

STRENGTHENING THE ROLE OF MUNICIPALITIES AND CITIES IN PREVENTING & COMBATING HUMAN TRAFFICKING

What Municipalities and Local Services can do to Identify Human Trafficking Situations promptly and to Prevent Exploitation – with a special focus on children

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PRESENTATION INCLUDES

- 1. WHAT DOES IDENTIFICATION INVOLVE?**
- 2. WHAT IS CHILD PROTECTION IN THE CONTEXT OF CHILD TRAFFICKING?**
- 3. IN WHAT WAYS ARE CHILDREN EXPLOITED IN OUR TOWNS AND RURAL AREAS?**
- 4. WHAT CAN BE DONE TO PROTECT (AND ASSIST) IN PLACES WHERE CHILDREN ARE EXPLOITED?**
- 5. WHAT CAN BE DONE TO PREVENT IN PLACES WHERE CHILDREN ARE EXPLOITED?**
- 6. WHAT CAN BE DONE TO PREVENT IN THE PLACES THAT CHILDREN COME FROM?**

INTRODUCTION - FROM THE LOCAL AUTHORITY'S GENERAL RESPONSIBILITY TO EXERCISE DUE DILIGENCE (VIENNA) TO MORE SPECIFIC RESPONSIBILITIES TO IDENTIFY, ESPECIALLY TRAFFICKED CHILDREN

- **Your legal obligations to have appropriate procedures and agencies to identify trafficking victims & to protect children**
- **It's important for you to understand how the local economy works, including the involvement of children as money-earners (maybe trafficking victims) in both informal and criminal economy**
- **Local level services & citizens can assist with identification**

THE FOCUS IN THIS PRESENTATION

- **The special responsibilities of child protection services (for migrant as well as local children)**
- **What your legal responsibilities are and also your (wider) moral responsibilities to identify and protect trafficked children who have been trafficked or exploited**
- **What you can do to prevent such cases from occurring**
- **How some other local services need to be involved in identifying exploited children**

2) WHAT IS CHILD PROTECTION IN THE CONTEXT OF CHILD TRAFFICKING?

- **UNICEF uses the term 'child protection' to refer to preventing and responding to violence, exploitation and abuse against children – including commercial sexual exploitation, trafficking, child labour and harmful traditional practices, such as child marriage**
- **So, it involves both prevention and protection/assistance**
- **National child protection agencies routinely have the main responsibilities, but these are often administered at local level – and other local services also have responsibilities too**

3) IN WHAT WAYS ARE CHILDREN EXPLOITED IN OUR TOWNS AND RURAL AREAS?

- **Although the legal definitions of human trafficking refer to the same forms of exploitation whether children or adults are victims, the main forms of exploitation experienced by children in Europe seem quite clear**
- **In particular in the sex industry (but not the mainstream one involving adult women) and on the streets**

OCCUPATIONS WHERE **TRAFFICKED** CHILDREN HAVE BEEN FOUND IN EUROPE

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Commercial sexual exploitation (adults whose prostitution is not voluntary and **ALL** children). Mainly girls but also some boys

Forced begging (to earn money for a 'controller' or 'beggar master – not usually for child's own family)

Illicit criminal activities, e.g. growing cannabis in Britain / picking pockets / dealing in contraband / acting as 'drug runner'

Live-in domestic servants in *servitude* in a private household (mainly African children, nominally being 'fostered')

KEY ASPECTS OF CHILD TRAFFICKING CASES

- **Trafficker or exploiter takes control of other people's children (any age below 18 - i.e., 5, 10 or 17 years or age)**
- **Often moving them from one place to another, sometimes to another country, sometimes within the same country**
- **Making money out of them or profiting from their labour**
- **Younger children are dependent on an older person to look after them, so easy to exploit without using overt force**

INCORRECT ASSUMPTIONS

- **That trafficking always involves commercial sexual exploitation ('child prostitution'). Many other forms of exploitation occur**
- **That trafficking always involves crossing a border. There is INTERNAL trafficking in most countries and some foreign children are only trafficked AFTER arrival**
- **That trafficked children should only be categorized as 'victims' if they agree to give evidence to the police. Any child who has been trafficked is a victim of crime and abuse (and has a right to protection and assistance)**

