

**Abstract**

Child trafficking is a significant social problem across the European Union (EU). A discourse has emerged of State services failing trafficked children, who are portrayed as especially vulnerable. Less attention is paid to the socio-political conditions within the EU that result in exclusion. Such exclusion adds to the situational vulnerability that many children on the move experience and it may lead to exploitation. This paper is based on a review of 20 multi-national European Commission funded projects about child trafficking. The projects addressed the child trafficking priorities outlined in the EU Anti-Trafficking Strategy, (2012). Projects were reviewed via in-depth reading. Protective services for children in origin, transit and host country contribute to the conditions that sustain child trafficking. Systems do not have the capacity to manage the consequences of globalisation. Consequently, exclusionary criteria are applied on the basis of gender, form of exploitation and ethnicity. In this review, being an EU citizen did not result in any guarantees of protection. Better protection requires commitment and investment in preventative programs.

**Key words:** child trafficking; child protection; children on the move; European Union

## **Trafficked children and child protection systems in the European Union**

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### **Introduction**

A review analysing 20 multi-national projects funded by the European Commission about child victims of human trafficking shows a series of structural problems with child protection services. These include: poor identification of child victims, patchy support and lack of coordinated response including few safe returns. Support is limited even when the children are European Union (EU) migrants. Moreover, the child protection system itself can cause further harm and is implicated within the trafficking chain (GATE, 2015). Many of the projects reviewed argue that child protection systems 'fail' child victims of trafficking. In this paper, I argue that many of the problems are due to insufficient funding, lack of political will and ambivalence about who should protect EU migrant children. Expectations of state protection systems are high both within member states and from the EU. However, the context of child protection is increasingly dominated by control rather than care (Lorenz, 2016), which clashes with the EU rights based agenda. A re-orientation of child protection systems to focus on prevention can only occur with sufficient socio-political will.

### **Child trafficking**

The Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000) defines trafficking as the 'recruitment, transportation, transfer, harbouring or receipt of persons' for the purposes of exploitation i.e. 'prostitution...sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs' (Article 3, UN, 2000). Within the European Union, forced

labour and begging is conceived as another form of exploitation (CoE, 2005). This is one of the most common forms of child trafficking (EU, 2011). A child is anyone under the age of 18 and how the child was recruited, persuaded or forced into the situation is irrelevant to the definition of trafficking. This position is influenced by a protectionist view of children, who by fact of their age and developmental stage are deemed to be 'inherently vulnerable' (UNODC, 2013). However, there is a strong counter narrative in anti-trafficking work that recognises the agency, resilience and resourcefulness of many children (Oude Breuil, 2008; O'Connell-Davidson, 2011). In this paper, children are understood to be situationally vulnerable, that is vulnerability arises out of a situation and is not solely embedded in their person.

Empirical literature on child trafficking in Europe is limited (Derluyn and Broekaert 2005; Gjermeni, Van Hook, Gjipali ...Hazizi 2008; Kelly, 2005), with much of the knowledge about the phenomenon stemming from voluntary sector research. The movement of children across Europe is widespread and involves both migrants (EU citizens) and unaccompanied asylum seeking children (hereafter UASC). Some of these children will be victims of trafficking but they can be difficult to identify (Dottridge, 2006; Galloway, Smit and Kromhout 2015). Patterns vary enormously; some EU countries are mainly source countries for internal and cross border trafficking and others are entry points for UASC. Some children will be trafficked from the outset, either with or without familial involvement, and others become vulnerable to exploitation as they move within Europe (Dottridge, 2006; Gjermeni et al., 2008). Precise data on the number of trafficked children are still not available (Kelly, 2005), but growth in numbers is attributed to the European migration crisis (EC, 2016). The complexity of the trafficking process and the different ways it is understood by some children (and many professionals) renders identification (Hynes, 2015) and therefore data collection problematic (Kelly, 2005; Dottridge 2006).

