



## POLICY BRIEF

# The Role of Bias in the Identification of Victims of Trafficking in Human Beings in the EU

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The key question raised is whether identification efforts are biased towards trafficking for sexual exploitation and female victims.

### ABSTRACT

Data show that trafficking in human beings (THB) for sexual exploitation continues to be the most prevalent form of trafficking. Moreover, women continue to constitute the great majority of victims identified in Europe<sup>1</sup>. Much fewer trafficking victims are identified in agriculture, construction, hospitality, domestic work, or begging. This Policy Brief provides a statistical overview of the victims identified across the EU (2017-2018) and aims to assess why identification programmes struggle to identify and assist male victims and those facing exploitation outside the sex industry. The key question raised is whether identification efforts are biased towards trafficking for sexual exploitation and female victims.



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## CONTEXT

The identification of victims of THB is a critical challenge in anti-trafficking work in Europe. While countries of origin undertake various preventive actions, the identification of THB victims mainly falls to the countries of transit and destination. Human traffickers target wealthier EU Member States (EU MSs) as destination countries because of the high demand for cheap labour. A single state can represent a country of origin, transit, and destination for different victims.

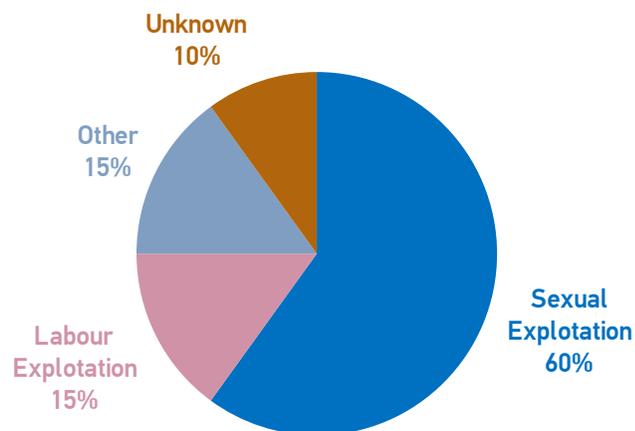
Current identification efforts fall short in finding and assisting all THB victims for various reasons, including a lack of labour market inspections and operational capacity; inefficient policies and strategies; distrust towards the competent authorities; fears shared by victims of human trafficking; lack of referral mechanisms; inadequate cooperation among the competent authorities; lack of training; and lack of resources<sup>2</sup>. As a result, an overwhelming majority of THB victims remains unidentified and thereby deprived of their rights, protection, and any form of assistance. Particularly men are more likely than others to remain unidentified and unassisted.

Another important challenge arises from the fact that data on victims is generated and maintained by various institutional actors. These actors - including police, non-governmental organisations, border guards, immigration officers, and labour inspectors - register and categorize victims in different ways; some include only 'identified' victims, while others add the 'presumed' victims to their data<sup>3</sup>.

## GENDER DYNAMIC AND FORMS OF EXPLOITATION

The most recent existing data indicate that trafficking for sexual exploitation was reported as the predominant form of exploitation in the EU-27, accounting for 60% of cases registered<sup>4</sup>. Labour trafficking accounted for 15% of victims, alongside 15% for other forms of exploitation (see figure 1).

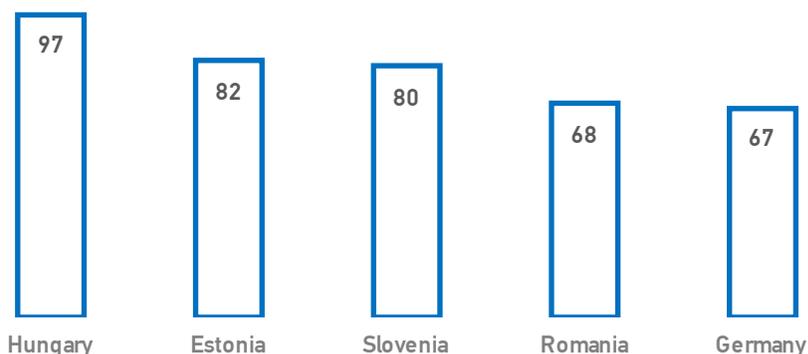
Figure 1: FORMS OF TRAFFICKING IN THE EU-27 (2017-2018)



Source: European Commission (2020).

