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**CHILD**  
CIRCLE



# CREATING A CYCLE OF PROTECTION

**GUIDING PRINCIPLES AND KEY CONSIDERATIONS  
FOR DEVELOPING COMPREHENSIVE, CHILD-CENTRED  
COOPERATION TO IDENTIFY, SUPPORT AND ASSIST  
TRAFFICKED CHILDREN**



## ABOUT PROMISE TRM

The Promise TRM project supports the implementation of the EU strategies on trafficking, victim's rights, and children's rights with the specific aim of contributing to the implementation of provisions on child-friendly justice and safe pathways to recovery and durable solutions for child victims of trafficking.

The partners promote a comprehensive, multidisciplinary, and collaborative approach, developing guidance for national and transnational cooperation which has a specific focus on child victims and a specialised and child-centred multidisciplinary response, as well as specialised tools to support investigation and crisis interventions.

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# FOREWORD TO THE GUIDANCE

The central goal of this Guidance is to encourage States to develop and strengthen comprehensive, child-centred cooperation amongst anti-trafficking and child protection systems. The Guidance focuses on the obligations of Member States to identify, support and assist trafficked children during criminal and child protection proceedings, as well as to prevent child trafficking. It builds on the report *In Need of Targeted Support*, commissioned by CBSS from Child Circle, which focused on whether Barnahus, or Barnahus like services, do or could play a role both in enhancing the identification, support and assistance provided to trafficked children and in supporting criminal investigations.

The development of the Guidance was informed by national dialogues in six countries in the Baltic Sea State region (Denmark, Estonia, Finland, Latvia, Lithuania and Sweden). The dialogues brought together key stakeholders from different agencies and with different roles, as well as local Barnahus, to identify challenges, alongside opportunities for better cooperation. The Guidance also benefitted from discussions with anti-trafficking stakeholders as well as input from the CBSS Expert Groups on Trafficking in Human Beings and Children at Risk. A Regional Advisory Group gave valuable input to the development of the Guidance. Promise TRM also gained from experiences shared by participants in the conference and workshops held in June 2024. The partners are grateful to all who participated in these exchanges for contributing the wealth of their expertise and perspectives.

The Guidance serves as a support to States when reviewing how to fulfil their obligations to trafficked children. It highlights the international laws and policies which provide momentum for progress. It highlights regional resources in the field of child trafficking and points to noteworthy practices which can inspire States and stakeholders. It should also help stimulate future regional action by stakeholders, including within European networks of actors who work with children, such as the Barnahus Network and European Guardianship Network, amongst others.

# ABOUT THE GUIDANCE: CREATING A CYCLE OF PROTECTION

**Child victims of trafficking** are exposed to acute harm. Child trafficking potentially occurs everywhere, no country is immune.<sup>1</sup> Child trafficking can happen within a country. Some countries may be states of origin of trafficked children; other countries may be countries through which trafficked children transit, and others are destination countries where children are exploited. Some children are exploited online by individuals located in other countries. And increasingly, it is apparent that children are exploited in many ways, amongst them, sexual exploitation, labour exploitation and different forms of criminal activities.

Solid international legal and policy frameworks, from the UN, the Council of Europe and the EU, require States to identify, respond to and prevent child trafficking through specific anti-trafficking and criminal justice instruments as well as more general child protection instruments. However, fulfilling these obligations often remains a challenge.

Actors experience a wide range of difficulties when identifying trafficked children and investigating their cases, as noted in *In Need of Targeted Support*, a [report](#) commissioned by CBSS from Child Circle. For example, there is a clear need for specialised interventions to inform, support and protect children as well as to support them to disclose their experience in investigations. However, these are not always available. In addition, trafficked children may fail to access child protection services or become marginalised within the child protection system if their needs are not recognised. Equally, where a trafficked child is involved in several proceedings (such as

criminal proceedings, child welfare and protection proceedings, and/or migration proceedings) and there is no coordination between them, the best interests of the child may be neglected. Importantly, in cases with a transnational dimension, ensuring that the best interests of the child are a primary consideration can be all the more challenging. Cross border procedures may be uncertain and lengthy, and actors do not always know their counterparts in other countries. Across the board, limited resources can aggravate these difficulties. These difficulties are further explored in Chapter 1 below.

Recent international and EU laws and policy gives new momentum to addressing these challenges.

From the perspective of anti-trafficking laws and policies, the revision of the EU Anti-Trafficking Directive puts further emphasis on “the early identification of, assistance to, and support for victims, in cooperation with relevant support organisations” by explicitly requiring Member States to take “the necessary measures to establish national referral mechanisms” and to appoint a national focal point for the referral of victims.<sup>2</sup> The revision builds on an increased focus on referral mechanisms, including from the Commission EU Anti-trafficking Strategy (2021- 2025), which encouraged Member States to establish national referral mechanisms to fulfil their legal obligations.

States have also been encouraged to consider more closely what particular measures should be used to identify and respond to children who have been trafficked.

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1 EU Strategy on Combatting Trafficking in Human Beings, 2021-2025; UNODC Global report on trafficking, 2022; Save the Children, *Little invisible slaves – Trafficking dossier 2022*.

2 Text adopted April 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, 2022, Article 11; [https://www.europarl.europa.eu/doceo/document/TA-9-2024-0310\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2024-0310_EN.html).

In a study on national referral mechanisms,<sup>3</sup> the European Commission noted that only a few Member States had national referral mechanisms that were specifically tailored to child victims of human trafficking and suggested that this may be useful practice. The GRETA experts group of the Council Europe in 2018 stressed that “assistance to child victims of trafficking should be provided within the framework of a National Referral Mechanism (NRM) for trafficked children, which itself should be integrated into the general child protection system, bringing together social, health, and education services, in line with Council of Europe and other international standards and policies.”<sup>4</sup> The OSCE NRM Handbook<sup>5</sup> recently notes: “NRM procedures and all services for children should be partnered with, and build on, existing national child protection systems.”<sup>6</sup>

This Guidance aims to examine what this means in practice. In particular, its starting point is that, rather than referrals between State services and actors working with children on child trafficking cases, there is a real need for cooperation between them to coordinate their actions, with children at the centre.

The EU Fundamental Rights Agency describes an integrated child protection system as one which “places the child at the centre and endorses and promotes the provisions of the CRC ... [and] ... aims to ensure that all essential actors and systems – education, health, welfare, justice, civil society, community and family – work together to prevent abuse, exploitation, neglect and other forms of violence against children. It also aims to protect and assist children in these situations” (Our emphasis). The European Commission Recommendation on developing and strengthening

integrated child protection systems in the best interests of the child, published in April 2024, encourages Member States to take specific actions to this end. They note that child victims of trafficking are considered particularly vulnerable.

Other recent European legislative reforms will also have an impact on what actions are needed to prevent and respond to child trafficking. At the time of writing, these include (if adopted) new obligations in the proposed revision of the EU Victims’ Rights Directive.<sup>7</sup> Inspired by the Barnahus, this includes a requirement that Member States provide for a targeted, multi-agency approach to support and protect child victims, and be based on providing services in an integrated and coordinated manner on the same premises. A [proposal to recast the EU Child Sexual Abuse Directive](#) contains an obligation to ensure “specialised and appropriate support” are provided to victims, and also make provision for “targeted and integrated support services”.<sup>8</sup>

The [reform](#) of the European asylum and migration legal instruments bring about many changes which may affect children who have been trafficked. For example, new screening procedures should involve vulnerability assessments, with the involvement of child protection services, alongside migration authorities, and provide an opportunity to identify trafficking situations.

The reform of EU instruments will also shape cross border procedures in cases involving children. The revision of the EU Anti-Trafficking Directive obliges States to appoint national focal points for cross border cases. The revision of the EU Anti-Trafficking Directive also requires States to adopt National Anti-Trafficking Action Plans, and

3 Study on reviewing the functions of Member States’ National and Transnational Referral Mechanisms HOME/2018/ISFP/PR/THB/0000 DR0319961ENN.en.pdf

4 The thematic chapter on trafficked children of the Sixth General Report on GRETA’s Activities, 2018, <https://rm.coe.int/6gr-extract-web-en/16808b6552>

5 OSCE Practical Handbook - National Referral Mechanisms: Joining efforts to protect the rights of trafficked persons (2022); EU Anti-trafficking Strategy (2021- 2025).

6 Ibidem, p. 33.

7 Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA.

8 Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on combating the sexual abuse and sexual exploitation of children and child sexual abuse material and replacing Council Framework Decision 2004/68/JHA (recast).

they are encouraged to include, inter alia, specific measures for child victims.

A new [EU Regulation](#) on transfer of proceedings in criminal matters from one State to another allows Member to request to the transfer of a criminal proceeding to another Member State. Victims can also request or object to such transfers. A requesting authority should ensure that those rights under EU laws, including EU-Anti Trafficking Directive, are respected when requesting a transfer of criminal proceedings under this Regulation. The requesting authority shall take into account a list of criteria when considering whether to request the transfer of criminal proceedings, and “due account shall be taken of child victims and other vulnerable groups” (art. 5). Under new EU asylum and migration rules, there are also several transnational procedures which should lead to best interests assessments in cases involving a transfer of children.

Finally, at the time of writing, the UN Committee on the Rights of the Child is [drafting](#) a General Comment on Children’s Rights to Access to Justice and Effective Remedies. Inter alia, the General Comment will provide guidance on ensuring the empowerment of all children as rights-holders, including child human rights defenders, as well as to those children who are involved in justice processes (such as accused, victim, including victim of sexual violence, witnesses, those in need of care and protection, claimants and respondents).

### Time for reflection and action

These new EU obligations and international and regional initiatives require and encourage States to take action. States will need to reflect carefully on a number of key questions, including:

- How to develop or strengthen anti-trafficking referral mechanisms which properly address the situation of children?
- How should anti-trafficking referral mechanisms connect with integrated child protection systems?
- How should national child protection strategies address trafficked children? How can

child protection processes be tailored to the needs of trafficked children?

- What roles should different authorities play and how to coordinate between them? Who is in the lead? What procedures are necessary to implement and, if required, formalise referral mechanisms?
- How can child-centred procedures, in child friendly settings, be available in a consistent and stable way nationally? How to further develop and connect specialised competence in trafficking matters and specialised competence for child protection? What role should the Barnahus model play in addressing the situation of trafficked children?
- How to guarantee that referral mechanisms, and equivalent assistance systems, offer equal support to third country nationals and irregular migrants identified as presumed victims?
- How to ensure the child’s best interests is a primary consideration in transnational cases?

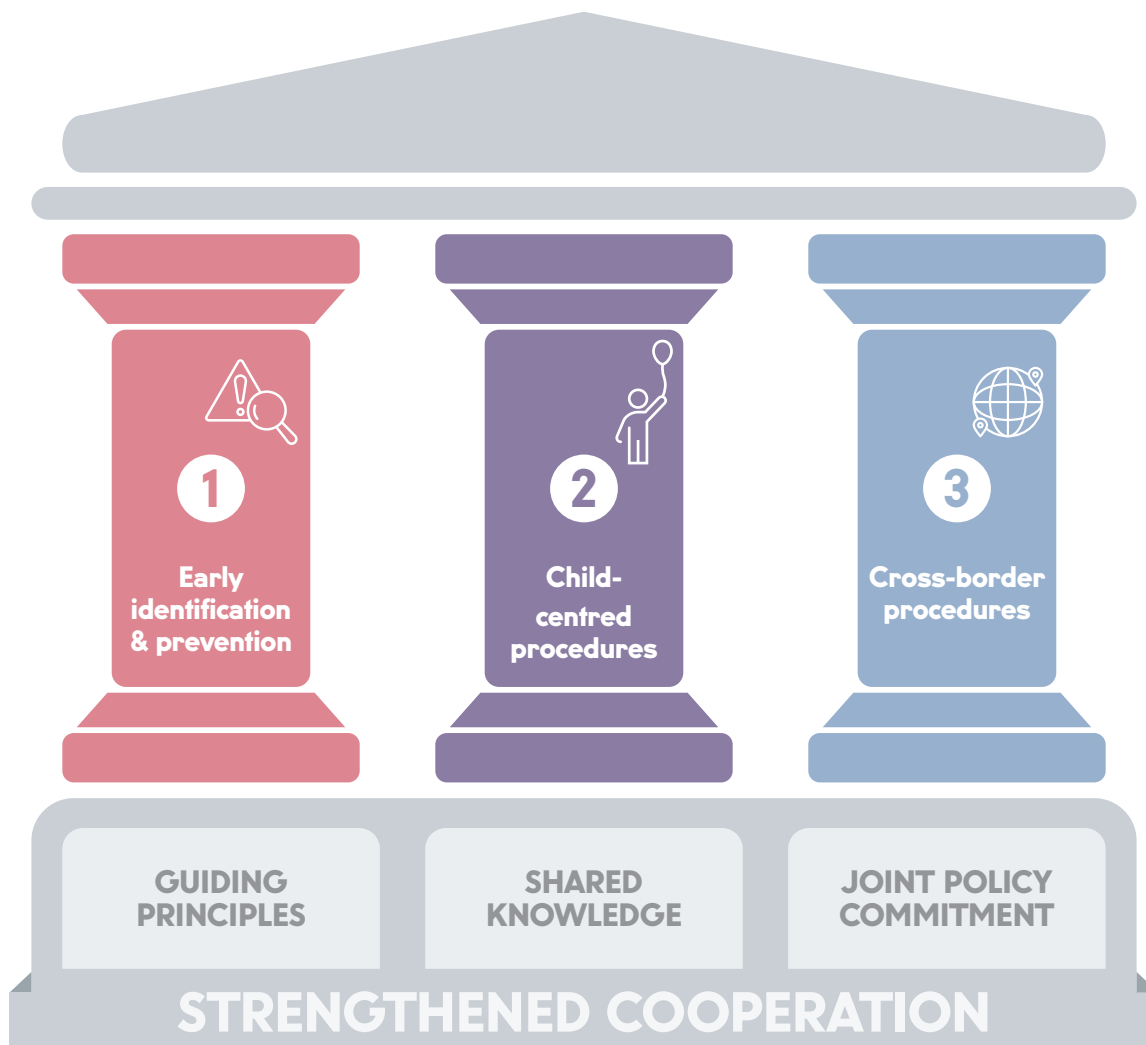
This Guidance aims to help States examine these questions and to create a cycle of protection for trafficked children. It focuses on action which ensures that the children’s needs and rights are met through early identification and support and assistance in criminal justice and child protection procedures (including onward referral to necessary services for children).

Given the difference in how institutional responsibilities and mandates are composed and organised within and between States, the Guidance does not prescribe a uniform model, suggesting “a one size fits all” approach. Responsibilities for children, trafficking responses, monitoring and accountability may be organised in very different ways between countries. For example, some systems are centralised with national agencies playing a leading role, whereas others operate in a decentralised way, with regional and municipal authorities taking decisions and allocating resources. Consequently, the Guidance is designed to encourage and support States to take the action that is most appropriate to their national and administrative context.

A key recommendation is that States facilitate and strengthen cooperation between anti-trafficking

and child protection systems. In particular, the Guidance recommends that States:

- Commit to guiding principles in all actions concerning trafficked children
- Bring together anti-trafficking and child protection systems by ensuring common knowledge on child trafficking and on children’s rights and needs
- Develop or strengthen the foundations for comprehensive child focused cooperation between them, through a national action plan
- Reinforce the key pillars of early identification and prevention of child trafficking, child-centred procedures and enhanced cross border procedures in transnational cases.



**Figure 1:** The foundations and pillars for child-centred comprehensive cooperation



# 1. GUIDING PRINCIPLES FOR COMPREHENSIVE CHILD-CENTRED COOPERATION

This Guidance proposes principles which should guide public authorities and other stakeholders in facilitating and strengthening comprehensive, child centred cooperation.

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## GOALS OF COOPERATION

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**1. Child rights-based:** A child rights approach is one which furthers the realisation of the rights of all children, rather than taking an approach which focuses on the child as the subject of welfare concern. UN CRC General Comment n° 13 underlines that a children's rights-based approach concerns developing both the capacity of duty bearers to meet their obligations to respect, protect and fulfil rights and the capacity of rights holders to claim their rights. In cases involving violence against children, the UN CRC has emphasised the common responsibility of all actors. Moreover, in cases of trafficked children, the issue of empowering them to claim their rights is of central importance, as they are typically in acutely vulnerable situations.

**2. Holistic and comprehensive:** The whole of the child's circumstances should be assessed and all of their rights and needs should be comprehensively addressed, including through access to services. Trafficked children often face co-occurring difficulties. They may have a wide range of needs for protection and care. They may also be involved in several legal or administrative proceedings. It is important to consider and plan to address both the child's short-term needs and their needs for longer term assistance, social inclusion and durable solutions.

**3. Effective and child friendly criminal justice procedures:** Trafficking of children is a serious crime which needs to be both combatted and prevented. A central goal of cooperation is to

enhance the ability of the State to successfully investigate and prosecute those committing crimes of child trafficking and exploitation. Prioritisation of resources to ensure child friendly justice will augment the State's ability to pursue successful investigations.

**4. Prevention-focussed:** All actors should work together to combine their knowledge and experience to take action to prevent trafficking. Cooperation should focus on ensuring that risks of trafficking to other children in the future should be actively identified and countered. Vulnerability to trafficking should be actively mitigated, across State policies.

**5. Dynamic and resilient:** Cooperation amongst actors should involve learning from past and present developments and emergencies, whilst look to the future, anticipating and being prepared for the next ones.

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## FEATURES OF THE SYSTEM

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**6. Transparency and accountability:** Given the wide range of bodies involved, it is crucial that their responsibilities to trafficked children, and the way in which they are exercised, are transparent. This includes ensuring clearly defined roles, with agreement on which actors leads on which actions as well as provisions for cooperation between them. Accountability must be assured through monitoring which addresses the specific obligations to children who have been trafficked. There should be a child friendly complaint system in place.

**7. Resourced and sustainable:** State actors should take action to establish a sustainable system through the provision of adequate resources and preserving knowledge and experience within the system.

## FEATURES OF CASE WORK

**8. Specific safeguards for children:** Children should be at the centre of procedures involving them; procedures should be adapted to their needs and rights, avoiding re-traumatisation and secondary victimisation. Children should receive proper information, support and assistance.

**9. Specialisation:** Trained, qualified and experienced actors should be involved in working with trafficked children. This should involve

mobilising, deepening and connecting specialisation in different fields. It involves cross fertilisation of necessary knowledge, skills, practices and tools.

**10. Multidisciplinary and interagency:** There should be explicit commitment to work together amongst the different agencies involved in the different procedures and services for trafficked children. This commitment should address in a coordinated way all of the proceedings in which they are involved and involving all the necessary actors, including those involved in informing, supporting and assisting children.



**Figure 2:** Guiding principles for comprehensive child-centred cooperation



### **Spotlight on the application of the four general principles of the Convention on the Rights of the Child (CRC) in cases of trafficking**

#### **— non-discrimination (art. 2),**

Regardless of their nationality and where the trafficking has taken place, all trafficked children get proper information, support and assistance. Trafficked children may be in a situation where they are socially marginalised, such as children who have run away from care, or children in an irregular migration situation, who may be living on the edges of society. Specific attention should be paid to ensure they should have the same access to procedures to protect or respond to trafficking situations.

