



CHILD TRAFFICKING IN EUROPE

A BROAD VISION TO PUT CHILDREN FIRST

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Summary Report

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UNICEF
Innocenti Research Centre

KEY FINDINGS

CHILD TRAFFICKING PATTERNS AND FLOWS

- Child trafficking occurs in virtually all countries in Europe. There is no clear-cut distinction between countries of origin and destination in Europe; in more than half of the countries trafficking routes lead in both directions, into and out of the country. Thus countries have multiple responsibilities: to prevent trafficking, identify affected and at-risk children, and provide assistance and protection to victims.
- Children are trafficked across borders, but they are also trafficked within countries. Internal trafficking is reported to occur in every second European country.
- Trafficking in children has been perceived mainly in connection with sexual exploitation, but the reality is much more complex. Children in Europe are also trafficked for exploitation through labour, domestic servitude, begging, criminal activities and other exploitative purposes.

POSITIVE DEVELOPMENTS

- Most European countries have created specialized national bodies or structures to plan, coordinate and implement government policies on human trafficking.
- Thirty-seven countries in Europe have institutions that have been assigned a leading role in national anti-trafficking policy development and implementation.
- About two-thirds of the countries covered by this research have adopted National Action Plans to counter trafficking in human beings.
- Despite differences in their national definitions, the vast majority of European countries have adopted a definition of trafficking in human beings that is framed by the 'Palermo Protocol', which has been ratified by 42 European countries.
- All European countries have ratified the Convention on the Rights of the Child and ILO Convention No. 182 on the 'Worst Forms of Child Labour'.
- A strong regional and sub-regional normative framework exists to combat trafficking. All 50 countries covered by this study have jointly adopted the OSCE Action Plan to Combat Trafficking in Human Beings and its Addendum on Child Trafficking. In 2005, the Council of Europe adopted a Convention on Action against Trafficking in Human Beings and the same year the European Commission presented its communication entitled 'Fighting Trafficking in Human Beings'. In recent years, the European Union adopted the 'EU plan on best practices, standards and procedures for combating and preventing trafficking in human beings', as well as two significant Framework Decisions.

CHALLENGES

Data

- With regard to children affected by trafficking, there is a dramatic absence of harmonized and systematic data collection, analysis and dissemination – at the international, regional and national levels. Few reliable estimates exist of the magnitude of the phenomenon. Available data are rarely disaggregated by age, gender, national origin or forms of exploitation. Where disaggregated data exist, they enhance understanding of child trafficking and provide important evidence that informs national policies and responses.

International standards and national legislation

- Many important international and regional legal standards have been adopted to prevent and combat trafficking in children. However, some countries have not yet ratified them, compromising the effectiveness of child protection efforts.
- Most international standards tend to focus on the adult population. There is a tendency to address child trafficking as a sub-issue of trafficking in human beings rather than promoting the safeguard of child rights.
- National legislation varies widely between countries. It considers child trafficking from many different perspectives, including human rights, criminal law and child protection.
- Definitions of trafficking in human beings also vary significantly in national law. As a result, trafficking in human beings has different meanings in European countries and falls under the responsibility of different entities. This is a major obstacle to effectively addressing the phenomenon in international cooperation.
- Legal protection of trafficked children in Europe is still insufficient: in every second country, children are not yet protected by law from criminal prosecution for offences committed in the context of the trafficking process.

Policy responses

- Very few countries have developed specific National Action Plans on child trafficking, even though a range of different action plans exist to protect children from exploitation and abuse. There is an urgent need to promote synergy between the various plans, to ensure that child trafficking is included in National Action Plans on children and to identify current gaps so that children can be effectively protected.
- It is essential that sufficient resources are allocated to existing commitments and action plans and that measures are taken to ensure their implementation and progress monitoring.
- Due to the large number of actors involved (e.g. governments, non-governmental organizations and UN agencies) and the diversity of their mandates and approaches, the coordination of anti-trafficking activities at the national and international level remains a challenge.

PREVAILING CONCEPTS AND APPROACHES

- Different legal and policy frameworks have been developed to address child trafficking in Europe, mostly in the broader context of organized crime, sexual exploitation and migration. Very often these frameworks have failed to envisage the human rights implications for trafficked children.
- Insufficient attention has been paid specifically to the prevention of child trafficking and to the rights of child victims. Protection measures tend to focus on short-term assistance to victims, and broader violations of children's social, economic, cultural, civil and political rights are rarely considered. Many vulnerable children (i.e. children trafficked within the same country or by an individual or family member) are often left unprotected.
- Children's experiences, recommendations and own actions to prevent trafficking are often overlooked when developing programmes and initiatives to address trafficking and to assist those children who have been trafficked. The considerations of children's views and the best interests of the child should be given primary consideration in all responses.
- A more comprehensive approach is required to address child trafficking. It is essential to strengthen national and community-based child protection systems that prevent and respond to violence, exploitation and abuse, and that empower children and young people. This approach considers the human rights of children as a central concern and promotes child participation at every stage with a view to more effectively preventing all forms of exploitation and abuse of children.

INTRODUCTION

The UNICEF Innocenti Research Centre (IRC) Insight, 'Child Trafficking in Europe: A broad vision to put children first' examines how the European region is responding to child trafficking. It assesses the legal, policy and implementation frameworks in place to address this phenomenon, which affects the lives of untold numbers of children and families in the region.¹

Children are trafficked within and across borders in Europe. They are trafficked into hazardous labour, commercial sexual exploitation, domestic servitude, begging, criminal activities – including petty crime – and other exploitative situations. Many children suffer profound and sometimes permanent damage. Child trafficking is a serious violation of human rights that threatens children's survival and development and denies them their fundamental rights, including the right to education, health, and protection from exploitation and abuse.

The Innocenti report covers 50 countries in Western and Eastern Europe and Central Asia (see *Annex, page 18*). It investigates the complexity of the trafficking phenomenon from its origin to destination and maps trafficking patterns in the wide European region and targeted law and policy responses.² The report addresses child trafficking in the framework of the Convention on the Rights of the Child (CRC), and focuses on prevention, protection and empowerment. It promotes a child-centred approach that encourages child participation and ensures children's views are taken into account to more effectively prevent all forms of child exploitation and abuse.

What emerges in the study is a sense of the complexity and dynamics of child trafficking and an understanding that no country or region is immune. The study highlights a number of targeted and concrete measures being taken by European governments that demonstrate that increasing

attention is being paid to the special situation and vulnerability of children affected by trafficking.

At the same time, the study makes clear that although a number of important and potentially influential international standards have been adopted, the extent to which such instruments and initiatives have actually been implemented across Europe or used to frame policies and actions is varied, inconsistent and uncoordinated. Some countries have not yet ratified important legal instruments, thus compromising the effectiveness of child protection. Trafficking in human beings is often addressed in the broader context of controlling irregular migration, organized crime and sexual exploitation, but insufficient attention is specifically paid to prevention of child trafficking and to ensuring the rights of affected children.

