

# **Assisting Trafficked Women**

**Best Practice Principles of Assistance  
to Migrant Female Victims of  
Trafficking for Sexual Exploitation**



# ASSIST:

## Gender Specific Legal Assistance and Integration Support for Third Country National Female Victims of Trafficking for Sexual Exploitation (EC AMIF: 821581)

This guide is based on the Immigrant Council of Ireland's report "Assisting Trafficked Women: Best practice principles of gender-specific legal assistance and integration supports to third country national female victims of trafficking for sexual exploitation", produced in the framework of a transnational project funded by the European Union Asylum, Migration and Integration Fund and implemented by a partnership consortium comprising the lead partner Immigrant Council of Ireland with BeFree (Rome, Italy), JustRight, (Glasgow, Scotland/UK), SOLWODI (Deutschland e.V. Germany), SURT (Barcelona, Spain) and the European Network (Brussels, Belgium).

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# Language of the ASSIST Project

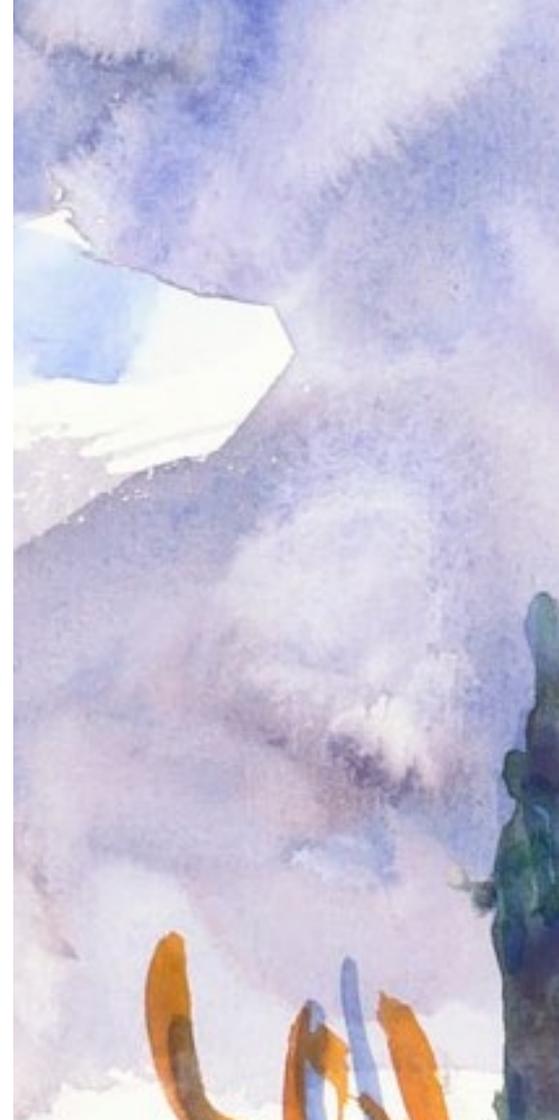
Central to the ASSIST project is the term gender-specific, which was a subject of discussion among the partners and as such merits a short explanation. The theory of gender levels conceptualises the asymmetrical ordering of masculinity and femininity in our societies and includes gender order, gender regime and gender relationships.<sup>1</sup> The gender order refers to the underlying regime of gender inequality that characterises the EU, resulting in societies in which women's position is still disadvantaged.

The gender regime is understood as the institution of prostitution which hosts the bulk of the crime of trafficking of women for sexual exploitation, while the gender relationship is the one seen between men who purchase “sex” on the one hand and women – including trafficked migrant women – on the other. It is in this sense that the term gender-specific is used in this project, which is dedicated to the assistance and integration of third country national women disproportionately and severely affected by the most costly and widely spread form of exploitation in the EU.<sup>2</sup>

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<sup>1</sup> Connell, R. W. (2005) 'The Social Organisation of Masculinities', *Masculinities* (2nd edition). Oakland, CA: University California Press; Coy, M. (2012) *Prostitution, Harm and Gender Inequality: theory, research and policy*. London: Ashgate.

