



Guidelines for Shelter Providers on Working with Victims of Trafficking in Persons

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This document was developed by consultant Amela Efendić. All analyses, opinions, and conclusions presented herein relate exclusively to Bosnia and Herzegovina, Serbia, and North Macedonia. Any content referring to Albania was not authored by the consultant and does not reflect her views. All references and inputs related to Albania are the sole responsibility of Elona Dhembo and Veronika Duci, consultants engaged by Mary Ward Loreto, who contributed to the review of the document.

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Introduction

Quality shelter guidelines for victims of trafficking in persons are essential to ensuring a comprehensive, victim oriented and human rights-based response to one of the most serious and complex human rights violations of our time. Trafficked victims, particularly women, children, and other vulnerable individuals, are subjected to severe forms of exploitation, coercion, and abuse, resulting in long-term physical, psychological, and social harm. In order of providing effective protection and assistance as well as effective support for their recovery, shelters must offer not only secure accommodation, but also a wide range of specific, victim oriented and needs-tailored services that shall avoid any form of re-victimization, yet provide the victims with sufficient time, space, service and support for full physical and emotional recovery from the human trafficking process.

These obligations are clearly articulated in international legal instruments, which require that States Parties provide victims with immediate and unconditional access to assistance, irrespective of their willingness to cooperate with criminal proceedings. This assistance includes shelter protection and specialized care, outlined as basic and minimum standards for victim support and recovery.

Developing and implementing quality standards for shelter services is therefore not only a matter of operational effectiveness, but a legal and ethical duty for states - signatories. These guidelines are therefore aimed to provide guidance to stakeholders – states, for the development of structured and efficient shelter systems, and shelter providers (often civil society organizations, but also a combination of state run shelters and CSOs), for the establishment of shelter facilities – both of which would ensure that shelters for trafficked victims operate as safe, inclusive and empowering environments, grounded in human rights, victim-centered care and professional integrity.

Regardless of the format, structure, capacity, victim profile and other characteristics stakeholders decide to develop their shelter systems/facilities upon, each of those must be designed to provide high-quality services enabling trafficked victims to rehabilitate and recover, regain autonomy, restore dignity, and begin the path toward sustainable recovery and social inclusion.

These Guidelines are developed within the project “Safe Haven: Expanding Shelter Resources for Trafficking Survivors in the Western Balkans”, implemented by World Vision in Bosnia and Herzegovina. They are primarily intended to equip shelter providers in the targeted countries of the Western Balkans – Albania, Bosnia and Herzegovina, North Macedonia and Serbia - with practical, ethical, and legally informed approaches for the development of shelter standards for the provision of quality shelter services and protection to victims of trafficking in persons, with a special focus on vulnerable and marginalized groups (children, men/boys, persons with disabilities and others). However, the Guidelines are developed in such manner that they can be used as universal tool for the development of shelter standards for the protection and assistance of victims of trafficking in persons. The guidelines are intended as a regional reference document. While national legislation and institutional arrangements differ, the principles outlined here are applicable across Albania, Bosnia and Herzegovina, Serbia, and North Macedonia and should be adapted to national contexts.

The Guidelines are based on international human rights standards and instruments addressing trafficking in human beings and victim protection, and are guided by key human rights and DEIA principles. They also reflect the recommendations issued by the Group of Experts on Action against Trafficking in Human Beings (GRETA) and the United States Office to Monitor and Combat Trafficking in Persons (TIP Office), particularly with regard to improving shelter protection standards and ensuring a victim-centered and rights-based approach to victim assistance and protection. Where applicable, the guidelines incorporate guidance on applying the best interest of the child in the provision of shelter services and long-term recovery of child victims of trafficking. The Guidelines are further informed by the findings of the World Vision Safe Haven Mapping Report on the shelter structures, standards and protection systems for victims of trafficking in selected Western Balkan (WB) countries; the relevant

Standard Operational Procedures documents; the Minimum Standards for Assistance to Victims of Trafficking in Human Beings, Particularly Children in Bosnia and Herzegovina (as the only such document in the WB region), interviews with shelter providers; as well as experiences and lessons learned during provision of shelter and protection services to trafficked victims.

Part I

Trafficking in Persons and the Importance of Shelters for Victims

This section provides a brief overview of trafficking in persons (TIP), with specific focus on TIP in the Western Balkans – modalities, gaps and needs – with reference to shelter and protection services. It further outlines the importance of shelters in national referral mechanism structures, victim protection and assistance, as well as combating trafficking in persons in general.

Trafficking in persons – global trends

Trafficking in persons (TIP) is a complex and dynamic crime that involves multiple forms of exploitation and constitutes a grave violation of human rights under international law and the EU Charter of Fundamental Rights. It is widely recognized as one of the most severe contemporary abuses, affecting countries across the globe, each of which may serve as a place of origin, transit, or destination for victims. Human traffickers exploit socio-economic vulnerabilities of individuals, including poverty, unemployment, limited access to education, and aspirations for a better life to lure and deceive individuals with false promises of high-paid jobs, loving relationships or new and exciting opportunities, and then use physical and psychological violence to isolate, control and exploit them.

Victims come from diverse gender, age, and socio-economic backgrounds and include both men and women, children and adults, state nationals of foreign nationals, migrants and unaccompanied children within various migration flows, individuals with disabilities and other vulnerable individuals. Victims of trafficking in persons are trafficked and exploited both internally - within state borders, and across regional and global routes. Victims are exploited in various forms: through sexual exploitation, forced labor, domestic servitude, forced begging, forced marriage practices, organ removal and other emerging practices.

With the development and expansion of digital technologies, traffickers adapted their modus operandi extending traditional recruitment techniques to online spaces through social media, messaging applications, gaming platforms, fraudulent employment advertisements, and other digital channels, to groom, recruit, and exploit victims remotely, thereby broadening their reach, enhancing anonymity, and increasing the speed and efficiency of operations. This gave rise to new forms of coercive practices such as online grooming and sextortion, as well as dissemination and production of child sexual abuse material (CSAM) and pre-ordered, live-streamed sexual exploitation. Within the recent mixed migration flows, traffickers increasingly used digital tools to monitor, manipulate, and control migrants, including through instructions and threats delivered via messaging applications, and the use of GPS-enabled platforms to track migrants' /victims' movements and enforce dependence or compliance. These forms of digital exploitation have blurred the lines between trafficking and other forms of cyber-enabled abuse, demanding new approaches to victim identification, protection, and legal accountability in both the online and offline spaces.

The International Labour Organization (ILO) indicated that there were over 50 million human trafficking victims worldwide in 2022, including 28 million in forced labor and 22 million in forced marriage¹. In 2024, the ILO estimated that human trafficking generated \$236 billion a year in illegal profits, depending on the location in the world and the type of work the victims were forced to undertake. ILO estimates that traffickers are generating close to 10,000 USD per victim, and that the total amount of illegal profits from forced labor has risen by 37% since 2014 – a dramatic increase that has been fueled by both a growth in the number of people forced into labor, as well as higher profits generated from the exploitation of victims².

¹ Global Estimates of Modern Slavery: Forced Labour and Forced Marriage, International Labour Organization - ILO (2022), <https://www.ilo.org/publications/major-publications/global-estimates-modern-slavery-forced-labour-and-forced-marriage>;

² Profits and poverty: The economics of forced labour, International Labour Organization - ILO (2024), <https://www.ilo.org/publications/major-publications/profits-and-poverty-economics-forced-labour>;

According to the UNODC's 2022 report³, forced labor was the most commonly identified form of human trafficking (38,8%), followed by sexual exploitation (38,7%). However, the report also states that other forms of trafficking in persons were significantly underreported, including forced marriage, organ removal, exploitative begging, trafficking for illegal adoption, and forced criminality. Women accounted for 42% of trafficked victims, girls 18%, men 23% and boys 17%, indicating an increase in the percentage of men and boys due to emerging forms of exploitation, including forced criminality and mixed forms of exploitation. Men and underage boys are often exploited for forced labor or armed labor, while women and girls experience more sexual exploitation and domestic servitude.

The UNODC Global Report on Trafficking in Persons 2024⁴ further confirmed these trends: of all identified victims, 62% were adults and 38% were children. The detection of child victims rose significantly, especially among girls - of the child victims, 22% were girls and 16% were boys, while among adults, 39% were women and 23% were men. Forced labor continued to present the primary form of exploitation (42%), followed by sexual exploitation (36%). Additionally, 8% of victims were trafficked for forced criminality, 8% for mixed forms of exploitation, 4% for other purposes, 1% for forced begging, and 1% for forced marriages.

Trafficking in Persons in the Western Balkans

As outlined in the most recent World Vision research⁵, the Western Balkans remain a region of origin, transit, and destination for victims of human trafficking. Sexual exploitation, forced begging, and forced marriages continue to dominate among forms of exploitation, while labor exploitation is increasingly reported. Victims are primarily nationals of the countries in the region, trafficked within their own borders, though the number of foreign nationals identified as victims is gradually rising. Children constitute a significant share of all detected victims, yet specialized child protection services remain limited and unevenly distributed. Male victims—both men and boys—are frequently overlooked in identification procedures and face limited access to assistance services.

A recent report, by the Global Initiative Against Transnational Organized Crime (GI-TOC)⁶ describes labor exploitation as a pressing concern in the Western Balkans, outlining the construction sector to be the most vulnerable, followed by the textile, hospitality, and tourism industries. As per the United States Annual Trafficking in Persons Report⁷, in 2023 the number of labor exploitation victims increased in the WB region compared to previous years, accounting for 46% of all human trafficking in the Balkans between 2018 and 2023. The data shows that Albania and Bosnia and Herzegovina had the highest number of victims, accounting for over 60% of all recorded labor exploitation victims in the region. Yet, the report also underlined the phenomenon to be largely underestimated, foreseeing that the actual number of victims could be 10 to 20 times higher than the official one⁸. According to the report⁹ by the MARRI network, in the period 2018-2022, forced begging was the most widespread form of human trafficking for the purpose of labor exploitation (27% of all cases registered in the region).

The region faces a combination of interrelated risk factors that heighten vulnerability to trafficking, including prolonged instability in nearby regions such as Ukraine and the Middle East, intensified flows of irregular migration along the Balkan route, and entrenched socio-economic inequalities. While trafficking in women and girls for sexual exploitation has traditionally received the most attention, there

³ Global Report on Trafficking in Persons 2024, United Nations Office on Drugs and Crime - UNODC (2024), https://www.unodc.org/documents/data-and-analysis/glotip/2022/GLOTIP_2022_web.pdf;

⁴ Ibid 3;

⁵ Sheltering Services for Victims of Trafficking: A Mapping Report for Albania, Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia (2025) Radović/World Vision, http://www.atina.org.rs/sites/default/files/Sheltering%20Service%20for%20VoT%20Regional%20Mapping%20Report_FINAL_ENG_0.pdf

⁶ Forced to Work: Labour Exploitation in the Western Balkans, Đorđević/Petrović/GI-TOC (2024), <https://globalinitiative.net/analysis/forced-to-work-labour-exploitation-in-the-western-balkans/>;

⁷ <https://www.state.gov/reports/2023-trafficking-in-persons-report>;

⁸ Labour exploitation in the Western Balkans, an Insidious Phenomenon, Research Paper, Guglietta/ Osservatorio Balcani e Caucaso Transeuropa (2024), https://www.balcanicaucaso.org/en/cp_article/labour-exploitation-in-the-western-balkans-an-insidious-phenomenon/;

⁹ Analysis-Report: Trends of Human Trafficking in the MARRI Participants 2018-2022, MARRI – Migration, Asylum, Refugees Regional Initiative (2022), <https://marri-rc.org.mk/wp-content/uploads/2022/04/Analysis-Report-Trends-of-Human-Trafficking-in-the-MARRI-Participants.pdf>;

is growing recognition of trafficking in men and boys for labor exploitation and the acute vulnerability of unaccompanied children. These trends demand a comprehensive, gender-sensitive and adaptable support system tailored to the diverse profiles of victims¹⁰.

Despite existing legal and institutional obligations in the region, access to protection measures remains inconsistent and fragile. The US Department of State Office to Monitor and Combat Trafficking in Persons, in its TIP Reports, reinforces that trafficking in persons remains a serious threat in the Western Balkans, especially connected to the migration and smuggling flows, and that protection and support - specifically shelter assistance for victims - remains an essential, but non-implemented component of effective response. The Council of Europe's Group of Experts on Action against Trafficking in Human Beings - GRETA has repeatedly highlighted gaps and concerns over protective measures for victims, lack of effective access to compensation and limited accommodation capacities. Some WB countries are lacking services for men and boys, while services for women with children remain underdeveloped. Both TIP and GRETA highlight persistently low conviction and prosecution rates for human trafficking in many Western Balkan states, which undermines effective protection and increases victims' vulnerability.

Importance of Shelters in Victim Protection and Assistance

Shelters constitute a fundamental pillar of an effective, comprehensive response to survivors of trafficking in persons, as stated in many international legal documents and Conventions, such as the Beijing Declaration and Platform for Action¹¹, outlining that States committed themselves to "provide well-funded shelters and relief support for girls and women subjected to violence", including "access to medical, psychological and other counselling services and free or low-cost legal aid, where needed". Ever since, shelters have developed into secure *Safe Havens* for victims of trafficking in persons – a place where they feel safe and protected, where they can stabilize without fear of re-traumatization, a crucial element for their recovery, rehabilitation, regaining of trust, restoration of emotional well-being and dignity, while at the same time undergoing a process of preparing for reintegration into society and communities they feel safe to return to.