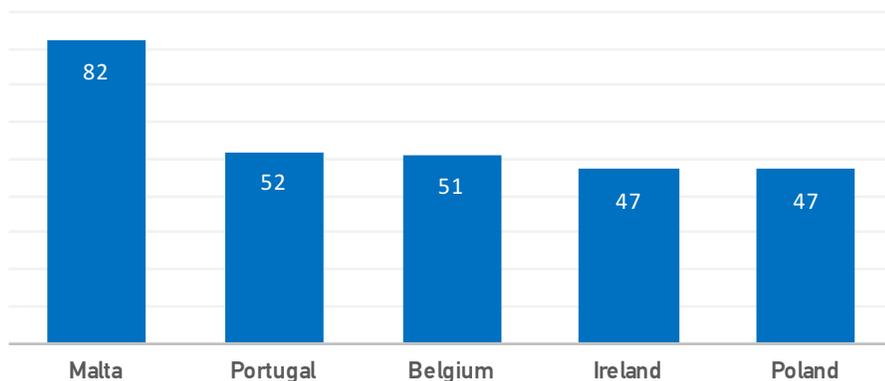
The figures below illustrate the striking discrepancies concerning the forms of trafficking identified across EU MSs (2017-2018).

Figure 2: TOP EU COUNTRIES WITH VICTIMS OF SEX TRAFFICKING (%) IN 2017-2018



Source: European Commission (2020).

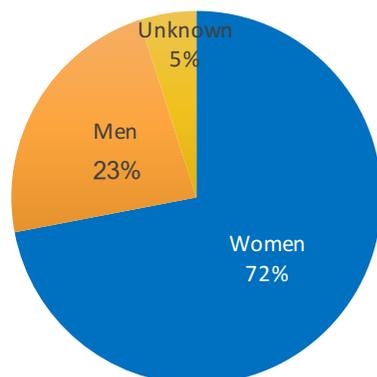
Figure 3: TOP EU COUNTRIES WITH VICTIMS OF LABOUR TRAFFICKING (%) IN 2017-2018



Source: European Commission (2020).

Women and girls continue to make up the majority of THB victims. Across the EU, the female-to-male ratio among victims registered for 2017-2018 was very similar to previous years, comprising 72% female victims and 23% male victims (figure 4).

Figure 4: GENDER OF TRAFFICKED VICTIMS IN THE EU-27 (2017-2018)

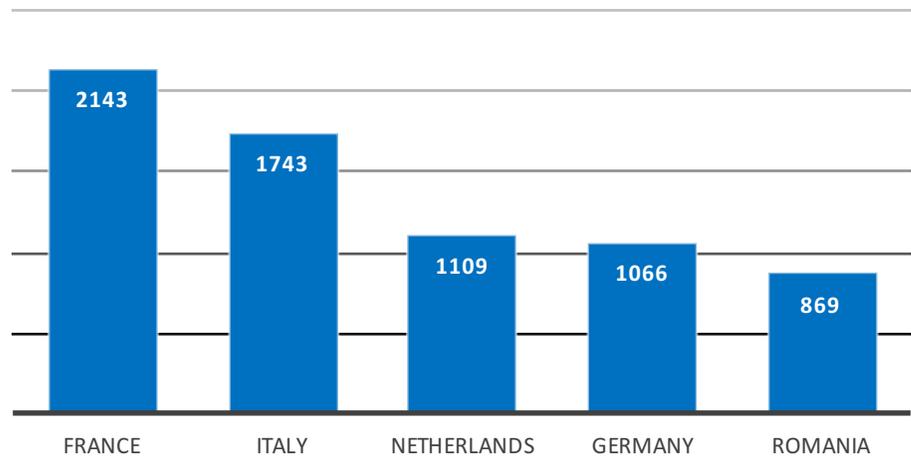


Source: European Commission (2020).



France, Italy, Netherlands, Germany, and Romania registered the highest numbers of female victims for the 2017-2018 period (see figure 5).

