Promise legal outcomes
Preserve documentation early	Attempt to establish responsibility
Maintain accurate records	Interrogate individuals
Secure information	Compromise integrity of materials
Support referrals to services and remedies	Conduct unecessary or repeated interviews

1.5 Documentation as a Foundation for Access to Justice and Accountability

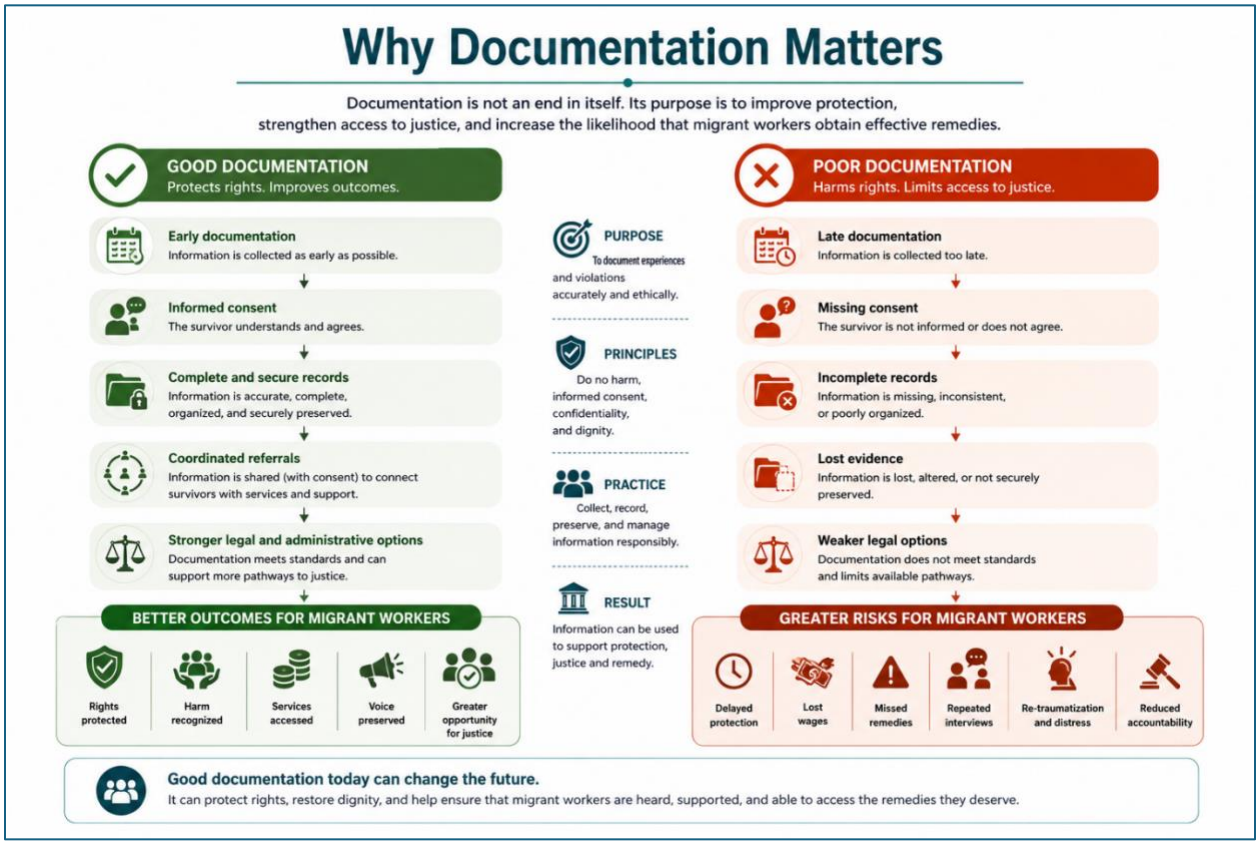
Documentation is not an end in itself. It serves as a foundation for a range of processes, including protection, advocacy, and access to justice.

When conducted according to rigorous standards, documentation can significantly strengthen the ability of migrant workers to pursue remedies across multiple pathways, including labour, civil, administrative, and, where relevant, criminal mechanisms.

As outlined in the **Legal Roadmap**, different pathways to remedy require different types of documentation. While admissibility can never be guaranteed, applying rigorous standards from the outset remains essential to maximizing the potential for documentation to support these processes.

Ultimately, the extent to which documentation contributes to accountability depends on its quality, consistency, integrity, and preservation over time, as well as respect for the distinct roles of civil society actors and competent authorities.

This section has clarified the scope and limits of civil society action. The following modules will build on this foundation by providing practical guidance on how to collect, manage, and preserve information in ways that strengthen its potential to support access to remedy, accountability, and the protection of migrant workers' rights.



MODULE 2. Ethical Principles for Civil Society Documentation

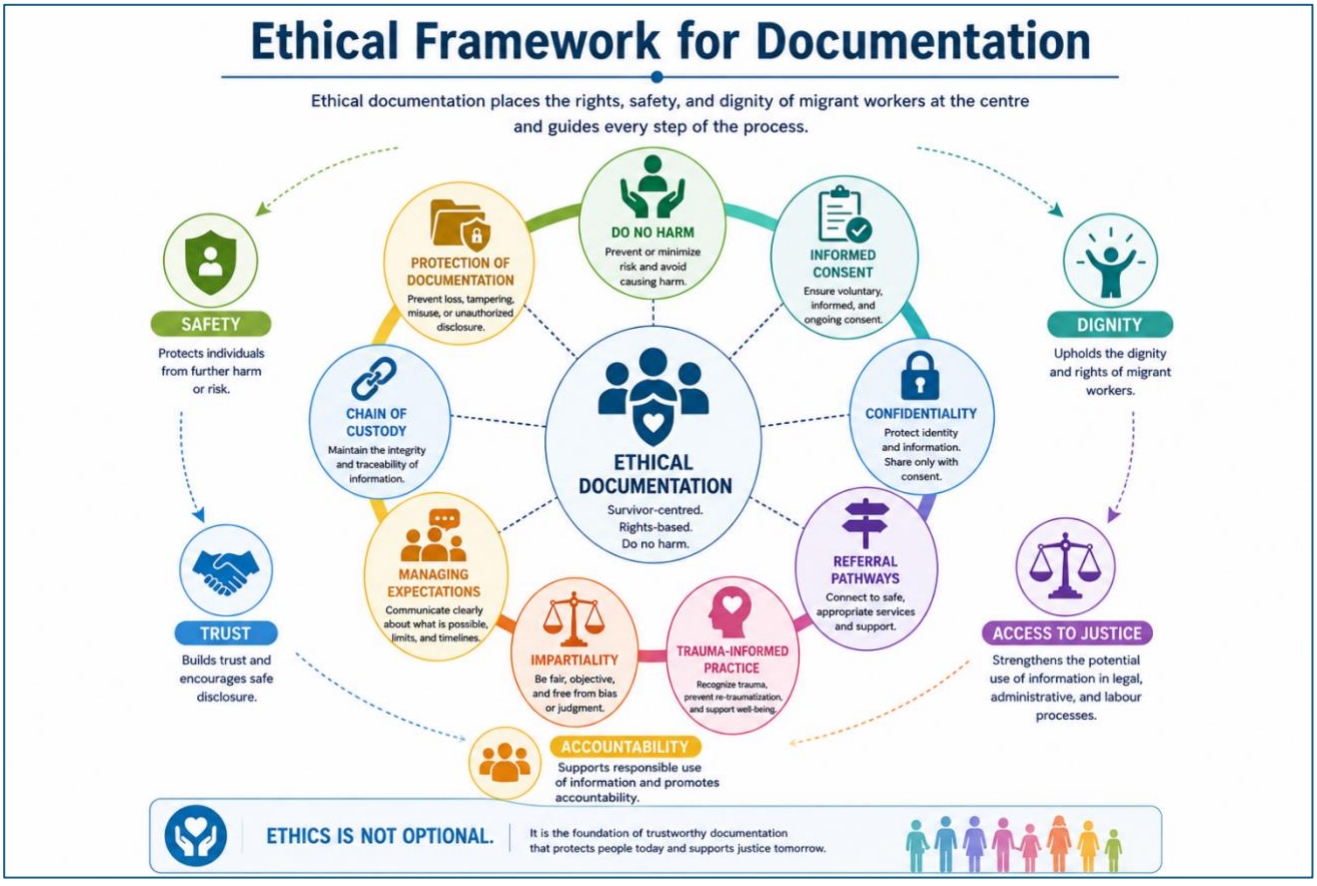
2.0 Ethical Framework for Documentation

This module sets out the core ethical principles that should guide all documentation undertaken by civil society organizations, Migrant Resource Centers (MRCs), and frontline actors working with migrant workers.

Documentation is not a neutral or merely technical exercise. It involves direct interaction with individuals who may be in situations of vulnerability, distress, fear, or ongoing risk, often shaped by structural inequalities linked to gender, migration status, and working conditions. For this reason, documentation must always prioritize safety, dignity, informed choice, and the protection of the information collected.

The principles outlined include the duty to do no harm, the requirement of informed consent, the obligation to maintain confidentiality, the importance of referral to appropriate services, the need to recognize and prevent re-traumatization, and the responsibility to manage expectations. The section also highlights the importance of impartiality, the preservation of the traceability of information through a chain of custody, and the need to protect documentation from loss, tampering, misuse, or unauthorized disclosure.

These principles apply throughout the entire documentation process, and they should guide not only how information is collected, but also whether it should be collected at all.



2.1 Ethical Principles for Documenting Information

The documentation of labour migration-related abuses should always be guided by a set of overarching principles that apply regardless of context, type of violation, or intended use of the information. These principles are essential to ensuring that documentation protects migrant workers' rights and supports access to remedy

2.1.1 Do No Harm

The most important principle in any documentation process is to do no harm. This means taking all reasonable steps to prevent or minimize unintended negative consequences for migrant workers, returnees, witnesses, intermediaries, family members, communities, colleagues, or any other person affected by the documentation process.

It also includes protecting the integrity of the information itself by preventing loss, contamination, tampering, or deterioration caused by improper handling.

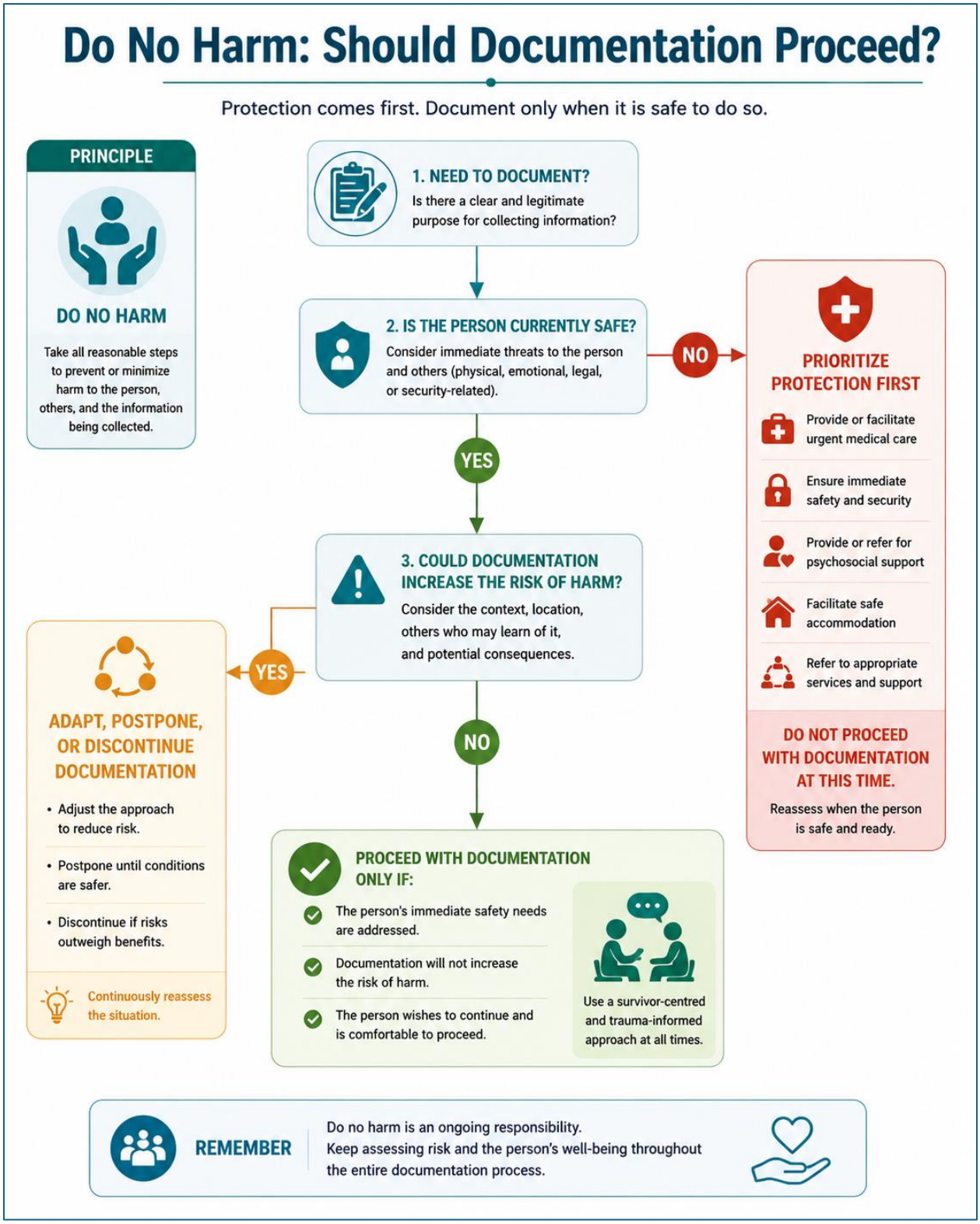
In practice, the do no harm principle requires civil society actors to balance the value of collecting information against the possible risks of doing so. Documentation should only proceed where the likely benefits outweigh the potential risks and where the process serves the interests and protection needs of the individual concerned.

