

The gender dimension of human trafficking

SUMMARY

Human trafficking is a serious crime and a violation of human rights. It is on the rise due to increasing mobility, the development of new technologies and the generally low risks and high profit involved. Data on the prevalence of this crime show that the majority of its victims are women and girls. Sexual exploitation is by far the first purpose of trafficking in women. Most trafficked women are forced into commercial sexual services while many are also victims of domestic servitude.

There are several factors which contribute to trafficking in women. Their vulnerability, especially as a consequence of violence, and the demand for their sexual services are two leading factors which have received increased attention in recent years. Tackling this demand requires addressing prostitution. EU Member States have adopted different approaches to this phenomenon, ranging from criminalisation of all activities related to prostitution to regulation.

Traffickers operate via various channels of recruitment which involve coercion, force or deception. They usually exploit the poor economic situation of women searching for a better life abroad. The internet and new technologies play an important role, as does migrant smuggling.

The EU has adopted key instruments to tackle trafficking in human beings. They are based on a victim-centred approach and recognise that support and protection of victims, as well as prevention should be gender-specific. The European Parliament plays an important part in shaping EU policies in the field.



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Trafficking in human beings: definition

(a) '**Trafficking in persons**' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.

Source: Article 3 of the [Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children](#), supplementing the Convention against Transnational Organized Crime, United Nations, 2000.

Understanding the phenomenon

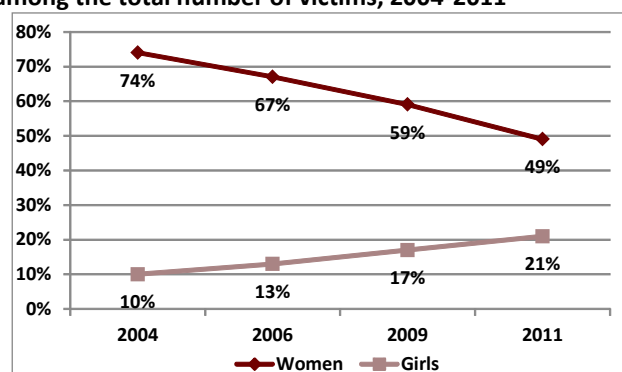
Trafficking in human beings (also referred to as THB, human trafficking, or trafficking in persons) is a serious crime and a flagrant violation of human rights, recognised as such by the international community. Even if it is not a new phenomenon, human trafficking has acquired a new dimension in the context of globalisation and has been facilitated by increased mobility, especially in Europe, and the development of the internet and new technologies. Among the reasons why human trafficking is an ever more flourishing business are that it involves low risks and brings in high profits. As victims, through fear or shame, tend not to declare themselves to the authorities, traffickers are hardly ever prosecuted and the actual number of victims is difficult to establish.

Even though collecting data on human trafficking is difficult because of its invisible nature, recent years have seen progress at both international and EU level, and extensive reports have been published by the United Nations Office on Drugs and Crime (UNODC) and Eurostat. Nevertheless, the data presented below are based on registered or identified victims, and therefore represent only the tip of the iceberg.

Prevalence at global and European level

According to 2012 International Labour Office (ILO) [estimates](#), almost 21 million persons globally, including 11.4 million women and girls, are trapped in what some call 'modern-day slavery'.¹ The [UNODC 2014 report](#) identified victims with 152 different citizenships, and living in 124 countries across the world, thus revealing the truly global nature of THB. At the same time, it is also a local problem, as many victims are trafficked inside their own country or to a neighbouring one. Globally, 70% of the victims of trafficking are women and girls (49% and 21% respectively). Although the majority of female victims are adult, there is a worrying trend of trafficking in girls, which has increased from 10% in 2004 to

Figure 1 - Global trends in the share of women and girls among the total number of victims, 2004-2011



Data source: [Global report on trafficking in persons](#), UNODC, 2014.

21% in 2011.

The data collected for the EU-28 and several other European countries by [Eurostat](#) show a similar picture. The proportion of 'registered or presumed' female victims in the EU is even higher: around 80% for the period 2010-2012 (67% women and 13% girls).