#### **— the best interests of the child (art. 3, para. 1),**

The red thread throughout all processes involving trafficked children is that the best interests of the child is a primary consideration in all actions. This requires all actors to pay attention to, and assess, their individual circumstances

throughout all of pathway of the child, from first encounter to recovery. UN General Comment n° 14 on the right of the child to have his or her best interests taken as a primary consideration indicates that the best interests is a threefold concept, as it includes: 1) the substantive right of the child to have their best interests assessed and taken as primary consideration, and to have the guarantee that this right will be implemented; 2) an interpretative legal principle, which means that the interpretation of legal provisions should always serve the child's best interests; 3) a rule of procedure: for any decision that affect a child or a group of children, the decision-making process must include an evaluation of the possible impact of the decision on the child/children concerned. States have obligations to ensure that this right is implemented in all its dimensions.

#### **— life, survival and development (art. 6),**

All children, including those who are victims or potential victims of trafficking have the right to be protected in their integrity and their development should not be jeopardised. As trafficking is an acute form of violence against children,

this means that children need to have both immediate access to medical care, shelter, nutrition and any other appropriate support and assistance as well as access to services to ensure their long-term support needs and the preservation of their wellbeing. It should involve active measures to find durable solutions for them when required.

#### **— respect for the views of the child (art. 12).**

The acknowledgment of the agency and the right of children to express their views and perspectives is of key importance for children affected by trafficking as well. Guaranteeing the appropriate safe space and conditions for children to express themselves not only ensures that they are empowered and supported, but it is also essential for effective preventive strategies. This requires creating spaces and providing mechanisms that children feel safe and are encouraged to use, in order to share their experiences and express their voices. It also implies that children need to be meaningfully involved in all decisions that affect their lives, whether they concern their immediate care, legal or other proceedings, or long-term support interventions.

## 2. BRINGING ANTI-TRAFFICKING AND CHILD PROTECTION SYSTEMS TOGETHER: ESTABLISHING SHARED UNDERSTANDINGS

**Preventing and responding** to child trafficking should not be regarded as a “niche” area, involving only actors specialised in anti-trafficking. Many different legal responsibilities, procedures and actors (including both public authorities and other actors) may be involved in the situation of children who have been trafficked. These include social services, health professionals, education and youth professionals and child justice professionals, amongst others, all of whom have a role in identifying and responding to violence against children.

Developing a shared understanding of the terminology, concepts and practices at the heart of each other’s work is critical to preventing and responding effectively to child trafficking. It is a precondition to building trust and strengthening opportunities to working together, nationally and transnationally.

### Current challenges

The need to bring the “worlds” of anti-trafficking and child protection together is self-evident. It may sound straightforward to implement. However, national dialogues during Promise TRM have illustrated many current challenges in doing so, in particular, arising from a gap in knowledge and connections between them.

Currently, some State bodies responsible for services to children, and professionals (such as social assistants, doctors, teachers, persons working with youth organisations, as well as police and migration officials outside of specialised trafficking units) may not have a clear understanding of trafficking. They may not be able to recognise child trafficking when they encounter it. This may stem from an absence of data, training and prioritisation of the risk of trafficking.

Trafficking may be suspected only where actors encounter a situation of a perpetrator clearly exploiting a child. In other cases where trafficking is not detected, a trafficked child’s protection needs might go unfulfilled. In some situations, a trafficked child may be identified as in general “poor” living conditions (for example, as involved in drug abuse, living on the street, being in a precarious situation as a refugee or an irregular migrant).

There appears to be limited reporting of suspicions of child trafficking throughout the Baltic Sea Region. Family and community, and public at large, may have a limited knowledge, or even misconceptions about what human and child trafficking are. For those who are aware of trafficking, there may be a need to dispel certain myths (for example, that trafficking is largely a foreign crime, taking place outside the Baltic Sea Region, or that it is confined to sex trafficking or trafficking for body organs). It is also important to counter cultures of disbelief in relation to trafficked children (for example, the belief that certain children are simply involved in youth crime, rather than being exploited by criminal organisations). As underlined in the introduction, trafficked children may fail to access child protection services or become marginalised within the child protection system if their needs are not recognised.

In some cases, even where child protection actors, such as social workers, believe there may be a risk that the child has been trafficked, they may hesitate to refer children into complex trafficking investigations. They may do so when they feel it is not in the child’s best interests, and that the investigation would put the child at risk of re-traumatisation. They may consider the child is already receiving the care and services they need through child protection services. They may also have little practical experience of child trafficking, and dealing with a case of trafficking may seem overwhelming.

However, failing to tackle the trafficking dimension of the child's situation may mean that a child remains under the influence of traffickers, or that the unidentified perpetrator can continue to exploit other children. It risks leaving the child without access to the specialised services they need. It may prevent a child from accessing procedures which help find more long-term solutions for their situation, especially in cases of non-nationals.

Where a preliminary criminal investigation into trafficking is initiated as early as possible, and the child receives support and assistance, it can make a huge difference to the success of any trafficking investigation.

However, national dialogues also underlined that trafficking investigations and proceedings may not involve child specific procedures, competences and child friendly settings that can assist a child to participate in the proceedings. Importantly, these include, for example, the provision of age-appropriate information to child victims and the involvement of specialised interviewing procedures and protocols to assist children in disclosing what has happened. There is a heightened need for trained actors, including guardians, to assist the child in a multiplicity of proceedings. There is also a need for quality and publicly provided legal assistance and representation to assist a child and their guardian.

Equally, specialised trafficking units may not be familiar with wider child rights obligations and child protection measures needed to respond to the child's situation and needs. This includes but is not limited to special measures for children in escaping coercive relations within families and accessing services to address trauma and damage suffered.

The best interests of the child should be a primary consideration in all actions in their regard. However, if the best interests of the child is not examined in light of all of their circumstances, outcomes for trafficked children risk being very poor. This may arise where the different actors dealing with one aspect of the child's situation cannot coordinate well with other actors who are involved in resolving other key aspects of the child's situation. Data sharing can pose an obstacle in this regard, if appropriate protocols are not in place.

Across the board, a practical challenge to cooperation between agencies when working with vulnerable children is that it is a resource-intensive area, and there is often a significant pressure on resources. Difficulties arise out of insufficient capacity in the system, where there are not effective systems to counter staff burnout, or where there are not systems in place to prevent loss of institutional memory and the necessary contacts between different agencies, when employees rotate.

More generally, cases with a transnational dimension often pose even more challenges to examining the best interests of the child, given that national actors may lack information on the procedures involved and the relevant systems in other countries. These proceedings can also be protracted and heighten the sense of uncertainty experienced by children and those that are supporting them.

*As a starting point to countering these challenges, States should invest in developing this common knowledge across its agencies. This chapter provides an overview of the essential knowledge that general child protection actors need to know about trafficking, and which trafficking actors should recognise and understand about general child protection systems.*

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## 2.1. WHAT IS CHILD TRAFFICKING AND HOW DO VULNERABILITIES TO CHILD TRAFFICKING ARISE?

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### a. Scale of child trafficking

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Data from the most recent UNODC Global report on trafficking (2022) accounts for 53.800 detected victims reported in 2020, globally, of which 35%, or one in three, are children. Concerning Europe, data from the European Commission shows that: "In 2019-2020, child victims constituted over one-fifth of all registered victims in the EU (23%) where the victim's age group was known. The majority of child victims were female (75%)" [Report on the progress made in the fight against trafficking

in human beings Fourth Report, 2022, p. 1].<sup>1</sup> The available data are rarely disaggregated by age, gender, national origin or forms of exploitation, making it difficult to provide an accurate picture of the phenomenon and to inform national policies and responses.<sup>2</sup>

It is important to recognise how difficult it is to collect reliable data on child trafficking, and it is very important to examine the reasons carefully. For example, child trafficking may not be identified because of lack of awareness and knowledge of the signs and risk factors. Trafficking can also be hidden within other activities which may be identified (such as sexual exploitation, street crime, various criminal activities into which trafficked children may be involved). The emerging trends observed in recent sources see an expansion of the trafficking operations that happen online, which adds another layer of complexity in the investigations and criminal proceedings.

Trafficked children themselves often lack the awareness, means and opportunities to self-identify as victims of trafficking. They may have been promised education or better futures by people they trust. They may be afraid to seek help. A feeling of shame experienced by victims may stop them from reporting the crime. Moreover, typically only a small number of persons are identified officially as trafficked persons in the criminal justice system, as criminal investigations of trafficking can prove difficult.

Consequently, the data available might be considered as a low estimate as it refers exclusively to the (few) cases that are identified: “the tip of the iceberg of a hidden phenomenon”.<sup>3</sup>

## b. How is child trafficking defined?

Child trafficking can be hard to understand and therefore hard to identify, as explored further below.

Trafficking is defined for the first time at international level in Article 3 of The United Nations Protocol to Prevent and Suppress Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime (2000), which is often referred to as Palermo Protocol.

This first international definition was the basis for the development of further definitions at European level.

In the EU Anti-Trafficking Directive (2011/36/EU), trafficking is defined as ‘the recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those 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’ (art.2).

The general definition of trafficking is composed of three parts: acts, means and purposes which each need to be considered carefully in relation to children.

**ACT:** “the recruitment, transportation, transfer, harbouring or receipt of persons”. It is important to bear in mind that the legal definition of trafficking does not necessarily require international movement. Contrary to some misconceptions, child trafficking can happen within the same country.

1 The total number of victims registered in the EU27 during the period 2019-2020 was 14,311, with an average of 8 registered EU-citizen victims per million inhabitants. The total annual number of victims showed a slight decrease from the 7,777 registered victims in 2019 to 6,534 in 2020. The actual number of victims is likely significantly higher than reported data suggests, as these statistics only capture victims that become known to one of the registering entities and many victims remain undetected. The most victims were registered in 2019-2020 in France (2,709), in the Netherlands (2,318), in Italy (2,114), in Romania (1,294) and in Germany (1,271). If one considers the number of victims proportionate to the population size, rather than the absolute number of victims, the most victims were registered in the Netherlands (67 per 100 000 inhabitants), Austria (44 per 100 000 inhabitants), Cyprus (35 per 100 000 inhabitants), Romania (33 per 100 000 inhabitants) and Sweden (23 per 100 000 inhabitants).

2 UNICEF, Child Trafficking in Europe: a Broad Vision To put Children first, 2006; GRETA report Trafficking in Children, 2018.

3 Save the Children, Little invisible slaves – Trafficking dossier 2022.

It can happen internally – within the same country and even within a single building – or can happen online (with the perpetrators operating from a completely different location than the victim/s and not necessarily requiring movements).<sup>4</sup>

It is important to underline, for the sake of a thorough understanding of the offence of “trafficking”, that there is no requirement for exploitation to have actually occurred. The intention to exploit is sufficient to identify the crime as trafficking. This can present another difficulty in identifying trafficking, for example, where a trafficked child is encountered at the border, before they have been brought into exploitative circumstances.

Children can be recruited – without necessarily implying movement or travel – or they can be transferred, convinced or forced to travel (= act), with the intention of exploiting them sexually, of forcing them to participate to criminal activities, to various forms of labour, to get married, to carry pregnancies, and other forms of exploitations as will be clarified below. It is important to reiterate that in the case of children the issue of consent is not relevant, as they can never be seen as voluntarily consenting to their own exploitation.

**MEANS:** the use of “threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power 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”. However, legally speaking, trafficking of children does not require the use of the illicit means. Importantly, even when there is no force, coercion and/or deception, violence, threat, abuse of power involved to achieve the consent of the victim, the crime of trafficking persists. Indeed, the issue of consent (whether a child consents or can consent) to trafficking and exploitation is not relevant to the offence of child trafficking. Children should never be viewed as acquiescing to their own exploitation. This can sometimes lead

to overlaps between different criminal offences under national laws such as trafficking and child sexual exploitation, and sometimes to difficulties in distinguishing them in criminal investigations.

**PURPOSE:** be for the purpose of “exploitation”. The Trafficking in Persons Protocol (Palermo Protocol) does not define ‘exploitation’, instead providing an open-ended list of examples that includes, at a minimum, “the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs” (art.3). None of these practices are defined within the Protocol, but some have been defined in other international instruments. The words “at a minimum” confirm that forms of exploitation not explicitly mentioned in the definition could also be captured within the Protocol’s definition of trafficking in persons.<sup>5</sup>

In fact, there is a very wide range of forms of exploitation to which children can fall victims. Several studies on forms of child trafficking in



**CHILD TRAFFICKING**, as derived from the Palermo Protocol, is the act of recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation regardless of the use of illicit means, either within or outside a country. A child victim of trafficking is any person trafficked under the age of 18 (art. 3).

It is defined in the same way under the EU Trafficking Definition.

The Convention on the Rights of the Child also calls upon States to “take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form” (article 35).

4 CBSS Handbook for Embassies and Diplomatic Missions on how to assist and protect victims of human trafficking, 2023, p. 12.

5 UNODC, 2015, Issue paper: The concept of exploitation in the trafficking in persons protocol: “The Travaux Préparatoires reproduce a note produced by the drafters during the negotiations explaining that “[t]he words “at a minimum” will allow States parties to go beyond the offences listed in this definition in criminalizing [and are] also intended to make it possible for the protocol to cover future forms of exploitation (i.e. forms of exploitation that [are] not yet known”: UNODC, Travaux Préparatoires of the Negotiations for the Elaboration of the United Nations Convention against Transnational Organised Crime and the Protocols Thereto (2006) (hereinafter Travaux Préparatoires for the Organised Crime Convention and Protocols), p. 343, note 22.”, p. 24.



**Children who are trafficked into criminal activities must be identified as victims of trafficking and not child offenders.**

The principle of non-prosecution and non-punishment are clear. “Trafficked persons should not be subject to arrest, charge, detention, prosecution, or be penalized or otherwise punished for illegal conduct that they committed as a direct consequence of being trafficked. The non-punishment principle applies to all stages of the criminal justice system and can also apply in non-criminal proceedings (e.g., immigration or administrative proceedings). The purported consent or agreement of a victim, either to the intended exploitation or to committing a crime, should not be used to prevent application of the non-punishment principle.”<sup>1</sup>

The EU Anti-trafficking Directive provides that “Member States shall, in accordance with the basic principles of their legal systems, take the necessary measures to ensure that competent national authorities are entitled not to prosecute or impose penalties on victims of trafficking in human beings for their involvement in criminal activities which they have been compelled to commit as a direct consequence of being subjected to any of the acts referred to as trafficking”.

The recent revision of the EU Anti-Trafficking Directive makes it clear that this relates also to extends to all unlawful activities that trafficked persons have been compelled to commit including those that are administrative offences.

1 UN Inter-Agency Coordination Group against Trafficking in Persons, Issue brief – Non-punishment of victims of trafficking.

Europe have been undertaken by UN agencies, EU agencies and civil society organisations in the past couple of decades, which show that children are trafficked for various forms of exploitation.<sup>6</sup>

According to national data referred to in GRETA reports, most girl victims are trafficked for sexual exploitation, including the production of child abuse material, although this form affects boys as well.<sup>7</sup>

Children are also trafficked for the purposes of forced labour, forced begging, forced criminal activities. Forced labour includes domestic labour, as well as labour in agriculture, street selling.<sup>8</sup> Labour exploitation may also be hidden within what appear to be family-run restaurants or small businesses or by the involvement of job agencies. Exploitation can also occur for construction works and debt bondage.<sup>9</sup> (Labour exploitation may be less prevalent in the Baltic Sea States region, than in other parts of the world.)

Children may be trafficked into forced marriage in some countries. This may be for the purposes of domestic servitude or to avoid legislation prohibiting marriage below the age of 18. Illegal adoptions may also occur for the purposes of exploiting children or can be the result of the sale of and trafficking in children. Forced marriage, illegal adoption and surrogacy<sup>10</sup> are included in the amendment to the EU Anti-trafficking Directive as forms of exploitation that should be covered by the Directive as they increasingly affect child victims of trafficking.<sup>11</sup>

In some countries, children may have been trafficked to be exploited as child soldiers.

6 See review in “They will always find me: A study of trafficking and the living conditions of vulnerable children, County Administrative Board of Stockholm”, 2019, pages 12 - 35 - R2019-18-They will always find me.pdf (lansstyrelsen.se). See also GRETA, Trafficking in Children - Thematic Chapter of the 6th General Report on GRETA's Activities, 2018, pp. 10-11, with references to multi-country research projects, research from Romania, Albania, Georgia, Montenegro, Republic of Moldova. Save the Children conducted a study about child trafficking in Italy in 2022, HEUNI in Finland in 2019, just to mention some.

7 GRETA, Trafficking in Children - Thematic Chapter of the 6th General Report on GRETA's Activities, 2018, p.10; UNODC, Global Report on Trafficking in persons, Last report 2022 available at <https://www.unodc.org/unodc/data-and-analysis/glotip.html>.

8 Ibidem. Also see UNICEF 2006 and Save the Children 2022.

9 CBSS, In Need of Targeted Support, 2021.

10 Surrogacy refers to when a woman agrees to deliver a child on behalf of another person or couple to become the child's parent(s) after birth.

11 In April 2024, the European Parliament reached an [agreement](https://www.europarl.europa.eu/doceo/document/TA-9-2024-0310_EN.html) to add these offences to the forms of exploitation to be included in the EU Anti-trafficking directive. See text adopted: [https://www.europarl.europa.eu/doceo/document/TA-9-2024-0310\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2024-0310_EN.html).



Children involved in street crime and begging may be exploited by gangs and are sometimes moved from country to country for the purposes of criminal exploitation.

### c. How do vulnerabilities to child trafficking arise?

“Trafficking in human beings is a financially motivated and demand driven crime. The crime exists due to the profit of exploitation of others and that someone – the demand – is paying for, or in other ways fuelling the exploitation” (CBSS Handbook for Embassies and Diplomatic Missions on how to assist and protect victims of human trafficking (2022)).

Any child, from any background can risk becoming a victim of trafficking. Traffickers do however exploit specific elements of vulnerability. Child protection and child welfare risks - such as poverty, alcoholism, family dysfunction, drug abuse, sexual abuse, and domestic violence - contribute to the risk of children to become victims of trafficking.<sup>12</sup> Limited access to employment and livelihood opportunities further compounds these risks. Children living in institutions, those on the streets, and those who drop out of school may be particularly vulnerable. Some other risks are identified in the CBSS Handbook include traveling in mixed migration flows, victims of armed conflict or war, pandemics, man-made and natural disasters, including vulnerabilities caused by climate change. They also include mental health problems, intellectual disabilities or learning difficulties, as well as discrimination, gender-based violence, racism and other forms of structural inequalities.

In national dialogues in Promise TRM, stakeholders also noted that the most recurrent groups of children at greater risk of being trafficked are:

- Children experiencing social risk: homeless children, children who are begging, who do not attend school or have behavioural issues at school, who run away from home, foster care or care institutions, children who abuse

alcohol or psychotropic substances, are addicted to gambling, are involved or tend to be involved in a criminal activities, have experienced or may experience psychological, physical or sexual abuse, domestic violence;

- Children left without parental care, children growing up in care institutions;
- Children in proximity to drug and prostitution environments: on the streets, in massage parlours and online
- Children who are charged or arrested for crimes such as theft, begging, drug courier/ mule, fencing or smuggling
- Children scavenging electronics from, for example, backyards and selling them on the street
- Children in the healthcare system, such as in hospital emergency rooms either in connection with organ donation or who have personally been organ donors
- Children with proximity to agriculture and seasonal work
- Children in nail salons
- Children coming from countries where forced marriage is still used as a practice and who risk living in slavery-like conditions
- Children accompanied by mothers – and parents in general – who are assessed as victims of human trafficking
- Early teens who are particularly vulnerable to power abuse when interacting with persons with a higher “status” and who make promises of financial easy gains

In the case of migrant children, people smugglers paid to help children escape from their country of origin may traffic the children once they run out of money. “Crime opportunities in the context of the migration routes are in many cases intertwined with the need for migrant smuggling services

12 UNICEF, Child Trafficking in Europe: a Broad Vision to put Children first, 2008; UNICEF, Child Trafficking in the Nordic Countries Rethinking strategies and national responses, 2011; HEUNI, Trafficking in Children and Young Persons in Finland, 2019; Save the Children Italy, Little Invisible Slaves, Trafficking Dossier 2022.

among people on the move, and with the range of illicit activities of people engaged in migrant smuggling, the increasingly restrictive policy context and the fluidity between the categories of smuggled migrant, smuggler, trafficked person and trafficker”.<sup>13</sup> Once within Europe, migrant children may also fall prey to traffickers, in particular if their living conditions are poor, or if they want to travel independently to another country when family reunification procedures are proving lengthy and difficult.