<sup>2</sup> European Commission (2020). *Study on the economic, social and human costs of trafficking in human beings within the European Union*. Luxembourg: Publications Office of the European Union.





## About the ASSIST Project

The ASSIST project, funded by the Asylum, Migration and Integration Fund, responds to priority 5 of the AMIF-2017-AG-INTE, concerning the integration of victims of trafficking in human beings. The project contributes towards the integration of third country national female victims of trafficking for sexual exploitation. There is a recognised link between the assistance needs of victims and factors including their gender, the form of exploitation they have suffered, and their residence status (Directive 2011/36/EU, Directive 2012/29/EU).

This is particularly relevant to female victims of trafficking for sexual exploitation, who often have very complex needs.<sup>3</sup> The gendered nature of human trafficking, which represents a form of gender-based violence against women, stands at the core of the concept and the work programme of this project. The project also takes into account the implications of the migration developments since 2015, affecting the most vulnerable victims of human trafficking, in particular migrant women and children.

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<sup>3</sup> European Commission (2016). *Study on the Gender Dimension of Trafficking in Human Beings*. European Commission: Luxembourg.

The ASSIST project develops and delivers gender-specific legal assistance and practical support to trafficked for sexual exploitation migrant women in order to contribute towards their integration. The scope includes female victims of other forms of human trafficking that have been subjected to sexual violence. The project partners comprise of support organisations and independent law centres which have delivered structured gender-specific legal assistance, information and overall support to more than 50 trafficked migrant women in their respective EU Member States.

In particular, this work focuses on addressing special legal needs, on the availability and accessibility of material assistance and safe and appropriate housing, through designated shelters or mainstream services, specialised psychological support, access to training and employment, and overall integration support providing longer term solutions to empower such victims.

**ASSIST is based on a victim-centred and gender-specific approach, whereas ethical considerations receive the extreme level of attention they deserve due to the nature of the project. Victims of trafficking play a central role in both the conceptualisation and the implementation of the project.**

On a practical level, victims participate as experts and service providers in the project. Direct victims' opinions were gathered for the purposes of gaining an authentic understanding of the gender-specific needs of trafficked migrant women. Victims were also involved in the design and the production of the information materials of the project. Victims also played an important role in the services delivered through pilot programmes established in Ireland, Italy, UK/ Scotland, Germany and Spain/Catalonia, in which survivors are recruited and trained as mentors for peer-to-peer support work.

During the two years of the project the partners engaged in focussed discussions, identified best practices and drew the protocol and guidelines for engaging with victims and survivors of trafficking. **The outcome of this work was distilled into a set of Best Practice Principles presented in this guide.**

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# Best Practice Principles

## Principle 1: Access to and duration of assistance

While essential to the recovery of trafficked, sexually exploited women, assistance in practice is not unconditional and various direct and more implicit restrictions affect its provision. These limitations may be linked to issues such as migration, international protection, social entitlements, age assessment and others. The EU Member States have a certain freedom of interpretation that results in more or less stringent regimes of access to assistance, which are vital in cases of individuals recovering from severe sexual exploitation. Any lapses in this regard may lead to re-trafficking and re-exploitation.

The project identified that some measures could be taken to eliminate these risks. It is important for example that women are identified early and in a formal manner that leads to access to services. It is, however, important that services are provided also during the process of identification and before the formal identification is completed,



including for victims who are not collaborating with the police as the authorised authority deciding on these matters in many Member States. It is similarly important that women are treated as victims of crime before any restrictive migration framework is applied to their case.

**It is critically important that women's rights to claim international protection are not conditioned in any way.**

The material assistance restrictions must not be allowed to drop below a level that may mean a relapse into an exploitative situation. The assessment of the age of young survivors of trafficking has to be conducted with utmost care to eliminate any risk of further abuse and sexualisation of

young victims, for example by accommodation within mixed-gender adult populations in establishments such as homeless shelters or asylum centres. The duration of the assistance is of particular importance for trafficked migrant women, which should involve planning for mid and long term provision and which could involve different service providers.