Historically, the evolution of shelters reflects shifts in societal understanding of violence, exploitation, and human rights. The earliest documented "women's shelters" for survivors of domestic violence emerged in the 1960s and 1970s, initially in Western Europe and North America, often led by civil society movements demanding protection, autonomy, and support for abused women¹². Over time, as global awareness rose and the legal frameworks of trafficking in persons developed (including international conventions and protocols), ad-hoc shelter care evolved into shelter programs that became central to victim support globally, emerging into structured, rights-based, multidisciplinary support systems. Global shelters today are built around a holistic, interdisciplinary model¹³ that delivers a wide range of services tailored to complex survivors' needs, including direct assistance services such as accommodation, food, sundries, primary and secondary medical care, psychosocial counselling, legal assistance and so-called RRR support (rehabilitation, repatriation and resocialization) preparing the recovered victims for social reintegration. Furthermore, shelters serve as a structural bridge — between survivors and broader protection systems, functioning as critical links in national referral mechanisms

¹⁰ Sheltering Services for Victims of Trafficking: A Mapping Report for Albania, Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia, Radović/World Vision (2025);

¹¹ Beijing Declaration and Platform for Action, United Nations, UN Women (1995); <https://www.icsspe.org/system/files/Beijing%20Declaration%20and%20Platform%20for%20Action.pdf> ;

¹² The Establishment Of Shelters as A New Paradigm Towards Struggling With Violence Against Women: A Literature Review, Journal of Family and Reproductive Health No. 18, Sharifi/Hadizadeh-Talasaz/Larki (2024), https://www.researchgate.net/publication/379046149_The_establishment_of_shelters_as_a_new_paradigm_towards_struggling_with_violence_against_women_A_literature_review;

¹³ Why shelters? Considering residential approaches to assistance, Rebecca Surtees, NEXUS Institute to Combat Human Trafficking, Vienna (2008); <https://nexusinstitute.net/wp-content/uploads/2015/03/why-shelters-residential-approaches-to-trafficking-assistance-nexus-2008.pdf>;

between government institutions, law enforcement, judiciary, health and social services, CSOs and immigration systems, to ensure coordinated support¹⁴.

Both GRETA¹⁵ and TIP Reports¹⁶ emphasize that access to protection and safe accommodation is a key component of effective victim support and recommend that Western Balkans states improve and expand their shelter and assistance services. While TIP reports outline that shelter and victim-assistance remain critical yet under-resourced elements of anti-trafficking efforts in the region - highlighting the need for expanded capacity, better training of shelter staff, and more inclusive service delivery - GRETA further underlines that shelter assistance and protection are part of the core state obligations under both international and national anti-trafficking legal frameworks. From this perspective, absence of adequate and accessible shelters constitutes a significant shortfall in fulfilling those obligations. Furthermore, GRETA outlines that the lack of specialized shelters for child victims of trafficking in persons is essential to ensure services in line with the best interests of the child, and has been repeatedly calling on states to ensure sustainable funding for shelter activities in the region, so as to ensure for consistent and quality availability of services, as well as equitable access for all victims, regardless of gender or exploitation type.

Part II

International Framework for Human-rights Based Victim Protection

This part provides a general, legislative structure for shelter providers, also applicable to the Western Balkans region, referencing international legal instruments and mechanisms that provide a framework for shelter protection and assistance of trafficked victims, but also outline the obligations and responsibilities of States with regards to victim protection. This ensures that both these guidelines and national shelter standards developed on their basis, operate within a recognized legal and ethical framework regarding protection of victims of trafficking in persons.

The global response to trafficking in persons is regulated through a comprehensive international and regional legal framework, comprising multiple instruments that recognize trafficking in persons as a serious crime and violation of human rights.

At the international level, the United Nations Convention against Transnational Organized Crime and its **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children** (so-called Palermo Protocol) provide the foundation for anti-trafficking efforts. These are further supported by the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and its Optional Protocol, as well as very important international and regional instruments addressing child protection, led by the **Convention on the Rights of the Child** and its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. In addition, several conventions of the International Labour Organization (ILO) further draw the attention and address the evolving crimes of trafficking in persons for labor and child exploitation.

On the regional level, the **Council of Europe Convention on Action against Trafficking in Human Beings** provides a human rights-based framework with obligations related to victim protection, prevention and prosecution, while the European Union Directive 2011/36/EU, on preventing and combating trafficking in human beings and protecting its victims, further strengthens the legal and policy response, emphasizing non-punishment of victims, gender-sensitive and child-specific approaches, as well as the provision of comprehensive assistance and protection measures.

The core human rights framework - the **European Convention on Human Rights (ECHR, 1950)** serves as a basis of human rights protection in Europe, guaranteeing fundamental rights directly

¹⁴ Assistance to Victims of Human Trafficking, Group of Experts on Action against Trafficking in Human Beings – GRETA, Thematic Chapter of the 8th General Report on GRETA's activities (covering the period from 1 January to 31 December 2018), Council of Europe (2019), <https://rm.coe.int/assistance-to-victims-of-thb/1680a521f>;

¹⁵ GRETA Country Reports and Evaluation Rounds, <https://www.coe.int/en/web/anti-human-trafficking/country-reports-and-evaluation-rounds>;

¹⁶ United States Office to Monitor and Combat Trafficking in Persons, Trafficking in Persons Reports, <https://www.state.gov/reports-office-to-monitor-and-combat-trafficking-in-persons/>;

relevant to trafficked victims - including the prohibition of slavery and forced labor (Article 4), the right to liberty and security (Article 5) and the right to respect for private and family life (Article 8).

Together, these instruments represent the guiding legal framework for states in implementing their duties to identify, protect and support victims of trafficking in persons. Below is a list of relevant legal instruments and brief description of protection measures they require states to implement with the aim of suppressing trafficking in persons and protecting all victims, especially children.

Legal Instruments Addressing Trafficking in Human Beings

Year	Instrument	Type	Relevance/Protection Measures
1948	Universal Declaration of Human Rights ¹⁷	Declaration	Foundational international document that outlines – for the first time – a comprehensive set of fundamental human rights that should be universally protected: right to life, liberty, and security, freedom from slavery and servitude, and protection from torture, inhuman, or degrading treatment.
1949	United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others ¹⁸	Convention	Early global effort to criminalize all forms of trafficking and related exploitation. Obligates States to punish traffickers and protect victims, including through shelter and legal support. Sets basis for international cooperation.
1957	ILO Convention No. 105 on the Abolition of Forced Labor ¹⁹ International Labour Organization (ILO)	Convention	Calls for elimination of all forms of forced labor. Reinforces state duties to prohibit exploitation in trafficking cases. Supports labor protections and victim recovery through dignified employment and inclusion.
1979	United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) ²⁰	Convention	Mandates States to protect women from trafficking and exploitation. Promotes gender-sensitive approaches and specialized protection measures, including safe shelters, legal remedies and reintegration.
1999	ILO Convention No. 182 on the Worst Forms of Child Labor ²¹	Convention	Identifies child trafficking as one of the worst forms of child labor. Requires urgent action to prohibit and eliminate such practices. Calls for victim-centered rehabilitation and reintegration.
2000	United Nations Convention against Transnational Organized Crime (UNTOC) ²²	Convention	Establishes international cooperation to combat organized crime, including trafficking in persons. Promotes victim protection, criminal justice measures and cross-border coordination.
2000	United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children ²³	Protocol to UNTOC	Defines trafficking in persons and obligates States to prevention, as well as to protect victims and prosecute offenders. Outlines the need for victim assistance and rights-based recovery mechanisms, including safe shelter and legal aid. Recognizes

¹⁷ Universal Declaration of Human Rights (1948), <https://www.un.org/en/about-us/universal-declaration-of-human-rights>;

¹⁸ United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949), <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-suppression-traffic-persons-and-exploitation>;

¹⁹ International Labour Organisation Convention concerning the Abolition of Forced Labour (1957), https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C105;

²⁰ United Nations Convention on the Elimination of All Forms of Discrimination against Women (1979), <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>;

²¹ International Labour Organisation Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999), https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182;

²² United Nations Convention against Transnational Organized Crime (2000), <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>;

²³ United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (2000), <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons>;

	(Palermo Protocol)		abuse of vulnerability, enabling protection for persons with disabilities and other at-risk individuals.
2000	United Nations Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography ²⁴	Optional Protocol	Criminalizes all forms of child exploitation linked to trafficking in persons. Requires provision of comprehensive assistance to child victims including shelter, psychological support and legal aid.
2005	Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197) ²⁵ Council of Europe	Convention	Establishes a comprehensive framework for prevention of trafficking and protection of victims. Requires States to ensure non-discriminatory access to assistance services including safe accommodation, psychological support and health care. Introduces the reflection period and encourages child-specific measures.
2011	European Union Directive 2011/36/EU ²⁶	Directive	Mandates Member States to adopt criminal laws and protective measures for victims of trafficking. Emphasizes victim support, gender- and child-sensitive procedures and coordination through national referral mechanisms. Promotes inclusive services for vulnerable groups, including minors and persons with disabilities.

Legal Instruments Addressing Child Protection

Year	Instrument	Type	Relevance/Protection Measures
1989	United Nations Convention on the Rights of the Child (CRC) ²⁷	Convention	Guarantees all children the right to protection from exploitation, abuse, and trafficking. Establishes rights to recovery, reintegration, education, and health care. Emphasizes the best interests of the child, non-discrimination, and participation, including for children with disabilities.
2000	United Nations Optional Protocol to the CRC on Sale of Children, Child Prostitution and Child Pornography (OPSC) ²⁸	Optional Protocol	Requires States to criminalize and prevent exploitation of children, including trafficking for sexual purposes. Obliges States to provide legal, psychological, and social services to victims. Protects all children equally, including those with disabilities and those in migration contexts.
2007	Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse ²⁹	Convention	Criminalizes all forms of sexual exploitation and abuse of children. Requires preventive education, reporting mechanisms, safe shelters, and legal assistance. Promotes child-friendly procedures and special safeguards for children with disabilities, migrants, and other vulnerable groups.

²⁴ Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000), <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-rights-child-sale-children-child>;

²⁵ Council of Europe Convention on Action against Trafficking in Human Beings (2005), <https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=197>;

²⁶ Directive 2011/36/EU of the European Parliament and of the Council on Preventing and Combating Trafficking in Human Beings and Protecting its Victims, and replacing Council Framework Decision 2002/629/JHA (2011), <https://eur-lex.europa.eu/eli/dir/2011/36/oj/eng>;

²⁷ United Nations Convention on the Rights of the Child (1989), <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>;

²⁸ United Nations Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000), <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-rights-child-sale-children-child>;

²⁹ Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (2007), <https://rm.coe.int/1680084822>;

	(Lanzarote Convention)		
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Legal Instruments Protecting Migrants and Refugees

Year	Instrument	Type	Relevance/Protection Measures
1990	United Nations Convention on the Protection of the Rights of All Migrant Workers and Their Families ³⁰	Convention	Protects migrant workers and their families from exploitation and trafficking. Ensures equal treatment, access to health care and legal protection regardless of status. Promotes special protection for migrant children and persons in vulnerable situations.
2000	United Nations Protocol Against the Smuggling of Migrants ³¹	Protocol to UNTOC	Addresses migrant smuggling while emphasizing protection of migrants' rights and humane treatment. Encourages differentiation between smuggled and trafficked persons.
2011	European Union Directive 2011/95/EU (Qualification Directive) ³²	Directive	Grants international protection to persons at risk of persecution or serious harm, including victims of trafficking. Recognizes vulnerabilities based on age, disability and trauma. Guarantees access to protection and services.
2013	European Union Directive 2013/33/EU (Reception Conditions Directive) ³³	Directive	Sets standards for reception of asylum seekers, ensuring dignified living conditions, healthcare and support for vulnerable individuals. Requires special measures for children, survivors of trauma and individuals with disabilities.

Core Human Rights Framework Relevant to All Individuals, including TIP victims

Year	Instrument	Type	Relevance / Key Protection Measures
1950	Council of Europe European Convention on Human Rights (ECHR) ³⁴	Convention	Affirms fundamental rights including right to life, liberty, dignity, privacy and protection from torture. Applicable to all persons regardless of status. Provides strong legal basis for inclusive victim protection, including for trafficked individuals, children, migrants and individuals with disabilities.

Part III Glossary of Terms

To promote shared understanding, this section offers a glossary of key terms used throughout the guidelines, covering essential definitions related to trafficking in persons, victim categories, shelter types and protection principles.

Assessment of the best interest of the child is the assessment carried out by the officials who take certain actions in relation to a child, except in the situation when it is necessary to determine the best interests of the child. Assessment of the best interests of the child ensure that the procedure involves primarily the best interests of the child. Assessment can be done independently or in

³⁰ International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990), https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsq_no=IV-13&chapter=4;

³¹ Protocol Against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention Against Transnational Organized Crime (2000), https://www.unodc.org/documents/middleeastandnorthafrica/smuggling-migrants/SoM_Protocol_English.pdf;

³² Directive 2011/95/EU of the European Parliament and of the Council of on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (2011), <https://eur-lex.europa.eu/eli/dir/2011/95/oj/eng>;

³³ Directive 2013/33/EU of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (2013), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013L0033>;

³⁴ European Convention on Human Rights (1950), https://www.echr.coe.int/documents/d/echr/convention_ENG;

consultations between competent authorities and other persons, when the involvement of the child is required³⁵.

Child – the definition of the child is contained in Article 4 of the Council of Europe Convention on Action against Trafficking in Human Beings as: *(d) Child shall mean any person under eighteen years of age.*

Determination of the best interests of the child is a term applicable to the official procedure, accompanied by strict guarantees, within which the best interests of the child are determined in relation to a particularly important decisions applicable to children. This procedure should allow adequate participation of the child, free of discrimination, and decision-makers who are competent in various areas, and the procedure should balance all relevant factors facilitating the assessment of the best option³⁶.

Discrimination is any act of making a distinction or unequal treatment (exclusion, limitation, or giving preference), in relation to individuals or groups, as well as their family members or persons associated with them, whether openly or covertly, based on race, skin color, national or ethnic origin and affiliation, language, religious or political belief, sex, sexual orientation, property status, birth, health status, marital status, or other personal characteristics. Discrimination represents active behavior or actions based on prejudice or deliberate denial of rights to a particular social group and/or its members. The criteria for such denial may be based on sex/gender, sexual orientation, race, religion, ethnicity, age, and similar grounds. Discriminatory behavior benefits one individual/group while disadvantaging another individual/group, thereby reinforcing their inferior position in society. Norms and rules that exclude certain, often minority groups, are embedded in the social structure and are reproduced through socialization by the education system, culture, media, and sometimes even the political system³⁷.