Applying the do no harm principle may require taking active steps to protect individuals, such as arranging urgent medical care, facilitating access to psychosocial support, or strengthening the security of sensitive information. In other situations, it may require postponing documentation or deciding not to proceed at all, particularly where interaction could expose the individual, staff member, or others to increased risk.

At a minimum, practitioners should:

- prioritize urgent health, safety, or protection needs;
- ensure staff are adequately prepared and trained;
- obtain informed consent before any documentation activity;
- protect the identity, safety, and dignity of the individual;
- remain alert to signs of distress, trauma, or re-traumatization;
- avoid collecting substantive information from individuals who cannot participate safely or voluntarily;
- take special precautions when interacting with survivors of gender-based violence; and
- plan documentation activities carefully, including location, timing, security, and follow-up.

The do no harm principle ultimately requires practitioners to assess whether documentation can be conducted safely and ethically. Documentation should proceed only where the potential benefits outweigh the risks to the individual and others.

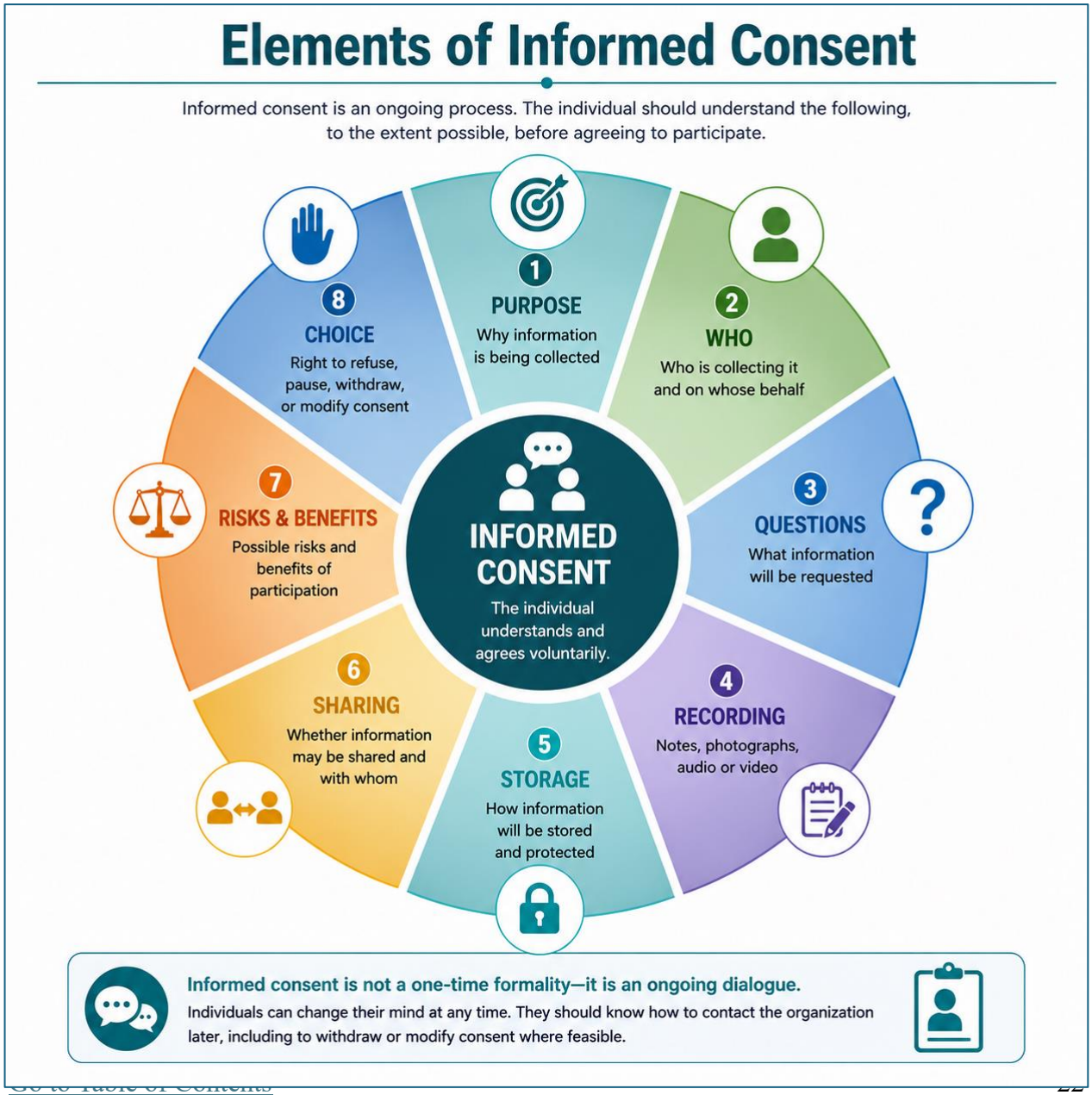

Do No Harm: Should Documentation Proceed?
Protection comes first. Document only when it is safe to do so.
PRINCIPLE
DO NO HARM
Take all reasonable steps to prevent or minimize harm to the person, others, and the information being collected.
1. NEED TO DOCUMENT?
Is there a clear and legitimate purpose for collecting information?
2. IS THE PERSON CURRENTLY SAFE?
Consider immediate threats to the person and others (physical, emotional, legal, or security-related).
NO
PRIORITIZE PROTECTION FIRST
Provide or facilitate urgent medical care
Ensure immediate safety and security
Provide or refer for psychosocial support
Facilitate safe accommodation
Refer to appropriate services and support
DO NOT PROCEED WITH DOCUMENTATION AT THIS TIME.
Reassess when the person is safe and ready.
YES
3. COULD DOCUMENTATION INCREASE THE RISK OF HARM?
Consider the context, location, others who may learn of it, and potential consequences.
YES
ADAPT, POSTPONE, OR DISCONTINUE DOCUMENTATION
• Adjust the approach to reduce risk.
• Postpone until conditions are safer.
• Discontinue if risks outweigh benefits.
Continuously reassess the situation.
NO
PROCEED WITH DOCUMENTATION ONLY IF:
The person's immediate safety needs are addressed.
Documentation will not increase the risk of harm.
The person wishes to continue and is comfortable to proceed.
Use a survivor-centred and trauma-informed approach at all times.
REMEMBER
Do no harm is an ongoing responsibility.
Keep assessing risk and the person's well-being throughout the entire documentation process.

1.2 Informed Consent

Informed consent is a fundamental ethical requirement in the documentation of labour migration-related abuses and human rights violations.

No individual should be interviewed, photographed, recorded, referred to services, or have their information shared without first giving informed and voluntary consent.

Informed consent is not a one-time formality. It is an ongoing process that should be revisited throughout the engagement. Individuals should clearly understand what the documentation process involves, why information is being collected, how it may be used, including potential use in labour, civil, administrative, or other accountability processes, what risks may arise, what confidentiality protections apply, and what choices they have. These choices include the right to refuse questions, pause, stop, or withdraw participation at any time.



Consent must be given freely, without pressure, coercion, deception, or false promises. Information should be explained in clear, accessible, and culturally appropriate language.

Explicit consent should also be obtained separately for specific activities such as recording, photographing, sharing identifying details, making referrals, or transferring information to legal or administrative actors.

If a person is unable or unwilling to provide informed consent, substantive documentation should not proceed.

A sample **Consent Form is provided in Annex 1** of this handbook.

2.1.3 Confidentiality

Confidentiality is a fundamental ethical principle in documentation and a key condition for protecting individuals and building trust. In practice, confidentiality means that any information shared by a migrant worker, returnee, or witness is handled with care and only accessed, used, or disclosed in ways that are strictly necessary, appropriate, and agreed upon.

Information shared during documentation should be treated as confidential and safeguarded accordingly. This includes names and contact details, as well as testimonies, case notes, referral information, and any details that could directly or indirectly reveal a person's identity. Even seemingly minor details, such as location, employer, or migration route, may allow someone to identify an individual when combined with other information.

Confidentiality therefore involves both protecting identity and controlling access to information. It requires ensuring that information is only shared with authorized individuals, for clearly defined purposes, and in ways that minimize risks to the person concerned.

Confidentiality is particularly critical in labour migration contexts involving exploitation, abuse, or trafficking, where disclosure of information may expose individuals or their families to retaliation, stigma, discrimination, legal consequences, or further harm. In some cases, the actors responsible for abuse may have power or influence, increasing the risks associated with improper disclosure.

At the same time, confidentiality is not absolute, and its limits must be explained clearly from the outset as part of the informed consent process. Information may be shared, with the individual's consent, for purposes such as accessing legal services, facilitating referrals, or supporting administrative or judicial processes.

In addition, there may be situations where organizations are legally required to disclose information to competent authorities, for example in response to a formal request, court order, or legal obligation under national law. In such cases, organizations may be obliged to transmit certain information even without the individual's consent. Where possible and appropriate, individuals should be informed of such limitations in advance and, if disclosure becomes necessary, should be

informed of what information will be shared and why, unless doing so would create additional risks.

Disclosure may also be necessary in exceptional circumstances involving serious and immediate risk of harm, including risks to the individual, to others, or in cases involving children or safeguarding obligations.

Practitioners should ensure that:

- All staff understand and consistently apply confidentiality procedures;
- identifying information is stored separately from substantive accounts where possible;
- anonymization, coding, and redaction techniques are used appropriately;
- access to information is strictly limited to authorized individuals who need it for their work;
- information is only shared on a need-to-know basis and for clearly defined purposes; and
- case details are not discussed with individuals who are not directly involved in the case.

Individuals should never be given unrealistic assurances that confidentiality can be guaranteed in all circumstances. Instead, confidentiality should be explained honestly, including both its importance and its limits, so that individuals can make informed decisions about whether and how to share information.

2.1.4 Referrals to Professional Assistance

Documentation should never occur in isolation from the broader needs of migrant workers and returnees. Individuals who engage with civil society actors are often facing urgent or complex situations that extend beyond documentation, including health concerns, psychological distress, legal vulnerabilities, or protection risks.

For this reason, organizations should identify available referral options before beginning any documentation process and establish clear, practical procedures for connecting individuals to relevant services. These may include medical care, psychosocial support, legal assistance, shelter, protection services, and livelihood or reintegration support.

Documentation actors should be able to explain available options in a clear and accessible manner and facilitate referrals where informed consent is provided. This includes referrals to legal services that may support access to remedies through labour, civil, or administrative pathways, in line with the Legal Roadmap.

A structured approach to referral planning is essential. In practice, this often involves conducting an initial needs assessment, including through the use of immediate needs forms, which help identify urgent risks and priorities at the earliest stage of contact. A sample **Immediate Needs Assessment Form is provided in Annex 2** of this handbook.

These tools support practitioners in making informed decisions about what type of assistance is required and in what order, ensuring that documentation activities do not delay or interfere with access to essential services.

Where possible, referral decisions should be based on this initial assessment and updated as new information becomes available. This helps ensure that responses remain relevant, coordinated, and tailored to the evolving situation of the individual.

Assistance should never be conditional on the provision of information, and individuals should never feel pressured to disclose abuse in order to receive support. The decision to seek help or pursue specific services should remain with the individual, except where legal safeguarding obligations require action.

Effective referral planning should consider:

- immediate and urgent needs, including health, safety, and protection concerns;
- existing support already being provided by other actors;
- additional needs that may emerge over time;
- available services and service providers at local, national, or regional levels;
- practical barriers to access, including financial constraints, legal status, distance, stigma, or lack of information; and
- the potential role of informal support networks, such as family members or trusted community actors, where appropriate and safe.

Even where services are limited or unavailable, organizations should ensure that individuals receive accurate and honest information about existing options. Where possible, they should also support individuals in identifying alternative forms of assistance or coping strategies.

Effective referrals are not a one-time action but part of an ongoing process of support. They require coordination, follow-up where appropriate, and a continued focus on the safety, dignity, and agency of the individual.

2.1.5 Recognizing and Preventing Re-Traumatization

Many individuals affected by labour exploitation and trafficking experience trauma. Recounting their experiences may trigger distress, emotional reactions, or psychological harm.

Documentation should therefore be conducted in a trauma-informed manner.

This is particularly important for women migrant workers, domestic workers, and survivors of gender-based violence or sexual exploitation, who may face overlapping vulnerabilities linked to gender, migration status, and working conditions.

Practitioners should recognize that trauma may affect memory, communication, behavior r, and the ability to recall events chronologically. Signs such as memory gaps, distress, withdrawal, or

inconsistency should not be automatically interpreted as unreliability. Interviewers should instead familiarize themselves with the signs and symptoms of re-traumatization in order to know when to pause, adapt, or stop the interview in accordance with the survivor's preferences and well-being.