Trafficking routes within and to the EU

Human trafficking in the EU happens largely within its borders. According to Eurostat, 65% of victims are EU citizens. Trafficking flows, facilitated by the absence of border controls within the Schengen area, are mostly from eastern and central Europe to western Europe. Romania and Bulgaria are the two foremost countries of origin of victims, both in terms of absolute numbers and prevalence rate (as a proportion of each country's population). Western Europe is also the destination for human trafficking from Asia, Africa and South America. Trafficking from Nigeria, predominantly of women and young girls for sexual exploitation, is one of the most persistent flows to Europe. Former Soviet countries such as Russia, Ukraine and Moldova, are still among the main countries of origin, even if this flow seems to have reduced in the past ten years.²

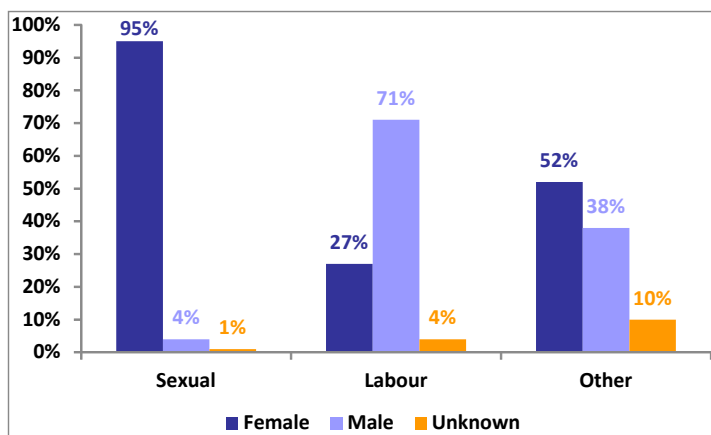
Main forms of exploitation

Sexual exploitation is the main purpose of human trafficking, both globally and in Europe. In 2010-2012, 53% of victims in the world were trafficked for sexual exploitation (97% of whom were female) and 40% for forced labour (65% of whom were male). In the same period, the EU registered even higher figures for sexual exploitation (see Figure 2), representing 69% of victims (95% of whom were women and girls). Labour exploitation came second (19% of victims) and affected mainly men (71%), but women and girls were also trafficked for forced labour (27%). Moreover, women and girls represented a large proportion of victims trafficked for purposes other than forced labour or sexual exploitation, such as forced begging, selling of children, forced marriage, etc. (73% globally and 52% in the EU).

Sexual exploitation

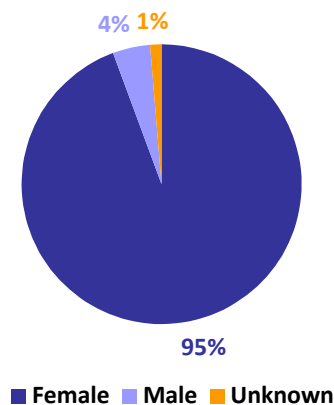
Trafficking for sexual exploitation can take on different forms: more visible ones, as in the case of street prostitution, but mostly clandestine ones, operating in brothels or private homes. Public venues, such as massage

Figure 2 - Victims by gender and type of exploitation in the EU, 2010-2012



Data source: [Trafficking in human beings](#), EUROSTAT report, 2015.

Figure 3 - Victims of sexual exploitation by gender in the EU, 2010-2012



Data source: [Trafficking in human beings](#), EUROSTAT report, 2015.

parlours and strip clubs can also be used for trafficking and sexual exploitation. Violence is a common tool used for controlling victims and they are sometimes raped by their traffickers, and drugged to prevent them from escaping. Even when victims know that they are being recruited for providing sexual services, they can still end up in exploitive situations and suffer deception, coercion or violence.

Forced labour

In 2012, the ILO estimated that 14.2 million people worldwide were victims of labour exploitation.³ For the EU, this figure would be around 900 000, with only 1% of victims being identified (9 500 in 2010). Even if it is primarily men who do forced labour in the agricultural, construction or manufacturing sectors, women and girls still represent a significant proportion of the victims: 35% worldwide and 27% in the EU for the 2010-2012 period. Women and girls are most often trafficked for the purpose of domestic servitude, which is extremely difficult to detect, as domestic work – hidden in its nature – is often part of the informal economy. These victims are forced to work very long hours for an extremely low or no salary, while living in unacceptable conditions and sometimes suffering psychological and physical violence, humiliation, abuse and punishment. Migrant women and girls are particularly at risk.

