



IN BRIEF

APPLYING GENDER-SENSITIVE APPROACHES IN COMBATING TRAFFICKING IN HUMAN BEINGS

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CHAPTER 1

Overview



Trafficking in human beings (THB) is a highly gendered crime that affects women, men, girls, and boys in different ways. In recent years, considerable attention has been paid to the gender dimension of THB, which has translated into programs, policies and laws. However, many gender aspects of this crime remain hidden and unaddressed in the existing strategies for prevention, protection and prosecution.

With the ratification of a number of international instruments as well as the adoption of OSCE commitments, all of the OSCE's 57 participating States have committed themselves to adopt gender-sensitive approaches to combating THB. While these instruments take into account the fact that trafficking affects women, men, girls and boys, in none of the legal or policy anti-trafficking instruments is there clear guidance about what a gender-sensitive approach entails. The lack of a comprehensive focus on the full spectrum of gender-related aspects, including awareness, of and response to, an increasing share of detected male victims as well as those who do not fit the *ideal victim*¹ profile, has also limited the understanding of who potential victims might be or what their vulnerabilities and needs are.

This Brief summarizes the findings from an evidence-based and survivor-informed research project *Applying gender-sensitive approaches in combating trafficking in human beings* carried out by the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings. It seeks to ensure that strategies for prevention, protection, and prosecution are comprehensive and leave no victim behind, regardless of the form of exploitation they have endured. It also provides a list of recommendations for the OSCE participating States and

the wider anti-trafficking community to enhance the development of more holistic, tailored, and gender-responsive strategies that address gender-specific vulnerabilities and needs of victims of trafficking, especially those of crimes that are often-times overlooked.

International instruments and commitments

The importance of gender as a factor in trafficking in human beings led to the recognition of the need for gender-sensitive approaches in several international legally binding instruments such as the Palermo Protocol², the Council of Europe Convention on Action against Trafficking in Human Beings, and the 2011/36/EU Directive of the European Parliament.

At the OSCE, all 57 participating States have committed to adopt gender-sensitive approaches to combating trafficking in human beings through the adoption of a series of gender-specific commitments that recognized discrimination based on sex among the root causes of trafficking (PC.DEC/557, MC.DEC/10/11) and emphasized the need to address gender-specific aspects in the anti-trafficking response (MC.DEC/6/17, MC.DEC/7/17).

“ The relationship between trafficking in human beings and gender is both intrinsic and complex. The aim of this publication is to ensure that no victim is left behind, regardless of their gender or the form of exploitation they have endured.”

Valiant Richey, OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings

1. The term *ideal victim*, used in this study, refers to the image of those individuals affected by trafficking in human beings who are readily afforded victimhood status because of perceived adherence to certain socially constructed criteria, including gender criteria.

2. United Nations (2000), Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

CHAPTER 2

Prevention



Awareness of the root causes and contributing factors that increase victims' vulnerability to trafficking is central to developing and implementing prevention measures that respond adequately to the gendered nature of trafficking. The main challenge for anti-trafficking advocates is the fact that there is no single profile of a victim, or *ideal victim*, and there are no one-size-fits-all responses.

“ Currently, the way that we are addressing human trafficking is a pre-set system of biases where we're walking in the door to rescue women and girls.”

Survivor of trafficking and service provider in the US

Gender-based discrimination and the unequal distribution of social and economic opportunities as well as exposure to domestic and other forms of violence, especially in conflict settings and in the light of the impact from the Covid-19 pandemic, are significant contributing factors that particularly increase the susceptibility of women and girls to trafficking. Tackling discrimination and providing equal opportunities for women can therefore contribute to reducing their vulnerability to trafficking.

Gender inequality grounded in gender biases and stereotyping has a socio-economic impact on society as a whole. Moreover, harmful notions of masculinity and patriarchal expectations towards work and gender negatively impact men and boys alike, who traditionally play a crucial breadwinner role; economic insecurity of households, especially in times of crises, is therefore a major risk factor for men and boys being susceptible to becoming victims of trafficking, most notably for the purpose of forced labour, forced criminality, and organ removal.

“ The history of sexual violence relates mostly to girls as being at risk for human trafficking. With boys, patriarchy, as a risk factor, instructs them that they must, at all costs, provide a livelihood for their families; their traditional role puts them at the risk of becoming victims of labour exploitation. Their role as a provider may be an obstacle to risk detection.”

