

Submission to EUAA: Survey on addressing trafficking in human beings in asylum and reception

Submitted by: European Network of Migrant Women (ENoMW)

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5. What are the main challenges you encounter in your THB- related work in the asylum and reception contexts? (please elaborate briefly)

From our work with migrant and women survivors of trafficking, the main challenges in asylum and reception settings stem from gaps between policy commitments and operational realities. While EU frameworks increasingly emphasise victim-centred approaches and early identification, frontline implementation continues to face structural barriers that prevent safe disclosure, accurate identification, and durable protection.

Despite clear EU evidence that women and girls, including migrant women are disproportionately affected by trafficking, screening and vulnerability assessments in asylum and reception settings do not consistently capture sex-based indicators such as coercive control, sexual violence, or exploitation within prostitution systems. Identification frameworks frequently rely on sex-neutral approaches that obscure how exploitation manifests in practice. Although the Directive emphasises early identification, frontline procedures often prioritise speed and administrative processing over trauma-informed engagement, resulting in the systematic under-identification of women experiencing exploitation.

Identification processes in asylum and reception contexts often assume that victims will disclose exploitation at an early stage. In reality, women victims of trafficking and sexual exploitation may be unable to disclose due to trauma, fear of retaliation, stigma, dependency on exploiters or distrust of authorities. Language barriers and uncertainty regarding migration status further inhibit safe communication. Systems structured around rapid screening do not adequately reflect the dynamics of coercion and control, leaving many women unidentified and without access to trafficking-specific safeguards.

Operational coordination between asylum authorities, reception actors, and specialised anti-trafficking services remains uneven. Referral mechanisms are not always clearly defined or consistently applied, particularly during transfers or accelerated procedures. As a result, continuity of protection is frequently disrupted, and women fall between institutional responsibilities. Fragmentation reduces the ability of reception systems to provide sustained, trafficking-sensitive support and undermines early intervention.

For many migrant women, protection within asylum and reception settings is perceived as conditional on procedural compliance, immigration status, or engagement with authorities. Fear of detention, return, or administrative consequences discourages disclosure and help-seeking. Even where EU frameworks emphasise victim-centred protection, operational realities may create the perception that safety is contingent rather than guaranteed. This undermines trust and disproportionately affects women subjected to sexual exploitation and other forms of trafficking.

Reception conditions themselves can heighten exposure to exploitation. Overcrowding, mixed accommodation, lack of privacy, and instability may create environments in which traffickers can recruit, monitor, or reassert control. Women attempting to exit exploitation may experience harassment or intimidation within reception facilities, limiting their ability to seek assistance safely. Structural features of reception systems can therefore unintentionally reproduce vulnerability.

Frontline identification practices are not consistently equipped to recognise exploitation that falls outside narrow trafficking indicators. Forms of harm disproportionately affecting migrant women, including reproductive exploitation through surrogacy, forced marriage, technology facilitated recruitment, or exploitation in feminised informal labour may be treated as general vulnerability rather than trafficking-related risk. This limits early identification and weakens protection responses.

Trauma-informed and culturally competent engagement remains uneven. Survivors' reluctance to disclose, fragmented narratives, or inconsistent behaviour is often misinterpreted as non-cooperation

rather than indicators of coercion or fear. Without consistent understanding of trauma dynamics and sex-based violence opportunities for identification and trust-building are missed.

Reception and asylum systems are primarily organised around procedural timelines, whereas women victims of trafficking require long-term stability to exit exploitation safely. Access to housing, psychosocial support, healthcare, and residence security is often temporary or inconsistent. Without durable support pathways, women remain vulnerable to re-exploitation, undermining the protective objectives of anti-trafficking frameworks.

6. From your perspective, what are the main opportunities or concerns with respect to detecting and supporting THB victims in the context of the implementation of the Pact on Migration and Asylum and the revised Anti- trafficking Directive (2024)?

Opportunities

The implementation of the Pact on Migration and Asylum, together with the revised Anti-Trafficking Directive (2024), creates an opportunity to embed trafficking identification and protection more systematically within asylum and reception systems. The Directive strengthens the legal framework for early identification and expands recognition of exploitation forms, including surrogacy and forced marriage, which can support authorities in identifying sexed forms of trafficking that disproportionately affect migrant women. When operationalised through trauma-informed and sex screening, this framework can improve early referrals and reduce the likelihood that trafficked women fall between asylum, reception, and anti-trafficking mechanisms.

The Pact's emphasis on harmonised screening and vulnerability assessment also offers a practical entry point to identify trafficking risks at first contact with authorities. If implemented with adequate privacy safeguards, specialised training, and cooperation with anti-trafficking actors, these procedures can strengthen continuity of protection across transfers and procedures. The alignment of reception systems with trafficking safeguards creates an opportunity to institutionalise safer environments, improve referral pathways, and integrate specialised civil society expertise, particularly women's and migrant-led organisations into detection and support frameworks.