In order to protect domestic workers, including migrants, effectively, in 2011 the ILO adopted the [Domestic Workers Convention](#), which entered into force in September 2013.⁴

The thorny path of human trafficking: focus on women

Both UNODC and Eurostat data tend to demonstrate that human trafficking has a clear gender dimension. Women and men are not trafficked in the same way or for the same purpose, and their experience of trafficking can be very different. Arguably, the whole trafficking cycle is highly gendered, from the root causes that make women and girls more vulnerable, through to policy approaches and measures aimed at combating THB.⁵

Even though the experiences of the men being trafficked, especially as victims of labour exploitation, are attracting growing interest among various stakeholders,⁶ trafficking in women remains high on the agenda as a complex and still increasing phenomenon, despite global efforts to tackle it.

So, what makes women so vulnerable to human trafficking? How are they trapped in exploitative situations? What are the means used by traffickers to recruit and control them?

Root causes

Factors that contribute to trafficking in human beings can be categorised as 'push' and 'pull' factors. Push factors include, among others, poverty, unemployment, lack of social security, gender inequalities, conflicts and violence. Pull factors consist of promises of steady employment, better living conditions and demand for cheap unskilled labour as well as for sexual services.⁷ Often victimisation and exploitation are the result of a combination of these factors. Violence against women and demand for sexual services as causes of trafficking in women have received increased attention in recent years both internationally and in the EU.

Domestic violence

Domestic violence has been defined as a 'pattern of abusive and threatening behaviour that may include physical, emotional, economic and sexual violence, as well as intimidation, isolation and coercion'.⁸ It is mostly women and children who experience

it. According to a study supported by the European Commission Daphne Programme,⁹ 60% of 207 female victims of trafficking interviewed reported they had experienced some form of violence prior to being trafficked.¹⁰ Violence increases a woman's vulnerability to trafficking by eroding her self-esteem and self-confidence. It also increases her risk of being trafficked as she tries to leave her abusive environment.

Demand for services

Trafficking for sexual exploitation obeys the principles of supply and demand. Sexual exploitation does not exist just because its victims are vulnerable but because there is a demand for sexual services from which traffickers can profit. Commercial sexual services in Europe are consumed almost exclusively by men and mainly provided by women. According to a 2010 [UNODC report](#), around 1 million women in Europe could be engaging in transactional sex. The report also estimates that one in seven women engaged in commercial sex is a trafficking victim, which means a total of 140 000 victims and a market worth €2.5 billion annually. Other reports suggest that the proportion of trafficked women in prostitution is much higher.¹¹ According to the [UN Special Rapporteur](#) on the human rights aspects of the victims of trafficking in persons '[f]or the most part prostitution as it is actually practised in the world does satisfy the elements of trafficking. It is rare that one finds a case in which the path to prostitution and/or a person's experience does not involve, at the very least, an abuse of power and/or an abuse of vulnerability'.

The [UN Protocol](#) to Prevent, Suppress and Punish Trafficking in Persons (see below), explicitly calls on states to adopt 'legislative or other measures ... to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking'. This need to reduce demand for the services of trafficked people through legislation is addressed differently throughout Europe. Countries such as Sweden, Norway and Iceland have adopted the so-called [Nordic model](#), which penalises buyers of sexual services while decriminalising prostitutes and providing them with social support and help if they want to leave the exploitative situation. The French Parliament has gone in the same direction and is expected soon to pass a bill imposing fines on sex clients while exempting those who sell sex. Most EU Member States criminalise prostitution or parts of it. However some, like the Netherlands and Germany, have legalised prostitution, enabling prostitutes to work as service providers (regulatory approach).¹² Both approaches clearly have limits, and arguably contribute to driving sex trafficking even deeper underground.¹³

Recruitment channels

Modus operandi

The recruitment of victims is an important part of the trafficking process. Traffickers use different means

Legal approaches to prostitution

There are three main legal approaches to prostitution around the world: criminalisation, decriminalisation and legalisation. Criminalisation includes either prohibiting all forms of prostitution (as in most US states and Middle Eastern countries) or allowing the sale of sex while banning all related activities, such as soliciting, brothel-keeping or buying sexual services (as in the United Kingdom, Sweden, Norway and Iceland). Under the decriminalisation model, all offences and penalties relating to sex services are removed, and prostitution is treated just like any other occupation (as in New Zealand). Legalisation, on the other hand, includes direct government regulation (as in Germany and the Netherlands), in order to draw a clear line between legal prostitution, and illegal activities involving sexual exploitation.