Exploitation refers to the abuse of others through prostitution or other forms of sexual abuse, forced labor or provision of services, forced begging, slavery or practices similar to slavery, forced servitude or organ removal, forced marriage, and any other activity inflicted upon by coercion or abuse of others³⁸.

Identification is the procedure in which trained personnel and qualified experts (police, labor inspections, border police, immigration authorities, embassies, consulates, etc.) in cooperation with specialized NGOs: 1. Take steps to detect cases of trafficking in place where different phases of trafficking in human beings take place (recruitment, transport, accommodation, exploitation, etc.) or following the escape from traffickers; 2. Collect information on cases of trafficking whether from victims or from other sources that have information on unlawful activities committed against victims; 3. Analyze collected information and compare the elements of individual cases against the indicators of trafficking in human beings; 4. Make conclusion if the person is the victim of trafficking and ensure necessary assistance and protection³⁹.

Identified victim of trafficking in persons is a natural person identified by judicial authorities in the identification procedure as the victim of trafficking in human beings⁴⁰.

Informed consent of the potential and identified victim of trafficking in persons shall mean that the victim received all information related to the victim's rights in all phases of protection – from

³⁵ Guidelines on Determining the Best Interest of the Child, UNHCR (2008), <https://www.unhcr.org/media/unhcr-guidelines-determining-best-interests-child>;

³⁶ Ibid;

³⁷ Smjernice o postupanju regionalnih monitoring timova za borbu protiv trgovine ljudima u Bosni i Hercegovini, Ministarstvo sigurnosti BiH/MFS-EMMAUS (2009), http://msb.gov.ba/anti_trafficking/dokumenti/prirucnici/?id=6068;

³⁸ Ibid 20;

³⁹ Minimum Standards for Assistance to Victims of Trafficking in Human Beings, Particularly Children, in Bosnia and Herzegovina, Đuderija/Bajramović/MFS-EMMAUS (2021), https://eurcenter.ba/onlineresuri/?wpv_view_count=2511&wpv-post_tag%5B%5D=manual&wpv_filter_submit=Tra%C5%BEi&wpv_aux_current_post_id=1332&wpv_aux_parent_post_id=1332&wpv_paged=5;

⁴⁰ Ibid;

identification to repatriation, before the victim accepted to do something voluntarily. Informed consent of the potential and identified victim of trafficking in human beings is key requirement to start all activities envisaged by Minimum standards⁴¹.

Period of reflection is the time determined for recovery and reconsideration in duration of 30 days, in which period a victim of trafficking in human beings should be able to recover and liberate from the influence of traffickers and make an informed decision to cooperate with competent authorities. During this period, the victim cannot be removed from the country, and the country is obliged to provide support and assistance to victims of trafficking in human beings⁴².

“Potential and/or presumed victim of trafficking in persons” is used to describe any natural person whose initial assessment by responsible professionals (based on initial indicators recognized during the screening/identification process) resulted with reasonable grounds to believe or presume that this person was a victim of trafficking in persons, but this victimization was not formally confirmed by judicial authorities in official proceedings. In terms of prevention of trafficking in persons, a **potential victim** may also refer to individuals at imminent risk of being trafficked, whose situation requires further assessment. This usually includes street children and other children at risk, (unaccompanied) migrants and other vulnerable individuals, where preventative protection measures may be necessary even before exploitation is confirmed.

Recruitment in the context of trafficking in persons includes various forms of deception, fraud, lies, and/or distortion of facts with the aim of convincing a person - woman, child, and/or man - to accept the offered or falsely presented living and/or working conditions, either in their home country or abroad. Recruitment may be carried out by a stranger, but in practice, it is most often done by an acquaintance, friend, partner, and/or family member. Recruitment can also take place through employment or marriage agencies, as well as through job advertisements found in newspapers⁴³.

Referral – involves persons referred to a program implemented by several agencies or other actors, which behave decently and suggest that that might be potential or identified victims of trafficking in human beings. Referrals also involve persons referred by a program to an agency, institution, organization or professional staff to receive intervention or other form of support, following the professional assessment of risk, vulnerability or protective factors related to this person⁴⁴.

Referral mechanism – formal or informal mechanism which involves practitioners or professional staff of different disciplines and/or agencies and organizations, for purpose of identification, assessment, assistance, and treatment with those who have to be identified; assistance and protection of those who show the signs that they are potential or identified victims of trafficking in human beings⁴⁵.

Reintegration can be understood as the subsequent restoration or supplementation of something essential that an individual or social group lacked or lost, and which had a decisive impact on the emergence of an adverse phenomenon - in this case, trafficking in persons. Reintegration is a comprehensive process aimed at addressing the root causes of trafficking in persons. Achieving change at the level of the individual, their family, and the local community is a fundamental precondition for successful reintegration. If changes occur only at one level - such as the personal level - without being accompanied by changes in the surrounding environment, the risk of re-victimization increases, while full reintegration becomes less likely. This is the key difference between resocialization and reintegration: while resocialization focuses on changes within the individual, reintegration requires coordinated change across all levels. Reintegration encompasses the processes of rehabilitation, repatriation, and resocialization.

Rehabilitation includes measures undertaken to support the recovery and reintegration of the individual into everyday life.

⁴¹ Ibid;

⁴² Ibid;

⁴³ Ibid;

⁴⁴ Ibid;

⁴⁵ Ibid;

Repatriation refers to the process of returning a trafficked foreign national to their country of origin.

Resocialization involves the victim's return to society and their preparation to live in accordance with social norms, to function successfully in social roles and activities. This process assumes that socialization was either not completed during personal development or that previously socialized individuals developed maladaptive behaviors due to adverse circumstances, hence requiring renewed support.

Self-identification is a situation in which an adult clarifies forms of exploitation he/she was subjected to during a period of time, based on which a competent professional would be able to assess whether the adult in question was subjected to trafficking in persons.

Unaccompanied child/children (or "children and unaccompanied minors") are children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so⁴⁶.

Victims/individuals with disabilities – individuals with physical impairments (persons who have mobility difficulties, and may resort to devices such as a wheelchair or a cane in their daily lives), sensory impairments (includes persons that are deaf or have hearing impairments, as well as individuals who are blind or have low vision, intellectual impairments (individuals who live with cognitive or developmental disabilities- such as learning, reasoning, problem-solving - and adaptive behavior - the conceptual, social, and practical skills that are learned and performed by people in their everyday lives), and psychosocial disabilities (individuals who do not have access to or are unable to participating in the community on an equal basis with other individuals, due to mental health difficulties combined with discrimination and other challenges in integrating into society).

Part IV

General Framework Guidelines for Shelter Providers

This part details the human-rights and victim-oriented based framework for victim protection and assistance, including harmonized understanding of key definitions, principles and values.

States that are members of the United Nations and the Council of Europe have ratified numerous international legal instruments relevant to the regulation and response to trafficking in persons, including the countries of the Western Balkans. By accepting these international agreements (including conventions, protocols and other binding instruments), states undertake the obligation to align their national legislation with the binding standards contained in these instruments, including in the area of protection and assistance to victims of trafficking in persons.

To provide effective, victim-oriented and rights-based assistance to victims, all professionals involved in the implementation of anti-trafficking actions must be introduced to and clearly understand the application of international legal instruments and the core legal framework applicable in their country, as part of a **general framework** for victim protection and assistance, as this legal framework is rooted in international law. In so doing, it is essential that they have a **common understanding** of the definitions of trafficking in persons provided by these international instruments, as these provide and establish the standards that member states are expected to implement through their anti-trafficking National Referral Mechanism structures.

Amongst those professionals - shelter providers, as first-line responders, play an imminent role in both the identification of victims of trafficking in persons and the provision of immediate assistance and support. As such, it is imperative that shelter professionals are fully equipped with a clear and accurate understanding of human trafficking definitions and indicators, enabling them to provide quality assistance and support to victims with full respect to their human rights throughout all aspects of care and support.

⁴⁶ Guidelines on Determining the Best Interest of the Child, UNHCR (2008), <https://www.unhcr.org/media/unhcr-guidelines-determining-best-interests-child>;

1. Aligned and common understanding of definitions

The general framework for a precise understanding of the definitions of “trafficking in persons” and “victim of trafficking in person” that is essential for the consistent application of rights-based assistance and protection standards in victim assistance and protection is provided by the two world's primary legal instruments to combat trafficking in persons.

The most comprehensive definition of trafficking in persons is contained in Article 3 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime (Palermo Protocol):

- a. **“Trafficking in persons”** shall mean the recruitment, transportation, transfer, harboring 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 labor 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;
- c. The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;
- d. **“Child”** shall mean any person under eighteen years of age.

The Council of Europe Convention on Action Against Trafficking in Human Beings⁴⁷ (Article 4) incorporates the definition of human trafficking set forth in the Palermo Protocol and defines the “victim of trafficking in human beings”:

“Victim” shall mean any natural person who is subject to trafficking in human beings as defined in this article.

Article 10 of the Convention also emphasizes the “presumption of the victim status”⁴⁸ and the entitlement to assistance before the formal identification is completed. With this regard it is important to have a common understanding of the frequently used terms “potential” and/or “presumed” victim of trafficking in persons.

“Potential and/or presumed victim of trafficking in persons” is used to describe any natural person whose initial assessment by responsible professionals (based on initial indicators recognized during the screening/identification process) resulted with reasonable grounds to believe or presume that this person was a victim of trafficking in persons, but this victimization was not formally confirmed by judicial authorities in official proceedings.

In terms of prevention of trafficking in persons, a **potential victim** may also refer to individuals at imminent risk of being trafficked, whose situation requires further assessment. This usually includes

⁴⁷ <https://rm.coe.int/168008371d>;

⁴⁸ Article 10 (2) „Each Party shall ensure that, if the competent authorities have reasonable grounds to believe that a person has been victim of trafficking in human beings, that person shall not be removed from its territory until the identification process as victim of an offence provided for in Article 18 of this Convention has been completed by the competent authorities...”

street children and other children at risk, (unaccompanied) migrants and other vulnerable individuals, where preventative protection measures may be necessary even before exploitation is confirmed.

Recognizing presumed and potential victims is essential to ensure timely access to protection, including safe shelter and safeguarding from further harm. This approach also aligns with the principle of non-punishment and the obligation to provide assistance without delay or conditions (i.e. willingness to act as a witness in criminal proceedings, Article 12 para. 6 of the Convention), particularly for children and other high-risk groups.

2. Recognition of human rights belonging to victims of trafficking in persons

Article 1 of the European Convention on Human Rights (ECHR) establishes the obligation of States Parties to “secure to everyone within their jurisdiction the rights and freedoms defined in Section I of the Convention”⁴⁹, imposing a duty on States to respect and ensure all rights guaranteed under the Convention to every individual regardless of their nationality, legal status, or origin - including citizens, stateless persons, asylum seekers, refugees, migrants (registered or undocumented), and other non-nationals⁵⁰. This includes the right to protection, assistance and remedies for victims of trafficking in persons. When referring to the term “jurisdiction”, it is important to mention that the European Court of Human Rights holds that – although jurisdiction is primarily territorial - in certain exceptional circumstances, jurisdiction may extend extraterritorially, beyond a State’s borders, especially when the State exercises effective control over an individual or area, or through agents acting abroad (e.g. military operations, diplomatic premises, or extradition procedures). This extraterritorial application of Article 1 confirms that States must not expose individuals to treatment in violation of the ECHR by way of deportation, return, expulsion, or extradition, where there is a real risk of serious harm, such as torture, inhuman or degrading treatment (Article 3), or denial of access to justice (Article 6)⁵¹.

Multiple international legal frameworks strengthen this principle and create an obligation for the states to protect human rights through positive and non-discriminatory actions. The Council of Europe Convention on Action against Trafficking in Human Beings obliges the member states to provide basic support and give rights non-conditionally, whereby the support and security must be provided without any discrimination and even before the formal identification of the person (Article 12 and 13). The European Union Charter of Fundamental Rights⁵² outlines human dignity as “inviolable”, emphasizing that it must be respected and protected, further outlining the provision of protection against trafficking in persons, torture, slavery and forced labor, including fundamental freedoms. With regards to specific protection of human rights of children, the UN Convention on the Rights of the Child (CRC) emphasizes the best interest of the child as a guiding principle, obliging the states to protect children from all forms of exploitation and abuse, including trafficking in persons.

3. Enforcement and respect of human rights principles

⁴⁹ European Convention on Human Rights (1950), Section I Rights and Freedoms including rights to life, family, liberty, no punishment without law, security and fair trial; prohibition of slavery, torture, forced labour, discrimination and abuse of rights, and other rights, https://www.echr.coe.int/documents/d/echr/convention_eng;

⁵⁰ As defined by the Convention Relating to the Status of Stateless Persons (Article 1), a “stateless person” refers to “...any person who is not considered as a national by any State under the operation of its law”; <https://www.unhcr.org/media/1954-convention-relating-status-stateless-persons>. The UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990) also repeatedly distinguishes between nationals and non-nationals, guaranteeing fundamental rights to non-citizens, regardless of their status, https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsq_no=iv-13&chapter=4&clang=en;

⁵¹ In the case *Soering v. the United Kingdom* (1989), the European Court of Human Rights (ECtHR) ruled that extraditing an individual to a country where they face a real risk of torture or inhuman or degrading treatment (contrary to Article 3) would engage the responsibility of the extraditing State under the Convention, even though the treatment would occur outside its territory. ECtHR Case Law Database, *Soering v. the United Kingdom*, Application no. 14038/88, Judgment of 7 July 1989, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-57619%22%5D%7D>;

⁵² Charter of Fundamental Rights of the European Union (2000), Articles 1, 3 and 4; and Chapter II; https://www.europarl.europa.eu/charter/pdf/text_en.pdf;

a) Non-discrimination

The principle of non-discrimination is a foundational standard in international law and is included in major international legal instruments regarding human rights and trafficking in persons, including the Universal Declaration on Human Rights as a guiding instrument to human rights protection. As such, the Declaration outlines all human beings are born free and equal in dignity and rights (Article 1), and are entitled to all the rights and freedoms set forth in the Declaration without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status.