CHILD TRAFFICKING: A DEFINITION

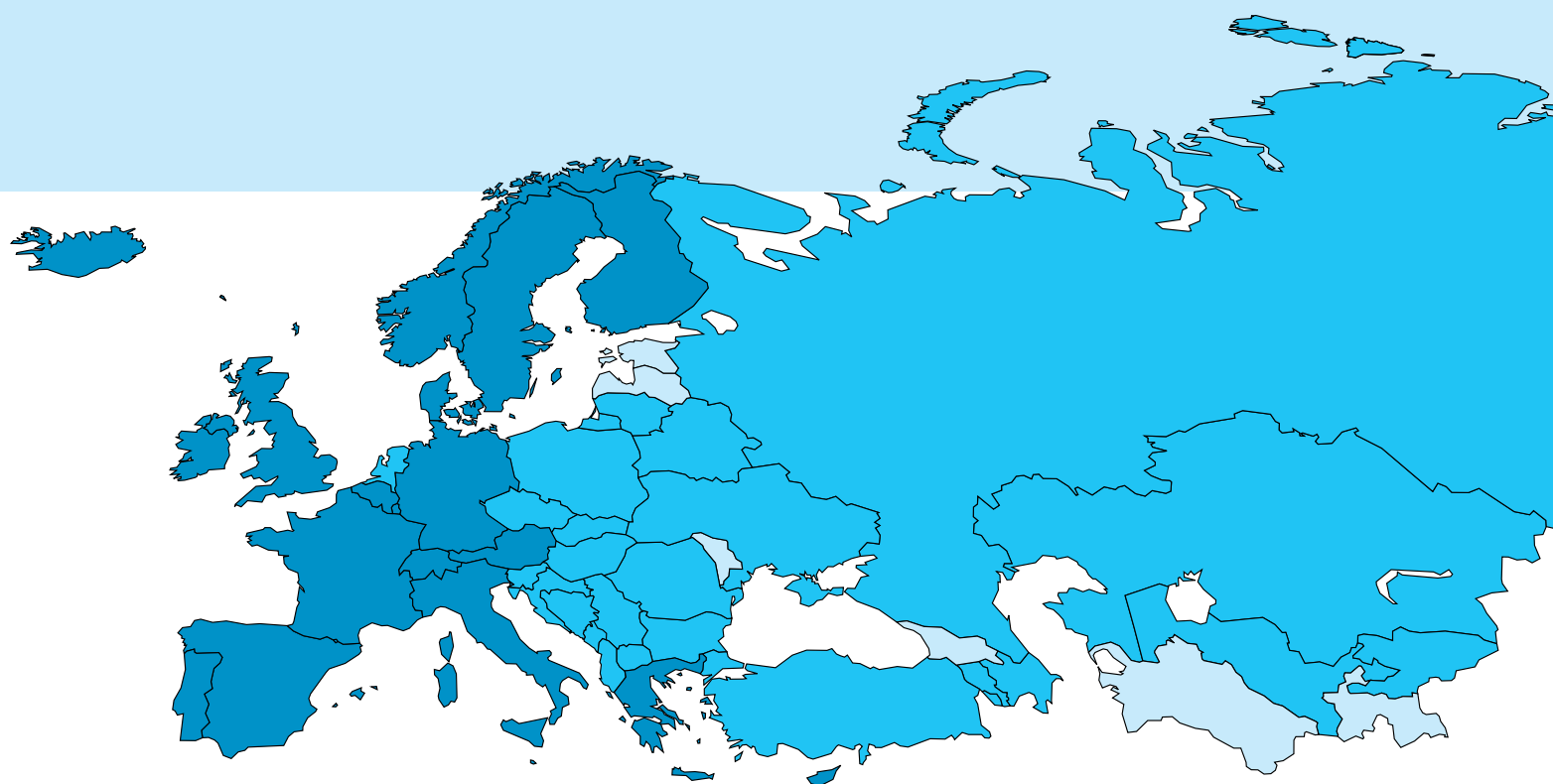
The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, adopted in 2000 and also known as the 'Palermo Protocol', was the first legal instrument to provide an internationally agreed definition of trafficking in human beings.

Article 3 of the Protocol defines trafficking **in persons** as the recruitment, transportation, transfer, harbouring or receipt of persons, by fraudulent means, for the purpose of exploitation. It states that exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

The Protocol defines trafficking **in children** as the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation, even if this does not involve any fraudulent means such as violence, deception or coercion. A child is defined as any person under 18 years of age.

ORIGIN AND DESTINATION TRAFFICKING PATTERNS AND FLOWS

REPORTED CROSS-BORDER TRAFFICKING ROUTES



This map does not reflect a position by UNICEF on the legal status of any country or territory or the delimitation of any frontiers.
Source: Data and analysis by UNICEF Innocenti Research Centre, Child Trafficking Research Project.

Reported to be country of origin
and destination

Reported origin countries

Reported destination countries

Trafficking in children occurs in virtually all countries in Europe, even if there are significant differences across sub-regions and countries in perceptions of the phenomenon and in the quantity and quality of information available. While there is a great deal of data on trafficking in human beings in South-Eastern Europe (SEE) and Western Commonwealth of Independent States (CIS), there is far less documentation available in the European Union and other Western European countries, and scarce information available on Central Asia. Equally important is