At a broader level, the combined implementation of the Pact and the Directive creates space to move beyond fragmented practices toward clearer operational standards for victim identification, child safeguards, and inter-agency coordination. If guided by sex-explicit analysis, this framework can better reflect the documented reality that migrant women and girls are disproportionately affected by trafficking for sexual exploitation, thereby strengthening protection outcomes.

Directive represents an important step in recognising forms of exploitation that disproportionately affect women by listing the exploitation of surrogacy and forced marriage as purposes of trafficking under Article 2(3). This acknowledgement is significant because it brings certain surrogacy practices and marital arrangements within the trafficking framework, obliging Member States to criminalise conduct that involves coercion, deception, or abuse of vulnerability. Such recognition is positive overall but not enough.

Challenges

A central concern is that Pact implementation prioritises procedural speed, border control, and migration management in ways that undermine safe disclosure and trafficking identification. Accelerated procedures, detention-like reception environments, and compressed timelines reduce trust-building opportunities and make it difficult for women victims of trafficking, particularly those subjected to sexual exploitation to disclose coercion or seek help. Where screening becomes a rapid administrative exercise rather than a trauma-informed process, trafficking indicators linked to sex-based violence and coercive control are likely to be missed.

Detection frameworks remain sex-neutral despite clear EU evidence that trafficking disproportionately affects women and girls. Without sex-explicit operational guidance, vulnerability tools fail to capture exploitation dynamics embedded in prostitution systems, economic dependency and migration insecurity. This creates a persistent gap between the Directive's expanded recognition of exploitation and frontline capacity to identify it in asylum and reception settings.

Another challenge lies in the conditional nature of protection as experienced by migrant women. Even where legal standards emphasise victim-centred safeguards, the intersection of trafficking responses with immigration enforcement continues to deter disclosure. Fear of detention, return, or administrative

consequences undermines trust in authorities and limits access to support. As a result, trafficked women remain unidentified within reception systems, particularly where assistance is perceived as dependent on procedural compliance or cooperation with criminal justice processes.

A significant concern is the growing tendency in some Member States, particularly those where prostitution is legalised or regulated, to subsume trafficking for sexual exploitation under general labour exploitation frameworks. By treating prostitution as work, exploitation is often reframed as a labour standards violation rather than as a crime involving coercion and sexual violence. This narrows victim identification to economic indicators and leads to misclassification of exploited women as irregular economic migrants who entered voluntarily. Such framing undermines early identification and disregards the Directive's recognition that abuse of vulnerability, especially in contexts of displacement, constitutes trafficking even in the absence of physical force.

This concern is particularly acute for displaced Ukrainian women. Although some national authorities report an increase of Ukrainian women in prostitution, they are rarely assessed as trafficking victims and are instead characterised as having made a choice. This ignores the structural vulnerabilities arising from war, economic precarity, and migration insecurity. Given the established link between displacement and sexual exploitation, women fleeing armed conflict who enter prostitution should be prioritised for trafficking screening. Treating them primarily as economic migrants reflects a failure to apply vulnerability-based identification standards in practice.

Operational fragmentation remains a further concern. Coordination between asylum authorities, reception services, and specialised anti-trafficking actors is uneven, and referral pathways are not consistently applied during transfers or accelerated procedures. This disrupts continuity of protection and increases the risk that women identified as vulnerable lose access to trafficking-specific support.

Importantly, the Directive does not criminalise surrogacy itself and therefore addresses only the most evident forms of coercion or deception. In practice, surrogacy arrangements operate within structural inequalities, economic pressure, migration insecurity and unequal powers. This falls short of the trafficking definition and creates legal and operational grey zones for asylum and reception authorities, who struggle to identify or refer cases where coercion is subtle or embedded in dependency. Recognising surrogacy exploitation within trafficking law is an important foundation, but it is not sufficient to address the broader system that enables reproductive exploitation. Stronger and more comprehensive criminal and regulatory approaches are needed to ensure that women are not placed in situations where economic vulnerability or dependency becomes a pathway into exploitative reproductive arrangements.

Finally, reception conditions themselves reproduce vulnerability. Overcrowding, mixed accommodation, instability, and insufficient privacy create environments where traffickers can reassert control or where women feel unsafe seeking assistance. Without durable exit pathways, including stable housing, psychosocial support, legal aid and residence security, trafficked women remain exposed to re-exploitation despite formal identification.

7. Please share with us any other remarks/ comments you find important in relation to addressing THB in the asylum and reception context:

To be effective, trafficking responses in asylum and reception must be operationalised as protection measures, not treated as add-ons to migration procedures. This requires clear firewalls ensuring that disclosure of trafficking or exploitation does not trigger detention or return-related consequences, and that access to support is independent of cooperation with criminal proceedings. Reception practice should guarantee confidentiality, private interviewing conditions, trained interpreters, and women-only safe accommodation options alongside continuity of care during transfers so that referrals are not lost. Finally, meaningful integration of specialised women's and migrant-led organisations into referral pathways and monitoring is essential to reach women who cannot safely disclose to authorities.