For instance, the early intervention specialist responding to trafficked victims could be replaced over time by long-term gender-specific services within the existing structures of the gender-based violence sector. The access to such mid- and long-term supports could be problematic due to women's stigma, lack of confidence, reluctance to repeat (explain again) their traumatic past, which necessitates the availability of a linking person or a mentor for such trafficked migrant women.





## **Principle 2: Specialised legal assistance**

The importance of gender-specific legal assistance for trafficked migrant women cannot be underestimated due to its centrality in the successful integration process. Such women need early legal intervention due to the complex legal situation that, in addition to the main crime committed against them, may involve a range of additional issues pertaining to immigration, personal identification, age assessment, family-related issues, prosecutorial problems and others.

**Very importantly, trafficked women cannot benefit by sole provision of legal information but rather need holistic legal representation in light of the myriad problems they face and the complex assistance regimes they negotiate.**

The access to social benefits for migrant victims is not always ensured by default, and legal representation is needed to unblock important aspects of material supports, such as social entitlements, eligibility to housing, work and others. The significance of a successful compensation claim for trafficked migrant women has to remain a cornerstone of such a holistic legal assistance. The complex nexus between international protection and human trafficking which prominently arises in many cases of trafficked migrant women is most appropriately addressed through such gender-specific legal assistance. Such an approach also represents a safeguard for the Member States' correct interpretation of the international protection rights of victims of trafficking.

## Principle 3: Attention to motherhood and children

The fact that many victims of trafficking have children or are pregnant at the time they escape the trafficking ordeal represents a predominantly gender-specific situation. This has to be incorporated into the assistance considerations due to its key importance for the recovery process and the significant scale in which it occurs. Motherhood changes the experiences of victims and adds layers of additional experiences. In some ways, this may mean empowerment but there are also additional pressures and anxieties. Having had a child while involved in prostitution or having been forced to abandon a child in the course of the trafficking experience could be a cause of depression and stigma for the mothers.

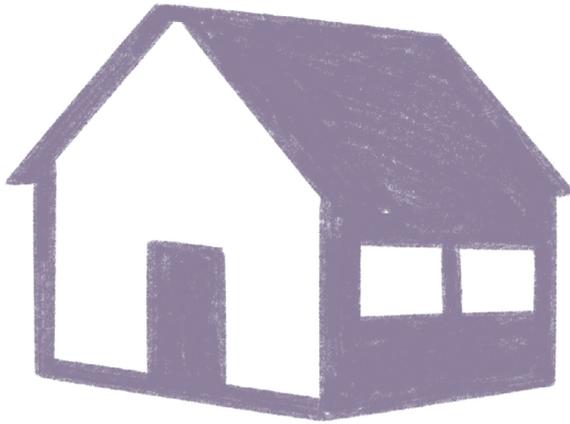
Some victims have fears with regard to children left in the country of origin, as traffickers often use that as an intimidation tool against the victim. This naturally stands in the way of the victim's willingness to cooperate with investigating authorities but also acts as a barrier to the mother's recovery and wellbeing. At the same time, reunification with the child does not always put an end to



the anxieties and problems for the mother. In some cases assistance with mothering skills and psychological counselling, both for the mother and the child, may be necessary to assist the family transition.

**The material assistance, in cases where children are present, has to take into account the increased risks of relapsing into exploitation if assistance is not sufficient. The mothers may also have to be psychologically assisted in overcoming feelings of increased shame and stigmatisation in relation to their involvement in prostitution, which, in the mother's own perception, could harm or alienate the child.**

Furthermore, many trafficked migrant women need support in finding childcare opportunities so that they can attend to their personal integration needs. In addition to material support, mothers require kindergarten places and child welfare benefits, etc. In the absence of this child-oriented assistance, some trafficked migrant women have resorted to abortions, which later requires further counselling and exacerbates the overall distress of already traumatised women. Not having had a chance to mature in caring families safe from abuse may lead to anxieties in some victims who are expecting a child or expecting to be reunited with a child they have not seen for a long time. This necessitates assistance in coming to terms with and addressing such feelings. The complications linked to motherhood may be varied and a definite formula for response may not be possible. However, these experiences have to be taken into account with the due attention they require, in light of their significance for the overall process of recovery.