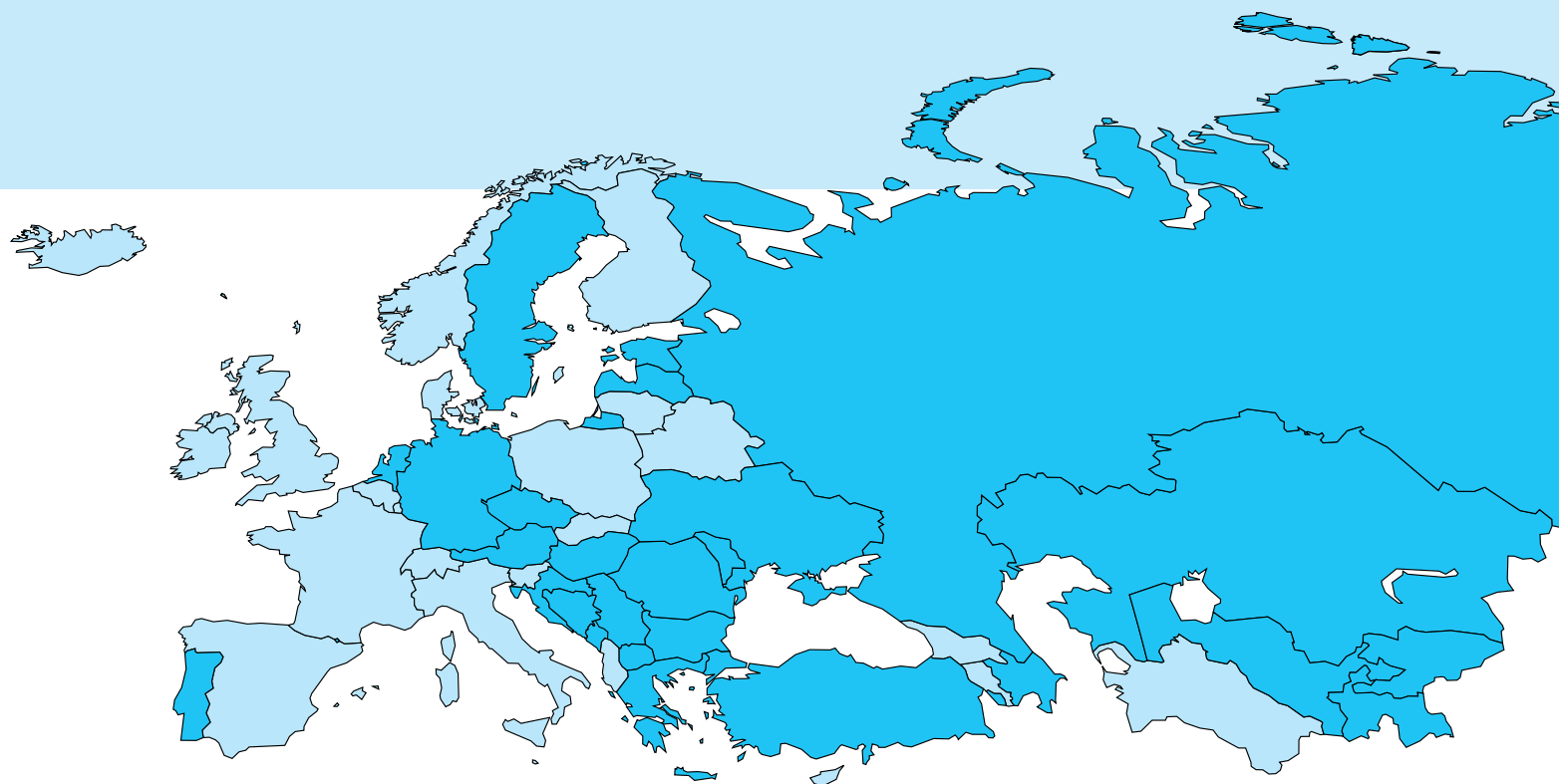
the fact that it is extremely difficult to quantify how many children are affected, given the lack of reliable data-collection systems.

An analysis of the flows and patterns of cross-border trafficking indicates that European countries are important destination countries in the trafficking chain, but are also places of origin and transit. There is no clear-cut distinction between European countries of origin and destination. The study found that two-thirds of countries are countries of origin, and more than three-quarters are countries

of destination. In more than half of the countries, trafficking routes lead in both directions – they lead both into and out of the country. Internal trafficking, which does not involve the crossing of international borders, is reported to occur in half of all countries in Europe, including in Western Europe.

As countries of origin, transit and destination, European countries have multiple responsibilities to prevent trafficking, to identify affected and at-risk populations, and to provide them with assistance and protection.

REPORTED INTERNAL TRAFFICKING IN EUROPEAN COUNTRIES



This map does not reflect a position by UNICEF on the legal status of any country or territory or the delimitation of any frontiers.
Source: Data and analysis by UNICEF Innocenti Research Centre, Child Trafficking Research Project.

Reported internal trafficking

No information available on internal trafficking

INTERNATIONAL STANDARDS AND NATIONAL LAWS

International legal standards on trafficking in human beings complement one another. In order to ensure the full protection of children's rights, all relevant treaties must be ratified and effectively implemented. The Convention on the Rights of the Child is the most comprehensive legal instrument for the protection of children's rights and has long been in force in all European countries. Article 35 specifically addresses child trafficking and affirms that "States parties shall 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."

The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography supplements the Convention. As

of September 2007, the protocol had been ratified by 37 European countries.

All European countries have ratified the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO Convention No. 182 on the 'Worst Forms of Child Labour') and 42 European countries have ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (the 'Palermo Protocol'), which supplements the UN Convention against Transnational Organized Crime.

In addition to important international legal standards, a strong regional and sub-regional framework exists to address trafficking, most notably the 2005 Council of Europe Convention

on Action against Trafficking in Human Beings and the European Commission communication entitled 'Fighting Trafficking in Human Beings – An integrated approach and proposals for an action plan', which includes a specific section on children. Within the European Union, various directives and council framework decisions on trafficking have been adopted, including the Council Framework Decision on Combating Trafficking in Human Beings (2002) and the Council Framework Decision on Combating the Sexual Exploitation of Children and Child Pornography (2004).

At the national level, virtually all countries in Europe have adopted laws against trafficking in human beings. However, national legislation varies widely between countries. In some cases

DATA-COLLECTION CHALLENGES

There are no comprehensive and accurate statistics on the number of children trafficked within Europe, or the number of children trafficked worldwide. Most of the available statistics concern trafficking connected with sexual exploitation and there is almost no data available on the trafficking of children for labour or other purposes. This lack of reliable information on child trafficking can be attributed to its illegal and clandestine nature, to inconsistent definitions of 'trafficking' at the national level, and to the absence of systematic data collection, particularly data disaggregated by age, gender, nationality and forms of exploitation.

The lack of access to victims and the discrepancy between reported and unreported cases makes assessing and monitoring the extent of the phenomenon a serious challenge. The information that is available, however, suggests that multiple elements fuel both the demand and supply of children for purposes of trafficking.

comprehensive anti-trafficking acts have been adopted, and include detailed provisions on victim assistance and witness protection and special procedures for affected children.

Definitions of trafficking in human beings also vary significantly in national law, and as a result, trafficking in human beings has different meanings in different European countries. Some countries define human trafficking only in

connection with sexual exploitation; others also include labour exploitation in the definition.

