Standards preventing the trafficking of children EU recommendations and the EU Directive

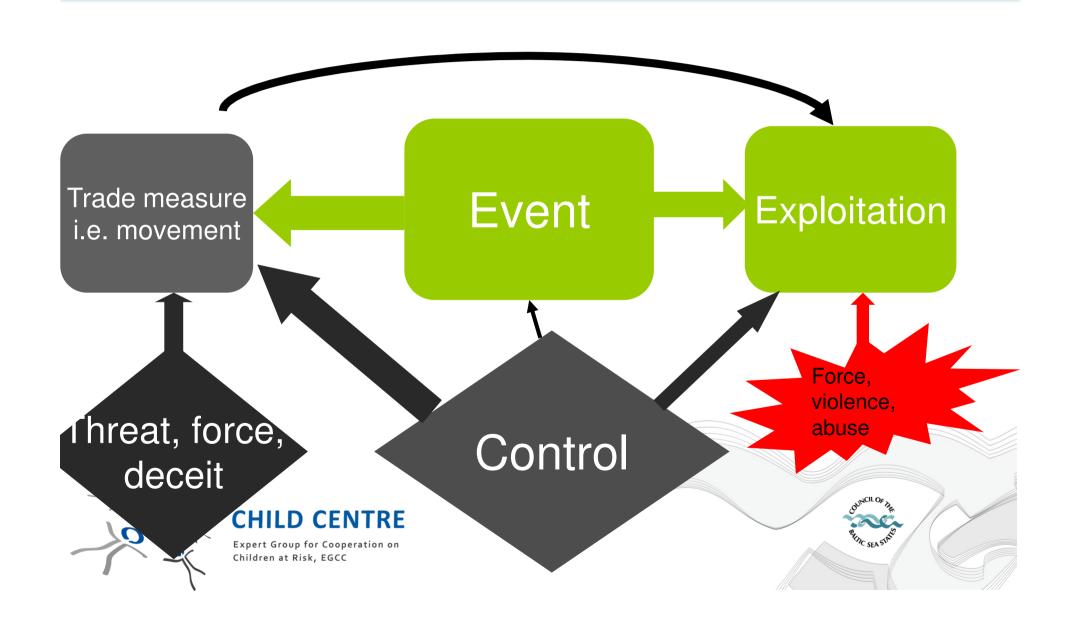


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Child Trafficking — How can it be visualised?



CBSS:
11
member
states +
EU
Commissi
on



Expert Group for Cooperation on Children at Risk Adopted priority areas

- 1. The protection of children from all forms of sexual exploitation and sexual abuse
- 2. The protection of children in migration and children that have been trafficked
- 3. Early intervention and prevention as a means to ensuring children's right to protection from all forms of abuse, violence and neglect
 - 4. The rights of children in institutions and in other forms of protection





EGCC work in the Baltic Sea Region against Child Trafficking

- BSR CACVT Two year training for professionals meeting with children that have been trafficked 2006 2007
- BSR IMPT Information on children suspected of having been trafficked - 2010
- Children Trafficked for exploitation in begging and in criminality 2012
- Legal guardians starting new field of work 2012 -
- Returning children that have been trafficked 2013 -





Children Trafficked for exploitation in begging and in criminality

Main points

- All forms of exploitation to be made illegal
- Local child protection services need the capacity to support child victims and need expertise in care centres to protect child victims
- A child victim may not be seen as such in the home country
- Identification of a child victim needs to be in place and needs to include also cases of exploitation in forms of exploitation outside of the sex industry
- Combine centralised expertise with local level expertise
- Monitoring is the key





Definitions and challenges

- Trafficking always involves exploitation
- **Trafficking** always involves a third party
- Trafficking does not always involve crossing a border but ILO considers trafficking to always involve movement
- **Exploitation** does not always involve force, abuse or violence
- Begging according to a strict interpretation of the UN Convention (Palermo protocol) would be considered trafficking only if the child is handed over by the parent to someone else
- Forced labour focuses on the act, not on the exploitation or on the movement
- Practices similar to slavery focus on the way in which the child is removed/taken/sold by the parents or someone else into the control of a third party





EU Directive articles particularly relevant for children

- Art 2:2 Exploitation shall include....forced labour or services including begging...or the exploitation of criminal activities
- Art 2:5 When a child <18 threats, force, coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability, receiving payments or benefits are not necessary





EU Directive articles particularly relevant for children

- Article 8: The non-prosecution article: Take necessary measures...entitled not to prosecute...
- Article 11: Appropriate mechanisms for the early identification, assistance and support...
- Article 13: Child victims to be provided with immediate assistance. Victim should be presumed to be a child if any doubt about age
- Article 14: Appointing a legal guardian when child and parents are in conflict or when child is without guardian.
- Article 14: Support to the family of a child victim when the family is in a member state



EU Directive articles particularly relevant for children

- Article 15: Protection of child victims and the protection of families of the child victim
- Article 15: Possibility to claim compensation and
- Article 17: Access to existing compensation schemes for victims of violent crime





Important issues to monitor and to follow up on:

- Child protection need to guide the assessment, i.e. How to ensure the best interests of the child
- The non-prosecution of offences committed while trafficked, what is the practice?
- Time is paramount if children shall testify. How can we make time suffice?
- Safe accommodation for children also after return
- Long term follow up offenders will leave prison
- Support for the family of the child is essential
- Access to crime victim compensation for children who receives the compensation?





Important issues to monitor and to follow up on:

- The role of begging are there different forms of child begging? Is child begging always exploitative?
- Criminal young persons when is a third party involved? Children committing a crime may be victims of a crime. Practices?
- Asylum seeking children, awareness of the strong link between asylum systems and trafficking practices. Migration authorities.
- Children without documents being in the country knowledge about these groups and their vulnerability
- How can a strong cooperation between law enforcement and child protection be encouraged and maintained on the local level?
- How can lessons learned from working with abused and exploited children be transferred also to child trafficking cases?

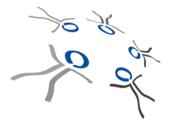




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