

The 24-month project, "Development of a Child Rights Methodology to Identify and Support Child Victims of Trafficking", has been supported by the European Commission within the AGIS Programme 2005 and has been conducted between December 2005 and December 2007.

It has been coordinated by Save the Children Italy and implemented in partnership with the Partners Bulgaria Foundation, Landes-Caritasverband Bayern e.V. and Save the Children Romania.

This Final Report presents the main activities and results of the project, including the *Child Rights Methodology to Identify and Support Child Victims of Trafficking*.



AGIS Programme 2005

With the financial support of the European Commission

Development of a child rights methodology to identify and support child victims of trafficking

FINAL REPORT

JLS/2005/AGIS/045



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AGIS Programme 2005

With the financial support of the European Commission

Development of a child rights methodology to identify and support child victims of trafficking

FINAL REPORT

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FINAL REPORT

GENERAL OVERVIEW OF THE PROJECT

INTRODUCTION

Due to the absence of systematically compiled and comparable data, it is impossible to determine the exact magnitude of child trafficking in Europe. Nonetheless, many are the children believed to be trafficked in Europe for several purposes, these including sexual exploitation, exploitation in begging, illegal activities (mainly theft or petty crimes), other forms of forced labour and illegal adoptions. Children may cross international borders or sometimes, may be trafficked within the same country. In both situations, they are exposed to a series of human rights violations, not least, in some cases, their right to life. They are therefore particularly vulnerable and in need of special assistance and protection.

As stated in the United Nations Recommended Principles and Guidelines on Human Rights and Trafficking in Human Beings, “The human rights of trafficked persons shall be at the centre of all efforts to prevent and combat trafficking and to protect, assist and provide redress to victims”¹.

Child victims and those at risk of becoming victims of trafficking can not receive adequate protection and assistance if they are not identified correctly. Failure to do so, may lead to further denial of the children’s fundamental rights.

In the light of the above, within the European Commission AGIS Programme 2005, Save the Children Italy, in cooperation with the Partners Bulgaria Foundation, Caritas Germany and Save the Children Romania, have implemented the project “Development of a child rights methodology to identify and support child victims of trafficking”.

Acknowledging the need for a child rights based, multi-disciplinary and inter-agency approach to identification and support of child victims, a specific methodology for the identification and support of child victims was developed in this project, in consultation with relevant stakeholders, private and public actors (NGOs, law enforcement agents, the judiciary and public institutions). This methodology was also informed by the latest research on child trafficking conducted in the four project countries as well as practices for identification and support as identified in this project. It also built on previous EU projects on child trafficking², and took into consideration important international instruments and guidelines on children’s rights, as well as identification and support of child victims³.

This Final Report summarises the outcome of the project activities, results and recommendations.

¹ *UN Recommended Principles and Guidelines on Human Rights and Trafficking in Human Beings*, E/2002/68/Add.1, 20/05/2002, principle 1.

² See for example: ENACT (European Network against Child Trafficking) - http://www.savethechildren.it/2003/index.asp?area=pubblicazioni&n_pag=1&anno=2004. Comprehensive training for Law enforcement Authorities responsible for trafficking in children/minors - http://austria.iom.int/en/artikel.php?menu_id=43&artikel_id=473&history_back=true. Identification and protection schemes for victims of trafficking in persons in Europe - http://www.belgium.iom.int/AGIS2004/PDF/AGIS%20_Publication_FINAL_cover%2013.12.2005.pdf.

³ See for example: Separated Children in Europe Programme Statement of Good Practices: <http://www.separated-children-europe-pr.unohchr.org/Guidelines>: <http://www.ohchr.org/english/about/publications/docs/trafficking.doc>. UNHCR Guidelines: <http://www.unhcr.org/publ/PUBL/3d4f91cf4.pdf>. UNICEF Trafficking Guidelines: http://www.unicef.org/ceecis/0610-Unicef_Victims_Guidelines_en.pdf. UNICEF Reference Guide: http://www.unicef.org/ceecis/UNICEF_Child_Trafficking1-13.pdf.

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Many are the individuals and organisations that contributed to the implementation of this project.

Special thanks go to the staff of the partner organisations who contributed to the results of the project, in terms of research, training, publication, organisation and media work. The project partners also acknowledge with appreciation the representatives of public and private organisations and institutions for their support and cooperation in the implementation of some of the project activities.

The partners are also very grateful to the children who agreed to be interviewed for this project and consider their participation as a crucial step of the work achieved.⁴

⁴ It is the opinion of the implementing organizations that all the actors working in the field of trafficking should listen and consult with children, both victims and at risk of trafficking, when developing their activities. The implementing organizations recognize the “agency” of child victims and at risk, therefore, consider them as actors who actively participate in claiming their rights. At the same time, they consider fundamental that children’s participation be carefully planned, implemented and monitored according to clear ethical principles reflecting child rights standards.

EXECUTIVE SUMMARY

GENERAL OVERVIEW OF THE PROJECT

1. The AGIS Project and the Final Report

This chapter describes the 24-month project, “Development of a child rights methodology to identify and support child victims of trafficking”, supported by the European Commission within the AGIS Programme 2005.

It also presents the scope and organisation of the Final Report of the project, as well as the child rights based approach used in its implementation. Finally, it clarifies the terminology used.

PART I

CHILD TRAFFICKING: REPORT ON RESEARCH FINDINGS

Part I provides a summary of the research findings as resulting from the research activities conducted in the AGIS project in Bulgaria, Germany, Italy and Romania.

2. Bulgaria

Bulgaria is a country of origin and transit and, to a lesser extent, a country of destination.

As far as **trafficking for sexual exploitation** is concerned, child victims generally leave the country by private or public buses. On the trafficking routes, accompanying adults, in general either recruiters or other intermediaries who work for the traffickers, change at so called “redistribution stations”. In the case of Roma children, it is very likely that they are accompanied either by their parents or relatives or travel with their parents’ formal authorisation and their legal documents. The majority of child victims of trafficking or at risk of becoming victims of trafficking for the purpose of sexual exploitation are aged between 16 and 18 years. They are mainly female, but can also be male.

Recruiters are mainly acquaintances or friends and sometimes relatives who frequently promise well paid jobs in Western European countries. In addition, children sometimes follow-up real job advertisements in newspapers, offering positions such as models, barmen, waiters, or chambermaids.

In the case of trafficking for **exploitation in illegal activities and begging**, the majority of child victims are aged between 8 and 14 years. Those exploited in forced labour (mainly in agricultural work) are aged between 16 and 18 years. Victims falling in the three categories are mainly male and most of them are Roma who are recruited with the involvement of their family.

3. Germany

Germany is a destination country, transit country and also country of origin of child victims of trafficking. Most victims come from Eastern and Central European countries. According to the research findings, in many cases children get into the trafficking situation through their own families, close relatives or other persons in a position of trust. Otherwise, street children are often contacted directly by the traffickers in their country of origin. While in some cases traffickers cross borders with child victims, declaring to be the parents, in some other cases, they hand the children over to a contact person from Germany at the border. Child victims travel to Germany by bus, train or car and only seldom by plane.

According to the “*Bundeslagebild Menschenhandel 2006*” (national report on human trafficking of the Federal Bureau of Investigation), in 2006, 775 were the criminal proceedings based on **trafficking for the purpose of sexual exploitation**. 62 were the cases of children between 14 and 17 years of age, while 320 victims were between 18 and 20 years old. 98,5% of the cases involved girls, mainly from the Czech Republic, Romania, Poland, Slovakia, Russia, Bulgaria, Thailand and Nigeria. Nonetheless, 28 of 62 victims aged 14-17 years, were from Germany. Girls are recruited through the use of violence or are promised jobs abroad or, where they are already involved in prostitution in the country of origin, they are promised higher incomes abroad.

Children exploited in **illegal activities** are between 8 and 14 years of age, thus under the age of criminal consent. In general they are boys from Central and Eastern European countries, e.g. Romania and Albania. In Germany, they live especially in the Ruhr area, Stuttgart, Hamburg and Berlin. Most of the victims come from poor countries/regions and very poor families who were probably aware of their involvement in illegal activities abroad, though generally not the actual working conditions and the exploitative situation.

4. Italy

Italy is mainly a country of destination and of transit of child victims of international trafficking. Nonetheless, internal trafficking is also increasing.

The main targets of **trafficking for the purpose of exploitation in prostitution** in Italy are adolescent girls and those just come of age, from Nigeria and Cameroon and from Eastern European countries, mainly Romania and Moldova, but also Bulgaria, Czech Republic, Albania, Serbia and Croatia.

Adolescent girls from Nigeria are generally forced to prostitute themselves on the streets. There is also an increasing number of adolescent girls and young adults from **Cameroon** who are recruited by Nigerian traffickers.

Adolescent girls mainly from Romania and Moldova, but also from all the Eastern European countries mentioned above, are attracted to the possibility of travelling to or finding work in a Western European country. In their country of origin, possible recruiters for trafficking are many and varied, from acquaintances to boyfriends and female friends to family members. The girls are usually trafficked to Italy by car or bus. In Italy, these victims engage in prostitution on the streets and in apartments.

Exploitation in illegal activities is not a well-known phenomenon in Italy, and victims are not often identified as such, thus missing out on the support necessary for their protection and rehabilitation. Cases of international trafficking are of particular concern, and have been identified amongst the following profiles:

- **Roma Children from Romania**, who are likely to be under 14 years of age, that is, under the age of criminal consent, hence not punishable with imprisonment if caught while stealing. They are recruited in their country of origin, in agreement with their family, who profits from their exploitation.
- **Roma adolescents**: in the country of origin adolescents are convinced by the traffickers to engage in high-profit criminal activities, such as theft, but in an independent way. Children travel on their own and may have correct papers giving guardianship to the driver of a coach and the person waiting for them at the place of destination.
- **Adolescent boys from Senegal and Gabon**: the phenomenon is apparently controlled by Mafia-type organisations who recruit boys in their country of origin, by deceit or with threats, and organise their (illegal) travel to Italy by boat across the Mediterranean or with false documents by plane. In Italy, these victims are involved in drug dealing on the streets and transportation of heavy drugs such as crack, cocaine and heroin.
- Finally, according to the research findings, also **adolescent boys from North African countries** are exploited in Italy in illegal activities.

From the research conducted in Italy also emerges that there are children **exploited in begging**, that is to say children who are forced to beg under such conditions as leave no doubt as to the intentions of the exploiters: to profit from the child, and take advantage of their vulnerable state for their own benefit. In this case, **Roma boys and girls from Romania or former Yugoslav countries** are most at risk of exploitation from adults with

whom they have no family ties, and particularly those **children and adolescents with severe physical disabilities**.

Finally, while exploring the characteristics of **exploitation of child labour** in Italy it becomes clear that this phenomenon is rarely linked to international nor internal trafficking. Groups most at risk are **adolescent boys from Bangladesh and India** working on farms and **boys of North African and Sub-Saharan origin**, recruited for agricultural jobs in Italy.

5. Romania

Romania is a country of origin and transit and, to a lesser extent, a country of destination.

According to the research findings, the majority of child victims of trafficking or at risk of becoming victims of **trafficking for the purpose of sexual exploitation** are girls, aged between 15 and 17. Despite this, it seems that the request for children of a younger age is increasing. Most frequently, children trafficked for sexual exploitation are recruited by acquaintances or friends and are promised jobs. Sometimes the parents themselves or relatives are involved in the trafficking of children. Another recruitment manner, used to a lesser extent, consists in advertisements in the press for job offers abroad, especially targeting girls older than 16. The advertisements can also come from matrimonial agencies. The means of transportation are usually the traffickers' cars. Depending on the network structure, trafficked children are accompanied by different persons for different legs of the journey until the moment when they are handed over to the person that will host and exploit them. Very often, once children reach the destination countries, are confined in closed places or closely monitored by the exploiter on the street and coerced and controlled through the use of violence.

In the case of children **trafficked for forced labor, begging and illegal activities**, recruiters are Romanian nationals. Children are mainly approached on the street, at railway and subway stations and in central areas in urban settings. Most frequently, children are recruited by the family's acquaintances or friends, with the consent of the family. When recruiters approach the victims themselves, offering them good jobs abroad, children accept to go with the trafficker because they hope to have a better life. Both in the case of involvement of the family or when children travel alone with their trafficker or recruiter, the most common means of transportation used to reach the destination countries are buses of specialised travel agencies and trains. In the destination countries, trafficked children generally work in the streets, which exposes them to the risks of street life. They are mainly exploited in illegal activities, such as petty crimes and begging but there are also cases of children forced to work in agriculture, picking fruits or vegetables (Germany, Spain, Austria) and selling flowers.

PART II

PRACTICES FOR IDENTIFICATION AND SUPPORT OF CHILD VICTIMS OF TRAFFICKING

6. National reports on practices for identification and support

This chapter presents the child rights based methodological framework that has been used in the analysis of the practices and techniques for identification and support of child victims collected in this project. It also provides a summary of the national legal frameworks applicable in each project country and a presentation of the practices and techniques for identification and support of child victims collected, organised in four short reports, one per each project country.

PART III

METHODOLOGY FOR IDENTIFICATION AND SUPPORT OF CHILD VICTIMS OF TRAFFICKING

7. Methodology for the identification and support of child victims of trafficking (the AGIS methodology)

The main aim of this AGIS project consisted in the development of a child rights based methodology to identify and support child victims of trafficking (hereinafter "the AGIS methodology"), which is presented in this Chapter. It includes 9 methodological frameworks and is divided in three sections:

Section 1: on profiles and indicators for the identification of child victims of trafficking.

Section 2: on cooperation, coordination and approach, including a list of child rights principles applicable to procedures for cooperation on identification and support; a methodological framework to outline instruments of protection available in national legal systems; a statement of good practices to be followed as far as the organisation, structure and approach are concerned; a methodological framework to guide the development of recommendations on operating procedures to be implemented, age assessment procedures and procedures to assess relations between children and accompanying adults.

Section 3: on ethical and methodological principles applicable in interviews of presumed child victims of trafficking.

8. National seminars

Over the months from September to November 2007, 4 national seminars were organised in the four project countries, bringing together relevant stakeholders working in the field of child trafficking, including, law enforcement agents, NGO representatives, the judiciary and public institutions.

In these occasions, the AGIS methodology developed in this project was presented to the participants by the various project officers while experts from law enforcement agencies, NGOs, the judiciary and institutions, were invited to provide specific comments. In addition, during working groups the participants were given the opportunity to discuss the methodology in further detail.

CONCLUSION AND FINAL RECOMMENDATIONS

9. Conclusion and recommendations

This chapter presents the recommendations resulting from the experience gained within the AGIS project: "Development of a child rights methodology to identify and support child victims of trafficking". They are specifically focused on identification and support of child victims of trafficking.

1. THE AGIS PROJECT AND THE FINAL REPORT

1.1 PROJECT DESCRIPTION

The 24-month project, “Development of a child rights methodology to identify and support child victims of trafficking”, has been supported by the European Commission within the AGIS Programme 2005 and has been conducted between December 2005 and December 2007.

It has been coordinated by Save the Children Italy and implemented in partnership with the Partners Bulgaria Foundation (Sofia, Bulgaria), Landes-Caritasverband Bayern e. V. (Munich, Germany) and Save the Children Romania (Bucharest, Romania).

The project aims were to:

- develop a child rights based methodology to correctly interview, properly identify and adequately support and assist child victims of trafficking;
- strengthen the knowledge and professional skills of stakeholders working in the field of child trafficking.

To this end, the project promoted the realisation of several activities, including:

- Research, conducted in the 4 project countries, namely, Bulgaria, Germany, Italy and Romania and concluded by April 2007. The initial project proposal limited the research focus to border crossing, requesting the implementing partners to undertake a comparative analysis of the modalities used by children to reach and cross national borders. Despite this, the project partners, in consultation with the coordinator have decided to extend research activities to other crucial stages of the trafficking cycle (detailed under section 1.3), acknowledging that additional information was necessary to successfully achieve the objectives of the project.
- Identification of practices or techniques for identification and support of child victims of trafficking.
- Analysis of the practices and techniques collected through the use of a child rights based methodological framework.
- Development of a child rights based methodology to identify and support child victims of trafficking: this methodology has been informed by latest research and accumulated experience as conducted and identified in this project.
- Consultation and training activities: over the months from September to November 2007, relevant stakeholders, including, law enforcement agents, NGO representatives and the judiciary, have been involved in 4 national seminars organised in the project countries. In these occasions, the methodology on identification and support of child victims has been shared with the participants, with a view to increasing their knowledge and skills. Furthermore, thanks to the valuable support and feedback received by the participants, the methodology has been improved.
- The final conference: an international conference was organised on 13 December 2007, in the concluding phase of the project. In that context, main project research findings and the methodology for the identification and support of child victims of trafficking (**the AGIS methodology**) were presented and shared with guests and participants. In addition, a specific protocol for the identification and support of child victims of trafficking developed in Italy by Save the Children (hereinafter, the Italian Protocol), was presented, being it an example of an exhaustive tool for identifying and supporting child victims developed **by using the AGIS methodology**. The Full Report and a Summary of the research findings as well as the Presentation of the AGIS methodology for the identification and support of child victims were distributed to the participants either in hard or electronic copy.

All the project materials are available on the project partners' websites:

- <http://www.savethechildren.it/2003/index.asp>
- <http://www.partnersbg.org/english/index1.html>
- http://dbk.de/katholische_kirche/deutschland/soziale_verantwortung/caritas/index_en.html
- http://www.salvaticopiii.ro/romania_en/index.html

1.2 SCOPE AND ORGANISATION OF THE REPORT

This Final Report presents the main results of the project “Development of a child rights methodology to identify and support child victims of trafficking”, described in the previous paragraph. It is divided in three parts.

After presenting the methodology applied, in **Part I**, the report provides a summary of the research findings as resulting from the research activities conducted in each project country. Thus, through direct reporting as well as case studies and direct testimonies, for each project country, it highlights the main characteristics of child trafficking, drawing the profile of child victims, describing the way they are recruited and transported, and pointing to the trafficking routes and countries involved in the trafficking cycle. It also sheds some light on the conditions children live before being recruited and in the course of trafficking, and gives some information on the forms of exploitation. Most information gathered concerns trafficking for the purpose of sexual exploitation and exploitation in illegal activities and begging. Instead, information obtained on trafficking for exploitation in forced labour (e.g. agricultural work or work in the industry), trafficking of organs and trafficking for illegal adoptions is almost absent, due to the difficulty faced by the researchers in accessing reliable sources, the very nature of trafficking (a criminal activity that is mostly hidden by its perpetrators), and the personal risk or risk for the victims, resulting from the research.

Information obtained through research has been fed into the child rights based methodology to identify and support child victims of trafficking. In particular, the research findings have been key in the development of specific tables of profiles of child victims or children at risk of trafficking as well as of indicators for the identification of child victims. The Full Report of research findings is available on the coordinator and project partners' websites.

In **Part II**, the report presents the child rights based methodological framework that has been used in the analysis of the practices and techniques for identification and support of child victims collected in this project. It also provides a summary of the national legal frameworks applicable in each project country and a presentation of identification and support practices and techniques, organized in four short reports, one per each project country.

Finally, **Part III** presents the methodology for the identification and support of child victims of trafficking (**the AGIS methodology**) developed in this project. It also presents the activities carried out in the national seminars organised in the project countries, where the AGIS methodology was discussed with relevant stakeholders.

Finally, recommendations to relevant actors, including the EU Institutions to improve the protection of child victims and potential victims of trafficking, through identification and support, are presented in chapter 9.

The content of this report has been summarized in the executive summary.

1.3 CHILD RIGHTS BASED APPROACH

A rights based approach to child trafficking has been adopted in the AGIS project, as opposed to an approach guided by security and law enforcement concerns. The pillar of such an approach is the UN Convention on the Rights of the Child (CRC)⁵, which, together with its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography⁶, sets principles and standards that should guide any anti-trafficking measure. Therefore, such an approach recognises that the human rights of child victims or potential victims of trafficking stand right at the centre of any effort to protect children, including the work on identification and support. It also emphasises obligations deriving from the Convention as well as other relevant International human rights instruments, requiring that duty-holders, primarily states, be held accountable for their action.

⁵ UN Convention on the Rights of the Child, adopted on 20 November 1989 and entered into force on 2 September 1990 (Hereinafter “CRC”).

⁶ Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography, adopted on 25 May 2000 and entered into force on 18 January 2002 (Hereinafter “CRC Sale of Children Protocol”).

In particular, the general principles enshrined in the CRC underpin the approach implemented in this project, these being:

- The best interest of the child: it should be the primary consideration in all actions concerning children (CRC, art. 3).
- Non-discrimination: according to this principle, the rights of any child should be respected, protected and fulfilled without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, legal guardians or family members (CRC, art. 2).
- Rights to participation: any child, who is capable of forming his or her views has the right to express those views freely in all matters affecting him/her and the child's views should be given due weight in accordance with age and maturity. Where possible trafficked children should therefore be involved in decisions affecting them and adequate and age-appropriate information should be supplied to them, for example in relation to procedures of identification and support (art. 12).
- Right to life and to survival and development: every child should be allowed and supported to develop to his/her full potential. Therefore, this principle acknowledges that vulnerable children, such as victims or potential victims of trafficking, should be ensured special protection and support and must be given the opportunity to be active in their development (being this an holistic concept, including physical, cognitive, emotional, social, cultural and spiritual development) through the use of multi-disciplinary and cross-sectoral approaches (CRC art. 6).