The vast majority of European countries, however, have adopted a definition of trafficking in human beings that is framed by the Palermo Protocol. These definitions specify a wide range of forms of exploitation, including domestic servitude, begging, criminal activities or other forced services. In some cases, national definitions

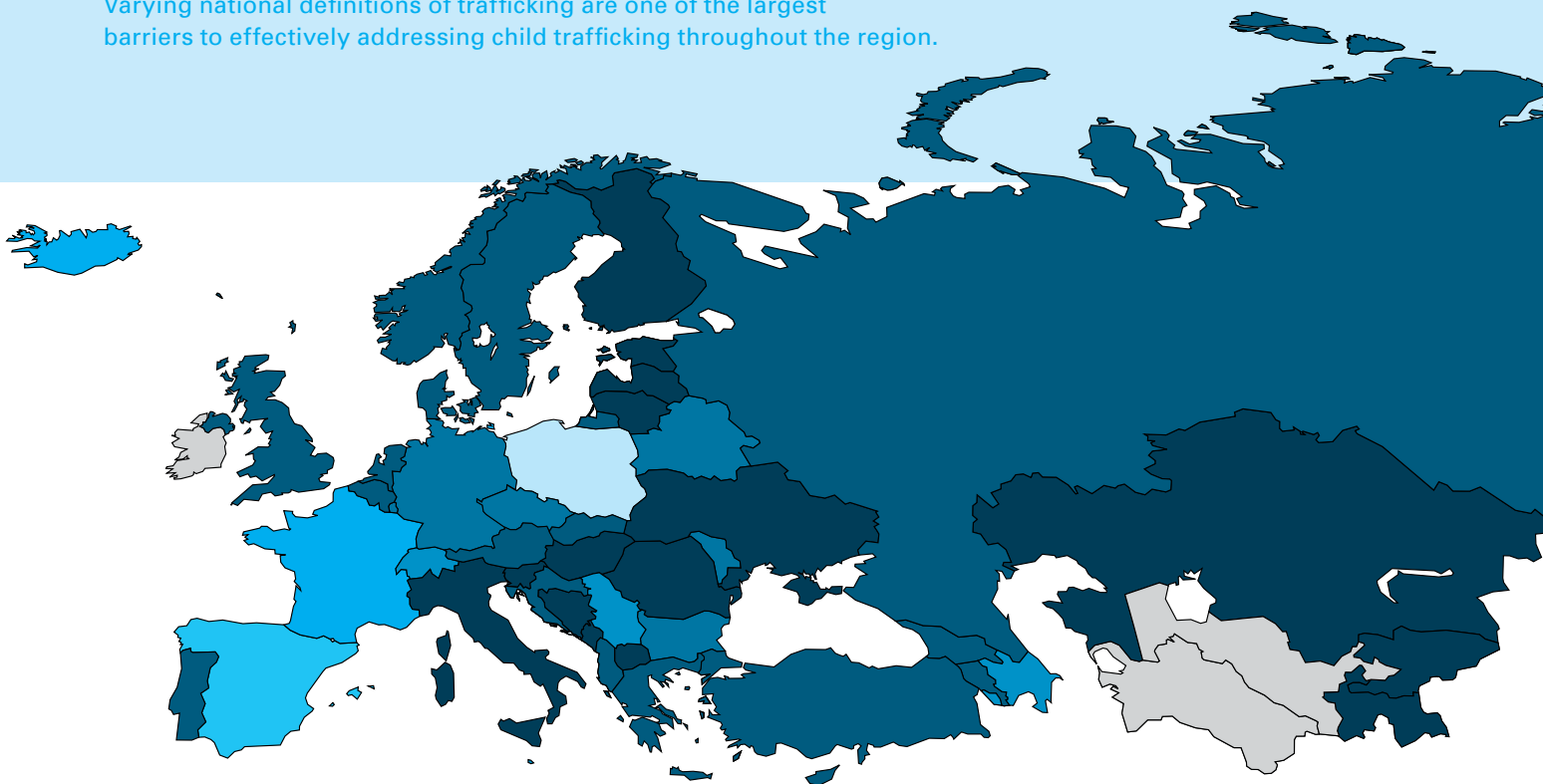
are extended to include illegal adoption and the trade in organs.

In Europe, countries adopt different approaches when addressing trafficking in children. Less than half of the countries have included a distinct legal definition of child trafficking in national law. The remaining countries rely on the broader definition of trafficking in human beings when considering – implicitly or explicitly – the trafficking of children.

DEFINITIONS OF TRAFFICKING IN HUMAN BEINGS IN NATIONAL LEGISLATION

A diverse approach

Varying national definitions of trafficking are one of the largest barriers to effectively addressing child trafficking throughout the region.



The lack of a consistent legal definition of child trafficking shared by all European countries is a considerable obstacle to effectively addressing the phenomenon. Not only does this pose challenges for international cooperation between countries, it also has major implications for the identification of child victims. Trafficking cases are still not always recognized as such, and even when they are brought to court, they may be tried under other, related legislation, such as laws on sexual exploitation and abuse, migration and asylum, or under labour regulations. When

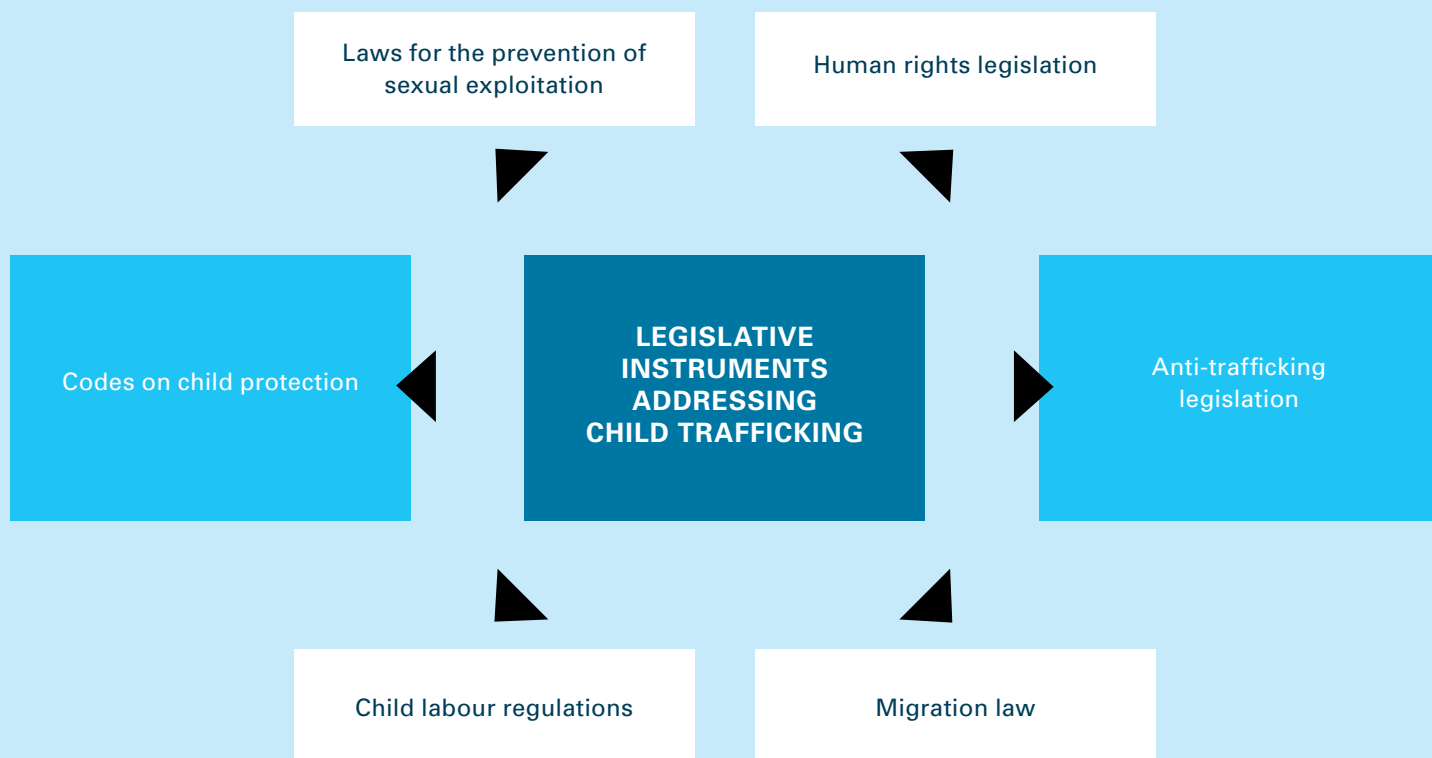
trafficking cases are not tried under the appropriate forms of legislation, these cases are not reflected in criminal statistics on trafficking, and victims risk being denied the legal protection and assistance to which they are entitled under relevant international standards.