### **What is a child protection system?**

Child protection systems, like other aspects of welfare, reflect the social, political and economic conditions of states whilst being influenced by

European Union requirements. As Kearney (2013) notes, the concept of child protection is rarely interrogated; it is assumed that it is a force for good. Parton's (2006) work has shown how governmental policy, subject to historical, political and economic forces, has shaped the development of what is commonly understood to be child protection in England and Wales. Each country in Europe has its own evolution of child protection services. What is considered to be the threshold for state intervention in family life varies and national context is very specific (Spratt, Nett, Bromfield...Ponnert 2015). The dynamic nature of human trafficking has led to a multiplicity of European conventions that set the standards for prevention, protection, prosecution, inter-agency and trans national cooperation and increased knowledge of all forms of trafficking (EU, 2012). The interface between EU requirements and state child protection services is complex. Child protection is a state responsibility, over which the EU has no direct powers (O'Donnell, 2014). Nevertheless, EU recommendations to improve systems for child victims of trafficking, as per the Strategy (2012) led to a EC commissioned overview of national child protection systems in Europe (FRA, 2015a).

The complex structure of child protection is often theorised as a system (Wulczyn, Daro, Fluke... Lifanda, 2010; Munro, 2011). According to UNICEF (2008) and FRA, (2015a) the core organisational components of such a system include legal and regulatory frameworks; institutions and structures; human and financial resources; information on identification, reporting process, response and coordination; accountability and monitoring; budgeting structures and research and data analysis. How each of these components is interpreted and implemented at a local and national level characterise the whole. In the context of trafficking, taking a systemic approach reveals crucial interactions with other systems including immigration, criminal justice and the labour market. The idea that better services for child victims of human trafficking would be generated by improvements to the whole child protection system is not new (Dottridge, 2006). Improving the system to benefit all children rests on a shared value base, which simultaneously considers the wellbeing of an individual child and all children (Wulczyn et al., 2010).

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## Methodology

The review contributed to a larger project commissioned by the EU (Walby, Towers, Francis...and Palmer, 2016). This paper focuses on the projects that addressed certain child trafficking priorities outlined in the EU Anti-Trafficking Strategy (2012). These priorities were A3 (a subset of Priority A), 'Identifying, protecting and assisting victims of trafficking'. Children are also specifically identified under Priority E, with a focus on new forms of trafficking (e.g. begging and forced labour) and specifically vulnerable groups of children i.e. Roma.

A total of seventy eight projects were initially connected to the A3 Priority. Of these twenty six projects considered child trafficking within EU member states and potential and candidate EU countries; the remainder involved overseas projects funded by the EU and are not included in this review. Although child protection was not the stated focus of each of the twenty-six projects, all acknowledge the significance of functioning child protection systems.

Six of the 26 projects were excluded. Four lacked final project documentation and two were funded to run conferences with no printed outputs. The remaining 20 projects covered 20 of the EU-28 countries and are all multinational in design (Table 1.). Certain states have been subject to greater project focus. First are countries that are major European sources of child victims of human trafficking (i.e. Romania, Bulgaria and Slovakia). The second group are common destination countries (i.e. Greece, Italy, the Netherlands and Sweden) reflecting well-established migration routes. All of the projects were two years in duration at an average cost to the EC of €423,617 (Walby et al., 2016). The first project started in 2005 and the last were still ongoing in 2016. Each project had different aims and objectives but there are some overarching activities, which reflect the EU Strategic priorities (2012), including desk research (n= 17), training professionals (n=11), child participation (n=12) and awareness raising (n =12).

