

PROMOTING GENDER EQUALITY AND COMBATING
GENDER-BASED VIOLENCE AND STEREOTYPES AS MEANS
OF COMBATING TRAFFICKING IN HUMAN BEINGS

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OF COMBATING TRAFFICKING IN HUMAN BEINGS

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Promoting gender equality and combating gender-based violence and stereotypes as means of combating trafficking in human beings

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Glossary

<p>Council of Europe Convention on Action against Trafficking in Human Beings</p>	<p>The Convention on Action against Trafficking in Human Beings, entered into force on 1 February 2008. It aims to prevent trafficking in human beings, protect victims of trafficking, prosecute traffickers, and promote co-ordination of national actions and international co-operation. The Convention recognises that trafficking in human being is a heavily gendered phenomenon, and it contains several strong references to gender equality and gender mainstreaming - in Article 1, Article 5, Article 6, Chapter III Measures to protect and promote the rights of victims, guaranteeing gender equality and in particular Article 17.</p>
<p>Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)</p>	<p>The Istanbul Convention, entered into force on 1 August 2014. The Convention provides a comprehensive legal framework to prevent violence against women and domestic violence, to protect victims and to end with the impunity of perpetrators. It is firmly based on the premise that violence against women cannot be eradicated without investing in gender equality and that in turn, only real or substantive gender equality and a change in attitudes can truly prevent such violence. The Istanbul Convention includes specific provisions that aim at advancing gender equality and the status of women in society in law and in reality. These legally binding obligations (Article 4§2; Article 6; Article 12§1; Article 14) are expected to give new impetus to the pursuit of equality between women and men at the national level, and to further the overall aim of non-discrimination against women as required by the UN Convention on the Elimination of all forms of Discrimination against Women (CEDAW).</p>
<p>Compounded stereotypes</p>	<p>Generalised view or preconception about groups that results from the ascription of attributes, characteristics or roles based on one or more grounds.</p>
<p>Empowerment of women</p>	<p>The Explanatory Memorandum to the Istanbul Convention elaborates that all measures related to the protection and support of victims [of violence] should aim at the empowerment and economic independence of women victims of such violence. This means ensuring that victims or service users are familiar with their rights and entitlements and can take decisions in a supportive environment that treats them with dignity, respect, and sensitivity. At the same time, services need to instil in victims a sense of control of their lives, which in many cases includes working towards financial security, in particular economic independence from the perpetrator.</p>
<p>Feminisation of migration</p>	<p>The increase of women in migration has led to certain gender-specific vulnerable forms of exploitation, including the commercialisation of domestic workers and caregivers, the trafficking of women for sexual exploitation, and the organised migration of women for marriage.</p>
<p>Gender</p>	<p>According to Article 3.C of the Istanbul Convention, gender shall mean the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men.</p>
<p>Gender analysis</p>	<p>The study of differences in the conditions, needs, participation rates, access to resources and development, control of assets, decision-making powers, etc. between women and men on their assigned gender roles. One of the goals of gender analysis is to make often neglected gender differences visible and to create preconditions for policy makers to understand gender inequalities in a given situation or sector, as it not only describes the current state of gender differences but also explores their causes and consequences.</p>

Gender-based violence	According to Article 3.D of the Istanbul Convention, gender-based violence against women shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately.
Gender blindness	Ignoring/failing to address the gender dimension (as opposed to gender sensitive). Failing to recognise that the roles and responsibilities of women/girls and men/boys are ascribed to, or imposed upon them in specific social, cultural, economic and political contexts.
Gender evaluation	Evaluation applied as a method of gender mainstreaming that integrates gender equality concerns into the evaluation objectives, evaluation methodology, approaches and use.
Gender equality	According to the Council of Europe Gender Equality Strategy 2018-2023 , gender equality entails equal rights for women and men, girls and boys, as well as the same visibility, empowerment, responsibility and participation, in all spheres of public and private life. It also implies equal access to and distribution of resources between women and men.
Gender impact assessment	A policy tool for the screening of a given policy proposal, in order to detect and assess its differential impact or effects on women and men, so that these imbalances can be redressed before the proposal is endorsed. An analysis from a gender perspective helps to see whether the needs of women and men are equally taken into account and served by this proposal. It enables policy-makers to develop policies with an understanding of the socio-economic reality of women and men and allows for policies to take (gender) differences into account. Gender impact assessment can be applied to legislation, policy plans, policy programmes, budgets, concrete actions, bills, and reports or calls for research.
Gender indicator	Tools for monitoring gender differences, gender-related changes and progress towards gender equality goals. Gender-sensitive indicators make it possible to measure changes in the relationship between women and men in a particular policy area, programme or activity, as well as changes in the status or position of women and men.
Gender mainstreaming	Measures, steps and processes applied in the planning, implementation and monitoring of laws, by-laws, programmes, projects, activities and budgets in order to incorporate a gender equality perspective and to secure equal impact and transformative effects on women and men, girls and boys, as well as all different social groups among them.
Gender neutral	Having no differential positive or negative impact for gender relations or equality between women and men.
Gender perspective	An analysis from a gender perspective helps to see whether the needs of women and men are equally taken into account and served by [a] proposal. It enables policy-makers to develop policies with an understanding of the socio-economic reality of women and men and allows for policies to take (gender) differences into account.
Gender responsive budgeting	Gender budgeting is an application of gender mainstreaming in the budgetary process. It means a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality.
Gender statistics	Sum of the following characteristics: data are collected and presented disaggregated by sex as a primary and overall classification; data reflect gender issues – questions, problems and concerns related to all aspects of women's

	and men’s lives, including their specific needs, opportunities or contributions to society; data are based on concepts and definitions that adequately reflect the diversity of women and men and capture all aspects of their lives; data collection methods take into account stereotypes and social and cultural factors that may induce gender biases.
Gender stereotypes	<p>According to the Council of Europe Gender Equality Strategy 2018-2023, “Gender stereotypes are preconceived social and cultural patterns or ideas whereby women and men are assigned characteristics and roles determined and limited by their sex. Gender stereotyping presents a serious obstacle to the achievement of real gender equality and feeds into gender discrimination. Such stereotyping can limit the development of the natural talents and abilities of girls and boys, women and men, their educational and professional preferences, and experiences, as well as life opportunities in general. Gender stereotypes both result from and are the cause of deeply engrained attitudes, values, norms, and prejudices. They are used to justify and maintain the historical power relations of men over women, as well as sexist attitudes which are holding back the advancement of gender equality.”</p> <p>Certain stereotypes reproduce unwanted and harmful practices and contribute to make violence against women acceptable. Article 12§1 of the Istanbul Convention frames the eradication of prejudices, customs, traditions and other practices which are based on the idea of the inferiority of women or on stereotyped gender roles as a general obligation to prevent violence against women.</p>
Gender-sensitive policies	Policies and programmes that take into account the gender dimension, specificities of women's and men's lives, with the aim of eliminating inequalities and promoting gender equality, including the equal distribution of resources.
Intersectionality	An analytical tool for studying, understanding and responding to the ways in which gender and sex intersect with other personal characteristics / identities and how these intersections contribute to unique experiences of discrimination.
Marginalized groups	Different groups of people within a particular culture, context who are at risk of being exposed to multiple discrimination due to the interaction of different personal characteristics or reasons, such as gender, sex, age, ethnicity, religion or belief, health, disability, sexual orientation, gender identity, education or income.
Secondary victimization	Occurs when the victim suffers further harm not as a direct result of the criminal act but due to the manner in which institutions and other individuals deal with the victim. Secondary victimization may be caused by repeated exposure of the victim to the perpetrator, repeated interrogation about the same facts.
Vulnerable groups	Women, children and persons who belong or are considered to belong to groups that are disadvantaged or marginalized.
Victim	Any person detected and presumed to be victim of human trafficking, regardless of her/his official status.