2.1.6 Impartiality

Documentation should be conducted with professionalism, care, and impartiality.

Impartiality means that civil society actors approach documentation without pre-judging facts, assigning blame, or seeking to confirm a particular narrative. Their role is to accurately record information as it is shared, not to determine legal responsibility, establish guilt or liability, or make formal findings, functions that belong to competent authorities.

In practice, impartiality requires practitioners to avoid bias, assumptions, or expectations that may influence how information is collected, interpreted, or recorded. This includes avoiding leading questions, selectively focusing on certain details, or disregarding information that does not fit an initial assumption. It also means being mindful of personal beliefs, institutional priorities, or external pressures that could shape the documentation process.

Impartial documentation does not mean being neutral in the face of harm or disengaged from the realities of exploitation. Rather, it means maintaining objectivity in the way information is collected and recorded, while ensuring that the process remains respectful, attentive, and responsive to the needs and experiences of the individual.

Impartiality strengthens the credibility of documentation and also helps build trust. Individuals are more likely to share information openly when they feel they are being listened to without judgment, pressure, or predetermined conclusions.



2.1.7 Managing Expectations

Managing expectations is a critical component of ethical documentation.

Migrant workers may believe that sharing their experience will automatically lead to compensation, legal action, employment opportunities, repatriation, or other forms of assistance. If these expectations are not addressed clearly and early, the documentation process may unintentionally lead to disappointment, frustration, mistrust, or even harm. In some cases, unrealistic expectations may also influence how individuals choose to share information, potentially affecting the accuracy of documentation.

BE CLEAR FROM THE START

- What documentation can and cannot achieve;
- How the information may be used and by whom;
- The possible pathways to remedy, including labour, civil, administrative, or other processes;
- The timeframes, uncertainties, and potential limitations of legal and administrative systems;
- The fact that outcomes, such as compensation, prosecution, repatriation or other remedies, cannot be guaranteed.

Clear communication should be ongoing and adapted throughout the engagement, not limited to an initial explanation. It should also be provided in a way that is accessible, culturally appropriate, and responsive to the individual's level of understanding.

Managing expectations does not mean discouraging individuals from seeking justice or support. Rather, it ensures that they are able to make informed decisions based on a realistic understanding of available options, risks, and possible outcomes. This reinforces the agency of the individual and supports a relationship based on trust and transparency.

⚠ **Common Pitfalls**	✔ **Good Practices**
Suggesting or implying that documentation will lead to compensation, legal action, or other outcomes	Clearly explaining that documentation does not guarantee any specific outcome
Making promises to reassure or encourage participation	Being honest about uncertainties, limitations, and possible risks
Avoiding difficult conversations about delays or system limitations	Explaining realistically the timeframes and complexity of legal and administrative processes

⚠ Common Pitfalls	✔ Good Practices
Allowing individuals to proceed based on misunderstandings	Checking understanding and clarifying misconceptions throughout the process
Providing overly technical or unclear explanations	Using clear, simple, and accessible language adapted to the individual
Focusing only on positive outcomes (e.g. compensation)	Presenting a balanced view of possible outcomes, including challenges and limitations
Failing to explain how information may be used or shared	Explaining how documentation may be used, including possible referrals and legal processes
Not revisiting expectations during ongoing engagement	Treating expectation management as a continuous process, not a one-time explanation

2.1.8 Preserving the Chain of Custody of Information

Where documentation may later support legal, administrative, labour, or quasi-judicial proceedings, it is important to preserve the traceability of information. This is commonly referred to as maintaining the chain of custody.

The chain of custody refers to the documented history of how information or materials were collected, handled, stored, accessed, and shared from the moment they were first obtained. This record is essential for demonstrating that information has been managed responsibly and has not been altered, lost, or compromised. Maintaining this traceability strengthens the credibility, authenticity, and reliability of documentation, particularly where it may later be used in legal or administrative proceedings.

In labour migration contexts, documentation may include contracts, identity documents, communications, medical records, photographs, or testimonies. These materials can be critical in supporting access to remedies, including wage claims, compensation, or other forms of redress. However, their potential future use depends not only on what is collected, but also on how it is handled over time.

WHY CHAIN OF CUSTODY MATTERS

- Information can be linked to its original source;
- Any changes, copies, or transfers are recorded and justified;
- Access is controlled and traceable; and
- The integrity of the material is preserved.

While civil society organizations may not always be able to meet formal evidentiary standards required in court, they should aim to maintain basic, consistent, and well-documented handling practices. Even simple records of who collected, stored, or accessed information can significantly strengthen its potential future use.

RECORD THE FOLLOWING INFORMATION

- What information or material was collected;
- When and from whom it was received;
- Who collected and handled it;
- Where and how it was stored;
- Whether it was copied, transferred, or shared; and
- For what purpose access or transfer was granted.

Maintaining this level of traceability not only supports future accountability processes but also reinforces responsible data management and organizational credibility. To support this in practice, organizations may use a **Chain of Custody Form** or similar tracking tool to systematically record how information and materials are collected, handled, stored, accessed, and shared over time.

A sample **Chain of Custody Form is provided in Annex 3** of this handbook.

2.1.9 Protection of Documentation

All documentation must be protected carefully from the moment it is collected.

This includes interview notes, testimonies, documents, recordings, and case files. Improper handling may expose individuals to harm, compromise future use of the information, and undermine the credibility of the organization.

Protecting documentation means taking reasonable steps to prevent loss, unauthorized access, misuse, accidental disclosure, tampering, or deterioration of the information. These protections should apply to both physical materials (such as paper files or printed documents) and digital materials (such as electronic files, databases, photographs, and recordings).

Organizations should adopt practical safeguards appropriate to their resources, risks, and operating context.

PRACTICAL SAFEGUARDS FOR PROTECTING DOCUMENTATION

- Storing physical documents in locked cabinets or secure rooms with limited access;
- Keeping digital files on password-protected devices or secure storage systems;
- Restricting access to sensitive information to staff members who genuinely need it for their work;
- Using anonymization or coding systems when sharing information internally or with partners;
- Transmitting files securely, avoiding unprotected messaging platforms, personal accounts or shared devices where possible;
- Maintaining backups of important documentation to prevent accidental loss; and
- Establishing clear rules for how long documents are kept and how they will be securely destroyed when no longer needed.

Documentation should also be handled carefully to avoid accidental damage or deterioration. Paper records should be protected from moisture, heat, and physical damage, while digital files should be stored in formats and systems that reduce the risk of corruption or loss over time.

Protecting documentation is not only a technical or administrative task. It is also an ethical responsibility toward the individuals who have shared their experiences. If documentation is lost, improperly shared, or accessed by unauthorized persons, it may expose individuals or their families to harm and damage the credibility of the organization collecting the information.

MODULE 3. Preparation and Planning for Documentation

3.0 Contextualizing Documentation in Labour Migration Settings

Effective documentation of labour migration-related abuses and human rights violations begins long before any interaction with migrant workers, returnees, or witnesses takes place. Preparation is not simply a logistical step; it is a critical safeguard that determines whether documentation will be ethical, safe, and ultimately useful for protection, access to remedies, accountability, or advocacy purposes.

In the context of labour migration, this preparatory phase is particularly important. Migrant workers often experience violations that occur across multiple stages of the migration cycle, from recruitment in the country of origin, to employment in the country of destination, and return. In many cases, their accounts may constitute the primary, and sometimes the only, source of information, with limited or no supporting documentation available. This reality places a heightened responsibility on civil society actors to ensure that information is collected carefully, responsibly, and in a manner that preserves both the well-being of the individual and the integrity and the potential future usability of the information.

At the same time, labour migration-related abuses are not uniform. They may include deceptive recruitment practices, contract substitution, non-payment of wages, excessive working hours, restriction of movement, debt bondage, forced labour, or situations that may amount to trafficking in persons. Each of these contexts presents distinct legal, operational, and ethical challenges. As a result, documentation approaches cannot be fully standardized. Tools, questionnaires, and engagement strategies must be adapted not only to the type of abuse, but also to the legal, cultural, and institutional context in which documentation takes place.

All preparation and planning efforts should be grounded in a migrant-centered and survivor-centered approach, ensuring that the dignity, agency, and best interests of individuals guide all decisions.

This section outlines the key elements that must be considered in order to design and implement documentation activities that are both effective and aligned with the ethical principles set out in the previous module.

3.1 Understanding the Context and Nature of the Case

Thorough preparation begins with a deep understanding of the environment in which documentation will take place. This involves not only identifying the nature of the alleged abuse, but also situating it within the broader labour migration context.



It is essential to recognize that even similar patterns of abuse may require different documentation approaches depending on the context. Differences in legal definitions, institutional capacity, enforcement mechanisms, and cultural dynamics across countries of origin and destination can significantly affect how documentation should be conducted and how information may later be used. These differences may also influence the types of supporting documentation or corroborative materials that are available, required, or considered particularly important in different contexts and proceedings.

3.2 Defining Purpose, Scope, and Methodology

Documentation should never be undertaken without a clearly defined purpose. The intended use of the information, whether for access to services, labour claims, civil litigation, administrative remedies, advocacy, or research purposes, will shape every aspect of the process.

Defining the purpose and scope of documentation is what enables the development of an appropriate and effective methodology, including the type of information to be collected, the tools to be used, and the manner in which engagement with migrant workers is conducted.

Organizations should define:

- The purpose of the documentation (e.g. supporting access to remedy, legal claims, advocacy, or service provision)

- The geographical and temporal scope of the inquiry
- The specific issues or violations to be documented across the migration cycle
- The target population

Preparation should also include clear strategies for managing expectations, ensuring that individuals understand the purpose and limits of documentation and that no guarantees can be made regarding outcomes such as compensation, legal action, or protection.

Such clarity is particularly important in labour migration contexts, where excessive or poorly structured data collection may lead to re-traumatization, inconsistencies, or the collection of information that is not usable in legal or administrative processes. As a general rule, documentation should focus on relevant and necessary information, avoiding unrelated details.

At the same time, this principle must be applied with flexibility. In contexts where specialized actors, such as legal aid providers or institutions capable of conducting detailed case assessments, are available, other service providers should prioritize referrals, ensuring that migrant workers are directed to those best equipped to carry out comprehensive documentation.

However, in many labour migration contexts, such actors may not be immediately accessible. In such situations, service providers should not refrain from documenting altogether. Rather, they should collect a general and structured account of the individual's experience, together with any available supporting documentation and materials. This ensures that critical information is not lost and that opportunities for future access to remedy are preserved.

Balancing these considerations is essential: documentation efforts must minimize harm while ensuring that relevant information is captured and retained.

To support organizations in preparing documentation activities in a structured, ethical, and operationally consistent manner, a sample Documentation Preparation Checklist is provided in Annex 5 of this handbook. The checklist is intended to assist civil society organizations, Migrant Resource Centers (MRCs), and frontline actors in assessing key preparatory considerations before documentation begins, including contextual analysis, ethical safeguards, coordination, risk mitigation, interview preparation, and information management measures. While the checklist includes references to interviews, confidentiality, storage, and data management, these areas are addressed in greater detail in subsequent modules of the handbook. Organizations should adapt the checklist to their operational context, resources, and the specific nature of the documentation activity being undertaken.

During the preparation phase, organizations should also anticipate the need to identify and preserve supporting materials. Migrant workers may possess relevant documents and materials (such as contracts, communication records, payment records, photographs, medical reports, or travel documents) that may later be critical in supporting claims or advocacy. Documentation actors should be prepared to advise individuals on how to safely retain such and, where appropriate, to receive and store copies in line with data protection and basic evidence preservation principles.

Civil society documentation does not replace formal investigation or adjudication. Where and when appropriate, information should be channeled to competent authorities or legal actors in a manner that preserves both its integrity and the safety of those involved. This may occur, for example, when a migrant worker chooses to pursue a legal or administrative claim, when a case is referred to labour inspectorates or law enforcement, or when documentation is required to support access to remedies, assistance mechanisms, or formal complaints, provided that this is done safely, with informed consent, and in accordance with applicable legal obligations.

3.3 Prioritization, Coordination, and Avoidance of Harm

In many labour migration contexts, multiple organizations may be documenting similar patterns of abuse. While this reflects the scale and systemic nature of labour migration-related abuses, it can also create risks for migrant workers if not properly managed.

Repeated or uncoordinated engagement with the same individuals may lead to re-traumatization, inconsistencies in accounts, fatigue, and increased exposure to risks. To mitigate these risks, organizations should adopt a coordinated and strategic approach. This includes mapping existing efforts, identifying gaps, and avoiding duplication.

Effective coordination is particularly important given that different actors, such as legal aid providers, psychosocial services, medical professionals, shelters, and advocacy organizations, often engage with the same individuals at different stages. Without coordination, this can result in fragmented information, repeated questioning and missed opportunities to preserve critical documentation.

Organizations should, where possible:

- Establish referral pathways that clarify roles in documentation;
- Promote the use of harmonized tools and methodologies; and
- Align on minimum standards for data collection and protection.

The use of common approaches not only reduces the burden on migrant workers, but also enhances the consistency and potential usability of the information collected.