**Table One: projects listed alphabetically**

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Project Name	Countries involved in the project
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AGIRE: Acting for stronger private-public partnerships in the field of identification and support of child victims and at risk of trafficking in Europe	Austria, Greece, Italy, and Romania
AGIS: development of a Child Rights Methodology to identify and support child victims of trafficking	Austria, Belgium, Netherlands and Sweden
Baltic Sea Region Comprehensive Assistance to Children Victims of Trafficking	Estonia, Lithuania, Poland and Sweden
Better Information for Durable Solutions	Belgium, Netherlands and Sweden
Child Trafficking Among Vulnerable Roma Communities	Austria, Bulgaria, Hungary, Italy, Slovakia and Sweden
Child Exploitation – Cross-National Child Protection in Practice	Latvia, Lithuania, Sweden
Early identification, protection and assistance of child victims and at risk of trafficking and exploitation	Italy, the Netherlands and Romania
Catch and Sustain; European Cross-Actors Exchange Platform for Trafficked Children on Methodology Building for Prevention and Sustainable Inclusion	Luxembourg, Italy, Greece, Portugal, Malta, Poland, Slovakia, UK
CONFRONT	Austria, Bulgaria, Greece, Hungary, Italy, Romania and Slovakia
GATE; Guardians Against Child Trafficking and Exploitation	Cyprus, Greece, Italy and the Netherlands
ICARUS; improving coordination and accountability towards Romanian minors' safety	Romania and the UK
IMPACT; improving monitoring and protection systems against child trafficking and exploitation	Cyprus, Greece, Italy and Portugal
INTERACT; Improving Monitoring and Protection Systems Against Child Trafficking and Exploitation	Cyprus, Greece, Italy and Portugal
MARIO	Netherlands and Romania
Re-ACT; raising awareness and empowerment against child trafficking	Bulgaria, Denmark, Italy and Romania
REVENI; transnational monitoring of return procedures for Romanian and Bulgarian children	Bulgaria, France, Greece and Romania
RESILAND; participation, capacities and resilience of children on the move against trafficking and exploitation	France, Greece, Italy, and Portugal
South East Safe Net; preventing child trafficking and protecting unaccompanied minors	Greece and Turkey
TEMVI; Trafficked and Exploited Minors between Vulnerability and Illegality	France, Hungary, Italy and Romania
VICTOR: Victims of Child Trafficking; our responsibility	Bulgaria, Greece, Slovenia and Romania

## Findings

All 20 projects identify child protection systems as central to the protection of child victims of trafficking along a continuum from prevention in country of origin to post-exploitation support in destination country. The expectation is that children will be protected throughout. However, child protection systems across the sample consistently fall short of the United Nations Conventions of the Rights of the Child (UNCRC) 1989 standards, which is the framework used by most projects to measure outcome. States may have signed and ratified the UNCRC (1989) and other relevant international and EU treaties but they do not necessarily implement the actions in full (GATE, 2013). Most EU member states have national child protection laws, but implementation is variable and occurs at a regional or local level depending on governance structures (FRA 2015a). Whether national law is comprehensive or piecemeal, overseen by one central government department or cuts across many, the purpose is nominally the same: to ensure children are protected from abuse.

This section focuses on the components of a child protection systems which help or hinder support for trafficked children, concentrating on; identification, response and coordination. Identification is problematic across Europe and the consequences can be significant for children. Responses are made up of accommodation services and specific mechanisms to protect trafficked children. Three projects identified ambiguous responses to EU children, which make up the majority of children in need of care and support in Europe (GATE, 2013; IMPACT 2014; VICTOR 2015a). Finally, the problems with coordination will be considered, including the communication and actions among multi-agency actors, state institutions and trans-national mechanisms. The overall effect is a child protection system which exacerbates harm for many trafficked children, especially Roma children.

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### **Identification**

The biggest single problem found in projects was the limited identification of potential child victims of trafficking. Identification means the capacity of relevant actors to recognise and refer suspected child victims to the relevant

support services for assessment. Identification is key to all future support and activities to protect the child (Coppola, Sorgoni, Morniroli...Biji, 2014).

Explanations for poor identification are well established; children do not self-identify; services assume that it is someone else's responsibility and the distinctions between migration, smuggling, trafficking are often confused. Uncertainty about who may be a potential victim is another critical factor; consequently much EU funding has been spent on training, conferences and handbooks to improve victim identification (Walby et al., 2016). However, these resources are in need of frequent updating (Save the Children Italia, 2009). Moreover, across Europe different agencies identify child victims (e.g. in Slovenia –anyone, in Austria, the Criminal Intelligence Service), which further complicates efforts to produce a European-wide guide. Work has been undertaken to develop Standard Operating Procedures. These would be a template which could be updated by a state as indicators, legislation or key information changes (Save the Children, Italia, 2007).