## **Principle 4: Safe and appropriate accommodation**

Accommodation assistance is essential firstly, to ensure that victims can escape from the situation of exploitation and secondly, for the commencement of recovery and reflection in a safe environment conducive to healing. The nature of the housing arrangements and who provides housing services is of particular importance to victims of trafficking who have survived significant trauma and sexual assault. This represents an area of assistance that requires gender-specificity. Alongside some distinct

features in human trafficking, migrant women's needs have evident parallels with victims of intimate partner violence and victims of rape.

**For this reason, the developed best practice approach by feminist service providers has to be emulated and resourced for victims of trafficking for sexual exploitation, in addition to special security considerations that are vital to protect victims of human trafficking.**

Of particular importance in the provision of accommodation is the level of safety and privacy necessary for individual recovery. The service is best provided by staff trained in responding to victims of gender based violence - human trafficking for sexual exploitation or victims of sexual abuse, rape or domestic violence as traffickers sometimes pose as intimate partners, which adds layers of dependency and betrayal to the actual physical and sexual violation. In terms of training, it is also very important human trafficking is formally included in training programmes as a form of gender-based violence.

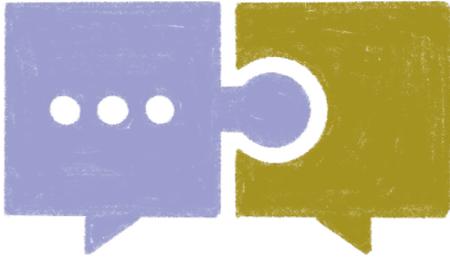
What also matters significantly in relation to accommodation is whether or not it is of mixed-sex, whether or not the place is known to the wider public and in danger of attracting unhelpful attention which together may generate risks for the victims.

## **Trafficked migrant women should be housed in accommodation specially designed for vulnerable women.**

Avoiding room-sharing arrangements and background noises are often essential in the first months of reflection and recovery, given the prevalence of post-traumatic stress disorder among such women. Introducing and allowing activities, such as training or art and crafts for example, are often essential for distracting women from persistent traumatic thoughts. In this regard, accommodation that allows own food preparation is vital. Due to the shortage of housing resources in some Member States, often victims who cooperate in criminal investigations are preferentially treated in comparison to victims who do not participate in investigations. This practice could be detrimental to trafficked migrant women and it directly contravenes the provisions of the EU anti- trafficking framework requiring that the assistance to victims is not conditional on their participation in criminal proceedings.

## **Therefore, access to specialised women-oriented safe accommodation should not be conditional in order to truly benefit trafficked migrant women.**

It has been proven that resourcing a network of women's shelters with geographical spread to respond to cases of emergency needs of trafficked migrant women is critically important to the safety of these women. Designating resources and sufficient funding from the Member States is a vital precondition for the provision of appropriate gender-specific accommodation of trafficked migrant women, which is a finding reinforced in the recent Study on the economic, social and human costs of trafficking in human beings within the EU (2020).



## Principle 5: Psychological assistance

Access to early and ongoing psychological assistance is a cornerstone of every victim's recovery process but is of special relevance to trafficked women who have been sexually exploited. For such cases, specialists recommend a trauma-informed approach to psychological assistance that takes into account the nature and the extent of the trauma in designing and leading the psychological counselling process. The need for not just physical but also mental

recovery is dictated by the complex exposure to abuse, betrayal, domination and control, that victims of trafficking experience. This is made necessary even more so by the severe sexual violations experienced over a period of time, often accompanied by elements of intimate partner violence. Multiple rapes is a particular feature of trafficking for the purposes of sexual exploitation, although sex abuse may also occur in other gendered forms of trafficking, such as domestic servitude or forced marriage, which similarly require assistance from a psychologist or psychotherapist.