Additional information can be found in the [Council of Europe Gender Equality Glossary](#) (March 2016, revised in January 2022).

1. Introduction

This document aims to explain the connections between trafficking in human being and gender-based violence and stereotypes, and to promote gender equality as well as support the empowerment of women in policies and practices as a means of combating the root causes of human trafficking.

According to existing data, women and girls are the majority of identified victims of trafficking in human beings. Women are trafficked for the purpose of sexual exploitation, but also for forced labour, domestic servitude, forced marriage, forced begging or forced criminality. Women and girls are often targeted because they are disproportionately affected by poverty and discrimination, factors that impede their access to employment, educational opportunities and other resources.

This document was commissioned in the framework of the action “Preventing and Combating Trafficking in Human Beings in Bosnia and Herzegovina” implemented under the joint European Union – Council of Europe programme Horizontal Facility for the Western Balkans and Türkiye 2019-2022.

It was developed following a recommendation of the Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA) in its second report¹ concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Bosnia and Herzegovina, emphasising the need for the authorities to make further efforts in that area.

Thus, the document should serve to promote principles and encourage positive steps in creating an environment for meaningful actions for mainstreaming gender in domestic responses to trafficking in human beings.

The need for systematic and continuous implementation of gender-responsive measures in the area of human trafficking flows directly from the current national legal framework and obligations of Bosnia and Herzegovina (BiH) under international conventions.²

¹ GRETA (2017). *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Bosnia and Herzegovina*. Available at: <https://rm.coe.int/greta-2017-15-fgr-bih-en/1680782ac1>.

² See *Concluding observations on the sixth periodic report on BiH* available at: https://arsbih.gov.ba/wp-content/uploads/2019/11/CEDAW-C-BIH-Concluding-Observations-6_AsAdopted.pdf.

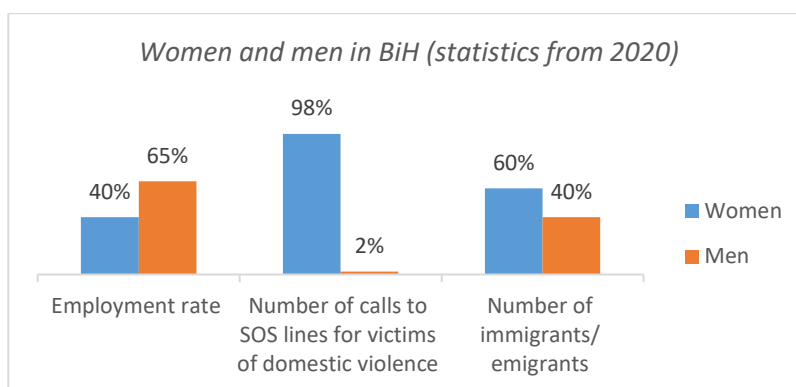
2. The context in Bosnia and Herzegovina

2.1 Trends in gender-based discrimination and violence

Gendered poverty, lack of viable employment opportunities, lack of control over financial resources and limited access to education are all factors that can exacerbate the vulnerability of women and girls to violence and trafficking.

- Women in BiH make up only 37% of the total number of newly employed workers. Men earn approximately 16% more than women, whilst 15% of all employed women work for the minimum wage, compared to just 7% of men.
- Most women of middle to old age are part of the grey economy either as unregistered workers or exclusively performing domestic work. Women living in rural areas often perform unpaid work, including agricultural work on family farms.³
- Marginalized Roma women have one of the lowest employment rates in the Western Balkan region: only 4% were employed in 2017, compared to 19% among marginalized Roma men.⁴

According to the bulletin “Women and Men in BiH”,⁵ women remain underrepresented in the labour market, exposed to gender-based violence and more prone to emigration:



³ Vrbaški, S. editor (2022). *Women's Rights in Western Balkans*, Kvinna till Kvinna. Available at: <https://kvinna.tillkvinna.org/wp-content/uploads/2022/11/The-Kvinna-till-Kvinna-Foundation-Womens-Rights-in-Western-Balkans-2022.pdf>

⁴ UN Women (2021). *Country Gender Equality Profile of Bosnia and Herzegovina*. Sarajevo, Bosnia and Herzegovina. Available at: <https://eca.unwomen.org/sites/default/files/Field%20Office%20ECA/Attachments/Publications/2021/7/UNW%20Country%20Gender%20Equality%20Profile%20BiH.pdf>

⁵ Agency for Statistics of Bosnia and Herzegovina (2022). *Women and Men in BiH*. Sarajevo. Available at: https://bhas.gov.ba/data/Publikacije/Bilteni/2022/FAM_00_2021_TB_1_EN.pdf

Gender-based discrimination and gender-based violence deeply rooted in cultural norms and patriarchal attitudes that normalize such violence, contribute to the cycle of violence against women and make them more vulnerable to trafficking.

- 48% of the women in BiH have experienced some form of abuse since the age of 15, including intimate partner violence, non-partner violence, stalking and sexual harassment.⁶
- Roma women face the most discrimination in the exercise of their rights, domestic violence, forced early marriages, and forced labour of girls.⁷

2.2 Trends in trafficking in human beings

The following emerging trends in trafficking in human beings can be observed in BiH:⁸

- 306 potential victims of trafficking were registered between 2017 and 2021 in Bosnia and Herzegovina. There are reasons to believe that the actual number of victims is significantly higher, and many victims remain undetected and thus not included in the official figures.
- More than two thirds (69.28%) of all potential victims were women and girls and less than one third (29.08%) were men (5 victims did not specify gender – the percentage is 1.63%).
- Over half (62.42%) of the registered victims were trafficked for forced begging, followed by seventeen per cent (17%) of victims trafficked for sexual exploitation.
- Children accounted for more than half (62.42%) of all registered potential victims. Many are children from Roma communities exploited in forced begging, sex trafficking, and domestic servitude in forced marriages.
- In 2021, there were 56 identified victims. Of these, 1 was victim of sex trafficking, 53 of forced begging, and 1 of multiple types of exploitation; 33 were female and 23 were male; 49 were children; and one was foreign victim.⁹
- The great majority of the victims were citizens of Bosnia and Herzegovina (92.16%), most of them being trafficked within the country.

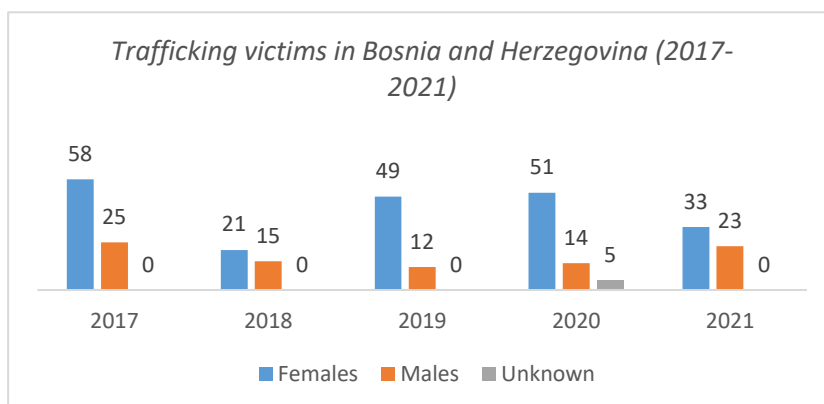
⁶ OSCE (2019). *OSCE-led survey on violence against women: Bosnia and Herzegovina*. Available at: https://www.osce.org/files/f/documents/3/5/423470_1.pdf

⁷ European Commission (2022). *Bosnia and Herzegovina Report 2022*. Available at: https://neighbourhood-enlargement.ec.europa.eu/bosnia-and-herzegovina-report-2022_en

⁸ Council of Europe (2022). *Labour trafficking in Bosnia and Herzegovina: risk factors, trends and challenges*. Available at: <https://www.coe.int/en/web/sarajevo/publications1>

⁹ Ministry of Security of Bosnia and Herzegovina. *Annual Reports of the State Coordinator for Anti-trafficking, 2017-2021*. Available at: <https://elearning-thb.msb.gov.ba/documents?name=&fkDocumentCategoryId=0&pageNum=1&pageSize=12>

Gender-desegregated data on the victims of trafficking in human beings in BiH, for period 2017-2021, show:¹⁰



2.3 Gender mainstreaming in the national framework

Anti-trafficking policies and approaches are often gender-blind, missing to recognise that men and women, boys and girls are not exploited in the same manner and do not have the same needs of assistance as a consequence of their form of exploitation. It is therefore critical that the gender dimension of human trafficking/ specific risks of trafficking by gender is recognized in all aspects of the anti-trafficking action and in particular in the prevention and protection policies and measures.