MORE INCORRECT ASSUMPTIONS

- That Roma (R/A/E) are involved in most trafficking cases
- That child marriage should be regarded as a form of trafficking. Such cultural practices may be harmful to children and should be discouraged, but using the law seems likely to provoke resistance to change, and accusations of racism
- But some children from Roma-related communities have been trafficked and exploited by adults other than their parents

REMINDER OF MAIN SOURCES OF VIOLENCE REPORTED AGAINST CHILD MIGRANTS LAST YEAR (MSF IN SERBIA)

- Agents of the State -----76%
- Most of the 76% involved violence by EU border 'protection' agencies (92%): Bulgaria 48% (30 cases), Hungary 27% (17) and Croatia 13% (8)
- Smugglers/traffickers --- 8%

2) WHAT SORT OF EXPLOITATION?

PREVENTION STRATEGIES

PROTECTION
(identification, to be followed by withdrawal from exploitation, protection and assistance)

5 phases to the t



4) WHAT CAN BE DONE TO PROTECT (AND ASSIST) IN PLACES WHERE CHILDREN ARE EXPLOITED?

- **State institutions have a special duty not to allow violations of human rights (trafficking or slavery-related)**
- **So law enforcement officials have a primary responsibility to detect trafficking offences**
- **But they routinely find dealing with children difficult**

SO, LOCAL AUTHORITIES HAVE RESPONSIBILITIES TO PREVENT ANY VIOLENCE AGAINST ANY CHILDREN

- To respond to reports of sexual exploitation, whether children are foreign or nationals, and moved/trafficked or still living at or near home
- To check on the well-being of children and adolescents under 18 in any economic activities
- To intervene to stop any forms of violence against any children
- **To pay particular attention to unaccompanied and separated children** [The Council of Europe's Congress of Local Authorities recently urged all levels of government to adopt a child-rights-based approach (non-discrimination, best interests of the child, right to life, survival and development and the right to be heard) towards every child for the duration of their stay in a country]

SOME CHILD TRAFFICKING VICTIMS ARE UNACCOMPANIED OR SEPARATED CHILDREN

- **Unaccompanied children - without parental care & are outside their country of habitual residence (whether another European Union country or outside the EU) or victims of emergency situations, who have been separated from both parents and other relatives and are not being cared for by an adult who is responsible for doing so**
- **Separated children are ones who have become separated from both parents, or from their previous legal or customary primary care-giver, but not necessarily from other relatives, so be accompanied by other adult family members.**

LOCAL AUTHORITIES' RESPONSIBILITIES

- To take positive action to promote coordination (“joined up service delivery” at local level, notably with NGOs and civil society + cooperation between the various levels of government, and removal of administrative and practical barriers to services for certain children (e.g. ‘school is full’ or ‘child has no proof of educational level already achieved)
- To ensure a specific agency has responsibility for identifying children in a street situation who are being exploited or otherwise in difficulties
- To ensure appropriate alternative care is available for relevant children
- To ensure that trafficked children (along with all refugee children) get immediate access to mainstream schooling + appropriate language and learning support, including teaching assistance

WHO IS BEST PLACED TO IDENTIFY CHILDREN BEING ABUSED/ EXPLOITED ON THE STREETS?

- **'Mobile social workers' who visit the streets and check up on children found there are best placed to identify cases of abuse (Not just trafficked children)**
- **Does anyone have experience of this?**
- **Preferably adults who speak the same language or are from same community as the children – which may mean inviting specialists from another country**
- **Police in some countries have preferred to 'look the other way'**

WHO IS BEST PLACED TO IDENTIFY CHILDREN ON THE STREETS /2

- Drop-in centres for street children play an important role
- Organisations offering services in the evening to adult sex workers may hear about or be able to contact adolescents
- Labour inspectors are NOT good at combing the streets for children who should be in school
- **BE AWARE** that some staff are racist – even to children from minority groups

WHO ELSE CAN PLAY A ROLE?