In the light of the above, it is important to clarify that the child rights based approach used in this project considers every child as an actor, who should be empowered to actively claim his/her rights. Nonetheless, trafficked children are also considered victims of a web of violations of their fundamental rights and consequently in need of assistance and protection. In order to recognise their vulnerability and provide assistance and protection in a timely manner, it is a priority and necessity to identify them.

The approach described has been applied in the analysis of the phenomenon of trafficking in the project countries, having as focus the various stages of the trafficking cycle:

- vulnerability factors;
- recruitment;
- journey, transportation, routes followed;
- arrival in the countries of destination (in the case of international trafficking).

As a matter of facts, information gathered through this analysis has been considered as fundamental in order to develop indicators of trafficking as part of the methodology of identification that had to be developed under this project plan.

Furthermore, the child rights based approach has been applied in the development of the rights-based framework used as a tool of analysis of the existing practices or methodologies of identification and support collected in this project.

And, most importantly, it has guided the development of the specific methodology for identification and support of child victims of trafficking (the AGIS methodology).

1.4 TERMINOLOGY

Child victim of trafficking: In this report a child victim of trafficking is considered to be any person under eighteen who is recruited, transported, transferred, harboured or received for the purpose of exploitation, either within or outside a country, even if no element of coercion, deception abuse of authority or any other form of abuse is used.

Trafficking in persons: this report adopts the definition of trafficking as given in article 3 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organised Crime (The Palermo Protocol). The first internationally agreed upon definition reads as follows:

- a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms

of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

- b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.
- c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article.
- d) "Child" shall mean any person under eighteen years of age.

Very importantly, in this project it is acknowledged that trafficking means both international and internal trafficking.

Although the above given definition of trafficking has been fully incorporated into the more recent Council of Europe Convention on Action against Trafficking in Human Beings⁷ (hereinafter CoE Trafficking Convention), in the commentary to the Convention, it is explained that "transport need not be across a border to be a constituent of trafficking in human beings"⁸ as it is instead in the Palermo Protocol. This is also pointed out in article 2 of the CoE Convention, stating that the Convention equally applies to transnational and national trafficking.

Finally, it is important to clarify that in cases of international trafficking, the victims is not required to cross a border illegally. As specified in the Explanatory Report to the CoE Convention, "Trafficking in human beings can be involved even where a border was crossed legally and presence on national territory is lawful"⁹.

Exploitation: though exploitation is a necessary element in the definition of trafficking, it is not the same as trafficking which requires a further element of "recruitment, transportation, transfer, harbouring or receipt of persons".

The Convention on the Rights of the Child specifically recognises the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development¹⁰.

Given the above, child exploitation in an international context is taken to include:

Child Labour Exploitation: in this report, the definition is taken from the ILO Convention on the Worst Forms of Child Labour¹¹ and includes:

- a) All forms of slavery and practices similar to slavery (...).
- b) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.
- c) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs (...).
- d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety and morals of children.

Child exploitation in illicit activities has also been the subject of a UN General Assembly resolution on "The Instrumental Use of Children in Criminal Activities"¹² which stated in its Preamble that it considers:

"the instrumental use of children by adults in profit-making criminal activities is a grave practice that represents a violation of social norms and a deprivation of the right of children to proper development, education and upbringing and prejudices their future".

And furthermore, that:

"certain categories of children, such as those who are runaway, vagrant, wayward or "street" children, are targets for exploitation, including seduction into drug trafficking and abuse, prostitution, pornography, theft, burglary, begging and homicide for reward".

⁷ Council of Europe Convention on Action against Trafficking in Human Beings, CETS 197, adopted on 16 May 2005 in Warsaw. At the moment of writing the Convention has been ratified by 10 States and will consequently enter into force on 1 February 2008 (Hereinafter "CoE Trafficking Convention").

⁸ Explanatory Report on the Council of Europe Convention on Actions against Trafficking in Human Beings, para. 80 (Hereinafter "CoE Trafficking Convention Explanatory Report").

⁹ CoE Trafficking Convention Explanatory Report, para. 80.

¹⁰ CRC, art. 32 and Preamble to the CRC Sale of Children Protocol.

¹¹ International Labour Organisation (ILO) Convention 182 - Worst Forms of Child Labour, 1999.

(Hereinafter ILO 182).
¹² Preamble of the UN General Assembly Resolution 45/115 "Instrumental Use of Children in Criminal Activities", 14 December 1990, at <http://www.un.org/documents/ga/res/45/a45r15.htm>

Slavery: slavery and slavery-like practices are interpreted using the definition given in article 1 of the Geneva Convention on Slavery¹³ and the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery¹⁴. Those institutions or practices include debt bondage, serfdom and “any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour”¹⁵.

Servitude: it is regarded as a particular form of slavery which does not present the ownership features characteristics of slavery. The definition herein adopted is the one given by the European Commission of Human Rights:
“The condition of a person having to live and work on another person’s property and perform certain services for him/her, whether paid or unpaid, and being unable to alter this condition”¹⁶.

Forced Labour and forced services: the definition adopted in this report is the one given in article 2 of the ILO Convention on Forced or Compulsory Labour¹⁷:
“All work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”.

¹³ Geneva Convention on Slavery, signed at Geneva on 25 September 1926 and amended by the New York Protocol of 7 December 1953.

¹⁴ UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, entered into force on the 30 September 1957. (Hereinafter UN Slavery Convention).

¹⁵ UN Slavery Convention, art. 1.

¹⁶ European Commission of Human Rights Report, Van Droogenbroeck case, 9 July 1980, Series B, Vol. 44, p. 30, paras. 78-80.

¹⁷ ILO Convention 29 - Concerning Forced or Compulsory Labour, 1932 (Hereinafter “ILO 29”).

PART I

CHILD TRAFFICKING: REPORT ON RESEARCH FINDINGS

2. BULGARIA

2.1 GENERAL OVERVIEW

Vulnerability factors for child trafficking

Many are the factors affecting the vulnerability of children to trafficking in Bulgaria: poverty, unemployment, domestic violence, lack of family support, lack of access to education or the non-completion of secondary studies, and lack of awareness on trafficking. In addition, in the case of Roma children, discrimination, social exclusion and marginalisation, often linked to traumatic experiences (e.g. violence, rape, incest) also increase the risk of trafficking. Furthermore, the fast spread and strengthening of organised crime in the country constitutes a powerful negative factor with regard to child trafficking. Most frequently, trafficked children are between 12 and 18 years of age. The high levels of unemployment, poverty and the disproportionate development of the regions are conducive to migration, as well as to subjection to extreme forms of exploitation. Insofar as both migration and exploitation are elements of the trafficking in people, hypothetically the inhabitants of weakly developed regions are subjected to a greater risk of trafficking due to the risks they are willing to take in search of a living. This is equally true of long-term vulnerable and closed societies such as the Roma, whose living conditions however usually do not depend on the level of development of the region in which they live.¹⁸ The research has actually led to the identification of regions where the risk of trafficking is higher, these being big cities and nearby villages in South and South-Eastern Bulgaria, such as Pazardjik/Peshtera, Plovdiv, Sliven and Bourgas. In particular, Sliven, Stara and Nova Zagora are areas from which pregnant women are smuggled to Greece to facilitate illegal adoptions, and Pazardjik and Peshtera, of women smuggled to France and Italy. Further, villages in Northern Bulgaria in the certain regions, and Vidin in the North-West and Sandanski and Petrich in the South-West are areas at high risk of both international trafficking for all purposes and internal trafficking.

Countries in the trafficking cycle

Bulgaria remains a country of origin and transit and, to a lesser extent, a country of destination. Main transit countries for child trafficking from Bulgaria are Albania, Romania, Serbia and Macedonia. The most common destination countries are Belgium, Germany, the Netherlands, France and Italy, while Moldova and Ukraine appear to be the main countries of origin of victims trafficked to Bulgaria.

Furthermore, according to recent research findings, it seems that internal trafficking is increasing, in particular for sexual exploitation. To this extent, it is important to note that internal trafficking is a phenomenon that presents quite different characteristics to international trafficking. Nonetheless, the analysis of concrete cases has led to the conclusion that sometimes exploitation within a country is one stage of international trafficking itself and its purpose is to overcome the victim's resistance and facilitate his/her transportation across the border.

Border crossing

Independently from the form of exploitation, trafficked children leave the country using different modalities. Roma children are typically accompanied either by their parents or relatives or they travel with their parents' formal authorisation and their legal documents. Otherwise, children travelling alone with recruiters or traffickers, are given false identity documents. In some cases where the victims are adolescents, they declare they are 18 years old to avoid presenting their parents' or guardian's authorisation to leave the country. If they are very young, then false declarations of consent are given, previously prepared by the traffickers. According to research findings, these declarations are generally issued by criminal networks.

¹⁸ For further information see Save the Children in Albania, *Children Speak Out - Trafficking Risk and Resilience in Southeast Europe*, Regional Report, July 2007. (Hereinafter: "Children Speak Out").

2.2 TRAFFICKING OF CHILDREN FOR SEXUAL EXPLOITATION

Profiles and methods of recruitment

The majority of child victims of trafficking or at risk of becoming victims of trafficking for the purpose of sexual exploitation are aged between 16 and 18 years. They are mainly female, but can also be male.

The first contact between traffickers and child victims commonly takes place in discos, restaurants or pubs and frequently also in offices that appear to be "modelling and fashion model agencies". In some cases, children already involved in prostitution, are approached in the hotels where they work by recruiters, possibly assisted by hotel owners or staff.

Recruiters are mainly acquaintances or friends and sometimes relatives who frequently promise well paid jobs in Western European countries. This offer is most attractive to children experiencing economic hardship, being children from poor isolated areas or children escaped from institutions. Otherwise, in a smaller number of cases, they are simply adolescents with aspirations for fast material gains. Either way, the most of the victims do choose to work abroad although they dream of jobs and situations very different from what in fact await them. In the case of children already involved in prostitution, it is very likely that they were aware that they would have performed the same activity abroad albeit freely, to earn more money than what they would do in Bulgaria. Sometimes children follow-up real job advertisements in newspapers, offering positions such as models, barmen, waiters, or chambermaids.

In general, recruiters establish a relationship of trust with the victims, and in some cases use other victims as recruiters. In other situations, it could be that traffickers themselves become friends with the victims through third parties or "by chance" in bars or discotheques. These bars usually are owned by criminal groups involved in trafficking, which, often, is the very reason for their establishment.

Roma children are frequently sold to traffickers by their parents or relatives who, sometimes, may be involved in the exploitation itself.

K. is a 16 year old girl who regularly attends a centre for street children in a small town in South-Western Bulgaria. She was approached one night at a discotheque by a man who claimed to be the boyfriend of one of her friends at the centre and the girl also knew him as the son of a local shopkeeper. The man met K. several times and each time he gave her expensive presents - a mobile phone and a gold bracelet. He offered K. a job as a chamber maid at a hotel in the Netherlands with very good payment. He also told her that her friend was currently there, and would be very glad to work with her at the hotel. Later, she discovered that the girl who this man claimed to know intimately had been trafficked to the Netherlands for the purposes of sexual exploitation.

Transport

Research findings have confirmed that channels and networks for trafficking for the purpose of sexual exploitation coincide with those for trafficking in drug and weapons.

Land transportation is the one used most frequently and traffickers or recruiters use both private or public buses. Nonetheless, sometimes children are moved to destination countries via plane, which, apparently, is believed to be safer, as it prevents victims from running away.

G. (a 12 year old girl) and K. (a 10 year old boy), sister and brother, were found by the Border police at the border with Serbia in a van transporting meat. The police report stated that the children appeared to be very frightened, confused and frozen. They told the police that they were originally picked up in their hometown by a man and a woman who told them that their mother was looking for them. They had travelled for hours to what appeared to be a village, after that they were taken by another man, forced into the meat truck and later on were discovered by the Border police.

Living conditions

Prior to being trafficked for sexual exploitation, children in Bulgaria live in poverty, coming from families with irregular incomes and unemployment. It is also very common that they were sexually abused in the family. Many are also the victims who were already engaged in prostitution, which, apparently, is considered in Bulgaria as a “profitable occupation” and socially accepted. From recent research findings it appears that young girls voluntarily get involved in prostitution, but then enter internal networks of exploitation and trafficking and eventually become victims of international trafficking. Notwithstanding the above, very often, adolescents who enter the trafficking cycle, have a decent standard of living and good relations with the family and peers. Despite this, they leave their studies, judging that education is not important and opt to work in order to earn good money. They are generally convinced that life in the West is always better than in Bulgaria and can be easily convinced that they will find profitable job opportunities abroad.

2.3 TRAFFICKING OF CHILDREN FOR EXPLOITATION IN FORCED LABOUR, ILLEGAL ACTIVITIES AND BEGGING

Profiles, methods of recruitment, transport and trafficking routes

The majority of children victims of trafficking or at risk of becoming victims of trafficking for the purpose of exploitation in begging and illegal activities are aged between 8 and 14 years and belong almost exclusively to the Roma community. Those exploited in forced labour (mainly in agricultural work) are aged between 16 and 18 years of age. Victims falling in these three categories are mainly male and most of them are Roma who are recruited with the involvement of their family.

In general, children that become victims of trafficking lack any form of support (material, psychological, emotional) from their families, but also from the institutions and friends. Living in situations of discrimination and marginalisation, many Roma children interrupt their studies with the support of their families who use them to increase the family income through begging or illegal activities (usually pick pocketing) in line with the Roma tradition. The Kardarashi community, however, enjoy a relatively good standard of living thanks mainly to income from illegal activities and for that reason, other Roma community members living in poverty sell or rent their children to the Kardarashi or other traffickers.

According to the research findings, children go through several stages of selection before being trafficked to exercise pick pocketing. At first there is a period of training which is done within the clan and just with their immediate family. Next, the successfully trained children “gain experience” in big cities and resorts in the country. Only then, children enter international trafficking networks and depart to foreign countries.

Many are the cases of girls sold as brides by their families. This is considered a slavery like practice under international standards¹⁹, which is included in the definition of trafficking under the Palermo Protocol and the CoE Convention on trafficking and is prohibited by international human rights law.

The victims mainly travel using public buses, sometimes accompanied by their parents or relatives and the main country of destination for trafficked children engaged in illegal activities is Austria. Instead, destination countries of children involved in begging are Belgium, Germany, Greece, Italy, and the Netherlands.

¹⁹ UN Slavery Convention, art. 1 (c) (i).

3. GERMANY

3.1 GENERAL OVERVIEW

Countries in the trafficking cycle and border crossing

Though Germany is a destination country, transit country and also country of origin of victims of child trafficking, the issue is still for the most part an unknown entity. Most victims of foreign origin come from countries in Eastern and Central Europe, but there are also children from Africa, Asia and Latin America. One of the known trafficking routes from Romania to Germany goes via the Ukraine, Poland, or Slovakia to Germany.²⁰ Austria also appears to be a popular transit country. Destination areas in Germany are normally big cities and congested urban areas. Border towns seem to be used in the trafficking cycle as entry points to Germany, as reported by representatives of NGOs and law enforcement personnel working in cities along the Eastern border of Germany, like Berlin, Frankfurt a. d. Oder or Hof, who have noticed an increasing number of child trafficking cases.

While children who live on the streets in their countries of origin are often contacted directly by the traffickers, normally a child’s family is involved in the process, the contact strategy being general characterised by a building up of trust with the caregivers and/or the children. The traffickers may belong to the families themselves and be persons in a position of trust, or the traffickers may get the children’s caregivers (e.g. parents or guardians) either to commit the children to their care or to sell the children to them. Sometimes the traffickers obtain the caregivers’ consent on the basis of false promises for a better future for the children and/or the families, however the caregivers may also be forced or pressured to hand the children over to them. Often sexual abuse and violence has already occurred within the families.

Child traffickers may work on an individual basis, in conjunction with the friends or family of the victim, or as part of a criminal network with contacts or middlemen in Germany. Children may travel listed in the accompanying adult’s passport or they may avoid border control altogether if the trafficker brings them to the border and hands them over to a contact person from Germany. In some cases the children travel on their own passports, but the parental consent document which allows the child to exit the country in the custody of another adult, is counterfeited. On the other hand, minor girls who are forced into prostitution obtain counterfeited passports that indicate that they are of age. Child traffickers bribe border control officers so that they do not question the false documents. Interview partners confirm that bribery and corruption, for example, is common practice at the Romanian border when leaving the country. Other children may reach Germany as unaccompanied minors²¹. Mostly, child traffickers and their victims travel to Germany by bus, train or car, and only a small number by plane.

Natascha (16 years) comes from the Ukraine but she looks a lot younger than she actually is. Acquaintances approached her in her home town and offered her a job taking care of an elderly woman in Germany and being her social companion. Natascha’s motivation was to earn enough money to support her family. She got a counterfeited passport, because as minor she did not have one. She came to Germany via Poland. In Germany she was forced into prostitution working 12 to 16 hours per day. When she couldn’t handle it anymore, she was 18 years and filed a complaint with the police. She got support from a counselling centre and attended a German language course. However, she could not complete the language course because she suffered from severe psychological problems.

Victim, interviewed by a social worker in Berlin, 2006

²⁰ Fact Sheet Kinderhandel in der Bundesrepublik Deutschland (n.d.). Accessed on 16/02/2007, from: <http://www.stopchildtrafficking.org/site/uploads/media/deutsch/Deutschland.pdf>, p. 1.

²¹ Fact Sheet Kinderhandel in der Bundesrepublik Deutschland (n.d.). Accessed on 16/02/2007, from: <http://www.stopchildtrafficking.org/site/uploads/media/deutsch/Deutschland.pdf>, p. 2.

3.2 TRAFFICKING OF CHILDREN FOR SEXUAL EXPLOITATION

Profiles and methods of recruitment

According to the “*Bundeslagebild Menschenhandel 2006*”²² (national report on human trafficking by the Federal Bureau of Investigation), in 2006 there were 775 criminal proceedings based on human trafficking for the purpose of sexual exploitation. There were 62 cases involving victims between the ages of 14 and 17, and 320 cases involving victims between 18 and 20 years of age. 98,5% of the victims were female, and 28 of the 62 underage victims were from Germany. The other underage victims came from the Czech Republic, Romania, Poland and Slovakia.

In addition to the statistics presented, representatives of NGOs and/or law enforcement personnel confirm the almost exclusive predominance of underage girls as victims, sharing the opinion that the numbers represent just the tip of the iceberg, and confirm that Central and Eastern European countries are the main countries of origin. However they also know of girls trafficked from Western African countries like Nigeria and Ghana, as well as Asia and Latin America. There is a further suspicion that there are also a considerable number of child victims of trafficking for sexual exploitation under 14 years of age. But nothing is known about this group of children nor those victims of German origin, normally linked to the red light milieu.²³ Nonetheless, in the *Bundeslagebild Menschenhandel 2006*, 28 of 62 victims aged 14-17 years mentioned, were from Germany.

Girls are recruited through the use of violence or the attractive offer of a job abroad or, where they are already involved in prostitution in their country of origin, they are promised higher incomes abroad. Recruitment may also occur in holiday areas or by way of marriage between paedophiles in Germany with women who have children and live in poorer countries.

Exploiters and traffickers are in fact mainly Germans born in other countries, e.g. Turkey, Poland or Kazakhstan, or have the same nationality of the victims. Romantic relationships, financial dependencies or family relationships often play a role prior to a child entering the exploitative situation. The research conducted also points to a particular situation of exploitation of young children in the border region between Germany and the Czech Republic, where German men pay for sexual services of Czech children from very poor families.²⁴ Parents, other relatives or organised gangs of pimps offer the children to clients, in some cases even directly and openly on the street. Once in Germany, the children live in a state of isolation. They have to obey the orders of their “bosses” who also confiscate the children’s personal documents and create a situation of dependency and subjection, abuse the victims sexually and use threats, violence and torture. Adolescents are forced to prostitute in bars, brothels, in private apartments, on the street and through house and hotel agencies. House and hotel agencies work on the basis of cell phone numbers that are advertised in the press. Also the Internet and the short message service (sms) are used for the procurement of sexual services.

Living conditions and forms of exploitation

Prostitution takes place in bars, brothels, in private apartments, on the street and through house and hotel agencies. House and hotel agencies work on the basis of cell phone numbers that are advertised in the press. Also the Internet and short message service (sms) are used for procuring sexual services. Prostitution in homes or hotels are harder to detect and to control. Therefore it is the ideal setting for sexual exploitation of victims of trafficking, especially if the victims are in Germany illegally. Traffickers exploit the helplessness or the plight of the victims and use physical and/or psychological violence and threats against the victim or their family members in the country of origin. Ethnic backgrounds and criminal acts such as blackmail or requests for protection money are characteristic of these groups.

²² Bundeslagebild Menschenhandel 2006. Accessed on 22/11/2007 from <http://www.bka.de/>, pp. 6 ff.

²³ Fact Sheet Kinderhandel in und nach Deutschland - Fallbeispiele (n.d.). Accessed on 16/02/2007, from: <http://www.stopchildtrafficking.org/site/uploads/media/deutsch/Kinderhandelsfaelle.pdf>, p. 2.

²⁴ Kurzinfo Osteuropa: Kinderhandel in Osteuropa (n.d.). Accessed on 16/02/2007, from http://www.stopchildtrafficking.org/site/uploads/media/deutsch/Kurzinfo_Osteuropa.pdf, pp. 2-3; Cathrin Schauer (2003). *Kinder auf dem Strich*. Horlemann. Bad Honnef.

