A mixed picture – child protection systems for trafficking victims?

Lessons learned from GRETA’s monitoring

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Ambiguity and lack of focus ...
Background to monitoring

CoE Convention No 197 on Action against Trafficking in Human Beings 2005/08

(as of April 2017) 47 ratifications, incl. all EU MS

Human rights approach, victim-centred: empowerment & accountability

Areas of implementation: prevention, protection, prosecution, partnership

Monitoring mechanism

GRETA (expert level) + Committee of the Parties (political level)

GRETA country evaluation visits and (50+) published reports since 2009

“Urgent procedure” (since 2014/16) for situations requiring attention to prevent/limit serious violations of the Convention – information requests (Greece, Italy), country visit (Italy 2016/17)
What systems should look like ...

- Child rights mainstreaming (Preamble), specific definition of child trafficking + definition "child" (Art 4 - Palermo Protocol, CRC)
- Prevention: **protective environment** (Art 5)
- Protection (Arts 10ff): **multidimensional** child-focused identification and assistance (accommodation, residence, education, health, legal), safeguards for **unaccompanied** children (guardian + best interests mandate, family tracing, age benefit of a doubt rule), residence, return only after **best interests determination/non-refoulement, non-punishment** (Art 26)
- Prosecution: **victim/witness protection** (Arts 28, 30)
- Partnership: **cooperation** of specialised bodies and strategic partnership with **civil society** (Arts 32ff)


  - **Child trafficking = #1 implementation challenge**

⇒  II. Evaluation Round (since 2014): **focus** on child trafficking
Dedicated chapter on GRETA’s findings on child trafficking (first 12 reports/II. Eval round)
Proportions: from 50% (ME, HR) to 3-5% (AT, CY, DK, GE); 2,476 identified in UK; RO, BG

Key challenges:

- Clear common understanding of child trafficking/exploitation – statistics, trends
- No isolated approaches – ensure child-focused Action Plans, prevention policies, national referral mechanisms integrated into broader child protection systems
- Cooperation between levels of government, cross-border cooperation/safe return, strategic partnership with civil society/funding
- Identifying risk groups – disadvantaged groups, unregistered birth, street situations, institutional care, migrants/asylum – role of social/child protection services, training, prevention
- Multi-dimensional proactive identification/outreach, non-punishment principle
- Focus on un/accompanied asylum-seeking/migrant children, age assessment – risk group and need for identification (see also 5th GRETA General Report 2016)
- Child-focused assistance services – assess role of parents, best interests determination/child participation, guardianship, shelter, non-discriminatory access
- Ensure “convincing offer” – address children gone missing, no detention
- Access to justice for trafficked children – legal assistance, complaint mechanisms, compensation, court protection
Examples of **good practices**:  
- **Prevention** – online safety education (MD, UK)  
- **Children at risk** – Roma health mediators (BG), awareness raising (ME)  
- **Identification** – multi-dimensional guidance documents (AT, GE, MD), outreach by local authorities (DK)  
- **Placement** in specialised shelters (AL, AT, HR), protection to prevent children gone missing (UK/Northern Ireland), guardianship measures (UK/Scotland)  
- Extended recovery and reflection period for children (up to 2/3 months – BG, CY, HR)  
  
- **Legal enforcement** of non-punishment (UK)  

⇒ See also **GRETA Compendium of good practices** (Oct 2016)

**GRETA commitment to cooperation** - inside CoE/regional, incl OSCE, and international
Thank you ...  

... for your attention!

Contact:

**GRETA: [www.coe.int/trafficking](http://www.coe.int/en/web/anti-human-trafficking/general-reports)**

GRETA’s annual General Reports:


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