The profile of victims of such trafficking crimes requires a gender-specific psychological approach. If the mental health issue remains unaddressed, this may lead to serious consequences for trafficked women, manifesting as a post-traumatic

stress disorder, inability to concentrate, memory problems, depression and others.

**Therefore the more visible needs of victims of human trafficking should not be allowed to obscure the profound psychological needs of trafficked, sexually exploited women.**

Lack of gender-specific psychological services poses serious barriers to integration and ability to engage meaningfully with other support services increasing a women's vulnerability and, in some cases, risk of re-trafficking. Therefore this is a central type of gender-specific assistance to trafficked migrant women, impacting the effectiveness of other services delivered to them.



forced abortions or miscarriages during trafficking in prostitution and continue to be sexually exploited shortly after such intense health crises.

**Overall, the experiences of trafficked migrant women have parallels with women in prostitution experiencing sexual violence and survivors of rape because they are a direct result of the way their bodies have been sexually abused over a period of time.**

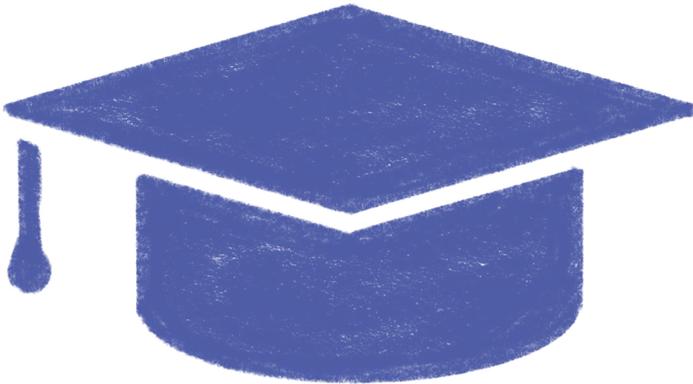
## **Principle 6: Medical assistance**

Victims of trafficking develop serious conditions and experience acute medical needs. Access to medical care should be gender-specific, unconditional and on an informed voluntary basis. The severity of the medical consequences of human trafficking is of particular importance in cases of victims subjected to sexual exploitation or sexual violence, which has been the subject of studies with significant sampling. Many women experience

In light of similar medical needs, there is merit in resourcing the existing medical services to respond to women recovering from trafficking for sexual exploitation. This is an area that requires a markedly gender-specific approach, centred on the recovery from a physical trauma and conditions associated with sexual exploitation, including treatment of sexually transmitted diseases, consequences of repeat abortions, pelvic infections, infertility, throat infections and other specific conditions. The gynaecological examination and treatment must be

a priority in the early assistance offered to trafficked migrant women and must be carried out in a trauma and culturally sensitive manner. Acquiring competence on Female Genital Mutilation-related health problems and accompanying cultural issues has to be a priority for medical personnel responding to trafficked migrant women. This is important not only for the health of trafficked migrant women but also for substantiating international protection claims vital for their establishment and integration in the Member State. Reconstructive plastic surgery is a related service that has to be considered in the medical assistance offered to trafficked migrant women. Supplying trafficked migrant women with basic knowledge about their own body, sexual organs, menstrual hygiene, contraceptive methods and sexually transmitted diseases is sometimes necessary and has to be ensured. Sex education as a whole represents a medical need that counsellors may address in their gender-specific support service. The communication between hospital staff and trafficked women who do not speak the language represents another important feature of this assistance. Due to the personal nature and stigma attached to such women-specific medical issues, sensitive gender-specific interpretation is required.