My name is Ana (name is changed) and I am 18 years old. I have been living in Germany for 1 1/2 years now. I was born in Romania. My parents got divorced when I was one year old. Up to my 7th birthday I was raised by my grandmother in a small village. Then I lived in my father’s family so I could attend school. But our daily family life was full of fights and conflicts. Although my father was against it, I got in touch with my mother. I wanted to live with her. It was important for me to help her because she suffered from multiple sclerosis. Life with her was not easy either. Her husband did not accept me. Finally my mother sent me away. And I ended up in the streets. There I met a woman who took me in and offered me a job in a supermarket in Italy. At this point I was 16 years old and still a minor. In order to get my passport quickly, she made use of her good contacts with a notary and the police. I lived with her until my passport was ready and two friends of her brought me to Italy. The journey to Italy was quite easy. At the Romanian border the men paid 50 Euros so they could take me across the border without the consent of my parents. In Italy I found out that I was not going to work in a supermarket but had to hustle. In the beginning I refused, but when they beat me and starved me, I finally accepted what they forced me to do. After several months, when the police raided the apartment, I managed to escape to Romania. I lived there in an apartment until the trafficker found me. They brought me back to Italy. In Italy they destroyed my passport and sold me to an Albanian trafficker. He brought me to Germany. At a central station in Germany the police checked us. As I was without a passport, I was arrested, but my accompanier was permitted to leave. I was in jail for one month and sentenced for my illegal presence in Germany. I did not tell the policemen my story because I was afraid of the Romanian trafficker. I thought they would let me go. When I realized that they would deport me to Romania, I was desperate. Finally I got in touch with a woman of an NGO whom I trusted and I told her my story.

Victim interviewed in Munich, 2006

3.3 TRAFFICKING OF CHILDREN FOR EXPLOITATION IN FORCED LABOUR, ILLEGAL ACTIVITIES AND BEGGING

Profiles and methods of recruitment

Children exploited in **illegal activities** are between 8 and 14 years of age, thus under the age of criminal consent. In general they are boys from Central and Eastern European countries, for example, Romania and Albania including Roma children from Bulgaria known as “Klau- und Bettelkinder” or “children who steal and beg”. In Germany, these groups live especially in the Ruhr area, Stuttgart, Hamburg and Berlin. Most of the victims come from poor countries/regions and very poor families who were probably aware of their involvement in illegal activities abroad even though they would not have known about the actual living/working conditions and the exploitative situation beforehand. In the case of Roma children, their family are usually present in Germany with them.

The “*Bundeslagebild Menschenhandel 2006*” explains that so far there is very little knowledge on human trafficking for the purpose of **forced labour**. Exploitation in this context is to the detriment of foreigners with no legal immigration status and occurs in the catering trade, e.g. Asian restaurants, or in private households, e.g. as Au-pair or as embassy staff. The workers are recruited in their countries of origin via advertisements in the media. Often the exploiter and victim know each other beforehand. However, the statistics do not indicate the number of cases or age groups involved. It is not clear if minors are affected, however one could validly conceive that adolescent boys and girls are also recruited and exploited.

My name is B. and I was born in India. I am about 18 years old (I do not want to indicate my exact date of birth). I have 5 siblings and my parents are old and sick. A relative of ours has been living in Germany for many years. He asked my father if I could come to Germany and help him with his work. I only needed to pay for the trip. My application for a visa was refused. As I was underage, my only option was to enter Germany illegally. In order to pay for the trip, my parents had to get into debt. Together with three other young men I left my home village: first by bus, then by train. In between each leg of our journey,

we waited for the smugglers, sometimes for up to two weeks, without money and without food. It was cold and we lacked warm clothing. In order to get something to eat, we stole food. Nine months later we arrived in Germany and I immediately applied for asylum. My relative told me what I needed to tell the officer so I would get asylum status. We live in a shelter for asylum seekers, but work for my relative, sometimes 12 hours per day. He pays us little money. With this salary I cannot pay back our debts. When we try to talk to him about our situation, he threatens that we will go to jail. Sometimes I hope that my application for asylum gets refused and that I can return to India.

Victim, interviewed in Munich, 2007

4. ITALY

4.1 GENERAL OVERVIEW

Vulnerability factors for child trafficking

It is difficult to generalise about vulnerability factors for child victims of trafficking to Italy given the diverse countries of origin of those involved. Those who are trafficked for the purpose of exploitation in prostitution may be more vulnerable if they are involved in prostitution in their country of origin. However for others, it may be the simple fact that they come from a low socio-economic background, or a marginalised, disadvantaged community or group, whose poor living conditions may prompt their family to send them abroad to earn money, or may prompt the child to depart, often at the encouragement of traffickers who are entrusted with the necessary arrangements.

This is true also for those who are trafficked for forced labour, begging or illegal activities. For example, children with physical impairments or deformations are particularly vulnerable to recruitment in their home countries for exploitation in begging abroad.

However when children travel independently, they may not necessarily have suffered emotional or financial hardship in their country of origin, although some do choose to leave due to family and social problems. The child's vulnerability to exploitation and possible internal trafficking actually arises when they find themselves in Italy without money, connections, or a regular immigration status. In this situation they are most likely to be taken advantage of by exploiters who involve them in begging or illegal activities.

Older adolescents, however, may be exploited in agricultural work where, in addition to the gruelling work conditions, due to their age and lack of connections they risk being confined to their work places and thus deprived of their liberty.

Special mention must be made of the particularly critical situation which members of the Roma community face. Children from these communities are not generally victims of trafficking, however those who are amongst the poorest families and/or separated from their parents, are especially vulnerable to exploitation for the purposes of begging, illegal activities, and both male and female prostitution.

4.2 TRAFFICKING OF CHILDREN FOR SEXUAL EXPLOITATION

Profiles, methods of recruitment, border crossing, trafficking routes and forms of exploitation

The main targets of **trafficking for the purpose of exploitation in prostitution** in Italy are adolescent **girls and those just come of age, from Nigeria and Cameroon**, as well as adolescent girls from Eastern European Countries, mainly Romania and Moldova, but also Bulgaria, Czech Republic, Albania, Serbia and Croatia.

Adolescent girls from Nigeria are generally forced to prostitute themselves on the streets in order to pay back a sum of € 30-50,000 and regain their liberty from the traffickers. Most are from Benin City and recruited by traffickers there who make false promises regarding the work they will undertake in Europe. Sometimes the girls are made to sign a contract and perform certain religious rituals to seal their commitment, both to the trafficker and their community. There is also an increasing number of adolescent girls and young adults who are recruited by Nigerian traffickers from **Cameroon**. They are usually students who are not in a bad financial position, however they are tricked into

travelling to Italy to continue their studies or just for a holiday, where they are instead forced into prostitution.

The girls travel by land and then by crossing the Mediterranean sea, accompanied by the trafficker who declares no connection to them and who is likely to abuse them prior to the departure and during the travel. Otherwise, the victims travel by plane, more often accompanied by a female trafficker. Identity documents are arranged by the trafficker which are not false but may be in the name of another person.

Once in Italy, the girls are subject to regular and continuous prostitution on the street, at first closely followed by a female pimp or another victim, with whom they usually live, together with other victims. The pimp tends to isolate the victims, on whom they are forced to depend (and pay) for food, clothes and accommodation. The relationship between the victim and the pimp is an ambiguous one. The girls feel obliged to keep the agreement made regarding the debt to be paid, and usually treat their exploiter with respect, calling her by the name “Madame” for example. This respect, however, may wane if the Madame is unreasonably violent or openly deceitful. At this point, if the victim attempts to rebel and break the agreement, the response from the Madame, backed by the trafficking network, may be extremely violent. After a certain amount of conditioning, when the girls begin to accept their role, the Madame may also entrust some of her activities to them, such as monitoring of newer victims. This means that if they come in contact with law enforcement agencies, they are not only investigated for giving false names or having false documents, but they may also be accused of exploiting other victims in prostitution.

My name is J. I come from Benin City (Nigeria) and I'm 17 years old. I arrived in Italy last year with M, a Nigerian woman who is well-known in my city and who has been living in Turin for many years. M had suggested I go to Italy to work in a factory and my family agreed to it. We signed a contract and performed a religious ritual to confirm our reciprocal trust in each other. I came to Italy by plane with another adult woman's passport who had a similar face to my own. Once I arrived, M told me I would have to prostitute myself in order to pay her back 50,000 euros - she threatened me and hit me. On the street, I was even stopped by the Police who decided I was an adult, sent me to a detention centre (CPT) then deported me to Nigeria. I was kept at the airport until a friend of M's who, 2 months later, brought me back to Italy and told me that the debt had risen to 20,000 euros. Six months later, with a client's help, I ran away and went to the C association, with whom I would often stop and talk while working.

J. victim of trafficking for sexual exploitation

Adolescent girls mainly from Romania and Moldova, but also from all the Eastern European countries mentioned above, are attracted to the possibility of travelling to or finding work in a Western European country. In their country of origin, possible recruiters for trafficking are many and varied, from acquaintances to boyfriends, female friends or family members. They are often enticed by false promises of finding a normal job, going on a holiday or, for those who are almost adult, assistance in engaging in independent, short term prostitution (usually only if they are already involved in this activity). There are however cases of kidnapping, at times even involving sleeping pills. The girls are usually sold by the kidnappers who are fellow countrymen, to traffickers. Often Albanian traffickers are involved in this operation. Sometimes this cycle of kidnapping and sale occurs in Italy while the victims are being exploited for prostitution or even after they have managed to escape from it.

The girls are usually trafficked to Italy by car or bus (especially Romanian girls) with false identity documents and/or custody papers, or by foot with the help of a *passeur*. Often they travel in a group with people who have nothing to do with the trafficking, however accompanied by the trafficker who may be Albanian. Prior to Italy, Romanian or Moldovan girls may have been trafficked to Spain or other European countries for a short time, to work in night clubs.

In Italy, these victims engage in prostitution on the streets and in apartments. The victims are subjugated by the trafficker by psychological means more than physical violence, including verbal abuse, emotional manipulation, confiscation of their passport

and constant monitoring. This causes the girls to lose all self-confidence and any faith in themselves. Similar to the situation for Nigerian victims, under the direction of their pimp, they may also be caught “exploiting” other victims by law enforcement agencies.

Conditions are worse for those girls forced to prostitute themselves in apartments. They have almost no contact with the outside world apart from their clients who are engaged by the trafficker through advertisements in local press or word of mouth passed on by friends and former clients. After a while, the pressure sometimes causes these victims to turn to self-harm, and if they make contact with people outside, they may have difficulties relating and behave inappropriately.

In Italy, there are also groups who are less likely to have been trafficked into the country, however are at risk of trafficking or exploitation once they arrive: children from Romania of Roma origin and adolescent boys and those just come of age, from Romania and Moldova, including of Roma origin.

Children from Romania of Roma origin usually come to Italy as part of a decision by the whole family to migrate together. Once in Italy particularly younger boys may be made to prostitute themselves by adult family members supposedly responsible for their care, who keep all the earnings that the child makes. They may even be exploited by brothers or sisters or other young family members already involved in prostitution, who engage them on request from clients. They are subject to irregular and sporadic abuse by Italian male clients, who, in agreement with the exploiter, arrange to pick them up from the place where they are living and immediately return them there afterwards.

D., 12 years old, is part of the Roma community from Craiova. The Police discovered that D, who was living in an unauthorised Roma camp with his father and older brothers and sisters, had been the victim of sexual abuse for months at the hands of Italian men and in agreement with his father. The paedophile would go to a place near the camp then make contact with the boy's father from outside, who would bring the boy to him. The father would be paid to allow the man to abuse his son, who would ask to be put in touch with other children. The child seemed to lead a normal life inside the camp, though he was particularly isolated given that for various reasons he never went outside the camp nor to school. The abuse only stopped after intervention by the Police.

Social Assistant, Roma, 2006

Adolescents from Romania and Moldova involved in male prostitution in Italy arrive by themselves looking for work or adventure, and without incurring any debts. When they first arrive in Italy these boys have no family ties and engage in casual prostitution in various cities in order to support themselves. They rely heavily on their clients and often turn to crime in order to survive, facing the risk of exploitation in illegal activities and begging.

In the case of **Roma adolescents**, they may have arrived with their family, or in fact bringing their own young family, at a certain point in time, as part of a decision by the whole family to move to Italy. They live in illegal Roma camps, and have a strong connection to the Roma community.

4.3 TRAFFICKING OF CHILDREN FOR EXPLOITATION IN FORCED LABOUR, ILLEGAL ACTIVITIES AND BEGGING

Profiles, methods of recruitment, border crossing, trafficking routes and forms of exploitation

ILLEGAL ACTIVITIES

Exploitation in illegal activities is not a well-known phenomenon in Italy, and victims are not often identified as such, thus missing out on the support necessary for their protection and rehabilitation. Children of different ages and nationalities are recruited and directed to steal and deal drugs by individuals who keep some or all of the earnings. Depending on the nature of the relationship between the adult and the child, this may result in a situation of trafficking, exploitation of varying degrees or simple acts of complicity where the adult exercises no particular control over the child and takes no advantage of them.

Cases of international trafficking are of particular concern, and have been identified amongst the following profiles: children from Romania of Roma origin, adolescent boys and girls from Romania of Roma origin, adolescent boys and those just come of age from Senegal or Gabon, and others of North African origin.

Roma children from Romania are likely to be under 14 years of age, that is, under the age of criminal consent, hence not punishable with imprisonment if caught while stealing. They are recruited in their country of origin, in agreement with their family, who profits from their exploitation, though in some cases the child may lack strong family ties in Romania, such as those who live in orphanages or in the care of guardians. The agreement with the trafficker is usually sealed with the payment of a sum of money for guardianship of the child, and on the promise that regular returns from their activities will be sent to the family.

The trafficker usually enters Italy by car with the child and the necessary guardianship papers. Once they arrive in Italy, the children are involved in criminal activities such as pick pocketing and house burglary. They work in groups, and suffer violence and threats from the trafficker who is usually a Romanian adult of Roma origin. Furthermore, they are also pressured by their families who call to encourage them in their activity, in light of the money they stand to earn from it.

When the children are stopped by the police, if they are taken to penal facilities for minors, the traffickers seek to retrieve them presenting false guardianship papers or documents proving their parental status. If this occurs to several children in a group, the exploiter is likely to move them to another city, like Milan, Rome, Naples, Verona, Pescara, or Florence.

Due to their constant contact with the street, these young victims are particularly vulnerable to violence and abuse. They may also be the victim of sexual abuse, where the trafficker/exploiter uses them, or forces them, on a regular or casual basis, to prostitute themselves (see profile above regarding “trafficking for sexual exploitation”).

M. is a Romanian child from the Roma community of Calarasi who has suffered exploitation at the hands of a Roma man, R., from the same city. This man contacted the family whom M had been living with for 10 years in Romania, and convinced them to give him custody of M for a few months in Exchange for approximately two hundred euros followed by further periodic payments. R explained that the child would be involved in theft in Italy, but that he could not be arrested and he would be treated well. Once they arrived in Italy (by car), they lived in several unauthorised Roma camps, and in particular M suffered unhealthy living conditions and isolation. M was used for theft, mainly house burglary, under R's guidance/direction, who did not, however, participate in the crime. The

child was caught more than once, and sent to several reception centres for unaccompanied minors until finally with the help of a psychologist he revealed what was happening to him.

Social Assistant, Milan, 2006

As for **Roma adolescents**, in Italy not all of them are victims of trafficking or exploitation.

In fact, adolescents are more likely to engage as a group in illegal activities without adult supervision and share the profits evenly between themselves. However the situation is quite different when trafficking occurs. In this case, in the country of origin adolescents are convinced by the traffickers to engage in high-profit criminal activities, such as theft, but in an independent way. The trafficker obtains the family's consent with the payment of a sum of money. Children travel on their own and may have correct papers giving guardianship to the driver of a coach and the person waiting for them at the place of destination.

Traffickers in Italy tend to use constant threats and physical abuse to keep the adolescents, who work as a group, in line. They live with the exploiter in illegal Roma camps where living conditions are quite poor, especially given that the victims are without family or other contacts within the host community, and the earnings are kept almost entirely by the trafficker, who also confiscates their passport. The victims are mainly involved in pick pocketing and house burglary, as well as break-and-entering in shops. If they are taken to a reception centre for unaccompanied minors, the trafficker usually rings to convince them to leave, or if the child has left the group voluntarily, the trafficker may ring their parents who then convince the victim to return to the group.

On the other hand, those adolescents who enter Italy with their families tend to live with them in illegal Roma camps and risk being taken advantage of by traffickers described above. This risk is mitigated by their strong family connections, however is still present.

Furthermore, there are other **adolescents from Romania** who leave their country of origin of their own accord, and who are at risk of being recruited in Italy and exploited. They may come into contact with other youths from their own country and be tricked, or at least they may be susceptible to their offer of friendship, and agree to join in some illegal activity with them. The meeting may be a random occurrence, or it may take place in the context of the penal circuit, where the boy would have been caught for minor acts of theft (probably necessary for his survival). Where those youths are actually under the control of an adult, exploitation is very likely to occur.

Though the exploiter keeps most or all of the earnings from the victim's activities, they allow them to drive cars, drink, take drugs and go clubbing. The victim can also count on a good lawyer should they get into trouble. In return the exploiter expects loyalty to the group, and that the hierarchy be maintained. In this context, the lack of family ties is replaced by a strong sense of group spirit further instilled by certain stratagems such as taking possession of their passports for “safe-keeping”.

Not much is known about the trafficking of **adolescent boys from Senegal and Gabon**, but it seems that the phenomenon is on the rise. Apparently, it is controlled by Mafia-type organisations who recruit boys in their country of origin, by deceit or with threats, and organise their (illegal) travel to Italy by boat across the Mediterranean or with false documents by plane. In Italy, these victims are involved in drug dealing on the streets and transportation of heavy drugs such as crack, cocaine and heroin. They are under heavy control from the traffickers and subject to threats and violence, as well as enforced group bonding. Furthermore, in order to evade police investigation and immigration controls based on fingerprint recognition, the traffickers disfigure the victims' fingers using abrasive substances.

Finally, according to the research findings, also **adolescent boys from North African countries** are exploited in Italy in illegal activities. Amongst them, actual victims of trafficking are rare compared to the number of cases of exploitation without trafficking. Where trafficking occurs, the victims are usually recruited in their home country by

people who are known to their family and who have been involved in illegal activities in Italy already for many years. In some cases they are encouraged by their family, particularly their father, who is aware of the activity that they will be engaged in. The trafficker takes care of their travel expenses, but once in Italy immediately requests repayment, thus forcing the boys into crime, particularly drug dealing and theft.

If travelling by plane, the victims use false documents and are usually accompanied by a woman. They may also arrive in Italy after taking a boat from their home country to Spain and travelling overland, or arriving directly in Sicily by sea, in which case they travel without a passport. To control their victims, the trafficker uses a mechanism of inducement and blackmail involving the glorification of the sense of belonging to the group as well as threats of violence. Furthermore, the boys are held personally responsible for what they are made to sell or transport, meaning that if the police ever catch them and confiscate the goods or drugs in their possession, not only are they liable for the relevant crimes they have committed, often treated very severely by the law, but they also incur a debt to the trafficker which must be repaid.

The real vulnerability of those children from North Africa are their lack of family ties and Italian language skills which keeps them linked to the traffickers. Another group who are vulnerable for the same reasons, however have a very different background are those adolescents who travel freely to Italy and are recruited in Italian territory. They are likely to depart from port cities such as Casablanca or Tangeri and, unbeknownst to the captains, arrive as stowaways on commercial ships travelling to Europe. Where they have the financial backing of their parents, they tend to follow trafficking routes which lead to Lampedusa by sea.

These boys who arrive may harbour a strong desire to earn money and lead a consumer lifestyle typical of European society. Once they are recruited and exploited in drug dealing or theft, they regain a sense of belonging to a group, even though they are at the mercy of the exploiter and have no fixed abode. In addition, they are at risk of getting caught by the police for the serious crimes they are induced to commit and often become addicted to the drugs which they sell. Their lifestyle, though somewhat comfortable, is precarious.

BEGGING

Children involved in begging in Italy are almost exclusively of Roma origin. They are generally not the subject of exploitation, as they beg alongside their parents or other family members who all contribute to the family income and the family's survival. Furthermore, adolescents tend to act autonomously though still in the family setting.

Roma boys and girls from Romania or former Yugoslav countries, however, are most at risk of exploitation from adults with whom they have no family ties, and particularly those children and adolescents with severe physical disabilities.

Similar to the profile of Roma boys and girls who are recruited for exploitation in illegal activities, these children are usually from poor families or are without strong family ties. Recruiters generally pay their parents, guardians or even the head of their orphanage, a sum of money for guardianship of the child, or sometimes, in the case of orphanages, for adoption. The exploiters usually then accompany the child, or several children together, to Italy by car or coach. At the border, they claim to be a close relative, and provide theirs and the child's true identity documents and guardianship or adoption papers.

Children exploited in begging generally suffer poorer conditions than those with whom they live in Roma camps. They are under great pressure to beg, both from the violence they face from the exploiter, and also the psychological pressure from families back home who expect money to be sent, or where the exploiter fraudulently claims that this is the case.

They are therefore forced to beg for many hours a day, using extremely stressful techniques such as staying in the same place and in the same position which may be particularly

painful or tiring, for example kneeling. They may also be made to beg whatever the weather and obliged to earn a minimum daily amount, on pain of physical abuse or mistreatment from the exploiter. With reference to earlier profiles of trafficked children of Roma origin, they are also at risk of sexual exploitation and exploitation in illegal activities.