Women as perpetrators

Although most traffickers in human beings are men, 30% of perpetrators in the EU are women. The number of female traffickers is higher in some regions, such as eastern Europe, where trafficked women see a chance to escape sexual exploitation by becoming perpetrators themselves. In Nigeria, women are implicated in a highly structured way, with a well-established system of 'madams' (Nigerian women resident in Europe who handle the exploitation of victims in European countries).

involving coercion, force or deception. Trust is an important component of the traffickers' strategies. Reportedly, in most cases acquaintances or even family members take part in the recruitment process.¹⁴

One common method consists of exploiting the lack of economic opportunities in the local community and promising employment. Women and girls can be 'offered' jobs as models or dancers, as well as to participate in beauty contests or 'study abroad' programmes. Matrimonial agencies, also called 'mail-order bride agencies', offering to arrange a marriage abroad, sometimes serve only as fronts for sex trafficking. Yet another method, mainly used by male perpetrators to abuse female victims, especially young girls, involves feigned romantic interest (the 'lover-boy' method), where the trafficker enters into a romantic relationship with the victim, just to gain her trust, and then manipulates or coerces her into sexual exploitation.

Role of the internet and new technologies

With the development of new technologies, most criminal activities have gone online and THB is no exception. Traffickers use networking technologies, including the internet, social media and mobile devices, to recruit their victims, as well as to advertise and sell their services. The internet allows them to reach a broad audience and to expand their recruitment internationally.

The whole trafficking chain is facilitated by digital technologies. A recent [report](#) supported by Europol argues that organised criminal groups have 'cultivated a new *cyber modus operandi*'. The internet is used to advertise false jobs to attract victims, and to buy tickets online, using counterfeit credit cards, to transport them, but also to exploit and control them. Control techniques include using the internet to blackmail victims, threatening to post compromising pictures of them online, obliging victims to have daily mail exchanges or chat sessions to prove their presence, or using live cameras to monitor them remotely. Victims are 'advertised' online, with some websites offering thousands of women for sexual services, giving clients the possibility to rate their performance. The report qualifies these practices as 'cyber slavery'.

There is growing awareness of the need to understand and combat the use of new technologies in human trafficking.¹⁵ In particular, more research is needed on how digital technologies are used for trafficking women and girls for sexual exploitation in the EU, as the facilitating effect of these technologies has contributed to making Europe the world region most strongly affected by this form of trafficking.¹⁶

Employing the internet and new technologies for combating and preventing trafficking

The internet and new technologies can also serve as tools for preventing trafficking and combatting it. For instance, technologies can help make THB crime more visible and its perpetrators more traceable. The internet is a means of raising awareness, recognised as such in the EU strategy to eradicate trafficking. Public-private partnerships play a crucial role in developing online anti-trafficking tools. Several initiatives have already been taken at international level, such as Microsoft's Digital Crime Unit offering educational material to the general public and exploring the role of technologies in combatting human trafficking, and the global anti-trafficking hotline network, launched by Google in collaboration with anti-trafficking NGO, La Strada International.

Human trafficking and migrant smuggling

The current refugee and migrant crisis has increased the risk of people ending up as victims of trafficking. Although trafficking and smuggling refer to different phenomena,

in the context of mass migration they are often related and difficult to distinguish. By definition, trafficking involves threat or use of force or other forms of coercion, while smuggling is assumed to be voluntary, on the part of the person being smuggled. In addition, the purpose of trafficking is exploitation of a victim for generating illegal profit, while smuggling aims to obtain, directly or indirectly, a financial or other material benefit, by enabling the illegal entry of a person into another country.¹⁷

However, the illicit migration channels expose smuggled migrants to greater or lesser risks of being trafficked. Long and complex migration procedures and lack of legal migration opportunities force people to use facilitators or intermediaries. This in many cases exposes them to exploitation or abuse. Some therefore start their journey by paying to be smuggled into a country, but later along the way get forced or deceived into an exploitative situation.

Women and children fleeing violence are especially likely to become victims of traffickers and smugglers. They can end up being trafficked and exploited through document confiscation, threats of violence against family members, psychological control, forced confinement and debt bondage to those who arranged their passage.¹⁸ Women often have to repay their debt by working as prostitutes or in domestic services. Due to their status as illegal immigrants they face additional barriers to escaping such slavery and to accessing help or services.