Some trafficked children are EEA nationals who move or are moved within the EEA. In these situations, child protection professionals may in fact have less opportunity to look into their circumstances, given the children’s ability to move legally within the EEA, despite their high vulnerability.

#### d. How do emergencies and new developments affect child trafficking?

Emergency situations, such as disruptions caused by pandemics, wars, and climate change, pose additional challenges in the fight against child trafficking and often have an acute effect on children.

The COVID19 pandemic had a profound and multi-faceted impact on child protection in general, including on the risks of being trafficked and on the responses to child trafficking. The disruptions caused by the pandemic left children without access to essential resources and protection mechanisms, making them more susceptible to traffickers who exploit the resulting vulnerabilities. The consequent economic strain led to an increase in families facing financial hardships and becoming more susceptible to trafficking schemes. The measures of lockdown and physical distancing led to a surge in online activities, creating opportunities for traffickers to exploit the increased screen time of children, engaging in online recruitment, grooming, and exploitation. During the pandemic, a significant drop in



#### RISKS OF ONLINE TRAFFICKING

“Children can be targeted for trafficking for sexual exploitation or criminal activities through face-to-face interactions or online, through social media and other platforms. The use of children’s online social media, gaming and chat forums for child trafficking is constantly increasing. Without adequate legislative regulation, systems of monitoring and accountability, online forums provide direct routes for traffickers to groom, recruit and influence children, including those who are residing safely with their families. Criminal groups can utilise popular culture, such as music, videos, fashion, etc. to entice vulnerable young people into criminal and sexual exploitation by offering them access to material incentives and a certain lifestyle that will elevate their status with their peers. Any money or items provided to the child by traffickers can later be used to hold them in debt bondage.”

OSCE NRM Handbook

the reporting to authorities of cases concerning violence against children and including child trafficking cases has been registered. Lockdowns and restrictions on movement limited the ability of monitoring individuals and bodies to identify and report cases of trafficking, allowing these crimes to go even more undetected.<sup>14</sup>

Conflict and wars also have a significant impact on child trafficking as they exacerbate vulnerabilities and create environments conducive to exploitation, as showed by the Russian invasion of Ukraine. During conflicts, families are often displaced and may find themselves in precarious situations, making children more susceptible to exploitation as traffickers exploit peoples’ economic vulnerability. Armed conflicts can create an environment where traffickers can operate

13 Healy, Claire (2019). *The Strength to Carry On: Resilience and Vulnerability to Trafficking and Other Abuses among People Travelling along Migration Routes to Europe*. Vienna: ICMPD. p. 74

14 UNODC, *Global Report on Trafficking in Persons, 2022*; European Commission, *Impact assessment report accompanying the document proposal for a directive of the European Parliament and of the Council amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims*.

with relative impunity, as law enforcement and judicial authorities may be overwhelmed, compromised, or non-existent. The absence of effective legal mechanisms facilitates trafficking activities, making it difficult to hold perpetrators accountable. During conflicts, children are also at risk of being recruited by armed groups and forced into criminal activities, including perpetrating trafficking activities themselves. Armed conflicts disrupt communities and erode traditional support structures, making children more likely to be isolated, lack protective networks and be left out of education and protection services. Moreover, when children arrive seeking international protection in another country, shortcomings in the registration and tracking procedures for refugees also can present difficulties in accurately monitoring their movements and needs. The Action Plan published under the lead of the EU Anti-Trafficking Coordinator to address the risks of trafficking in human beings and support potential victims among those fleeing the war in Ukraine described the risks that arose directly following the Russian invasion.<sup>15</sup> It noted that “[t]he threat landscape is evolving very quickly. That is why anticipation, flexibility and fast responsiveness of all the relevant actors are crucial to prevent trafficking from happening in the first place. However, trafficking in human beings is not an instantly visible crime. It often takes weeks or even months to detect the crime and identify victims.

Other developments on the horizon may impact trafficking trends and numbers, including migration issues and climate change.

The Council of Europe’s Group of Experts on Action against Trafficking in Human Beings (GRETA) has recently put the spotlight on the risks of human trafficking created by restrictive migration policies that result in the increase of people migrating in illegal and unsafe conditions, and in the failure to provide victims of trafficking with the appropriate assistance they are entitled to. In the words

of Helga Gayer, President of GRETA: “A growing number of people fleeing armed conflict, violence, and climate and humanitarian emergencies are pressed to migrate in unsafe conditions. Irregular migration status is a major vulnerability factor, making migrants an easy prey for unscrupulous criminals. Unaccompanied and separated children are particularly vulnerable to being caught up in the web of traffickers. Immigrants in regular situations can also fall victim to human trafficking and be exploited by legitimate businesses using deceptive recruitment methods and loopholes in the labour market regulations”.<sup>16</sup>

Climate change has complex and far-reaching impacts on societies and particularly on vulnerable populations, including children. Climate change forces communities to migrate in search of safer and more sustainable living conditions. Environmental displacement can expose children to exploitation, as they may become separated from their families or find themselves in unfamiliar environments where traffickers operate. Changes in climate patterns can also disrupt economic activities and cause economic insecurity, making families and children more vulnerable to the promises of traffickers. Competition over scarce resources is exacerbated, leading to conflicts, with all the consequences mentioned above, including disruption of education, healthcare and protection services and leading to children’s isolation and increased vulnerabilities.<sup>17</sup>

It is also important to keep abreast of technological developments which affect trafficking. The ways in which technology facilitates trafficking needs to be monitored. The ways in which new technologies can support for professionals in investigating crime is important, as well as how technological developments can assist in the keeping children and young people safe. As a matter of fact, new technologies play a key role in both prevention and response efforts. On one hand, the online dimension makes things easier

15 A Common Anti-Trafficking Plan to address the risks of trafficking in human beings and support potential victims among those fleeing the war in Ukraine, available at [https://home-affairs.ec.europa.eu/document/download/a4fb53f1-6590-4487-b0ca-32c11f664171\\_en?filename=Anti-Trafficking%20Plan\\_en.pdf](https://home-affairs.ec.europa.eu/document/download/a4fb53f1-6590-4487-b0ca-32c11f664171_en?filename=Anti-Trafficking%20Plan_en.pdf).

16 See Council of Europe website at <https://www.coe.int/en/web/anti-human-trafficking/-/european-anti-trafficking-day-council-of-europe-expert-group-calls-for-preventing-human-trafficking-risks-exacerbated-in-the-context-of-migration>.

17 UNODC, Global Report on Trafficking in Persons, 2022; European Commission, Impact assessment report accompanying the document proposal for a directive of the European Parliament and of the Council amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims.

for traffickers, as they use digital platforms to groom and exploit victims, making identification of trafficked victims and reporting more challenging. On the other hand, enhanced data analytics, artificial intelligence, and machine learning algorithms empower law enforcement agencies to identify trafficking networks and hotspots. Technology also facilitates more sophisticated investigation techniques, allowing authorities to gather and analyse vast amounts of information rapidly, leading to more effective prosecution of perpetrators. Furthermore, technology provides children and young people with resources to stay informed. Mobile applications and online platforms offer educational materials, and some provide them with access to support networks and helplines where they can seek assistance directly.<sup>18</sup>



#### FOR FURTHER READING ON SECTION 2.1

CBSS Handbook for Embassies and Diplomatic Missions on how to assist and protect victims of human trafficking, 2023.

CBSS, In Need of Targeted Support: The role of Barnahus in identification and investigation of child trafficking and the support and assistance provided to victims, 2021.

GRETA, Trafficking in Children - Thematic Chapter of the 6th General Report on GRETA's Activities, 2018

HEUNI, Trafficking in children and in young persons in Finland, 2019

Save the Children, Little invisible slaves – Trafficking dossier, 2022

UNODC, Global Report on Trafficking in Persons, 2022

## 2.2. LAWS CONCERNING CHILD TRAFFICKING AND THE PROTECTION OF CHILDREN

### a. General legal obligations

There are a wide range of laws which can impact child trafficking and an overview is set out in Annex 2. Specific obligations arise under anti-trafficking laws to criminalise trafficking offences, identify trafficked victims and to ensure counselling and information for victims of human trafficking, in particular as regards their legal rights and the services available to them, in a language that they can understand (Palermo Protocol and CoE Convention on THB). There are specific obligations in relation to support and assistance for trafficked children, as well as an obligation to put in place preventive measures, under anti-trafficking instruments at UN, EU and Council of Europe level.

Other laws directly relevant to the situation of trafficked children include victims' rights legislation (including the EU Victims' Rights Directive) or may include laws relating to sexual abuse and exploitation of children (such as the EU Child Sexual Abuse Directive), and child justice instruments (such as the EU Child Procedural Safeguards Directive which applies to children who are suspects or accused of children).

Furthermore, the general – and broad – obligations of States to protect children from violence and harm under the UN Convention on the Rights of the Child (CRC) and its Optional Protocols will apply to trafficked children.<sup>19</sup> There is general consensus that child trafficking amounts to child abuse and a form of violence against children.<sup>20</sup> The latest UNODC Global Report on trafficking in persons (2022) reveals that child victims of trafficking are subjected to physical or extreme violence at a rate almost two times higher than

<sup>18</sup> GRETA Group of Experts on Action against Trafficking in Human Beings, Online and technology-facilitated trafficking in human beings, 2022; Europol Operations Directorate, The challenges of countering human trafficking in the digital era, 2020.

<sup>19</sup> In particular, children have a right to protection from “all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse” (art. 19 of the UN Convention on the Rights of the Child).

<sup>20</sup> The CRC recognises that child victims of trafficking are a group of particularly vulnerable children that need special protection (General comment No. 13 (2011) on the right of the child to freedom from all forms of violence).

adults.<sup>21</sup> Child protection measures “should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement”. (Article 19(2) of the CRC). These child protection measures should apply independently of whether a criminal investigation into a trafficking offence has been launched against a perpetrator. Moreover, where there is a criminal investigation, these measures should extend beyond its term, as necessary. As has been underlined above, risks of child trafficking may arise precisely because of an absence of child protection. Consequently, child protection measures have the important potential to prevent trafficking.

Children’s rights to protection against violence extend to every child within a state’s territory and to all other children under its jurisdiction. They must be accessible to all children, regardless of their nationality, immigration status, or statelessness. It is important that migration procedures applicable to non-national children are sensitive to situations of trafficking and the obligations that arise out of them. This will be the case at screening and border procedures, whenever an unaccompanied child is encountered by authorities, or when access to international protection is involved, or when a child might be involved in a transnational procedure, for example family reunification or procedures considering their return to countries of origin.

Family law provisions will also be relevant to the situation of trafficked children, in terms of identifying parental responsibility for children, or making provisions under the law for custody or access to children, or restoring family links or reuniting family when children have been separated from their families, when this is in their best interests.

## b. Key procedural safeguards for trafficked children

“When children are victims, witnesses, suspects or accused of having committed a crime, or be a party to judicial proceedings – in civil, criminal, or administrative justice. In all cases, children should feel comfortable and safe to participate effectively and be heard” (EU Strategy on the rights of the child, 2021).

Trafficked children are often in particularly precarious situations, often disconnected from the community in which they live. They may be without parents, or with abusive parents, or the parent was involved in their trafficking. Parents may be themselves in a vulnerable position or even not aware of the position of their child as a victim of trafficking.<sup>22</sup> They need safeguards which help them feel “comfortable and safe” to participate in any investigations or assessments involving them. Such safeguards, set out in international and EU laws, also aim to avoid re-traumatisation and secondary victimisation of children. They should facilitate the access of a child to the services they need.

This Guidance uses the term “procedural safeguards” to address the measures which should be undertaken to ensure that procedures are child-centred and that children are informed, supported and assisted during administrative and judicial proceedings involving them.

From the perspective of achieving successful criminal proceedings, these safeguards also allow authorities to ensure children build trust in the proceedings and may assist children in disclosing trafficking situations. This can help authorities obtain evidence or pursue investigative leads that might lead to a successful prosecution of traffickers.

Key procedural safeguards under international and EU law include:

21 UNODC Global Report on Trafficking in persons, 2022, p. XII.

22 CBSS, In Need of Targeted Support: The role of Barnahus in identification and investigation of child trafficking and the support and assistance provided to victims, 2021.

**1. Identification as a child;** the benefit of the doubt: under EU Anti-trafficking Directive 2011, “Member States shall ensure that, where the age of a person subject to trafficking in human beings is uncertain and there are reasons to believe that the person is a child, that person is presumed to be a child in order to receive immediate access to assistance, support and protection in accordance with Articles 14 and 15.”

**2. Information, support and assistance** must be provided to the child and, in accordance with the role of the victims in the relevant legal system, legal representation. This includes:

- The provision of child friendly information;
- The appointment of a guardian: It is important for children who are deprived of parental care or whose interests are in conflict with their parents or guardians are appointed a guardian to inform, assist and support them, and as necessary exercise legal capacity for them;
- The provision of legal assistance, at an early stage as possible, so that trafficked children can receive proper legal advice in relation to the different laws and procedures that might apply to them, in national procedures and sometimes cross border procedures as well.

**3. Individual assessments** of the special circumstances of each individual child victim must be undertaken to ensure that the children’s needs and rights are identified and to ensure specific actions are taken to meet them.<sup>23</sup>

**4. Right to be heard:** a victim has a right to be heard and give evidence in criminal proceedings. The right of child victims to be heard in criminal proceedings should not be precluded solely on the basis that the victim is a child or on the basis of the victim’s age. (UN CRC General Comment No 12 on the right of the child underlines the importance of child participation in all administrative and judicial proceedings involving them.)

**5. Medical examinations** should be kept to a minimum and carried out only where strictly necessary for the purposes of the criminal proceedings.

**6. Interviews carried out in connection with the criminal investigation:** Member States will take necessary measures to ensure that they take place:

- Without unjustified delay;
- In premises designed or adapted for children;
- Carried out by or through professionals trained for this purpose;
- In the event of several interviews, they should be carried out by the same persons, if possible and where appropriate;
- The number of interviews should be as limited as possible and are carried out only where strictly necessary for the purpose of the criminal proceedings;
- With a legal representative and a person of their choice.

**7. Video recording testimony:** It must be possible that interviews may be video recorded and that such video recorded interviews may be used as evidence in criminal court proceedings, in accordance with the rules under national law.

**8. Presence in the court room:** Member States shall ensure that it may be ordered that the child does not need to be present in courtroom to be heard; appropriate communications technologies be used for the victim to be heard in the courtroom; visual contact with the offender to be avoided where necessary.

**9. Best interests procedures:** A best interests procedure should be put in place to examine their best interests as a primary consideration in all actions and must ensure the participation of children in the proceedings involving them.

**10. Access to asylum procedures:** Victims of trafficking should be enabled to exercise their right to apply for international protection or equivalent national status and states should ensure complementarity and coordination between the authorities involved in anti-trafficking activities and asylum authorities, ensuring appropriate

23 Ibidem.

and effective referral mechanisms to be in place between both authorities.<sup>24</sup>

**11. Durable solutions** (or comprehensive sustainable solutions): in the case of unaccompanied child victims of trafficking, EU States are obliged to take the necessary measures with a view to finding a durable solution based on an individual assessment of the best interests of the child. “A decision on the future of each unaccompanied child victim should be taken within the shortest possible period of time with a view to finding durable solutions based on an individual assessment of the best interests of the child, which should be a primary consideration. A durable solution could be return and reintegration into the country of origin or the country of return, integration into the host society, granting of international protection status or granting of other status in accordance with national law of the Member States.” See the glossary for the term “comprehensive and sustainable solution” also used in this regard.

**12. Safe reporting mechanisms:** Member States shall ensure that the procedures for reporting an offence under this Directive are safe, are carried out in a confidential manner in accordance with national law, are designed and accessible in a child-friendly manner and use language in accordance with the age and maturity of child victims.

## 2.3. THE ROLE OF DIFFERENT ACTORS AND HOW THEY COOPERATE

### a. Actors involved and their roles

The characteristics, scale and trends of child trafficking show us that it is a highly complex and multifaceted issue, and necessary action extends across various domains: including services dealing with anti-trafficking, child protection, human rights, migration, public security, organised crime, corruption, labour, social injustice,

<sup>24</sup> Text adopted Amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims [https://www.europarl.europa.eu/doceo/document/TA-9-2024-0310\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2024-0310_EN.html).



**PROCEDURAL SAFEGUARDS** should be in place not only for child victims but also for child suspects and accused of crime. In particular, the EU Procedural Safeguards Children Directive 2016/800 contains specific safeguards for child suspects and accused in criminal proceedings. This includes individual assessments of the child’s circumstances and needs, information and assistance to a child, and involvement of the child.

Such safeguards should assist in helping to identify when children involved in criminal proceedings are being trafficked and support the application of the principle of non-prosecution and non-punishment. However, it is important to acknowledge that outcomes for child suspects and accused will vary greatly depending on whether the suspected crime or overall scenario is categorized as by police or social services as potentially involving trafficking or not.



### FOR FURTHER READING ON SECTION 2.2

See Annex 2: an overview of relevant international and EU laws

CBSS & Child Circle, PROMISE: Compendium of Law and Guidance – European and International Instruments concerning Child Victims and Witnesses of Violence, 2017

CBSS, In Need of Targeted Support: The role of Barnahus in identification and investigation of child trafficking and the support and assistance provided to victims, 2021.

gender disparities, violence against women, girls and LGBTI+ individuals, health and education.

The Commission Recommendation on developing and strengthening integrated child protection systems in the best interests of the child calls on a wide range of actors to be active in integrated child protection systems, from public authorities (at all levels depending on the jurisdiction), to private actors and civil society organisations. The list is long, identifying diverse sectors: “education and training (teachers, educators, support services at all levels, including early childhood education and care), social (e.g. social workers, service providers, residential and foster care givers), health (including mental health), justice and law enforcement (e.g., lawyers, judges, police, professionals working in closed or semi-closed facilities), asylum and migration, diplomatic and consular protection, digital, sport, leisure, media or culture, finance, business and environment, as well as traditional and religious leaders. Families and communities have a central role to play in child protection, as well as children themselves” [Recital 9]. The Recommendation recognises and emphasises that responsibilities and roles should be clearly identified amongst this large variety of actors, in order to ensure effective protection for children.