If they are taken to a reception centre for unaccompanied minors, the exploiter may go there with papers showing that they are a parent of the child to obtain guardianship or they may ring the family to encourage them to convince the child to leave the centre and return to the exploiter.

D. was an 11 year old Roma child from Romania who arrived in Italy 18 months ago. An alleged uncle, P, also from Bucharest, brought him by car. D's parents gave this acquaintance custody of him in exchange for a percentage of the profits deriving from their child's begging. Once in Italy, P forced the child to beg alone for hours on end, without providing any protection for him, until he reached the minimum daily intake required. P systematically hit and threatened the child, making him live in conditions much inferior to his own. It was D's poor state which prompted social workers to intervene, leading them to discover that he was in Italy with no family protection. Thus the procedures necessary to stop his exploitation were activated.

Social Assistant, Pescara, 2006

It is also worth mentioning the case of those Roma children who are recruited due to a physical disability which is exploited when begging in Italy. They are more likely to be tricked into going with a trafficker promising surgery or medical treatment abroad. These cases demonstrate a greater level of organisation and systematic exploitation, with more than one trafficker involved and a deliberate lack of medical attention (or even physical abuse), in order to worsen the victim's appearance.

FORCED LABOUR

Exploitation of child labour in Italy is not often linked to trafficking, but tends to occur once a child arrives in Italian territory. Where that exploitation leads to a restriction on a child's freedom of movement such as confinement to the workplace, this can be considered trafficking, and in some cases enslavement, though the latter is beyond the scope of our report.

There are rare cases of international trafficking, for which boys from Bangladesh and India working on farms are the main victims, however they are more likely to be at risk of exploitation and even trafficking once they have arrived in Italy, as are boys of North African and Sub-Saharan origin, employed in agricultural work.

We note that exploitation is not defined simply by an employer's lack of adherence to and respect for labour agreements and worker's rights, but by their calculated abuse of a child's vulnerable state and taking advantage of their inability to refuse.

In the case of **adolescent boys from Bangladesh and India** working on farms, recruitment at home by fellow countrymen for work on farms in Italy are rare, but do occur. However, more often these boys travel independently looking for work, with some part of their travel arranged by smugglers who may assist them with visas. They are then recruited through acquaintances from their country of origin in Italy particularly in cattle and sheep farming. The job they are offered is only described in vague terms at best, and sometimes they may be lied to about the actual work involved. Given they are usually new to the country and with poor language skills, they are vulnerable to any assistance offered and willingly accept the work.

These adolescents must work very long hours for very little pay. They are expected to live on the farm, and given the lack of free time, they become isolated. They are not able to learn the language and thus they do not know how to escape from the exploitative situation.

The final group at risk, is that of **adolescent boys of North African and Sub-Saharan origin**, employed in agricultural work. They usually come ashore in Spain by boat, then

arrive in Italy by land generally without a passport. However others pay a fee to travel directly to Italy on rickety boats, and come ashore somewhere on the Sicilian coast. They then travel to Puglia or Calabria, or they stay in Sicily. They are recruited by Supervisors (Caporali) in Italy who take advantage of the child's needy state.

Agricultural work which generally requires immigrant labour, is that which takes place in the harshest conditions. Furthermore, the supervisor forces workers to keep a fast pace with verbal and physical abuse, while giving them very little pay and taking a percentage of it for themselves. They work very long hours and are prevented from taking breaks, whatever the weather. The living conditions are dire, with children forced to live with adult workers in abandoned buildings.

My name is V and I come from Senegal. I'm 19 years old and have been in Italy for more than 2 years. My parents paid 3500 euros for my travel: by bus and foot to Tripoli, then by boat to Lampedusa. On my arrival in Italy, they did some tests and stated that I was an adult. They kept me in an immigration detention centre (CPT) for 60 days then they gave me an expulsion order before releasing me. So I had to live in hiding, and some fellow countrymen advised me to go to a small country town in Puglia. I lived in terrible conditions there with large number of other foreigners in an abandoned building. Every morning, we would go to the main square and wait for a man to come and offer us work tomato-picking in exchange for a percentage of our pay. We would work 15 hours a day for 30 euros, with only one 20 minute break allowed whatever the weather. We were abused, sometimes hit and they would regularly threaten to call the police who would immediately deport us. I am still without a permit of stay (permesso di soggiorno) and try to get by, avoiding where possible this kind of extreme exploitation.

V., victim of exploitation

5. ROMANIA

5.1 GENERAL OVERVIEW

Vulnerability factors and border crossing

Several are the factors increasing the vulnerability of children to trafficking. Although many of them can be equally identified for all forms of exploitation, peculiarities also exist.

For example, according to the research findings, it is very likely that children trafficked for the purpose of sexual exploitation have already suffered abuses within the family environment and had eventually decided to escape from such violence. Unfortunately, once they are on their own, they become more vulnerable to trafficking. In other cases, children do not have a strong sense of belonging to their family and feel that their parents or those adults responsible for them do not really care. Nor do they have a group of friends, which accentuates the feeling of personal failure and loneliness. As a consequence, they easily get close to people that apparently offer them love and attention, including recruiters and traffickers.

On the other hand, in the case of trafficking for the purpose of exploitation in forced labour and services, also including exploitation in illegal activities and begging, child victims come from households where family relations were relatively good and the child was not encouraged to leave the family because of disputes with parents or violence. Despite this, it is very common that children later becoming victims of trafficking for this specific purpose of exploitation, were strongly encouraged or forced to beg or commit illegal activities by their parents who generally had no steady jobs and frequently begged together with the children.

Poverty and unemployment also constitute risk factors of trafficking for all forms of exploitation: children from poor families consider the opportunity to work abroad as a good chance to earn more money and support themselves and their families. Therefore, they become more vulnerable to false promises of good job opportunities in destination countries.

In most cases a low level of education also increases the vulnerability of children to trafficking. As a matter of fact, most of the trafficked children interviewed had a very low level of education and decided to leave school to work abroad, dreaming of becoming financially independent and successful by following the positive example of a person who had emigrated. The mirage of wealthy foreign countries contributes to increase the child's trust in the recruiter and in their stories.

Romanian separated children on the territory of other states are a category of children at great risk of becoming victims of trafficking. Without support from their family, they are vulnerable to trafficking for both sexual exploitation and exploitation through labour.

It is important to note that when teenagers in placement centres turn 18, they also become a group at high risk of trafficking. As adults, they can no longer live in the those centres run by the Child Protection Department, and if they cannot or do not wish to be placed in "social apartments" they leave the placement centre with no access to alternative accommodation or further institutional protection. Therefore, they are susceptible to offers of work and accommodation, becoming easy targets for traffickers.

"I had lived in the placement centre since when I was a little girl. My parents died and no relative wanted to take care of me. The day I turned 18 I ran away from the placement centre and stayed for a few days on the street where I was rapidly accosted by traffickers who arranged my departure to a foreign destination country".

D.I., trafficked girl

In Romania, the law (Law no 248/2005 on conditions applicable to Romanian citizens travelling abroad) prohibits children from leaving the country without adult accompaniment. At the border, children under 18 years old who hold individual passports must present (as they leave the country) declarations from their parents or other legal representative responsible for their upbringing, care or supervision, witnessed by a notary, permitting them to leave the country. In the case of children travelling on one of their parents' passports, the accompanying parent must present the legal agreement of the other parent to the border police officers. If a child's parents are divorced and the child was entrusted by way of a court decision, to the parent accompanying them abroad no such agreement is required.

In most cases it seems that trafficked children exit the Romanian border legally. As a matter of fact, since 2002 Romanian citizens have not required a visa to travel within the Schengen area and since 2007, when Romania became member of the European Union, travelling to other EU Countries has become even easier. Nonetheless, according to the research findings, when the victim is very young, the probability of illegally leaving the country is much higher, because to do that legally requires a great number of documents. When children cross borders legally, they explain that they are leaving the country either for tourism or for visiting relatives or friends. Even though the border is crossed legally, there are cases in which false documents are used, especially in the case of children who can (because of their physical appearance) pass as adults (18 years old and above). Many children trafficked to Western European countries (for example France, Italy or Spain) are accompanied by family members who are the traffickers themselves.

5.2 TRAFFICKING OF CHILDREN FOR SEXUAL EXPLOITATION

Profiles and methods of recruitment

The majority of child victims of trafficking or at risk of becoming victims of trafficking for the purpose of sexual exploitation are girls, aged between 15 and 17. Despite this, it seems that the request for children of a younger age is increasing (girls aged between 12 and 14). They come from either poor regions (e.g. Moldova, Muntenia, Dobrogea, Transilvania and Oltenia) or urban agglomerations (e.g. Constanța, Galați, Buzău, Brăila, Iași).

Most frequently, children trafficked for sexual exploitation are recruited by acquaintances or friends and are promised jobs abroad (usually as a babysitter, waitress or housekeeper). Sometimes the parents themselves or relatives are involved in the trafficking of children, giving their written permission to leave the country, even though they know what will happen. Children are approached by the recruiters in diverse locations, such as discos, the street, but also schools and the family home.

"In a lot of cases the sale is facilitated by the children's parents themselves. They either don't realise what is going to happen, or they do it consciously.

Sometimes, children that come from an institutionalised environment are also sold, and the sale is facilitated by the representatives of the institution".

Social Assistant, Transit Center Timisoara

"I met a girl and we shortly became good friends. Together with her I left for Italy, to get a job as a babysitter, wanting to become financially independent. We were taken by car to Italy where we met an Italian who gave us false documents to get to Ireland".

Elena C., 16 years old, trafficked child

Most of the time recruiters organise the departure in a very short timeframe (2-3 days) after approaching the victims, so as not to allow them to think too much about the offer or to talk to other persons who might stop them. In some cases, trafficked children are already involved in prostitution and are offered jobs abroad implying "innocent" sexual activities in private clubs or massage parlours, or are

promised higher earnings from practising prostitution abroad. Some of the trafficked children interviewed said they were sold to traffickers by local pimps.

Another recruitment manner, used to a lesser extent in the case of children, is represented by the advertisements in the press for job offers abroad. These announcements address a broad age bracket, but especially girls over 16 years of age. These advertisements may also come from matrimonial agencies. Girls leave the country convinced that their future husband waiting for them beyond the border (a person that they believe they have seen in a photograph or with whom they have corresponded for a short period of time) will offer them a better life.

Kidnappings represent a rarer method of recruitment than false promises of work, but they are more violent and traumatic for the victims. In these cases, the recruiter uses violence right from the start. In the case of kidnappings, the possibility of crossing the border is very low, so the traffickers resort to "guides" which, for a cost, facilitate border-crossing by avoiding check points.

Transport and trafficking routes

The transportation means are usually the traffickers' cars. Otherwise, taxis or public transportation (train, buses, mini-buses of specialised travel companies or plane). When children legally leave the country, the border is usually crossed at Nădlag and Borș (in the West of the country) Stamora Moravița and Arad Turnu (in the South-West) and transit through Hungary.

The same means of transportation are also used in the case of illegal border crossing. Children are brought to the border and from there, they are taken over by another person (the guide) who knows how to avoid the check points of the border Police. Those who illegally cross the border are usually foreign adults, or adult Romanian citizens accompanying children who may be prohibited from leaving the country due to a past criminal record. In this case, a further method used to circumvent the restriction on leaving the country is that those Romanian citizens marry women with a "clean" past and take that woman's name. This woman may be as young as 16 or 17 years old, and may also become a victim of trafficking at the hands of their husband.

In some cases, children are hidden inside the means of transportation.

"A boy from my village whose family I knew, came to my family and proposed that I go to Italy to work decently. I asked him how we would get there and he told me that there was no problem because he would arrange everything (my passport and my transportation). From Timisoara I travelled by bus, and at the border he told me to hide in a place, specially arranged, near the bus stairs. After we had crossed the border, I made acquaintance with my pimp to whom I was sold."

Trafficked child

In the case of children recruited in Romania by networks of traffickers, the routes are pre-established. Depending on the network structure, trafficked children are taken over by different persons in different points of the route until the moment when they get to the person that will host and exploit him/her. There are cases in which the recruiter is not a member of a trafficking network, but finds a contact person in another country and enters for the first time in such a network. This is usually the case of children sold by their parents or relatives.

Living conditions and forms of exploitation

As already emerges from the paragraph presenting risk factors, prior to being trafficked, the children's living conditions include a low socio-economic standard and poor housing conditions, where family conflicts and child abuse are frequent.

Some of the girls are sexually exploited and detained illegally in the country before being trafficked, entering a local (internal) trafficking network, and they are either sexually exploited in the streets, in apartments or clients' houses or kidnapped and included in external trafficking networks.

"From our experience with the cases we have seen so far (both in the case of children and adults) they said that, before being exploited somewhere else, they had been sexually exploited and kept closed in apartments at Iași where they had clients."
C.L., Social Alternatives Association, Iași

Many are the locations where children are approached and also sold, these including the street, pubs, discos and nightclubs (sometimes isolated, only known by a few people) but also schools and other institutional environments. Other places where children are sold are hotels, lorry parking, ringroads or outskirts of cities, and family houses.

Trafficked children are systematically subjected to torture or cruel, inhuman and degrading treatment, including rape and degrading sexual acts, physical beatings and also the use of psychological threats. In some circumstances, the victim's inherent right to life is violated. "I was with my sister when they sold me. They tried to rape her, but recently she had suffered a surgical intervention. I told them to take me instead."
M.A., 19 years old, trafficked child

According to the research findings, from the moment when children cross the borders and their passports and travel documents are confiscated, their liberty and freedom of movement are largely restricted. Very often, once they reach the destination countries, they are confined in closed places (e.g. are locked in apartments or not allowed to leave hotels) or closely monitored by the exploiter on the street and coerced and controlled through the use of violence. Many of the girls who were interviewed declared that they were beaten even if they made money, and that somebody was watching them all the time. Being watched all the time, beaten and intimidated, trafficked children lose their connections with family and friends. This limits their chances to escape. When girls are trafficked by their "lovers", then kindness is used together with violence as a means of control and to establish a relation of dependence of the girl on her trafficker. Usually, when the girls arrive in the country of destination, they are disorientated and do not understand what is happening. Before the departure, most of them, were convinced they would find a legal job abroad and decent living conditions. Eventually, either they are told they were trafficked or it is them who begin asking questions of the traffickers. In this case it is very likely that traffickers react violently to intimidate them. Children are exploited and often sold in closed apartments, brothels, clubs (striptease clubs), pubs and hotels (in client's rooms).

"In the countries of destination the majority of them were exploited in strip clubs or illegal brothels. The victims told me the sale was organised under the form of transactions, which took place in clubs or brothels. They gathered more girls for different persons to see and buy them".
C.L., Social Alternatives Association, Iași

From the interviews of trafficked children returned to Romania emerges the fact that many of the girls are actually sold into slavery which, together with slavery-like practices, are included in the definition of trafficking of the Palermo Protocol and the CoE Convention and are expressly prohibited by several human rights international instruments²⁵. Amongst these practices are debt bondage and any practice "whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian, to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour"²⁶.

Generally trafficked children do not understand they were purchased and that they have to pay off their debt to the trafficker or pay for the exaggerated costs incurred for their transport (including high interest rates), as well as for their food, accommodation and clothes. Once in the destination country, the trafficker informs them that he will let them go only once they have paid off the debt. From that moment, children enter a debt bondage cycle, from which it is very difficult to escape.

²⁵ UN Covenant on Civil and Political Rights, adopted on 16 September 1966 and entered into force on 23 March 1976, art. 8; UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, art. 11.
²⁶ UN Slavery Convention, art. 1 (a) and art. 1(d).

Debt bondage is one of the main controlling mechanisms that traffickers use with victims. Very often, victims do not realise that this method is abusive and illegal, because they think that it results from an agreed transaction, based on fair or almost fair prices. Often children are also convinced that their traffickers protect them, as long as they bring an "income".

Once forced to provide sexual services, children are told each client's price and are given instructions on how to treat clients in order to get more money and how to convince them to buy more drinks. The money that children are allowed to keep hardly is enough to cover their personal expenses and only in very rare cases girls manage to raise money for paying off their "debt".

Each time the victim succeeds in raising the money they owe the traffickers, they are sold to other traffickers, owners of hotels, bars or other places where girls are forced to prostitute.

Children are forced to prostitute on average for 10 hours a day and whenever a client requests it, and their living and housing conditions are described as inhuman. Trafficked children returned to Romania, say that when trafficked, they lived in cabins or very small rooms where they slept and worked. They said they never received medical care when they needed it. Traffickers use alcohol and drugs to make sure that girls do not fight and are easy to manipulate. As a matter of fact, many of the girls assisted by IOM Bucharest and Save the Children Romania declared that the exploiter forced them to smoke certain cigarettes or to drink something that caused a "strange feeling".

"You begin to believe that you cannot do anything else but take drugs or die."
M.C., 18 years, trafficked child

Other girls declared that the clients in the places where they were exploited had guns and used drugs. In addition, the promise of freedom is just a way through which the traffickers manipulate the girls.

5.3 TRAFFICKING OF CHILDREN FOR EXPLOITATION IN FORCED LABOUR, ILLEGAL ACTIVITIES AND BEGGING

Profiles and factors of vulnerability

The main difference between sexual exploitation and exploitation for labour or other purposes is the victim's gender: girls are mostly exploited for sexual purposes while boys are mostly exploited for begging and illegal activities.

There are many factors occurring at various stages of a child's development, which contribute to increasing his/her vulnerability to being exploited through labour. The victims come from large families (with at least three children) confronted with important financial problems. Family relations are marked by the concern for survival, parents thinking that children should contribute and help them to overcome the problems. Most of the children haven't completed compulsory education because their parents' financial problems prevented them to pay any money for school supplies. Most trafficked children had previously "worked" in the streets of Romania (begging or stealing). Working abroad was perceived as a "progress", or as a new and more effective way of earning their living. Many families of the trafficked released children are characterised by a series of dysfunctions that are considered to favour trafficking: single parenting (related to limited school attendance and early engagement in work), conflicts between parents or traumatizing experiences (children from these families want to live away from their parents, most of them want to live in the streets).

Taking into account the **environment** where the children involved in labour exploitation can be found, one can distinguish:

- **Children who work in the street**

The most frequent activities of children that work in the streets are: begging, loading and unloading merchandise, washing windshields or cars in parking lots, selling flowers or newspapers and collecting wastes.

- **Children who work in the rural areas**

The daily tasks assigned by children's parents in rural areas include cleaning up the house, cooking, feeding the animals, various agricultural works, taking care of younger siblings, chopping wood etc. Some children work for a "local employer".²⁷

- **Roma working children**

The children work around the household or participate in agricultural activities together with their parents, production or sale of different goods, collecting recyclable materials, working in markets/warehouses, construction or in the street. Working hours range between 4-10 hours a day and the children's contribution to the family's income is usually already a tradition.²⁸

One can also identify locations where trafficked children are very likely to be found.

These are:

- **urban areas:** streets; railway stations; central areas; subway stations;
- **rural areas:** isolated villages; farms; mountain areas, where animal husbandry is practiced.

Methods of recruitment, transport and trafficking routes

In the case of children trafficked for forced labour, including begging and illegal activities, all the recruiters are Romanian nationals and are not necessarily part of a network that extends to the territory of the destination country. According to the research findings, there are cases where victims were reportedly turned over to a network in Romania or in the destination country.

Children are mainly approached on the street, at railway and subway stations and in central areas in urban settings. Otherwise, they are approached in rural areas, in isolated villages and farms or in mountain areas, where animal husbandry is practiced.

Most frequently, children are recruited by the family's acquaintances or friends, with the consent of the family. It is very common that recruiters initially enter the family's circle of friends with the specific purpose of recruiting children. Once they get to know the family they usually disclose their intentions and convince the parents or adults responsible for the children that working abroad gives better opportunities to the child and the family. In some cases one of the parents (usually the father) accompanies the child to the country of destination. If this happens, it is very likely that the adult previously travelled abroad and is familiar with the itinerary and border crossing. In this situation, adults do not fully understand that the child will be exploited and rather consider they will find legal employment. In other circumstances, parents sell their children even though they know about exploitative purpose, in which case the head of a trafficking network may send part of the child's earnings to the family. Whatever the circumstances, recruiters usually offer the family mobile phones, clothes, or jewellery already before the departure to influence their decision.

Different is the situation where recruiters approach the victims themselves. In this case they offer the children good jobs abroad and children accept to go with the trafficker because they hope to have a better life. In this case, traffickers do not offer any money or goods before leaving. The dynamic is the same as the one described for children trafficked for sexual exploitation.

Another case is that of teenagers who decide to leave on their own under the influence of the gangs they are part of. They are introduced to adults who facilitate their departure or even accompany them to the destination country (the preferred country in this case being Italy). In this situation, the teenagers become vulnerable to trafficking once they

²⁷ Stativă Ecaterina, IOMC, "Baseline Survey on Rural Child Labour in Five Selected Counties", Bucharest, 2005.

²⁸ Căce Sorin, ECHOSOC Foundation, "Roma Working Children and their Families-Socio-cultural Characteristics and Living Conditions", RO Media Publishing, Bucharest, 2005.

reach the destination country and are not victims when they leave the country of origin. Rather than trafficking, the situation is that of smuggling.

In the case of trafficking for exploitation in forced labour, both in the case of involvement of the family or when children travel alone with their trafficker or recruiter, the most common means of transportation used to reach the destination countries are buses of specialised travel agencies and trains. Parents or recruiters only use certain companies recommended by those who had successfully managed to get to the destination country. Drivers usually are well experienced and provide advice or tips about the possible obstacles or risks involved in crossing the border.