Far too often trafficking victims, both children and adults, are treated as illegal migrants or as individuals who are criminally complicit in their own exploitation. The Innocenti study reveals that in more than half of the European countries, trafficked children are

not yet sufficiently protected by law from criminal prosecution for offences committed while still in exploitative situations.

Providing legal recognition of persons who are trafficked is necessary so that they can be eligible for assistance and protected from further victimization, including deportation and criminal prosecution or sanctions for offences they committed as victims of trafficking. It is critical that cases of trafficking in human beings are officially recognized as such in court and dealt with accordingly.

NATIONAL LEGAL FRAMEWORK DIVERSITY



POLICY RESPONSES

National action plans

National Action Plans are an important policy tool for the prevention of human trafficking and the protection of victims. In Europe, about two thirds of the countries covered by this research have adopted National Action Plans to counter trafficking in human beings. In Eastern Europe nearly all countries have a National Action Plan, while few action plans exist in Western Europe.

Only nine countries in all of Europe have developed National Action Plans specifically for the prevention of child trafficking, and the majority of them are in the South-Eastern Europe region. As the Innocenti study highlights, participation in a regional anti-trafficking cooperation agreement creates incentives for countries to develop National Action Plans for the prevention of trafficking, including child trafficking.

National Action Plans are key to shaping a multidisciplinary approach to prevent trafficking, monitoring policy implementation and encouraging coordination. There is, however, no unified approach on how to follow-up and monitor action plan implementation in European countries. In some countries, such as Bulgaria, the development of an action plan on trafficking in human beings is included in national

anti-trafficking legislation and its implementation within a defined time-frame is legally binding.

Those countries that do not have a specific National Action Plan on child trafficking often have a range of action plans to protect children from exploitation, including sexual exploitation, labour exploitation, violence and other forms of abuse. In such cases, there is an urgent need to take stock of existing plans and gaps. Existing measures and activities need to be coordinated, integrated and fully implemented so that all children are protected, both those who have been trafficked and those who are at risk of being trafficked.

Intergovernmental cooperation and regional action plans

Intergovernmental organizations and bodies, such as the Council of Europe and the Organization for Security and Co-operation in Europe (OSCE), as well as the European Union (EU), are promoting international cooperation measures for the prevention of trafficking in human beings.

The Council of Europe Convention on Action Against Trafficking in Human Beings promotes the cooperation of state parties in the prevention and combating of trafficking in human beings, victim assistance and protection, and criminal investigations.

Special attention is paid to cross-border cooperation relating to endangered or missing persons, in particular missing children.

In October 2005 the European Commission presented its communication and proposed action plan that includes a focus on children. Two months later, the European Union adopted a Plan on Best Practices, Standards and Procedures for Combating and Preventing Trafficking in Human Beings. The plan defines specific time frames for activities to be implemented by European Union institutions and member states.

All countries that are included in the Innocenti research are OSCE participating states and have jointly adopted the OSCE Action Plan to Combat Trafficking in Human Beings in the OSCE Ministerial Declaration of December 2003. The action plan provides participating states with a comprehensive toolkit that helps them implement their commitments to combat trafficking. In July 2005 this OSCE-wide action plan was supplemented by the Addendum Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance.

Sub-regional cooperation mechanisms to prevent trafficking in human beings have been



Photo illustration © UNICEF/Pirozzi

established in South-Eastern Europe and the Baltic Sea area. In anti-trafficking policy development, two cooperation agreements have been of particular relevance: the Stability Pact Task Force on Trafficking in Human Beings for South Eastern Europe (2000–2004) and the Council of the Baltic Sea States (CBSS). Both agreements focus on the development of coordinated policy responses to trafficking and multi-stakeholder cooperation in the region. In the Baltic Sea area, the CBSS Working Group on Children at Risk also specifically addresses the situation of unaccompanied and trafficked children in the region.

Bilateral agreements also exist within European sub-regions as well as between individual countries. Very few bilateral agreements, however, include provisions for victim assistance

and prevention. Instead, bilateral cooperation in Europe tends to focus on law enforcement cooperation, mutual legal assistance and the return of identified victims of trafficking to their country of origin. A notable exception and welcome development, however, is an agreement of cooperation for the protection and assistance of child victims of trafficking, signed by the Governments of Albania and Greece in 2006. The agreement was developed in consultation with international and national organizations in both countries. It is firmly rooted in children's rights and focuses on assistance and protection for children affected by trafficking.