International and EU efforts to combat trafficking

Until the end of the 20th century, the international community, notably through the [UN Convention](#) for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others, adopted in 1949, equated the concept of trafficking in persons with exploitation for commercial sex. It assumed that prostitution was the sole precursor for trafficking and failed to protect persons trafficked for purposes other than prostitution. Adopted in 2000 as part of the Convention against Transnational Organized Crime ('Palermo Convention'), the UN Trafficking Protocol constituted an important milestone in redefining the problem, and extending the scope of trafficking to include various non-sexual forms of exploitation, such as forced labour.¹⁹ However, it took a crime-based approach towards trafficking, and considered it from a law enforcement perspective. This has changed in recent years, with an ever greater focus on victims' human rights. The 2005 Council of Europe Convention against THB has played an important role in this shift, as it placed the human rights of victims at its heart and demanded that states offer satisfactory protection and services to victims. Global and EU policies on combating trafficking now both follow a multi-disciplinary approach, which goes beyond law enforcement and includes a wide range of prevention, protection and victim-support measures.

International instruments

The 2000 [UN Convention against Transnational Organized Crime](#) ('Palermo Convention') which also includes a Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children ('The UN Trafficking Protocol'), has been ratified by all EU Member States. It provided the first globally accepted definition of 'trafficking in persons', which served as a basis for subsequent international and EU instruments.

In 2005, the Council of Europe adopted a [Convention on Action against Trafficking in Human Beings](#), which entered into force on 1 February 2008. 27 EU Member States have [ratified](#) the Convention. Its scope of application is broader than that of the UN Protocol as it applies to transnational as well as national trafficking in human beings, linked or not to organised crime.

EU action*Main legislative framework*

The main EU instrument for fighting trafficking in human beings is [Directive 2011/36/EU](#), adopted in 2011. The Directive builds on the UN Trafficking Protocol and the Council of Europe's Convention on human trafficking. It also represents a step further from the 2002 [Council Framework Decision](#) which focused on crime control and left little room for prevention and protection of victims. The Directive adopts a victim-centred approach and, apart from prosecution of offenders, addresses prevention and support that must be gender-specific. It recognises that women and men are often trafficked for different purposes, and that assistance and support measures should therefore also be gender-specific. According to the Directive, the most important measure should be to tackle the demand for services of the victims of trafficking, particularly those engaged in the sex industry, agriculture, construction and tourism. At the EU level, [Directive 2009/52/EC](#) already tackles the demand for labour of trafficked persons. It provides for minimum standards on sanctions and measures against employers who know that the worker is a victim of trafficking in human beings.

Protection of victims is another important element in EU efforts. According to EU law, victims of human trafficking have a number of rights, including assistance and health care, labour rights, access to justice, legal defence and compensation.²⁰ As regards protecting and assisting victims, [Directive 2012/29/EU](#) obliges Member States to ensure that victims of crime – including victims of human trafficking, who often require special support and protection because of the high risk of secondary and repeat victimisation, intimidation and retaliation – receive appropriate information, support and protection. [Directive 2004/81/EC](#) defines the conditions for granting residence permits to third-country victims of human trafficking, who cooperate with the competent authorities. It also states that Member States set the rules on victims' access to the labour market.

As the issue of trafficking in human beings is primarily a responsibility of the Member States themselves, the European Commission has adopted a [strategy](#) for the 2012-2016 period providing guidelines on how to transpose and implement Directive 2011/36/EU. The strategy identifies violence against women as a root cause of trafficking. As vulnerability to trafficking for different forms of exploitation is shaped by gender, the strategy defines a series of measures to address the gender dimension of trafficking.

Policy implementation*EU anti-trafficking coordinator*

One step towards a comprehensive EU anti-trafficking policy has been the appointment of an [EU anti-trafficking coordinator](#) (currently Myria Vassiliadou) whose task is to improve coordination between EU institutions, EU agencies, Member States, third countries and international actors, as well as to increase coherence between different policy fields, such as police and judicial cooperation, protection of human rights, external relations, migration policies and social and labour law.

Role of EU agencies

Seven EU agencies are directly involved in the coordination and implementation of EU anti-trafficking policies and actions: [Europol](#), [Eurojust](#), [CEPOL](#), [EASO](#), [EIGE](#), [FRA](#) and [Frontex](#). All of them work in [close cooperation](#), contributing to the fight against human trafficking according to their areas of competence, which range from gathering intelligence and facilitating prosecution in THB cases, to coordinating Member States' efforts to support victims and prevent (repeat) victimisation.

Role of the European Parliament

The European Parliament has played a major role in developing anti-trafficking policies at EU level. It first addressed the problem of THB in 1989, adopting a Resolution on prostitution and trafficking in persons, followed by another on International cooperation against trafficking in persons, in 1993.