In many cases, recruiters use several different transportation companies on their way to the destination country. They prefer to travel first to one of the capitals of a neighbouring country (e.g. Budapest, Belgrade, Sofia) and then use a bus from a local transportation company. This is done to avoid strict inspections of tourist buses coming from Romania. As happens in the case of trafficking for sexual exploitation, illegal crossing of the Romanian borders to neighbouring countries is usually done with the help of "specialised" guides. Thus, the guides, recruiters and transporters are some of the most important intermediaries for traffickers in the destination country.

Living conditions and forms of exploitation

Before leaving the country, trafficked children already used to work in the street for a long time, sometimes more than eight hours per day and in very difficult conditions (unbearable heat or very low temperatures). Many children suffered skin diseases, tuberculosis, and hepatitis as a consequence of the unhygienic conditions they are used to living in. Most of them were also involved in illegal activities such as drug dealing. The number of school drop outs among trafficked children seems to be very high. In some cases, although not as frequently as for child victims of trafficking for sexual exploitation, children were physically abused.

As far as Roma children are concerned, their involvement in work in order to contribute to the family income is a tradition. Children work within the household (cleaning, taking care of younger siblings) and/or participate together with their parents in agricultural activities, production or sale of different goods, collection of recyclable materials, working in squares/warehouses, in construction or on the street (begging or washing windscreens of cars). Working hours range between 4-10 hours a day. There are cases where children were exploited by their parents or relatives before being trafficked: their working conditions were intolerable and the risk of accidents, sickness or of being involved in illegal activities, such as drug dealing, very high.

Trafficked children generally work in the streets, which exposes them to the risks of street life, and are mainly exploited in illegal activities, such as petty crimes, and begging but there are also cases of children forced to work in agriculture, picking fruits or vegetables (Germany, Spain, Austria) and selling flowers. Children are also exploited through labour in constructions, (the Czech Republic).

Trafficked children interviewed reported that they faced harsh living conditions upon reaching the destination countries. Their housing conditions were appalling: very crowded shelters with adults, tents, trailers, insalubrious or deserted houses and basements. They were not given proper food and didn't have enough rest time. Provision or non-provision of food is a reward for their efficiency in collecting money or a punishment in the event they are not successful. Violence is also commonly used to combat children's resistance or to increase their efficiency and dependency. Children told the researchers that they were forced to earn a certain amount of money per day, otherwise their traffickers used physical violence as a means of persuasion and intimidation. Even the children exploited by their parents or relatives admitted that they were afraid of the beatings at the end of the day. The money they earned was given to the traffickers, but some children did not even know the value of money, either because of their younger age or their poor level of education.

They also said that being controlled by the traffickers, they could not play or make friends, nor could they ask for the support of, and thereby benefit from, the social services provided in the destination countries.

PART II

PRACTICES FOR IDENTIFICATION AND SUPPORT OF CHILD VICTIMS OF TRAFFICKING

6. National reports on practices and methodologies for identification and support

6.1 METHODOLOGICAL FRAMEWORK OF ANALYSIS OF IDENTIFICATION AND SUPPORT PRACTICES

One of the project activities consisted in the identification of practices or methodologies of identification and support of child victims in the four project countries. Those practices have been analysed by using the following rights based methodological framework:

Steps	IHRL	Other international instruments	National legislation
IDENTIFICATION PROCESS			
Detection:			
• first contact: use of indicators			
• initial questioning			
• age assessment (in case of uncertainty)			
• assessment of relation between the child and adults (if accompanied)			
Protection until the process of identification (and age assessment) is completed:			
• provision of food, accommodation, medical care			
• transfer to shelter/safe location			
• in-depth interview to assess the status as trafficked child (following child's consent and assessment of his/her suitability for interview)			
INTERIM CARE AND PROTECTION (once the identification process is concluded)			
Assistance provided to children identified as victims of trafficking and/or as being exploited (and potential victims). Including:			
• appropriate and secure accommodation			
• psychological assistance			
• material assistance			
• emergency medical treatment			
• health assistance			
• education and vocational training			
• access to counselling and information			
• translation and interpretation			
Mid and long term solutions:			
• assistance and protection provided			
In case of unaccompanied children:			
• representation (legal guardianship provided)			
• tracing and location of the family if in the child's best interest			

In the **second column** all steps of the identification and support process are listed.

In the **third column**, "IHR" stands for international human rights law: the project partners verified if international human rights treaties, and in particular, the CRC, the CRC Sale of Children Protocol, the International Covenant on Civil and Political Rights (ICCPR) and the UN Slavery Convention are ratified by the project countries and if the principles there enshrined can therefore guide identification and support practices.

In addition, it was considered if other international instruments, (see **fourth column**) such as the CoE Trafficking Convention and the UN Palermo Protocol are ratified and thus applicable in the project countries.

Also national legal frameworks have been taken into consideration (see **fifth column**).

The practices or methodologies for identification and support of child victims have been collected through interviews with relevant stakeholders who could also provide additional information and details in occasion of the national seminars²⁹ organised within this project. Amongst them were law enforcement agents, NGO representatives, representatives of the Judiciary and Institutions.³⁰

Short reports presenting such analysis, legal frameworks and the practices or methodologies for identification and support of child victims are included in the next section of this chapter.

6.2 LEGAL FRAMEWORKS AND NATIONAL REPORTS ON PRACTICES

International Human Rights Law

Bulgaria, Germany, Italy and Romania have ratified the following instruments:

- CRC³¹;
- ICCPR³²;
- UN Slavery Convention³³.

Instead, the CRC Sale of Children Protocol is ratified by Bulgaria, Italy and Romania while Germany has not proceeded as yet³⁴.

It follows that in the four project countries, any practice on identification and support of child victims should be guided by the human rights principles enshrined in those instruments, these including as a minimum:

- the general principles enshrined in the CRC, already presented in section 1.3 of this report:
 - the best interest of the child (CRC, art. 3);
 - non-discrimination (CRC, art. 2);
 - right to participation (CRC, art. 12);
 - right to life, survival and development (CRC art. 6);
- the principle by which "no one shall be held in slavery nor in servitude nor shall be required to perform forced or compulsory labour" (ICCPR art. 8).

In addition, states have the legal obligation to protect, respect and fulfil the human rights of any person involved with institutions and practices mentioned in the UN Slavery Convention, as well as the obligation to work not only for the abolition but also the abandonment of those practices.

Other International Instruments

Bulgaria, Germany, Italy and Romania ratified the UN Palermo Protocol³⁵ and Bulgaria and Romania also ratified the CoE Trafficking Convention³⁶, whose added value lies "in the affirmation that trafficking in human beings is a violation of human rights and violates human dignity and integrity, and that greater protection is therefore needed for all of its victims"³⁷.

The implication is that any child shall be granted protection first and foremost because he/she is a child; that his/her rights should be respected, protected and fulfilled independently from him/her

²⁹ See Chapter 8 of this Final Report.

³⁰ Details are not provided for privacy purposes, although available under request to the European Commission.

³¹ Ratified by Bulgaria on 03/06/1991; by Germany on 06/03/1992; by Italy on 05/09/1991; by Romania on 28/09/1990.

³² Ratified by Bulgaria on 21/09/1970; by Germany on 17/12/1973; by Italy on 15/09/1978; by Romania on 09/12/1974.

³³ Ratified by Bulgaria on 21/08/1958; by Germany on 14/01/1959; by Italy on 12/02/1958; by Romania on 13/11/1957.

³⁴ Ratified by Bulgaria on 12/02/2002; by Italy on 09/05/2002; by Romania on 18/10/2001.

³⁵ Ratified by Bulgaria on 05/12/2001; by Germany on 14/06/2003; by Italy on 02/08/2006; by Romania on 04/12/2002.

³⁶ Ratified by Bulgaria on 17/04/2007; by Romania on 21/08/2006.

³⁷ CoE Trafficking Convention Explanatory Report, para. 36.

being identified as a victim of trafficking; that specific measures of protection should be adopted in light of the child's condition of increased vulnerability in the case he/she is a victim.

NATIONAL LEGAL FRAMEWORKS AND PRACTICES OR METHODOLOGIES FOR IDENTIFICATION AND SUPPORT OF CHILD VICTIMS

BULGARIA

National Legal Framework

Two are the legal measures available at national level dealing with human trafficking, the amended Penal Code³⁸ and the Law on the Fight against Illegal Trafficking of Human Beings.

- **Penal code:** at Chapter 2 “Crimes against person”, Section IX “Human trafficking” the following sections criminalise activities relevant to human trafficking:
 - art. 142, 142a, 156 - kidnapping and illegal deprivation of liberty, including on purpose to provide for debauchery;
 - art. 155 - establishment and maintaining of “places of debauchery”, and provoking someone into prostitution;
 - art.188 - restraining of juveniles for prostitution.
- **Law on the Fight against Illegal Trafficking of Human Beings:** more specific crimes are contemplated in this instrument. In particular, art.159(a) provides that the “gathering, transporting, concealing or agreeing to participate in the exploitation of individuals or groups for debauchery purposes, forced labour, sale of organs or deprivation of a person's liberty against their will” is a crime. It further considers specific cases when the crime is performed under certain aggravating conditions, such as:
 - a) the victim is under 18 years;
 - b) through constraint or fraud;
 - c) through kidnapping and illegal deprivation of liberty;
 - d) through exploitation of a person's addiction;
 - e) through misapplication of power;
 - f) through promising, giving or obtaining advantages.

Finally, article 159(b) punishes the illegal transportation, concealment or transfer of persons through borders.

Practices or Methodologies for Identification and Support of Child Victims

In 2005, the State Agency for Child Protection together with the International Organization for Migration, initiated the elaboration of a *Coordination Mechanism for referral of cases and due care of both unaccompanied Bulgarian children and children - victims of human trafficking when they return home from a stay abroad* (hereinafter, the Coordination Mechanism). Bulgaria is predominantly a country of origin and a transit country for human trafficking, and this is the reason why this mechanism has been created mainly to meet the needs of victimised children returning from a foreign country. It is through this mechanism that the necessary uniformity of approach by the various Bulgarian institutions is achieved when launching coordinated actions in cases such as these. At the same time, this mechanism clearly distinguishes the responsibilities of individual institutions for effective law enforcement in combating human trafficking, including the undertaking of respective measures against a possible repetition of human trafficking of children who have already been repatriated to Bulgaria.

The system for inter-institutional case referral outlined above, in its capacity as a coordinating mechanism, has been designed to meet the following objectives:

- to regulate the specific obligations for mandatory interaction of the entities involved in all cases when care should be provided to the children concerned;
- to follow up each specific case in a comprehensive, rapid and effective manner;
- to establish the child's identity and investigate the reasons for his/her going abroad;

³⁸ The amended Penal Code entered into force on 1 October 2002.

- to investigate the child's family and social environment for the purpose of implementing measures in his/her best possible interests.

The stages, which each individual case of care provision in Bulgaria goes through, are as follows:

- establishing the identity of the child and the reasons for which he/she is travelling abroad;
- overall investigation of the specific case;
- preparation of a social report;
- application of the relevant protection measure;
- drafting an individual plan for care provision;
- organisation of the child's return to Bulgaria;
- follow-up of the case in point.

The following good practices have been established with the implementation of the Coordination Mechanism in the Republic of Bulgaria:

- a temporary passport is immediately issued to the child at his/her location abroad, irrespective of the ambiguous data collected with respect to his/her identity;
- the child is not turned over to parents and/or relatives before the proper investigation of his/her family environment has been completed and the respective social report has been prepared;
- the initial signalling of each individual case should contain mandatory information about the reasons for the child's detention, i.e. theft, begging, prostitution, etc.;
- written evidence should be provided in connection with each individual case such as documents from police authorities, reports from crisis centres, etc.;
- as much information as possible should be provided in connection with the child concerning: his/her health and emotional status, attitude towards his/her return to the native country, opinions of professionals who have worked with the child during his/her stay abroad, etc.

Some problems deriving from the implementation of the Coordination Mechanism have been identified below.

At the central level, the Coordination Mechanism performs satisfactorily and ensures the interaction of the various institutions involved, but problems still exist at the local level in connection with the clarification of the respective functions and authority of the individual multi-disciplinary teams. At present, the Coordination Mechanism is being updated and amended by the expert team on the national level with a view to encompassing both the recently established Crisis Centres in Bulgaria and the concrete steps prescribing what care should be provided to the children at the local level.

A major problem with the Bulgarian legislation is the scope for different treatment and approaches on the part of the competent institutions with respect to a child victim of trafficking. For instance, the police being mainly interested in the crime committed in connection with the child, is deprived of major functions concerning the child's protection. The prosecutor's office works on collecting evidence about the crime but again has nothing to do with the child's protection. This places the child in the awkward situation of not being treated unequivocally, and the approach to such a child differs, e.g. from treating him/her as a victim to treating him/her as a criminal.

Thus far, Bulgaria lacks a uniform system of indicators universally accepted by all key institutions involved with solving cases of child trafficking, both to identify children who have fallen victims of human trafficking and children subject to the risk of being trafficked.

Furthermore, there are insufficient numbers of specialists trained to work with victims of human trafficking. What is also lacking is a register of specialists capable of providing expertise and lending assistance. In addition, a mechanism to financially support the activities connected with bringing home child victims of trafficking from abroad has not been set up yet. There have also been insufficient cases in which administrative and penal proceedings have been initiated against parents involving their children in human trafficking.

GERMANY

National Legal Framework

Human trafficking of children and forms of intervention and support of victims are object of different parts of the German legislation. With regard to the criminal prosecution of child trafficking the *Strafgesetzbuch*, the German Criminal Code, is the central part of the German

legislation. In general, all forms of intervention and support of child victims are regulated by the *Kinder- und Jugendhilfegesetz*, the German Children and Youth Welfare Law. The special situation of minors from non-EU countries is addressed by the *Zuwanderungsgesetz*, the German Immigration Act, and its single parts, namely the *Aufenthaltsgesetz*, the *Asylverfahrensgesetz* and the *Asylbewerberleistungsgesetz*. The *Aufenthaltsgesetz* regulates the right to enter and stay in Germany for non-EU citizens. The *Asylverfahrensgesetz* does the same for asylum seekers. Levels and types of social services for asylum seekers and tolerated foreigners in need are provided in the *Asylbewerberleistungsgesetz*.

Due to complementary legislation and competences of local, regional and federal administration that can differ according to each *Bundesland* (German state), the actual implementation of the legal framework can vary.

- **Strafgesetzbuch - Criminal Code**

In the Criminal Code, section 18- *Criminal Acts Against Personal Freedom*, human trafficking for the purpose of sexual exploitation (section 232) and human trafficking for the purpose of forced labour (section 233) are listed as criminal acts. Other criminal acts in the context of human trafficking, like the promotion of human trafficking (section 233a), kidnapping (sections 234 and 34a), deprivation of liberty (section 239), blackmail (section 239a) and taking of hostages (section 239b) are also indicated. The paragraphs on human trafficking (sections 232 and 233) concern human beings in general, not only children. However, in subsection 3 it provides for harsher sentencing where child victims are involved (minimum of one year instead of 6 months imprisonment).

Sections 232 and 233 have a problematic limit, which is that the stay of the victim in a foreign country needs to be part of the trafficking and exploitation process. In section 233 both reducing a person to slavery, serfdom or peonage and subjecting a person to a forced labour situation are contemplated. However illegal activities and begging are not mentioned as types of exploitation anywhere in the Criminal Code.

- **Aufenthaltsgesetz - Law concerning the entrance and stay of foreign citizens in Germany**

The *Aufenthaltsgesetz* at sections 5 and 25, subsection 4a, provides that a foreigner who is considered a victim as per sections 232, 233 and 233a of the Criminal Code, may remain temporarily in Germany even if he/she would normally be obliged to leave Germany. This is only possible, if: his/her temporary presence in Germany is useful for criminal prosecution, because without his/her information the detection of the crime would be more difficult; he/she cuts off any contact to any person who is accused of the crime in question; and he/she has declared his/her willingness to give testimony in the legal procedure.

If a foreign citizen obtains legal status of stay and residence in Germany he/she is then eligible for integration services (sections 43-45).

In section 49 the assessment and documentation of the identity of foreigners is addressed. If there are doubts concerning the person, the life age or the nationality different measures for identification should be applied under certain prerequisites and circumstances. This could be photographs, finger prints, or even medical acts as long as it does not imply any disadvantage for the health of the foreigner. Measures for identification may only be applied to persons who are 14 years old and older.

According to section 80, an adolescent of 16 years of age or over has legal capacity to face the procedures contemplated by *Aufenthaltsgesetz* although unassisted, including representing himself/herself in court proceedings. This is also true of procedures under the *Asylverfahrensgesetz* (section 12). Being under 18 years of age does not imply that the minor cannot be denied permission to stay or be returned to his/her country of origin. For all foreign children under 16 years of age, legal guardians must take care of all legal procedures.

Practices or Methodologies for Identification and Support of Child Victims

Legal procedures and part of the general practice of identification and support of victims of child trafficking and exploitation in Germany is described in the section on the legal framework in Germany.

Generally speaking, preliminary criminal proceedings against acts of child trafficking are triggered by controls of the police, complaints of victims and notification and reports by third persons. So

far complaints of victims and notification and reports by third persons play a smaller role because of either the vulnerability and helplessness of victims (which is greater the younger the minor is) or because of the lack of knowledge and awareness of the phenomenon among stakeholders or the general public.

It is perhaps the close link between child trafficking for the purpose of sexual exploitation and sexual exploitation in the red light milieu, which is the reason that there is more information on this type of exploitation in Germany. Law enforcement personnel implement control actions in the milieu and begin investigations based on their preliminary findings and insight of the problem.

In the field of women trafficking, in past years law enforcement and NGOs have agreed on cooperation in many states of Germany which has improved the protection of witnesses and victims. The results of the project research give the impression that some of these cooperation models which are currently in place for foreign teenage girls who prostitute themselves, have extended their scope to cases of minor victims. Due to the circumstances and the history of the cooperation this is mostly still limited to minors who are older than 14 years and sexual exploitation. Examples for this are the counselling center *Nachtfalter* that belongs to the Caritas Association of the diocese of Essen, the project *Jadwiga* of the NGO *STOP dem Frauenhandel gGmbH* in Munich or the counselling center of the NGO *IN VIA* of the diocese of Berlin. The counselling center *Nachtfalter* even developed a method for sharing professional opinions, perspectives and biases on the particular problem of human trafficking across different professional disciplines. At the core of such agreements on cooperation is a clear distribution of roles and tasks between law enforcement and NGOs. Although they follow different mandates they cooperate for the protection of the witness.

Principles of the cooperation models are mutual respect and respect of the different tasks involved. The common goal is the improvement of the victim's situation. Essential to their success is that towards the victim there is a clear distinction between law enforcement agents and NGOs. Potential victims lack trust towards law enforcement agents. However the police often rely on the victim's information and testimony in order to prosecute the crime of human trafficking. In the past many criminal proceedings of cases of human trafficking ended as cases of smuggling because victims were not willing to give testimony against the perpetrators.

As first state of Germany, in 2007, Berlin established a specific *Kommissariat* for human trafficking of minors within the bureau of criminal investigation of Berlin. It is the first *Kommissariat* to explicitly address the phenomenon of child trafficking with regard to all types of exploitation. In the hierarchical structure of the bureau of criminal investigation child trafficking is no longer subsumed under human trafficking, sexual abuse or other crimes. The *Kommissariat* can build upon an experienced model of cooperation with the NGO *IN VIA* and other stakeholders in Berlin in the context of women trafficking and support of foreigners. For the *Kommissariat* it is still too early to evaluate trends, tendencies or the results of their work. But for all stakeholders in Germany it will be enriching to learn from their medium-term and long-term experiences.

Cooperation between NGOs, law enforcement and child and youth welfare departments has a long tradition regarding all different kinds of risk factors and exploitative situations for minors.

Cooperation between NGOs, child and youth welfare departments and departments for foreigners can also look back on a common tradition. However, so far child trafficking has not been a prevalent problem in the daily work of these stakeholders. In addition, the child and youth welfare departments are not responsible for certain foreign minors, or at least they do not feel responsible.

The *Action Plan 2005-2010* for a "child-adequate Germany" intends and suggests clearing services for unaccompanied foreign minors. Following the suggestion of the action plan, clearing houses were established in some cities and regions, e.g. in Berlin, Frankfurt, Nürnberg, etc. The provision of clearing houses is not yet exhaustive for Germany and is not based on uniform standards.

NGOs and civil groups like the *Landesarbeitsgemeinschaft Jugendsozialarbeit Bayern* and the *Bayerischer Jugendring* have given recommendations in this regard. The *Bundesfachverband Unbegleitete Minderjährige Flüchtlinge e. V.*, a federal association of organisations working on behalf of unaccompanied minor refugees, has developed standards and guidelines for such clearing procedures and services.

Already in 1995 the UNHCR published a training module for interviewing asylum seekers including a specific chapter on children which is available in German. It can be concluded that there are recommendations for standards, but up to this point no specific standards on identification and support of victims of child trafficking have been agreed on with regard to all categories of exploitation and with validity for all different stakeholders across Germany. This conclusion matches the project finding that in some cities or regions cooperation works well due to the individual stakeholders involved, and in some cities or regions cooperation is very unsatisfactory.