Equally, victims’ rights law and policy increasingly underline the need for cooperation. For example, the proposed revision of the EU Victims Rights Directive notes that “Victims cannot effectively benefit from their rights to information, to support and protection in accordance with their individual needs if they are faced with the national justice schemes that lack cooperation and coordination among those who come into contact with victims. Without close cooperation and coordination of the national law enforcement, prosecution, judiciary, restorative services, compensation services and victim support services, it is difficult for victims to effectively execute their rights under Directive 2012/29/EU. Other authorities, such as healthcare, education and social services, are encouraged to be part of this cooperation and coordination. This is particularly valid in relation to child victims”.<sup>25</sup>

In short, many actors orbit around the child in a variety of settings and are thus likely to come into contact with victims or potential victims of trafficking and have a role in their regard.

If we zoom into possible moments of identification, we see that law enforcement, anti-trafficking agencies, border police and child protection services are on the frontline and will play a role in the identification of vulnerable children and the provision of immediate support and assistance. Professionals coming from general sectors like education and health may play a key role in identification and immediate response. Guardians appointed to assist unaccompanied children in migration may come to suspect the child has been trafficked. Legal assistance providers acting for children in conflict with the law also may become aware of the risk of an underlying situation of trafficking. Equally, officers involved in international protection proceedings or migration proceedings who interview a child may suspect child trafficking has occurred.

Child protection agencies should provide trafficked children with immediate information, assistance and support, including through the appointment of guardians and ensuring the safeguarding of children’s rights and protection. At the grassroots level, community-based organisations, childcare institutions, organisations working with street children, child helplines and hotlines, and NGOs, can offer assistance, support and refuge to children who are at risk or are victims of trafficking, providing essential services and liaising with broader protection networks. Guardians should be appointed to all trafficked children where they are deprived of parental care, or where the interests of those with parental responsibility are in conflict with the child’s interests. Trafficked children and their guardians should have access to legal assistance.

Law enforcement agencies oversee the investigations that aim to ensure victims’ safety while prosecuting the perpetrators of child trafficking and thus also working to prevent future trafficking. By initiating legal proceedings, they should work with the ultimate objective to dismantle trafficking networks and secure justice for victims. Trained staff,

25 Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, COM/2023/424 final, at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023PC0424>.



such as child psychologists, may be involved in interviewing child during the criminal investigation.

Within the justice sector, judicial authorities oversee proceedings and should ensure the fulfillment of the procedural safeguards required for child victims and witnesses. Throughout the criminal proceedings, legal counsellors, guardians, interpreters, cultural mediators, provide essential support services, advocating for children's rights and facilitating their understanding of legal processes.

In cross-border cases, consular authorities should offer logistical support and guidance to victims or potential victims. Their interventions can include logistical coordination and provision of information to facilitate informed decision-making processes. In some proceedings, central authorities (Brussels) coordinate communication and can act as liaison between courts and protection services of different Member States.

## **b. Working together: referral mechanisms, integrated child protection systems and models for cooperation at case level**

There is a clear need to put in place national referral mechanisms, integrated child protection systems and case management models to ensure that these actors work together. Recent studies and mapping reveal that the state of development and the form of these mechanisms, systems and models are different across Europe.

In some countries, cooperation between actors on trafficking cases may be addressed under national referral mechanisms (NRMS) for trafficking cases. In a few countries, there are child specific measures. Actors also may be working together on child protection aspects of cases in line with procedures established within the national child protection system.

The snapshots below of NRMs, integrated child protection systems and the Barnahus model briefly describe issues and guidance concerning them, in light of recent EU legal and policy developments. They will provide background to public authorities when reflecting on the way in which best to connect trafficking specific referral mechanisms and general child protection systems under Chapter 3.

These snapshots each assist different groups of professional experts, with the aim of developing a common understanding and facilitating cooperation across fields. As an example, the provisions and descriptions related to NRMs may assist professionals in the child protection sector, while provisions about integrated child protection systems and Barnahus may assist professionals in the anti-trafficking field.

### ***(i) National Referral Mechanisms***

The recent revision of the EU Anti-Trafficking Directive introduced an explicit obligation to establish national referral mechanisms. These should concern all trafficked persons and may include specific measures for trafficked children.

Many NRMs are general in their application, including children in their scope. There are examples of child focussed measures in State responses to trafficking. These include the establishment of the Austrian Working Group Against Child Trafficking which is coordinated by the Family and Youth Directorate General. Members of the working group are representatives from government authorities working with children as well as civil society organisations. The tasks and priorities of the working group are defined in the National Action Plan Against Human Trafficking. A further example is the Portuguese "Protocol for the definition of action procedures for the Prevention, Detection and Protection of (presumed) child victims of trafficking in human beings - National Referral System" which was launched in 2021. This Guideline is a measure of the 4th Action Plan to Prevent and Combat Trafficking in Human Beings (2018-2021), and of the National Implementation Plan of the Global Compact for Migration.

Child specific measures of these kind should develop in a more widespread way as States implement the obligations in relation to trafficking referral mechanism under the Revised Anti-Trafficking Directive.

### ***(ii) Integrated child protection systems***

More generally, as noted above and as emphasised in the OSCE Guidance, "NRM procedures and all services for children should be partnered with and build on existing national child protection



### PROVISIONS OF THE REVISED TRAFFICKING DIRECTIVE ON NRMS

In order to enhance the national capability to detect and identify victims at an early stage, and to refer them to the appropriate protection, assistance and support services, it is necessary to establish, by laws, regulations or administrative provisions, one or several referral mechanisms in the Member States.

A referral mechanism should be a transparent, accessible and harmonised framework facilitating the early detection and identification of, assistance to, and support for the victims of trafficking, and facilitating their referral to the responsible national organisations and bodies.

It should identify the participating competent authorities, civil society organisations and other stakeholders and set out their respective responsibilities, including the procedures and the lines of communication.

It can take the form of a set of established procedures, guidelines, cooperation arrangements or protocols.

It should apply to all victims and to all forms of trafficking offences taking into account the individual vulnerability of the victims.

The tasks of the referral mechanisms operating in accordance with this paragraph shall include at least (a) establishing minimum standards for the detection and early identification of victims, and adapting the procedures for such detection and identification to the various forms of exploitation covered by this Directive; (b) referring the victim to the most appropriate support and assistance; and (c) establishing cooperation arrangements or protocols with the asylum authorities to ensure that assistance, support and protection is provided to victims of trafficking who are also in need of international protection or who wish to apply for such protection, taking into account the victim's individual circumstances.

systems. They should be staffed by recognised child specialists and supported by civil society organisations and specialist NGOs that are directly linked to national child protection systems. All communication, interventions and actions with child victims of trafficking should be conducted within child-friendly, safe environments, in a child-centred, gender-sensitive, age-appropriate, trauma-informed manner.”<sup>26</sup>

The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016 called on Member States to strengthen child protection systems, underlining that “comprehensive child-sensitive protection systems that ensure interagency and multidisciplinary coordination are key in catering to diverse needs of diverse groups of children”. This call is reinforced in the EU Strategy on Trafficking 2021–2025 where the Commission stated its support to Member States in improving support and protection services, with particular attention to child victims and children at risk of trafficking.

The recent update by the Fundamental Rights Agency on mapping child protection systems notes that neither the term child protection nor child protection system are always legally defined in all countries.<sup>27</sup> Indeed, given the purpose of child protection systems, and the fact that they involve many different sectors, the term can encompass different types of activities and state bodies in different countries. The mapping recognises that: “The scope of national child protection systems differs. The systems are designed based on needs, resources allocated and cultural, social and historical factors. However, child protection systems share some common features and face common challenges.”

26 Ibidem, p. 33.

27 UNICEF Child Protection Strategy of 2008. UNICEF describes Child Protection System: The set of laws, policies, regulations and services needed across all social sectors – especially social welfare, education, health, security and justice – to support prevention and response to protection-related risks. These systems are part of social protection and extend beyond it [...]. Responsibilities are often spread across government agencies, with services delivered by local authorities, non-State providers, and community groups, making coordination between sectors and levels, including routine referral systems, a necessary component of effective child protection systems.

The Commission's Recommendation on developing and strengthening integrated child protection systems in the best interests of the child notes that shared challenges concern insufficient prevention policies and early identification systems. It also highlights missing timely, comprehensive (including psychosocial) support, notably for children facing co-occurring protection needs and monitoring.

It contains a series of general recommendations to encourage States to develop and strengthen integrated child protection systems, many of which relate to improving cooperation and child-centred procedures, and provide food for thought in responding to all children at risk of violence, including trafficked children.

- Put children at the centre of integrated child protection systems by adapting protection systems to children's needs and including children when taking decisions that impact them.
- Support Member States in adapting their systems to protect any child from any form of violence, using EU tools such as legislation, policy, or funding. This starts by preventing and fighting discrimination, providing targeted support, and fostering a societal culture of zero violence against children.
- Establish a general framework of integrated child protection systems. Member States are invited to draw up national plans to end violence against children, effectively implement EU and national legislation on child protection, set up coordination structures, strengthen human and financial resources and improve data collection.
- Improve coordination and cooperation across sectors and competent authorities through the training of professionals, starting at the local level.
- Establish comprehensive and coordinated support actions in cases of violence against children, from prevention and early identification to reporting and cross-sectorial support.
- Respond to children's safety needs online and offline by improving children's digital literacy, promoting the safe use of digital technologies and training families and carers.
- Protect children's integrity and mental health, prevent and fight (cyber)bullying by encouraging Member States to develop national mental health strategies, with children as the priority target group.
- Make better use of existing EU tools to strengthen child protection systems: laws, policies, funding support, as listed in the Annex accompanying the communication.
- Go beyond the EU, prompt Member States to adopt an integrated approach to protect children in their external action, such as eradicating child labour, protecting children in armed conflicts and protecting children from climate change and environmental hazards.

### *(iii) Case management models: the Barnahus example*

The Commission's Recommendation also casts a spotlight on Barnahus, as an important model used to coordinate child justice and child protection proceedings. It notes that: "Member States should dedicate specific funding to provide for a targeted, multiagency cooperation and coordination approach to support children in contact with the justice system, in particular victims of crime, including by establishing Children's houses in line with the Children's house (Barnahus) model or any other equivalent child rights-friendly model. Member States should make best use of available funds and technical support at the Union level."

In the proposal for revisions of the EU Victims Rights Directive and of the [Child Sexual Abuse Directive](#), much emphasis is also put on Barnahus. In the latter the Commission proposal notes:

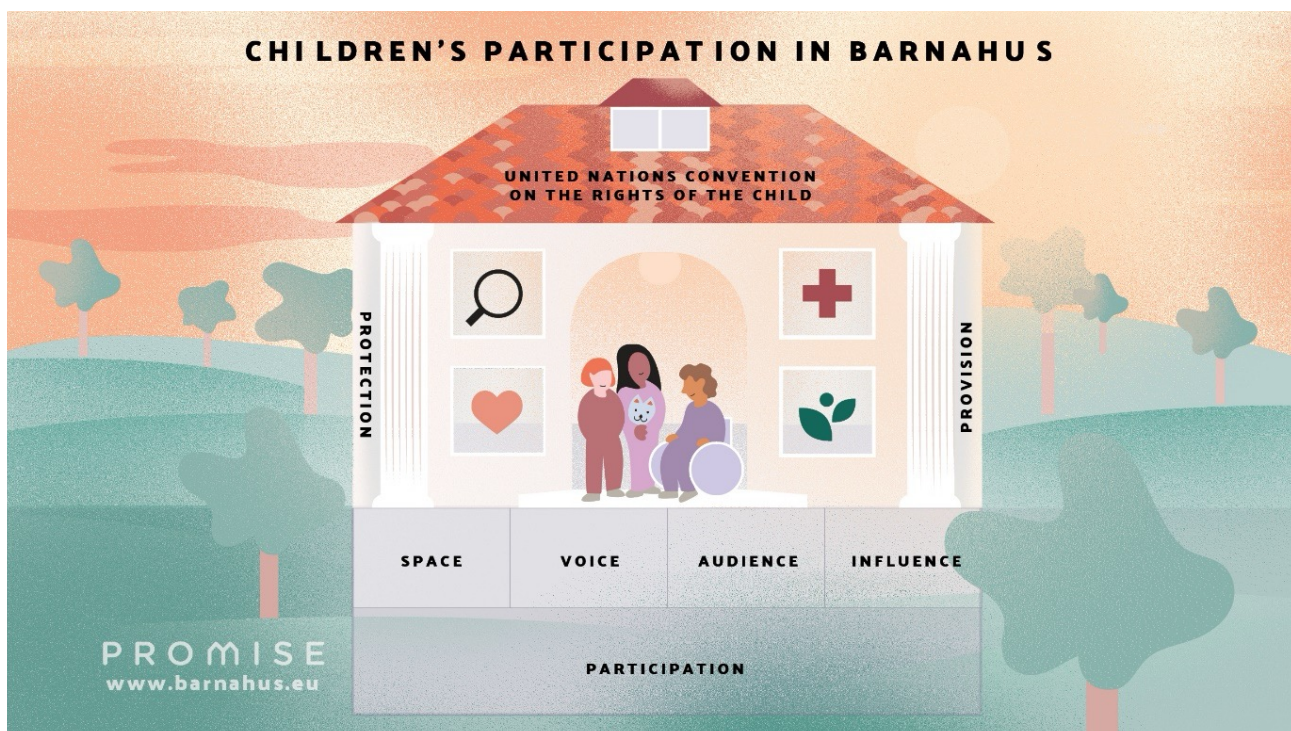
*"Measures to protect child victims in a comprehensive manner should be adopted in their best interest, taking into account an assessment of their needs. Effective child protection requires a whole of society approach. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests...The "Barnahus" model of providing a child-friendly environment staffed with specialists from all relevant disciplines is currently the most advanced example of a child-friendly approach to justice and to avoiding revictimisation. The relevant*

*provisions of this Directive are built on the principles of that model. That model aims to ensure that all children involved in child abuse or child sexual exploitation investigations benefit from a high-quality assessment in child-friendly settings, appropriate psychosocial support and child protective services. This Directive attempts to ensure that all Member States uphold these principles, although it does not require the Member States to follow the Barnahus model as such.”*

The Barnahus is an inter-agency and child-centred approach to child victims of violence, under one roof. For the purposes of the criminal proceedings, the Barnahus ensures that children are interviewed by specialised professionals with due process safeguards for the defence, providing recorded testimony for use in court proceedings. Some Barnahus also contain facilities which allow on-site forensic medical examination. For the purposes of the child protection proceedings, health and needs assessments of the child are typically undertaken at the Barnahus and therapeutic services will either be directly available on

site or made available by immediate referral to other services. These steps in the two proceedings are intertwined in the Barnahus model and managed together.

In some countries, Barnahus are used mainly in cases involving violence against children (often cases of sexual violence). The report *In Need of Targeted Support* explored the use of Barnahus in trafficking cases. While currently experience in Barnahus in relation to trafficking cases is generally limited, it appears that children who have been sexually exploited through trafficking are likely to fall into the target group of many Barnahus, with the potential for other forms of exploitation of children through trafficking also to be covered in some Barnahus. The inter-agency, child-centred Barnahus model has features which would likely significantly assist in such cases, including the use of digital technology to fulfil the procedural safeguards required by EU law. This includes reducing secondary traumatisation and re-victimisation, through limiting the number of interviews for a child and avoiding contact



**Figure 3: Children's participation in Barnahus.** More information on the Barnahus, and the standards underpinning practice in the Barnahus, can be found here: [www.barnahus.eu](http://www.barnahus.eu)

with the offenders.<sup>28</sup> The report also considered changes that might assist the use of Barnahus or Barnahus like models in child trafficking cases:

- Barnahus procedures may require adaptations to ensure they have both the specialist knowledge and tools, such as adapted interview protocols, to be used effectively in cases of child trafficking.
- Barnahus staff should be equipped better to recognise indicators of child trafficking and to ensure that children in their current caseload who have been trafficked - or at risk of being trafficked - can be identified.
- Within the Barnahus, existing inter-agency cooperation should extend to the actors involved with trafficked children, including specialised trafficking law enforcement teams or organisations working with trafficked children. It should also include migration authorities, NGO support services and specialist legal guardians and lawyers and links should be established with national anti-trafficking co-ordinators and rapporteurs.
- To operate effectively in such cases, Barnahus should be integrated into a broader system of inter-agency cooperation, including any national referral mechanisms for trafficking, whether they are already established or remain to be established.



### FOR FURTHER READING ON SECTION 2.3.

European Commission, Recommendation on developing and strengthening integrated child protection systems in the best interests of the child, 2024

European Union Agency for Fundamental Rights (FRA), Mapping child protection systems in the EU – Update 2023

[www.barnahus.eu](http://www.barnahus.eu)

- Improving the coordination of criminal proceedings and child protection proceedings may require further exploration of improvements to procedures for identifying durable solutions for trafficked children. In some cases, this may involve the provision of residence permits. The role and/or timing of steps to be taken in Barnahus proceedings in cases where this arises should be carefully explored in light of relevant national policies.

## 2.4. CROSS BORDER CASES

Child trafficking cases may have a cross border dimension, where a child has moved between countries or where proceedings relevant to them are taking place in another country. In these situations, public authorities, organisations and persons supporting children will need to identify the right actors, the right procedures and the appropriate mechanisms to access information on the child or their circumstances, or to assist the child in proceedings concerning them.

Moreover, as traffickers operate more and more beyond traditional geographical borders, cooperation between countries becomes vital to combat and prevent trafficking. The increase in trafficking activities initiated or occurring in the digital realm also facilitates the movement of victims across borders. Transnational cooperation is essential to track and respond to these movements effectively, ensuring the swift identification, rescue, and protection of trafficked children.

### a. What types of cases give rise to cross-border questions?

In some situations, a child from outside a country may have been trafficked into another country. The procedures in the country in which they are located may raise questions related to their

<sup>28</sup> CBSS, 2021, In need of targeted support: The role of Barnahus in identification and investigation of child trafficking and the support and assistance provided to victims.

country of origin, including in procedures for international protection or procedure in another country. Equally, a child may be involved in procedures in a country other than the one in which they are present, such as a criminal proceeding against a trafficker in another country. A child may also be involved in a criminal proceeding in another country, as a suspect or accused, or in a family law proceeding in another country.

Contact and cooperation between actors in different countries may be needed to:

- Assist to find children who disappear and are believed to be at risk of trafficking in another country.
- Identify a child who arrives unaccompanied or separated from family members to a country, trace family members and restore family contact where this is in the best interests of the child.
- Establish bilateral dialogue and contacts between relevant law enforcement authorities when there are suspicions on a crime against the child having been committed.
- Find durable solution processes, including the possibility of return to country of origin or transfer to another country (e.g. where a family member is located) where this is in the child's best interest.

Information from a State body or an actor located in another country may be needed to properly



An important **overview of cooperation** across countries (in cases involving trafficked children from EEA States) is contained in a Guide from the EU Fundamental Rights Agency addressing transnational cooperation in cases of EU children who have been trafficked into other EU countries.<sup>1</sup>

1 FRA, Children deprived of parental care found in an EU Member State other than their own: a Guide to enhance child protection focusing on victims of trafficking, 2019.

inform any procedures involving the child. This might include:

- Identification of a child where they are undocumented, potentially including when age is in doubt
- Relationship of child to an accompanying adult
- Information on the child's circumstances and needs in each country
- Information on procedures in which the child has been involved in different countries

General information on the situation in a country of origin such as information on trafficking trends, child protection measures, services available to children, may also need to be sought either from authorities or organisations in that country. There are also regional databases that may be consulted such as Country of Origin Information available from the EU Asylum Agency or reports from UN agencies, such as UNHCR or UNICEF Child Country Notices.