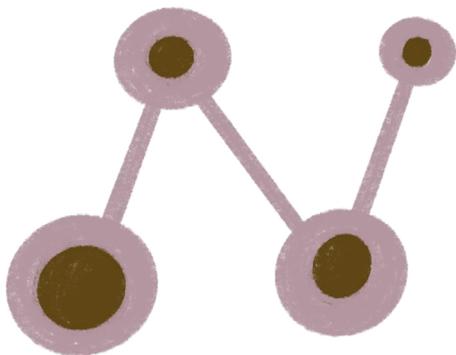


## **Principle 7: Training and education**

Access to education and training has to be a focus of long-term integration plans and to be geared towards both developing agency over ambitions as well as economic independence as much as possible. It is acknowledged that this is a hard (in rare cases impossible) goal to achieve and that this is a particular gender-specific issue arising especially for victims of trafficking for sexual exploitation. The empowerment of victims is a valid goal of training and employment assistance. Existing resources

and life skills that trafficked women possess have to be emphasised and further developed in order to foster self-confidence as a first step to engagement with training. The individual needs and aspirations have to be guiding points in developing any integration plans with regards to education and professional training plans for trafficked migrant women. The importance of creation of alliances with trusted employers and educational institutions that are committed in investing in upskilling and creating opportunities to trafficked women was also discussed. Tailored education classes of smaller sizes, practical education focusing on basic practical things such as sanitary female products, childcare and child rearing, and attention to the needs of illiterate women are considered best practice in the education of trafficked migrant women.

**Childcare provision allows women to participate in such courses and is essential best practice in this field of assistance.**



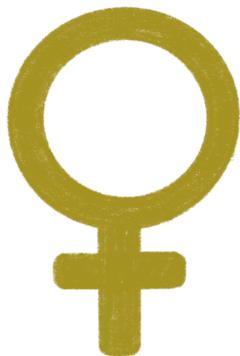
## **Principle 8: Borrowing good practice from other areas of response to violence against women**

Surviving human trafficking involving sexual exploitation and sexual violence, as mentioned above, invites many parallels with other forms of gender-based violence and violence against women involving sexual abuse and personal betrayal.

Bearing in mind that human trafficking is a relatively 'recent' crime concept and the response to it is still under review, there is justified reasoning for resourcing the existing relevant support infrastructure for violence against women to cater for victims of human trafficking in the absence of or in addition to existing specialist assistance for female victims of human trafficking for sexual exploitation.

**Shelters, counselling centres, professional codes of practice and best practice approaches in achieving recovery from assault and abuse can be additionally funded and adapted for trafficked women, who essentially present similar challenges with regard to injuries and trauma sustained from the gendered crimes against them.**

On the other hand, there is a limited rationale for creating a new single infrastructure responding simultaneously to victims of forced labour and victims of sex trafficking, due to the different recovery needs experienced by these cohorts of victims. The overall inclusion of trafficking in human beings under the wider umbrella of gender-based violence at national level, in terms of awareness and training of staff on trafficking related matters would largely improve the Member States' delivery of gender-specific assistance to trafficked migrant women.



## **Principle 9: Feminist independent services**

The existing practice of responding to victims of gendered crimes such as rape and domestic violence indicate that independent, specialist, feminist organisations with all-female and woman-centred staff are best equipped to design and implement recovery interventions. Similarly, in the context of the gendered crime of trafficking of women for sexual

exploitation, organisations with similar features would be best positioned to assist victims. The expertise of established service providers specialising in gendered crimes against women may be invaluable for trafficked women. The harms women suffer are at least highly comparable to the harm in sexual assault, rape, and in some cases, abuse by an intimate partner where the trafficker/pimp has posed as such. In the longer term, recovery and reintegration needs of women affected by prostitution are not dissimilar to those of victims trafficked into prostitution, therefore the organisations specialising in exit strategies from prostitution are well equipped to assist trafficked women (special attention to the increased risks posed by the involvement of traffickers and violent pimps has to remain a paramount consideration for all services). Guided by opinions of trafficking survivors, such organisations can provide the appropriate environment for trafficked women's recovery.

**It is essential that such organisations are funded and supported by the state. The state's tendency to interpret 'equal access to services' as gender-neutral services is especially problematic for victims whose integration is dependent on gender-specific assistance.**

This problem would be best overcome by engaging, training and resourcing specialist women-oriented service providers for responding to trafficked women affected by sexual exploitation and sexual violence.