ITALY

National Legal Framework

Two are the main legislative instruments available in Italy dealing with trafficking in human beings:

- **Law Decree 286/98³⁹ on Provisions concerning Immigration and Norms on the Foreigner's Condition and its implementation Presidential Rules Decree 394/1999:** under this law, at article 18, a person who has suffered violence or exploitation and a person whose life is in danger can receive special protection, entering the assistance and social integration programme. Any victim has the right to receive protection and assistance, this including psychological support, health assistance, vocational training, and social integration. Any victim has the right to receive interim care in a first reception centre and then be transferred to a protected shelter where long-term protection is provided. Under this programme, any victim, be they adult or child, shall be given a permit to stay in Italy on humanitarian grounds for an initial period of 6 months that can be further extended for 1 year. The permit can be eventually converted into a study or work permit. Two are the ways to access the programme: where the victim is detected by law enforcement agents in the course of an investigative operation, the victim declares his/her situation; otherwise, the victim may simply express the will to enter the programme without having the obligation to denounce his/her situation to law enforcement agents.
- **Law 228/2003 on Measures against trafficking in persons.** The law has modified articles 600, 601, 602 and 416 of the Penal code. Article 600 is about slavery and servitude, 601 on trafficking in human beings, 602 on the slave trade and article 416 on the punishment of those involved in the crimes mentioned in the previous articles. Articles 12 and 13 of the law set up a special fund to support assistance programmes and for the creation of a special programme of assistance. Victims can receive assistance in a protected shelter for 3 months that can be extended to 6 months.

It is important to note that unaccompanied children (EU and non-EU nationals) detected in Italy, have the right to receive protection first and foremost because they are children, thus independently from their status as victims of trafficking or exploitation. Upon detection, they should be accommodated in a secure shelter and relevant authorities are informed of his/her presence (the Public Prosecutor of the Italian Republic in the Juvenile Court). In any case, unaccompanied children can not be expelled.

Practices or Methodologies for Identification and Support of Child Victims

The legal instruments described above provide a general framework for procedures that should be followed on identification and support of child victims. Nonetheless, procedures may vary in different local contexts. The general framework is as follows:

- coordination: law enforcement agencies (the police, Carabinieri and Guardia di Finanza), Institutions, NGOs, the judiciary, define their mandate and rules of cooperation;
- detection of an unaccompanied child: this is done by either law enforcement agents or street units of NGOs or the state social services;
- identification: a first interview is conducted by the stakeholders who has detected the child;
- if needed, when no ID document is available, an investigation on personal family and social history is conducted;
- the child is not a victim of trafficking: if an unaccompanied child is found not to be a victim of trafficking, he/she receives protection because he/she is a child;

³⁹ As modified by Law 189/2002.

- information to competent authorities: the Public Prosecutor in Juvenile Courts is informed of the presence of the child and his/her status;
- interim protection: the child is referred to first reception centres and given food and drinks and, where necessary urgent medical assistance is provided;
- in-depth interview: specialists of either law enforcement agencies, NGOs or social services conduct the in-depth interview, gathering information on the story of the victim, assessing whether the child is willing to receive assistance and informing the child of measures of protection available;
- the programme of assistance and integration: after receiving the authorisation of the Judicial authority, the programme is implemented;
- assistance provided: children receive material assistance, emergency medical treatment, healthcare, education and vocational training, as well as access to counselling and information. Translation and interpreting are also provided by cultural mediators.

One of the best practices of identification and support of child victims is applied in the Municipality of Venice. Representatives of both Local Social Services and law enforcement agents participated at the seminar organised in this project (see chapter 8) and shared their experiences while discussing the AGIS methodology for identification and support of child victims presented in chapter 7 of this report. Their particular practice has already been mapped in a European project on identification and support of victims of trafficking⁴⁰ and therefore will not be detailed here.

The practice presented above and the experience developed by stakeholders, such as the one of the Municipality of Venice, have been fed into the development of the AGIS methodology for identification and support of child victims of trafficking. Furthermore, a detailed description of the measures of child protection available in Italy, as well as a presentation of identification and support practices that should be followed, are provided in the Italian Protocol for identification and support of child victims (see Part III of this Report).

ROMANIA

National Legal Framework

Romania has two relevant laws developed nationally to address the crime of trafficking in persons and also seek to protect victims of crimes.

- **Law no 678/2001: on preventing and combating trafficking in persons,** as amended and modified, and its subsequent Implementing Regulation adopted by Government Decision 299/2003. The Law on preventing and combating trafficking in persons penalises various forms of human trafficking and sets up the appropriate legal framework for modern investigative methods and their use in identifying trafficking actions. The Law also creates norms for assisting and protecting the victims and their families, as well as providing for witness protection.
- **Law no 211/2004:** came into force in January 2005 and introduced several provisions aiming to protect victims of crime. The law defines four categories of measures directly targeting the victims of crime and their needs: information for victims on their rights; psychological assistance; legal assistance free of charge; and that trafficking victims can enjoy the same rights if s/he meets the legal requirements provided.

Practices or Methodologies for Identification and Support of Child Victims

The procedures presented below are applicable in cases of internal and international child trafficking and in cases of exploitation. The stakeholders involved are: the Border Police General Inspectorate, the General Direction for Social Assistance and Child Protection, the National Authority for Children's Rights Protection (NACRP), Transit Centres, Emergency Care Centres, the County General Directorate for Social Assistance and Child Protection, the National Authority for Children's Rights Protection and the National Agency against Trafficking in Persons (ANIPT). However, in cases of internal trafficking, there is no involvement of the Border Police.

⁴⁰ See *Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking*, pp. 163-173, March 2006, produced within the project "Comprehensive Training for Law Enforcement Authorities Responsible for trafficking in Children/Minors" implemented under the AGIS Programme 2005.

Border Police General Inspectorate:

- notifies the appropriate border point of the child's return and his/her identity to facilitate the child legal guardians' access to the child;
- notifies the nearest police precinct of the child's identity (police precinct near the Counselling and Assistance Centre);
- designated border police officers inform the child of their right, as a victim, to file a complaint against the persons which trafficked them and of their role in the legal proceedings (the child and the officer in charge sign affidavits);
- if the victim does not speak Romanian, a translator should provide assistance;
- designated officers file the victim's statement on the events, the perpetrator and other details relevant to the law enforcement agencies (taking into account the victim's state of mind and physical condition);
- at the victim's request, she/he will be placed in an assistance and counselling centre, either one nominated by him/her or the nearest to his/her home town, taking into account the vacancy level of the centre;
- The child's legal guardian or other designated person will take the child into custody and accompany him/her to his/her area of residence or to a specialised centre for unaccompanied children and trafficking victims. The centre is subordinate either to the General Directorate for Social Assistance and Child Protection or to an authorised private institution.

General Direction for Social Assistance and Child Protection:

- nominates a representative which will accompany the child to his/hers area of residence or to a specialised centre for unaccompanied children and for trafficking victims in his/her area of residence or in one of the border counties if the child's residence is unknown (to ensure that the child is taken into custody, she/he has a legal representative and is accompanied by an adult);
- according to the law, the general director or the executive director of the General Directorate for Social Assistance and Child Protection agrees upon the appropriate emergency protection measures of the child (who is accompanied to the centre);
- if this is not possible, the director must immediately notify the National Authority for the Protection of Child's Rights, which will delegate these responsibilities to the Bucharest District 2 General Direction for Social Assistance or to the local General Directorate for Social Assistance and Child Protection (the county where the border point is located);
- the child is accompanied to the specialised centre for unaccompanied children or for trafficking victims. These centres are under the supervision of the local General Directorates for Social Assistance and Child Protection. There she/he will receive assistance as stipulated by the law until he/she is either taken by his family or by the General Directorate for Social Assistance and child protection from his county of residence;
- the local General Directorate for Social Assistance and Child Protection from the child's area of residence will make all necessary arrangements for the child's reintegration into the family (i.e. assesses the family and analyses the reintegration opportunities, solves legal issues - identity papers or other documents which certify the professional skills, the educational or professional reintegration and any health problems) and monitors the case for a minimum period of 3 months.

A toll-free hotline for children is available in each local General Directorate for Social Assistance and Child Protection (GDSACP) where complaints of child abuse or trafficking can be made.

National Authority for Children's Rights Protection (NACRP):

- forwards any relevant documents on the returned child's situation to competent foreign authorities requesting information;
- observes compliance with minimum compulsory requirements of the centres (providing protection and emergency assistance to children, victims of trafficking);
- monitors the cases, jointly with the National Authority against People Trafficking.

Transit Centres

The Regional and Transit Centres provide assistance in cases of sexual and labour exploitation, crime, organ harvesting, internal or external trafficking (in compliance with the minimum mandatory standards for the protection and assistance of victims of trafficking in human beings).

The Bucharest Pilot Centre has the responsibility for the coordination of the activity of all transit centres, monitoring the situation of returned children and setting up a national database of cases of trafficked children.

A. When the child enters the country through a different border point (not Otopeni/Henri Coanda) and is taken into custody by a representative of the Transit Centre or a GDSACP representative from his/hers area of residence the practice followed is the following:

- an employee of the Transit Centre is nominated by the local GDSACP where the child lives to meet the child victim, represent him/her and accompany the returned child. The local GDSACP also provides the child's personal data to the border point;
- the nominated person arrives at the Border Point to take the child into custody;
- border police officers immediately carry out the border procedures and the child is handed over to an adult who accompanies him/her to the Transit Centre, where she/he undergoes a medical examination and is admitted into an assistance, protection and reintegration programme;
- GDSACP's General Director or Executive Director in the county where the Transit Centre is located agrees upon the emergency placement of the unaccompanied child and authorises his/her admission to the Transit Centre;
- the Transit Centre notifies the NACRP of the child's situation and forwards relevant case information to the Pilot Centre (to be entered into the national database);
- according to Law 272/2004, the Transit Centre provides accommodation and specialist assistance for a period of 15 days;
- if no solution for the child's reintegration into his/her family is found during this time period, the child is admitted into a residential care institution. The child may continue to receive psychological assistance and social protection in the Pilot Centre;
- the accommodation period can be extended up to 3 months or throughout the entire trial period at the request of law enforcement representatives.

B. When the child receives assistance at the Pilot Centre or in a Transit Centre outside his/her area of residence the practice followed is the following:

- an employee of the Transit Centre is nominated by the local GDSACP where the child lives to take the child into custody and accompany him/her to the Centre;
- the delegated person or the legal guardian accompanies the child from the Pilot or Transit Centre to his/her family or to another Transit centre in his/her area of residence;
- the unaccompanied child is admitted to the Transit Centre (emergency placement) or s/he benefits of other protection measures, taking into account his/her situation;
- the Transit Centre notifies the NACRP of the child's situation and forwards on his/her personal data;
- the Transit Centre provides accommodation and specialised assistance for a period of 15 days, according to the law 272/2004;
- if no solution for the child's reintegration into his/her family is found during this time period, the child is admitted into a residential care institution. The child may continue to receive psychological assistance and social protection in the Pilot Centre;
- the accommodation period can be extended up to 3 months or throughout the entire trial period at the request of law enforcement representatives.

Regional Transit Centres and Emergency Care Centres for abused/trafficked children

These units provide temporary support and protection to child victims, including victims of internal trafficking. In particular:

- they provide shelter and specialised assistance for a period of 15 days;
- they are subordinate to the local GDSACP and represent only one step of the intervention (an emergency measure);
- once the child passes the medical exam, s/he is allowed to be integrated in a residential care facility (the child's health condition must allow for his/her integration without affecting the others);
- the child has no transmittable diseases: hepatitis B or C, HIV, acute tuberculosis, acute mental or somatic diseases;
- if the child is in bad health, s/he will be admitted into a children's hospital and then, once his/her condition improved, s/he is taken into custody by one of the Centres.

In the Centre:

- the child is provided with basic accommodation and food;
- accommodation is provided taken into account the child's age and gender;
- the children are informed of the centre's internal rules, and of their rights and responsibilities;

- a specialist undertakes the preliminary assessment of the child;
- whenever the specialist observes the child's willingness to provide information on the trafficking rings or the abuses s/he faced, s/he must notify at once the DGCCOA and the GDSACP;
- the Centre's multidisciplinary team drafts a personalised intervention plan or a social intervention plan;
- specialists from local NGOs are involved in the assessment, therapy or in the case monitoring;
- the multidisciplinary team drafts and implements a specialised intervention plan;
- the monitoring and assessment of the (intervention) programme include:
 - Observing the case and the results
 - Intermediary, final assessment and analysis of the results obtained
 - Follow-up to monitor the evolution of the case, provide support in case of relapse and re-assess the child's situation (in the minimum monitoring period);
- the case is closed (from a medical, psychological, social and family reintegration standpoint) when the protection measures designed to ensure the child's mental and physical integrity are set in place.

Record of proceedings and documents:

- hard-copy records: each case has its own file (hard copy). It comprises the preliminary record form, the full record form, specialised investigations: psychological, psychiatric, medical, social, juridical and pedagogical investigations and the child's works - drawings, psychological tests, etc. These three individual reports (no. 1, no. 2 intermediary and final), copies of documents issued by other public institutions, the personalised intervention plan and the social intervention plan will be annexed to the file. The files are stored in a safe place for confidentiality and for personal data protection reasons;
- electronic records: each case is recorded in the database of the Pilot Centre. The Transit Centre is responsible for forwarding personal data on assisted children to the Pilot Centre to ensure a centralisation of information.

County General Directorate for Social Assistance and Child Protection

- the case is monitored for a period of minimum 6 months by the local Child Protection Direction / General Directorate for Social Assistance, in the child's county of residence;
- the competent local GDSACP will forward the monitoring reports to the NACRP every two months.

National Authority for Children's Rights Protection

- forwards all monitoring reports to Bucharest Pilot Centre to ensure centralisation of data on all assisted children.

National Agency against Trafficking in Persons (ANIPT)

- informs the child on services provided to victims of trafficking (a representative of the regional centre will travel together with a representative of the transit centre to the border point);
- the Combating Organised Crime Directorate (DGCCO) notifies ANIPT and a representative of ANIP travels to the border point (Baneasa or Otopeni airport) or a representative of DGCCO accompanies the child at ANIPT's regional centre where s/he is informed of his/her rights.

Regional Centre

- monitors the social assistance services provided to victims of trafficking;
- when local service providers cannot entirely cover the victims' social needs, specialised assistance is provided by the regional centre's personnel. The staff of the regional centre, i.e. psychologists and social workers, assist the trafficking victims to reintegrate socially and professionally;
- the staff of the regional centre also give advice to victims who consent to take part in criminal proceedings (support and access to legal services).

PART III

METHODOLOGY FOR IDENTIFICATION AND SUPPORT OF CHILD VICTIMS OF TRAFFICKING

7. Methodology for identification and support of child victims of trafficking developed in the project

7.1 PRESENTATION OF THE METHODOLOGY

The main aim of this AGIS project consisted in the development of a child rights based methodology to identify and support child victims of trafficking (hereinafter “the AGIS methodology”). To that end, Save the Children Italy has developed a proposal shared with the other project partners who eventually agreed upon the methodology that is presented in this chapter.

Furthermore, a specific protocol for identification and support of child victims has been developed by Save the Children Italy as an example of the type of exhaustive tool for identifying and supporting child victims that can be **developed using the AGIS methodology**. Though the protocol is only applicable to Italy, it can be easily replicated in other European countries, under the guidance of the AGIS methodology. The protocol is a separate document and can be downloaded from the Save the Children website.

The AGIS methodology is divided in three sections:

- **Section 1:** on profiles and indicators for the identification of child victims of trafficking;
- **Section 2:** on cooperation, coordination and approach, including a list of child rights principles applicable to procedures for cooperation on identification and support; a methodological framework to outline instruments of protection available in national legal systems; a statement of good practices to be followed as far as the organisation, structure and approach are concerned; a methodological framework to guide the development of recommendations on operating procedures to be implemented, age assessment procedures and procedures to assess relations between children and accompanying adults;
- **Section 3:** on ethical and methodological principles applicable in interviews of presumed child victims of trafficking.

7.2 THE METHODOLOGY

AGIS METHODOLOGY - SECTION 1 PROFILES AND INDICATORS

METHODOLOGICAL FRAMEWORK No. 1

Profiles of Child Victims and Children at Risk of Trafficking / Exploitation

The methodological framework outlined below shall guide the development of **tables of profiles** of child victims and children at risk of trafficking. It suggests the division of profiles by form of exploitation, including sexual exploitation, exploitation in illegal activities, begging and labour exploitation. The AGIS methodology suggests the use of **different colours for each form of exploitation** so that readers, that is, all relevant stakeholders who should use the methodology, are able to more easily identify the form of exploitation in question.

For each profile, the tables describe or indicate the group, the probability that the child is a victim of trafficking or exploitation, methods of recruitment, methods of exploitation and where it occurs, family status and living conditions.

Indications given shall be considered with flexibility. In the development of tables of profiles the authors shall take into consideration and add any element that although not suggested under the AGIS methodology, might be relevant to include in their national or local context.

PROFILE - indicate type of exploitation

(e.g. sexual exploitation, exploitation in illegal activities, exploitation for begging, labour exploitation). Different colours may be used for each form of exploitation to facilitate users in their search for profiles.

Group	Probability that the child is victim of trafficking / exploitation	Method of recruitment	Method and place of exploitation / activity	Family status and living conditions
<ul style="list-style-type: none"> ✓ Indicate if victims are children or adolescents ✓ specify gender ✓ specify nationality ✓ specify ethnicity ✓ give other details if important (e.g. physical disabilities) <p>Give a progressive number to each profile described. This number refers to the detailed table which combines profiles and indicators (see Methodological Framework No. 3) (Example: “Table No. 1” etc.).</p>	Choose between: <ul style="list-style-type: none"> ✓ high ✓ medium ✓ low 	Specify: <ul style="list-style-type: none"> ✓ how ✓ where ✓ profile of recruiters ✓ family involvement 	Specify: <ul style="list-style-type: none"> ✓ what type of activity is involved ✓ where it happens ✓ if exploitation is continuous or occasional ✓ if victims act in group or alone ✓ if victims suffered abuses, violence and threats ✓ if a minimum income is expected 	Specify: <ul style="list-style-type: none"> ✓ if victims have family ties ✓ details on their living conditions

METHODOLOGICAL FRAMEWORK No. 2

Indicators of Trafficking / Exploitation

Two different sets of indicators of child trafficking have been included in this methodology:

- indicators applicable in countries of destination, including internal trafficking (except for those indicators relevant to the border)
- indicators to be detected at the border, specific to countries of origin

The development of the two sets of specific indicators have been informed by findings from the research activities conducted in this project. However, they are to be used flexibly and adapted to local conditions with relevant deletion and/or further inclusion of indicators. The indicators are organised under 5 main headings:

1. indicators to be detected at the border
2. indicators of control exercised by exploiters
3. indicators of a child's isolation due to the presence of exploiters
4. indicators of violence, abuse, neglect
5. indicators to be detected in the penal circuit

The AGIS methodology suggests different colours be used for the headings above, that is to say: heading 1 being indicators to be used at the border, headings 2-4 being indicators to be detected on the street or other places of exploitation, and heading 5 being indicators to be detected in places where children are held, such as the penal circuit. The use of different colours should help the reader in the use of the indicators.

For example, for “Indicators to be detected at the border”, blue could be used, for “Indicators of control exercised by exploiters, indicators of a child's isolation due to the presence of exploiters and indicators of violence, abuse and neglect”, green could be used and for “Indicators to be detected in the penal circuit” purple could be used.

INDICATORS OF CHILD TRAFFICKING / EXPLOITATION IN COUNTRIES OF DESTINATION AND CASES OF INTERNAL TRAFFICKING

1. INDICATORS TO BE DETECTED AT THE BORDER

Specify how the indicators apply to the specific national or local context. It is recommended to include those provided in the second column.

1. ENTRY WITH AN ADULT WHO DECLARES NO FAMILY CONNECTION TO THE CHILD

Particular attention should be paid to:

1. false documents
2. an adult accompanying more than one child
3. an adult who often accompanies one or more children across the border and is familiar with the applicable procedures
4. a child who provides little and contradictory information about the adult's identity, their destination and the reason for their trip
5. an adult who keeps a child or adolescent's documents
6. an adult who prevents the child from talking to officers

2. ENTRY WITH AN ADULT WHO CLAIMS TO BE A RELATIVE OF THE CHILD BUT DOES NOT POSSESS VALID DOCUMENTATION TO PROVE THE PARENTAL RELATION

The family connection should be verified if:

1. false documents are provided
2. the adult and the child speak different languages
3. the child and the adult show little trust and mutual affection
4. the child and the adult know very little about each other or provide contradictory information regarding each other's identity and personal details

3. ENTRY AS AN UNACCOMPANIED MINOR

Particularly if the child has:

1. false documents
2. little knowledge about, or provides contradictory information regarding their precise destination, the reason for their trip (and where they have a visa, its purpose and duration), as well as the cost of the trip
3. no luggage nor sufficient funds to cover minimum expenses in the short-term

2. INDICATORS OF CONTROL EXERCISED BY EXPLOITERS

1. MOVEMENT TO OTHER CITIES AND/OR COUNTRIES

- ✓ Indicate whether the child has been to other cities and/or countries (specify) in the space of a few months, often without knowing their geographical location nor how to get there (route, cost of travel etc.)

2. PRESENCE OF AN ADULT WHO KEEPS WATCH OVER A CHILD ON THE STREET

- ✓ Specify whether an adult controls the child while exploited

3. INTERVENTION BY AN ADULT WITH NO FAMILY CONNECTION TO THE CHILD

- ✓ Indicate possible methods used by an adult to keep the child from escaping from exploitation
Example: intervention of an adult to prevent contact with social workers.