Coordination is therefore not only a matter of efficiency, it is a key component of the **“do no harm” principle** and a condition for ensuring that documentation contributes effectively to protection, access to remedy, and accountability. Preparation and oordination efforts should also integrate gender-sensitive a considerations. Women migrant workers, domestic workers, and survivors of gender-based violence or sexual exploitation may face additional risks linked to disclosure, stigma, retaliation, dependency, and unequal power relations.

GOOD PRACTICE: GENDER-SENSITIVE CONSIDERATIONS

- Assessing whether women migrant workers, domestic workers, or survivors of gender-based violence may face heightened risks linked to disclosure, stigma, retaliation, or dependency;
- Identifying whether gender-sensitive interviewers, interpreters, or referral providers may be needed;
- Mapping available referral options for psychosocial, medical, legal, shelter, or protection support, including specialized GBV services where available;
- Considering cultural, religious, or social norms that may affect communication, trust, or willingness to participate in documentation activities; and
- Ensuring that confidentiality, safety, and information management measures adequately address gender-related protection concerns.

3.4 Risk Assessment and Security Planning

Documentation of labour migration-related abuses often takes place in complex and high-risk environments. A thorough and ongoing risk assessment is therefore essential.

Risks may arise from:

- political and institutional factors (e.g. weak enforcement, corruption, involvement of powerful actors);
- social and cultural dynamics (e.g. stigma, discrimination, gender norms);
- individual vulnerabilities (e.g. trauma, dependency, legal status); and
- data and information management risks (e.g. breaches, misuse, unauthorized access)

These risks may affect not only migrant workers, but also staff, interpreters, and others involved.

Risk assessment should directly inform how documentation is conducted, including decisions related to team composition, use of interpreters, logistics, interview approaches, and whether it is appropriate to proceed at all.

Where risks cannot be mitigated to an acceptable level, documentation should not proceed. Alternative approaches, such as limited documentation under safer conditions, postponement or referral, should be considered.

Risk assessment is not a one-time exercise but an ongoing process.

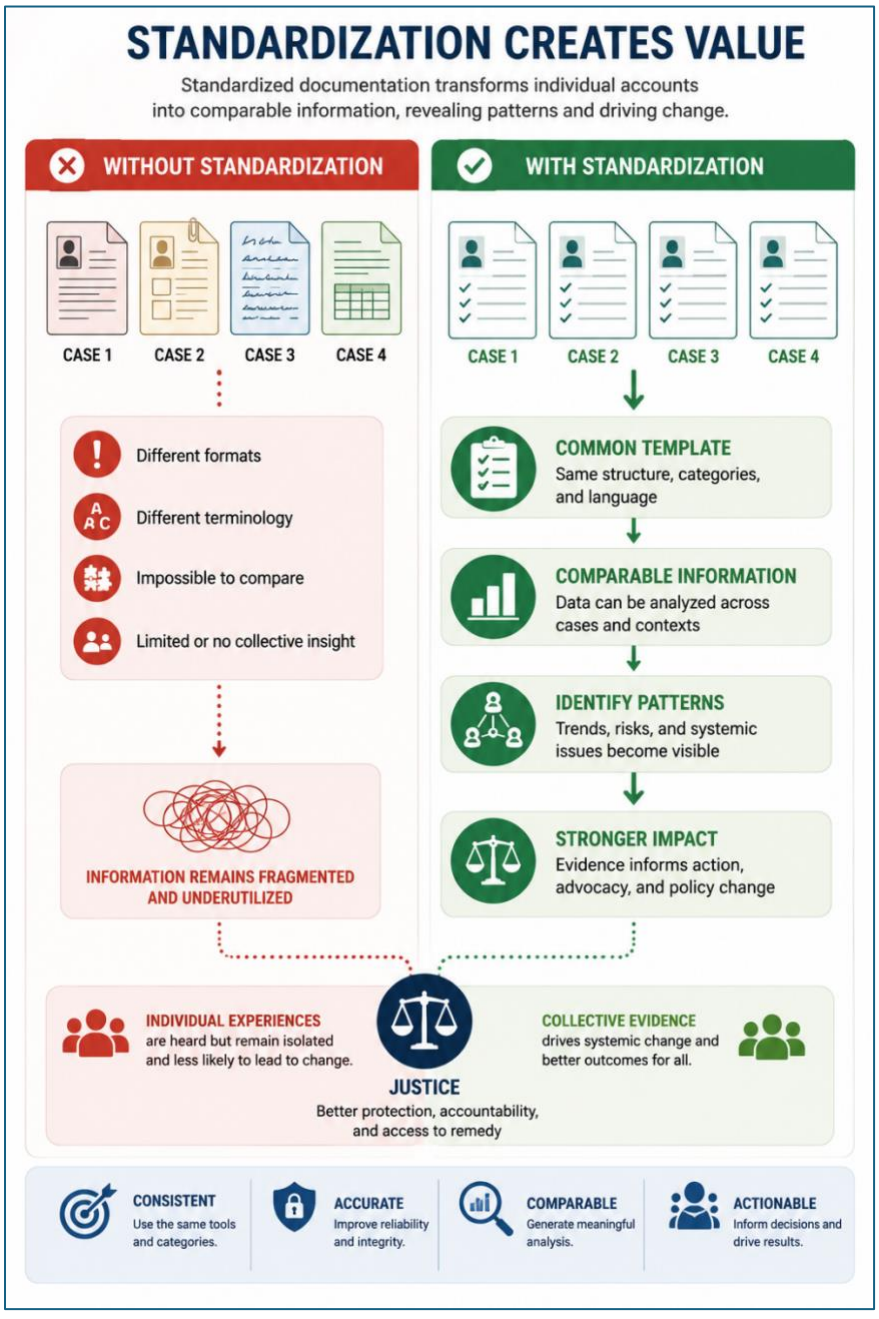
To support the identification and management of these risks, the table below provides an overview of key risk categories, examples in labour migration contexts, and corresponding mitigation measures that can be applied in practice.

Risk Category	Description	Examples in Labour Migration Contexts	Key Considerations / Mitigation Measures
Political and Institutional Risks	Risks arising from governance, enforcement gaps, or involvement of powerful actors	Weak labour law enforcement, corruption, involvement of recruiters or employers with influence, fear of reporting to authorities	Limit visibility of documentation activities; assess risks of engaging authorities; use secure communication channels; collaborate with trusted legal actors; ensure confidentiality; avoid actions that may expose individuals to retaliation
Social and Cultural Risks	Risks linked to stigma, discrimination, and social norms	Stigmatization of returnee migrant workers, gender norms restricting disclosure, family or community pressure, fear of shame or exclusion	Use culturally sensitive approaches; ensure confidentiality; select appropriate interviewers (e.g. gender-sensitive matching); create safe and private spaces; adapt communication to context
Individual Vulnerabilities	Risks affecting the safety, well-being, or capacity of individuals	Trauma, fear, dependency on employer or recruiter, irregular migration status, economic vulnerability	Apply trauma-informed approaches; assess readiness to participate; allow flexibility in timing and pacing; avoid pressure; ensure access to referrals (psychosocial, legal, protection); do not proceed if participation is unsafe
Data and Information Risks	Risks related to handling, storage, and sharing of information	Data breaches, unauthorized access, loss of documents, misuse of personal information	Use secure storage (physical and digital); restrict access to authorized personnel; anonymize or code data where possible; use encrypted communication; implement clear data protection protocols; maintain basic chain of custody records

Finally, to support organizations in systematically identifying, assessing, and mitigating risks before and during documentation activities, a sample Risk Assessment Template is provided in **Annex 4** of this handbook.

3.5 Preparing Documentation Outputs and Information Systems

Preparation must also consider how information will be structured, stored, and used over time. Documentation should not be treated as a series of isolated case records, but as part of a broader and evolving body of information that can support protection, service provision, access to remedy, and systemic change.



To achieve this, organizations should develop standardized documentation outputs, including structured templates, predefined standardized categories, and clear indicators. These may include categories based on the country of origin and/or destination of migrant workers and the type of employment or sector (e.g. domestic work, construction, agriculture).

In parallel, documentation should include clear indicators related to recruitment processes, working and living conditions, types of abuse, actors involved, and the impacts on migrant workers. These indicators should be captured, where possible, across the different stages of the migration cycle, recognizing that abuses may occur at multiple points, including during recruitment, transit, employment, and return. This approach allows for a more comprehensive understanding of how risks and violations evolve over time.

Such indicators may capture, for example, deceptive recruitment practices, contract discrepancies, wage-related violations, excessive working hours, restrictions on movement, confiscation of documents, or other forms of exploitation that may, in certain cases, amount to forced labour or trafficking in persons. Where relevant, organizations may also draw on internationally recognized frameworks, such as the ILO Operational Indicators of Trafficking in Human Beings and the ILO Indicators of Forced Labour[1], which provide practical guidance for identifying patterns of coercion, abuse, deception, and exploitation.

Defining and applying these categories and indicators is essential to ensure that information is recorded in a comparable manner across cases. This allows organizations not only to manage individual cases more effectively, but also to identify patterns across migration corridors, sectors, or recruitment practices, thereby strengthening the potential of documentation to support advocacy, policy engagement, and access to remedies.

The table below provides a practical overview of how indicators of abuse can be captured at each stage of the migration cycle, supporting consistent and comprehensive documentation. The table is illustrative. Indicators should be adapted with the organization's mandate, methodology, and operational environment.

Migration Stage	Key Processes	Examples of Indicators to Capture	Relevant Patterns of Abuse
Recruitment (Country of Origin)	Job offer, contract signing, engagement with recruiters/agents	False promises about wages/conditions, recruitment fees, lack of written contract, contract discrepancies	Deceptive recruitment, debt bondage, abuse of vulnerability

[1] chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_105023.pdf

Migration Stage	Key Processes	Examples of Indicators to Capture	Relevant Patterns of Abuse
Transit	Travel arrangements, border crossing, intermediary handling	Confiscation of documents, restriction of movement, lack of information about destination/employer	Coercion, control, increased dependency on intermediaries
Employment (Country of Destination)	Working and living conditions, relationship with employer	Non-payment or underpayment of wages, excessive working hours, confinement, denial of rest, abuse, threats	Forced labour, exploitation, violence, restriction of freedom of movement
Living Conditions (During Employment)	Accommodation, mobility, communication	Isolation, surveillance, inability to contact family, poor or degrading living conditions	Control mechanisms, psychological pressure, social isolation
Return / Exit	Termination of employment, repatriation, return journey	Withholding of wages, confiscation of belongings, unresolved debts, lack of documentation	Continued economic exploitation, barriers to remedy
Post-Return / Reintegration	Access to services, justice, livelihood	Trauma, financial hardship, lack of access to justice, stigma	Long-term impact, exclusion, barriers to remedies

MODULE 4. Interviewing Migrant Workers and Witnesses and Taking Accounts

4.0 The Role and Importance of Account-Taking in Labour Migration Documentation

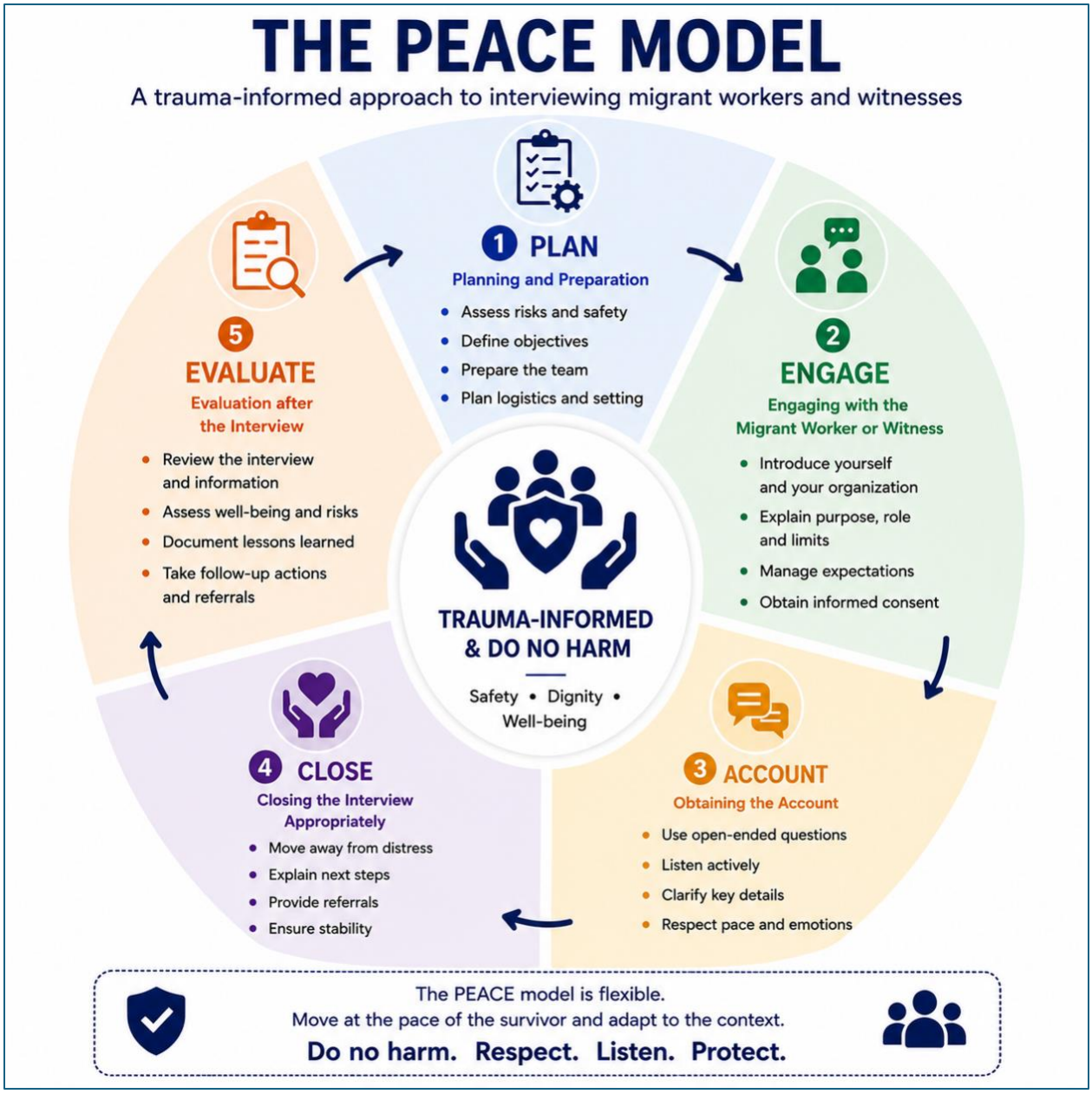
The collection of migrant worker and witness accounts is often the starting point of documentation in cases involving labour migration-related abuses and, in many instances, constitutes the primary source of information available. Labour migration-related abuses frequently occur in hidden, informal, or highly controlled environments where migrant workers may experience isolation, restricted movement, limited access to communication, and reduced access to support systems. As a result, documentary evidence, such as contracts, medical records, official complaints, or employment records, may be incomplete, unavailable, or deliberately withheld, confiscated, or destroyed.