Service provider in Serbia

Sexual violence against men and boys should also be considered gender-based violence, since perpetrators use violent and harmful masculinities to denigrate their victims and violate their dignity. This is particularly relevant for individuals born male who do not conform to socially constructed norms, attitudes, and behaviors traditionally associated with manhood. Such individuals are extremely vulnerable to commercial sexual exploitation due to higher rates of homelessness, marginalization from their families, violence, and economic insecurity stemming from institutional discrimination and persecution.

Societal gender attitudes and biases, as well as structural gender-based inequalities, therefore hinder the development of THB prevention policies and measures that aim to address vulnerability of victims that are not frequently identified and in non-corresponding trafficking sectors³, such as women exploited in the labour sector, or trafficking of men for the purpose of sexual exploitation.

Greater awareness-raising and targeted programmes for recognising men and boys as potential victims, while also recognising women and girls in sectors where they are at great risk of exploitation, are crucial for prevention of human trafficking. In addition to raising awareness on the gender dimension of vulnerability factors, it is important to increase understanding that there are gender dimensions with regard to the demand fueling human trafficking. Effective prevention strategies also need to take into account the voices of victims and survivors to ensure that targeted campaigns are not based on the paradigm of an *ideal victim*, but reflect a comprehensive understanding of the diversity of exploitation and the need to engage a wide range of communities.

Research methodology

This paper is based on findings from a multi-method research project that included surveys, expert interviews and expert group meetings carried out with participants from more than half of the OSCE's participating States, as well as an analysis of existing literature on the topic of THB and gender. The study brought together the voices of survivors, anti-trafficking experts, service providers and law enforcement to fill in the gaps and provide a broad account of gender aspects in THB, identifying both good practices and problem areas as well as offering a basis for discussion about possible ways to strengthen our efforts and improve our response.

3. The term *non-corresponding trafficking sectors* is used to refer to forms of trafficking that mainly affect the victims of the opposite sex, such as sexual exploitation of men and boys, or trafficking for the purpose of organ removal of women and girls.

CHAPTER 3

Protection

The protection of victims of trafficking requires a gender-sensitive approach. This is because victims of different genders are exploited in different ways and thus have different needs. For instance, trafficked women and girls experience high rates of physical and sexual violence and require tailored victim support and empowerment measures. On the other hand, male victims may need psychological support, medical assistance and healthcare that is different than that needed by female victims.

The identification of a victim of trafficking is a crucial step that can make the difference between being offered assistance and access to justice, or being prosecuted. However, the prevailing image of a trafficking victim who is typically female, or possesses characteristics associated with notions of vulnerability, weakness and innocence (the so-called *ideal victim*) hinders the identification process as well as the allocation of resources to meet the needs of those victims who do not fall within the perceived characteristics of trafficking victims. Gender plays a crucial role in the construction of these social assumptions which can explain why certain groups are more readily identified as victims than others.

“ When the person is a woman or a girl sexual exploitation protection measures are used. But if we have a boy exploited for forced criminality for example, then gender stereotypes prevail and protection measures are not available. This will also happen to an older woman because she does not fit the age stereotype.”

Service provider in Italy

Trafficking victims often fall in the grey area between the categories of victim and offender, especially in the context of sexual exploitation of women and girls in countries where prostitution is illegal, or in the context of exploitation of young men for the purpose of forced labour in illegal cannabis farms or forced criminality, further hindering identification and protection efforts.

Furthermore, men and boys have an especially hard time seeing themselves as victims. They fear stigmatization and loss of dignity by accepting victimhood status, which in their view or in their culture, might be related to stereotypical constructions of masculinity and is considered more devastating than physical altercation.

In addition to a number of obstacles in seeking and accepting assistance for both male and female victims, there remains scarcity of tailored assistance, such as differential healthcare provision or safe accommodation, that would take into account victims' gender-specific needs according to the type of harm and exploitation to which they were subjected. The Study led by the OSCE found that multiple social groups are overlooked by service providers and policy makers and more generally excluded from the anti-trafficking debate, including those victims who do not fit the *ideal victim* profile.

“ How much is the display of victimhood gendered, especially in sex trafficking but also in human trafficking more generally? It is not only gender, but it's also an intersectional problem, where the victim is supposed to be white and young as well. So not only the male victims are being overlooked, but also the older female victims. Basically, anybody that doesn't maybe meet the standards of the ideal victim.”

Anti-trafficking expert in Germany

Prosecution

There are a number of gender-related challenges that stand in the way of holding traffickers accountable and delivering justice to victims. Firstly, the complexity of victim-perpetrator relationships which may involve recruitment by family members, trauma bonding, romantic relationships, as well as violence, fear, and manipulation.