Gender-related issues are considered in the national relevant framework as follows:

- The criminal legislation considers trafficking in human beings as a criminal act. The Criminal Code of Bosnia and Herzegovina provides a comprehensive definition of trafficking in human beings for the purpose of prostitution or other forms of sexual exploitation, as well as forced labour or forced services, and slavery. The Criminal Codes of the Federation of Bosnia and Herzegovina, Republika Srpska and Brčko District all criminalise trafficking in human beings for the purpose of prostitution or other forms of sexual exploitation, forced labour or forced services, slavery or practices similar to slavery, servitude, the removal of body parts or another type of exploitation.
- Labour laws prescribe preconditions prohibiting labour exploitation, including banning discrimination, including gender-based discrimination. Although the laws do not contain any explicit references to “trafficking in human beings”, they make reference to “forced labour” or “compulsory labour” and provide for prohibition of ‘labour exploitation’ and ‘discrimination’.
- According to the Strategy to Suppress Trafficking in Human Beings in Bosnia and Herzegovina (2020-2023), the national response to the phenomenon should take into consideration the gender-specific approach: “The specificities of trafficking in human

¹⁰ *ibid.*

beings are especially reflected in the differences between trafficking men and women, most visible in forms of exploitation of victims and in recruitment methods. Thus, the measures for assistance and support to victims must be gender specific and respectful of the different needs of male and the female victims”.

- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is integral part of BiH’s Constitution. Article 6 of the CEDAW prescribes the obligation for States “to take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women”.
- The BiH Gender Action Plan (2018–2022), strategic goal 1, includes measures and activities in seven priority areas to prevent and combat gender-based violence, including trafficking in human beings. The plan recognizes trafficking as a form of gender-based violence. It also recognises the need for public institutions to pay particular attention to groups at risk of trafficking, including women from Roma communities, women with disabilities, migrant and asylum-seeking women as well as women in poverty/with low income.
- The Law on Prohibition of Discrimination clearly defines the grounds on which discrimination is prohibited – one of them is gender, and it concerns access to employment, education, professional development, housing, healthcare, social protection.

3. Adopting a gender-sensitive approach in combating trafficking in human beings

3.1 Gender dimension of trafficking in human beings

The Council of Europe Convention on Action against Trafficking in Human Beings¹¹ recognises that trafficking in human being is a heavily gendered phenomenon, and it contains several strong references to gender equality and gender mainstreaming, namely in Article 1, Article 5, Article 6, Chapter III Measures to protect and promote the rights of victims, guaranteeing gender equality and in particular Article 17.

The 2011 EU Anti-Trafficking Directive¹² recognises in its Preamble that human trafficking is a gender-specific phenomenon and that women and men are trafficked for different purposes; therefore, assistance and support measures should be gender-specific where appropriate. Further, according to Article 1, the Directive introduces common provisions to strengthen the prevention of THB and the protection of its victims, taking into account the gender perspective.

According to the 2020 UNODC Global Report on Trafficking in Persons,¹³ women and girls account for the majority of identified trafficking victims. Namely, for every 10 victims detected globally, about five were adult women and two were girls. They were mostly

¹¹ Available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/197>

¹² Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32011L0036&from=en>

¹³ UNODC (2020). *Global Report on Trafficking in Persons 2020*. United Nations. New York. Available at: https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf

exposed to sexual exploitation. Women and girls are also trafficked for the purpose of forced begging, forced marriages and forced labour, including domestic work.

As a reminder of the definition of gender - it refers to the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men.¹⁴ With regard to trafficking in human beings, if gender is not taken into consideration when developing anti-trafficking policies, programmes and victim protection plans, the result would be weak identification of victims, challenged prosecution of the offense, as well as difficulties in the recovery and reintegration processes of the victims.

The number of male victims of trafficking has been on the rise due to the increase of cases of trafficking for the purpose of labour exploitation. If it was assumed that victims of trafficking were only women, national action plans would not contain prevention measures targeting men as potential victims; frontline responders would not be trained to recognise and preliminarily identify male victims; prosecutors would qualify trafficking committed against men as another offence; victim assistance would not be adapted to the needs of men who survived to trafficking.

When it comes to women and girls, the example of forced marriages shows how cultural and traditional practices may mask trafficking. Although men and boys could also be forced to marry, forced marriage predominately affects women and girls and it is often underpinned by patriarchal norms.¹⁵

However, falling victim to trafficking does not result exclusively from the victim's being female or male, nor are all female or male victims homogenous groups who share similar trafficking experience. Gender is only one characteristic which intersects with other factors, such as age, ethnicity, race, socio-economic status, education, which all together bring about privileges or discrimination/marginalisation.

The Committee on the Rights of the Child finds that girls, boys and girls in poverty, boys and girls belonging to minority groups or to indigenous communities, boys and girls with disabilities, migrant children, street children, children in conflict with the law, etc., are vulnerable to abuse and exploitation because they occupy a marginal position in society.¹⁶ In these cases, gender also plays significant role and children cannot be observed as homogenous group.

All these factors should be taken into consideration when preparing anti-trafficking policy and legislation. Anti-trafficking policy and legislation should be developed around the human rights-based approach which focuses on victim protection and aims to reach excluded, discriminated and marginalized segments of the population.

¹⁴ Council of Europe Convention on preventing and combating violence against Women and domestic violence, available at: <https://rm.coe.int/168008482e>

¹⁵ ILO (2022). *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*. Available at: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/publication/wcms_854733.pdf

¹⁶ Ravnbøl, CI (2009). *Intersectional Discrimination against Children: Discrimination against Romani Children and Anti-Discrimination Measures to address Child Trafficking*. United Nations Children's Fund (UNICEF). Available at: https://www.unicef-irc.org/publications/pdf/iwp_2009_11.pdf

Trafficking in human beings as a phenomenon is burdened with stereotypes.

These stereotypes are not only present among a broader audience, but among anti-trafficking professionals as well. They are harmful in many ways. Gender stereotypes hamper the identification and the protection of victims of trafficking in the first place.

Stereotypes presenting men as powerful beings and women as primarily relegated to private sphere domestic roles, feed the misconception in many societies that “men migrate, but women are trafficked”.

Concerning women and girls, gender stereotypes intersect with cultural and ethnical “customs” or “traditions” serving as “justification” of certain forms of human trafficking. This affects in particular Roma women and girls, who might be victims of trafficking but are not identified and assisted as such.

In the case of M. and Others v. Italy and Bulgaria (Application no. 40020/03), the European Court of Human Rights was critical of the Italian police’s handling of a case of forced marriage, which the Court accepted could have amounted to human trafficking. The Court found that the Italian authorities had not initiated a thorough investigation on the basis that they had mischaracterized the situation as a traditional “Roma marriage”. This case highlights the difficulties faced by women from certain backgrounds, such as those from the Roma community, when attempting to access protection and justice as existing prejudices and stereotypes can act as an obstacle.