More recently, Parliament has on several occasions expressed its opinion on the issue, putting a special focus on women. In an own-initiative [Resolution on undocumented women migrants](#), adopted in 2014, it stated that these women are more vulnerable to traffickers, more likely to suffer violence and abuse, and may consequently become victims of sexual exploitation and trafficking in general. As regards curbing the demand for sexual services, in its 2014 [Resolution on sexual exploitation and prostitution](#) Parliament pointed to the Nordic model as a way of combating the trafficking of women and girls for sexual exploitation.

In June 2015, Parliament adopted a [Resolution on the EU Strategy for equality between women and men post-2015](#), calling on the Member States to fully implement Directive 2011/36/EU and on the Commission to evaluate and monitor its implementation with a view to the adoption of a new strategy to combat human trafficking after the current strategy expires in 2016. Moreover, Parliament's Committee on Women's Rights and Gender Equality (FEMM) is considering a draft [own-initiative report](#) on the implementation of that directive from a gender perspective (rapporteur: Catherine Bearder, ALDE, UK).

Main references

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[Mid-term report on the implementation of the EU strategy towards the eradication of trafficking in human beings](#), European Commission, COM (2014) 635 final, October 2014.

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Endnotes

¹ [ILO Global Estimate of Forced Labour](#), International Labour Organization, 2012, p. 13.

² [The Globalization of Crime - A Transnational Organised Crime Threat Assessment](#) - Chapter 2. Trafficking in Persons: to Europe for sexual exploitation, UNODC, 2010.

³ See note 1.

⁴ So far, the Convention has been ratified by six EU Member States.

⁵ [The Gendered Dimensions of Sex Trafficking](#), Madeleine Rees, Stanford Center on Democracy, Development and the Rule of Law (CDDRL), Working Paper of the Program on Human Rights No 007, June 2012, p. 2.

⁶ See the report on [Trafficking for Labour Exploitation - the Role of Gender](#), published in the framework of the Finetune project report by ITUC, CCME and Anti-Slavery International.

⁷ [Trafficking in Human Beings - A Guidance Note](#), United Nations Office for Drugs and Crime, Regional Bureau for Europe and the CIS, 2004, pp. 8-9.

⁸ [What Is Domestic Violence?](#), Stop Violence against Women forum, 2013.

⁹ The Daphne Programme was launched in May 1997 to fund NGO projects that support victims of violence and combat violence against women, children and young people. In 2014, it became part of the [Rights, Equality and Citizenship Programme 2014-2020](#).

¹⁰ [Stolen smiles: a summary report on the physical and psychological health consequences of women and adolescents trafficked in Europe](#), Zimmerman et al., London School of Hygiene & Tropical Medicine, 2006, p. 9.

- ¹¹ See, for example, the [Report of the Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children](#), Sigma Huda, UN Commission on Human Rights, 20 February 2006, paragraph 49, or the European Parliament's study on [Sexual exploitation and prostitution and its impact on gender equality](#), Policy Department C, January 2014, pp. 6 and 16.
- ¹² On the legal approaches to prostitution in EU Member States, see also the European Parliament's study on [Sexual exploitation and prostitution and its impact on gender equality](#), Policy Department C, January 2014, Chapter 3.
- ¹³ See *Human trafficking in Europe: Character, Causes and Consequences*, edited by Gillian Wylie and Penelope McRedmond, Palgrave Macmillan, 2010, p. 9.
- ¹⁴ See note 10.
- ¹⁵ This need has been recognised in the EU Strategy towards the eradication of trafficking in human beings. Moreover, in 2015 the Commission was expected to present a report on the use of the internet and social networks for recruitment for all forms of THB. However, this has yet to be published.
- ¹⁶ [Trafficking in Human Beings in the European Union - Gender, Sexual Exploitation, and Digital Communication Technologies](#), Donna M. Hughes, October 2014.
- ¹⁷ According to the definition provided in the 2000 UN [Protocol against the smuggling of migrants by land, sea and air](#).
- ¹⁸ [Human Trafficking & Smuggling: Crossover & Overlap](#), Buckland S. Benjamin, *Strategies Against Human Trafficking: The Role of the Security Sector*, National Defence Academy and Austrian Ministry of Defence and Sport, Vienna, 2009, pp. 137-165.
- ¹⁹ [All about sex?! The evolution of trafficking in persons in international law](#), Corin Morcom & Andreas Schloenhardt, March 2011, pp. 22-23.
- ²⁰ [The EU rights of victims of trafficking in human beings](#), European Commission, 2013. The publication gives an overview of relevant EU legislation applying to victims of human trafficking.

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