In terms of assistance and protection of victims of trafficking in persons in the Western Balkans, the principle of non-discrimination is continuously being violated throughout provision of identification, shelter and reintegration services to (potential) victims of trafficking in persons.

As per the Safe Haven Mapping Report, common patterns exist throughout the four focus countries (Albania, Bosnia and Herzegovina, Serbia and North Macedonia), including: gender discrimination in the provision of shelter services (except for one shelter in Bosnia and Herzegovina and a state-run shelter in Albania and an NGO shelter for children, in all four countries, shelter services are exclusively available for women and girls, whereby even for these target individuals services in Serbia and North Macedonia are available only for women and girls above a certain age, thereby discriminating other female victims by age, while men and boys by gender as well); non-existence of child specific shelter and assistance services, especially for unaccompanied migrants/minors and/or victims with disabilities, except for an NGO shelter in Albania that provides services only for children (although children are recognized as a vulnerable group and make up a significant proportion of identified victims, there are no designated shelters for children, nor specialized services tailored to their developmental and psychological needs. Instead, trafficked children are often placed in general child protection facilities, or accommodated in shelters with adults or victims of domestic violence, or even in hotels and foster families that lack the capacity to respond to their specific needs and trafficking-related trauma and protection); discrimination based on national origin and legal status (asylum seekers and migrants, especially unaccompanied minors and those in irregular situations or in transit, face various barriers - language, lack of documentation, and/or identification practices - in being formally identified as victims of trafficking in persons within the established National Referral Mechanisms, which excludes them from accessing shelters and related assistance, let alone specialized child assistance and services). All of these common patterns highlight the urgent need for rights-based identification and protection services, including quality shelter standards and standard operational procedures, which will implement the non-discrimination principle in practice, as equal access to protection and assistance must be ensured for all victims.

b) Diversity, Equity, Inclusion, and Accessibility (DEIA)

Historically, individuals from marginalized and under-represented communities often have been excluded from key decision-making roles, and the impacts of exclusionary policies have produced power balances in society and inequitable treatment of marginalized groups. Thus, the DEIA (Diversity, Equity, Inclusion, and Accessibility) framework has been promoted to ensure fair treatment, empowerment, and inclusion of all people. Applying the DEIA framework and principles has critical relevance in the context of human trafficking, especially in how victims of trafficking in persons and survivors are identified, protected and empowered⁵³.

The DEIA Principles are promoted across international legal instruments: from the Universal Declaration of Human Rights that provides the ethical and normative foundations for all individuals to live free and equal in dignity and rights, to legally binding anti-trafficking instruments that operationalize these principles by requiring states to design and implement protection and assistance systems that uphold the rights of all victims, without discrimination, with respect for diversity, safeguards against abuse, and with special attention to vulnerability, participation and accessibility. Palermo Protocol, the Convention on Action against Trafficking in Human Beings and Directive 2011/36/EU require that states

⁵³ Diversity Equity Inclusion Access (DEIA): More than Just a Notion (2023), Hunter/Office of Human Trafficking/Louisiana First Foundation, <https://louisianafirstfoundation.com/anti-human-trafficking-august2023/>;

uphold rights-based, inclusive and protective systems of assistance that reflect and apply the DEIA principles offering both the legal grounds and practical direction for implementing anti-trafficking measures that respect the dignity of all victims. Special considerations of DEIA principles in the support and protection of child victims are integrated and reinforced in the Convention on the Rights of the Child and its Optional Protocol on Sale of Children, Child Prostitution and Child Pornography, emphasizing the best interests of the child as primary consideration in all actions (Article 3) and the right to survival and development (Article 6), recognizing that equitable measures (child victims not receiving equal services as adults, but specialized and targeted support) are necessary to achieve meaningful protection and recovery for vulnerable children.

In terms of shelter and protection services for victims and survivors of trafficking in persons, including children, the overview of the application of DEIA principles is detailed in the table below:

Human Rights Principles in Victim Assistance Services

Principle	Definition	Human trafficking context	Regional challenges (Bosnia and Herzegovina, Serbia, North Macedonia)
Diversity	Diversity refers to the recognition and respect of differences as part of fundamental rights, including but not limited to race, ethnicity, gender, age, religion, disability, sexual orientation, socioeconomic status, and nationality ⁵⁴ .	<p>Diversity acknowledges that victims and survivors of trafficking in persons originate from various backgrounds and trafficking experiences, whereby they are not equally affected by the human trafficking process. Therefore, services for victims and survivors, especially children, must be designed with respect to individual needs of adult victims, and specialized needs of child victims.</p> <p>Marginalized individuals and communities often face disproportionate vulnerability to human trafficking. Failure to recognize this diversity and the unique risks/needs of these individuals often result in inadequate identification and anti-trafficking response.</p>	<p>Diversity creates unique vulnerabilities to human trafficking: while women and girls are predominantly trafficked for sexual exploitation, domestic servitude and forced marriages, men and boys are often trafficked for forced labor; migrants face high risks of exploitation, as traffickers leverage their dependency and isolation; Roma children are particularly vulnerable due to poverty, marginalization, stereotypes, institutional neglect, lack of documentation and widespread prejudice.</p> <p>Shelters and NRM procedures across Albania, BiH, Serbia, and North Macedonia largely fail to recognize and/or respond to diverse profiles of victims, particularly male victims, children, persons with disabilities, and migrants. Shelter services are almost exclusively tailored for adult women, overlooking diversity in needs, besides two shelters in Albania, one of which accommodates adult males and boys and another one that accommodates both boys and girls.</p>
Equity	Equity involves ensuring fair and just (not equal) treatment, access, opportunity and advancement for all	Equity in trafficking responses requires that support and services be tailored to individual needs, recognizing that not all	Service provision is not adapted to ensure equitable access, especially for children, persons with disabilities, and migrants. Shelters do not adjust support

⁵⁴ UNESCO Universal Declaration on Cultural Diversity (2001), <https://www.unesco.org/en/legal-affairs/unesco-universal-declaration-cultural-diversity>;

	<p>individuals, while striving to identify and eliminate barriers that have prevented the full participation of some groups. It recognizes and considers the different needs, cultural barriers and (past) discrimination of the specific individuals and groups⁵⁵.</p>	<p>victims face the same barriers: child victims, victims with disabilities⁵⁶ and undocumented migrants may need additional legal, psychological, or logistical support to ensure access to justice, safety and reintegration; survivors may require different types of support based on their experiences and trafficking circumstances they have been subjected to.</p> <p>Assistance and protection measures must be tailored to the specific needs of different victims, taking into account the best interest of child victims, such as separate accommodation and services for child victims and/or pregnant women/victims, or specially enabled shelter access for victims with disabilities.</p>	<p>measures to match specific vulnerabilities, leaving some victims without meaningful access to care and protection.</p> <p>Shelters face insufficient capacities, lack of specialized services and capacities for children and/or male victims, and victims with disabilities, and there is a lack of counselling and support services.</p>
Inclusion	<p>Inclusion is the process of improving the terms of participation in society for people who are disadvantaged, through enhanced opportunities, access to resources, and respect for rights⁵⁷.</p> <p>All people have the right to participate in and access information relating to the decision-making processes that affect their lives and well-being.</p>	<p>Inclusion in trafficking responses refers to involvement of trafficked victims in decisions about their recovery, support and reintegration processes, so that even the most marginalized voices are heard (children, victims with disabilities, migrant victims and unaccompanied minors with limited language skills and survivors). This includes provision of assistance and support “on an informed and consensual basis” – informed: use of accessible language, interpretation when needed and attention to cognitive or developmental needs (i.e.</p>	<p>Victims are often excluded from decisions regarding their assistance and future. Many shelters do not involve trafficked victims in the design or evaluation of services. Children and persons with disabilities, as well as foreign victims and unaccompanied minors face significant exclusion due to lack of adapted communication or cultural mediators.</p> <p>Victims are often sheltered without informed consent, whereby adult victims are told (usually during identification by assisting professionals) their recovery period in the shelter shall not take long (contrary to evidence based, long shelter stay), and/or children are not</p>

⁵⁵ Key Concepts and Definitions related to Sex and Gender (2024), Gender Equity Unit, <https://genderhealthdata.org/resource/gender-concepts-and-definitions/>;

⁵⁶ Individuals with disabilities are highly vulnerable to human trafficking being more likely to be socially isolated; being perceived as lacking the ability to defend themselves; are more likely not to be believed (especially if they have intellectual impairments), and depending on the disability they are living with, are many times unable to recognize when they are being subjected to human trafficking or other forms of gender based violence. UNFPA Guidelines for the Management of Safe Shelters (2021), https://caribbean.unfpa.org/sites/default/files/pub-pdf/managing_safe_shelters_for_survivors_of_gender_based_violence_qbv_in_the_caribbean_0.pdf;

⁵⁷ United Nations Department of Economic and Social Affairs, Handbook for Parliamentarians (2007), <https://www.un.org/development/desa/disabilities/resources/handbook-for-parliamentarians-on-the-convention-on-the-rights-of-persons-with-disabilities/chapter-two-the-convention-in-detail-3.html>;

		<p>when working with children or persons with disabilities); and consensual: victims must agree to receive the service (child participation as possible, otherwise with guardian consent), be able to withdraw their consent at any time and must not be penalized for refusing assistance (non-punishment principle)⁵⁸.</p> <p>Inclusion is especially important for survivors who should be able to participate fully in society after their exploitation ends, but should also be involved in creation of human trafficking policy responses and victim recovery programs.</p>	<p>explained what the shelter recovery entails.</p> <p>Survivors are not sufficiently involved in creation of policy responses and reintegration programs are unavailable, inadequate or lack funding.</p>
Accessibility	<p>Accessibility⁵⁹ refers to the design of products, devices, services, or environments so that they are usable by people with a variety of disabilities or limitations.</p> <p>In human rights terms, accessibility refers to ensuring that everyone, regardless of ability or legal status, can access essential services and opportunities.</p>	<p>Accessibility ensures that victims can access all forms of protection and assistance—regardless of disability, language, legal status, or geographic location. This means shelters, justice mechanisms, and social services must be physically, linguistically, procedurally, and economically accessible to every trafficking victim, including those in remote areas or undocumented situations.</p>	<p>Physical (for persons with disabilities) and communication accessibility of shelters is limited. Most shelters are not equipped for persons with physical, sensory, or cognitive impairments. Migrant and asylum seeking victims often lack language access services.</p> <p>Accessibility to reintegration services is dependent upon NGO capacities and resources (access to education, on-the-job training, vocational training, mentoring, legal aid).</p>

c) Protection and respect of privacy and identity

Victim assistance and protection often requires significant processing of personal data of human trafficking victims. Such personal data are collected during all assistance and protection procedures within National Referral Mechanisms for victims of trafficking in persons, by various professionals, including law enforcement, judiciary, social services and civil society organizations providing shelter assistance services to victims. Consequently, this may lead to the violation of privacy of trafficked

⁵⁸ “A victim-centered and trauma-informed approach is key to successful anti-trafficking efforts. A central tenet of such an approach is that victims of trafficking should not be inappropriately penalized solely for unlawful acts they committed as a direct result of being trafficked. Effective implementation of the “non-punishment principle,” as it is increasingly referred to, requires not only recognizing and embracing the principle in regional and national laws but also increasing proactive victim identification”; 2025 Trafficking in Persons Report, US Department of State, <https://www.state.gov/reports/2025-trafficking-in-persons-report/?cmplz-force-reload=1764883113326>;

⁵⁹ United Nations Convention on the Rights of Persons with Disabilities (2007), Article 9 guarantees accessibility for persons with disabilities, requiring States to ensure equal access to physical environments (buildings, transport), information, communications (internet, emergency services), and other public services and facilities, eliminating barriers for full participation in life, from urban to rural areas, including private entities, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>;

individuals and abuse of personal data, potentially violating their right to respect for private and family life foreseen within the European Convention on Human Rights. The protection of victims' private life and identity is not only essential for their physical safety, given the risk of retaliation from their traffickers, but also in view of potential stigmatization impacting on the possibility of rebuilding a life in their country of origin or destination. It is therefore paramount that all data collection and processing mechanisms protect the rights of trafficked victims as data subjects.⁶⁰

The basis for all data protection instruments is the European Convention on Human Rights (Article 8) outlining the right to respect for private and family life. Under the EU Charter of Fundamental Rights⁶¹, the protection of personal data is considered an autonomous fundamental right, next to the right to privacy. Palermo Protocol and the Council of Europe Convention on Action against Trafficking in Human Beings outline the protection of the victim's private life and identity and the protection of the victim's personal data.

Personal data on victims of trafficking in persons are collected, processed, stored and used in accordance with the Council of Europe Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data (CETS 108)⁶², the first legally binding international treaty on data protection. The Convention outlines duties of states to enact relevant national legislation for data protection in order to ensure respect in their territory for the fundamental human rights of all individuals with regard to processing of personal data (Article 4); prohibits automatic processing of special categories of personal data unless appropriate safeguards are provided within national legislation (Article 6); and prescribes the quality of data processing (Article 5).

As per Article 7 of the Data Protection Directive⁶³, a clear and unambiguous consent must be obtained from the individual for any personal data to be processed. "Consent" is defined as "any freely given, specific, and informed indication" of the person's wish to agree with the processing of her or his personal data. For the consent to be "unambiguous", the procedure for obtaining and providing such consent must leave no doubt as to the person's intention. The notion of consent is founded on the idea that the individual should be in control of how their personal data is being used.⁶⁴

Council of Europe Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (so-called Modernized Convention 108, or Convention 108+) outlines following data protection principles that are obligatory in the protection of personal data of victims of trafficking in persons:

- a) data processing shall be proportionate in relation to the legitimate purpose;
- b) data processing can be carried out on the basis of the free, specific, informed and unambiguous consent of the data subject;
- c) personal data shall be obtained and processed fairly and lawfully, in a transparent manner;
- d) collected for explicit, specified and legitimate purposes and not processed in a way incompatible with those purposes;
- e) adequate, relevant and not excessive in relation to the purposes for which they are processed;
- f) accurate and, where necessary, kept up to date;
- g) preserved in a form which permits identification of the data subjects for no longer than is necessary for the purposes for which those data are processed.