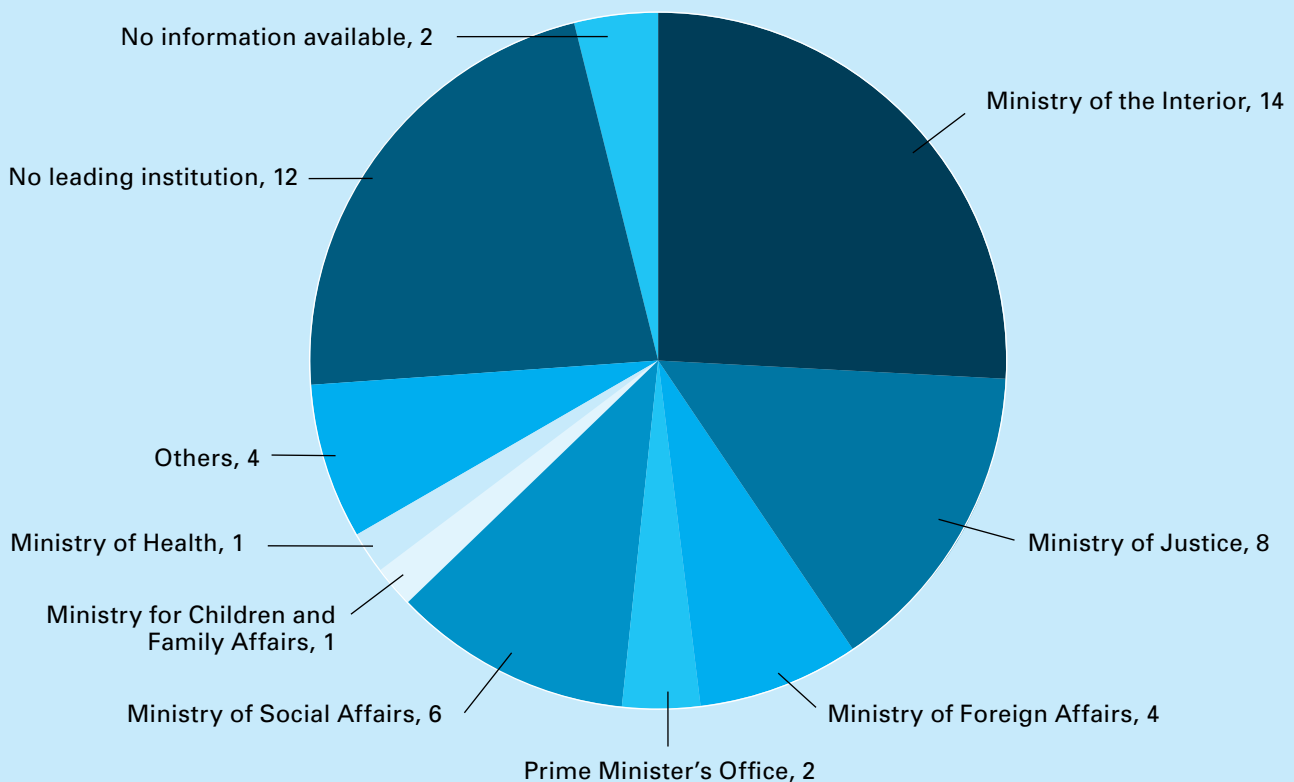
National bodies and leading institutions

Nearly all European countries have created specialized national bodies or structures to plan, coordinate

and implement governmental policies on human trafficking. These include anti-trafficking coordinators, inter-ministerial groups, national working groups and national rapporteurs on trafficking in human beings.

All but three European countries have at least one national coordinating body, and 20 countries have three or more national bodies that deal with human trafficking. The significant variation in the number and types of existing national bodies between European sub-regions is analysed by the Innocenti study. However, national institutions that have a specific responsibility to address child trafficking are rare in Europe. Only South-Eastern European countries, in their regional cooperation initiative, have developed distinct national working groups that pay particular attention to child trafficking. In some countries, existing independent

LEADING INSTITUTIONS ON ANTI-TRAFFICKING INITIATIVES IN EUROPEAN COUNTRIES



Note: Out of 51 countries/entities, 37 have leading institutions for the development and implementation of anti-trafficking policies. Three countries (Finland, Norway and Spain) have assigned the leading role to two institutions.

Source: Data and analysis by UNICEF Innocenti Research Centre, Child Trafficking Research Project.

national institutions, such as an Ombudsperson for Children's Rights, may also include in their general mandate on the rights of the child, activities related to the prevention of child trafficking and the protection of affected children, in addition to research on this phenomenon.

Coordination is critical when developing and implementing national anti-trafficking policy, especially when multiple bodies share this responsibility. However, in one out of four European countries, the government has not assigned an institution to take the leading role in national anti-trafficking policy development and implementation. In South-Eastern Europe all countries have assigned a leading institution, in the Commonwealth of Independent States 8 out of 11 countries have done so, whereas in the European Union and other

Western European countries only 18 out of 29 countries have identified a leading institution with responsibility to develop and coordinate policies on trafficking in human beings.

Where leading institutions do exist, they are often within the Ministries of the Interior, Justice or Foreign Affairs. While the Ministry of the Interior has a dominant role in all three sub-regions, it is only in some European Union countries and other countries in Western Europe that the Ministry for Social Affairs has been entrusted with the lead responsibility for policy development and implementation for the prevention of human trafficking. Although Ministries for Social Affairs often have a mandate that includes child rights concerns, only one country in Europe (Norway) has assigned the leading role partly to an institution dealing specifically with child rights. This

situation reflects a general trend to address child trafficking as a sub-issue of trafficking in human beings, rather than as a specific child rights issue, thus also hampering a broader child-centred approach.

Entrusting the responsibility for dealing with human trafficking, and specifically child trafficking, to different government departments can pose challenges for international and bilateral cooperation. Each ministry is likely to address child trafficking differently, guided by their own perceptions of trafficking as well as their respective mandates and priorities. Mechanisms for strong inter-institutional cooperation and coordination at the national level are critical to ensure a comprehensive human rights approach to the prevention of trafficking in human beings and to enhance the ability to promote effective cross-border cooperation in combating this phenomenon.

PREVAILING CONCEPTS AND APPROACHES

Approaches to trafficking in human beings are informed by a variety of perspectives and concepts. The Innocenti study analyses the strengths of the major approaches used to address trafficking and their role in preventing and protecting affected children. It is important to consider the potential of each in order to address the full complexity and dynamics of trafficking and the specific needs and vulnerabilities of children.

Addressing trafficking in human beings generally will not automatically protect children. A comprehensive approach that places the human rights of children at its core is needed to effectively address all forms of abuse and exploitation of children, including trafficking. Such a framework is designed to safeguard children's rights at all times, prevent child exploitation and abuse, including under conditions of servitude, and empower children to make informed choices, recognize risky propositions and face the future with confidence – even after an exploitative experience has occurred.

The Convention on the Rights of the Child (CRC) provides a comprehensive framework for the protection of the rights of all children and calls for a multidisciplinary approach to child protection issues. With its widespread ratifica-

tion, the CRC provides a strong foundation for enforcing the rights of children.

The CRC acknowledges children as actors and asserts children's agency by reaffirming their right to be consulted on matters that affect them, to express their opinions freely and to seek, receive and impart information.

Initiatives for the prevention of child trafficking need to ensure the protection of the child from all forms of exploitation and abuse. They should take into account the broader cultural, social and economic variables that contribute to children's vulnerabilities.