Consequently, the lived experience and recollection of migrant workers often provide the primary evidence of exploitation, including information relating to recruitment, transportation, working and living conditions, coercion, and abuse. Witnesses, including family members, co-workers, and other individuals, may provide important corroborating information, although their knowledge is often partial or indirect. In cases where the migrant worker is deceased, missing, or otherwise unreachable, such accounts may become the principal source of available information.

For these reasons, interviews frequently serve as the entry point for identifying cases, understanding patterns of abuse, locating additional evidence, and facilitating referrals to legal, protection, medical, or psychosocial services. The quality of this initial information can significantly influence subsequent documentation, accountability, and access-to-justice efforts.

At the same time, civil society documentation has a specific role and purpose. In most legal systems, formal witness statements for criminal, labour, or administrative proceedings are taken by authorized investigators, labour inspectors, or judicial authorities. The role of civil society actors is therefore not to replace these processes, but to document and preserve an initial account, identify potential evidence, and support access to protection and remedies. To avoid re-traumatization and preserve the integrity of future proceedings, documentation should generally focus on obtaining a first account that is proportionate to the organization's mandate and the needs of the individual.

The stages outlined below draw on the PEACE model and provide a flexible, trauma-informed framework for planning and conducting interviews with migrant workers and witnesses. The model supports a consistent, safe, and effective approach by identifying the objectives of each stage, the key actions to be taken, and the principal risks that practitioners should consider throughout the interview process.



4.1 Planning and Preparing the Interview

Proper planning and preparation are essential to ensure both the quality of the information obtained and the safety and well-being of the person being interviewed. Interviews should never be improvised, but carefully designed, considering the specific context of the case, the profile of the case, and the objectives of the documentation effort.

Before conducting an interview, organizations should take time to gather relevant background information where available, in order to avoid unnecessary questioning and reduce the burden on

the individual. At the same time, the purpose of the interview should be clearly defined, including the specific information sought, the specific questions to be asked, and how this information will contribute to the broader documentation process.

Preparation should also include anticipating potential risks, sensitivities, and challenges. Individuals may experience distress when recounting their experiences or may face ongoing security risks. Attention should be given to cases involving gender-based violence (GBV), where additional safeguards are required to ensure a gender-sensitive approach. This may include considerations related to the gender of the interviewer, the setting of the interview, and the need to avoid re-traumatization or stigma.

> ⚠ **Special Considerations for Cases Involving Gender-Based Violence (GBV)**
>
> Additional safeguards are required to ensure that documentation is conducted in a manner that is safe, respectful, and responsive to the specific needs of the individual. Survivors of GBV may face heightened risks of stigma, shame, retaliation, and re-traumatization, particularly in labour migration contexts where power imbalances, isolation, and dependency on employers or intermediaries are common.
>
> In such cases, documentation should:
>
> - Ensure, where possible, that the **interviewer is of the same gender** as the individual, if preferred
> - Provide a **safe, private, and confidential setting**, free from interruptions or presence of unauthorized persons
> - Allow the individual to **control the pace and depth of disclosure**, avoiding pressure to recount traumatic experiences
> - Use **sensitive and non-judgmental language**, avoiding blame or assumptions
> - Be attentive to **signs of distress**, and pause or stop the interview if needed
> - Ensure that **specialized referral pathways** (medical, psychosocial, legal) are available and can be activated immediately if required

At this stage, it is also important to plan the structure and sequencing of the interview, ensuring that topics are approached gradually and sensitively, starting from neutral subjects and moving, where appropriate, towards more sensitive issues.

A critical but often overlooked aspect of preparation concerns the early identification and preservation of supporting documentation. Where possible, organizations should seek, prior to the meeting, to identify whether the individual may be in possession of relevant materials, such as contracts, communication records, photographs, medical reports, or travel documents. Individuals

should be informed in advance of the importance of safely retaining such materials and bringing them to the interview. Where such materials are available, organizations should collect copies for documentation purposes, while clearly explaining to the migrant worker the importance of maintaining the original documents in their possession whenever it is safe to do so. This supports the preservation of potentially important evidence, and also helps avoid the need for the individual to return for additional meetings, thereby reducing inconvenience and the likelihood of re-traumatization.



4.2 Engaging with Migrant Workers and Witnesses

The initial engagement with a migrant worker or witness is critical in establishing trust, rapport, and a sense of safety. The quality of this interaction will significantly influence both the well-being of the individual and the reliability of the information obtained.

At the outset of the interaction, those conducting the interview should:

- Introduce themselves, their organization, and their role
- Introduce any other persons present and explain their role
- Clearly explain the purpose of the interview and the broader documentation effort
- Describe how the information will be used, stored, and potentially shared
- Explain the limits of confidentiality, where applicable
- Clarify that participation is voluntary and that the individual may refuse to answer questions or stop the interview at any time
- Obtain informed consent

It is essential to manage expectations carefully, ensuring that the individual understands that no guarantees can be made regarding outcomes, including legal action, compensation, or access to protection measures.

During this phase, interviewers should also:

- Address any concerns or questions raised by the individual
- Begin with neutral and non-sensitive topics to build comfort
- Observe the individual's demeanor and level of comfort
- Assess whether the person appears comfortable and able to proceed with the interview

If signs of significant distress, fear, or vulnerability are observed, the interview should be postponed or discontinued, and appropriate support should be offered.

4.3 Obtaining the Account

The objective of this stage is to obtain a clear, coherent, and reliable account of the events, while minimizing harm and avoiding unnecessary intrusion. This is often the most sensitive phase of the process, as it involves recalling experiences that may be distressing or traumatic.

As a general rule, interviews should begin with a free narrative, allowing the individual to describe events in their own words with minimal interruption. This helps reduce bias and allows the person to recall events in a natural and safe manner. Interviewers should gently guide the account and intervene only when necessary to clarify key points.

To support clarity, interviewers should prioritize:

- Open-ended questions (e.g. "Can you describe what happened?")

- Follow-up or probing questions to clarify specific points
- Limited use of closed questions, only when necessary

The following should be avoided:

- Leading questions, which suggest an answer
- Questions based on assumptions or legal terminology

Question Type	Purpose	Example	Use / Risk
Open-ended	Elicit narrative	"Can you describe what happened?"	Preferred
Probing	Clarify details	"Where were you?"	Use carefully
Closed	Confirm specifics	"Was it daytime?"	Limited use
Leading	Suggest answer	"He hit you, right?"	Avoid

Throughout the process, interviewers should remain calm, respectful, and attentive, adapting to the individual's pace and level of comfort, practicing active listening. Attention should be paid to signs of stress or fatigue, and breaks should be offered regularly.

🎧 **What is Active Listening?**

Active listening is a communication approach in which the interviewer gives full attention to the person speaking, with the aim of understanding their experience accurately and respectfully. It involves not only hearing the words being said, but also paying attention to tone, emotions, and non-verbal cues, while creating a safe space for the individual to share their account.

In practice, active listening means:

- Allowing the person to speak **without interruption**
- Showing attention through **eye contact, body language, and presence**
- Using **neutral verbal encouragement** (e.g. "I understand", "Take your time")
- Avoiding judgment, assumptions, or reactions that may influence the account
- Reflecting or summarizing key points to confirm understanding
- Being attentive to signs of **distress, fatigue, or discomfort**, and adapting accordingly

Active listening helps build trust, improves the quality of the information collected, and reduces the risk of misunderstanding or re-traumatization.

In the context of listening, it is also essential to clearly distinguish between the different types of information provided. Interviewers should support the individual in making these distinctions, which should clearly emerge from the recorded account.

- Direct knowledge (what the person experienced or witnessed)
- Hearsay (what they were told by others)
- Assumptions or beliefs

This distinction is critical to preserve the clarity and reliability of the account. It should also be clearly reflected in the written record, ensuring that each type of information is appropriately identified and not conflated.

The table below provides a practical reference to help interviewers distinguish between these types of information during the interview and when recording the account, ensuring that each is accurately identified and documented.

Type of Information	**Definition**	**Example**	**Use in Documentation**
Direct Knowledge	What the person experienced or witnessed	"I was not paid for three months"	Highest evidentiary value
Hearsay	What the person was told by others	"My co-worker told me she was locked in"	Must be clearly identified
Assumptions / Beliefs	What the person infers or believes	"I think they were working illegally"	Not treated as factual evidence

Particular attention should also be given to supporting documentation. Individuals should, where possible, be encouraged in advance to bring any relevant supporting materials, such as contracts, communication records, photographs, medical reports, or travel documents, so that these can be reviewed and copied during the initial interaction, reducing the need for additional meetings.

Any collection of documentation should be carried out with the informed consent of the individual, clearly explaining that they remain the sole owner of the documents. In addition, interviewers should always ensure that basic identifying and contact information has been collected and verified, including biographical data along with a copy of an identification document. Individuals should be clearly informed that if their contact details change, it is their responsibility to inform the organization in order to remain reachable.

Ultimately, obtaining an account requires collecting only the information necessary while prioritizing the individual's dignity, safety, and well-being..

4.4 Taking Accounts from Family Members and Indirect Witnesses

In some labour migration-related cases, it may not be possible to obtain an account directly from the migrant worker. This may occur where the individual is deceased, missing, unreachable, or otherwise unable to provide testimony. In such situations, civil society actors may collect information from family members, close associates, or other indirect witnesses.

While these accounts can be critical for understanding the circumstances of the case and preserving information, they present specific challenges and must be approached with particular care.

Unlike direct testimony, these accounts may include second-hand information, interpretations or assumptions, and emotionally shaped or reconstructed narratives, particularly in cases involving death or disappearance. It is therefore essential to clearly distinguish between direct knowledge, hearsay, and personal beliefs, and to maintain this distinction throughout the account to preserve clarity, reliability, and future usability. Interviewers should also avoid reinforcing speculation, asking leading questions, or treating indirect accounts as equivalent to direct testimony.

At the same time, accounts from family members and witnesses are often essential for documenting the circumstances leading to migration and possible exploitation, the events preceding disappearance or loss of contact, the impact on the family, and any efforts made to seek assistance or justice. In cases involving deceased migrant workers, such accounts can also be critical for identifying evidence, establishing patterns of abuse, and supporting future legal or advocacy efforts.

As with all documentation activities, the do no harm principle remains paramount. If the process risks exacerbating distress or exposing individuals to harm, the interaction should be postponed, limited, or discontinued.

Finally, documentation of these accounts should clearly reflect their nature, indicating the source of the information and its level of directness, in order to preserve transparency and support future assessment of reliability.

4.5 Closing the Interview

The closing phase of the interview is as important as its beginning. It should be handled with care, ensuring that the individual leaves the interaction in a stable, supported, and informed condition. Abrupt or poorly managed endings may leave individuals distressed or confused and can undermine the trust established during the interview.

The interview should therefore not end suddenly. Instead, interviewers should gradually guide the interaction away from sensitive topics, helping the individual return to a more neutral and present-focused state and explain the next steps.



Where necessary, individuals should be referred to appropriate support services, including medical, psychosocial, or legal assistance. Ensuring that the person leaving the interview feels informed, respected, and supported is a key component of the do no harm principle.

4.6 Evaluation and Documentation of the Account

Following the interview, it is essential to conduct a structured evaluation of the information obtained, ensuring that any immediate concerns are addressed and that the account is clearly understood and preserved. This includes identifying any follow-up actions or leads for further documentation, as well as reflecting on any challenges encountered.