Basic terms to be defined and understood for appropriate data processing are as follows:

⁶⁰ Data Protection Challenges in Anti-Trafficking Policies: A Practical Guide (2015), datACT - data protection in anti-trafficking action, https://www.kok-gegen-menschenhandel.de/fileadmin/user_upload/datAct_engl_Online_1_.pdf;

⁶¹ The Charter was proclaimed in 2000, but only got full legal effect in 2009, following the entry into force of the Treaty of Lisbon.

⁶² Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (1981), ETS No.108, <https://rm.coe.int/1680078b37>;

⁶³ Directive 95/46/EC of the European Parliament and of the Council on the Protection of Individuals with Regard to the Processing of Personal Data and on the Free Movement of Such Data (1995), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:31995L0046>;

⁶⁴ Data Protection Challenges in Anti-Trafficking Policies: A Practical Guide (2015), datACT - data protection in anti-trafficking action, https://www.kok-gegen-menschenhandel.de/fileadmin/user_upload/datAct_engl_Online_1_.pdf;

Privacy is defined in Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms as the right to respect for private and family life, home and correspondence.

Personal data means any information relating to an identified or identifiable individual ("data subject").⁶⁵

Data subject is a natural person whose identity can be established or identified, directly or indirectly, in particular on the basis of a unique identification number and one or more factors characteristic of that person's physical, physiological, mental, economic, cultural or social identity.⁶⁶

Data processing means any operation or set of operations performed on personal data, such as the collection, storage, preservation, alteration, retrieval, disclosure, making available, erasure, or destruction of, or the carrying out of logical and/or arithmetical operations on such data.⁶⁷

Processor of personal data means a natural or legal person, public authority, service, agency or any

Specialized services regarding children

Privacy and personal data of children, victims of trafficking, should be protected in all stages of the protection. No data or any other feature and/or characteristics of a child, which could disclose or indirectly facilitate the disclosure of the identity of the child, victim of trafficking, including a photography, detailed description of a child or child's family, names and addresses of the child's family members, audio or video recordings etc. must not be public, whether in media or otherwise, except in special circumstances for purpose of locating a family member of the child or otherwise to provide for wellbeing and best interest of the child.

In case of crime of trafficking in human beings committed against a child, the data on the suspect's identity and/or accused are made public in a way and extent which will not risk the disclosure of the identity of the child, victim of trafficking.

Explicit informed consent of the child, victim of trafficking and his/her parent/guardian is to be obtained before competent institutions start using and disseminating the child's personal data.

other body which processes personal data on behalf of the controller.⁶⁸

Recipient means a natural or legal person, public authority, service, agency or any other body to whom data are disclosed or made available.⁶⁹

Controller means a natural or legal person, public authority, service, agency or any other body which, alone or jointly with others, has decision-making power with respect to data processing.

⁶⁵ Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, CETS 223: Council of Europe Convention for the Protection of Individuals with Regard to the Processing of Personal Data - Convention 108+ (2018), <https://rm.coe.int/convention-108-convention-for-the-protection-of-individuals-with-regar/16808b36f1>;

⁶⁶ Council of Europe Guidelines for the Development and Adoption of Instruments at All Levels of Government in Bosnia and Herzegovina for the Protection of the Private Life and Personal Data of Victims of Human Trafficking (2021), Kotlo/Heide, <https://www.coe.int/en/web/sarajevo/-/guidelines-for-the-protection-of-the-private-life-and-personal-data-of-victims-of-human-trafficking-in-bosnia-and-herzegovina-published>;

⁶⁷ Council of Europe Convention 108+ (2018), https://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/COMMITTEES/LIBE/DV/2018/09-10/Convention_108_EN.pdf;

⁶⁸ Ibid;

⁶⁹ Ibid;

4. Specific support to children, victims of trafficking in persons and the best interest of the child principle

Ensuring specific support to children, victims of trafficking, stems from international treaties in the area of protection of human rights of children. Children are more vulnerable than adults, and they are therefore at greater risk to become victims, so that the standards applicable to the protection of children from all forms of exploitation are more complex and specific. The baseline standard defined in the UN Convention of the Rights of the Child in Articles 34-36, according to which the states are obliged to protect children from all forms of sexual exploitation and abuse, prostitution, involvement in pornographic material, potential trafficking in human beings, abduction, sale, and any other form of exploitation which can be harmful for children. These provisions stem from the Palermo Protocol and Optional protocol on the sale of children, child prostitution which emphasize that the child is to be treated as the subject of the right, not only as a person in need of protection. Furthermore, the ILO Forced Labour Convention No. 29⁷⁰ and ILO Worst forms of child labour Convention No. 182⁷¹ prohibit harmful labor and/or labor of children in streets. Further, child protection related standards are established within international legal instruments, which address the vulnerability of children and the need for adequate support measures.⁷²

The key standard for efficient support to children, victims of trafficking in human beings is based on the principle of the **"best interest of the child"**.

The Best Interests Determination (BID) is a formal process with specific procedural safeguards and documentation requirements that is conducted for certain children (...), whereby a decision-maker is required to weigh and balance all the relevant factors of a particular case, giving appropriate weight to the rights and obligations recognized in the Convention on the Rights of the Child and other human rights instruments, so that a comprehensive decision can be made that best protects the rights of children.⁷³ A best interest determination shall be initiated by the competent authority and shall be documented in the child's personal file (Article 3 of the Convention).

Particularly specific standard is contained in the *General comment on treatment with children outside the country of origin* (General Comment No. 6)⁷⁴, adopted in 2005 by the UN Committee on the Rights of the Child. General purpose of the comment is to explain the specific vulnerable situation of *unaccompanied* and *separated children*, and highlight the complexity of potential situations the states may encounter in course of the exercise of these rights. Unaccompanied/separated children come from the war and poverty affected countries, who are exposed to different forms of exploitation and violation of their rights, including different forms of trafficking, on their way to the countries of destination. In addition to sustaining direct forms of mental and physical abuse, they too often face the inability to access the rights guaranteed in numerous documents: access to the territory of individual countries, mechanism of international protection and access to protection, satisfaction of elementary existential needs, accommodation, healthcare, education, and child-friendly approach in particularly vulnerable circumstances when their psychological and physical integrity is endangered.⁷⁵

⁷⁰ ILO Forced Labour Convention No. 29,

https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID%2CP12100_HISTORICAL:312174%2CY;

⁷¹ ILO Worst Forms of Labour Convention No. 182,

https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:4064555;

⁷² Minimum Standards for Assistance to Victims of Trafficking in Human Beings, Particular Children, in Bosnia and Herzegovina (2021), Djuderija/Bajramović/MFS-EMMAUS, „Specific support to children, victims of trafficking in human beings“, pp.41;

⁷³ UNHCR Guidelines on the Formal Determination of the Best Interests of the Child (2006), pp.32,

[https://www.unhcr.org/sites/default/files/legacy-pdf/4ba09bb59.pdf;](https://www.unhcr.org/sites/default/files/legacy-pdf/4ba09bb59.pdf)

⁷⁴ General comment no. 6 (2005) - Treatment of unaccompanied and separated children outside their country of origin, (2005), Committee on the Rights of the Child;

⁷⁵ Minimum Standards for Assistance to Victims of Trafficking in Human Beings, Particular Children, in Bosnia and Herzegovina (2021);

Palermo Protocol and relevant international legal instruments proclaim the following general principles to be respected⁷⁶ during all stages of assistance and protection to child victims of trafficking in persons, from identification to reintegration, in the country or place of origin, transit or destination, and in cases of internal trafficking⁷⁷:

Rights of the child

Human rights standards, in particular the principles of protection and respect for children's rights as set out in the Convention on the Rights of the Child, must guide actions to assist child victims. The rights stipulated in the Convention are available to all children, regardless of their nationality, immigration status or statelessness. The involvement of child victims in criminal activities does not undermine their status as both a child and a victim, or their related rights to special protection. States are required both to refrain from infringing on children's rights and to take positive measures to ensure their enjoyment of these rights without discrimination.

Best interests of the child

In all actions concerning child victims, the best interests of the child shall be a primary consideration.

Right to non-discrimination

Child victims have the right to protection, whether they are non-nationals, nationals or residents of the country in which they find themselves. They must be considered as children first and foremost. Every child shall have, without discrimination of any kind as to race, sex, language, religion, ethnic or social origin, birth or other status, including immigration status, the right to such measures of protection as are required by his or her status as a minor.

Respect for the views of the child

A child victim capable of forming his or her views has the right to express those views freely in all matters affecting him or her. Respect for the views of the child will be maintained in relation to the legal process, interim care and protection, identification and implementation of a durable solution, particularly in decisions concerning the child's possible return to the family, country or region of origin. The view of the child victim shall be sought and given due weight in accordance with his or her age and maturity.

Right to information

Child victims shall be provided with accessible information regarding their situation and their rights, including protection mechanisms, other available services and the processes of family reunification and/or repatriation. Information shall be provided in a language that the child is able to understand. Suitable interpreters shall be provided whenever a child is questioned or interviewed, or whenever he or she requests it.

Right to confidentiality

All necessary measures shall be taken to protect the privacy and identity of child victims to ensure the safety and security of the victim and his or her family.

Right to be protected

Child victims are entitled to special protection measures, both as victims and as children, in accordance with their specific rights and needs. The State shall protect and assist child victims and ensure their safety.

5. Safeguarding standards and non-harmful practices

The above outlined international legal instruments, human rights and child protection standards provide a basis and list the application of non-harmful practices and safeguarding actions to be respected during

⁷⁶ Palermo Protocol, Article 3; UNICEF Guidelines on the Protection of Child Victims of Human Trafficking (2006), <https://www.unhcr.org/sites/default/files/legacy-pdf/4d9484e39.pdf>;

⁷⁷ UNICEF Guidelines on the Protection of Child Victims of Trafficking (2006), <https://www.unhcr.org/sites/default/files/legacy-pdf/4d9484e39.pdf>;

the assistance and protection of victims of trafficking in persons, by all professionals involved in the State Referral Mechanism structure of victim protection.

Safeguarding, in this context, includes the obligation and responsibility of all stakeholders (including shelter providers and staff) to protect victims from, but also prevent (especially children and victims with disabilities) any form of abuse, exploitation, neglect and harm during their assistance and protection process (including shelter protection).

Non-harmful practices therewith refer to all activities of relevant professionals (including shelter professionals) which they are obliged to implement with the aim to avoid re-traumatization, stigmatization, or re-victimization of trafficked victims during assistance provision. Such "**do no harm**" principle is fundamental in assistance and protection actions with victims, including shelter services.

Basic elements of safeguarding and non-harmful practices include:

- informed consent and participation - victims shall be provided with assistance and protection service only upon their informed, unambiguous, voluntary consent, including for the provision of shelter services. In cases of child victims, the consent is to be obtained from the parent (if available and provided the parent is not suspected of being involved in the trafficking process) or the appointed legal guardian. To the extent possible, the opinion of the child shall be considered. Obtaining such consent includes provision of information in clear, age-, condition- (in cases of children and victims with disabilities), and culture- (foreign/migrant victims and unaccompanied minors) appropriate manner;
- trauma oriented care – professionals must recognize and be trained/equipped to respond to the complex psychological, emotional, and physical effects of trauma on victims of trafficking in persons, so as to not re-traumatize victims, but promote healing, recovery, and empowerment;
- ensuring environments safe of re-victimization – shelter providers must ensure that shelter locations are secured and kept confidential, shelter staff is trained and without any previous criminal records, case management procedures are not intrusive and do not further harm the victim, so as to avoid any abuse within shelters or during victim assistance provision;
- specific child safeguarding measures – best interest of the child must be the guiding principle in all assistance and protection actions. This includes specialized shelters and care for child victims in age-appropriate and child-friendly spaces/shelters staffed with trained and experienced child caretakers and experts;
- application of victims-centered care, with specific assistance to marginalized victims (survivors, men/boys, Roma children, victims with disabilities and other) – assistance must be provided on the established needs basis, including enabling sufficient shelter capacities for men/boys, appropriate shelter access and care for victims with disabilities or imparities, provision of specialized psychological support and counselling based on trafficking experiences and specific vulnerabilities, as well as inclusion of victims in decision making processes around their rehabilitation and reintegration.

Part V

Operational Framework Guidelines for Shelter Providers

This section provides an overview of the operational framework guidelines for shelter management and functioning.

1. Shelter structure models

The European practice models highlighted in the World Vision Mapping Report on Shelter Services confirm that there is no single universal shelter model that can be applied at the state level and that would sufficiently address the different needs of trafficking persons for recovery and protection. On the contrary, numerous countries have established multi-layered shelter systems, providing a variety of accommodation and protection options suited to different categories of victims, stages of recovery, risk levels, age or gender groups and particular vulnerabilities. This diversity includes emergency/temporary

short-term shelters for immediate recovery of victims; mid- to long-term shelters for comprehensive assistance, recovery and reintegration; transitional or semi-independent living arrangements; and open, integration focused shelters for reintegration and resocialization of victims; as well as specialized shelters for children; and shelters by specific victim profile (men/boys; women/girls and related). These different models confirm that assistance and protection services must be flexible, victim/survivor-centered and in full compliance with the human rights principles acknowledged in international standards. By allowing for more individualized responses, multi-tiered shelter systems facilitate greater autonomy, continuity of care and sustainable reintegration, all of which are necessary for long-term recovery and protection of victims of trafficking in persons.

States should establish shelter systems with shelter structures that are appropriate to state needs in terms of identification and referral mechanisms, geographical needs (states with wider geographical coverage might need a dispersive shelter model, more accessible to stakeholders providing victims assistance and protection), the number of identified victims on annual basis, victim profiles (men/boys and/or women/girls; domestic and/or foreign victims; adults and/or children; migrant victims and/or asylum seekers; mixed shelters), number of child victims and victims with disabilities (for specialized shelter establishment) and related needs.