The most common stereotypes that victims of trafficking face concern how they should behave and look, including submissiveness, being visibly depressed and presenting symptoms of being disturbed (such as crying), being passive and not sexualised.¹⁷ It is important to be aware of these stereotypes and of individual prejudices, and make efforts to deconstruct them. Adequate training on gender aspects of human trafficking and gender equality issues for all relevant staff is crucial to avoid stereotyping and misinterpretation of several facets of human trafficking.

3.2 Tools for gender mainstreaming in anti-trafficking policies and measures

The Council of Europe Convention on Action against Trafficking in Human Beings, to which BiH is a Party, requires the promotion of gender equality and usage of gender mainstreaming in the development, implementation and assessment of policies, programmes and measures aimed at prevention, and protection and promotion of the rights of victims¹⁸. This involves useful tools such as:

- **Gender analysis:** Before developing a policy, programme or measure, it is important to conduct a gender analysis. Gender analysis should include data analysis, show how the phenomenon of trafficking affects women and men, girls and boys, whether and how their trafficking experiences differ and whether and to what extent current instruments and systems respond to their gender-specific vulnerabilities and needs in intersectionality with other personal characteristics.¹⁹
- **Gender impact assessment** should be used in the very early stage of any policymaking, i.e. when designing it. Methods for gender impact assessment include evaluation,

¹⁷ Yonkova, N. (2017). *Analysis of the Victims’ Rights Directive from a gender perspective*. European Institute for Gender Equality. Available at: <https://eige.europa.eu/gender-based-violence/analysis-eu-directives-gendered-perspective>

¹⁸ Articles 1, 5, 6, 17.

¹⁹ Gačanica, L. (2020). *Gender analysis of the anti-trafficking system in Bosnia and Herzegovina, commissioned by the joint EU/CoE action “Preventing and Combating Trafficking in Human Beings in Bosnia and Herzegovina”*.

analysis or assessment of a law, policy or programme that makes it possible to identify the likelihood of a given decision having negative consequences for the state of equality between women and men. The central question here is: *Does a law, policy or programme reduce, maintain or increase the gender inequalities between women and men?*

- **Gender indicators:** developing indicators enable gender-related changes to be measured over time. Gender indicators can be quantitative and qualitative. Quantitative gender indicators are based on gender-disaggregated statistics (% of increase in the number of women identified; % of vulnerable girls reached and assisted; % of increase in budget allocation to targeted initiatives to address and reduce poverty. Qualitative gender indicators monitor the content and quality of change over time, based on the experiences, attitudes, opinions and feelings of women and men.
- **Gender and age disaggregated statistics:** all data collected on the phenomenon of human trafficking – on the victims, perpetrators, types of exploitation, origin and destination countries, assistance, prosecution, conviction, etc. – should be disaggregated by age and gender at minimum. This applies both to data collected at state and sub-state levels and those collected at the level of specific institutions/organisations. Data should be comparable and collected and published on a regular basis. Such data clearly demonstrate the gender dimension of human trafficking and should be used for gender-sensitive evidence-based policymaking and programming, as well as for evaluation purposes.

GRETA identified that there was a lack of relevant statistics in BiH²⁰. It urged the authorities to set up a comprehensive statistical system on data related to measures to protect and promote the rights of victims as well as on the investigation, prosecution and adjudication of THB cases. Statistics regarding victims should be collected from all main actors at the State, entity and district levels, and should allow disaggregation by sex, age, type of exploitation, country of origin and country where the exploitation took place. This should be accompanied by all the necessary measures to respect the right of data subjects to personal data protection, including when NGOs working with victims of trafficking are asked to provide information for the national database.

The Centre for Trafficking Victims' Protection²¹ in Serbia was established in 2012, as the central social protection institution responsible for the final identification of trafficked persons in Serbia, on the basis of the preliminary identification and reports by other actors, as well as for the co-ordination of assistance and support services. The official identification by the Centre provides the status of victim from the point of human rights violation and it is not linked to the existence of prosecution. The Centre keeps comprehensive data about all victims of trafficking identified in Serbia, broken down according to their age, gender, type of exploitation, country or origin and country of destination. Therefore, it is possible at any moment to see how many men and women, girls and boys, were exposed to what type of exploitation, what country they come from and where they were exploited. These data are contained in reports which the Centre regularly publishes on its website.²²

- **Gender-responsive budgeting:** for any change or impact to take place, the law, policy or programmes are not self-sufficient. It is of utmost importance to ensure adequate

²⁰ GRETA (2017). Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Bosnia and Herzegovina. Available at: <https://rm.coe.int/greta-2017-15-fgr-bih-en/1680782ac1>.

²¹ See more at: <http://www.centarzztlj.rs/index.php>

²² See more at: <http://www.centarzztlj.rs/index.php/o-nama-2/statistika>

resources for their implementation. From a gender perspective, this primarily refers to gender-responsive budgeting and trained professionals.

3.3 Discouraging demand for specific forms of exploitation

Among the measures that a Party to the CoE Convention on Action against Trafficking in Human Beings must take are those aimed at discouraging the demand for specific forms of exploitation, especially of women and children (Article 6). Preventive measures in that respect should include educational programmes for boys and girls during their schooling which stress the unacceptable nature of gender discrimination and its disastrous consequences, the importance of gender equality and the dignity and integrity of every human being.

The demand for services provided by trafficked persons is present in poorly regulated sectors, characterised by informality or illegality, with low profit margins and low wages, unskilled or seasonal workers.²³ The demand can be reduced by stronger regulation of these sectors, stronger inspections, and awareness raising among businesses for not using illegal or cheap work force.

For example, regarding trafficking for labour exploitation, prevention measures and measures to discourage the demand should focus on better regulation of labour and employment processes in BiH. This includes the licensing of employment agencies beyond mere administrative registration and monitoring of their work.²⁴

The measures aimed at tackling the demand should not harm women and men directly and indirectly (see above: *gender impact assessment*). Also, due consideration should be given to gender aspects of each type of exploitation tackled, because human trafficking is never gender neutral.

Some EU member States (Sweden, Norway, Iceland, France) adopted legislation criminalising the use of services of victims of trafficking for sexual exploitation; others carried out prevention measures focusing on demand reduction (for example, the Irish Garda National Protective Service Bureau undertakes training and awareness-raising measures in co-operation with NGOs, to identify victims of trafficking for sexual exploitation and refer them to appropriate services), and measures combating gender-based violence (such as training and awareness-raising for law enforcement).²⁵