## b. Challenges in cross-border cooperation

The challenges to identification, support and assistance to trafficked children that arise in domestic cases may be accentuated in the case with a transnational element.

In general, transnational procedures in criminal justice and immigration procedures may be administratively complex and lengthy. Transnational procedures involving children risk being more complicated because of the additional public responsibilities concerning child protection and child welfare that need to be examined. For example, child and family assessments that may need to be undertaken in a country other than where a child and an authority deciding on their protection needs is located.

There may also be difficult legal questions to be addressed, namely which country has jurisdiction to decide on measures for a child who has been trafficked. Depending on the situation of the child, some aspects of the child's situation may be addressed by criminal justice or migration

instruments, with others being addressed by child protection instruments. There are some international regulations which deal with questions of jurisdiction, choice of law, cooperation between authorities and enforcement of measures in child protection cases, in particular the EU Brussels II bis Regulation and the 1996 Hague Child Protection Convention<sup>29</sup>, with other instruments applying in relation to transfer of children between countries for the purposes of asylum and migration questions.<sup>30</sup> The interplay between these instruments is not always clear.<sup>31</sup> In all cases, the child's best interests should be considered fully, typically taking into account information from both countries. There may be a need to reach agreement with authorities in other countries on how to implement measures that are in the child's best interests, for example, in the case of a transfer of care and custodial arrangements when a child moves between them.

Some transnational procedures are under-developed in the sense that there are general obligations in place for States to cooperate but limited rules on what this means procedurally. Sometimes the possibility for transnational cooperation is underutilised. For example, it may not be initiated until the moment when the question of whether a trafficked child should be returned to a country of origin arises. In many cases, it would have been helpful to cooperate at an earlier point, to assess more fully the needs and rights of the child. And, indeed robust durable solution procedures, fully to examine the question of return, is the exception, rather than the norm. This situation emphasises the need to raise awareness of transnational procedures, including at local and regional level.

The coming years will also see the introduction of new EU measures concerning cross border procedures. It remains to be seen how they will apply in practice. For example, the reform of EU instruments will also shape cross border procedures in cases involving children. The revision of the EU Anti-Trafficking Directive obliges States to appoint national focal points for cross border cases. A

new EU Regulation on transfer of proceedings in criminal matters from one State to another allows Member to request to the transfer of a criminal proceeding to another Member State. Victims can also request or object to such transfers. A requesting authority should ensure that those rights under EU laws, including EU-Anti Trafficking Directive, are respected when requesting a transfer of criminal proceedings under this Regulation. Under new EU asylum and migration rules, there are also several transnational procedures which should lead to best interests assessments in cases involving a transfer of children.

In general, difficulties for public authorities and actors involved in supporting and assisting children may stem from lack of knowledge of the laws and applicable procedures in other countries, lack of familiarity with actors in other countries, and an absence of trust between them. Data sharing across borders can raise questions on the applicable data privacy rules. Public authorities dealing with foreign counterparts, such as central authorities, may be under resourced and lack familiarity with trafficking cases.

### **c. The role of different actors in cross border cases and how they cooperate**

Actors concerned with cross border issues may include law enforcement, social workers and asylum and migration actors assessing the situation of the child. They include actors supporting the child (and family), such as guardians or family tracing organisations.

Depending on the type of information and the purpose for which it is needed, the central authority nominated under the Brussels II b Regulation or the Hague 1996 Child Protection Convention, or the Dublin authorities (in certain situations involving children seeking international protection) may be involved in cooperation in cross border cases.

29 Key instruments are the Brussels II bis Regulation and the 1996 Hague Child Protection Convention (add full reference)

30 Key instruments include the Asylum and Migration Management Regulation and the EU Return Directive (add full reference).

31 Child Circle & UNICEF, 2023, Fulfilling the rights of children without parental care displaced from Ukraine: an analysis of international and European law.

Embassies and consular authorities may also be involved in some cases (see further the CBSS Handbook for Embassies and Diplomatic Missions on How to Assist and Protect Victims of Human Trafficking).

In some situations, however, it is precisely important not to contact authorities in a child's country of origin, where this could pose a risk to the child or their families. For example, this occurs where a child has fled the country and is making a claim for international protection in another country.

Necessary information on the child's situation may involve seeking to identify and take contact with individuals in another country, including family members or former guardians. Where information on the individual circumstances of the child and/or the family is needed, authorities of guardians may need to pass through organisations such as the Red Cross, International Social Services or a guardianship organisation.

There are a number of measures and mechanisms that do and could be further developed to assist in transnational cooperation in relation to cases involving either trafficking or child protection.

Transnational referral mechanisms (TRM) are the mechanisms and systems designed for the comprehensive assistance and transnational support and protection of trafficked persons. Transnational referral mechanisms link the full process of referral from initial identification, through return and assistance between countries of transit, destination and origin and involve cooperation between different government institutions and non-governmental actors. They may involve one or all of the steps in the process. TRMs can be set up both multi-laterally between several states as well as bilaterally. Establishing a NRM and TRM can help solidify the assistance to victims of human trafficking and enhance the cooperation among involved stakeholders in your state. There are several international organisations that currently assist with setting these up, such as CBSS, ICMPD<sup>32</sup> and OSCE.

The revision of the EU Anti-Trafficking Directive obliges States to appoint national focal points for cross border cases of trafficking. The Directive

underlines that "the focal point should serve as a point of contact for the cross-border referral of victims, in the relations between the authorities or institutions responsible for the cross-border support of victims in the various Member States, but not as a point of contact for the victims themselves. Focal points can be based on existing mechanisms or governance structures and will not have to replace national complaint mechanisms or hotlines."

The Commission Recommendation on integrated child protection systems emphasises opportunities to enhance cooperation in child-protection cases with cross border implications. It notes that this includes "through the assistance of Central Authorities of the relevant Member states designated under the Council Regulation (EU) 2019/111184, such as by stepping up prevention efforts, by sharing good practices among the Member States, specifically in the context of the European Judicial Network in civil and commercial matters [...]". Importantly it also notes that cross border cooperation should be enhanced "... by facilitating and strengthening transnational cooperation between the actors supporting children."



#### FOR FURTHER READING ON SECTION 2.4.

FRA, Practical guide to enhance transnational cooperation: EU child victims of trafficking or in need of protection, 2019.

ICMPD, Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons in Europe: TRM-EU, 2010

Child Circle & KIND, Stepping Stones to Safety, Strengthening Key Procedural Safeguards for Unaccompanied Children in Transnational Procedures within the EU, 2021

Child Circle & UNICEF, Fulfilling the rights of children without parental care displaced from Ukraine: Compendium of Law and Guidance, 2023

32 For example, important Guidance is contained in ICMPD, Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons in Europe: TRM-EU (2010),



# 3. PUTTING IN PLACE A NATIONAL ACTION PLAN FOCUSSED ON TRAFFICKED CHILDREN

This Guidance recommends that States develop a dedicated national action plan to strengthen comprehensive child-centred cooperation on child trafficking. By focussing on the needs and rights of children, the action plan should recognise the common responsibility and commitment of all sectors and provide opportunities to better work together to combat and respond to child trafficking. It should work towards creating strong and practical connections between trafficking and child protection services to fight and respond to child trafficking.

Indeed, international and EU legislative and policy instruments concerning both national referral mechanisms and integrated child protection systems provide an impetus for national plans in this field. The revised EU Anti-Trafficking Directive requires Member States to put in place Anti-Trafficking Action Plans, in which they are encouraged to include, inter alia, specific measures for child victims; alongside preventive measures, such as education, awareness-raising campaigns and training, and preventive measures as part of the emergency response to the risks of trafficking in human beings caused by humanitarian crises. The Commission Recommendation on strengthening integrated child protection systems encourages Member States “to further develop and strengthen integrated child protection systems, based on a comprehensive national legal and policy framework, in particular by (a) developing national plans to fight violence against children and ensure their protection” [para 18], and “to develop specific plans to prevent trafficking in human beings” [para 50].

This Guidance recommends that through the national action plan, States strengthen both the foundations of their cooperation and the pillars for priority action:

- Developing or strengthening the foundations for comprehensive child focused cooperation
- Reinforcing the key pillars for preventing and responding to child trafficking, by committing resources to action for:
  - early identification and prevention of child trafficking,
  - child-centred, inter-agency procedures, and
  - enhanced cross border procedures in transnational cases.

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## 3.1. THE FOUNDATIONS OF COOPERATION

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### a. Groundwork mapping

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As the groundwork for strengthening cooperation, States should review the current systems and processes in place across the fields of anti-trafficking, child protection, child friendly justice and migration.

The mapping should cover:

- Relevant legal provisions, including:
  - legal definitions of trafficking and violence against children in national law. This includes the forms of exploitation which are recognised as trafficking offences, sexual abuse and exploitation, violence against children;
  - responsibilities and duties for identifying, supporting and assisting trafficked

children and responding to violence against children, including obligations for non-State actors;

- obligations for public authorities and other actors to cooperate on various issues directly related to exploitation and trafficking of children, including prevention;
  - obligations in relation to sharing data between agencies and professionals for the purpose of protecting a child, and mechanisms for handling data in line with privacy obligations;
- Relevant strategies which exist in the different sectors involved. These may indicate relevant guidance and priorities already set in the fields of anti-trafficking, child protection, child friendly justice and child welfare, health, education and social services fields;
  - Organisational issues and relevant practices, including:
    - what cooperation exists between authorities on developing the system of procedures and practices to identify, support and assist trafficked children at national, regional or local level;
    - which services do or could play a role in identifying, supporting and assisting trafficked children. This should include mapping specialist services involved in responding to the situation of child victims of violence, guardianship systems, child friendly legal assistance;
    - what standard operating procedures exist for responding to individual cases of trafficking or children at risk exist (and their scope).
  - Existing tools and resources to ensure comprehensive, child-centred cooperation, including for example, protocols for inter-agency work and training materials, as well as funding for support and training support of actors dealing with child trafficking;
  - Existing processes to engage with children on how better to prevent and respond to child trafficking, including children with lived in experience.

This mapping will assist States in identifying key challenges and opportunities for progress in their countries. For example, as noted in the report *In Need of Targeted Support*, sometimes the situations of child trafficking recognised under the law, or pursued in practice, may be quite narrow (i.e., they may be largely focussed on trafficking for sexual exploitation or sale of organs). Consequently, prosecutors may bring charges for non-trafficking offences or may bring such charges as they are easier to prove than child trafficking. Reviewing the legal definition of child trafficking may be an important starting point to removing obstacles to combating and responding to child trafficking.



Certain **useful information** may already be contained in existing resources, such as:

- Reporting to, and studies by or for, the European Commission on the implementation of EU law,
- The Fundamental Rights Agency [mapping](#) of child protection systems – Update 2023
- CBSS mapping of child protection systems
- GRETA monitoring and recommendations,
- Reporting to the UN bodies, including country reporting to the UN Committee on the Rights of the Child, and CRC recommendations,
- Reports from EU bodies and networks, including studies by the Fundamental Rights Agency, including studies on child justice, child protection, borders and migration, and guardianship for trafficked children; annual monitoring which will be undertaken by the EU Asylum Agency; studies from Europol; the European migration network studies on the implementation of the Communication on the protection of children in migration,
- Reviews by national human rights institutions, including children’s ombudspersons,
- Studies, reports, issue briefs and call to actions by UN bodies, such as UNODC, UNICEF and the UN Inter-Agency Coordination Group against Trafficking in Persons (ICAT), and regional bodies such as OSCE and CBSS ; and by civil society organisations, such as ECPAT, Save the Children,
- [Trafficking in Persons Reports](#) of the US Department of State.

Equally, given the wide range of bodies involved, it is important to review whether responsibilities for identifying, assisting and supporting trafficked children are fully defined and properly attributed to the right actors. For example, analysing the extent and scope of guardianship and legal assistance is important to ensuring that trafficked children receive the right support. The mapping could examine the roles of different actors in conducting individual assessments and best interest procedures. In particular, it would be useful to review whether legal provisions on data sharing either facilitate or hinder how agencies cooperate in individual cases. Accountability and transparency can also be assessed, inter alia, by reviewing the availability of adequate monitoring and child friendly complaints mechanisms.

### b. An action plan for comprehensive child-centred cooperation

Following up from the mapping, an action plan can lay down or strengthen the foundations for comprehensive child-centred cooperation in a way that is most appropriate to the national landscape.

Purposes of the action plan should include to:

- (a) Improve the overall system of cooperation at macro level, between public authorities and civil society;
- (b) Set specific priorities on a periodic basis to develop or strengthen the key pillars of early identification and prevention of child trafficking, child-centred procedures and child-centred cross-border procedures.

An improved system of cooperation should explicitly aim to:

- **Build trust:** build trust between different sectors and align goals: commit to common guiding principles,
- **Collect data:** collect and use data to enhance the State's ability to identify and meet the needs of a wider range and number of children who may have been trafficked;

- **Identify trends:** pool knowledge and intelligence on trends in trafficking on emerging trends and changing tactics of traffickers, to be able to implement coordinated strategies to counteract traffickers' methods, as well as to develop and update common indicators of child trafficking. Share generalised information on the circumstances of victims to decipher new trends in terms of their needs;
- **Consult with children:** develop mechanisms to obtain the views of children on how best to raising children's awareness of trafficking risks and how to respond better to their needs and rights if they have been trafficked;
- **Develop standard operating procedures:** develop a sustainable structure/process agreed by national stakeholders, including a set of Standard Operating Procedures, establishing which authority or organisation is responsible for what and when during the referral process of a child who may have been trafficked;
- **Ensure resources:** plan for sustainability in terms of provision of resources and preserving knowledge and experience within the system. States need to take active measures to overcome the difficulty in recruiting professionals, to deal with the rotation and mobility of professionals without loss of institutional memory, and pro-actively to deal with staff burn-out.
- **Plan for crisis and emergencies:** collaborate to ensure that children remain a priority in crisis response strategies, and that protective measures are in place to mitigate the heightened risks they face at such moments. Addressing the impact of pandemics, of climate change and wars requires a coordinated effort that includes strengthening social services, maintaining awareness campaigns, and adapting protective measures to the changing circumstances. Effective crisis and emergency responses will rely on:
  - Contingency plans based on inter-agency processes to pool and exchange information, identify priorities and coordinate responses;
  - Adapted practices and ways of scaling

up essential support and assistance, for example through the presence of child protection officials at airports and border crossings; emergency triage cases to identify immediate risks to children; second line follow up on priority cases;

- Adapted databases to include information needed to protect children and ensuring the data is better available to all actors (e.g. registration systems, noting details of accompanying adults).
- **Support innovative approaches:** acquire and develop the capabilities to use innovative tools for data analysis, early detection, secure communication, awareness campaigns, and victim support. Leveraging technological advancements is essential in creating a more proactive, efficient, and coordinated approach to combating child trafficking in an increasingly digital world. Cooperation around the use of new technologies can be of great support for professionals in the phases of identification and investigation of child trafficking cases; for law enforcement professionals; for information sharing; and also for effective sensitisation of children and young people.
- **Strengthen international and European level cooperation:** strengthen cooperation at international and European levels to:
  - Participate in exchange on trends across Europe and globally,
  - Contribute to transnational mechanisms for sharing of information, intelligence and resources,
  - Work together towards improving safeguards for children in cross-border procedures covered by EU or international laws
  - Support participation of national authorities and stakeholders in regional networks dealing with trafficking and child protection.

### *How to make cooperation happen?*

Cooperation should be practical, targeted and realistic and correspond to existing mandates and policies. It should be based on agreement on roles of agencies in improving cooperation, including who convenes processes, leads and on what.

For example, some States may decide that the agencies can work together through liaison between focal points. This could occur, for example, if child protection services establish a focal point on child trafficking, with national trafficking coordinators establishing a focal point on children. In other countries, States may decide to appoint one agency to lead on building and strengthening cooperation.

The action plan should ensure that it engages all relevant authorities and stakeholders, and all levels – national, regional and local.

Possible means for facilitating or supporting cooperation include:

- Annual stakeholder roundtables, convening all actors to assess the current situation and look at trends, and anticipate future issues.
- Meetings between national anti-trafficking and child protection bodies, with a focus on meeting strategic operational challenges and opportunities, including strengthening human and financial resources.
- Network meetings within particular sectors, such as Child Protection Conferences.
- Coordination with regional and local authorities, including through the exchange of experiences.
- Consultations and working groups to develop coordination mechanism and processes (these should include the national anti-trafficking coordinators, independent bodies and relevant stakeholders active in the field of preventing and combating trafficking in human beings and protecting children).
- Contribution to (and drawing from) international and European fora and networks.

## 3.2. KEY PILLARS AND PRIORITY ACTIONS TO STRENGTHEN THEM

Part of the action plan, reviewed periodically, should be for States to set priority actions to reinforce three core pillars which are required to create an effective cycle of protection for children who are victims or potential victims of trafficking:

- **Pillar 1: Early identification and prevention of child trafficking** is based on the importance of widespread awareness of the risks for a child of being victim of trafficking, with broad information dissemination and capacity building.
- **Pillar 2: Child-centred procedures** prioritises the child's involvement in the process through tailored protocols and inter-agency collaboration, ensuring their informed participation and safeguarding their best interests.
- **Pillar 3: Child-centred cross-border procedures** involves fostering collaboration in cases where children are of interest for multiple jurisdictions, prioritising the child's well-being and involving them in decision-making processes to achieve comprehensive, sustainable solutions.



The revision of the EU Anti-Trafficking Directive provides that “Member States shall take appropriate action, in a gender-sensitive and child friendly way, including through the internet, such as information and awareness-raising campaigns, research and education programmes, including the promotion of digital literacy and skills, and where appropriate in cooperation with relevant civil society organisations and other stakeholders such as the private sector, aimed at raising awareness and reducing the risk of people, especially children and persons with disabilities, becoming victims of trafficking in human beings.”

The Guidance provides recommendations and inspiration for State action to reinforce these pillars. This includes by supporting the work of agencies, professionals and civil society organisations. It can take a variety of forms, including practical measures of support such as the development of guidance, funding of specialised services, support for training and professional networking, and the development of integrated case management systems.

The Guidance encourages States to take proactive measures, particularly through financial support and allocation of resources for all the actions proposed.

### Pillar 1 — Early identification and prevention of child trafficking

States should support and promote action to raise general awareness of trafficking, amongst children themselves, the public at large and across all actors working with children, family and community. This is important to ensure child trafficking cases are identified at the earliest stages, and that signs of a child being at risk are also identified so to ensure that child trafficking can be prevented.

The Commission “Recommendation on developing and strengthening integrated child protection systems in the best interests of the child” gives prominence to awareness raising and sensitisation on the rights and needs of children as well as to the establishment of child-friendly reporting mechanisms.

In particular, States are encouraged to actively promote awareness raising and dissemination of information on specific risks linked to any forms of violence against children. “Member States should provide information to the public, including children, their parents and their carers, any adults in contact with children across sectors and all relevant stakeholders” [para 5]. Member States are also encouraged to “put in place safe, confidential, child-friendly and well-publicised complaint and reporting mechanisms, including through 24/7 helplines, hotlines and online services” [para 38].

This Guidance encourages States to promote the following key actions, adapted to the specific context and situation in their countries.

**Action 1: Inform children on risks of trafficking**

Clear and meaningful information to children on the risks and signs of trafficking will help prevent trafficking and also help them recognise the signs, avoid it and help their peers. It may also build the knowledge and trust among children and young people to overcome the barriers that stop them from reporting the crime of which they or their peers may be victim.