Peer groups of children (at school or e.g. girl guides/scouts & youth clubs)	Noting when children round them behave strangely – but they need to know whom to report to
Neighbours / apartment block managers	Suspecting a child is in trouble – again they need to know whom to tell
Officials checking or licencing bars, hotels, etc	Monitoring when children might be involved in the sex industry
Health care workers, including doctors, nurses, midwives, dentists, etc.	Noting cause of scars or wounds; caring for reproductive health of adolescent girls
School staff (teachers & support staff)	Noting abnormal behaviour
Transport workers	Who have been asked to transport children in abnormal circumstances
Immigration officials	At various stages of passport control
Local police	

COMMON "TELL-TALE" SIGNS or "INDICATORS"

- 1. Child kept isolated or not allowed out
(domestic worker or child in a brothel)**
- 2. School age children who don't attend school
or are active on streets during school time**
- 3. Not in possession of own passport or identity
papers**
- 4. Bad living conditions (living in campsite)**
- 5. Wounds/scars that might be due to violence**
- 6. Noticed on the street/roadside in the
evenings or for long periods**

OBLIGATIONS CONCERNING CHILD PROTECTION

- Duties are not limited to trafficked children, but include acting with due diligence whenever a child is reported to be abused, exploited or neglected, e.g. a child begging in the street, especially in very hot or cold weather
- (1) Check up on child's welfare
- (2) Check on relationship with accompanying adults
- (3) If suspicions seem justified, refer the child for investigation & care

A MAJOR CHALLENGE WITH TRAFFICKED CHILDREN & OTHER MIGRANT CHILDREN

- **After being placed in local authority residential accommodation ('alternative care') some children walk out and so are reported 'missing'**
- **Care homes have a duty to assess risks on a child's arrival, including risk of child leaving and putting him/herself in danger**
- **Children are more likely to leave if their legitimate aspirations are not met**
- **Care homes may not legitimately detain children 'for their own protection' unless there is imminent danger**

WHAT TO DO WHEN CHILDREN SUSPECTED OF BEING TRAFFICKED GO MISSING FROM CARE?

- A recent Council of Europe report noted:
- “There is no consistent approach across Europe to missing unaccompanied refugee children.
- In Estonia cases are investigated immediately by local police
- In Denmark they receive a lower priority than general cases
- In Belgium there is a fixed ‘no action’ period before police start investigating
- In Slovenia police work with the reception centre to investigate the circumstances of any unaccompanied child who disappears, but if the child has not returned in three days, their application for asylum is ‘withdrawn’ and no further action is taken.”

5) WHAT CAN BE DONE TO PREVENT CHILD TRAFFICKING IN PLACES WHERE CHILDREN ARE EXPLOITED?

- **State institutions have a special duty not to allow abuse of human rights (trafficking or slavery-related)**
- **State as a whole has a duty to “discourage demand” linked to trafficking**
- **What does this mean? Arresting and prosecuting men who pay for sex with adolescents? Discouraging church-goers from donating money to children begging outside a church?**

PREVENTING CHILD TRAFFICKING IN PLACES WHERE CHILDREN ARE EXPLOITED MEANS...

- **Enforcing laws against sexual exploitation (and abuse) of children**
- **Ensuring PUBLIC (& police) knows what behaviour with children constitutes a crime**
- **Ensuring regulations on school attendance are clear and enforced**
- **Ensuring regulations on employment of youth are clear and sufficient resources available to enforce them**
- **Ensuring child protection services are adequately trained & resourced, especially when 'new' children arrive**

6. WHAT CAN YOU DO TO LIAISE WITH CHILD PROTECTION AUTHORITIES IN THE PLACES THAT CHILDREN COME FROM, i.e. TO PREVENT CHILDREN BEING TRAFFICKED?

- **Example of France-Romania 15 years ago, taking several years to know whom to contact in other country**
- **Good coordination is required if children might be returned to places in their country of origin (e.g. social inquiries & risk assessment)**
- **But good coordination can allow appropriate prevention measures in areas of origin**

***THANK YOU FOR YOUR
ATTENTION!***

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