4. Adopting a gender-sensitive approach in providing protection to victims of trafficking

4.1 Gender-sensitive identification of victims

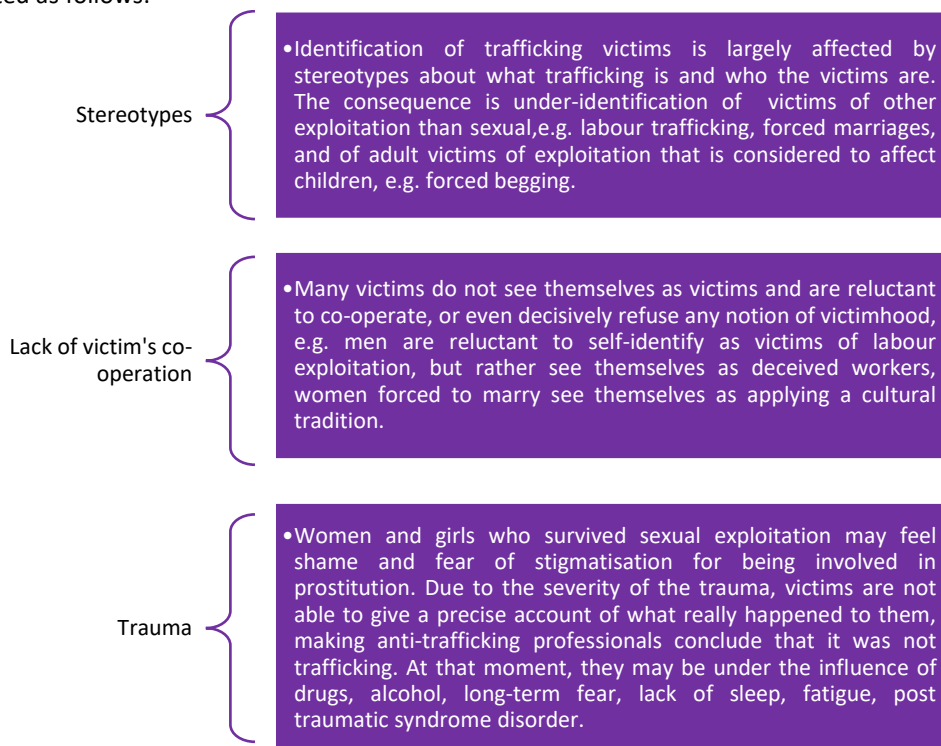
The identification is a formal process through which a woman, man, girl or boy is assessed and evaluated in order to determine whether she/he may be a potential/presumed victim

²³ USAID (2011). *Tackling the Demand that Fosters Human Trafficking*. Final Report.

²⁴ Council of Europe, *Labour trafficking in Bosnia and Herzegovina: risk factors, trends and challenges*.

²⁵ European Commission (2020). *Third report on the progress made in the fight against trafficking in human beings (2020) as required under Article 20 of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims* {SWD(2020) 226 final}. Available at: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/third_progress_report.pdf

of trafficking and what her/his immediate needs are for the purpose of referral to appropriate assistance services. For this reason, it is always better to identify someone as a potential victim and correct it at a later stage than fail to identify and thus possibly endanger the person. The factors that have the most impact on the identification process can be sorted as follows:



The identification of (potential) victims of trafficking in migratory movements should closely consider the complex intersection of gender and cultural norms, trauma related to conflict and violence as well as changing power dynamics for people on the move. In the context of the mixed migratory movements in the Western Balkan region, the majority of migrants are male. However, many frontline responders who preliminarily identify (potential) victims rely on traditional patterns of vulnerability and cases of trafficking that recognise only girls and women as vulnerable. Boys and men therefore may not receive sufficient attention in order to be identified as (potential) victims of trafficking. Standard operation procedures as well as indicators for identifying victims should take into account gender specificities, as victims are likely hidden in the mixed flows and populations.²⁶

4.2 Gender-sensitive communication with victims

Any relevant actor (law enforcement, labour inspectors, prosecutors, medical professionals, service providers) should use the following principles in the communication with trafficking

²⁶ Walby, S. et al (2016). *Study on the gender dimension of trafficking in human beings*. European Commission. Available at: https://ec.europa.eu/anti-trafficking/eu-policy/study-gender-dimension-trafficking-human-beings_en

victims. Some of these principles are more applicable during identification interviews,²⁷ while others are more relevant for service providers.

- **The interview should always take place in a safe and comfortable space, where the victim will feel secure and have privacy and where the interview would not be disturbed.** The interview should not be organised in an office with other people passing through, or in the location where the victim was found, in front of others who were there with him/her. If there are several possible victims to be interviewed, the interview should be done separately.
- **The interview should be conducted by trained and gender-sensitive professionals.** The victim should be given a choice between male and female professionals, including interpreters and a cultural mediator, if necessary. It is on the institution to ensure that their staff have passed gender sensitive training to acquire expertise.

For example, some women, victims of sexual exploitation, prefer to be interviewed by other woman. Men and boys may feel more comfortable talking with another man about their experience of sexual violence. However, there is also evidence that in certain cases, pairing victims with law enforcement officers of the opposite sex might be the best choice. For example, male migrant workers who experienced rape and sexual exploitation in the context of their labour exploitation might rather tell their story to a woman than to a man.²⁸ Some victims may prefer to communicate with the police officer who conducted the investigation or who communicated with them during pre-identification investigation, because they have built a relationship of trust.

- **The language used by the professionals during the interviews need to be adjusted to the victim's age, gender, education, social and cultural background and any other characteristics relevant in a specific case.** The victim should always be treated with respect, which also means using formal language; however, sometimes it is better to talk with victim on the first-name basis, because he/she would not understand that you ask her/him about her/his personally, and not as a member of the group. A case by case decision is advisable. The jargon should not be used as the words might have a different meaning for the victim or not be understood. The task of every professional communicating with the victim is to make sure that they understand each other.
- Especially relevant for the first contacts with trafficked persons, **not all information can be obtained in a single interview** and anti-trafficking professionals should never push for it. Interviews should not be too long and exhausting for victims, nor should they be repetitive content-wise. Coordination among all anti-trafficking professionals should exist and the collected information from the victims should be shared. It would be exhaustive for the victims and not productive to carry out countless separate interviews.
- Victims are afraid of judgment and stigmatisation, especially in sexual exploitation cases or those where some other form of sexual violence took place. There is a widespread belief that it was somehow provoked or consented and most victims

²⁷ Term 'interview' is used for convenience and not necessarily to mean a specific formal manner of collecting information from the victim.

²⁸ OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (2021). *Applying gender-sensitive approaches in combating trafficking in human beings*. Vienna. Available at: <https://www.osce.org/cthb/486700>

blame themselves for what happened. **Anti-trafficking professionals should never ask the victim why she/he did not run away or act to leave the exploitative situation** and should stay away from judgmental positions and moralizing. Anti-trafficking professionals should inspire trust to the victims and assure them that it was not their fault, and not to reinforce it. They should show understanding, empathy, and trust.

For example, in case of male victims of labour exploitation, if needed, words like “victim” or “trafficking” should be avoided, otherwise they may refuse to co-operate and receive assistance out of shame. Women victim can also be reluctant to cooperate because of the taboos around sexual violence

- **Anti-trafficking professionals should never make promises that they are not sure they can keep.** At that moment, the victim may feel better, and they may connect better. In the long run, not only will such acting result in losing victim’s trust, but all other anti-trafficking professionals will suffer the consequences.

4.3 Gender-sensitive services to victims

All trafficking victims (women and girls, men and boys) share **the same basic needs - to be safe and protected, to be understood and accepted. Gender and other individual characteristics and characteristics related to the trafficking experience, affect the manner in which these needs will be manifested, communicated and satisfied.**

For this reason, when assessing victims’ needs, it is important to always observe the victim as an individual and be aware of gender stereotypes and prejudice and avoid or address them as much as possible. However, it is necessary to be aware that some needs are gender-related, such as health needs, which may differ significantly according to gender and form of exploitation (for example, sexual and reproductive health needs of women).

For example, women who survived gender-based violence have more complex needs and weaker starting points. Their trafficking experience, especially when it comes to sexual exploitation and forced marriages, often builds on the spiral of violence they survived in their pre-trafficking lives. Their experience of violence often started at home, and domestic violence and violence in intimate relationships are considered to be among the root causes and push factors for trafficking in women. Victims of gender-based violence often do not make complaints because of fear, shame or stigma.²⁹ Reluctance of female trafficking victims to engage with the authorities is mirrored across the wider continuum of violence against women: this must be taken into account in all phases of providing protection and assistance.