States should support and promote the availability of age-appropriate and updated information addressing children and youth in all the settings where they tend to spend most of their time, meet with their peers and find potential support. This includes in schools, youth organisations, organisations that work with children in street situations, health services, sport organisations and social media platforms. Schools have an important role, not only in detecting and identifying potential victims, but also in working on prevention and dissemination of information adapted to the different children's age groups. New technologies and social media platforms should be used to disseminate information among children and teens on how to recognise and get support in a situation where someone is e.g., luring, coercing, forcing, or blackmailing them to do something against their will.

Children should also be informed as to where report concerns about trafficking and seek assistance for themselves or peers. Child helplines should be involved and public funding should be available to ensure this.

Promise TRM benefitted from a Child & Youth Advisory Board and some of their specific reflections on this issue include:

- "Teaching about human trafficking in schools is one of the most efficient ways to tackle human trafficking of children and, by extension, human trafficking in the future." Such topic should be included in the school curriculum, covering the forms trafficking can take, the risks for children, the groups particularly at risk, the dangers involved and the channels and ways to reach out for help. This would allow not only children and youth to identify themselves the risks of being trafficked, but

would also give the means to all children and youth to offer help to their peers and support the most vulnerable.

- "Workshops and seminars should be organised, led by trained youth ambassadors who can relate to their audience more effectively. Additionally, leveraging social media for campaigns can help reach a wider audience, making the information more accessible."
- Children and young people should be given the possibilities and the space concretely and actively to contribute to the prevention and response to child trafficking through, for example, volunteer programmes that allow them to work directly with organisations committed in the fight against trafficking, as well as internships and training opportunities that can provide hands-on experience and deeper understanding of the issue.

**Action 2: Engage the public: media and public campaigns**

Public awareness campaigns are also important so that family and community, and public at large become alert to the fact that trafficking happens in their countries and in their contexts.

Child trafficking is an issue that concerns everyone and requires the attention and the vigilance of everyone, both in offline and online settings. The community/society as a whole needs to be aware of child trafficking in order to understand how it happens and what impact it has, to prevent it and fight against it. Everyone with a potential role in the life of a child should be aware of the risk factors and the signs of child trafficking and provide the child with the necessary safety net.

The media has an important role in disseminating knowledge about children's rights among the large public, as recognised by the FRA as well as in the new EC Recommendation on integrated child protection systems.<sup>43</sup> Broad raising awareness on the rights and needs of children, that reaches to a large public, is key to ensure child protection from violence. Member States are encouraged to actively raise awareness to the broad public, to

43 Mapping Child Protection Systems in the EU – Update 2023, p.79.

disseminate information on specific risks for children in relation to any form of violence. All adults in contact with children should be informed, and of course children: accessible and child-friendly language should be promoted also in media campaigns, including social media.

Public funding for campaigns to raise such awareness are of key importance. It can be useful for such funding to require consultations with the target groups so as to understand the needs, the people involved and their preferred channels. Key messages, the features and timeframe of the campaign can be created through collaborative design – including the experiences of children and young adults who were victims of trafficking. It can also be appropriate to choose means, channels and tools that are differentiated per target group. An innovative and creative approach to tools should take account of different target groups, and include brochures and leaflets, art, theatre, movie screening, just to make a few examples. Youth ambassadors and celebrity ambassadors could be deployed, alongside social media used by children and young people. Youth representatives should be involved from the design and development of the campaign, to ensure effectiveness and ownership.

A focus of campaigns will also be to raise awareness of which State agency should be contacted in the event of suspicion of child trafficking. A crucial action here relates to enhancing the capacity of law enforcement to handle such reports. It is vital to increase knowledge and earmarked funds for not only investigating but also receiving and handling reports on suspected child trafficking. This will involve the establishment of specialised units, as well as training to ensure an adequate understanding of both trafficking as a crime and that it occurs domestically. It will also require trainings to generate knowledge on the general rights of the child regarding where the exploitation has taken place. This will connect with actions under Pillar 2 below.

***Action 3: Targeted outreach programme and capacity building to support professionals in taking action***

All professional actors and agencies who work – in different capacities – with children need to be aware of the risk factors and the signs of child

trafficking and the ways in which to report concern, provide first line assistance and refer to appropriate services – both to prevent and to respond to it. Managers of services, who organise and ensure support for professionals, must also get deeper knowledge of these issues. This includes of course professionals in law enforcement and social services, as well as border agencies.

Action should also be taken to raise awareness and engage with professionals at broad level, including agencies that do not work with children directly but have an impact on how the policies and resources are directed, like policy makers and managers at central level (e.g. Ministries).

A national outreach programme should target all actors working with children who may not have trafficking “on their radar”. This includes schools, youth organisations, organisations working with children in street situations, health care professionals and services, and sports clubs.

Engaging an effective outreach should involve appointing a lead agency or fund a lead partner organisation. It can take as a starting point the mapping carried out when developing the national action plan for cooperation and have a clear overview of the core stakeholders active within the community. It is useful to consult with the diverse groups of stakeholders, to identify the main needs and the most effective channels of outreach. It is also important to directly involve the beneficiaries (schools, youth organisations, organisations for children in street situations, health care services, sport organisations, ...), and include them in the planning and in the design of training tools and indicator tools: this will ensure their ownership and effectiveness of the outreach. Piloting the tools in smaller communities/municipalities will be helpful. It will be important to allocate appropriate resources, including to monitor the impact of the outreach and opportunities to replicate it.

There should also be an obligation to incorporate child trafficking into professional training curricula and ideally made operational through interdisciplinary workshops, regular webinars and learning exchange opportunities for law enforcement professionals, judicial actors, legal assistance providers, migration services, including departments responsible for international protection claims, case workers, as well as reception services

for migrants and refugees. Border control agencies, social services, health professionals, teachers, headmasters, school health staff and youth professionals in youth organisations or services working with kids, such as organisations for children in street situations should also be included.

As noted in chapter 2, it is important to counter general misconceptions about trafficking and to counter cultures of disbelief in relation to trafficked children. Many different actors who are in contact with children regularly may not be familiar with risk indicators or how to respond to situations where they feel a child may be at risk of, or have been, trafficked. This includes teachers, health professionals, people working with children in street situations or in youth organisations, to mention some. As an example, teachers and professionals working in school may be reluctant to report suspected cases of trafficking of children as this could be seen as a breach of privacy and it could cause conflicts with the parents. In other cases, some professionals involved with certain children in conflict with the law, may see them simply as young offenders, rather than considering whether they have been exploited by criminal organisations.





### INSPIRATION FOR ACTION #1

- As a result of the global **Blue Heart Campaign** [See practices under Action 2 below], a 24/7 hotline for victims of trafficking was launched in Belgium in 2023. The website is available in 24 languages and people who are victims or know a potential victim can find support towards the assessment of the situation and to identify the kind of help needed.
- In response to the lack of access to trustworthy information for children on the move, Missing

Children Europe developed – with children – the **Miniila app**. This app aimed to empower children on the move and help prevent the risk of trafficking. It gave children access to child friendly and up to date information on their rights and provides support in ten European countries (Belgium, Bulgaria, Croatia, France Germany, Greece, Italy, Slovenia, Sweden and the UK) and in ten languages (English, French, Arabic, Farsi, Tigrinya, Pashto, Urdu, Ukrainian, Russian and Bengali). Miniila facilitated access to understandable information about dedicated services such as shelter, food, and health according to the child's location.

- The **MARTA centre** in Latvia supports victims of sexual exploitation, labour exploitation, forced marriages or other forms of human trafficking. They have a helpline phone number and email address. There are three centres in Latvia, and every time someone gets in touch with the helpline, an operator will assess the situation, plan security measures when necessary and discuss possibilities of assistance. Furthermore, they organise specific programmes for young people and youth workers, with the aim of informal education through group discussions, group works or self-reflection tasks.

### INSPIRATION FOR ACTION #2

- **Break the invisible chain:** The campaign “End human trafficking. Break the invisible chain” is funded by the European Commission and aims at raising awareness on trafficking of human being, on how to identify signs that someone is victim of this crime and what to do to report it. It provides a digital kit, as well as practical tips on how to: detect the signs that someone might be a victim of human trafficking; where to call if a person is or knows about someone who is a victim of trafficking; how to post fake job adverts; and how to avoid the lover boy's scam. Even though this campaign is not targeted to

child victims precisely, it provides relevant and interesting examples, tools and messages that can be adapted to the specific challenges faced by children.<sup>1</sup>

- **Blue heart campaign** – UNODC, European and Belgian partners: this campaign raises awareness around the globe of human trafficking and its impact on people and society. The Blue Heart Campaign encourages involvement from governments, civil society, the corporate sector and individuals alike to inspire action and help prevent human trafficking. The “blue heart” represents:
  - Solidarity with human trafficking victims,
  - The cold-heartedness of traffickers,
  - Through the “UN blue” colour, the UN's commitment to

combating this crime against human dignity.

The Blue Heart Campaign is raising awareness of human trafficking also through the stories of the victims and thus trying to prevent further cases and raise funds for victims.<sup>2</sup>

- **UNODC “Internet Safety Tips** to protect yourself against human trafficking online”: On the occasion of the World Day of Trafficking in person in 2022, UNODC launched a list of seven key tips for people to protect themselves and those around, from the risks of trafficking. Although they are not specifically developed for children, they can provide inspiration to develop child-friendly versions to disseminate through the social media, according to different age groups.<sup>3</sup>

1 Check the “End human trafficking: Break the invisible chain” campaign at [https://home-affairs.ec.europa.eu/whats-new/communication-campaigns/end-human-trafficking-break-invisible-chain\\_en](https://home-affairs.ec.europa.eu/whats-new/communication-campaigns/end-human-trafficking-break-invisible-chain_en).

2 Check the Blue Heart campaign at <https://www.unodc.org/unodc/en/blueheart/>.

3 Find these tips at <https://www.unodc.org/unodc/en/endht/2022/internet-safety-tips.html>.



### INSPIRATION FOR ACTION #3

- **KOK – German NGO Network against Trafficking in Human Beings** (Bundesweiter Koordinierungskreis gegen Menschenhandel e.V.): one of the projects promoted by this network is about strengthening lawyers' legal knowledge and cooperation with prosecutors and judges to protect victims of human trafficking rights in judicial proceeding. This is an EU-funded project, carried out by lawyers from Germany and law experts from Sweden and targets lawyers and judicial actors from Romania and Bulgaria. The KOK network also organises workshops for police and for the national emergency phone for women.<sup>1</sup>
- **Specialist Advice and Coordination Centre for Human Trafficking and Exploitation of Minors** in Berlin was established by the State of Berlin in early 2024. The specialist advice and coordination centre, run by IN VIA Berlin, provides information on the various forms of human trafficking and exploitation of children and will support Berlin's youth welfare offices (social services) in identifying, assessing risks and setting up suitable protective measures. It will involve the social worker responsible for

the child's case being supported to recognise trafficking indicators early and these being factored into the assessments where a minor is suspected of, or has already been, identified as a victim of child trafficking, exploitation and abuse. In its coordinating function, the office supports close cooperation between the actors to protect children and guarantee their rights as well as a victim of a crime. All measures will be child-focused. The aim of the project is to establish a support system based on child protection. In the child protection system, all relevant actors are to be empowered to recognise signs of human trafficking and exploitation of minors and to initiate all measures that are urgently required in the event of a risk to the child's welfare. To this end, there will be close cooperation with the criminal investigation authorities. The project is part of an overall concept to improve child protection in cases of trafficking in and exploitation of minors in the federal state of Berlin.

- National dialogue participants suggested the need/possibility of **incorporating curricula on trafficking into schools' programme** and of introducing reporting mechanisms for children and protocols for the staff in schools to follow in these cases.

- In Estonia, **a training for all teachers** has been piloted in several schools that includes knowledge and understanding on children at risk and child trafficking.
- In national dialogues, experts suggested that **support service providers should be present in online fora** where children and young people spend their time, so that the services are truly accessible and safe.
- In national dialogues it has emerged that some police units, together with NGOs working with trafficking, have piloted **anonymous discussions between a police officer (specialised in trafficking) and the potential victim** to provide an opportunity for the victim of ask questions from the police and have them assess the situation without disclosing their name or their employer. A similar practice could be used in cases of child trafficking, although child protection regulations would make it more difficult for the police not to act even if the child would not want to report the case in the end. An option could be organising the discussions with the police and the guardian or child protection officer working with the child when a concern of exploitation arises.

1 More information about KOK available at <https://www.kok-gegen-menschenhandel.de/en/home>.

## Pillar 2 — Child-centred procedures

The Guidance recommends that States promote and support action to ensure that procedures and practices are adapted to focus on the needs and the rights of trafficked children.

Trafficking procedures may be designed largely with adults in mind, rather than children. Yet, the increased vulnerability and harm suffered by children who are victims of trafficking demands a set of specific safeguards for children, a multi-disciplinary inter-agency approach and specialised interventions. In particular, this involves:

- Informing and supporting the children throughout the procedures in which they may be involved.
- Ensuring inter-agency processes where stakeholders work together to coordinate measures for the child in the different proceedings that may arise, such as criminal investigations, child protection, as well as migration/international protection proceedings.
- Investing in specialisation and in the mobilisation of specialised services.

International legal obligations require specific safeguards for children and foresee adapted procedures for them that put the child at the centre, as described in Chapter 2. Although the international and EU legal framework may sometimes be perceived as far removed from individual cases, children are entitled to rely on a range of obligations and States have a duty to fulfil them.

Alongside fulfilling the rights of the child, in particular ensuring child participation in these proceedings, procedural safeguards are necessary to promote disclosure of trafficking and contribute to combating trafficking. Trafficking is a serious crime, and successfully prosecuting perpetrators will benefit the children who have been exploited and prevent other children from being exploited in the future. The child is a victim who needs protection in line with laws on the rights of victims, including fundamental steps such as reflection periods, regardless of their willingness to cooperate in criminal proceedings. Moreover, where

trafficked children are first encountered in criminal activities or in migration situations, this should not compromise their status as a child victim of trafficking. In particular, in the case of children trafficked into criminal activities, support and assistance for them, as well as careful individual assessments of the child's situation, should mean that there is less risk that children are considered as criminal suspects or accused. Putting children at the centre is important to ensure that their best interests is kept in mind always.

### *Action 1: Inform, involve and support children*

On a national and local level, practitioners can and should be assisted to – provide information and support to children. This includes:

- Child-friendly, age-appropriate information throughout the proceeding in which the child is involved, about the proceeding itself, about their rights, the procedures, what kind of assistance they should receive.
- Access to guardianship and child protection services, and removal of limitations for children who are asylum seekers or undocumented to have this access guaranteed.
- Legal assistance and legal aid should be provided at an early stage of the proceeding, to ensure children have access to the necessary information and the most appropriate assistance and response.
- Special measures such as interpreters/cultural mediators should be available for non-national children.
- Access to complaints mechanisms for children.

### *Action 2: Strengthen inter-agency and multidisciplinary processes*

In day-to-day case work, actors responding to trafficking should not be acting in a silo. What is true in responses to trafficked adult cases, is all the truer in the case of children, where several actors have responsibilities and specific roles in relation to the child's circumstances. Inter-agency mechanisms are needed to ensure actors will work together to address the different dimensions of trafficking – from prevention, to identification,

supporting and assisting, and finding durable solutions. Such inter-agency mechanisms should also mean that child protection services become more aware of the risks that a child is in fact in the hands of traffickers.

Inter-agency approaches should avoid an actor feeling like they may be “opening a can of worms”,<sup>44</sup> on the understanding that trafficking involves complex procedures and criminal proceedings may be traumatic or harmful to a child. Ideally coordination of proceedings initiated in relation to children in fact should prevent children slipping through the cracks of different services and not receive access to the support and assistance to which they are entitled.

As noted in the Commission Recommendation on integrated child protection systems, developing or promoting the use of integrated case management tools, focussing on individual assessments and best interests procedures, will bring different actors and specialists together, including age-appropriate and holistic support, such as medical care, emotional, psychological and educational support, and any other support required by the individual circumstances of the child.<sup>45</sup>

Integrated case management tools can take their starting point in multidisciplinary individual assessment processes which ensure the whole of the child’s situation and needs is assessed, with a view to putting in place adequate support and assistance and adapting procedures. As a concrete example, an individual assessment can shape the interview with the child both by taking into account particular needs of the children in terms of providing evidence, but also in terms of ensuring particular information that is relevant to child protection procedures might be available to services in charge of assisting the child.

Integrated case management tools must take into consideration the existing legal obligations and facilitate the data sharing on the part of law enforcement, ensuring both the protection of the child and the sensitivity of the criminal investigation. They should ensure that interviews focus on the needs of all responding agencies.

### ***Action 3: Increase and mobilise specialisation***

The complexity of child trafficking and the intersectionality of multiple identities and multiple vulnerabilities in each child victim, also requires specialised knowledge, skills, tools and models to be mobilised.

Consequently, a key to ensure efficient, multi-disciplinary and child-centred practices is not only ensuring that professionals working with children are aware of the risks and signals of trafficking (see Pillar 1), but also ensuring the inclusion of anti-trafficking specialists and child protection specialists in the day-to-day case work. Furthermore, and given the limitations in providing highly specialised training, what is key is also the mobilisation of existing specialised services, like Barnahus, and ensuring that resources are invested to improve their offer, so that they can be referred to and can provide the necessary assistance to child victims of trafficking that other services are not equipped to provide.

States should promote, allocate resources and support measures towards the specialisation of actors who work with children.

44 From perspectives shared at national dialogues held under Promise TRM

45 Commission Recommendation on developing and strengthening integrated child protection systems in the best interests of the child, 23.04.2024.



## INSPIRATION FOR ACTION #1

### Child-friendly, age-appropriate information

- Through a consultative process, the Council of Europe (CoE) drafted a **handbook for practitioners** on access to rights, child-friendly information and procedures for children in migration with a view to reinforcing children's access to rights across the Council of Europe.<sup>1</sup>
- The CoE provides a whole set of resources, covering several thematic areas, on how to **disseminate child-friendly information on children's rights**.<sup>2</sup>

### Guardianship and child protection services

- The European Commission and the European Union Agency for Fundamental Rights published a **handbook that is designed to help standardise guardianship practice**, ensuring also that it is better equipped to deal with the specific needs of child victims of trafficking. It provides guidance and recommendations to EU Member States on strengthening

their guardianship systems, setting forth the core principles, fundamental design and management of such systems.<sup>3</sup>

- The Fundamental Rights Agency also developed a **Manual for Trainers of Guardians**, designed to help institutions, organisations and individuals to train guardians of unaccompanied children or to deliver 'train-the-trainers' courses. The manual is based on human and fundamental rights principles and ethical standards and recognises that the child and the guardian have their own personal stories, resources and capacities.<sup>4</sup>
- The **European Guardianship Network** (EGN) is a very relevant source of support and resources when it comes especially with unaccompanied children. The EGN is a network of guardianship authorities and agencies, (local) authorities and international and non-governmental organisations, that aims to promote guardianship and improve guardianship services for unaccompanied and separated children in the EU Member States by exchanging good practices, expertise and other relevant information and sharing ideas and cooperation on common challenges and cross border work.<sup>5</sup>

### Legal assistance and legal aid

- A wide array of training resources, including on legal assistance and child-friendly legal assistance are developed and made available by the Council of Europe through **Online Help Courses**.<sup>6</sup>
- The Child Circle & KIND "**Advancing Protection for Unaccompanied Children in Europe by Strengthening Legal Assistance**" report provides recommendations on how the EU can implement into practice its commitment to protect unaccompanied children, particularly spotting the light on the safeguard of free legal assistance for the protection of these children and the relevant procedures that should be put in place to ensure this right.<sup>7</sup>
- Helpful resources have been developed on legal assistance and legal aid for children involved in a proceeding as suspect or accused, in the framework of the **EU-funded project Clear Rights**. With the aim of improving access of children to quality, pro bono and specialised legal assistance, a guide and other training tools have been developed for lawyers.<sup>8</sup>

1 The handbook is available at <https://rm.coe.int/how-to-convey-child-friendly-information-to-children-in-migration-a-ha/1680902f91>.