Shelter systems differ by shelter infrastructure, shelter model, security and access, and victim profile, as presented below:

- a) Shelter infrastructure: apartment/flat, stand-alone house, hotel, building;
- b) Shelter model: emergency/short-term shelter, mid- to long-term shelter, transitional shelter, and open shelter;
- c) Security and access: closed, semi-open and open shelter;
- d) Victim profile: tailored for specific profile of victims (i.e. only girls/women, or boys/men); mixed shelters (all victim profiles); and
- e) specialized shelters for children - treated as a stand-alone category.

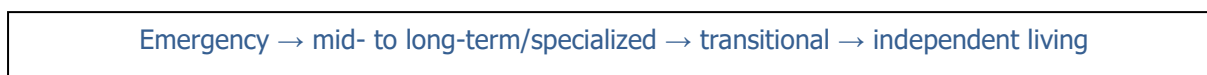
A more detailed overview of shelter structures is presented in the table below:

Shelter Models for Victims of Trafficking in Persons

Shelter model	Purpose/ Function	Length of stay	Security	Management	Victim profile	Services
Emergency/ Short-term Shelter	Immediate safety after identification, high-risk protection	24 hours to 1 month	High security, controlled access, 24/7 staff	NGO, government, or hybrid	All profiles, or tailored for specific profile of victims; high-risk cases	Staff 24/7, basic accommodation, food, clothing, sundries, medical aid, psychological stabilization
Mid- to Long-term Shelter	Comprehensive rehabilitation and reintegration	6 – 24 months (or upon needs basis)	Closed, semi-open or open; home-like environment	NGO or hybrid	Victims needing long-term support	Staff 24/7, comprehensive shelter services, including reintegration support
Transitional Shelter	Bridge to independent living	6 – 18 months/ flexible	Open; weekly supervision by caseworkers	NGO	Survivors preparing for re-socialization and independent living	Transitional supported living, mentoring support, caseworker visits, skill-building, community integration

Integration, Open Shelter	Reintegration and resocialization, rights-based support	Short-to long-term (upon needs basis)	Open access, house rules	NGO or hybrid	All stabilized survivors	Autonomy, integration-focused, choice-based, independent living like environment
Shelters by victim profile	Tailored care for specific profile of victims	Short-to long-term (on needs basis)	Varies by shelter type	NGO, government or hybrid	Women, men, children, migrant victims, victims with disabilities	Comprehensive shelter services, yet tailored to profile of victims sheltered
Specialized shelters for children	Tailored care for child victims	Short-to long-term (on needs basis)	Closed with child friendly space indoors and outdoors	NGO, government or hybrid	Children	Comprehensive, specialized child assistance and protection services

Regardless of the shelter model implemented, the shelter system must be established to encompass sufficient shelter capacities and services so as to accommodate all identified victims and those in need of assistance (incl. repatriated from abroad) on the national level. In so doing, the shelter system must be functioning to provide a **comprehensive continuum of care**, as shown below:



Important to mention is that shelters are not intended as permanent housing facilities, regardless of whether intended for emergency, short-, mid- or longer-term accommodation, or even independent living-like facility for victims. Victim stay in the shelter should always be needs based and considered of temporary nature, so as to not re-victimize the beneficiaries of the services provided.

2. Shelter licensing and funding

Licensing and funding of shelter service providers represent a crucial element in the efficient and sustainable functioning of state shelters systems for victims, but also National Referral Mechanisms established for victim assistance and protection.

Licensing of shelter providers by government institutions ensures they are recognized as credible service providers and partners in anti-trafficking activities on the national level, within the state referral and protection systems. Such licensing usually includes compliance with minimum shelter and assistance standards, verification of staff qualifications and expertise, as well as regular inspection/monitoring procedures needed for ensuring quality of services provided and preconditions for renewal of license. This process is usually verified with documented authorization of service provider that the shelter meets minimum quality and operational standards for provision of shelter and protection services to victims of trafficking in persons.

Funding of shelter providers is essential not only for ensuring continuity and stability of operations, but also for maintaining and enhancing the quality of services provided to victims of trafficking in persons. Although donor-driven resources can play an important role in service provision, they are often short-term and unpredictable, in contrast to state funding which ensures planned, sustainable, continuous and programme-based provision of services. It also enables service providers to maintain the trained and experienced staffing structure that is usually established over years of service provision,

therewith maintaining operational standards. In terms of states, established stable financing frameworks demonstrate their activities are in line with international legal instruments and obligations.

As the Safe Haven Mapping Report outlines, across the four targeted countries – Albania, Bosnia and Herzegovina, Serbia, and North Macedonia - shelter licensing and funding frameworks for victims of trafficking remain uneven and not sustainable. A structured model functions in North Macedonia, with the CSO run shelter being formally licensed by the respective state ministry, within the social protection system, and partially funded by the state, therewith ensuring minimum funding stability, although the CSO heavily relies on donors funding for all other types of service provision. Albania as well operates one of the more comprehensive licensing systems. Since 2007, shelters have been governed by the Standards of Social Care Services in Residential Centers for Trafficked Persons or Those at Risk of Trafficking. These standards cover accommodation, staffing, safety, case planning, rights protection and internal management. Licenses are granted permanently by the Ministry of Health and Social Protection. The standards were developed in cooperation with NGOs and are generally considered useful, though compliance requires significant administrative effort. In terms of funding, in Albania the state allocates funds to both the state-run shelter and the three NGO-operated facilities, but covers only the costs of food and staff salaries in the NGO shelters. Support services and reintegration programs are only partly financed, and the system does not extend to community-based organizations. Donor contributions therefore remain indispensable for activities such as vocational training, psychotherapy, prevention, and follow-up work, leaving overall sustainability uncertain. Serbia applies a mixed approach, through stable funding of a state-run and licensed shelter, while the CSO-run shelter is lacking state funding even though it must ensure state licensing under applicable legislation, which results in uneven services provided to victims and possible discontinuity of much needed CSO services. Finally, Bosnia and Herzegovina shows the weakest institutionalization, with a structure of several small shelters providing services to both victims of trafficking and domestic violence, operated by CSOs under some form of state authorization (through cooperation agreements), with insufficient and insecure state funding, heavily dependent on donor funding and resources for service provision, eventually resulting in limited capacity and service interruptions, eventually even to most recent closure of the largest CSO-run shelter in the country, as outlined by both GRETA and US TIP Department in their periodic overviews and country reports.

3. Standard Operating Procedures and Minimum Shelter Standards

Standard Operational Procedures (SOP) and Shelter Standards are established within states as core elements for the efficient functioning of the victim assistance, referral and protection mechanisms. While the Standard Operating Procedures (SOPs) regulate and formalize cooperation and referral mechanisms for the protection and assistance to victims of trafficking (applicable to all stakeholders and professionals within the referral mechanism structure), the shelter standards ensure the minimum quality of services provided to victims in the shelter (applicable to shelter service providers), through a victim-oriented, human rights-based approach.

All of the focus countries in the Western Balkans have adopted **Standard Operating Procedures** for the protection of victims except Bosnia and Herzegovina, where protection is regulated through the Rulebook for the Protection of Foreign Victims of Trafficking in Persons⁷⁸ (binding national legislation) and the Rules for the Protection of Victims Witnesses Nationals of Bosnia and Herzegovina⁷⁹, as well as a national referral mechanism structure guided by Guidelines for the Operations of Regional Monitoring Teams for the Assistance to Victims of Trafficking in Persons, regulating the formally established 18 Coordination Teams in the country. However, as reported⁸⁰, in practice the implementation of SOP largely depends on the level of staff training and the availability of resources.

On the contrary, specific **Minimum Standards for the Protection of Victims** (as stand-alone, formally adopted binding regulation) have only been established in Bosnia and Herzegovina, while North

⁷⁸ Pravilnik o zaštiti stranaca žrtava trgovine ljudima, <http://msb.gov.ba/Zakoni/akti/default.aspx?id=14687&langTag=bs-BA>;

⁷⁹ Pravila o zaštiti žrtava i svjedoka žrtava trgovine ljudima državljana Bosne i Hercegovine, <https://portalo2.pravosudje.ba/vstvfo-api/vijest/download/49228>;

⁸⁰ Sheltering Services for Victims of Trafficking: A Mapping Report for Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia, Radović/World Vision (2025);

Macedonia is using standards that are incorporated into the Law on Social Protection and related by-laws. Serbia is using internal documents and has not yet formally established minimum standards for victim protection and assistance. Albania has minimum standards in place since 2007, that were later incorporated in the 2018 SOPs, however the standards refer to the social care services for trafficked persons or persons at risk of being trafficked in residential institutions and are not comprehensive standards for victim's support. In Albania, the Coalition of Shelters, the URAT Network, and members of the National Referral Mechanism have consistently advocated for and addressed the need for a dedicated and specific anti-trafficking law. This matter is currently being addressed within the framework of the implementation of this project in Albania by World Vision Albania (WVA) and Mary Ward Loreto (MWL).

In order of ensuring efficient mechanisms for victim protection and assistance based upon clearly defined SOP and shelter standards, Bosnia and Herzegovina should prioritize the development and adoption of comprehensive SOP for victim protection (using the current guidelines as baseline), while Serbia and North Macedonia should work on the development and adoption of minimum shelter standards for victim protection. All countries, including Albania, should regionally cooperate and share best practices, eventually leading to the establishment of needed preconditions and efficient national, but also regional operational frameworks for improved victim assistance and protection.

Part VI

Shelter assistance and support services to victims of trafficking in persons

Shelter and protection services are provided to victims following the identification procedure by respective authorities and decisions made on referral of victim to the shelter, including risk assessment for the selection of appropriate shelter accommodation.

Referral to the shelter is made in accordance to relevant national legislation, including established National Referral Mechanism structures, Standard Operational Procedures for victim assistance and relevant authorization/licensing of shelter providers, all by taking into account victims' needs, safety aspects of the procedure and available shelter services that the shelter provider is authorized/licensed to provide. During the referral process, shelter management must be informed and provided with relevant documentation regarding the victim (including risk assessment, personal and available health information on the victim), for the referral process to be implemented efficiently and securely, and the victim to be accommodated with needed care, attention and safety.

Following **principles** must be observed during shelter accommodation procedures:

- **assistance and support to victims** - victims are entitled to assistance and support from the moment of being identified as victims of trafficking in persons by competent authorities. Assistance and support to victims of trafficking in persons is not conditional on their readiness to cooperate in criminal procedures;

informed consent - shelter assistance and protection are provided to victims of trafficking "on a consensual and informed basis" – only with the formal, informed consent of the victim. This assistance must be tailored to victims' needs, with sensitivity to specific vulnerabilities, and adapted to the victim's age, development state, gender, culture, religious or national background and special needs such as disability, health, mental condition, trauma, pregnancy, and related. In addition, informed consent should be an ongoing process and not a one-time form. The victims of trafficking in persons that refuse of one service must **not** be excluded from shelter.

The consent is to be obtained in writing by both adult and child victims, whereby the consent for accommodation of child victims is provided by the parent/guardian (if available and only in case the parent/guardian has not been involved in the trafficking process of the child) or by

the appointed legal guardian with the consent of the competent guardianship authority (please see further under specialized services for children).

- **Individual, rights-based approach** - upon arrival to the shelter, victims of trafficking must be informed about their rights to protection and available services, rules to be observed, including house rules of the shelter. Information about the rights, obligations, behavior that the victim has to observe during the time in shelter, and available services are provided in writing, in a language understood by the victim, with special consideration for child victims. Victim of trafficking provides his/her consent related to observance of these rules in writing.
- **Needs assessment and case management** – quality and comprehensive assessment of victim’s needs is the most important element of victim assistance during provision of shelter and relevant direct assistance services. A needs assessment is a process of collection and analysis of information about the situation and living conditions of the victim in order to determine the types and quantity of the services necessary, and their impact on alleviating the hardship encountered by the person.⁸¹

On the basis of information and evidence gathered during the needs assessment, an **individual assistance plan** is prepared by the shelter provider, which includes all needed services and actions – from the initial referral and shelter accommodation throughout rehabilitation – as well as planning on involvement and cooperation with other relevant professionals and stakeholders in the process. Depending on the service provider, shelter type and capacities, as well as victim profile, this individual plan may include elements of repatriation and reintegration services, although separate plans for these assistance services can be prepared. This plan should be assessed on regular basis for needed changes to be implemented during assistance provision, and monitored for efficient implementation. This comprehensive process of assessment of needs, planning of services, coordination with stakeholders, evaluation and monitoring of outcomes and efficiency of actions is called **Case Management** (as per social work standards).⁸² For shelter providers, case management activities also include efficient and responsible administering of victim’s documents and related case data. One case manager should be appointed to every victim of trafficking in persons. All case file documents are to be kept in a safe and secure place within the shelter and accessed only by authorized staff, as per internal shelter provider procedures and applicable legislation on protection of personal victim data.

- **Multi-stakeholder cooperation and coordination** - during the provision of shelter and protection services, relevant shelter staff must maintain regular cooperation and coordination with all other relevant stakeholders and professionals within the National Referral Mechanism structure for trafficked victims’ protection, aimed at ensuring the best quality rehabilitation for the victim, facilitate repatriation and return to the country of origin (for foreign victims), as well as reintegration into society, particularly in case of a child-victim.
- Multi-disciplinary approach is necessary to ensure that the complex and interrelated needs of victims of trafficking are addressed in a coherent and holistic manner, preventing fragmented support, reducing the risk of re-victimization, and enabling consistent, victim-centered decision-making.