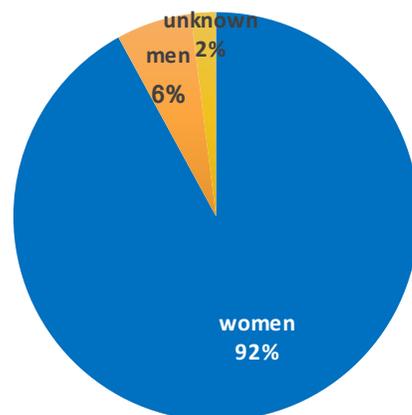
**Figure 5: TOP EU MSS WITH IDENTIFIED FEMALE VICTIMS**



Over the years, the trends concerning the gender of identified victims subjected to different forms of exploitation remained nearly intact.

Over the years, the trends concerning the gender of identified victims subjected to different forms of exploitation remained nearly intact. Most victims of sexual exploitation were and remain to be women. It does not mean that men and boys do not fall victims to this form of trafficking, but they are less often perceived as trafficking victims and face higher difficulties to confess their exposure to sexual exploitation. Oftentimes, men can be victims of both labour and sexual exploitation but only choose to identify as victims of the former. This partly explains why fewer men are identified as victims of sexual exploitation.

**Figure 6: VICTIMS OF SEX TRAFFICKING BY GENDER**



Source: European Commissior

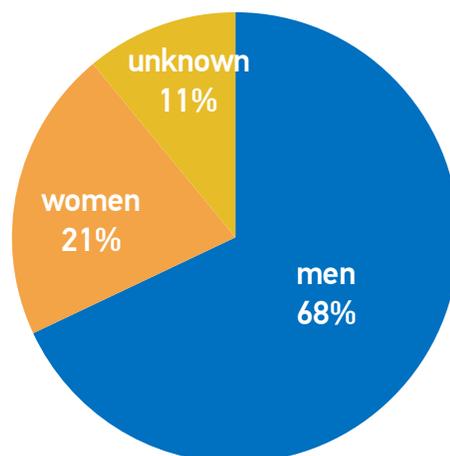
When it comes to labour exploitation, the trend is reversed. Men accounted for over two-thirds of the victims of labour trafficking. Most often, men are trafficked for forced or unpaid labour in the construction and agricultural sectors. They can also be trafficked for other purposes, such as begging, sexual exploitation, servitude, or forced criminal activities. There are fewer identified female victims following exploitation in activities related to agriculture,

construction, hospitality, domestic work, or begging. For example, fashion industries have been abusing and overworking women from Eastern Europe<sup>5</sup>. However, these women have not been captured in the identification of victims' statistics.

The reported gender ratio implies that identification programs may in fact struggle to narrow the gap between gender and forms of exploitation and consequently fail to capture the more realistic numbers in this regard. Moreover, the difference in THB statistics may imply that some EU MSs have either a higher incidence of trafficking for different purposes or their programmes or mechanisms result in better identification of victims subjected to all forms of trafficking rather than just sexual exploitation. For example, Hungary and Portugal, with populations of some 10 million people each, represent countries of origin and destination of trafficked victims, yet they show very different identification outcomes. In 2017-2018, Hungary identified virtually only victims of trafficking for sexual exploitation, accounting for 97% of all victims. Meanwhile, 52 % of victims identified by Portugal were those subjected to forced labour. The in-depth interviews with experts from Portugal and Poland confirm that the numbers of identified victims are results of identification programs' efforts rather than an indicator of the predominance of one form of exploitation over the other.

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Figure 7: VICTIMS OF LABOUR TRAFFICKING BY GENDER



Source: European Commission (2020).

Some anti-trafficking experts call for more attention to what is becoming known as the paradox of vulnerable groups. Recent research shows that besides labour trafficking and trafficking for sexual exploitation, the main form of trafficking affecting men and boys who travel on migration routes to the EU is forced criminal activities, mainly migrant smuggling. Young men represent a vulnerable group in this context precisely because they are considered already susceptible<sup>6</sup>. However, while many trafficked victims are migrants, human trafficking also affects EU citizens, which may be particularly vulnerable due to their legal status, economic and family situation, and physical or mental health. Finally, there are also victims from a more advantaged socioeconomic background, which should not disqualify them from seeking and receiving help from the appropriate institutions.