In terms of documentation, the account should be recorded in a clear, structured, and factual manner, avoiding analysis or personal opinions. Any supporting materials The use of standardized interview templates and records can support consistency and help ensure that key information is captured in a clear, organized, and usable manner. It is important, however, to distinguish between interview templates and interview records, as they serve different functions within the documentation process.

Interview templates are internal guidance tools used to structure and guide the interview itself, including the topics to be explored and the types of questions that may be relevant. These tools should be developed and adapted internally by each organization, as they must reflect the organization's mandate, operational context, target population, and the specific forms of abuse or violations it seeks to document.

Interview records, by contrast, are tools used during or after the interview to accurately document and organize the information collected. Their purpose is not to guide questioning, but rather to ensure that the account, key facts, observations, supporting materials, and follow-up needs are recorded in a structured, consistent, and retrievable format. Because these records primarily serve a documentation and information management function, they are generally more standardized in nature and may be adapted across different contexts and organizations.

To support this process, a sample **Interview Record Template** is provided in **Annex 6** of this handbook. Organizations are encouraged to adapt the template to their operational needs, information management systems, and documentation objectives.

MODULE 5. Evidence Collection and Documentation Standards

5.0 The Role of Evidence in Labour Migration Documentation

This module provides practical guidance on the identification, collection, documentation, and preservation of information and materials that may support cases of labour migration-related abuses, including situations that may amount to forced labour or trafficking in persons.

As explained in Module 1, it is important to distinguish between information and evidence. Information becomes evidence only once it has been formally admitted within a legal or administrative process. For practical purposes, this section uses the term "evidence" to refer to information and materials collected by civil society actors, recognizing that such materials may later acquire evidentiary value within legal or administrative processes.

Civil society organizations are often the first point of contact for migrant workers and returnees. While they do not conduct formal investigations, they play a critical role in preserving information that may later support access to justice, administrative remedies, or accountability processes.

For this reason, documentation efforts should be conducted with the understanding that information collected today may be used in future proceedings. This requires applying, from the outset, standards that support preservation, integrity, and traceability, including careful handling and accurate recording.

Even where legal action is not immediately anticipated, applying such standards enhances the credibility and potential future use of information across legal, administrative, and advocacy processes.

Practitioners should be aware that the types of information collected often play a central role in labour migration litigation. As further detailed in the **Legal Roadmap**, such materials may be used to establish key elements of recruitment, employment relationships, and patterns of exploitation, particularly in contexts where formal documentation is limited or unreliable.

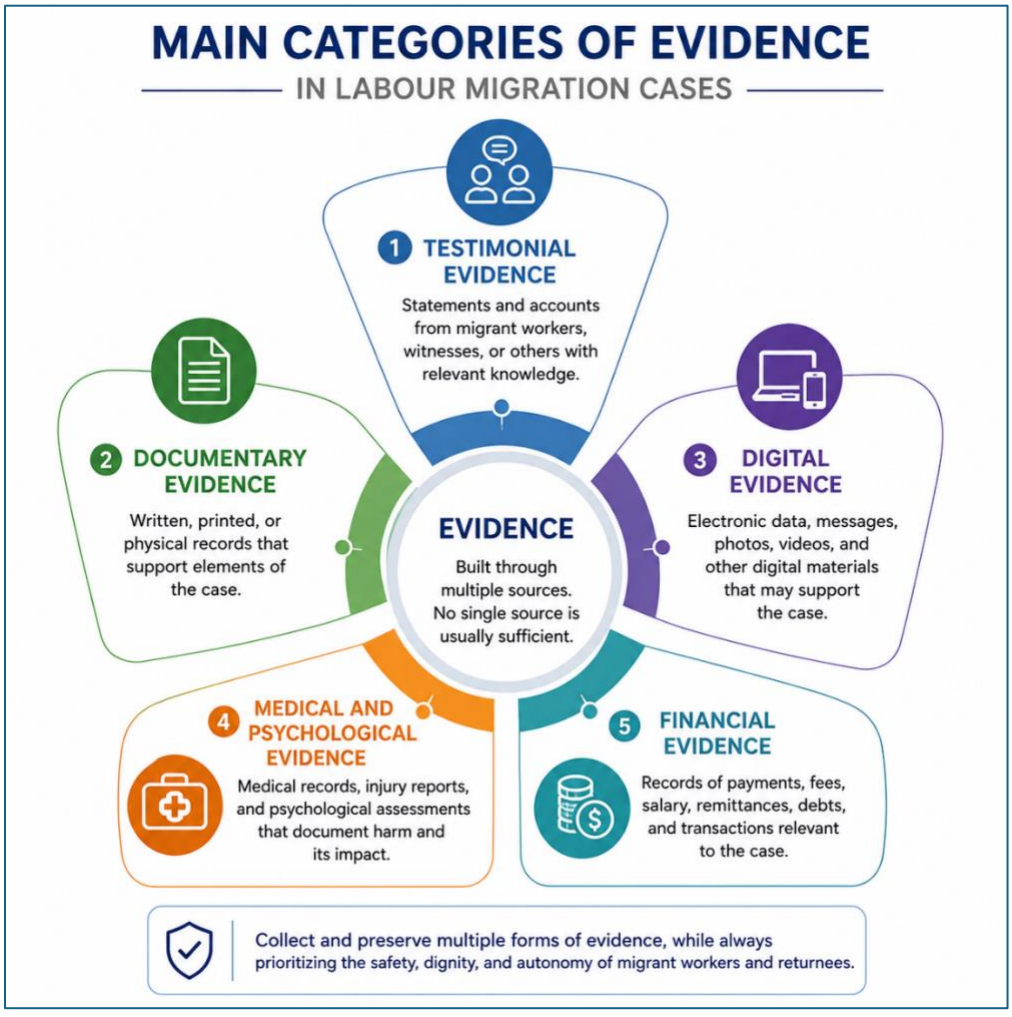
Courts may indeed rely on corroborative and circumstantial evidence and, in certain cases, may adjust the evidentiary burden where there is a clear imbalance of access to information between migrant workers and employers or recruiters. For this reason, early and careful documentation of all relevant materials is essential to support future legal and administrative claims.

To support a structured and coherent approach to documentation, practitioners may use an evidence mapping tool like the one illustrated below to identify how different types of information relate to the key elements of a case.

Key Question	What to Identify
What happened?	Testimonial account (what the person experienced or reported)
What supports this account?	Documents, messages, financial or other records
What additional information may be needed?	Gaps that may require further documentation

5.1 Types of Evidence in Labour Migration Contexts

Cases involving labour migration-related abuses are typically built through the combination of multiple forms of evidence. No single source is usually sufficient. Instead, different types of information are used together to establish patterns of recruitment, working conditions, control, exploitation, and harm.



Each type presents specific opportunities and challenges. Civil society actors should seek, where safe and appropriate, to collect and preserve multiple forms of evidence, while always prioritizing the safety, dignity, and autonomy of migrant workers and returnees.

5.2 Testimonial Evidence

Testimonial evidence consists of statements provided by migrant workers, witnesses, or other individuals with relevant knowledge.

As outlined in Module 4, interviews and account-taking are central to documentation processes, and the principles of informed consent, trauma-sensitive engagement, and avoidance of re-traumatization should guide all testimonial evidence collection. Detailed guidance on how to conduct interviews and record accounts is provided in that section and should be followed when documenting testimony.

In labour migration contexts, testimonial evidence often serves as the foundation for identifying patterns of recruitment, deception, control, and exploitation. However, it is most effective when corroborated by other forms of evidence, particularly documentary, digital, medical, or financial records.

5.3 Documentary Evidence

Documentary evidence includes any written, printed, or physical material that may support elements of a labour migration-related case.

COMMON TYPES OF DOCUMENTARY EVIDENCE

- Identity documents (passports, IDs, visas, residence permits);
- Employment contracts or recruitment agreements;
- Travel records (tickets, immigration documents);
- Medical or psychological reports;
- Financial records (salary, remittances, debt agreements);
- Complaints, affidavits, or case files; and
- Personal records such as diaries or notebooks

In practice, this type of evidence is most likely to be collected by civil society actors directly from migrant workers or their families. Families become critical for reconstructing the case when the migrant worker is abroad, missing, deceased, or otherwise unable to access documentation.

While formal documentation is often incomplete, inconsistent, or unavailable in labour migration contexts, when such records exist, they can be critical in demonstrating recruitment arrangements, contractual terms, working conditions, and patterns of abuse.

The value of documentary evidence depends on its origin, content, reliability, and context. For this reason, it is essential to record, at the time of collection:

- What the document is and what it contains (description);
- Who created the document, if known;
- Whether it is original, copy, scan, or photograph.

As outlined in Module 4 (Interviewing and Taking Accounts), supporting documentation should, where possible, be identified and collected during the interview process with informed consent and without creating unnecessary burden for the individual.

In practical terms, documentary materials should be copied and preserved without alteration, and their handling and traceability should be documented using the Chain of Custody Form provided in Module 2. Further guidance on secure storage, management, and protection of documentation is provided in the following module, which addresses information systems and data management standards.

The table below highlights common mistakes in handling documentary evidence and explains why they should be avoided in practice.

Mistake	Why It Matters
Collecting without informed consent	Creates ethical and protection risks
Altering or annotating originals	Compromises integrity and evidentiary value
Not distinguishing originals vs copies	Weakens reliability of the material
Ignoring partial or informal records	Misses key corroborative evidence
Poor or insecure storage	Risks loss, damage, or unauthorized access

5.4 Digital Evidence (Messages, Photos, Audio)

Digital evidence plays an increasingly important role in labour migration cases, particularly where formal documentation is limited.

Examples include:

- Text messages (SMS, WhatsApp, Telegram, etc.)
- Emails
- Call logs
- Photographs and videos
- Audio recordings
- Social media interactions

In many labour migration cases, digital communications may constitute the primary record of recruitment arrangements, promises made, or working conditions. As highlighted in the Legal Roadmap, such evidence can be critical in establishing elements of misrepresentation, coercion, or contractual discrepancies, particularly where no formal written agreements exist.

When collecting digital evidence:

- Preserve the original format whenever possible
- Avoid editing, cropping, or altering files
- Record metadata where available (e.g. date, time, device information)
- Document how the material was obtained
- Store files securely

Metadata refers to information embedded within a file that describes its origin and characteristics. It may include the date and time of creation, the device used, and modification history. This information can be critical in establishing authenticity and reliability.

Screenshots may be useful, but they should not replace original files where these are available.

Special attention should be given to data security, as digital materials can be easily duplicated, altered, or accessed without authorization.

5.5 Medical and Psychological Evidence

Medical and psychological documentation can also provide critical evidence of harm, including physical injuries, trauma, and long-term psychological impact.

This may include:

- Medical examination reports;
- Hospital records;
- Injury documentation (photographs, descriptions);
- Psychological assessments;
- Therapy or counseling records.

Organizations providing these services should:

- Maintain detailed, dated, and objective records;
- Use clear and professional language;
- Avoid speculation beyond their expertise;
- Document both observed conditions and reported symptoms.

Organizations that do not directly provide medical or psychological services may nonetheless play an important role by identifying whether such documentation exists, requesting access with informed consent, or facilitating referrals to qualified professionals.

Such records can play a crucial role in demonstrating the impact of exploitation, which is often central to legal claims and compensation processes, as further reflected in the Legal Roadmap.

5.6 Financial Evidence and Recruitment Fees

Financial evidence is particularly important in labour migration contexts, as exploitation is often closely linked to economic arrangements.

This includes:

- Recruitment fees paid
- Debt agreements or informal loans
- Salary records or lack of payment
- Money transfer receipts (e.g. remittances)
- Bank statements or mobile money records

When documenting financial evidence:

- Collect copies or photographs of records where available
- Identify patterns of wage withholding or deductions

Financial records, including mobile money transactions and informal payment records, may play a decisive role in demonstrating recruitment-related exploitation, debt bondage, or unlawful deductions. As noted in the Legal Roadmap, such evidence can be critical in establishing patterns of economic exploitation and supporting claims for recovery or compensation.

The table below illustrates how different types of evidence combined can corroborate a labour migration case:

Type of Evidence	**Example**	**What It Shows**
Testimonial	“I was not paid for three months”	Primary account of abuse
Documentary	Employment contract	Agreed salary and conditions
Digital	Messages requesting payment	Attempts to resolve non-payment
Financial	No salary transfers recorded	Confirms non-payment

5.7 Chain of Custody and Evidence Preservation

For information and materials to retain their credibility and potential evidentiary value, their handling must be traceable over time.

Maintaining a chain of custody ensures that materials remain traceable over time and that their handling, storage, and transfer can be documented where necessary.

Rather than repeating the full methodology, practitioners should ensure that:

- Collection is documented
- Handling and transfers are recorded
- Storage is secure and access restricted

A **Chain of Custody Form** is provided in Module 2 and should be used consistently to ensure traceability and preserve the integrity of materials. This particularly important in light of potential future legal use, as outlined in the Legal Roadmap, where the reliability and origin of evidence may be subject to scrutiny in judicial or administrative proceedings.

Maintaining this level of traceability not only supports future accountability processes but also reinforces responsible data management and organizational credibility.

MODULE 6. Information Management, Storage, and Preservation

6.0 The Importance of Information Management and Preservation

This section provides practical guidance on how to manage, store, and preserve information collected in the documentation of labour migration-related abuses, including situations that may amount to forced labour or trafficking in persons.