⁸¹ Manual for Management of Shelters and Assistance Centres for Victims of Trafficking, ICMPD (2017), <https://history-commons.net/artifacts/18765967/manual-for-management-of-shelters-and/19666523/>;

⁸² NASW Standards for Social Work Case Management, National Association of Social Workers, https://www.nycourts.gov/reporter/webdocs/nasw_standards_socialwork_casemgt.htm;

1. Safe and Quality Accommodation

There is no single global “structure code” for shelters for trafficked victims, but the general normative grounds and guidelines, best-practice criteria and infrastructural recommendations are derived from international legal instruments and various guidelines governing the area of human trafficking and victim assistance.

Specialized services regarding children

Child victims of trafficking in persons are to receive child sensitive assistance and specialized care, adapted to their age (taking into account the special needs of persons of their age), maturity, development, individual circumstances and specific vulnerabilities, delivered by trained professionals.

Child victims must be given the opportunity to express their views in all matters affecting them, in accordance with their age and maturity. This includes victim’s opinion on acceptance of the assistance provided. The opinion of the child is considered unless it is not in the best interest of the child, in which case it has to be justified in detail. Final decision is made by the legal guardian of the child, with the consent of the competent guardianship authority.

During the assistance process, including upon arrival to the shelter, child victims are provided with available information on their situation and rights, including protection services, in a language and way understood by the child victim. Interpreters will be present if and when needed, or asked upon by the victim.

Shelter providers offering services to victims of trafficking in person should be operative 24/7 and prepared to intake the victim at any time needed, provided all of the above conditions of accommodation are met, unless for shelters operating for reintegration purposes only.

Regardless of the shelter structure, capacity, or profile of victims accommodated, all shelters should adhere to overall operational principles, as follows:

- Applying a holistic, human-rights, victim-centered approach in shelter assistance and protection, as underlying core values in the assistance and rehabilitation process;
- Quality protection and assistance to victims based on individual assistance plans and case management;
- A safe and secure temporary living environment for all shelter residents;
- A safe and secure working environment for shelter staff;
- Well-trained staff working in a collaborative and interdisciplinary manner providing a comprehensive continuum of care to victims;
- Implementing assistance to trafficked victims through cooperation among key stakeholders.⁸³

Shelter services include – at a minimum – the following:

- a) **Quality accommodation**⁸⁴ – infrastructural (technical and physical) requirements that ensure a shelter is safe, accessible, built in accordance to normative standards and regulations, and designed to offer comprehensive support to the types of victims it is intended for.

⁸³ Manual for Management of Shelters and Assistance Centres for Victims of Trafficking (2017), ICMPD, <https://history-commons.net/artifacts/18765967/manual-for-management-of-shelters-and/19666523/>; IOM Handbook on Direct Assistance for Victims of Trafficking (2007), <https://publications.iom.int/books/iom-handbook-direct-assistance-victims-trafficking-0>;

⁸⁴ Article 6 of the UN Palermo Protocol calls on state parties to consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including, in appropriate cases, the provision of appropriate

States shall develop and adapt these standards based on national legislation and/or resources, yet some basic elements should be normative:

- Uniformed accommodation structure – ideally, the shelter should be capacitated and structured to host different categories of victims, as needed: adults and children; national and foreign victims; men/boys and women/girls; mothers with children; families; migrants; victims with disabilities, and other victims of trafficking in persons with special needs. Depending on the shelter system or structure needed within a given state, shelter providers can decide on the provision of shelter services to one, several or all of the aforementioned categories of victims.

National shelter systems should comprise at least one designated shelter for children with sufficient capacities to accommodate the number of child victims identified on the state level, on annual basis.

- Adequate living space and housing conditions – depending on the designated capacity and victim profile, shelters should comprise sufficient common and private space/rooms in line with defined capacities and victim profiles; cooking and dining areas; sanitary facilities (bathrooms/showers, separate by gender or need); adequate furniture, heating, ventilation, etc.; appropriate sleeping arrangements for both victims and staff; basic privacy options and separate spaces/rooms where needed (i.e. for pregnant victims, mothers with children, families, victims with disabilities etc.), child friendly space; laundry and storage room; staff office space; as well as indoor and outdoor recreational spaces. One separate room should also be allocated as “temporary room” where new arrivals could be accommodated until their initial/general medical check-up is complete, so as to avoid transfer of any infectious diseases to other shelter residents. This room should ideally be equipped with a private bathroom, or otherwise a single bathroom in the shelter should be designated for new arrivals, during the time of medical screening period.
- Accessibility – the shelter should be equipped to accommodate people with disabilities: ramps, accessible bathrooms, barrier-free access and related equipment needed to provide equal and quality services to all victims.
- Capacity for specialized support – designated interview space/room for psychological counselling, legal assistance, case-management and related should be provided for within shelter premises.

b) Food - appropriate food of prescribed nutritive values (especially for children) and drinking water in quantities and in line with international and domestic standards of food protection⁸⁵, including at least three balanced meals a day - of which at least one is a cooked/warm meal, as well as fruits/healthy snacks, coffee and tea. Meal type and servings should be provided in accordance to victims’ age, dietary needs (incl. diabetes, vegetarian, vegan, intolerances to lactose, gluten and related), health conditions, and with observation of medical, cultural, religious and related needs.

c) Clothes, footwear and sundries appropriate to age, gender and climate, with particular care for child related products such as diapers, baby care products etc. and girls/women – reproductive care products. Providing these items is not only to attend the physical needs of

housing and ... requires states parties to take into account, in applying the provisions of this article, the age, gender and special needs of victims of trafficking in persons, in particular the special needs of children, including appropriate housing, education and care

⁸⁵ Hazard analysis and critical control point (HACCP) for access to food safety, UN Food and Agriculture Organisation (FAO), <https://www.fao.org/4/y1579e/y1579e03.htm>;

victims, but also about restoring dignity, promoting autonomy, and creating a safe, child-sensitive environment that facilitates rehabilitation and healing.

- d) Medical care** – comprehensive medical assistance and treatment provided to victims (primary and secondary medical care), including general and specialized medical care, as well as hospitalization, if needed. Medical services are arranged for by designated shelter staff, from initial examination to full recovery, and are provided at state and specialized medical facilities. In so doing, shelter and medical staff should be informed and aware of the human trafficking problem and follow ethical rules and confidentiality principles when working with trafficking victims. Only trust-based relationships and high-standard professionalism should stand at the core of a victim’s recovery. When coordinating activities with specialists, shelter staff must, above all, prioritize the physical and psychological health of the victim, as a basic need and a starting point for the recovery process⁸⁶.
- e) Mental health and psychosocial support services (MHPSS)** – includes trauma-informed individual and groups counselling and support services by expert psychologists provided as per identified individual needs of victims and developed individual counselling and support plans, with special attention to specific counselling services needed for children. MHPSS services for children should be provided by child psychologists.

Establishment of *peer support groups* among the trafficking victims at the shelter is a rather successful practice that can be effectively carried out by the psychologist. The psychologist provides the informational resources for the group and also takes control of and coordinates the emotional opening up of the victims⁸⁷.

Occupational therapy sessions can also serve and be combined with group counselling and support sessions, provided by certified counsellors, including participation of child psychologists for sessions with child victims. These sessions are often implemented for improved therapeutical effects and socialization, as part of peer support and healing process.

⁸⁶ ICMPCD Manual for Management of Shelters and Assistance Centres For Victims of Trafficking (2017), https://www.icmpd.org/file/download/52306/file/Shelter_management_manual_Azerbaijan_EN_2017.pdf;

⁸⁷ Ibid;

Specialized services regarding children

Child victim of trafficking in persons enjoys the highest level of healthcare protection regardless of whether domestic or foreign citizen.

Child victim is appropriately involved in decision-making concerning consent to proposed medical interventions, in accordance with their age, level of maturity, and capacity to form an informed judgment. This participatory approach applies unless the medical intervention falls within the category of special or invasive medical procedures which, under applicable legislation, require the consent of a parent or legal guardian (i.e. invasive diagnostic or therapeutic interventions, surgical treatment, termination of pregnancy etc.). In these cases, the medical intervention shall be carried out only following prior notification of, and consent obtained from, the child's parent or legal guardian.

In case the medical needs of a trafficked child conflict with their parent or legal guardian's interests or decisions, the medical professional in charge must inform the respective child protection authority, aimed at protecting the child's best interests that are of foremost concern, especially in sensitive cases where guardians may not act in accordance with the child's right to health and recovery, or might be neglectful. This is in line with child protection principles and medical ethics.

Child victim should be provided with the possibility of choosing the gender of medical staff providing the medical service.

- f) Legal advice and counselling** – shelter providers should facilitate the provision of free legal assistance and advise to the victim during the provision of shelter services and protection, including cooperation with free legal aid providers and respective institutions (law enforcement, judiciary, social services) in all activities related to the victim receiving appropriate legal aid.

Free legal advice and assistance to victims is provided throughout the identification, rehabilitation and recovery process; before, during and after criminal proceedings; including counselling and information about the rights of victims and existing support services; representing the victim's interests in all legal and procedural matters related to the trafficking process, including information about access to compensation procedures for the harm sustained as the result of the crime; for foreign victims of trafficking additional information about their legal status, procedure of repatriation and return, information on how to access diplomatic-consular representative offices, assistance in temporary residence permits or asylum seeking applications and verification of identity (particularly when stateless persons are concerned); filing compensation claims; and other legal matters. Legal aid to victims also includes representing the interests of child victims in court.⁸⁸

Legal advice and legal aid to victims should be provided free of charge and in line with the applicable legislative framework, ensured through relevant state mechanisms and support, free legal aid services and other available forms of free legal aid in the respective state. Legal aid services must be efficient, sustainable and authentic. Information to victims is communicated in an understandable manner, considering the personal characteristics of the victim, such as age, disability or language.⁸⁹

- g) Repatriation and return to the country of origin** – shelter providers should facilitate and provide needed assistance to victims, as well as cooperate with respective authorities during

⁸⁸ Ibid; Minimum Standards for Assistance to Victims of Trafficking in Human Beings, Particularly Children, in Bosnia and Herzegovina (2021);

⁸⁹ Ibid;

the repatriation process of the victim/child to the country of origin or the country of return (victims enrolled in the witness protection programs), supporting a dignified return.

- h) Reintegration services** – shelter providers should participate in the development of individualized reintegration plans for victims of trafficking in persons, prepared during the victim's rehabilitation process in the shelter, as well as facilitate their initial implementation, provided the shelter provider disposes of premises, capacities, staffing and expertise for their implementation (vocational training and assistance, access and support to education, access to professional training and acquiring living skills, on-the-job training and access to the labor market, all in line with victims' needs, risk assessment, individual reintegration plans developed, as well as victim's background and national legislation).

Reintegration plans are prepared with participation and information of the victim, and in cooperation with respective authorities. Individual reintegration plan for the victim of trafficking contains details on the purpose, challenges, procedures, and time in which the service is to be provided, which as a minimum includes: plan for healthcare insurance with all elements of healthcare protection, education, upskilling, reskilling, and vocational training, assistance and mediation in employment, protective housing, and care in accordance with the victim's age, permanent supervision in a certain period of time, which includes psychosocial assistance and support, assistance in exercising the right to compensation, and all other forms of assistance and support, depending on every individual case.⁹⁰

Specialized services regarding children

State shelter systems should comprise specialized shelters for child victims of trafficking in persons. Such specialized shelters should be designed in an age-appropriate accommodation (warm, family-like and non-institutional atmosphere that promotes a sense of safety), including child-friendly spaces and sleeping areas with adequate privacy (especially for adolescents); separate spaces for boys and girls where needed and possible; designated rooms for siblings to stay together; indoor and outdoor recreational and play areas (with toys, books, and games appropriate for different age groups); study spaces to support access to education, tutoring and developmental activities.

Shelters must be equipped to meet basic needs of child victims: quality nutrition (incl. special needs of infants and toddlers), clothing and footwear, hygiene, health protection and physical activity, educational needs (depending on risk assessment, child victims may need mentoring during their shelter stay, or other specific education arrangements implemented in cooperation and coordination with respective school management and as per foreseen educational curricula and legislation), continuous MHPSS service provision, child's special needs (developmental disabilities), child's interests, cultural and religious needs, and contact with the family, provided this does not contradict or interfere with the recovery and well-being of the child.

⁹⁰ Ibid;

2. Supportive and Safe Environment

a) Shelter safety

Trafficking in persons is a form of organized crime. Even after the rescue and sheltering of the victim, security threats remain and have to be minimized. Shelter providers must implement clear safety standards and protocols to mitigate ongoing risks to both victims and staff.

Safety standards and protocols should cover: physical shelter security, victim conduct during shelter accommodation, staff conduct and protocols, visitor access/restrictions, incident and emergency protocols, transfer of victims outside of shelter (for provision of medical services, or attendance to judiciary proceedings and related) and transfer to other shelters (if necessary). Safety measures need to be developed and implemented even with victims with low risk assessments (i.e. children allowed access to education during shelter accommodation) as risks always maintain for human trafficking victims.

The **location** of the shelter should be kept confidential at all times.

Pursuant to the Council of Europe Convention on Action against Trafficking in Human Beings Parties should take account of the victim's safety and protection needs (Article 12, paragraph 2). The Explanatory Report notes that victims' needs can vary widely depending on their personal circumstances, such as age or gender, or circumstances such as the type of exploitation they have undergone, their country of origin, the types and degree of violence suffered, the isolation suffered from their family and culture, their knowledge of the local language, and their material and financial resources. It is therefore essential to provide measures that take victims' safety fully into account, including keeping the address of any accommodation secret and the accommodation protected from any attempts by traffickers to recapture the victims.⁹¹

For service provision purposes, the address of the shelter should be communicated only with direct service providers (i.e. law enforcement agencies transferring victims to the shelter during referral procedures, or police stations in local communities where shelter is located, social services/respective guardianship authorities, or relevant institutions charged with licensing or authorizing shelter providers). Whenever needed, shelter locations should be shared with designated focal points only.

Achieving confidentiality of shelter location might be difficult for shelters located in smaller, rural areas - such shelters require special attention to safety measures.

Physical shelter security measures can include 24/7 police protection (best practice shows such police protection can only be maintained for high-risk cases and limited time periods), guards (either security staff employed by shelter provider, or privately engaged protection agencies), panic systems agreed upon with local police structures, or regular security checks performed and agreed upon with local police. Either security format should be determined on individual needs basis by shelter provider, in cooperation with respective police/prosecutorial agencies, and as per national legislation.