Identification as a potential victim is contingent on low thresholds, which are agreed across agencies. Different thresholds in different services can result in the 'chain of assistance' (Weyler, 2008) being easily broken. Central to identification is recognition that low risk situations may support child trafficking. Indeed, some projects specifically advocate searching low-level support services for potential victims e.g. homeless shelters, drop in centres, free public washing facilities, canteens and temporary accommodation (GATE, 2013; Degani, Pividori, Bufo,...De Coll, 2015). Even when children are recognised as a potential victim they may not be supported if they are perceived to be below the threshold for referral, especially if that threshold is active child protection concerns (Hurley, John-Baptiste & Pande, 2015). Examples include Roma children where there may be uncertainty whether they are genuinely living with their parents or not, and situations where local law does not allow for further investigation if the child is not resident at a permanent address (De Witte & Pehlivan, 2014). Moreover, traffickers manipulate prevailing social norms and will encourage a child into a particular form of exploitation knowing that it is dealt with leniently by the law, as with low grade criminal activity (pickpocketing, begging) in the UK and Netherlands



(De Witte & Pehlivan 2014; Hurley et al., 2015). Finally, for some cultural bias is at the core of failure to either identify or act on suspicions that a child may be at risk of trafficking; actions such as begging are thus reframed as 'traditional and customary' practice in certain communities (CBSS 2014).

Identification is also thwarted by a *professional* preoccupation with the immigration status of the child. The fact of being either a migrant (within the EU), an UASC or being in a country on an irregular basis leads to variations in treatment (CBSS, 2014). Each 'category' is accorded separate rights in each nation state leading to a concern with immigration status over the needs of the child; this stands in contrast to a rights-based approach in which the category of child takes precedence over all such divisions. The UNCRC (1989), locates the best interests of the child, irrespective of their status, as paramount and requires states to address factors and circumstances which hinder vulnerable groups' access to services and full enjoyment of their rights (CRC, 2013). The best interest principle is key to decision making for all children, including child victims of human trafficking but is claimed to be poorly applied in Europe (CBSS, 2014). It stems from Article 3 of the UNCRC:

*Article 3 (1) In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.*

The implication of Article 3 is that a child will be consulted and supported to make decisions that affect their current welfare and future. It applies individually to each child and requires careful assessment. However, there is often a disjunction between the person undertaking the best interest decision with a child and the agency who makes the final decision (CBSS, 2014). The involvement of children in decision making is critical.

## **Responses**

The foundation of support for trafficked children is the provision of suitable and safe accommodation. Lack of suitable residential provision is widespread

across Europe and contributes to the risk of children absconding (CSD, 2013a; GATE, 2013; Coppola et al., 2014). The situation is made critical by the numbers and very diverse needs of suspected trafficked children, and lack of resources to provide specialist services. Provision is problematic from point of first contact to services post 18. Emergency accommodation is often inappropriate, encompassing as it does temporary reception centers, transit centers, police cells and migrant camps (Degani et al., 2015; Dimitriova Ivanova and Alexandrova, 2015; IMPACT, 2014). De Witte and Pehlivan (2014) note that even in the Netherlands, which has a sophisticated anti-trafficking support structure, migrant children who reside in temporary accommodation frequently do not receive protection. Finally, inappropriate, non-child friendly accommodation increases the vulnerability of any child as it is easier for them to disappear without state services noticing (IMPACT, 2015; VICTOR 2015a). Absence of significant child protection measures, increases this risk (Townsend, 2016) although few projects explored this phenomena in detail.

Other projects considered the needs of long stay children as best met in alternative-family based models rather than in institutional care or a half-way houses (CSD, 2013a). Both open and closed (that is a locked facility) forms of accommodation were considered. For the purposes of this review, closed accommodation included detention centres, juvenile justice institutes as well as specialist protective accommodation, such as the NIDOS protected shelter in Holland (De Witte and Pehlivan, 2014). Children's responses to their care are indicative of their view of its standard. Interviews with migrant children in Greece, found that they left care facilities, as they did not feel safe (IMPACT, 2014). Young people also leave their accommodation because they feel obliged to pay money back to their traffickers or because they prefer more independence (Degani et al., 2015; GATE, 2013).