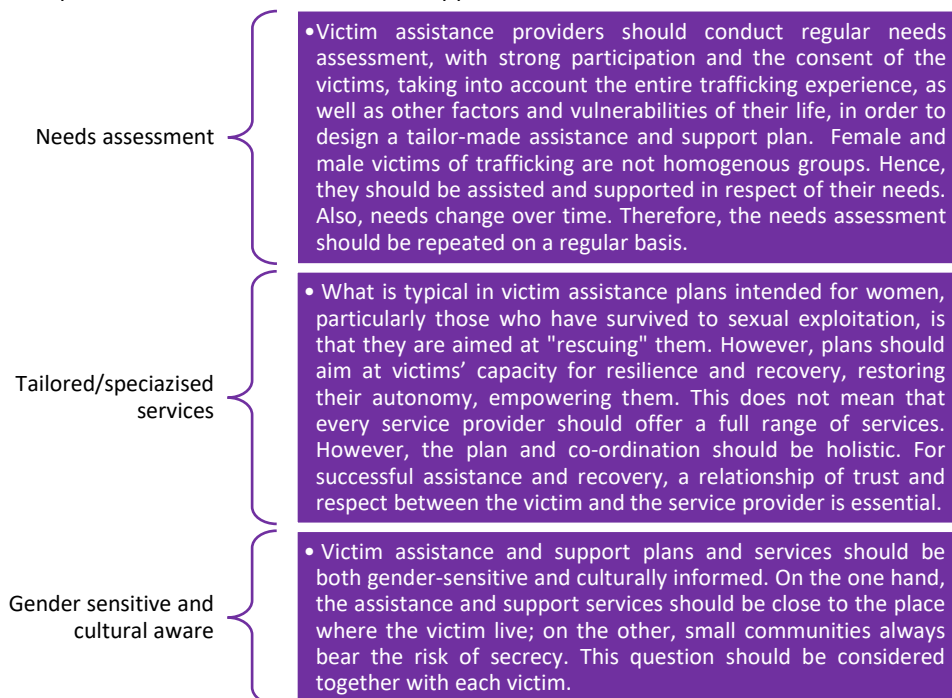
When assessing victims’ needs, both immediate/urgent ones and the long-term period of reintegration, it is always important to hear victims’ voices. Building trust and patient work with the victims, encourage them is required in order to be able to make a good needs assessment. If this effort is not made, victims have problems in properly communicating their needs and even recognising they have such needs. Sometimes, anti-trafficking professionals will have to encourage and empower victims to express and communicate their needs. During their life in exploitation – and sometimes in their previous life, too – nobody ever asked them what they needed.

²⁹ European Institute for Gender Equality (2018). *Gender-specific measures in anti-trafficking actions*. Available at: <https://eige.europa.eu/publications/gender-specific-measures-anti-trafficking-actions-report>.

It is very important to work on the **development of specialist services for victims of trafficking, both male and female**, instead of trying to fit the victims into existing services designed for other beneficiaries. These services should be gender-sensitive, responsive to the victims' specific needs, and sufficiently flexible so that they are effective. This includes showing trust in the victim's story without any judgment.

One of the principles of the rights-based approach is that **the victim should give informed consent to any measure taken with regard to her/his case**. This means that she/he has to be informed, about what she/he should expect to happen to her/him next. This applies equally to the assistance and protection process understood in the broadest possible sense and to investigation and criminal proceedings. Efforts to obtain victims' informed consent could help them to regain control. Another consideration that should always be borne in mind is not to do harm. Before taking any action, ensure that any harm that such action may cause to the victim is reduced to a minimum.

Whenever any victim, male or female, refuses assistance and support, this should be respected, but consideration should be given to the question whether the offered services were adequate for that specific person, as well as whether they were offered in an appropriate way. It is important to see if such services were offered with ready-made programmes or if different options were presented. **All assistance and support programmes and services need to be victim's oriented, considered as working with victims, not for victims**. And, not least, it is important to consider if the victim is in position to accept the service or not. A successful approach includes:



For example, reasons behind refusal or impossibility to receive the assistance are also gendered. Women who have children sometimes do not have time to receive assistance, although they need it. Or they may be afraid that if they receive assistance, everybody in their community would know what happened to them and would stigmatise them. Men may refuse assistance because of the

belief that they should be capable of recovering by themselves. Or they may not have time, as they need to find another job as quickly as possible and move on.

The London Exiting Advocacy (LEA) service has developed a flexible five-stage model to support and encourage women to address the barriers they face to safety; this is one innovative way that women trafficked for the purposes of sexual exploitation are assisted directly to gain services, information and/or exit prostitution. The LEA outreach van works in partnership with other organisations across the region to provide gender-specific, independent outreach services to sex workers and women trafficked into prostitution. It operates at night, with female outreach and support workers. The service may begin with meeting a woman on the street or in a café; it provides non-judgmental understanding to build trust, provide condoms and sexual health information, housing and welfare benefits advocacy, social care signposting and advice with regard to criminal justice rights. When a woman is ready to exit prostitution, the LEA project works with service providers to provide refuge and accommodation, benefits and a support plan for each woman.

Appropriate shelter

There still are countries worldwide where there are no shelters for victims of trafficking. Most of the victim assistance services have been tailored to the needs of women who have been subjected to sexual exploitation or domestic violence. It often happens that trafficked women share accommodation with women victims of domestic violence. This is not a good practice, although many trafficked women have previous experience of domestic violence. This practice deprive trafficked women from specific health and psychological care.

While shelters for women are available to a certain extent, accommodation options men are scarce. A shelter for male victims might not be cost-effective as the number of identified male victims is lower than the number of identified female victims, male victims may refuse to use shelters.

Good practice examples: *In Austria, the pilot project MEN VIA for male victims was launched in 2013, in reaction to the first evaluation by GRETA in 2010/2011, establishing services to male victims of labour exploitation. In addition, the victims can receive support at the drop-in counselling centre for undocumented employees run by an association of trade unions, the Chamber of Labour, the Austrian National Student Union and NGOs. Both projects are financially supported by the Austrian Federal Ministry of Labour, Social Affairs and Consumer Protection.³⁰*

When considering accommodation of trafficking victims, care should be taken, whenever possible, **not to accommodate them in the same shelters with other categories of victims or beneficiaries**. It is good to remind that the purpose of shelters is to provide victims with surroundings in which they feel secure and to provide them with help and stability.³¹ In understanding vulnerable categories, it should be highlighted that pregnant women,

³⁰ European Commission (2016a). *Commission Staff Working Document (SWD (2016) 159 final), accompanying the document Report from the Commission to the European Parliament and the Council, on the progress made in the fight against trafficking in human beings (2016) as required under Article 20 of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims* {COM(2016) 267 final}.

³¹ Council of Europe, GRETA. *Assistance to victims of human trafficking, Thematic Chapter of the 8th General Report on GRETA's activities*. Available at: <https://rm.coe.int/assistance-to-victims-of-thb/1680a521f5>

underage girls in age determination processes, migrant women may require additional attention.

The EU Anti-trafficking Directive 2011/36 highlights the need to provide “shelters and any other appropriate interim accommodation for victims in need of a safe place due to an imminent risk of secondary and repeat victimisation, of intimidation and of retaliation”.

As a rule, **children and adults** are placed in different shelters. However, sometimes it is more appropriate and needs-responsive to place an older teenage girl in a shelter for adult women victims, than in a shelter specialised for children. Again, when considering any action with regard to a victim of trafficking, an individualised approach should be taken assessing all the factors relevant for the situation of that specific victim.