4. LACK OF TIME

- ✓ Indicate whether the child cannot stay long with social workers/ assistants, nor make or keep arrangements (to be accompanied to medical appointments, for example)

5. DEEP CONCERN EXPRESSED REGARDING THE POSSIBLE LACK OF EARNINGS

- ✓ Indicate whether the child is concerned that he/she will be punished for lack of earnings

6. A THIRD PERSON HAS POSSESSION OF THE CHILD'S ID DOCUMENTS

- ✓ Indicate whether the child lacks immediate access to the ID document because others have it in their keeping

7. HIGH LEVELS OF DEBT

- ✓ Identify a specific indicator
Example: if the child (or their family) has contracted a large debt for their travel, they may be forced or induced into prostitution or into undertaking illegal activities in order to repay the agreed sum.

8. ACTIVITY CONDUCTED IS PARTICULARLY TIRING

- ✓ Identify a specific indicator
Example: the child is forced to work for many hours a day and in difficult climatic situations.

3. INDICATORS OF A CHILD'S ISOLATION DUE TO THE PRESENCE OF EXPLOITERS

Specify in the second column how the indicators apply to the specific national or local context. Examples are provided.

1. LACK OF KNOWLEDGE ON HOW TO RUN DAILY LIFE ON THEIR OWN	Example: where an adolescent does not know where to buy food and clothing etc., this would tend to indicate the presence of an organisation or individual who takes care of those needs.
2. VERY POOR KNOWLEDGE OF LOCAL LANGUAGE	Example: the child has been in the area for several months and do not yet understand and use the language well.
3. LACK OF A NETWORK OF FRIENDS WHO ARE NOT FAMILY; VERY LIMITED SOCIAL LIFE	Example: the fact that the child has no friends outside of the group with which they "work" could be an indicator of severe isolation due to the presence of an exploiter.
4. SOCIAL ISOLATION AND MARGINALISATION	Example: the child is marginalised and live in difficult conditions (accommodation, personal hygiene).

4. INDICATORS OF VIOLENCE, ABUSE, NEGLECT

Specify how the indicators apply to the specific national or local context.

1. PHYSICAL SIGNS OF VIOLENCE	<ul style="list-style-type: none"> ✓ Identify a specific indicator Example: marks on the body such as bruises or cigarette burns, or even fractures.
2. BEHAVIOURAL ASPECTS	<p><i>It is recommended to include the indicators below:</i></p> <ol style="list-style-type: none"> 1. habitual substance abuse, especially heavier drugs (particularly cocaine, which lowers the threshold of one's perception of danger) 2. tendency to interact with others as though constantly needing to outdo them and show them who is boss 3. changeable behaviour - the child presents a different attitude towards the different people they interact with 4. determined refusal to engage in dialogue (mutism, keeping their distance, etc.) 5. extremely defiant and hostile behaviour, both in the child's spoken and body language, similar to that found in an adult criminal environment
3. INDICATORS OF CHILD SEXUAL ABUSE	<p><i>It is recommended to include the indicators below:</i></p> <ol style="list-style-type: none"> 1. even the smallest sign of marks on the body such as cuts, wounds, bruises or scratches, near sensitive parts of body such as the mouth, buttocks and breasts; sexually transmitted diseases and early pregnancy; dilation of the anus; anal and genital inflammation 2. behavioural aspects: actions which show a great deal of sexual knowledge, for example: sexually explicit drawings which are inappropriate for the child's age; sexualised attitude towards other people, animals or toys (i.e. imitating adult behaviour); concerns regarding sexual topics; disturbed sleep; self-harm; spontaneously recounting stories of a sexual nature; refusal to attend medical appointments or to undress (or, on the contrary, excessive readiness to do so)
4. STATE OF NEGLECT	<ul style="list-style-type: none"> ✓ Identify a specific indicator Example: little care for personal hygiene (demonstrated by the presence of parasites, skin diseases etc.), malnutrition.

5. INDICATORS TO BE DETECTED IN THE PENAL CIRCUIT

Specify in the second column how the indicators apply to the specific national or local context. Examples are provided.

1. CHARGES FOR ILLEGAL ACTIVITIES COMMITTED	Example: child victims could be charged for offences they were forced to commit by their exploiters.
2. CRIMINAL ACTS WHICH IMPLY THE PRESENCE OF AN ORGANISATION	Example: drug dealing, especially heavy drugs.
3. CHILD'S REACTION TO INTERVENTION BY AUTHORITIES	Example: short response time when answering questions, as though reading from a script which his/her exploiter has made the child learn from memory.

INDICATORS OF CHILD TRAFFICKING / EXPLOITATION IN COUNTRIES OF ORIGIN

1. INDICATORS TO BE DETECTED AT THE BORDER AS CHILD EXITS THE COUNTRY

Specify how the indicators apply to the specific national or local context. It is recommended to include those provided in the second column.

1. DEPARTURE WITH AN ADULT WHO DECLARES NO FAMILY CONNECTION TO THE CHILD	<p>Particular attention should be paid to:</p> <ol style="list-style-type: none"> 1. false documents 2. an adult accompanying more than one child 3. an adult who often accompanies one or more children across the border and is familiar with the applicable procedures 4. a child who provides little and contradictory information about the adult's identity, their destination and the reason for their trip 5. an adult who keeps a child or adolescent's documents 6. an adult who prevents the child from talking to officers
2. DEPARTURE WITH AN ADULT WHO CLAIMS TO BE A RELATIVE OF THE CHILD BUT DOES NOT POSSESS VALID DOCUMENTATION TO PROVE THE PARENTAL RELATION	<p>The family connection should be verified if:</p> <ol style="list-style-type: none"> 1. false documents are provided 2. the adult and the child speak different languages 3. the child and the adult show little trust and mutual affection 4. the child and the adult know very little about each other or provide contradictory information regarding each other's identity and personal details

2. INDICATORS TO BE DETECTED AT THE BORDER AS CHILD ENTERS THE COUNTRY

1. ENTRY AS AN UNACCOMPANIED MINOR	<ul style="list-style-type: none"> ✓ Identify a specific indicator Example: the child left the country accompanied by an adult and returns unaccompanied.
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METHODOLOGICAL FRAMEWORK No. 3

Detailed Tables Combining Profiles and Indicators

PROFILES AND INDICATORS SPECIFY THE FORM OF EXPLOITATION (e.g. "Trafficking for the purpose of sexual exploitation")

The methodological framework provided shall be used to develop detailed tables for each group of children identified as being at risk of trafficking. Further, guidance for the application of the indicators to specific profiles is outlined.

WRITE NUMBER OF THE TABLE

(the number will be the same reported under the specific profile presented in the table of profiles developed using the Methodological Framework No.1 - e.g. "Table 1")

SPECIFY THE PROFILE (e.g. "Adolescent girls from Nigeria")

VICTIM PROFILE

Fill in the space with information provided for the same profile outlined in the "Tables of Profiles" (developed following the Methodological Framework No.1). Further information to expand on the profile can be provided where useful to operators.

PROBABILITY OF TRAFFICKING

PROBABILITY OF EXPLOITATION

METHOD OF RECRUITMENT

METHOD AND PLACE OF EXPLOITATION / ACTIVITY

FAMILY STATUS AND LIVING CONDITIONS

INDICATORS OF TRAFFICKING / EXPLOITATION

1. INDICATORS TO BE DETECTED AT THE BORDER

- ✓ Copy in this space the indicators that are applicable to this specific profile
Example: "Entry with an adult who declares no family connection to the child".
- ✓ Provide additional details specifying how the indicators apply
Example: "adolescents accompanied by an adult of the same nationality give contradictory information on the adult's and their own identity as results from their ID documents".

2. INDICATORS OF CONTROL EXERCISED BY EXPLOITERS

- ✓ Copy in this space the indicators that are applicable to this specific profile
Example: "a third person has possession of the child's ID document".
- ✓ Provide additional details specifying how the indicators apply
Example: "quite often the exploiter keeps victims' passports, supposedly for safe-keeping".

3. INDICATORS OF A CHILD'S ISOLATION DUE TO THE PRESENCE OF EXPLOITERS

- ✓ Copy in this space the indicators that are applicable to this specific profile
Example: "lack of knowledge on how to run daily life on their own".
- ✓ Provide additional details specifying how the indicators apply
Example: "where the adolescent, despite living without a family, has no knowledge of how to live daily life on their own, that is, amounts of and ways of paying the rent and utilities such as water and gas bills etc.".

4. INDICATORS OF VIOLENCE, ABUSE, NEGLECT

- ✓ Copy in this space the indicators that are applicable to this specific profile
Example: "behavioural aspects".

- ✓ Provide additional details specifying how the indicators apply
Example: "habitual substance abuse, especially heavier drugs (particularly cocaine, which lowers the threshold of the perception of danger involved in the activities to be undertaken)".

5. INDICATORS TO BE DETECTED IN THE PENAL CIRCUIT

- ✓ Copy in this space the indicators that are applicable to this specific profile
Example: "criminal acts which imply the presence of an organisation".
- ✓ Provide additional details specifying how the indicators apply
Example: "stealing of goods which are difficult to on-sell without the help of a dealer; drug dealing, especially heavy drugs".

AGIS METHODOLOGY - SECTION 2

COORDINATION, COOPERATION AND APPROACH

METHODOLOGICAL FRAMEWORK No. 4

List of Relevant Principles of the UN Convention on the Rights of the Child

Given that the AGIS methodology has been developed using the child rights based approach, the list of relevant principles of the UN Convention on the Rights of the Child that follows has been included as part of the AGIS methodology. Those principles shall guide any action on identification and support of child victims.

I. Best interests of the child

The best interest of the child should be the primary consideration in all actions concerning children (CRC, art. 3). All other considerations, including border control and immigration laws, are secondary.

II. Non-discrimination

According to this principle, the rights of any child should be respected, protected and fulfilled without discrimination of any kind, irrespective of the child's or his or her parent's or guardian race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, legal guardians or family members (CRC, art. 2). Foreign children should be guaranteed the same rights as children who are citizens. They should be treated above all as children, and their immigration status should be a secondary consideration.

III. Right to protection

Foreign children have the right to be protected from: violence, abuse, neglect, exploitation for sexual, labour or any other purposes, trafficking, involvement in armed conflict, torture and deprivation of their liberty (CRC art.19, 22, 32-38). These children, whether temporarily or definitively deprived of their family environment, have the right to protection and assistance from the State (CRC art.22).

IV. Right to life, survival and development

Each child should be allowed and supported to develop to his/her full potential. This principle therefore acknowledges that vulnerable children, such as victims or potential victims of trafficking, should be ensured special protection and support and must be given the opportunity to be active in their development (this being an holistic concept, including physical, cognitive, emotional, social, cultural and spiritual development) through the use of multi-disciplinary and inter-agency approaches (CRC art.6, 24, 27, 28, 31).

V. Right to participation

Any child, who is capable of forming his/her own views has the right to express those views freely in all matters affecting the child, his/her opinion being given due weight in accordance with his/her age and maturity. This is relevant both in informal and formal settings, such as judicial proceedings. Where possible trafficked children should therefore be involved in decisions affecting them and they should be supplied with adequate and age-appropriate information, for example, in relation to procedures of identification and support (CRC art.12, 17).

VI. Right to family unity

Growing up with a family is a child's fundamental right. Unaccompanied children have the right to be reunified with their family in the country where they are living or in their country or origin, where this is found to be in their best interests. Even if they are not reunified with their family, they should be allowed to keep in regular contact with their family members (CRC Art. 7, 8, 9, 10, 18, 22).

VII. Respect for cultural identity and cultural linguistic mediation

A child's right to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language is an important consideration to be respected (CRC art.8, 20, 29, 30).

VIII. Information

Any child shall have the right to seek, receive, impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice. He/she shall also have access to information and material from a diversity of national and international sources. (CRC art.13 and 17).

METHODOLOGICAL FRAMEWORK No. 5

Measures of Protection

The framework outlined below should guide national stakeholders in their presentation of measures available in national legal systems to provide protection to child victims of trafficking and exploitation.

*Provide a presentation of the relevant legal instruments available in your national legal system. For each measure use one table. Each table shall include **as a minimum** the details specified in the following methodological framework:*

SPECIFY NAME OF THE PROTECTION MEASURE AVAILABLE

(Example: name and number of legislative instruments and relevant sections/articles, toll-free numbers for victims...)

Who can receive protection / access the service	<ul style="list-style-type: none"> ✓ Specify the requirements Example: "persons suffering violence and abuse", "victims of trafficking", "unaccompanied minors", "asylum seekers" etc.
What form of protection is granted	<ul style="list-style-type: none"> ✓ Specify what measures are available Example: "accommodation in a protected/secret shelter", "material assistance", "emergency medical treatment", "access to counselling and information", "translation", "type of immigration permit or assistance granted" etc. ✓ If it is a service made available to victims (e.g. toll-free number), describe what assistance is offered
Procedure to be followed	<ul style="list-style-type: none"> ✓ Specify who is responsible for the application of the protection programme or scheme Example: NGOs receiving specific funds, Local Institutions etc. ✓ Specify what formal steps shall be taken to guarantee that the protection is given Example: child victims shall formally declare they accept to receive protection: this declaration is given to stakeholders managing protection schemes; no conditionality of protection on the willingness of the victim to act as a witness.

IF USEFUL, PROVIDE A COMPARISON BETWEEN THE PROTECTION MEASURES AVAILABLE

	SPECIFY NAME OF PROTECTION MEASURE COMPARED	SPECIFY NAME OF PROTECTION MEASURE COMPARED
FORMAL REQUIREMENTS		
PROCEDURES TO BE FOLLOWED		
TYPE OF PERMIT GIVEN		
ASSISTANCE AVAILABLE UNDER THE PROTECTION MEASURE		

METHODOLOGICAL FRAMEWORK No. 6

Cooperation, Coordination, Approach: Statement of Good Practices

This part of the methodology gives a statement of good practices that should be followed in terms of cooperation and coordination between professionals working in the field of trafficking and the approach they should use. The statement is open for further development or re-adaptation where necessary, according to the national context of stakeholders.

COOPERATION AND COORDINATION

Cooperation	All stakeholders, including Institutions, law enforcement agencies, NGOs and other professionals dealing with children, should establish procedures for multidisciplinary, inter-agency cooperation in order to ensure the adequate protection of child victims. It is most important that cooperation works on both a local and a national level, and both between institutions and private social welfare providers. It would be best if this cooperation was formalised by way of memorandums of understanding between institutions and other relevant organisations.
Networking	An operational network, composed of all stakeholders dealing with child victims of trafficking or exploitation, should be formed and in particular include the following: Public actors: law enforcement agencies, the judiciary, social services and juvenile justice institutions. Private actors: NGOs, such as those running shelters or those working in street education. The network should make available: <ul style="list-style-type: none"> • a roster of trained professionals, such as cultural mediators/interpreters psychologists, educators, doctors, social workers etc., to guarantee the availability of timely and adequate intervention where needed • a list of secure shelters shall be available in order to ensure that adequate assistance be provided where needed (adequacy shall be determined also in relation to the age, sex, and psychological and physical conditions of the victim). Under no circumstances may a child be placed in a law enforcement detention facility • specific agreements shall regulate and guarantee the child victim's access to public health facilities and clinics
Operating Procedures	Common operating procedures should be adopted: <ul style="list-style-type: none"> • establishing a clear demarcation of mandates and capacity (who is available, competence, availability) of all stakeholders • stating the procedures to be followed when an actual/potential child victim is detected • defining modes of cooperation between stakeholders (particularly interaction between public and private sector actors)
Contact Person	All stakeholders shall appoint <ul style="list-style-type: none"> • within the organisation: a contact person on child trafficking and exploitation, having specific expertise on this matters. He/she shall establish good relations with the operational network in order to optimise the impact of his/her work • within the organisation (or at least within the network): specially trained personnel to interview child victims about their experience
Language used and professionals involved	Any communication with the child shall be in his/her language or, where this is not possible, in a language that he/she can understand. The child shall be given the possibility to use modes of communication suited to his/her age (e.g. drawings). A cultural mediator and, where possible, an interpreter shall be present. In addition, the involvement of peer educators is recommended.
Protection from the exploiters / traffickers	Protection measures should be adopted, including: <ul style="list-style-type: none"> • secret shelters: located far from residential areas, in order to guarantee the child's security, protection from the exploiter and discourage the child from leaving the centre. Where necessary, the child may be transferred to a different city • law enforcement agents should guarantee their constant presence near the shelters, to discourage traffickers from approaching the place

	<ul style="list-style-type: none"> Judicial officers should be empowered to confiscate child victim's cellular phones in order to prevent their use by exploiters in exerting continued control over the child
Training of workers	Professionals working with potential victims should be specially trained on children's rights, as well as trafficking, exploitation and tools and procedures available for the child's identification as a victim of trafficking and their support.
Information	Awareness raising and information materials on children's rights also providing useful contacts for child victims should be available in all locations where organisations and institutions within the network operate. The materials should be translated in languages which those children understand, and be visible.
The in-depth interview	Where there is the suspicion that a child is a victim of trafficking or exploitation, the child should be immediately referred to the professionals responsible for conducting an in-depth interview with the child. The interview must be conducted in accordance with the principles presented in Section 3 of the AGIS methodology. Information gathered in the interview must be confidential and not used for legal purpose (at least not before the child is in a position to provide free and informed consent in that regard). When the victim is a child, the consent shall be given in the presence of adults responsible for him/her, who can be a legal guardian appointed by the Judiciary.
The scope of the in-depth interview	The objective of the in-depth interview is not to ascertain facts or collect evidence in an investigative sense. Rather, it is intended to evaluate whether a child is a potential or actual victim of trafficking or serious exploitation. When this is confirmed, the most suitable tools and mechanisms available for the child's immediate protection shall be activated.

APPROACH TO BE USED BY PROFESSIONALS WORKING IN THE FIELD

Overall approach towards identification	Whenever contact is made with a child (or someone who has just come of age) who belongs to one of the groups at risk of trafficking, they must be observed in light of the indicators of trafficking/exploitation described, and with a view to reading any signs that may assist the identification of the child as a victim of trafficking.
General approach towards protection and support	Whenever the suspicion arises that a child (or someone just come of age) is a victim of trafficking or exploitation, the child must be treated as though they are in fact a victim, and the relevant protection procedures (as provided in the law or otherwise) must be activated. The activation of such procedures must not be dependent on the child or young adult's collaboration with authorities or other members of the network.
Dealings with potential victims	When interacting with potential children at risk, aggressive or confrontational behaviour as well as any sort of demonstration of superiority or authority should be avoided. It is extremely inappropriate to make deals with the child to obtain information that take advantage of their vulnerability to prosecution for certain crimes or repatriation (or deportation, if they are of age).
The exploiter	Particularly in early stages, the exploiter should not be denigrated or demonised, as they often present themselves as a very capable figure, and close to the child. The "deconstruction" of this image often requires much more time, and often only occurs after the child has decided to actively escape from the exploitative situation.
Victim's possible reactions	To be taken into account: <ul style="list-style-type: none"> it is normal for a child to take some time to acknowledge their status as a victim prior to this self-awareness, aggressiveness or extreme hostility shown by the child towards others are usually linked to the experience suffered it is likely that the victim has suffered physical and/or psychological violence, which may have caused trauma that is difficult to identify and read one of the typical reactions to this kind of trauma, is the difficulty or near-impossibility (especially at the beginning) in coherently and chronologically recounting their life story to that point

METHODOLOGICAL FRAMEWORK No. 7

Recommendations on Operating Procedures

The methodological framework that follows shall guide the development of recommendations on operating procedures, age assessment procedures and procedures to assess relations between the child and accompanying adults. Operating procedures are those applicable at the **border, on the street and other places where victims are exploited, in shelters and in the penal circuit.** Although the first methodological framework below shall be used for the development of both operating procedures applicable at the border and operating procedures applicable on the street, and other places where victims are exploited, it is recommended to develop a separate table for each set of procedures.

The AGIS methodology recommends different colours be used for each location where operating procedures shall be applied: at the border, on the street or other places of exploitation, and places where children are held, such as shelters and the penal circuit. This is done with a view to helping users find relevant information. To be consistent, the colours should correspond to those used for Methodological Framework No. 2.

OPERATING PROCEDURES APPLICABLE AT BORDERS

OPERATING PROCEDURES APPLICABLE ON THE STREET AND OTHER PLACES WHERE CHILDREN ARE EXPLOITED

Detection of unaccompanied child	✓ Specify what procedures shall be followed if an unaccompanied child or a child accompanied by an adult without valid documents is detected at the border/on the street or other places where children are exploited
Age assessment	✓ Ensure the principle of the "benefit of the doubt" is respected, that is, <i>in case of doubt there should be a presumption that someone claiming to be less than 18 years of age, will provisionally be treated as such</i>
Identification	✓ Suggest which stakeholders are responsible for the application of the indicators of trafficking developed under the AGIS methodology and specify the mandate each stakeholder must follow Example: law enforcement agents with the support of NGOs are responsible for assessing the application of indicators of trafficking to specific cases.
In-depth interview	Where the indicators of trafficking apply to a specific case (see example above): ✓ Specify the procedures for referring a child to a specialised professional responsible for conducting the in-depth interview ✓ Recommend the application of the ethical and methodological principles applicable in interviews presented in Section 3 of the AGIS methodology
The child is not a victim of trafficking: Information and procedures	If the indicators of trafficking DO NOT apply to the specific case: ✓ Specify the procedures that shall be implemented and the form of protection that will be granted to the child, first and foremost because he/she is a child (regardless of their nationality or immigration status) ✓ Specify what materials can be provided to the child to inform him/her about their rights and protection measures available
Interim protection	✓ Specify what form of interim protection and care is available, considering that in all cases, any child has the right to receive it (e.g. emergency medical assistance, material assistance...) ✓ Specify what referral mechanisms will be activated where a child is identified as a victim of trafficking The AGIS methodology recommends that a secure and secret shelter shall be contacted and a referral mechanism immediately implemented.