## **Principle 10: Voices of victims-survivors**

Trafficked women should have a say in the process of assistance, which should be provided on an informed and voluntary basis. Participating in the recovery process and having their voices heard represent important steps in the integration of trafficked women, reaffirming their escape from traffickers' influence and regaining a feeling of control over their own situation. Women who have survived particularly vicious abuse and exploitation are strong individuals who should be given every opportunity to contribute their experiences to the services that are established to support their recovery.

Therefore, the provision of assistance should take account of the woman's experience and be a part of the process of restoration of agency and should be designed to include a strong element of empowerment. Of importance in this regard is the language used among practitioners which should avoid the term victim and emphasise survivor instead, thereby accentuating the overcoming of the ordeal. Therefore, in documents pertaining to assistance, especially those that may come to the attention of women, the term 'survivor' is likely to be more respectful and appropriate. This consideration in no way diminishes the need for formal recognition of a victim status on the part of the state, indicating the state's allegiance with the crime victim against the perpetrator, a process which contributes to the empowerment of trafficked women. Services should also take into account the valuable strategies victims have deployed during their life journey, and avoid any patronising attitudes that disempower women instead of promoting their autonomy. Authentic opinion from women who have survived human trafficking could significantly improve the impact of any campaign points or information materials, in terms of a language that is understandable and images that are appropriate, inspiring and not stigmatising or offensive to them.



## Principle 11: Peer-to-peer support

There is certain invaluable expertise that can be acquired only through experience. Involving survivors in the delivery of services to trafficked women provides positive role models and helps victims of trafficking resist stigmatisation. Very importantly it supports changes in the perception of the victims of themselves and how they believe they are seen by others. At the same time,

supports delivered directly by survivors can strengthen the resistance of victims and prevent re-trafficking or the return to prostitution. Specific services for trafficked women are necessary in addition to the conventional and more established services after sexual violence, due to the fact that they more often than not involve survivors, among other advantages. Such services may offer women person-centred information, befriending, peer support, recreation, practical assistance including finance, action planning, education and training.

**In cases of young victims of trafficking recovering from sexual exploitation, the peer-to-peer support and the positive role model involvement is of central importance and so is the removal of barriers to attachment, safe decision-making and the planning of future lives.**

Cultural mediation provided by the involvement of survivors could be used as a means of securing the informed consent to any necessary treatments, especially where the ability 'to choose' and 'to refuse' has been severely compromised. Due to the existing high level of mistrust amongst victims of trafficking, the involvement of victim survivors in the provision of services represents a favoured element in assistance. Overall, the involvement of survivors is recommended as a means of enhancing the effectiveness of integration services and as such it is of central importance to effective gender-specific assistance promoting the integration of trafficked migrant women.

## ASSIST partners

The ASSIST partners include active members of the EU Civil Society Platform on Trafficking and all have extensive experience in assisting female trafficked victims from a gender perspective. **The Immigrant Council of Ireland** is a leading anti-trafficking civil society organisation and an independent law centre in Ireland with expertise in providing legal support to third country national female victims of trafficking for sexual exploitation. **SOLWODI** is a nationwide organisation in Germany with 19 counselling centres and 7 shelters for migrant women and girls in distress, including victims of human trafficking and forced prostitution. It has extensive experience working with female third country national victims of trafficking for sexual exploitation, offering legal assistance, counselling and information, and integration support. **SURT** is a Spanish organisation which was established in 1993 specialising in personal and economic empowerment of female victims of trafficking in Spain. Through a collaborative model with another organisation, SICAR, the support offered by SURT extends to legal assistance in accessing rights. **BeFree** is a social cooperative based in Rome with extensive experience in providing gender-specific assistance and integration support to third country national female victims of trafficking for sexual exploitation, working also on violence against women in general. **JustRight Scotland** is a law centre in Scotland with expertise in providing legal support and assistance to third country national female victims of trafficking. The **European Network of Migrant Women (ENoMW)** is a migrant women led European platform that directly represents the voices of migrant and refugee women and has extensive experience campaigning at European level. Through their membership, experience, and feminist expertise, they can assist in promoting victim-focussed women-centred assistance measures and ensure the EU's wide reach of the project findings and deliverables.

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Solidarity with women in distress  
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