Health care

Human trafficking is associated with high levels of physical and psychological violence prior to and during trafficking process and generates a range of health problems in the post-trafficking period. While the identification process is ongoing, emergency medical treatment should be guaranteed to all victims of trafficking, regardless of citizenship or legal status.³²

Human trafficking survivors require trauma-informed healthcare. Human trafficking affects both the physical and psychological health. Studies with survivors identified high prevalence of depression, anxiety and post-traumatic stress disorder and symptoms such as headache, fatigue, dizziness, and back and stomach pain.³³

It is critical to take into account the consequences of trafficking for both sexual and non-sexual purposes according to gender-specific needs.³⁴ Male victims need psychological support, medical assistance and healthcare that is different than that needed by female victims, all according to the type of trafficking.

- Professionals need to pay attention to subtle and nonverbal cues such as affect, body language, and attitude.
- Whilst some victims are keen for opportunities to talk to health professionals confidentially, others want to forget abusive experiences. This is in particularly related to sexual exploitation or violence.
- Promoting a safe environment is a minimum standard of care applicable to all professionals working in the anti-trafficking, emergency department, urgent care, and clinics. It is important to provide a safe place for interaction and to talk about the details of victim’s trafficking history.

³² Council of Europe, GRETA (2019). *Assistance to victims of human trafficking, Thematic Chapter of the 8th General Report on GRETA’s activities*.

³³ Hemmings, S. et al (2016). *Responding to the health needs of survivors of human trafficking: a systematic review*. BMC Health Services Research.

Available at: <https://bmchealthservres.biomedcentral.com/articles/10.1186/s12913-016-1538-8>

³⁴ OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (2021). *Applying gender-sensitive approaches in combating trafficking in human beings*.

To summarise, the principles that are fundamental for the provision of gender-sensitive services to trafficking victims are: *beneficence* (intention to do good), *no maleficence* (no harm), *justice* (fairness), and *autonomy* (freedom to choose).³⁵

³⁵ Mora, A. *Patient-Centered Care for the Victims of Human Trafficking: Ethical and Legal Issues*. Available at: <https://clinmedjournals.org/articles/iaphcm/international-archives-of-public-health-and-community-medicine-iaphcm-6-079.php?id=iaphcm>

5. In focus

5.1 COVID-19 pandemic crisis

The years 2020 and 2021 were marked by the COVID-19 pandemic, which raised a number of issues related to the fight against trafficking in human beings. While under normal circumstances the identification of victims of trafficking is challenging, the pandemic created delays in labour inspections, police investigations and formal identification processes. Lockdown measures and movement restrictions contributed to unemployment and a surge in some forms of exploitation. Online sexual exploitation, including child exploitation, and labour exploitation in agriculture and food-processing industries were on the rise. The pandemic created favourable conditions for traffickers and made the victims more invisible.

The pandemic led in particular to a disruption in victim assistance and support services, such as shelter and health care, thus increasing the likelihood of re-traumatisation or re-victimisation. While some NGOs shifted their services online (virtual counselling), many others have been forced to halt their operation leaving a huge gap in the provision of information and support.

In addition to the immediate effects of the pandemic, its long-term socio-economic impact is likely to aggravate the root causes of human trafficking, among which are poverty, unemployment and gender inequality. According to the World Bank, the COVID-19 pandemic was estimated to have pushed an additional 88 million to 115 million people into extreme poverty in 2020.

5.2 Technology facilitated trafficking in human beings

It appears that online grooming is more associated with female victims than male victims; however, the evidence also suggests that other vulnerabilities might be at play, for example a person being in a care institution.³⁶

When approaching potential victims on the Internet, traffickers adopt quite sophisticated modus operandi, often based on fake profiles showing high standard of living and considerable wealth. Such modus operandi is often part of the so-called “lover boy” technique, i.e. feigning a romantic relationship to coerce a victim into prostitution.

“The lover boy technique” is the most common tool. It consists in contacting a person via an online platform, getting to know their hobbies and interest, their family situation and personal circumstances (as well as vulnerabilities). Subsequently, the trafficker approaches the victim with empathy, with a great willingness to help her and understand her, as well as to financially support her. Often, the victim is manipulated through promises of a serious relationship, sometimes with marriage requests, in the attempt of gaining her trust and then psychologically control her (evidence from Romania). Female victims recruited through social media platforms tend to show patterns of family instability, school dropout, low self-esteem and, more generally, psychosocial vulnerabilities (evidence from Belgium).

³⁶ Council of Europe (2022). *Online and technology-facilitated trafficking in human beings*. Available at: <https://rm.coe.int/online-and-technology-facilitated-trafficking-in-human-beings-full-rep/1680a73e49>.

Another common format is blackmailing. This is often done by first collecting “compromising” information about the victims, for instance by asking for naked pictures or videos, and then use this evidence to coerce the person into prostitution. Traffickers would first establish a relationship with the victim, gain their trust and then solicit “compromising” information (evidence of such behaviour has been reported by several countries including Bosnia and Herzegovina, Bulgaria, Croatia, the Netherlands, Finland, Lithuania and Sweden).³⁷

5.3 Migration and humanitarian crisis

The migration and gender-based violence nexus is well known. Migrant women, with or without documents, and women asylum seekers are particularly vulnerable to gender-based violence. The Istanbul Convention addresses the particular difficulties in relation to the residence status which many migrant women face when they become victims of domestic violence or forced marriage. It introduces the possibility of granting migrant women an autonomous residence permit if they are trapped in an abusive relationship if their residence status depends on that of their abusive spouse or partner. For victims of forced marriage, the convention creates the obligation to allow migrant women to regain a residence status if they left their country for a longer period than legally permitted because they were forced into marriage abroad and are unable to return.³⁸

Women seeking asylum have specific concerns. In particular, women fleeing gender-based violence may be unable or unwilling to disclose relevant information during a refugee determination process. Furthermore, unaccompanied women are often exposed to sexual harassment and sexual exploitation and are unable to protect themselves. In order to address the particular issues linked to women asylum seekers, the Istanbul Convention establishes the obligation to introduce gender-sensitive procedures, guidelines and support services in the asylum process.³⁹

The migration and trafficking nexus is also well known. Migrants are more at risk of trafficking and exploitation because of the vulnerabilities linked to their precarious situation. Migrants are physically and psychologically weakened, unfamiliar with their new surroundings and highly vulnerable to falling prey to criminals.

In some countries, specialised anti-trafficking NGOs disseminate leaflets to refugees, warning them of the risks of accepting transportation and accommodation from strangers, and informing them how to seek help and report suspicious cases. Structures receiving refugees should ensure that they are informed of their rights, in a language they can understand, and provided with psychological and material support. The authorities should take steps to prevent fraudulent offers of transportation, accommodation and work, and strengthen safety protocols for unaccompanied children, linking them to national child protection systems.

³⁷ *Ibid.*

³⁸ Council of Europe. *Leaflet Protecting migrant women, refugee women and women asylum seekers from gender-based violence*. Available at: <https://rm.coe.int/migrant-women-and-istanbul-convention/1680925865>

³⁹ *Ibid.*

What can be done?