While previous modules have focused on the collection of information, this one addresses the subsequent phase: how information is organized, protected, and maintained over time so that it remains usable, reliable, and accessible.

Due to the technical nature and operational importance of information management, this section provides an overview of key principles and practices. In practice, the design and implementation of robust information management systems require dedicated training, as well as context-specific adaptation based on the size, capacity, and risk profile of each organization.

At the same time, the guidance provided here sets out essential and practical elements of information management, storage, and preservation that can already be applied in a proportionate and context-appropriate manner, significantly strengthening the consistency, security, and long-term usability of the information collected, therefore supporting its potential future use in legal, administrative, or advocacy processes.

In contexts of labour migration, information is often fragmented, collected progressively, and obtained from multiple sources, including migrant workers, returnees, and their families. It may consist of partial documentation, testimonies, digital communications, and records gathered across different locations and over extended periods of time. In such contexts, the way information is handled from the moment it is received plays a critical role in determining its credibility, its potential evidentiary value, and its potential future use in supporting access to justice.

For this reason, information management should be understood not as a one-time administrative task, but as a continuous and deliberate process. It begins at the point of collection, as outlined in Module 3 and 4, and continues throughout the entire lifecycle of the information, including its organization, storage, access, transfer, and eventual use.

6.1 Establishing Basic Information Management Systems

Every organization engaged in documentation should establish internal systems to manage the information it collects. These systems do not need to be complex or technology-based from the outset. What is essential is that they are clear, consistent, and adapted to the organization's operational context.

At a minimum, information management systems should ensure that information is:

- recorded in a consistent manner;
- organized in a structured and logical way;
- traceable over time; and
- protected from loss, damage, or unauthorized access.

In practice, this is typically achieved through a combination of standardized tools and internal procedures. As outlined in Module 3, the use of structured templates, such as interview records and case documentation forms, provides the foundation for consistency. Each completed template becomes a record, and information management systems are built by organizing, linking, and maintaining these records over time.

It is important to recognize that the effectiveness of any system depends less on its level of sophistication and more on its consistent application. Simple systems that are used regularly and correctly are often more effective than complex systems that cannot be maintained.



6.2 Standard Operating Procedures (SOPs)

To support consistency and accountability, organizations should establish internal procedures, commonly referred to as Standard Operating Procedures (SOPs), to guide how information is handled.

Standard Operating Procedures (SOPs) are **formal, written instructions** that describe how specific tasks and processes should be carried out within an organization.

SOPs provide a clear framework for how information is:

- collected and recorded;
- stored and accessed;
- shared internally and externally.

They also clarify roles and responsibilities, ensuring that staff members understand who is authorized to collect, access, or manage different types of information.

In the context of documentation, SOPs reduce reliance on individual judgment and ensure that information is handled according to agreed standards. This is essential where information may later be used to support legal, administrative, or accountability processes.

SOPs do not need to be overly complex. However, they should be written, accessible, and consistently applied across the organization.

A sample SOP template is provided in **Annex 7** as a general reference tool. Organizations should adapt it to their mandate, operational context, capacities, and information management needs.

6.3 Organizing and Cataloguing Information

As documentation efforts develop, organizations must ensure that information can be easily retrieved, understood, and used. Without a clear system of organization, even valuable information may become difficult to locate or interpret.

In labour migration contexts, it is often most practical to organize information around individual cases or migrant workers. This reflects the reality that documentation is typically case-based and allows information from different sources to be brought together in a coherent manner.

A basic system of cataloguing may include:

- assigning a unique identifier to each case;
- grouping all related materials under that identifier;
- naming documents in a consistent and descriptive manner.

Unique identifiers replace names, serve as the primary reference point across the system, and they can be a combination of numbers or letters and numbers, designed to be **non-identifying to external actors but internally meaningful**. When structured carefully, the code can reflect key

elements of the case (e.g. case type, location, or year), allowing for **easy retrieval and organization** while still protecting the identity of those involved.

For example, a case may be assigned a code such as LM-KE-001, which is then used to label all related materials, including documents, interview records, and digital files. Where necessary, sub-identifiers may be used to distinguish between different types of materials.

This approach allows organizations to:

- link information across different sources;
- protect the identity of individuals;
- avoid duplication or confusion.

Where both physical and digital systems are used, it is advisable to ensure that they mirror each other as closely as possible, so that information can be easily cross-referenced.

It is also important to recognize that information may be incomplete. In such cases, gaps should not be overlooked, but clearly identified and recorded, as they may become relevant at a later stage.

6.4 Storage of Information

Once information has been collected and organized, it must be stored in a manner that ensures both its protection and its accessibility. These two objectives must be carefully balanced.

6.4.1 Physical Storage

Physical documents, such as copies of contracts, identity documents, or medical records, should be stored in secure and controlled environments. This includes:

- using lockable cabinets or storage units;
- protecting materials from environmental risks such as fire, water, or humidity;
- organizing documents in a consistent and logical manner;
- keeping related materials together as part of a single case file.

Physical security should be considered in light of the broader context, including potential risks of unauthorized access.

6.4.2 Digital Storage

Digital storage systems can significantly enhance the organization, accessibility, and preservation of information. However, they also introduce risks related to unauthorized access, data breaches, and technical failure.

Basic good practices include:

- storing sensitive information on protected or encrypted devices;
- organizing files in structured folders aligned with the cataloguing system;

- restricting access to authorized individuals;
- performing regular backups, including where appropriate through secure cloud-based systems, to reduce the risk of data loss**.**

Cloud storage can play a particularly valuable role, especially in ensuring that information is **consistently backed up and retrievable**. Unlike local storage on individual computers, which can be lost, damaged, stolen, or become inaccessible, cloud-based systems allow information to be securely stored in a centralized environment and accessed when needed by authorized users. This is particularly useful because user access can be centrally managed, activated, deactivated, or limited as needed, allowing organizations to respond effectively to staff turnover and to securely share specific information with external users without granting full access to the system.

Access to sensitive information should be indeed carefully managed to ensure that information is only available to individuals who require it for their role or responsibilities, thereby reducing risks of unauthorized access, misuse, or accidental disclosure.

The table below provides a simple example of how organizations may structure different levels of access to information based on roles, responsibilities, and the sensitivity of the information involved.

Level of Access	**Who**	**Type of Information**
Full access	Senior staff / case managers	Complete case files
Limited access	Field staff	Only relevant case information
Restricted access	External actors	Only shared information (with consent/legal basis)

6.5 Managing Information for Use: Overview Systems.

Information that is collected and stored must also be usable. This requires systems that allow organizations to understand what information exists, what is missing, and what actions may be required. These are called overview systems.

In practice, organizations can use simple tools, such as structured spreadsheets or tracking systems, to:

- monitor the status of cases;
- track available documentation;
- identify gaps or follow-up needs.

It is useful to distinguish between:

- the **repository**, where documents and materials are stored; and
- the **overview system**, which provides an organized overview of available information.

Maintaining this distinction helps ensure that sensitive information is protected while still allowing for effective oversight and management.

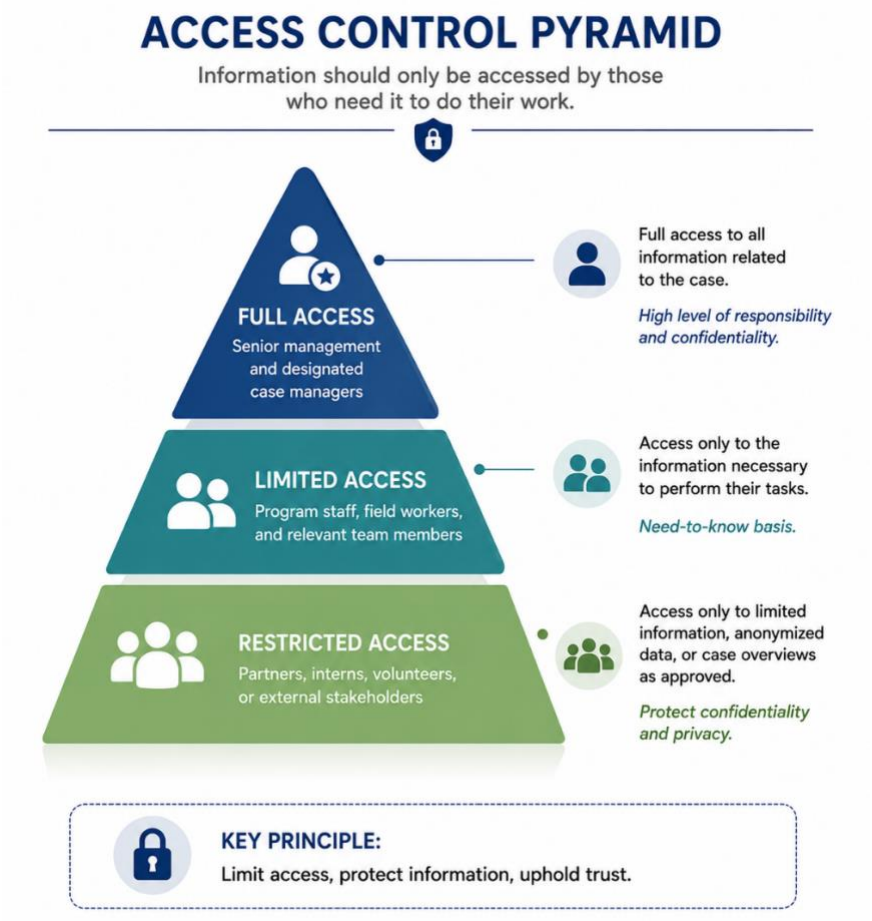
More advanced systems may integrate these functions, but simpler solutions are often more appropriate and sustainable, particularly for organizations operating with limited resources.

6.6 Protecting Information and Reducing Risks

Information collected in labour migration contexts is often sensitive and may expose individuals to harm if it is not handled properly. For this reason, organizations should ensure that:

- access to information is restricted to authorized individuals;
- identifying details are protected where necessary;
- information is not shared without appropriate consent or legal basis.

As outlined in Module 2, maintaining the traceability and integrity of information is essential to support its potential future use. At the same time, protecting sensitive information requires ensuring that access is limited to those who need it for their specific roles and responsibilities.



Conclusion

Documentation is often the first step on the pathway to justice for migrant workers who have experienced abuse, exploitation, forced labour, trafficking in persons, or other labour migration-related human rights violations. In many cases, it is also the only opportunity to preserve information that may otherwise be lost. The quality, integrity, and safety of documentation efforts can therefore significantly influence whether individuals are able to access protection, remedies, and accountability.

This handbook has sought to provide practical guidance to support civil society organizations, Migrant Resource Centres, frontline actors, survivor-led organizations, and other practitioners engaged in documenting labour migration-related abuses. Throughout the different modules, it has emphasized that effective documentation is not simply a technical exercise of collecting information. Rather, it is a structured, ethical, and purposeful process that requires careful preparation, informed judgment, and a commitment to protecting the rights, dignity, and well-being of those involved.

At its core, documentation serves multiple and interconnected purposes. It can help identify individuals in need of immediate protection and support, preserve information for future legal or administrative processes, facilitate referrals to services, strengthen access to remedies, and contribute to broader efforts to promote accountability and reform. While individual cases may initially appear isolated, systematic documentation can reveal patterns of abuse, identify recurring actors and practices, and generate evidence capable of supporting strategic advocacy, policy change, and structural interventions.

At the same time, this handbook recognizes the realities within which many organizations operate. Documentation frequently takes place in contexts characterized by limited resources, fragmented information, cross-border challenges, and ongoing risks to migrant workers, survivors, and practitioners themselves. For this reason, the objective is not to promote overly complex or unrealistic systems, but rather to encourage approaches that are proportionate, practical, consistent, and capable of being sustained over time. In many situations, simple systems that are applied carefully and consistently can provide meaningful support to access to justice and accountability efforts.

The handbook also recognizes that documentation is rarely undertaken by a single actor. Effective responses to labour migration-related abuses require collaboration among civil society organizations, legal practitioners, trade unions, survivor leaders, Migrant Resource Centres, government institutions, researchers, and other stakeholders. Documentation should therefore be understood not only as an organizational function, but also as a collective effort to strengthen protection systems, improve access to remedies, and advance the rights of migrant workers.

Ultimately, documentation is about more than preserving records. It is about preserving experiences, protecting rights, and creating pathways to justice. When conducted ethically, safely,

and consistently, documentation can help transform individual experiences of abuse into credible evidence for accountability, support migrant workers in asserting their rights, and contribute to broader efforts to promote fair recruitment, decent work, and access to justice throughout the migration cycle.

The journey from evidence to remedy is often complex and uncertain. However, every carefully documented account, every preserved record, and every protected piece of information represents an important step toward recognition, accountability, and justice.

ANNEX 1: CONSENT FORM

Organization: _____

Address: _____

Contact: _____

I, (Name / or mark), of ID Number (if available): _____,

confirm that I have been informed about the purpose of sharing my information, which is:

_____

_____

My information may be used for:

☐ Documentation ☐ Services ☐ Referrals ☐ Legal/Admin processes

☐ Other: _____

I understand that:

- I am sharing this information voluntarily
- I can stop at any time or refuse questions
- Services are not dependent on what I share

Confidentiality:

My information will be kept confidential and secure. It may be shared only with my consent, or if required by law or in case of serious risk.