## THE ROLE OF STEREOTYPES IN IDENTIFICATION OUTCOMES

The fact that fewer victims are identified in areas of economic activity other than the sex industry is telling. The anti-trafficking experts reveal that identification mechanisms feature stereotypes about victims and victimhood and thereby identify mainly men for labour exploitation and mostly women for trafficking for sexual exploitation.

Some of the most prevalent misconceptions include the notion that only women can be trafficked and that victims are always of foreign origin. Many wrongly believe that victims cannot seek help if they know what would happen to them. False myths expand to induce beliefs that victims of trafficking are continuously exposed to physical and psychological violence and control and hail solely from poor or disadvantaged backgrounds. Human trafficking is often conflated with human smuggling in the same vein, and victims of trafficking are believed to be exploited through organized criminal networks alone.

This perception is shared by the public and is incorporated in the national law and penal code in many EU MSs, which form the base for training of personnel and authorities who identify and assist victims, and spill over to identification mechanisms and programs. Moreover, many human trafficking definitions lack clarity when translated into effective anti-trafficking laws, regulations, and policies. For example, in some countries, there have been debates if people who have been aware of the irregular or unofficial nature of their job abroad are still to be considered victims of human trafficking. Consequently, the responsible anti-trafficking institutions struggle to identify and assist people who do not fit the stereotypical image of a human trafficking victim – a young female sold for sexual exploitation. Social help providers and other involved actors are often not aware of their preconceptions. They cannot deconstruct some of the myths surrounding human trafficking, thereby making their prevalence interfere with the identification of victims. As a result, most victims continue to fall into stereotypical categories.

The focus has slowly changed in most EU MSs with the adoption of the Palermo Protocol, but misconceptions persist. In its recent report, the Red Cross highlighted that frontline workers are still struggling with stereotypes about victims of human trafficking, which create severe challenges in identifying victims, especially men, and other forms of exploitation beyond trafficking for sexual exploitation and forced prostitution<sup>7</sup>.

Many of the existing misconceptions have been shaped and strengthened by the mass media and anti-trafficking advocacy organisations. Since the late 1990s, overflowing information warning about the dangers of human trafficking has emerged. To reach the entire population, the information has been distributed in varied ways, including billboards and posters, leaflets and flyers, through television, films and documentaries, as well as radio and newspaper advertisements.

Early anti-trafficking campaigns portrayed women as victims, focusing on the most horrific and shocking cases of trafficking for sexual exploitation, ignoring all other forms. The display of bodies of females and children (see images below) is still ingrained in the minds of many, including those working in the legislative-making branch and even victim identification. As confirmed during the interviews with anti-trafficking experts, until recently (2007-2015) the penal code in most EU MSs has been focused on sexual exploitation.

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Image 1: IOM Lithuania Campaign, 2002



Source: IOM Lithuania (2002). The slogan reads: "Do not believe; you will be sold" in Lithuanian.

Image 2: IOM Moldova Campaign, 2001



Source: IOM Moldova (2001). The campaign displays the hotline number, with the slogan "You are not for sale!", in Romanian and Russian.

Image 3: IOM North Macedonia Campaign, 2021



Source: IOM North Macedonia (2021). The video campaign shows a clip of several people: women, men, and children being exploited<sup>8</sup>.

The recent campaign of the IOM North Macedonia shows that there has been an effort to include more types of human trafficking in the awareness-raising. IOM missions around the world have produced TV and Radio advertisements highlighting trafficking from rural areas to the cities for sexual exploitation and trafficking for labour exploitation across the borders. However, the majority of anti-trafficking campaigns remain focused on sensational stories of sexual exploitation of women.

## POLICY MEASURES

While in recent years some actors have tried to distance themselves from earlier communication practices, there have been fewer attempts to replace the misconceptions created. One such attempt has been to re-educate Greek journalists on covering THB-related issues<sup>9</sup>. The UNODC has made another attempt for the Gulf Cooperation Council Region



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(OGCCR) by launching the "Human Trafficking Toolkit for Journalists"<sup>10</sup>. These guides call on mass media to adopt a responsible approach, acknowledging its power to shape public awareness, attitudes and perceptions. Journalists are called to understand that their work needs to be complete and accurate, avoiding the creation of false stereotypes, which can further aggravate victims' precarious position.