2 Check for further resources at <https://www.coe.int/en/web/children/child-friendly-materials>.

3 The handbook is available at <https://fra.europa.eu/en/publication/2014/guardianship-children-deprived-parental-care>.

4 The Manual is available at [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2022-guardianship-trainers-manual\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2022-guardianship-trainers-manual_en.pdf).

5 For more information about the EGN, consult <https://www.egnetwork.eu>.

6 Accessible at <https://help.elearning.ext.coe.int/course/index.php?categoryid=356>.

7 The report is available at <https://supportkind.org/resources/advancing-protection/>.

8 Clear Rights project material is available at <https://justicewithchildren.org/en/clear-rights-0> and at: <https://justicewithchildren.org/en/resource/clear-rights-training-lawyers-who-work-children-suspected-or-accused-offence-guide>.

### Special measures for non-national children

- The European Union Agency for Asylum has developed and made accessible a **vocational training curriculum designed for asylum, reception and other officials** working in Member States and associated countries that have the relevant arrangements in place. This training curriculum aims to help achieve a common understanding of EU and international standards in the field, and it includes a module for interpreters and working with interpreters. This module aims to provide asylum and reception officers with the necessary knowledge and

skills to communicate effectively through an interpreter. It also aims to offer tips and follow-up actions to address potential breaches of conduct by the interpreter.<sup>9</sup>

- [Standards on Cultural Mediation in Protection - World | ReliefWeb](https://www.reliefweb.org/standards-on-cultural-mediation-in-protection-world)

### Complaints mechanisms for children

- A tool has been developed by UNICEF that provides **detailed guidance to National Human Rights Institutions (NHRIs)** on what makes a complaint mechanism child-friendly, the principles the mechanism needs to abide

by, the key elements to be considered, as well as the common challenges NHRIs face and how to overcome them.<sup>10</sup>

- In the same series of tools for child-friendly complaint procedures and tools, the Ombuds-person for Children's Office in Ireland developed a **guide that sets out core principles of good practice** for dealing with complaints made by or on behalf of children. The Guide was developed to encourage and support organisations that provide services to children, and make decisions that impact on children, to deal with complaints in accordance with good practice and in a child-centred manner.<sup>11</sup>

9 The module is available at available at <https://euaa.europa.eu/training-catalogue/working-interpreter-0>.

10 This tool is available at [https://www.unicef.org/eca/sites/unicef.org/eca/files/2019-02/NHRI\\_ComplaintMechanisms.pdf](https://www.unicef.org/eca/sites/unicef.org/eca/files/2019-02/NHRI_ComplaintMechanisms.pdf).

11 The Guide is available at [https://www.oco.ie/app/uploads/2018/02/14433\\_OCO\\_child-centred-complaints\\_covers\\_WEB-1.pdf](https://www.oco.ie/app/uploads/2018/02/14433_OCO_child-centred-complaints_covers_WEB-1.pdf).



## INSPIRATION FOR ACTION #2

### Common triage processes and individual assessments

- **Multi-Agency Safeguarding HUB (MASH):** A useful tool to coordinate in relation to identification and referrals of children who have been trafficked or are at risk of trafficking. In the UK, the creation of the first MASH happened in 2010. It comprised “a team of co-located multi-agency safeguarding

partners, operating in a secure environment with access to their agency's electronic data, who research, interpret and determine appropriate information sharing in relation to children, young people potentially or at risk of immediate and/or serious harm, and reduce the escalation of concerns”. Currently there are many MASH models in place throughout the UK, with slightly different ways of working to safeguard and support children.<sup>1</sup>

- **The “FOCUS Standards”:** a set of ten quality standards were

created for the development and application of individual assessment processes. These provide guiding principles and foundational building blocks for improving the development and implementation of national individual assessment processes and practices. These were created in the context of the EU-funded project “FOCUS: Working together for children in criminal proceedings”, a two-year project implemented by Terre des Hommes in cooperation with partners in Bulgaria, Greece, Romania, Serbia and The

1 More information about the MASH from the national level can be found at <https://www.gov.uk/government/news/working-together-to-safeguard-children-multi-agency-safeguarding-hubs>.

Netherlands.<sup>2</sup> A learning platform has been built for professionals working with children in criminal proceedings, in the framework of the same project FOCUS. Law enforcement and judicial professionals, lawyers, social workers, health professionals, and psychologists will find there learning modules and multimedia resources to learn about individual assessments and their practical applications.<sup>3</sup>

### Inter-agency case management models, such as the Barnahus:

- Inspiration can be taken from **tools used in the Barnahus towards integrated case management between different agencies.** For example, this includes Case Management Meetings, such as the Child Protection Conference, can be a helpful tool for integrated case management. The Promise Barnahus Network will shortly publish an inter-agency case management toolkit for work in the Barnahus. The purpose of this toolkit is to

provide information and practical resources to implement the [Barnahus Quality Standards – Standard 5: Interagency case management](#). The toolkit details the learning from the PROMISE Barnahus network and has been developed based on operational experience in existing and developing Barnahus across Europe. It features important case examples and sample documents, such as having a comprehensive referral form when a child is referred into Barnahus, as well as putting in place one consistent case support person for the child and family when a child is going through the Barnahus process.

- **A helpful practice of data sharing among agencies** and actors working with child victims come from Estonia. With a centralised digital system, and in compliance with GDPR and data protection legal provisions, data are collected about every child and about their history through the systems. This greatly facilitates the work of the professionals – including from Barnahus – who meet the child

at any stage of a proceeding they may be involved in. It also avoids the child to be asked several times to share their story in full details, hence reducing revictimisation risks.

### Best interests procedures:

A key priority for all stakeholders should be the use of best interests procedures that examine and assess the best interests of the child, in light of all of their circumstances and their views and shapes all decisions in their regard. There are various sources of inspiration for developing the best interests procedure that is appropriate to the national context, including:

- **General comment No. 14 (2013)** on the right of the child to have his or her best interests taken as a primary consideration issued by the UN Committee on the Rights of the Child sets out a full explanation of the central role of the best interests of the child, and how this can be operationalised in procedures.<sup>4</sup>

2 The FOCUS Standards are available at <https://focus.justicewithchildren.org/sites/default/files/library/attachments/FOCUS%20Standards.pdf>.

3 The platform is accessible at <https://focus.justicewithchildren.org/en>.

4 Find the General Comment at <https://www.refworld.org/legal/general/crc/2013/en/95780>.



### INSPIRATION FOR ACTION #3

#### Specialised intervention models

- **Investment in child specialised units** at law enforcement level, including on the rights of children.
- **Use of specialised child-centred intervention models such as Barnahus**, where possible, so as to facilitate coordination of different processes involving the child, such as interviews (including, where possible, exploratory interviews where child trafficking is suspected), medical examinations, therapeutic interventions, and child protection.
- **Use of adapted interview practices** in cases involving child trafficking. Within Promise TRM, a [Handbook](#) for forensic child interviews in presumed cases of trafficking was developed to support professionals in carrying out investigative interviews, including investigations that take place in Barnahus. The Handbook is based on research and experiences of practitioners. It provides case examples and

interview excerpts. Drawing on evidence-based interview protocols, it also introduces general core principles and features likely to be particularly relevant when investigating suspected cases of trafficking in children.

- **Helpful general resources on child-friendly investigations** are contained in the [Criminal Justice Room](#) in Barnahus, as well as *At the Crossroads: a paper* exploring changes to criminal justice proceedings when they intersect with child protection proceedings in cases involving child victims of violence.

#### Training programmes

- **Training of specialised interviewers** and update knowledge with specialised interview protocols and investigation protocols, for example using [Avatar](#) tools developed in Promise.
- **Training specialised professionals in acute crisis interventions and adapted trauma-focussed interventions.** Of interest in this regard, this [paper](#) introduces an

approach for acute crisis support, “ISA”, for child victims of trafficking for sexual purposes, sexual exploitation, and technology-facilitated sexual abuse, in the first critical days after a disclosure or a child investigative interview.

- **Training in how to ensure participatory approaches**, that enable voice, space, audience and influence of children as individuals and in groups.

#### Professional networking and exchange

- **Joint workshops** between key actors to enhance knowledge and promote multi-agency approaches.
- **Joint multi-stakeholder training** and professional networking platforms concerned with child trafficking.
- **Offer of specialised training and professional exchange within broader networks**, for instance within networks such as the Promise Barnahus Network, the European Guardianship Network.



### **Pillar 3 — Enhancing cooperation in cross border cases involving children, in line with their best interests**

Cross-border child trafficking cases involve complex legal and jurisdictional issues and raise the need for information and implementation support for decisions regarding a child's situations, as has been set out in 2.4 above.

This section of the Guidance described the different actors, procedures, mechanisms which may be involved in cases with a cross-border dimension. It highlighted challenges which actors involved may experience, such as the struggle to identify the right interlocutors in different countries to get information or to take decisions in relation to a child. They may not be familiar with the different procedures involved in the case of a trafficked child.

Uncertainty as to data protection issues sometimes present obstacles when exchanging information across borders. Which State has jurisdiction to take decisions in relation to particular aspects of the child's situation may need to be clarified by authorities or services when dealing with a particular child's case, depending on their circumstances.

Equally, cross-border cooperation may be largely focused on the issue of returning trafficked children to countries of origin, rather than addressing information needs for responding to the child's situation at an earlier moment, for the purpose of assessing the best interests of the child throughout the process and from the earliest moment possible.

Within their national action plan, States should work to strengthen procedures and means for cross-border cooperation in cases involving trafficked children at a system level. In order to assist case level improvements, States should promote and support actions which will help those working on children's cases to tackle the cross-border dimension of cases. This includes through raising awareness and building knowledge in this complex area, improving resources for practitioners as well as supporting them in strengthening key safeguards for children in cross border cases.

#### ***Action 1: Working towards fulfilling procedural safeguards for children in transnational cases***

States should support actors working with children to ensure that a children's rights-based approach underlies all cross-border procedures involving state authorities, including judicial and central authorities, as well as guardians and legal assistance providers appointed by the State. Such procedures should be conducted in a way that ensures that the best interests of the child underlie all actions and decision-making in both States and that a child is informed, assisted and heard in all cases.

In all procedures involving trafficked children on their territory, States should encourage and facilitate cross border cooperation being actively sought at the earliest possible moment so as to inform best interests procedures which should inform all State action. Such action will ensure that sufficient information is available on the child, their circumstances and those of their families are available in order to respond appropriately to their situation.

Restoring family contact where this is in their best interests should be undertaken with the support of guardians and organisations in the countries in which family members are located.

In cases where a transfer of a child between countries may be considered, it is particularly important to confirm that a child who has been considered as trafficked and entitled to access services and protection in one country will continue to be recognised, assisted and supported in the country to which they are transferred. Not all forms of trafficking are recognised in different countries. This may also be important in cases involving online trafficking. States need to work toward agreement on forms of child trafficking recognised across states.

Equally, any return proposed must be based on an assessment by child protection services or the situation of the child and the circumstances of their, rather than based on presumptions, as these may pose serious risks to a child. For example, family reunification may be a very important thing to achieve, but it will be critical to verify that family members or relatives are neither involved in the trafficking, nor incapable of looking after the child.

Any return should be taken in the framework of an assisted return programme, to ensure full preparation, accompaniment and resources for a return that is in the best interests of the child. Moreover, any durable solution needs both to empower and protect children. Stigma around trafficking can cause significant difficulties for children and measures to integrate, and monitoring, should be put in place. Mechanisms for monitoring cases cross borders can be very important to ensure that outcomes for children have been successful.

***Action 2: Raising awareness and building knowledge***

Where State bodies, such as central authorities, child protection agencies and consular authorities, are involved, States should ensure proper knowledge competence and sufficient capacity to address the transnational dimension of child trafficking cases.

***Action 3: Improve resources for practitioners working with children***

States need to ensure that proper procedures, sufficient capacity and appropriate tools are available to practitioners in individual cases involving transnational child protection.

States should help develop cross-border case management and information sharing to effectively channel information between NGOs and national child protection services across borders.

State should support, including by funding, transnational networks of guardians and lawyers working together on transnational procedures to provide information, support and assistance to trafficked children and their families.



### INSPIRATION FOR ACTION #1

- **EASO Practical Guide** on the best interests of the child in asylum procedures.<sup>1</sup>
- **Safe & Sound:** what States can do to ensure respect for the best interests of unaccompanied and separated children in Europe (UNHCR/ UNICEF)<sup>2</sup>
- **Guidance to respect children's rights in return policies and practices:** Focus on the EU legal framework, published by IOM, UNICEF, the UN Human Rights Office (OHCHR), Child Circle, the European Council on Refugees and Exiles (ECRE), the Platform for International Cooperation on Undocumented Migrants (PICUM) and Save the Children. This Guidance provides European governments with practical steps to take and safeguards to put in place, including a best interests procedure, when considering, finding and implementing a durable solution that is in the best interest of the child.<sup>3</sup>

1 This EASO Guide is available at <https://euaa.europa.eu/publications/practical-guide-best-interests-child>.

2 This UNHCR/UNICEF Guidance is available at <https://www.refworld.org/reference/regionalreport/unhcr/2014/en/101717>.

3 This IOM, UNICEF, OHCHR, Child Circle, ECRE, PICUM and Save the Children Guidance is available at: [https://picum.org/wp-content/uploads/2019/09/2019\\_Guidance\\_childrens\\_rights\\_in\\_return\\_policies.pdf](https://picum.org/wp-content/uploads/2019/09/2019_Guidance_childrens_rights_in_return_policies.pdf)



### INSPIRATION FOR ACTION #2

CBS and Child Circle are working on a **Transnational Child Protection Guidance and Toolkit for Practitioners**, co-funded by the EU, which will be widely disseminated in 2025. The Guidance and Tool will provide a technical resource for both policymakers and practitioners so as to support better transnational child protection in justice proceedings. The Guidance aims to strengthen the ability of domestic actors within their countries to identify and address the transnational dimension of child protection cases and to fulfil procedural safeguards for children. It will assist stakeholders to consider improvements both at system level (through a better framework of law, procedures and resources) and at case management level (through better tools and practices). It will also contribute reflections on how States together should strengthen transnational cooperation in this field, in particular, by considering how to build trust between them and channels for collaboration.



### INSPIRATION FOR ACTION #3

The Swedish Ministry of Foreign Affairs regularly visits Swedish municipalities and social services to inform about their role and which assistance they can provide through consular their consular departments.

Useful resources for actors involved with child trafficking and instruments dealing with transnational child protection include:

- **European Union Agency for Fundamental Rights (FRA), Children deprived of parental care found in an EU Member State other than their own: a guide to enhance child protection focusing on victims of trafficking, 2019**

This [Guide](#) provides EU Member States with practical suggestions on how to respond step-by-step from the moment of identification of the child until a lasting solution in their best interests is found. It also provides a brief overview of the relevant international and EU legal framework, especially in the area of criminal justice, victims' rights and cross-border cooperation among EU Member States.

- **The CBSS Handbook for Embassies and Diplomatic Missions on How to Assist and Protect Victims of Human Trafficking**

This [handbook](#) is developed as a tool for staff at embassies and diplomatic missions to prevent, identify and assist victims of human trafficking. It contains sections on the definition of human trafficking, the international legal framework, risk assessment, chains of assistance and safe return. It has a victim-centered and child-rights approach with a particular focus on the gendered aspects of human trafficking. We hope that you will make use of this handbook when you deal with a situation that you suspect could be a case of human trafficking.

- **The Application of the 1996 Child Protection Convention to Unaccompanied and Separated Children**

This [document](#) deals with the application of the Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children in cross-border situations involving children who are unaccompanied, that

is, children without parental care who "are not cared for by another relative or an adult who by law or custom is responsible for doing so". It also deals with the application of the 1996 Convention to separated children, that is, children without parental care who "are separated from a previous legal or customary primary caregiver but who may nevertheless be accompanied by another relative". This document will help legal practitioners, judges and professionals (e.g., child welfare / protection officials and enforcement officers) with responsibilities in the protection of these children to better understand the Convention, where it applies.

- **Practice Guide for the application of the Brussels IIb Regulation**

This [instrument](#) deals with the jurisdiction and the recognition and enforcement of decisions in matrimonial matters and matters of parental responsibility, including international child abduction and cooperation in matters of parental responsibility.

# ANNEXES

# ANNEX 1 — TECHNICAL GLOSSARY

**Barnahus:** Icelandic for “a house for children”, it is recognised as a leading child-friendly, multi-disciplinary and interagency model responding to child victims and witnesses of violence. The purpose of Barnahus is to offer each child a coordinated and effective response and to prevent retraumatisation during investigation and court proceedings. The Barnahus offers a one-stop-shop approach, embracing cooperation between relevant authorities and agencies such as police, social services, child protection, physical and mental health services and prosecutor in one child-friendly premise.<sup>68</sup>

**Central authority:** Agency or organisation that is designated to play a key facilitating role in the implementation and operation of an international treaties.

**Child:** Persons under the age of 18 years (Article 1, UN Convention on the Rights of the Child)

**Child-friendly justice:** Refers to “justice systems which guarantee the respect and the effective implementation of all children’s rights at the highest attainable level. It is, in particular, justice that is accessible, age appropriate, speedy, diligent, adapted to and focused on the needs and rights of the child, respecting the rights of the child including the rights to due process, to participate in and to understand the proceedings, to respect for private and family life and to integrity and dignity”.<sup>69</sup>

**Child protection:** It refers to prevention and response to violence, abuse, neglect and exploitation of children in all contexts. This includes reaching children who are especially vulnerable to these threats, such as those living without family care, on the streets or in situations of conflict or natural disasters.<sup>70</sup>

**Child Protection System:** The set of laws, policies, regulations and services needed across all social sectors – especially social welfare, education, health, security and justice – to support prevention and response to protection-related risks. These systems are part of social protection and extend beyond it [...]. Responsibilities are often spread across government agencies, with services delivered by local authorities, non-State providers, and community groups, making coordination between sectors and levels, including routine referral systems, a necessary component of effective child protection systems.<sup>71</sup>

**Durable solutions or comprehensive sustainable solutions:** Durable solutions are comprehensive and sustainable solutions, based on an individual assessment of the best interests of the child. A durable solution in the case of an unaccompanied child could be return and reintegration into the country of origin or the country of return, integration into the host society, granting of international protection status or granting of other status in accordance with national law of the Member States. “In the case of unaccompanied or separated children, including children separated from their parents due to the enforcement of immigration laws, such as the parents’ detention, efforts to find sustainable, rights-based solutions for them should be initiated and implemented without delay, including the possibility of family reunification. If the child has family in the country of destination, the country of origin or a third country, child protection and welfare authorities in countries of transit or destination should contact family members as soon as possible. The decision as to whether a child should be reunited with his or her family in the country of origin, transit and/or destination should be based on a robust assessment in which the child’s best interests

68 CBSS and Child Circle, Barnahus Quality Standards, Guidance for Multidisciplinary and Interagency Response to Child Victims and Witnesses of Violence, 2017.