Sharing with:

☐ Legal ☐ Medical/Psychosocial ☐ Partners ☐ Authorities (if required)

☐ Other: _____

Consent:

☐ I agree ☐ I do not agree

Signature / Mark: _____

Date: _____
Staff Name:_____
Signature: _____
Date _____/_____/_____

ANNEX 2: IMMEDIATE NEEDS ASSESSMENT

Important Guidance
This form is intended for initial needs identification, not full documentation or evidence collection.
Always prioritize safety, dignity, and well-being over documentation.
This form helps determine support needs, not to establish legal responsibility

FORM

A. Basic Information (Minimal & Optional)

Case ID / Reference Number: _____

Date of Assessment: _____

Location: _____

Name (optional or coded): _____

Age: _____

Gender: ☐ Female ☐ Male ☐ Other ☐ Prefer not to say _____

Nationality: _____

B. Safety and Urgency Screening

Is the person currently in immediate danger? ☐ Yes ☐ No ☐ Not sure _____

If yes, specify: _____

Is urgent medical attention needed? ☐ Yes ☐ No ☐ Not sure _____

Is the person safe to speak now? ☐ Yes ☐ No _____

C. Immediate Needs Assessment

Health Needs: ☐ Injuries ☐ Chronic illness ☐ Sexual/reproductive ☐ Other:

_____

Psychosocial Needs: ☐ Distress ☐ Anxiety ☐ Counseling ☐ Other: _____

Protection Needs: ☐ Threats ☐ No shelter ☐ Risk of re-exploitation ☐ Other:

_____

Legal Needs: ☐ Unpaid wages ☐ Contract issues ☐ Legal advice ☐ Other: _____

Basic Needs: ☐ Food ☐ Shelter ☐ Clothing ☐ Financial ☐ Transport ☐ Other: _____

D. Existing Support

Is the person receiving assistance? ☐ Yes ☐ No ☐ Not sure _____

If yes, specify: _____

E. Barriers to Access

☐ Financial ☐ Fear of authorities ☐ Lack of info ☐ Distance ☐ Language ☐ Stigma ☐ Legal status ☐ Other: _____

F. Referral Actions (with consent)

Medical ☐ Yes ☐ No _____

Psychosocial ☐ Yes ☐ No _____

Legal ☐ Yes ☐ No _____

Shelter ☐ Yes ☐ No _____

Other ☐ Yes ☐ No _____

G. Consent for Referrals

☐ Informed of services _____

☐ Agrees to referrals _____

☐ Declines referrals _____

Notes: _____

H. Follow-Up

☐ Follow-up required ☐ No follow-up _____

ANNEX 3: CHAIN OF CUSTODY FORM

Important Guidance

Record all actions as they occur. Limit access to authorized personnel. Ensure secure storage and always maintain traceability.

This form supports integrity and accountability of documentation.

A. Item Identification

Case ID / Reference Number: _____

Item Description: _____

Type of Material (Document/Photo/Audio/Video/Other): _____

B. Collection Details

Collected By: _____

Date of Collection: _____

Location of Collection: _____

C. Storage

Initial Storage Location: _____

Storage Method (locked cabinet, encrypted device, etc.): _____

Date Stored: _____

D. Access Record

Date: _____

Name / Role: _____

Action (viewed/copied/transferred): _____

Purpose: _____

E. Transfer Details

Transferred To: _____

Date of Transfer: _____

Method of Transfer: _____

Purpose of Transfer: _____

Consent Obtained (Yes/No): _____

F. Final Status

Current Location: _____

Retention Period: _____

Disposal Method: _____

Date of Disposal: _____

ANNEX 4: RISKS ASSESMENT TEMPLATE

Purpose

This template supports civil society organizations, Migrant Resource Centers (MRCs), and frontline actors in identifying, assessing, and mitigating risks before and during documentation activities related to labour migration, exploitation, forced labour, trafficking in persons, and related human rights violations.

SECTION 1. BASIC INFORMATION

- Case / Activity Reference Number:_____
- Organization: _____
- Person Completing Assessment: _____
- Date of Assessment: _____
- Type of Documentation Activity: _____
- Type of Alleged Abuse: _____
- Countries Involved: _____
- Planned Date(s) of Documentation:_____
- Planned Location(s) of Documentation: _____

SECTION 2. PURPOSE OF THE DOCUMENTATION

Describe:

- Why the documentation is being conducted:

_____

_____

- Intended use of the information: _____
- Whether referrals, legal claims, advocacy, research, or service provision are anticipated:

_____

_____

SECTION 3. IDENTIFICATION OF RISKS (Y/N; specific notes can be added to justify the answer)

A. Risks to the Individual(s)

- Retaliation by employer/recruiter: _____
- Physical harm or threats: _____
- Re-traumatization or emotional distress: _____
- Stigma or community rejection: _____
- Immigration or legal consequences: _____
- Loss of employment or income: _____
- Family-related risks: _____
- Digital surveillance or monitoring: _____

B. Risks to Staff / Organization

- Security threats: _____
- Harassment or intimidation: _____
- Legal or regulatory risks: _____
- Data breach risks: _____
- Reputational risks: _____
- Secondary trauma / burnout: _____

C. Contextual Risks

- Corruption or interference by authorities: _____
- Weak rule of law: _____
- Community tensions: _____
- Political instability: _____
- Insecurity: _____
- Cultural barriers affecting disclosure: _____

SECTION 4. MITIGATION MEASURES

(Check the ones put in place to mitigate risks identified)

Examples:

- Safe interview locations

- Coded identifiers
- Limited access to sensitive information
- Secure communication channels
- Psychosocial referrals
- Postponement or limited documentation activities

SECTION 5. REFERRALS AND SUPPORT NEEDS

- Medical assistance
- Psychosocial support
- Legal assistance
- Shelter / protection
- Emergency support

SECTION 6. DECISION ON DOCUMENTATION ACTIVITY

- Proceed with documentation
- Proceed with modifications / safeguards
- Postpone documentation
- Refer to another actor
- Do not proceed

SECTION 7. REVIEW AND FOLLOW-UP

- Date for reassessment: ___/___/_____
- Additional measures required: _____
- Person responsible for follow-up: _____

ANNEX 5: DOCUMENTATION PREPARATION

Important guidance

This checklist is intended to support civil society organizations, Migrant Resource Centers (MRCs), and frontline actors in preparing and assessing the impact of documentation activities related to labour migration, labour exploitation, forced labour, trafficking in persons, and related human rights violations.

Documentation should only proceed where organizations are satisfied that the process is necessary, proportionate, safe, and aligned with the dignity, agency, and protection needs of the individuals involved. The checklist is intended to support preparedness a rather than function as a rigid compliance tool. While organizations should aim to ensure that most items can be answered "Yes" before documentation proceeds, some limitations may exist depending on the operational context, available resources, urgency of the situation, or access constraints.

CHECKLIST

SECTION 1. CONTEXT AND CASE UNDERSTANDING

Item	Yes	No	Notes
The nature of the alleged abuse has been identified	☐	☐	
The migration stage(s) involved have been identified	☐	☐	
Relevant actors have been mapped	☐	☐	
Relevant legal and policy frameworks have been considered	☐	☐	
Potential vulnerabilities have been assessed	☐	☐	
Cultural, gender, language, or religious considerations have been identified	☐	☐	

SECTION 2. PURPOSE AND SCOPE OF DOCUMENTATION

Item	Yes	No	Notes
The purpose of documentation has been clearly defined	☐	☐	
The intended use of the information has been considered	☐	☐	
The target population has been identified	☐	☐	
The scope of the documentation activity has been defined	☐	☐	
Relevant indicators or categories of abuse have been identified	☐	☐	

SECTION 3. ETHICAL AND SAFETY CONSIDERATIONS

Item	Yes	No	Notes
A risk assessment has been conducted	☐	☐	
Appropriate mitigation measures are in place	☐	☐	
Informed consent procedures are prepared	☐	☐	
Confidentiality measures are in place	☐	☐	
Safe interview locations have been identified	☐	☐	
Referral options are available	☐	☐	

SECTION 4. INTERVIEW AND COMMUNICATION PREPARATION

Item	Yes	No	Notes
Appropriate interviewers have been identified	☐	☐	
Interpretation or translation needs have been assessed	☐	☐	
Interview tools or questionnaires have been prepared	☐	☐	
Communication methods are safe and appropriate	☐	☐	
Procedures for managing distress are in place	☐	☐	

SECTION 5. DOCUMENTATION AND INFORMATION MANAGEMENT

Item	Yes	No	Notes
Case numbering system is in place	☐	☐	
Documentation templates and forms are prepared	☐	☐	
Secure physical and digital storage is available	☐	☐	
Access to information is restricted	☐	☐	
Backup procedures are in place	☐	☐	
Chain of custody procedures are in place where relevant	☐	☐	

SECTION 6. COORDINATION AND REFERRALS

Item	Yes	No	Notes
Relevant partner organizations have been identified	☐	☐	
Referral pathways are functional	☐	☐	
Roles and responsibilities are clear	☐	☐	
Duplication of interviews has been minimized	☐	☐	

SECTION 7. FINAL REVIEW BEFORE DOCUMENTATION

Item	Yes	No	Notes
Documentation activity remains necessary and proportionate	☐	☐	
Risks remain manageable	☐	☐	
The individual is able and willing to participate safely	☐	☐	
Ethical and security safeguards are in place	☐	☐	
Documentation can proceed safely	☐	☐	

ANNEX6: INTERVIEW RECORD TEMPLATE

Important Guidance

This template is intended to support the structured recording and organization of information collected during or after an interview. Unlike interview templates, which are internal guidance tools used to plan and structure questioning, interview records are used to accurately document the account provided, key observations, supporting materials identified, and any follow-up actions required.

Because interview templates must be closely tailored to the specific mandate, operational context, target population, and types of violations documented by each organization, they are too context-specific to be provided as standardized tools within this toolkit. Organizations are therefore encouraged to develop their own interview templates internally and adapt this Interview Record Template to their operational needs, documentation objectives, and information management systems.

1. Case & Interview Details

Case ID:_____
Date: ____/_____/_____
Location: _____
Interviewer(s):_____
Interpreter (if applicable): _____

2. Account Summary (key elements of the account):

_____
_____
_____
_____
_____
_____
_____

3. Type of Information

[ ] Direct [ ] Hearsay [ ] Assumptions
Notes:_____
_____

4. Supporting Documentation

Type of Document	Copy Collected	Notes
Contract	☐ Yes ☐ No	
Communications	☐ Yes ☐ No	
Medical Records	☐ Yes ☐ No	
ID Documents	☐ Yes ☐ No	
Other	☐ Yes ☐ No	

5. Follow-Up

Info needed: _____

Leads: _____

Next steps: _____

ANNEX 7: STANDARD OPERATING PROCEDURES (SOP) TEMPLATE

Important Guidance
This template provides only a basic structure for developing Standard Operating Procedures (SOPs) for managing information collected in the documentation of labour migration-related abuses.

1. Purpose

This SOP sets out procedures for collection, recording, storage, access, and use of information. Its purpose is to ensure that all information is handled in a **consistent, secure, and traceable manner**, in line with the organization's mandate and applicable legal and ethical standards.

2. Scope

This SOP applies to:

- All staff, consultants, and volunteers
- All types of information collected, including:
    - interview records
    - supporting documentation
    - digital evidence
    - case-related communications

3. Guiding Principles

- Do no harm
- Informed consent
- Confidentiality and data protection
- Accuracy and traceability (including Chain of Custody)

4. Roles and Responsibilities

Case workers collect; documentation officer organizes; management oversees.

Role	Responsibilities
Case Worker / Field Staff	Collect and record information accurately

Role	Responsibilities
Documentation Officer	Review, organize, and store information
Data Manager (if applicable)	Maintain systems and access controls
Management	Approve access and oversee compliance

5. Collection and Recording

Information must be recorded using **standardized templates** (e.g. interview records, needs assessments)

All records must include:

- date and location
- person collecting the information

Supporting documentation should be:

- collected with informed consent
- copied where appropriate
- recorded and described

6. Organization

Each case must be assigned a **unique identifier**

All related materials must be grouped under this identifier

Documents should be named consistently (e.g. CaseID_DocumentType_Date)

Physical and digital systems should mirror each other where possible

7. Storage

Physical Storage

Store documents in secure, lockable cabinets

Protect from environmental risks

Keep related documents together

Digital Storage

Store files in structured folders linked to case IDs

Use password-protected and, where possible, encrypted devices

Perform regular backups on a cloud based system

8. Access

Access to information must be **restricted based on role**. Sensitive information must not be shared without:

- informed consent, or
- a valid legal basis

Identifying information should be **protected or anonymized where appropriate**

9. Transfer

All transfers of documents must be **recorded** in a Chain of Custody Form. Sharing with external actors must be:

- authorized
- documented
- limited to what is necessary

10. Retention

Retention periods for documentation collected should be defined based on:

- legal requirements
- operational needs

When no longer needed, information should be:

- securely deleted (digital)
- securely destroyed (physical, shredder is the most secure way)

11. Risk Management

Assess risks regularly and adapt procedures accordingly.

12. Review

Review periodically these SOPs and update them.