Yet, more recent information efforts of anti-trafficking organisations in Europe do not achieve the same impact as the campaigns of the early 2000s for several reasons<sup>11</sup>. First, the advocacy and international organizations decreased the budget for such campaigns, and thus the reach out capacity is lower. Second, the newer campaigns rely less on fear and sensationalism, which leads to less public attention towards these issues. Third, the newer campaigns have the role of not only informing people about human trafficking but also replacing the created misconceptions. The process of replacing these misconceptions goes way beyond informing people about the problem. Overall, higher quality information exists, but it has not been disseminated as intensely and broadly as before.

Moreover, current anti-trafficking efforts still fail to communicate to people "who" is entitled to seek help. Many potential victims are aware that there are different forms of human trafficking but do not think that they are entitled to seek and receive assistance. The side effects of these earlier campaigns, to which several scholars have pointed to, have not been evaluated, nor have institutions measured their impact<sup>12 13 14</sup>. However, understanding their impact on identification mechanisms and the related shortcomings would be most useful.

While anti-trafficking organisations have long focused on labour trafficking and other forms of exploitation, this has barely been reflected in the mechanisms for identification and referral, especially national referral mechanisms. A review of anti-trafficking campaigns and reports show that the anti-trafficking actors have been trying to expand the understanding of human trafficking to encompass labour exploitation and other forms. These efforts are also reflected in the legislation and policies of individual EU MSs, international organisations and NGOs. However, these attempts to expand the definition of human trafficking have not yielded results yet. There is still a big discrepancy between the policymaking understanding of human trafficking and the identification programs.

## POLICY RECOMMENDATIONS

More work is required to re-educate the general public and anti-trafficking practitioners about who can be victims of human trafficking to decrease bias in identification mechanisms. The early anti-trafficking campaigns have focused on explaining what human trafficking is. There is now a need to bring the same intensity to shifting the focus and changing existing misconceptions, ultimately changing the public perception. New campaigns should not only provide more accurate information about human trafficking but also inform the public that earlier campaigns distributed inaccurate information.

States should provide assistance and support as soon as the competent authorities have a just reason to believe that a person might be a victim of human trafficking. For this to occur, **the competent authorities first need to be aware that men are also trafficked and that the sex industry is not the only outlet for exploiting THB victims.** Thus, EU MSs require adequate capacity building (of frontline officers), necessary tools (adequate mandates, lists of indicators, etc.), and accurate all-encompassing anti-trafficking law and legislation. The latter shall include clear definitions about different types of human trafficking and practical guidelines for legislative policymakers.

The general message has to change to **empower survivors of human trafficking**. Many women interviewed do not consider themselves victims because of the weakness and helplessness widely portrayed in this regard. Meanwhile, many exploited men do not consider themselves victims because of the female-dominated images of victims. Instead, new images should focus on both women and men who are recovered, assisted, and confident in their choices of seeking help. Such images would build trust towards authorities and motivate potential victims to seek help. EU MSs should develop and actively promote guidelines for mass media entailing suggestion on the use of empowering images of survivors of human trafficking. In turn, these changes may have far-reaching and longer-term consequences for identification mechanisms.

Competent authorities in EU MSs and international organisations need to **release concrete guidelines for information provision on human trafficking and analyse the effectiveness of information campaigns through focus groups**. This would help anticipate and mitigate potential misunderstandings. They can further **support underrepresented victims by clearly identifying the causal problems and tracking public perception through public surveys**, which might indicate why men and persons trafficked in construction, agriculture, and hospitality do not cooperate with the responsible agencies or seek help.

Moreover, national actors should closely collaborate with local authorities to **tailor campaigns to local communities** as this would dramatically improve information quality and support consistent monitoring of how perception shifts over time. These measures would bring better identification results.

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3. The 'presumed' category includes persons who meet the respective criteria but have not been officially recognised by the appropriate authority or persons who reject to be legally or formally identified as trafficking victims. Meanwhile, the 'identified' category refers to those officially recognised as victims by the competent authorities. Finally, the category of 'registered victims' encompasses both the 'identified' and 'presumed' victims, but still represents only a small fraction of the actual number of trafficking victims, which is estimated to be considerably higher than the official data would suggest.



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