OPERATING PROCEDURES APPLICABLE AT SHELTERS

Referral of a child to a shelter: identification through indicators of trafficking	✓ If a child is referred to a shelter, specify who is responsible for checking the indicators of trafficking developed under the AGIS methodology (that is, specialised professionals: their educational background and role in the shelter)
Age assessment	✓ "Benefit of the doubt" principle to be followed, that is: <i>in case of doubt there should be a presumption that someone claiming to be less than 18 years of age, will provisionally be treated as such</i>
Personal security	✓ Where there is the suspicion that a child in the shelter controls and/or exerts pressure on another child, they shall be separated
In-depth interview	If the indicators of trafficking apply to a specific case: ✓ Specify the procedures for referring a child to a specialised professional responsible for conducting the in-depth interview (possibly based in the shelter or alternatively, available within the network, as detailed in Methodological Framework No. 6) ✓ Recommend the application of the ethical and methodological principles applicable in interviews presented in Section 3 of the AGIS methodology
The child is not a victim of trafficking: Information and procedures	If the indicators of trafficking DO NOT apply to the specific case: ✓ Specify the procedures that shall be implemented and the form of protection that will be granted to the child, first and foremost because he/she is a child (regardless of their nationality or immigration status) ✓ Specify what materials can be provided to the child to inform him/her about their rights and protection measures available
The child is a victim of trafficking: Information and procedures	If, through the application of indicators and the in-depth interview, it is confirmed that the child is a victim of trafficking: ✓ Specify what protection shall be granted. Protection could be given either by the shelter itself or, if it is in the best interests of the child, by another shelter, to which the child should therefore be immediately transferred
Interim protection	✓ Specify what form of interim protection and care is available (e.g. emergency medical assistance, material assistance...), considering that in all cases, any child has the right to receive it
Inform the competent authorities	✓ Specify what procedures shall be followed to inform all competent authorities about the presence of the child
Immigration status	✓ Recommend what visa or permit may be granted, taking into consideration: all protection measures available, the specific case, the child's opinion.

OPERATING PROCEDURES APPLICABLE IN THE PENAL CIRCUIT

Identification through indicators of trafficking	✓ Specify who, in the penal circuit is responsible for the application of the indicators of trafficking developed under the AGIS methodology (specialised professionals, educational background, role)
Age assessment	✓ "Benefit of the doubt" principle to be followed, that is: <i>in case of doubt there should be a presumption that someone claiming to be less than 18 years of age, will provisionally be treated as such</i>
Personal security	✓ Where there is the suspicion that a child in the penal structure controls and/or exerts pressure on another child, they shall be separated
In-depth interview	If the indicators of trafficking apply to a specific case: ✓ Specify the procedures for referring a child to a specialised professional responsible for conducting the in-depth interview (could be based in the penal structure or available in the network, as detailed in the Methodological Framework No. 6) ✓ Recommend the application of the ethical and methodological principles applicable in interviews presented in Section 3 of the AGIS methodology
The child is a victim of trafficking: Information and procedures	If, through the application of indicators and the in-depth interview, it is confirmed that the child is a victim of trafficking: ✓ Specify what procedures shall be followed to ensure that the competent authorities are informed of the situation and that the status

- of the child is taken into consideration in criminal proceedings against him/her
- ✓ Given the child's status as a victim of trafficking, specify what measures shall be taken to guarantee that a proper assessment is conducted of the child's penal responsibility for actions committed while exploited
 - ✓ Specify how the child may bring proceedings against exploiters and traffickers and in what way their personal security, and that of their family, will be protected

Alternative measures to detention

- ✓ Identify possible alternative measures to detention applicable to the child which are in the child's best interest

Age Assessment Procedures

Complete this table with procedures that should be developed in line with international children's rights standards

Development of procedures

- ✓ Specify what procedures shall be followed in the national context citing any relevant national legislation or policy and international agreement

Age assessment

- ✓ Ensure that the following principles are taken into consideration:
 - age assessment should always be conducted in light of the best interest of the child
 - it should be part of a broader, holistic needs assessment of the child
 - should be carried out by independent professionals with appropriate expertise
 - physical, psychological and cultural factors should be taken into account
 - children should be consulted prior to any age assessment procedures and their participation should be voluntary
 - age assessment procedures should not be harmful
 - in case of doubt there should be a presumption that someone claiming to be less than 18 years of age, will provisionally be treated as such
 - in making a final age determination, children should be given the benefit of the doubt

Procedures to assess relations between the child and accompanying adults

Development of procedures

- ✓ Specify what procedures shall be followed in the national context citing any relevant national legislation or policy and international agreement

Age assessment

- ✓ Ensure that the following principles are taken into consideration:
 - the assessment of the relations between the child and accompanying adults should always be conducted in light of the best interest of the child, and all considerations related to immigration or crime control should be secondary
 - assessment should involve interviewing of the child and accompanying adults separately

AGIS METHODOLOGY - SECTION 3
ETHICAL AND METHODOLOGICAL PRINCIPLES
APPLICABLE IN INTERVIEWS OF CHILD VICTIMS
AND PRESUMED VICTIMS OF TRAFFICKING

METHODOLOGICAL
FRAMEWORK No. 8
Lists of
Recommendations on
the In-Depth Interview

The scope of the interview is to assess whether a child is a victim of trafficking or at risk of becoming victim as well as to determine what form of protection can be given to the child. The recommendations suggest what principles professionals shall follow before or during the in-depth interview with child victims. Indications given shall be considered with flexibility. National stakeholders shall take into consideration and add any element that although not suggested under the AGIS methodology, might be relevant to include in their national or local context.

ETHICAL AND METHODOLOGICAL
PRINCIPLES APPLICABLE IN INTERVIEWS
TO CHILD VICTIMS AND PRESUMED VICTIMS
OF TRAFFICKING

What to do before the interview

THE CHILD'S BASIC NEEDS AND CONSENT	Prior to the interview, the immediate needs of the child should be assessed and satisfied (including food, drink, clothing, personal hygiene, emergency medical treatment). In addition, the possibility to provide interim care should be considered. The express consent of the child should be acquired and where possible of his/her parent, guardian or adviser, prior to the interview.
SAFE LOCATION AND PERSONAL SECURITY	The interview should be conducted in a safe, comfortable place, away from external pressure. The interview should never be conducted at the location of exploitation. Privacy should be guaranteed, therefore only the interviewers should be able to hear the interview. The child should never be in the presence or physical proximity of any suspected exploiter and trafficker. If the child is accompanied, the accompanying adults should not be present during the interview until the moment the relationship between the child and adults is clarified. If the child is unaccompanied, or if there is reason to believe that the accompanying adults can not guarantee adequate protection, an independent guardian or adviser should be appointed as soon as possible. While waiting to be interviewed the child should be accompanied and supported by social workers or peer educators they already know where possible.
THE RIGHT TO PARTICIPATION	Child friendly interviewing techniques should be applied in interviews of child victims or at-risk children, respectful of their dignity. The child's right to participation should be ensured, this requiring that age-appropriate information be supplied to the child in relation to the identification process, the purpose of the interview be explained and anonymity and confidentiality be guaranteed. The child's view should be sought and taken into consideration and he/she should be provided with suitably trained interpreters who speak his/her language.
TRAINING OF INTERVIEWERS AND MEDIATORS	Only specially trained professionals should question child victims. Where possible, they should have experience in interviewing children and have a good, up-to-date knowledge of child trafficking and exploitation. They should also be aware of procedures applied and referral mechanisms in place. Where a mediator is present, he/she should be specially trained to support the interviewer and will work in close cooperation with him/her. Where possible, the child should be questioned by personnel of the same sex, except where this would not be in the best interest of the child.

LENGTH AND SCOPE OF THE INTERVIEW	The length and scope of the interview should be limited, in order to minimise further trauma or psychological distress of the child. The interviewer may gather information on the child's consent to the exploitation exclusively in order to better understand the dynamics of the exploitation. Information gathered should not be used for legal purposes nor to incriminate the child.
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WHAT TO KEEP IN MIND WHILE
CONDUCTING AN INTERVIEW

DIFFERENT AGE GROUPS	There are two basic age groups to consider: 7-11 years old and 11-18 years old. Degree of protection available, complexity of questions and acceptable modes of communication (drawings) during the interview should vary according to the age of the child.
RAPPORT AND EXCHANGE OF INFORMATION	A good rapport with the child should be developed by anticipating his/her needs, and providing a good exchange of information. The child should find the interviewer authoritative, trustworthy and believable, and not be made to feel entirely responsible for his/her future, nor his/her family's and exploiter's. This will make it easier for the child to identify him/herself as a victim.
FEAR OF REPRISAL	Unless adequate measures are put in place to protect the child, thus providing an alternative to the current emotive ties to exploiters or their family/community, the fear of reprisal will be strong. The psychological pressure should be kept to minimum during the interview, perhaps allowing a period of time for the child to adjust accordingly to his/her new situation.
TIES TO THE EXPLOITATION NETWORK	The child may be so under the influence and control of the exploiter that he/she does not realise he/she is being exploited nor wishes to change his/her current condition. In this case, less emphasis should be placed on convincing the child of his/her victim status, and more on gathering useful information on his/her relationship with the exploiter and the network of relations developed while exploited.
CULTURAL IMPLICATIONS	The child may have certain expectations of the interviewer based on his/her cultural background and stereotypes based on gender etc. The interviewer should also be aware of his/her own expectations based on his/her role and experience, and take both points of view into account while conducting the interview.
VARIABLES AND POSSIBLE REACTIONS	A young victim's reaction during an interview may be unexpected. However, a child should not be made to feel under interrogation, by ensuring he/she understands why he/she is being interviewed and then given time to get used to it. Where he/she still reacts badly to the interview situation, this should be recorded and taken into consideration as possible further evidence of exploitation and/or abuse.
CHILDREN (7-11 YEARS OLD)	Children in this age group may demonstrate: mutism, short attention span and difficulty in connecting with the interviewer, extreme agitation, incoherent or inexplicably sexual remarks which are inappropriate for their age. The child should not be placed under any pressure whatsoever but be immediately placed under protection, and referred to a specialised centre.
CHILDREN (11-18 YEARS OLD)	Where an older child or adolescent demonstrates extreme reactions, from mutism to open aggression, and/or from his/her body language the child appears to be extremely afraid, anxious or confused, and increasingly unwilling to participate in the interview, the interview should be suspended to allow the child to rest, before considering whether to continue. Support mechanisms should be put in place and colleagues briefed on the child's condition, before evaluating the best way forward with the identification process.

METHODOLOGICAL FRAMEWORK No. 9

Table of Procedures

This table describes what professionals should do in the different steps of the interview and also provide a list of topics to be covered and examples of checklists. Indications given shall be considered with flexibility. National stakeholders shall take into consideration and add any element that although not suggested under the AGIS methodology, might be relevant to include in their national or local context.

IN-DEPTH INTERVIEW ON THE CHILD'S EXPERIENCE

First step

The interviewer will start the interview, in the respect of the indications presented in the above tables. He/she will present himself/herself to the child and will discuss about his/her experience in interviewing children. He/she will also introduce other professionals who may be present in the course of the interview.

Interviewing the child

The interviewer is aware of the indicators of identification informing the presumption that the child is a victim of trafficking. He/she also has gathered the opinion of other professionals that have come in contact with the child.

A checklist of questions is available, selected on the basis of an individual case assessment. If personal data and social history information was not collected in the initial interview or when the child was detected, the interviewer will seek to obtain it at this stage. Specific questions will be asked in relation to the indicators already identified. Further questions will be asked to gain additional knowledge on topics raised in the interview by the child.

If it is in the child's best interest, the interviewer will focus the discussion only on a limited number of topics and will postpone further questioning.

Topics to be covered

A) PERSONAL SITUATION BEFORE AND DURING ENTRY TO THE COUNTRY, AND IN THE COUNTRY OF DESTINATION

Example of checklist:

1. Did your family know you were travelling? Did someone help you arrange your travel?
2. How long did the journey take? Where were you during that time?
3. Did you have enough to eat and drink?
4. Who did you travel with?

Objective:

- to gather information on the country and area of origin, family, reasons of the child's departure, living conditions during the journey, persons involved;
- to identify elements to classify the situation as trafficking.

B) LIVING CONDITIONS

Example of checklist:

1. Do you have any family in the country? Who?
2. Do you pay for your accommodation? What is it like?
3. How much money do you earn every week? Is it enough?
4. What do you do during the day?

Objective:

- to gather information on living conditions in the country of destination; (persons involved, accommodation, daily activities conducted, network/s providing support to the child - if at all).

C) MEANS OF SUBSISTENCE (availability of economic resources)

Begging

Example of checklist:

1. Since when have you been involved in begging?
2. Is there any adult you meet daily in this activity?

Objective:

- to gather information on the duration of the activity, persons involved, means of transport

3. How much money do you earn daily? Have you been asked to reach a certain daily amount?
4. Do you keep the money for yourself or do you give it to someone else?
5. Can you describe your working day?

to the location where the activity is conducted, money the child is forced to raise, management of the income obtained.

Prostitution

Example of checklist:

1. How long have you been conducting this activity?
2. Do you follow any directions on how to conduct your work?
3. Can you choose your clients?
4. How do you ensure you earn enough to take care of your needs?
5. Can you describe your working day?

Objective:

- to gather information on the activity.

Illegal activities

Example of checklist:

1. How long have you been conducting this activity?
2. Do you follow any directions regarding the activity to be conducted?
3. Have you been travelling within the country?
4. Who are the persons you refer to?
5. Is there any group you belong to?
6. Have you reached any agreement with members of these groups - sharing of responsibilities, management of income...
7. Have you ever been stopped by the police because of your activities?
8. Is there any person you go to if you need support?
9. What do you do in your spare time?

Objective:

- to gather information on the activity, transfer within the national territory, relations with groups (including criminal groups), relations with other persons, involvement in the penal circuit.

D) THREATS AND COERCION

Example of checklist:

1. Did someone ask you to perform this activity? Who was it and why did they ask you?
2. Where were you contacted? Were any promises made to you?
3. Have you received any training prior to performing the activity?
4. Can you move freely? Are there any rules you have to respect?
5. Are you scared of anything or anyone?
6. What would you like to do in this situation?

Objective:

- where possible, to follow up on information already given by the child and gather information on forms of recruitment, (including persons involved, information received) training received, physical or psychological threats, agreements reached with the exploiter, personal freedom, reaction to the described situation, relations with the exploiter or any other person mentioned, concerns, threats of reprisal.

E) PERCEPTION OF THE SITUATION

1. What is it like to beg?

Objective:

- to gather information on how the child perceives his/her situation.

F) FUTURE PLANS AND EXPECTATIONS

1. What do your parents think of your situation? What would they like for you to do? Is that what you want to do?

Objective:

- to gather information on the child's expectations regarding his/her future (incl. feeling that an agreement has to be respected, involvement of relatives).

G) RISK AND NEEDS ASSESSMENT (immediate and in the long term)

1. Are you afraid that someone is going to hurt you?
2. Is there anything more you want to know?
3. Do you know what you want to do now?

Objective:

- to assess the child's perception of his/her personal security or the security of other persons related to him/her;
- to know if the child already received support and useful information to allow them to make informed decisions about their future;
- to understand whether the child has an idea about what direction their future will take.

Concluding the interview

The interviewer should summarise the information gathered in the interview, expressing an initial opinion on the options available to the child to ensure their protection, who should be given the opportunity to express their views. The interviewer should then give the child an overview of the immediate procedure that will be followed. Finally, the interviewer should stress again that any action taken is in his/her best interest and that his/her protection is a priority.

8. National seminars

Over the months from September to November 2007, 4 national seminars were organised in the four project countries, bringing together relevant stakeholders working in the field of child trafficking, including, law enforcement agents, NGO representatives, the judiciary and public institutions⁴¹.

In these occasions, the AGIS methodology of identification and support of child victims was discussed with the participants, with a view to sharing knowledge and expertise. Furthermore, thanks to the valuable support and feedback received by the participants, the methodology was eventually improved.

In the seminars the methodology was presented to the participants by the various project officers while experts from law enforcement agencies, NGOs, the judiciary and institutions, were invited to provide specific comments. In addition, during working groups the participants were given the opportunity to discuss the methodology in further detail.

In particular, the following topics were covered:

- the identification of profiles and development of indicators for the identification of child victims of trafficking;
- child rights principles applicable to procedures for cooperation between stakeholders on identification and support; recommendations on good practices to be followed as far as the organisation, structure and approach towards protection and support are concerned; methodological framework to guide the development of recommendations on operating procedures to be implemented, age assessment procedures and procedures to assess the relations between a child and accompanying adults;
- ethical and methodological principles applicable during interviews of child victims and presumed victims of trafficking.

Conclusions on these topics were then presented and discussed in plenary. The project coordinator provided support and, where needed, clarification on the objective and contents of the methodology.

Furthermore, as mentioned in section 7.1 of this report, a specific protocol for the identification and support of child victims of trafficking was developed by Save the Children Italy. At the seminar organised in Rome, the protocol was presented as an example of an exhaustive tool for identifying and supporting child victims developed **by using the AGIS methodology**.

Similarly, **by using the AGIS methodology**, the other project partners developed tables of profiles and lists of indicators of trafficking that were presented and discussed at their seminars.

⁴¹ The full programmes of the 4 national seminars are available on the project partners' websites.

FINAL REPORT

CONCLUSION AND FINAL RECOMMENDATIONS

9. Conclusion and recommendations

Acknowledging that child trafficking is a very complex phenomenon and that it is primarily a human rights issue, and recognising that identification and support of child victims and children at risk of trafficking is crucial to ensure their protection, a child rights based, multi-disciplinary and inter-agency approach has informed the development of the methodology to identify and support child victims of trafficking in this AGIS project. This methodology, (**the AGIS methodology**) presented in Part III of this Report, is intended to be a tool that should guide relevant stakeholders in the development of national instruments, such as protocols and operating procedures for children's identification and support. The project partners conclude that these national instruments should reflect the specificity of the national context where they are implemented and that they should be constantly reviewed to respond to the changing nature of child trafficking. They are also of the opinion that national protocols and operating procedures should be sufficiently detailed to foster comprehensive identification of trafficked children and believe that the methodology developed in this project, although complex and elaborated, could guarantee this specificity and detail.

Below are presented the recommendations resulting from the experience gained within the AGIS project: "Development of a child rights methodology to identify and support child victims of trafficking". They are specifically focused on identification and support of child victims of trafficking.

Save the Children Italy, acting as project coordinator, shared part of these recommendations with the Save the Children Europe Group in June 2007, who reflected them into their written submissions⁴² presented on the occasion of the EU anti-trafficking day (Brussels, 18 October 2007).

General recommendations

1. A multi-disciplinary and inter-agency approach should guide the development of identification and support measures at European as well as national and local level.
2. A child rights based approach should be used in the development of specific tools (such as Protocols and operating procedures) to identify and support child victims of trafficking, ensuring that human rights concerns are given primary importance in the design of such measures, in accordance with international obligations deriving from international human rights standards, such as the CRC. In particular, the general principles of the CRC, namely, the best interests of the child, the right to participation, the right to non-discrimination and the right to life, survival and development should always be respected and implemented.
3. All actors involved in the identification and support process of child victims shall receive special training.
4. Age assessment should always be conducted in light of the best interest of the child and by independent professionals with appropriate expertise. It should be part of a broader, holistic needs assessment of the child and physical, psychological and cultural factors should be taken into account. Furthermore, age assessment procedures should not be harmful. Children should be consulted prior to any age assessment procedures and their participation should be voluntary. In case of doubt there should be a presumption that someone claiming to be less than 18 years of age, will provisionally be treated as such. In making a final age determination, children should be given the benefit of the doubt.
5. Child friendly interviewing techniques of child victims and children at risk should be developed and implemented during interviews.

6. Assistance should always be provided to child victims or presumed victims, independently of their willingness to cooperate with the authorities.
7. In designing support measures for child victims, special attention shall be given to the children's needs arising from their previous condition of deprivation and the impact of violence, trauma and loss they may have suffered.

Recommendation to EU Institutions

8. Mandatory provisions regarding identification and support of child victims, including the principles detailed above in previous recommendations, should be adopted at European Union level and should reflect existing best practices in EU Member States. They should also build upon the experience of EU projects, specifically focused on identification and support of child victims.

Recommendations to EU Member States

9. The project partners recommend the use of the child rights based methodology of identification and support of child victims of trafficking developed in this project, **the AGIS methodology**, in the development of specific national and transnational tools (e.g. protocols) to identify and support child victims and children at risk of trafficking.
10. Specific and detailed profiles of children most at risk of trafficking and child victims should be developed and constantly reviewed at national level, in the light of up-to-date research findings on child trafficking and with the involvement of all relevant stakeholders.
11. Specific indicators to identify child victims and children at risk of trafficking should be developed and periodically updated at national level and with the involvement of all relevant stakeholders.
12. Clear operating procedures should be adopted at national level with the involvement of all relevant stakeholders, indicating the specific mandates and methods of cooperation between all actors involved in the identification process of child victims and children at risk.

⁴² *Save the Children Submissions on Key Components of the EU Recommendations to Enhance National Coordinating Mechanisms for Early Identification, Assistance and Protection of the Rights of Victims of Trafficking*, 27 June 2007.