- *Make services accessible to survivors of trafficking during and after the crisis (access to accommodation, information, health-related supplies, minimum living income including for those in an irregular administrative situation, etc).*
- *Develop online gender-sensitive and accessible support lines (including legal counselling and psychological help).*
- *Provide information, in a timely manner and a language the victims can understand, on any changes in the processes or delays in the civil, administrative or criminal justice procedures concerning them.*
- *Establish identification and referral protocols for institutions that are most likely to come into contact with victims during the crisis.*
- *Include migrants in preparedness and response plans and ensure support is accessible and based on vulnerability criteria rather than on criteria related to their immigration or legal status.*
- *Secure systematic gender and age disaggregated data collection and analysis on the impact of the crisis on trafficking in human beings.*
- *Implement gender-sensitive monitoring systems to mitigate the long-term consequences of the crisis.*
- *Strengthen prevention of trafficking through awareness raising, with a particular focus on increased risks of online recruitment for sexual and labour exploitation.*
- *Systematically monitor Internet, using open-source intelligence and screening of job advertisements and sexual services websites, using various technological tools.*
- *Increase the presence of trained law enforcement officials, including from specialised anti-trafficking units, at border crossing points, train and bus stations*
- *Increase law enforcement presence online and labour inspections in high-risk sectors.*
- *Strengthen the co-ordination at border crossing points and reception facilities to ensure the accurate registration of refugees and their access to necessary information and essential services.*
- *In cases of people fleeing from war, enable easy, fast and free access to health services and psychological support. Reinforcing existing hotlines and/or set up as a matter of urgency new contact points and helplines, available 24/7, where relevant information is provided and potential cases of trafficking and exploitation can be reported.*
- *Also, disseminate widely information on obtaining protection status and the rights to assistance, through regular media channels, social media, specific websites and posters at border crossing points, churches, markets, etc.⁴⁰*
- *Raise awareness among all frontline responders and professionals involved in the registration, assistance and integration of people fleeing a war, about the risks of trafficking in human beings and exploitation. Provide them with easy guidance, tools and indicators on how to detect potential victims of trafficking in human beings, notably among children, and how to react in such cases.⁴¹ Ensure that the raising awareness process is undertaken in a gender-sensitive manner.*

⁴⁰ GRETA (2022). *Guidance Note on addressing the risks of trafficking in human beings related to the war in Ukraine and the ensuing humanitarian crisis.*

⁴¹ *Ibid.*

6. Quick guide: How to use a gender-responsive lenses?

This section is created as a deconstruction of myths and situations that are recognised as most common in practice when it comes to failures in understanding gender dimension of THB or gender stereotypes. This section provides the most common misconceptions about THB from a gender perspective and presents possible answers in how to overcome them, based on a human rights and gender approach. Misconceptions listed below are based on experiences in direct work in the field of anti-trafficking.

	True or false?
All human trafficking is for the purpose of sexual exploitation of women.	<p>Partly false</p> <p>While the great majority of women are victims of THB for the purpose of sexual exploitation, quite often one victim, man or woman, boy or girl, is subjected to multiple types of exploitation, for example sexual exploitation at night and labour exploitation during daytime.</p> <p>Further, sexual exploitation may not always be the main purpose of human trafficking, but victims of other types of exploitation may suffer sexual violence, for example as a form of punishment or out of opportunism.</p>
Only women and girls can be victims and survivors of sex trafficking.	<p>False</p> <p>THB for the purpose of sexual exploitation mostly affect women and girls. An estimated 6.3 million people are in situations of forced commercial sexual exploitation at any point in time. Gender is a key determining factor: nearly four out of every five people trapped in these situations are girls or women.⁴²</p> <p>However, men and especially boys can be victims of sexual exploitation, as well. Because of stereotypes and expectations about masculinity and the fact that sexual violence against men is an enormous taboo in the patriarchal society, such cases are rarely identified. LGBTQ boys and young men are seen as particularly vulnerable to trafficking.</p>
All traffickers are men.	<p>Partly false</p> <p>While the great majority of traffickers are men, women also play a prominent role in trafficking. According to the UNODC, an estimated 72% of convicted traffickers are male, and 28% are female. This has to be remembered, in terms of avoid blurring responsibility or detecting crimes.</p>
Victims of THB look and behave in specific way.	<p>False</p> <p>Stereotypes about how a victim of THB should look and behave are particularly widespread and damaging. The victim is often expected, consciously or unconsciously, to fit into the stereotype of 'ideal' victim which is specifically highlighted for female victims. An 'ideal' female victim is a young innocent girl, powerless and helpless, whose trafficking experience resulted in visible and severe trauma, who is quiet, with visible signs of trauma and physical injuries.</p>

⁴² ILO, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*.

<p>Consequences of THB often cause confusion and lack of co-operation on the victim's side.</p>	<p>True</p> <p>Victims are expected to co-operate with the authorities and be able to tell their story consistently for prosecution purposes. However, the severity of their trafficking experience, in particular psychological and health consequences of THB, often cause confusion, especially if a recovery and reflection period is not respected. This is especially emphasised in cases of sexual exploitation for women and girls, which leave physical and psychological consequences, but also fear of the perpetrator.</p> <p>Very often, in the process of assistance delivery, victims are expected to recover, regain control over their lives and overcome their trauma quickly. In reality, the process of recovery is very long, with ups and downs, and the goal should be to provide victims with assistance in accordance with their needs, help them through all possible sources of secondary victimisation, and empower them to be self-sufficient and avoid future risks of re-trafficking.</p>
<p>Traffickers target victims they don't know.</p>	<p>False</p> <p>Many victims have been trafficked by intimate partners, including spouses, and by family members, including parents.</p>
<p>For a situation to be considered THB, the use of force is required.</p>	<p>False</p> <p>The majority of victims have not been recruited forcefully, but were deceived, tricked or manipulated into willingly entering the situation that would result in THB and exploitation – by accepting a job offer, a migration opportunity or by pursuing love. Manipulation and deception attract less attention or are less detectable than blunt force.</p> <p>Also, it is believed that all victims are kept locked, under physical control or surveillance, that they are permanently beaten and exposed to physical violence, with visible traces to prove it. In reality, there is no need for strict physical control when the trafficker has other means at disposal. This stereotype especially affects male victims. Victims may be irregular migrant workers, without papers and kept in a location they cannot leave on their own, for example a construction site in a remote area. This stereotype also affects women and children victims who are in an intimate or family relationship with the trafficker or are emotionally dependant in some other way and they simply obey.</p>
<p>THB takes place only in illegal or irregular industries.</p>	<p>False</p> <p>Women who have migrated for sex work which turned into sexual exploitation are sometimes not considered to be victims simply because sex work is illegal, and they knowingly got involved in illegal activity. Or, in case of labour exploitation, workers knew that they were going to work without a work permit and employment contract and accepted it. Whatever the victim may have accepted, this does not change the fact of exploitation and of a need for a societal and criminal justice response and victim identification and assistance.</p> <p>Also, there are many examples of victims being exploited in regular industries – hotels and restaurants, agriculture, clothes and footwear, construction – working in plain sight, alongside regular workers.</p>

Recommended materials for better understanding of the gender-sensitive approach in combating trafficking in human beings

Smjernice za ublažavanje rizika od trgovine ljudima u kontekstu rata u Ukrajini i prateće humanitarne krize, GRETA, 2022 (*Guidance Note on addressing the risks of trafficking in human beings related to the war in Ukraine and the ensuing humanitarian crisis*). Available at: <https://rm.coe.int/greta-guidance-note-on-ukraine-bhs/1680a6767f>

Priručnik za postupanje u slučajevima rodnozasnovanog i seksualnog nasilja nad ženama i djecom (za policiju, tužitelje i sudije), Visoko sudsko i tužilačko vijeće BiH), (*Manual for handling cases of gender-based and sexual violence against women and children for the police, prosecutors and judges*). Available at: https://vstv.pravosudje.ba/vstv/faces/docservlet?p_id_doc=48586

Alatke i metode za urodnjavanje politika: Rodna analiza, Friedrich-Ebert-Stiftung u Bosni i Hercegovini, (*Tools and methods for policy implementation: Gender analysis*). Available at: <http://library.fes.de/pdf-files/bueros/sarajevo/16268.pdf>

Priručnik za integrisanje ravnopravnosti spolova u pravne propise, Agencija za ravnopravnost spolova BiH, (*Handbook for integrating gender equality into legal regulations, Agency for Gender Equality BiH*). Available at: https://arsbih.gov.ba/wp-content/uploads/2015/11/BOS_Prirucnik.pdf

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