Physical security measures like guards and panic systems should be adapted to the local risk context. Visible security can deter possible attackers but might also stigmatize or distress victims. Hiring of private security companies involves higher risks of confidentiality breaches. Discretion, coordination with local authorities, and careful vetting of private providers are essential, yet best practices of shelter provision show that some form of shelter security must be implemented.

Other safety measures include fire safety standards (smoke detectors, fire alarms and extinguishers, marked fire exits and evacuation signs), detailed emergency evacuation procedures (including evacuation plans developed and visibly posted, evacuation stairs, evacuation kits and assembly points prepared and agreed upon, emergency contact lists, staff and victims/shelter residents trained on fire and emergency evacuation), electrical supply and the general safety of the building, all to be

⁹¹ Explanatory Report on the Convention, paragraph 164; Assistance to Victims of Human Trafficking, GRETA - Group of Experts on Action against Trafficking in Human Beings, Thematic Chapter of the 8th General Report on GRETA's activities, Council of Europe (2019), <https://rm.coe.int/assistance-to-victims-of-thb/1680a521f5>;

implemented in accordance to applicable legislation. In so doing, any measures taken by shelter providers to ensure the physical security of the shelter against intrusion must also take into consideration emergency evacuation.

b) Shelter policies and procedures

In order of operating effective shelter structures for trafficked victims, each shelter provider (whether state institutions, civil society organizations, or other) must have efficient policies in place that ensure safety and protection for victims, staff, shelter, as well as other operations of service provider. These policies serve as both code-of-conduct and operational guidance for all activities regarding victim protection and assistance, ensuring quality standards in service provision, facilitating effective cooperation with stakeholders, and guaranteeing full compliance with international anti-trafficking mechanisms and frameworks. Foremost, through the development and efficient implementation of policy standards, each service provider can ensure highest quality of rights-based and victim-oriented assistance and protection services to victims of trafficking in persons.

Policy framework for each service provider is divided into operational shelter policies and code-of-conduct policies.

Operational shelter policies regulate everyday shelter activities of the service provider with the primary purpose to maintain structure, consistency, and safety within the shelter environment while ensuring efficient and professional delivery of services to victims of trafficking in persons. At a minimum, these should include:

- **Shelter Admission Policy** – regulates operational procedures in admission of new victims (i.e. information on shelter capacities, victim profiles, working hours, admission documents, responsibilities of staff, medical check-ups upon arrival and related policy...) ensuring improved shelter management and functioning, while at the same time enabling a safe and comfortable environment for both new arrivals/victims and existing shelter residents.
- **Visitor's Policy** – regulates visitor access through strict procedures developed by each shelter provider, ensuring the well-being and privacy of shelter users - both victims and staff (i.e. number of visitors, visiting hours, visiting procedure and requests, supervision, restrictions on the use of electronic devices within shelter during visits, and the documentation of visits).

Closed shelter facilities are recommended to restrict entry of visitors (other than aforementioned professionals providing victim assistance and protection within the assistance mechanism structure), so as to maintain the safety of shelter residents and personnel.

- **Shelter rules/Residents' code-of-conduct** – outlines clear and simple behavioral rules for shelter residents needed to ensure the safety, dignity and well-being of all residents and staff within shelter facilities (i.e. individual responsibilities; guidelines for curfews, shared spaces and hygiene; joint living standards; procedures for entering and exiting the shelter premises; restrictions on usage of mobile phones and electronic devices; respect for the privacy and rights of others; prohibition of violence, threats, or abusive language; and procedures on breach of shelter rules).
- **Case Management Policy** – regulates the confidential and professional administering of all victim-related information and documentation (including file maintenance and record-keeping, documentation of all services provided, referrals to external service providers and follow-up, possible incidents, mitigation measures regarding the victim).
- **Complaints and Feedback Policy** - establishes formal, yet simple, transparent and accessible procedures for shelter residents, staff and other stakeholders, to report concerns and dissatisfaction regarding shelter services and operations (including process, timelines, submission channels, etc.).

- **Safety and Security Policy** – includes risk assessments, provisions on physical shelter security, panic buttons, guarding and surveillance, threat response procedures, safety and evacuation plans, liaison with law enforcement and related policy.
- **Human Resources and Staff Conduct Policy** – defines recruitment procedures, background checks for applicants, duties and responsibilities, performance evaluation, disciplinary measures and procedures, as well as staff training, monitoring, supervision and burnout prevention.

Code-of-conduct policies establish the ethical, legal and behavioral standards that all staff, volunteers and partners of the service provider must follow in their work with victims. Contrary to the operational shelter policies that regulate shelter provision services, code-of-conduct policies address and regulate overall governance and operations of the service providers, on the organizational level.

These “governance” policies – at a minimum – include:

- **Confidentiality and Personal Data Protection Policy** – outlines the procedures and obligations for collecting, processing, storing and sharing of victim-related personal data and documents, including defining authorized personnel and access, case management responsibilities and related;
- **Child Protection and Safeguarding Policy** – defines shared values, principles and beliefs in working with children, as per the United Nations Convention on the Rights of the Child; establishes mandatory procedures for identifying, preventing and responding to all forms of abuse, exploitation and harm directed toward child victims, including reporting obligations, staff screening requirements, code-of-conduct when working with children, coordination with child protection services and related actions aimed at promoting the child’s best interests and ensuring a safe environment for all children;
- **Ethical Codes of Conduct** – defines ethical standards, values and expected behavior of all staff, volunteers and partners of service provider (including obligations around non-discrimination, respect, professionalism, boundaries with victims, zero tolerance for exploitation or abuse, and related);
- **Policy on Protection from Sexual Exploitation and Abuse (PSEA)** – prohibits and regulates all forms of inappropriate conduct of sexual nature - committed by shelter staff, volunteers or partners - against victims/shelter residents as recipients of assistance and services, including any form of harassment; sexual harassment; sexual activity with children regardless of age of majority or age of consent, whereby mistaken belief in the age of a child is no defense; exchange of money, employment, goods or services for sex or sexual favors (including any exchange of assistance due to recipients of assistance); use of a child or adult to procure sex for others; sexual activity with sex workers, whether or not sex work is legal in the host country; abuse of authority and discrimination and the duty to report incidents of abuse; as well as respective staff training and procedures of background checks of criminal records during employment of new staff.⁹²

These governance policies should be supported by clear provisions on conflict of interest, safe and confidential reporting mechanisms, protection against retaliation for whistleblowers, and accountability measures, including investigation and disciplinary procedures in cases of non-compliance. To ensure effective implementation, service providers should also establish mandatory induction and regular training for all staff, volunteers, and partners, as well as require formal acknowledgement of these policies as a condition of engagement.

⁹² Guidelines for the Management of Shelters, UNFPA (2021), https://caribbean.unfpa.org/sites/default/files/pub-pdf/managing_safe_shelters_for_survivors_of_gender_based_violence_qbv_in_the_caribbean_0.pdf;

As practice of Western Balkans shelter service providers shows⁹³, certain organizations incorporate all aforementioned policies and procedures into a general Code-of-Conduct policy established on the organizational level and applicable to all – staff, expert professionals and partners.

c) Shelter staff, training and monitoring

Staff composition

The number of employees, job descriptions and qualifications of shelter staff working in established shelters will vary depending on the needs and available resources of each individual shelter. Staff composition and numbers shall be determined taking into account the scope of services provided, shelter capacities, victim profiles, and whether most services are provided on-site or through referrals to partner institutions.

At a basic, each shelter should comprise a shelter manager with overall responsibilities for shelter management, including supervision of shelter staff and the services provided to victims as shelter residents, furthermore ensuring respect and implementation of all shelter/organizational principles, policies and objectives. Additionally, shelter staff should include appropriate number of caretakers with professional background in social services/social work, socio-pedagogical, psychological or medical background, providing everyday services, care and protection to sheltered victims. Specialized shelter for children should include professionals with child protection background (child protection specialists, social workers, psychologists, pedagogues, child psychotherapists, pediatricians, child care workers and staff with related child protection backgrounds). If possible, shelter staff should also include a fully employed psychologist, yet this service can also be provided on needs basis, by expert professionals.

Additional and optional shelter personnel include occupational therapists, , medical professionals, lawyers and guards/security staff. Most shelters function as part of general activities of a service provider (institution, CSO or other), so it is expected that financial and administrative duties regarding shelter operation are implemented by finance and administrative officers employed by the service provider on organizational level. Should that not be the case, shelter staff should also include these profiles of professionals.

Staff security standards - given the specific and sensitive nature of the work undertaken by shelter staff, employees may only be hired following a strict procedure and full clarification of all relevant information about the applicant.

Candidates must be informed of the sensitive nature of the engagement, their responsibilities, and the potential security risks. Their suitability for such work must be rigorously assessed.

All staff employed in the shelter must sign a contract obliging them to strictly uphold confidentiality and the secrecy of all information and materials encountered in the course of their work. Particular emphasis must be placed on the confidentiality and privacy of personal data and trafficking-related information.

These confidentiality obligations must also apply to staff of partner organizations and to any volunteers engaged in the shelter.

Volunteers

Overall, given the specific context of human trafficking and security concerns involved, the engagement of volunteers is not recommended for direct work with victims in the shelter. However, as the Safe Heaven report shows, majority of shelter providers in the Western Balkans region are civil society organizations lacking stabile government support for shelter operations, so they might opt for engagement of volunteers.

⁹³ Sheltering Services for Victims of Trafficking: A Mapping Report for Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia, Radović/World Vision (2025);

If so, volunteers are engaged in complementary activities within the shelter and should not be assigned tasks carried out by regular staff members (language classes, arts and crafts activities, IT literacy lessons and related activities). When engaging volunteers, shelter providers must carefully consider security risks, available resources, supervisory capacity, specific needs of victims, and the added value that volunteer services may bring to the shelter and its users. To ensure alignment with safety regulations and quality control standards, all volunteers should undergo complete background checks and basic shelter service training, as well as be obliged to sign all policies and confidentiality clauses related to their engagement in the shelter. Volunteers working directly with children must also participate in specialized training sessions aimed at raising awareness about the specific needs and rights of child victims of trafficking.⁹⁴

Staff training

The effective operation of shelters for victims of trafficking in persons highly depends on the professionalism, knowledge and skills of staff involved in service provision. Given the complexity and sensitivity of victims' needs and the level of experienced trauma, violence and exploitation, it is of utmost importance that all shelter personnel receive basic and specialized, yet continuous and structured training. Training enables staff to provide safe, rights-based, trauma-informed and gender-sensitive care, while also ensuring adherence to ethical standards and operational procedures. A highly trained staff benefits individual staff members, shelter residents, and the organization as a whole. Training should be implemented in accordance to a general shelters staff training plan, and individual training plan developed for each staff member, according to their roles and responsibilities. While some training might be mandatory for all staff, such as policy related training (CPP, PSEA, confidentiality, data protection, ethical conduct etc.), other training is relevant to specific staff's functions and responsibilities.⁹⁵

In addition to mandatory training on policies regarding implementation of anti-trafficking activities with victims, shelter providers should ensure capacity building and training for shelter staff on the following topics (including, but not limited to):

- phenomenon of human trafficking and exploitation (definitions, trends, human trafficking practices and modus operandi, victim profiles and impact on trafficked individuals);
- general legal principles and the rights of victims of human trafficking, with reference to relevant international legal instruments and national legal provisions;
- general guidelines and interventions related to rights-based and victim-centered approach to assistance, treatment and recovery of victims (prioritizing the dignity, safety and specific needs of individual victims, with special care to the best interest of the child victim);
- trauma-informed care (basic techniques in psychological first aid response, emotional regulation, recognizing trauma symptoms, avoiding re-traumatization and building trust-based support);
- case management and documentation (administering of victims' files, record keeping, confidentiality and data protection, service and referral planning, coordination, monitoring);
- data protection and confidentiality (legal and ethical responsibilities in handling sensitive information);
- specific communication skills for working with traumatized victims;
- child protection and safeguarding (special procedures and sensitivities when working with child victims, including mandatory reporting obligations);
- crisis intervention and resolution (managing high-risk situations and behavioral challenges);
- cultural competence and non-discrimination (respecting diversity and addressing bias);
- safety, security and emergency procedures (fire safety, emergency and evacuation protocols, response to threats and internal security measures);
- mandatory first aid training;
- general management, staff monitoring and supervision, as well as teamwork in service provision;

⁹⁴ IOM Handbook on Direct Assistance for Victims of Trafficking (2007), http://www.msb.gov.ba/anti_trafficking/dokumenti/prirucnici/?id=5315;

⁹⁵ Guidelines for the Management of Shelters, UNFPA (2021);

- multidisciplinary approach in cooperation with other service providers, experts, professionals and partners;
- general information on available and specialized services, regular and emergency contacts, available focal points and related in the local community where the shelter is located as well as overall within the referral mechanism structure for victim assistance.⁹⁶

Staff Code-of-Conduct

Professional behavior of shelter staff has been elaborated in the aforementioned operational policies as an important mechanism to ensuring efficient shelter actions with full respect of victims' safety, human rights and protection.

It is of utmost importance to ensure:

- each staff member is provided with the Code-of-conduct and respective policies during the employment procedure, as part of employment or service contract;
- each staff member has signed a form of acceptance and abiding with the Code-of-conduct and respective policies;
- each staff member has access to the Code-of-conduct and respective policies;
- each staff understands the consequences of breaking the Code-of-conduct as per procedures and respective legislation.

⁹⁶ In line with best practices in anti-trafficking actions and shelter provision; IOM Handbook on Direct Assistance for Victims of Trafficking (2007), UNFPA Guidelines for the Management of Shelters (2021), ICMPD Manual for Management of Shelters and Assistance Centres For Victims of Trafficking (2017) and Minimum Standards for Assistance to Victims of Trafficking in Human Beings, Particularly Children, in Bosnia and Herzegovina (2021);

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