Secondly, a victim's interaction with criminal justice practitioners is often influenced by gender prejudice and stereotypes related to the ideal victim profile which may lead to maltreatment of victims, such as inappropriate questioning or even sexual misconduct, as well as dismissal of victimization claims and denial of victimhood status. Defense attorneys often also call the victims' character and behaviour into question, in attempts to challenge their credibility. While perpetrators enjoy impunity, victims face social stigma, shame, and fear of prosecution for petty crimes, adultery, homosexuality or prostitution. The lack of understanding of certain forms of trafficking – such as forced marriage or labour exploitation of women – can also be disregarded as cultural practices, further contributing to the widespread impunity of traffickers.

Society, and by extension law enforcement, is conditioned by gendered assumptions that see women and girls as potential victims and men and boys as potential perpetrators. The rights of men and boys as victims of trafficking, for instance, are often overlooked due to limited acknowledgement of forced participation in criminal activities as a form of trafficking. The ability of the criminal justice system to recognize men and boys as trafficked persons, therefore, remains limited.

Thirdly, there are challenges associated with different stages of the criminal justice process that include gender-appropriate pairing of victims and law enforcement officials, overall female representation in criminal justice sector, and gender knowledge and awareness by criminal justice practitioners. Indeed, gender dynamics are key to establishing trust with a victim. Personal history of victimhood, as well as cultural parameters and individual preferences are important and should be taken into account when deciding on pairing the victim with a criminal justice officer.

The matter of gender pairing, among others, is illustrative of the inherent linkages between an effective response and gender sensitivity within the criminal justice system. The development of a gender-sensitive environment can be achieved not only by hiring more women in law enforcement agencies and the judiciary, but also through transforming the organisational structure, and power relations that sustain inequality and stereotypes. To achieve this transformation – and tackle impunity for THB more effectively – gender-sensitivity training that improves practitioners' gender knowledge and skills around various trafficking techniques and patterns is needed.

“ In cases where I was the prosecutor, and the only woman in the proceedings, including the defendant, the defence and the jury, there wasn't too much sympathy; it seemed as if there was a shadow of doubt visible on all those faces. It was like all those men doubted that a criminal offence had been committed in the first place.”

Prosecutor in Greece

Recommendations

Applying gender-sensitive approaches in combating trafficking in human beings

Taking into account both the promising practices and problem areas that have been identified during the OSCE Study, the following steps are recommended for ensuring that policies and programmes undertaken in response to trafficking in human beings are truly effective. When considering the below recommendations, the OSCE's participating States are invited to embrace the broad range of possibilities for implementing gender-sensitive approaches - approaches not only limited to the protection needs of female victims in sexual exploitation and male victims in labour exploitation, but encompassing many possible actions in the area of prevention and prosecution as well. Ensuring that laws, policies and programmes address the specific needs of victims that have so far been marginalized should not undermine the hard-won attention and resources dedicated to women and girls who represent the most detected group of victims. There is a necessity to increase specialized protection for all victims through a comprehensive application of gender-sensitive approaches.



Area 1:
**Data collection and
production of knowledge**

The lack of data on the role of gender in different forms of trafficking impacts the ability of policy makers to develop adequate prevention, protection and prosecution strategies. Due to the constant shifts in the trends and patterns of trafficking, continuous research on gender aspects in THB is needed. This can play a key role in supporting the development of strategies that are in sync with the actual experiences of victims of trafficking and their needs. It is therefore important to establish proactive mechanisms to gather gender-disaggregated data, especially with regard to under-researched forms of trafficking.

Recommendations

- Promote proactive data collection mechanisms to gather gender-disaggregated data, with an emphasis on under-researched areas;
- Carry out in-depth qualitative research to examine the nexus between gender and trafficking situations, in particular less visible forms of trafficking such as domestic servitude and organ removal, as well as the sexual exploitation of men and boys and other persons who do not fit the *ideal victim* profile.



Area 2:
**Capacity building and
addressing biases in the
anti-trafficking response**

Gender biases and stereotypes make certain victim profiles and forms of trafficking less visible. Lack of knowledge and methods to deal with this hinders adequate prevention and detection work. It is therefore critical to increase the knowledge of anti-trafficking actors to strengthen their ability to identify *non-ideal victim* profiles and adequately respond to the needs of all victims, whether female or male, in line with States' gender-related obligations and commitments.