Government responses to child trafficking need to include integrated child-friendly services based on the cooperation of all relevant departments. An effective fight against child exploitation also calls for an efficient criminal justice system, which emphasizes the prosecution of abusers without increasing the vulnerabilities of child victims and while safeguarding the effective protection of their rights.

Lessons learned from children's experiences are a key reference for the design and implementation of this approach, as are children's views when preventive and protective measures are being

considered. Non-governmental organizations and UN agencies like UNICEF play an important role in this process, not only by providing or supplementing assistance to trafficked and exploited children, but also by promoting initiatives aimed at the prevention of child trafficking and more broadly at the fulfilment of children's rights in all countries, including home countries and destination countries.

Prevention, protection and empowerment are key dimensions of successful anti-exploitation initiatives. Programmes and initiatives that employ these three dimensions have proven successful in curbing child trafficking and assisting children who have been trafficked.

Prevention

Prevention programmes enable countries to address the root causes of exploitation, including social and economic exclusion, family-based violence and discrimination, as well as armed conflict and organized crime. This entails examining the overall social-economic conditions in the countries of origin and destination, as well as the particular environment, potential and risks for children. Vulnerable groups should be identified and prioritized for assistance. Access to accurate information is another crucial element of a successful

prevention mechanism, which can also empower children and young adults.

Programmes that focus on life skills education conducted both in and out of school can also strengthen children's ability to protect themselves. Life skills education should address issues such as gender and sexuality, risky behaviour, dealing with abusive relationships, negotiating in exploitative situations, building self-esteem and creating awareness of support networks.

Successful prevention programmes seek children's input to ensure that information about trafficking, exploitation and the risks associated with illegal migration is provided in a child-friendly manner that enables children to understand the issues at stake, protect themselves and make informed choices. Such programmes are most effective when they are conducted alongside other prevention initiatives that address relevant risk factors, including violence and abuse in the home, discrimination and violence against women and girls, and lack of access to quality education and livelihood opportunities. Other dimensions of social and economic exclusion also need to be addressed, acknowledging the role of family and community members in preventing child trafficking.

Protection

Protection measures are designed to address the short- and long-term needs of children, taking into account the particular experience and age of the child, and acknowledging the evolving capacities and distinct challenges faced by young children and adolescents. They ensure the presence of a stable support network and the provision of relevant education, training and other skills that prevent the child from being exploited and re-entering the cycle of exploitation, abuse and violence. Protection initiatives help child

victims deal with the physical and psychological consequences of abuse. They also need to support the reintegration of child victims into society.

Such programmes provide children with skills and education, focus on their resilience and foster in them a sense of responsibility for their lives and futures. They can help lessen the risk of exploitation and limit its impact if it does occur. The paramount concern must be achieving physical and psychological well-being and recovery from abuse. Children's legal safeguards need to be upheld when they are involved with official proceedings and authorities, and under no circumstances should child victims be deprived of liberty. Where children find themselves in a distant environment or foreign territory, they must be given the necessary information and support that will allow them to make informed decisions that are guided by their own best interests. It is essential that child-friendly and accessible services, including legal advice, and reporting mechanisms are in place.

Children's best interests need to be given primary consideration in all actions. Governments have the responsibility to determine a durable solution that is in the best interests of the trafficked child, looking at the child's immediate needs in order to provide long-term solutions. Family tracing is essential and a thorough investigation needs to take place to identify the best option in each individual case.

Empowerment

The empowerment of child victims of trafficking and at-risk children is a crucial element of anti-trafficking work. Yet, it is an element that is most often absent from anti-trafficking initiatives. Children are often viewed as passive subjects who are unable to effectively assess reality, make decisions and act with initiative, self-reliance and responsibility. Government laws and practices

consistently place a child's fate in the hands of an adult – a family member, state official or appointed guardian. Services provided to children often fail to address a child's individual experiences and challenges. Children rarely participate in decisions affecting them.

If initiatives are to effectively protect children from exploitation and abuse and to assist and protect child victims, they need to respect a child's agency. This means recognizing that children have opinions, make decisions and play an active role in the development of their own skills, the negotiation of their daily lives and the levels of responsibility they shoulder. Only by promoting an understanding of children's rights, raising awareness of the risks they may face, and providing opportunities for them to gain skills and confidence to make informed decisions and assume a responsible role in society, can child trafficking be more effectively prevented.

CONCLUSIONS AND RECOMMENDATIONS

The Innocenti Insight confirms that there are positive developments in initiatives to address child trafficking. These share a number of key features that should be part of all future anti-trafficking measures. However, the Innocenti study also confirms that among these, a number of issues must be addressed more effectively to prevent the trafficking of children and to support those children who have already been victimized. These issues include the following:

- ▶ **Ensuring political support**
Where there is a clear political commitment to address child trafficking, both at the national and local level, the chances of establishing and financing effective anti-trafficking measures are greater. Political support is needed including for the following measures:
- ▶ **Ratification** of key international legal instruments by all countries.
- ▶ **Effective implementation of international standards and instruments**, including the harmonization of national legislation, mobilization of resources and implementation of effective programmes and interventions.

- ▶ **Drawing up and financing of National Action Plans** where they do not exist, or considering child trafficking within other national planning processes.

- ▶ **National child protection systems**
National child protection systems should be developed and operational at the national and community levels, framed by children's rights. Child protection systems need sufficient resources to undertake a wide range of preventive and responsive measures to address child trafficking, including awareness-raising, the provision of child-friendly legal, medical and psychosocial services, data collection and tools to monitor the prevalence of child trafficking.

- ▶ **Adopting a multisectoral approach**
Effective programmes and initiatives to combat child trafficking must involve a comprehensive, multisectoral approach in which all relevant departments and members of the community take part, and in which law enforcement agencies also play a critical role. A multisectoral approach to child trafficking needs to be firmly based on the Convention on the Rights of the Child.

- ▶ **Collaborating within and across countries**
Many of the most positive practices are those that benefit from cooperation and collaboration between key actors and agencies within and across countries, and where the lead responsibility has been clearly identified. Key actors include civil society organizations and children's organizations.

- ▶ **Including prevention measures and strategies**
The risk of children being trafficked can be reduced if there is a strong focus on prevention. Such measures and strategies must address root causes such as social, economic and structural factors and their associated effects on children. In addition to focusing on children who have already been trafficked, this also entails a wider commitment to address the situation of children at risk.

- ▶ **Creating a uniform system for identifying children who have been abused or exploited**
It is important to create a uniform system for the identification of children who have been subjected to abuse and exploitation, whether as a result of trafficking or otherwise. The issue of identification

must be addressed not only by government authorities but also by civil society organizations working with children.

▶ **Raising awareness about child trafficking**

Children can be better protected if there is increased awareness of trafficking – both of the forms it takes and the impact it has on the life experience of children. Better knowledge and understanding of trafficking is needed among caregivers and those working with and for children, as well as among children themselves.