69 CoE Guidelines on Child-friendly Justice, 2010.

70 UNICEF definition, available at <https://data.unicef.org/topic/child-protection/overview>.

71 UNICEF Child Protection Strategy of 2008.

are upheld as a primary consideration and family reunification is taken into consideration, and which includes a sustainable reintegration plan where the child is guaranteed to participate in the process.”<sup>72</sup>

**Exploitation:** It can refer, (neutrally), to making use of or deriving benefit from a thing or situation – for example a resource. It can also refer to relationships between people, to taking of advantage of a person (or their characteristics or their situation) for one’s own ends. In the Trafficking in Persons Protocol, one of the three elements defining trafficking is the purpose, “the intention to exploit”. Trafficking will occur if the implicated individual or entity intended that the action would lead to exploitation. The Trafficking in Persons Protocol does not define ‘exploitation’, instead providing an open-ended list of examples that includes, at a minimum, “the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”. The words “at a minimum” confirm that forms of exploitation not explicitly mentioned in the definition could also be captured within the Protocol’s definition of trafficking in persons.<sup>73</sup>

**Forced marriage:** It is a marriage to which one or both of the spouses did not give her/his/their free or full consent or is/are not able to, owing to lack of maturity and/or capacity”. “Child marriage and early marriage are sometimes seen as forced marriages because it is considered that children cannot give their full, free, and informed consent to marry”.<sup>74</sup> Paragraph L.4.i.c. of the Terminology Guidance for the Protection of Children from Sexual Exploitation and Sexual Abuse.

**Guardian:** Is considered to be an independent person who safeguards the child’s best interests and general well-being, and to this effect complements the limited legal capacity of the child, when necessary, in the same way that parents do.<sup>75</sup>

**Identified victim of trafficking:** A person who has been formally identified as a victim of trafficking in human beings according to the relevant formal authority in EU Member States.<sup>76</sup>

**Illegal adoption:** Adoptions resulting from crimes such as abduction and sale of and trafficking in children, fraud in the declaration of adoptability, falsification of official documents or coercion, and any illicit activity or practice such as lack of proper consent by biological parents, improper financial gain by intermediaries and related corruption, constitute illegal adoptions and must be prohibited, criminalized and sanctioned as such (Special Rapporteur on the sale and sexual exploitation of children).<sup>77</sup>

**Integrated child protection system:** A system that bases its work on the rights and obligations enshrined in the CRC. It aims to ensure that all essential actors and systems education, health, welfare, justice, civil society, community and family – work together to prevent abuse, exploitation, neglect and other forms of violence against children. It also aims to protect and assist children in these situations.<sup>78</sup>

**Migrant smuggling:** Smuggling or facilitation of irregular migration as established in Article 1(1) of Directive 2002/90/EC consists in intentionally assisting a person who is not a national of a Member State to enter or transit as well as, when conducted for the purposes of financial

72 Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return.

73 UNODC Issue Paper, The concept of “exploitation” in the Trafficking in Person Protocol, 2015.

74 Adopted by the Interagency Working Group in Luxembourg, 28 January 2016, ECPAT International Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse (unicef.org).

75 FRA, Guardianship for children deprived of parental care: A handbook to reinforce guardianship systems to cater for the specific needs of child victims of trafficking, 2015.

76 European Commission, Migration and Home Affairs, available at [https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/identified-victim-trafficking-human-beings\\_en](https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/identified-victim-trafficking-human-beings_en).

77 See at <https://www.ohchr.org/en/special-procedures/sr-sale-of-children/illegal-adoptions>.

78 FRA, Mapping child protection systems in the EU – Update 2023.

gain, to reside, in the territory of a Member State in breach of the laws of the State concerned on the entry, transit or residence of aliens. In Art. 3 of the UN Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime, migrant smuggling is “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident”.

**National referral mechanism (NRM):** Mechanisms aimed at identifying, protecting and assisting victims of trafficking in human beings, through referral, and involving relevant public authorities and civil society. The OSCE refers to an NRM as “a co-operative, national framework through which governments fulfil their obligations to protect and promote the human rights of victims of trafficking, coordinating their efforts in a strategic partnership with civil society organisations, survivor leaders and the private sector”.<sup>79</sup>

**Presumed victim of trafficking:** A person who has met the criteria of EU regulations and international Conventions but has not been formally identified by the relevant authorities (e.g. police) as a trafficking victim or has declined to be formally or legally identified as trafficked.<sup>80</sup>

**Sexual exploitation:** A child is a victim of sexual exploitation when she/he takes part in a sexual activity in exchange for something, e.g. gain or benefit, or even the promise of such. A child may be coerced into a situation of sexual exploitation through physical force or threats. However, s/he may also be persuaded to engage in such sexual activity as a result of more complex and nuanced factors, either human or situational, including a power imbalance between the victim and the perpetrator.<sup>81</sup>

**Trafficking:** In the EU Anti-Trafficking Directive (2011/36/EU), trafficking is defined as ‘the recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those 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’ (art.2).

**Transnational referral mechanism (TRM):** The mechanisms and systems designed for the comprehensive assistance and transnational support and protection of trafficked persons. Transnational referral mechanisms link the full process of referral from initial identification, through return and assistance between countries of transit, destination and origin and involve cooperation between different government institutions and non-governmental actors. They may involve one or all of the steps in the process. TRMs can be set up both multi-laterally between several states as well as bilaterally.<sup>82</sup>

79 OSCE 2022 Practical Handbook on National referral mechanisms: joining efforts to protect the rights of trafficked persons.

80 European Commission, Migration and Home Affairs, available at [https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/presumed-victim-trafficking-human-beings\\_en](https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/presumed-victim-trafficking-human-beings_en).

81 Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, Paragraph D.3. Adopted by the Interagency Working Group in Luxembourg, 28 January 2016, ECPAT International Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse (unicef.org)

82 Important Guidance is contained in ICMPD, Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons in Europe: TRM-EU (2010).



# **ANNEX 2**

## **OVERVIEW OF THE INTERNATIONAL AND EU LAW AND POLICY FRAMEWORK, AND OF KEY RESOURCES**

## RELEVANT LEGAL INSTRUMENTS

<b>Fundamental Rights and Children's Rights</b>	European Convention on Human Rights, 1950
	European Charter of Fundamental Rights, 2012
	UN Convention of the Rights of the Child (and Optional Protocols), 1989
<b>Anti-trafficking instruments</b>	Palermo Protocol to the UN Convention on Transnational Organised Crime: Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, UN General Assembly Resolution 55/25, 2000
	United Nations Convention against Transnational Organised Crime, 2000
	Council of Europe Anti-Trafficking Convention on Action against Trafficking in Human Beings, 2005
	UNCRC optional protocol on the Sale of Children, Child Prostitution and Child Pornography, 2000
	EU Anti-Trafficking Directive, Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims; Revised text approved in April 2024. <sup>83</sup> Revised text adopted in April 2024, amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims. <sup>84</sup>
<b>Criminal justice and victims rights</b>	Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, Lanzarote 2007.
	Council of Europe Convention Against Domestic Violence, Istanbul 2011
	Employers' Sanctions Directive 2009/52/EC providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals.
	EU Directive on Combating Sexual Abuse and Sexual Exploitation of Children and child pornography 2011/92/EU, and revision proposed in 2024. <sup>85</sup>
	European Commission Regulation Proposal on Child Sexual Abuse Material (CSAM). <sup>86</sup>
	EU Victims' Rights Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime. In July 2023 a proposal for revisions of the Directive was submitted by the EC. <sup>87</sup>
	EU Directive on procedural safeguards for children, 2016/800/EU on procedural safeguards for children who are suspects or accused persons in criminal proceedings

83 [https://www.europarl.europa.eu/doceo/document/TA-9-2024-0310\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2024-0310_EN.html).

84 [https://www.europarl.europa.eu/doceo/document/TA-9-2024-0310\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2024-0310_EN.html).

85 <https://www.europarl.europa.eu/legislative-train/theme-promoting-our-european-way-of-life/file-revision-of-the-combating-child-sexual-abuse-directive>.

86 <https://www.coe.int/en/web/cyberviolence/-/european-commission-regulation-proposal-on-csam>.

87 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023PC0424>; <https://www.europarl.europa.eu/legislative-train/theme-a-new-push-for-european-democracy/file-revision-of-the-victims-rights-acquis>.

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**Asylum & Migration**

UN Refugee Convention, 1951

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990

Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals

Return Directive, 2008/115/EC

Schengen Borders Code, Regulation (EU) No 2016/399

Schengen Information System, Regulation (EU) No 2018/1862

EU Asylum Migration Management instruments: a reform of these regulations has been undertaken, with further information available [here](#).

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**Transnational procedures**

Vienna Convention on Consular Relations 1963, UN Treaty Series, Vol. 596, p 261

Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children, 1996

Hague Convention on Child Abduction, 1980

Free Movement Directive, 2004/38/EC

Brussels II B Regulation, No. 1111/2019 on Matrimonial matters and matters of parental responsibility.

Brussels IIa Regulation, No. 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility.

Proposal for regulation of the European Parliament and the Council on the transfer of proceedings in criminal matters. Text was approved in Parliament in April 2024.<sup>88</sup>

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88 [https://www.europarl.europa.eu/doceo/document/TA-9-2024-0293\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2024-0293_EN.pdf).

## RELEVANT POLICY INSTRUMENTS

<b><u>EU Strategy on Combatting Trafficking in Human Beings (2021-2025)</u></b>	It builds upon previous initiatives, reaffirms the commitment to eradicating trafficking and outlines specific measures for member states. The strategy emphasises early identification, assistance to and support for victims, and cross-border cooperation. It recognises the challenges posed by transnational trafficking and calls for enhanced regional and international collaboration.
<b><u>EU Anti-Trafficking Plan to protect people fleeing the war in Ukraine (2022)</u></b>	The EU Solidarity Platform presented a tailor-made Common Anti-Trafficking Plan to address the risks of trafficking in human beings and support potential victims. The EU Anti-Trafficking Coordinator developed the plan together with EU agencies and countries.
<b><u>EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016)</u></b>	The EU Strategy outlines a comprehensive approach to eradicate trafficking in human beings, including specific measures to address child trafficking. It emphasizes the importance of prevention, prosecution, and protection of victims. The strategy encourages transnational cooperation and coordination among member states to effectively combat trafficking and support victims.
<b><u>EU Victims' Rights Strategy (2020-2025)</u></b>	The European Commission adopted in 2020 its first-ever EU strategy on victims' rights (2020-2025). The main objective of this strategy is to ensure that all victims of all crime, no matter where in the EU or in what circumstances the crime took place, can fully rely on their rights. To that end, it outlines actions that will be conducted by the European Commission, Member States and civil society. This strategy is based on a two-strand approach: empowering victims of crime and working together for victims' rights. Children who are victims of trafficking are recognised as among the most vulnerable victims, requiring targeted and integrated support and protection, and keeping the child's best interests as the primary concern.
<b><u>EU Child Sexual Abuse Strategy (2020-2025)</u></b>	This EU offers a framework to respond in a comprehensive way to the increasing threat of child sexual abuse, both in its online and offline forms. The goal is to drive action from all key actors, including law enforcement, social services, health-care professionals, educators, child protection authorities, the judiciary, as well as private entities, in particular industry and civil society. The strategy has three-fold focus on a more effective law enforcement response, better support for victims, and improved prevention.
<b><u>EU Strategy on the Rights of the Child (2021-2024)</u></b>	The EU Strategy on the Rights of the Child has been developed for children and with children. The child friendly versions of the strategy were co-designed by children and present the information in a digestible way for them. In the EU Strategy on the Rights of the Child, the Commission addresses persisting and emerging challenges and proposes concrete actions to protect, promote and fulfil children's rights in today's ever-changing world. The Strategy develops through 6 thematic areas: 1) Child Participation in political and democratic life; 2) Socio-economic inclusion, health and education; 3) Combating violence against children and ensuring child protection; 4) Child-friendly Justice; 5) Digital and Information Society; 6) The Global Dimension.

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**CoE Strategy on the Rights of the child (2022-2027)**

This Strategy aims at advancing the protection and promotion of the rights of the child across Europe, in the framework of the programme “Building a Europe for and with Children” operating since 2006. The Strategy identifies six strategic objectives building partly on previous priority areas remaining relevant (“continuous implementation”) and for the other part including new action aimed at responding to new areas of concern (“joint innovation”): 1) Freedom from violence for all children; 2) Equal opportunities and social inclusion for all children; 3) Access to and safe use of technologies for all children; 4) Child-friendly justice for all children; 5) Giving a voice to every child; 6) Children’s rights in crisis and emergency situations.

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**Asylum and Migration Pact (2024)**

In the implementation of the Pact on Migration and Asylum and associated reforms to their reception systems, Member States should ensure the centrality of child protection and ongoing consideration of the best interests of the child. This includes clear and early procedures for individual best interests assessments and ensuring that all relevant proceedings and reception systems are adapted to take into account children’s age, needs and vulnerabilities as a priority, in accordance with Union and international law. An integrated case management systems should include and maximise the necessary synergies of effort and information between state actors and institutions, including national child protection services as well as civil society, and international organisations, encouraging their involvement in operational support and monitoring processes, especially at borders. Special efforts should be made to ensure children’s access to dedicated services and organisations in remote locations.

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**European Commission Recommendation on developing and strengthening integrated child protection systems in the best interests of the child, 2024**

The Commission has adopted the Recommendation on developing and strengthening integrated child protection systems in the best interests of the child, as a commitment in the EU Strategy on the Rights of the Child. The Recommendation will support Member States in strengthening their child protection systems. Authorities at all levels of governance and civil society across all sectors need to work together to protect children from all forms of violence in a coherent and systemic way.

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## RELEVANT AGENCIES AND NETWORKS

<b>Fundamental Rights Agency (FRA)</b>	The Fundamental Rights Agency provides guidance and support in the implementation of EU initiatives related to trafficking in human beings. It produces reports, studies, and practical guidance to assist member states in enhancing their efforts to combat trafficking and protect victims, including children.
<b>European Union Agency for Asylum (EUAA)</b>	The European Union Agency for Asylum (EUAA) is an agency of the European Union mandated with supporting Member States in applying the package of EU laws that governs asylum, international protection and reception conditions, known as the Common European Asylum System (CEAS).
<b>European Union Agency for Criminal Justice Cooperation (Eurojust)</b>	Eurojust is a hub based in The Hague, the Netherlands, where national judicial authorities work closely together to fight serious organised cross-border crime. The role of Eurojust is to help make Europe a safer place by coordinating the work of national authorities – from the EU Member States as well as third States – in investigating and prosecuting transnational crime. Each participating EU Member State second a National Member to Eurojust. The Agency's custom-built premises provide secure meeting facilities with possibilities for interpretation into all EU languages and a meeting room specifically developed for coordination centres, from which joint action days can be monitored and coordinated in real time.
<b>European Union Agency for Law Enforcement Cooperation (Europol)</b>	Headquartered in The Hague, the Netherlands, Europol's mission is to support its Member States in preventing and combating all forms of serious international and organised crime, cybercrime and terrorism. Europol also works with many non-EU partner states and international organisations.
<b>European Border and Coast Guard Agency (Frontex)</b>	Frontex supports EU Member States and Schengen-associated countries in the management of the EU's external borders and the fight against cross-border crime, sharing intelligence and expertise with all Member States and with neighbouring non-EU countries affected by migratory trends and cross-border crime.
<b>European Network of Ombudspersons for children (ENOC)</b>	ENOC is a not-for-profit association of independent children's rights institutions (ICRIs). More specifically, ENOC links ICRIs offices established in the Council of Europe to promote children's fundamental rights. Its mandate is to facilitate the promotion and protection of the rights of children, as formulated in the UN Convention on the Rights of the Child. ENOC wants to establish links and share information and strategies with independent children's rights institutions – children's ombudspersons, commissioners for children, or focal points on children's rights in national human rights institutions or general ombudsman offices.

<b>European Judicial Network (EJN)</b>	<p>The EJN – with its Secretariat located at Eurojust in The Hague – is a network of national contact points for the facilitation of judicial cooperation in criminal matters. The EJN is composed of Contact Points in the Member States designated by each Member State among central authorities in charge of international judicial cooperation and the judicial authorities or other competent authorities with specific responsibilities in the field of international judicial cooperation. The main role of the EJN Contact Points, defined by the EJN Decision as “active intermediaries”, is to facilitate judicial cooperation in criminal matters between the EU Member States, particularly in actions to combat forms of serious crime. To this end, they assist with establishing direct contacts between competent authorities and by providing legal and practical information necessary to prepare an effective request for judicial cooperation or to improve judicial cooperation in general. Moreover, the EJN Contact Points are involved in and promote the organisation of training sessions on judicial cooperation. Among the EJN Contact Points, each Member State has designated a National Correspondent, who has a coordinating role. In each Member State there is also a Tool Correspondent who ensures that the information on the EJN website is provided and updated, including the electronic tools of the EJN.</p>
<b>The EU Anti-Trafficking Coordinator</b>	<p>The EU Anti-Trafficking Coordinator is responsible for improving coordination and coherence among EU institutions, EU agencies, Member States and international actors, and for developing existing, and new EU policies to address Trafficking in Human Beings. This includes monitoring the implementation of the EU Strategy on Combatting Trafficking in Human Beings (2021-2025). The EU Anti-Trafficking Coordinator is based in the European Commission. The tasks of the EU Anti-trafficking Coordinator are laid down in the Directive on preventing and combating trafficking in human beings and protection of its victims. The EU Anti-trafficking Coordinator also contributes to the reporting carried out by the European Commission every two years on the progress made in the fight against trafficking in human beings.</p>
<b>EU Network of National Rapporteurs or Equivalent Mechanisms on Trafficking in Human Beings</b>	<p>The EU Network of National Rapporteurs or Equivalent Mechanisms plays a crucial role in facilitating cooperation and information exchange among member states. It serves as a platform for sharing best practices, addressing challenges, and promoting a coordinated response to trafficking. Practitioners can benefit from engaging with this network to enhance their understanding of transnational trafficking trends.</p>
<b>EU Civil Society Platform and ePlatform against trafficking in human beings</b>	<p>The Platform regularly meets twice per year, including in joint session with the EU Network of National Rapporteurs or Equivalent Mechanisms on trafficking in human beings.</p>

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**GRETA – The Council of Europe Group of Experts on Action against Trafficking in Human Beings**

GRETA is responsible for monitoring the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties. GRETA meets in plenary sessions three times a year; carries out visits and draws up and publishes country reports evaluating legislative and other measures taken by Parties to give effect to the provisions of the Convention. In addition, GRETA regularly publishes general reports on its activities.

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## KEY GUIDING RESOURCES

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 CRC/C/GC/14, General comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1)

CRC/C/GC/13, General comment No. 13 (2011) - The right of the child to freedom from all forms of violence

CRC/GC/2003/5, General Comment No. 5 (2003): General Measures of Implementation of the Convention on the Rights of the Child

CBSS Handbook for Embassies and Diplomatic Missions on how to assist and protect victims of human trafficking, 2023.

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European Union Agency for Fundamental Rights (FRA), Guardianship for Unaccompanied Children — A Manual For Trainers of Guardians, 2022

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- Council of Europe, How to convey child-friendly information to children in migration – A Handbook for Frontline professionals, 2017
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