Recommendations

- Build knowledge of anti-trafficking actors to increase their capacity to address gender biases, identify *non-ideal victim* profiles, and adequately respond to the needs of all victims, in line with the OSCE participating States' gender-related obligations, including through the development of effective National Referral Mechanisms;
- Strengthen victim-centred and gender-sensitive training of law enforcement and judicial professionals;
- Promote female career development in criminal justice systems and male representation in social services to improve interaction with both male and female victims.



Area 3: Needs-based intervention for underserved populations

Tailored assistance that meets individual needs of all victims is still lacking. Significant gaps have been identified, particularly in less visible exploitation sectors. It is therefore urgent to develop interventions to support the identification of both male and female victims in non-corresponding trafficking sectors, as well as to respond to their specific needs and address their vulnerabilities.

Over the last 15 years, the share of detected male victims of trafficking has more than doubled. They now represent 35% of detected trafficking victims worldwide, with up to 49% in Western and Southern Europe (UNODC 2020). While male victims have increasingly emerged on anti-trafficking agendas, attention and support to this victim group is still lacking in all of the three pillars of prevention, protection and prosecution. One of the most hidden forms of THB is the sexual exploitation of boys and men. This invisibility is largely due to the taboos and stigmas associated with this form of trafficking, as well as the fact that sexual crime victims are often exclusively associated with women and girls.

Furthermore, victims of trafficking who do not fit the stereotypical *ideal victim* profile receive very little attention and are therefore subject to double victimization. Given that so little is known about the extent and scope of the victimization of such individuals, the push and pull factors and post-exploitation needs of this victim group have not yet been adequately identified or addressed.

Gender alone does not define risk or susceptibility to victimization. It is thus important to look at other intersecting factors, such as age, hardship (including unemployment, immigration status, disability, illness, substance abuse or homelessness), ethnicity or racial belonging.

Recommendations

- **Develop interventions to offer prevention and protection services adapted to the needs of all victims, in particular those who are less likely to come forward. Tailored assistance should take into account victims' gender-specific needs according to the type of harm and exploitation to which they were subjected;**
- **Consider conducting multi-agency mapping of high-risk sectors to better tailor interventions to the needs of victims;**
- **Review national legislation and policies to ensure that they cover the protection needs of all victims;**
- **Promote the use of an intersectionality lens, taking into consideration the different contributing factors in order to develop holistic and effective prevention and protection strategies, including through the use of National Referral Mechanisms;**
- **Address the risk of double victimization by designing rights-based prevention and assistance programmes that are based on the individual vulnerabilities and needs of victims or potential victims.**



Area 4: Awareness raising and youth education

Anti-trafficking campaigns play a crucial role in educating the public about the nature and scope of THB. In such campaigns, voices of survivors are central to creating a trafficking narrative and eliciting responses from both policy makers and the public. It is therefore important to produce anti-trafficking campaigns that cover all types of victims, not only the *ideal victim*. Stereotypical representations can be harmful to identification processes and to victims themselves, making them to relive their experiences, damage victims' self-worth by seeing how they appear to the public, or lead to their victimhood being dismissed if their situation was different than the images.

It is also important to educate on harmful and positive masculinities in order to promote engagement and tackle stereotypes. Harmful masculinities have been identified as a factor contributing to demand for sexual services, which in turn fosters trafficking for sexual exploitation. Targeted awareness-raising intervention can help lay a foundation for empowering and educating youth on how to unlearn and prevent such behaviours.

Recommendations

- **Raise awareness among anti-trafficking organizations, law enforcement and the general public to stretch the boundaries of the *ideal victim* paradigm and give more attention to victims less likely to be identified, such as men and boys in sexual exploitation, and women and girls in labour exploitation;**
- **Develop methodologies to help design campaigns that do not reinforce the image of the *ideal victim* or hierarchies of victimhood, but instead examine aspects of gender in THB that are usually unaccounted for or invisible;**
- **Incorporate information about both harmful and positive masculinities into sex education curricula in schools, and develop awareness-raising campaigns for parents and legal guardians;**
- **Mainstream gender equality in education and develop transformative strategies to promote the engagement of men and boys in tackling discriminatory stereotypes of masculinity and femininity, and address the root causes of gender biases and violence against women.**



The full paper and recommendations
in English and Russian is available at:
<https://www.osce.org/cthb/486700>

The Organization for Security and Co-operation in Europe works for stability, prosperity and democracy in 57 States through political dialogue about shared values and through practical work that makes a lasting difference.

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