▶ **Training of professionals working with children**

Professionals working with and for children should be trained to ensure respect for the rights of the child and to avoid any risk of further victimization of trafficked children when they speak out about abuse and exploitation.

▶ **Providing long-term support to children who have been trafficked**

Children who have been trafficked must be provided with long-term support. Programmes and initiatives promoting recovery and reintegration for both children and families can play a key role, including preventing children from being re-trafficked.

▶ **Data collection, analysis and dissemination**

Mechanisms for systematic data collection, analysis and dissemination on child trafficking are urgently needed. Data should be disaggregated, including by age, gender, national origin and different forms of exploitation, using standardized indicators that are internationally comparable and facilitate long-term monitoring of progress.

▶ **Monitoring and evaluating programmes**

It is important to monitor and evaluate the implementation of programmes and practices to ensure that only those that are effective are further developed or act as models for other countries or locations.

▶ **International cooperation and coordination**

Governments need to implement provisions for child protection in conformity with international and regional instruments. International and regional harmonization of definitions and policies on trafficking, and establishing focal points and other mechanisms that make cooperation effective are essential.

▶ **Involving children in policies and measures to address trafficking**

Children have to be involved and provided the opportunity to share their experiences and influence social policies and measures to address trafficking. Children's own actions to prevent trafficking need to be supported. All too often social policies fail because they bear little relationship to the actual experience of children themselves.

▶ **Non-discrimination**

The quality and supervision of services available to foreign and migrant children is often of a lower standard than those provided to a country's own children. Often such services do not adequately respond to the needs and wishes of the foreign and migrant children. Non-discrimination of children, including on the basis of national origin, is one of the guiding principles of the Convention on the Rights of the Child and a critical dimension in the development of laws, policies and programmes for children.

A framework clearly based on the safeguarding of the rights of the child with an explicit commitment to prevention is a perspective that is supported by the Convention on the Rights of the Child, in force in 193 countries. Combating the trafficking of children will be better realized through effective implementation of the CRC and other relevant international instruments.

Notwithstanding the many positive achievements of the past few years, the Innocenti Insight clearly illustrates that there is still considerable work to be done to ensure that policies and measures are as effective as evidence suggests they can be, given the appropriate degree of political support and allocation of resources.

ANNEX

COUNTRIES IN EUROPE COVERED BY THIS STUDY

European Union and other Western European countries

Austria
 Belgium
 Cyprus
 Czech Republic
 Denmark
 Estonia
 Finland
 France
 Germany
 Greece
 Hungary
 Iceland*
 Ireland
 Italy
 Latvia
 Liechtenstein*
 Lithuania
 Luxembourg
 Malta
 Netherlands
 Norway*
 Poland
 Portugal
 Slovakia
 Slovenia
 Spain
 Sweden
 Switzerland*
 United Kingdom

South-Eastern Europe (SEE)

Albania
 Bosnia and Herzegovina
 Bulgaria
 Croatia
 Moldova
 Montenegro
 Romania
 Serbia (including the UN-administered Province of Kosovo)
 The former Yugoslav Republic of Macedonia
 Turkey

Commonwealth of Independent States (CIS)

Armenia
 Azerbaijan
 Belarus
 Georgia
 Kazakhstan
 Kyrgyzstan
 Russian Federation
 Tajikistan
 Turkmenistan
 Ukraine
 Uzbekistan

* Non-EU countries.

Note

The 51 countries and entities covered by this report are grouped into three geographical clusters: the European Union (EU) and other non-EU members in Western Europe (Iceland, Liechtenstein, Norway and Switzerland); South-Eastern Europe (SEE); and the Commonwealth of Independent States (CIS), including Turkmenistan as an associate member after it discontinued full membership of the CIS in 2005.

The countries in the South-Eastern Europe sub-region were grouped according to regional cooperation agreements in this area, such as the Stability Pact

Task Force on Trafficking in Human Beings. Bulgaria, Romania and Moldova have participated in this and other SEE regional cooperation agreements. As data collection was completed before Bulgaria and Romania joined the EU in January 2007, these two countries are represented in the sub-region of South-Eastern Europe. Also Moldova, a CIS member, is for the purpose of this study considered in the analysis for the South-Eastern Europe sub-region.

Montenegro declared its independence on 3 June 2006 when its Parliament adopted the decision of a national

referendum held on 21 May 2006. Following Montenegro's declaration of independence, the State Union of Serbia and Montenegro was continued by Serbia. Since policies for the prevention of trafficking in human beings in the State Union of Serbia and Montenegro had been developed at the entity level (Serbia, Montenegro and the UN-administered Province of Kosovo), these three entities are reflected separately in this analysis. Issues regarding signature and ratification of international documents are reflected for Serbia (including the UN-administered Province of Kosovo) and Montenegro.

NOTES

NOTE 1

Building upon research on child trafficking undertaken by the UNICEF Regional Office for CEE/CIS and by UNICEF Country Offices and National Committees in Europe, the UNICEF Innocenti *Insight* reiterates their conclusions, including for the wider European region.

The European study is part of a broader Innocenti research initiative on child trafficking. It follows an analysis of the situation in Africa, including a review of law and policy responses. Innocenti research on child trafficking is now also focusing on South Asia. Future research will examine the issue from a global perspective and investigate the links to other complex child protection issues, such as the rights of children who move or migrate on their own. 'Child Trafficking in Europe' was developed with support from the German and Swiss UNICEF National Committees and the Governments of Italy and Sweden.

NOTE 2

Systematic data collection for this study was done between 2003 and 2005. Since then, there have been periodic updates, depending on the availability of data and input from focal points.

THE UNICEF INNOCENTI RESEARCH CENTRE

The UNICEF Innocenti Research Centre in Florence, Italy, was established in 1988 to strengthen the research capability of the United Nations Children's Fund (UNICEF) and to support its advocacy for children worldwide. The Centre (formally known as the International Child Development Centre) helps to identify and research current and future areas of UNICEF's work. Its prime objectives are to improve international understanding of issues relating to children's rights and to help facilitate the full implementation of the United Nations Convention on the Rights of the Child in both industrialized and developing countries.

The Centre's publications are contributions to a global debate on child rights issues and include a wide range of opinions. For that reason, the Centre may produce publications that do not necessarily reflect UNICEF policies or approaches on some topics. The views expressed are those of the authors and are published by the Centre in order to stimulate further dialogue on child rights.

The Centre collaborates with its host institution in Florence, the Istituto degli Innocenti, in selected areas of work. Core funding for the Centre is provided by the Government of Italy, while financial support for specific projects is also provided by other governments, international institutions and private sources, including UNICEF National Committees.