According to CRC (2005) a Guardian should be appointed immediately when a separated or unaccompanied child has been identified; not just in cases of suspected trafficking. Their role is to support and advocate for the child under the terms of Article 3 from point of identification until a 'durable solution' has

been found. The appointment of a Guardian is variable across the EU and the diversity of practice is striking (Catch and Sustain, 2015; FRA, 2015b). An analysis of Guardianship in Cyprus, Greece, Italy and the Netherlands concluded that systemic reform is required to meet the challenges posed by child trafficking (GATE, 2013). They find that the appointment of a Guardian is ad hoc and risks becoming another bureaucratic task rather than a genuine support and advocate for the child (CBSS, 2014; GATE, 2013). No Guardian can change the cultural context in which a child is being supported and according to GATE (2013) this is often an unwelcoming one. However, cultural context need not be fixed and part of a Guardian's (or a related social professionals' role) is to challenge discriminatory attitudes and conditions.

### **Coordination**

The National Referral Mechanism (NRM) is a mechanism to assist with the formal identification of victims, although it is used more for adults than children (Coppola, et al., 2014). Some EU countries do not operate an NRM, e.g. Italy, Greece (CSD, 2013b). In other states it is decentralised; for instance, the NRM is utilised in Vienna but not across Austria (CSD, 2013b). Finally, in other states, such as Romania and the UK, the NRM exists but it is perceived to be ineffective (Girip and Olaru-Raita, 2014) or not interested in EU nationals (De Witte & Pelihavn, 2014; Hurley et al., 2015). In states, which do have functioning NRM's, the numbers of children who receive formal recognition as a victim of human trafficking are low; creating considerable discrepancy between official statistics and data held by NGO services. In these same states, only some children acquire formal recognition, with boys, Roma children and children in forced labour often refused (GATE, 2013; Hurley et al., 2015). The EU is developing a Transnational Referral Mechanism for cross-border assistance in trafficking cases, which includes a section on identification. However, these additional mechanisms are problematic in the absence of a fully functioning child protection system.

Evidence from the projects reviewed illustrated the difficulties in guaranteeing safe return and reintegration (CBSS, 2014; CSD, 2013b; Save the Children Italia, 2009). Arrangements are ad-hoc and piecemeal and few safe returns

occur (CBSS, 2014; CSD, 2013b; Save the Children Italia, 2009). One reason is lack of child-focused information about the country of origin. With EU funding, UNICEF developed a template for 'child notices' that detail the conditions for children in their country of origin; the aim is to assist those making decisions about safe returns (Kandoorp, 2015). The Council of Baltic Sea States developed online tools for social workers to assist them in working cross-nationally whilst remaining focused on the child's rights (CBSS, 2014). Barriers to safe return include professional scepticism about local procedures and facilities in country of origin, the numerous ways in which children can be returned and the complex cross border policies and procedures (CBSS, 2014). For some children this entails considerable delay; others, especially Roma children, have their return expedited in unsafe ways (Dimitriova et al., 2015). One specific concern was the lack of assessment undertaken about the possible familial involvement in the trafficking of a child; this presents a genuine risk for re-victimisation. Consequently very few children are returned.

### **Harmful systems?**

Despite the mandate to protect children from future or further harm, child protection systems can create the conditions for harm manifesting in other ways. Several projects identify the system itself as contributing to the conditions in which child trafficking can thrive (Coppola et al 2014; GATE, 2013; Wenke Pàmias and Costella, 2015). This starts in the country of origin, through absence of protective systems for children. Some projects comment specifically on gaps for Roma children, whose experiences make them at much higher risk of unsafe migration (CSD, 2013a; Dimitriova, et al., 2015). These experiences in Bulgaria, Romania and Albania include leaving school early, being left behind by parents who migrate for work, early marriage, no local employment or vocational opportunities and a lack of information about how to stay safe when migrating (CSD, 2013b). Harm continues in transit countries due to lack of recognition and limited services and then is perpetuated in the destination country *by concerns of immigration and nationality over the child's rights to be safe*. Consequently, the repeated violation of children's rights creates the conditions in which exploitation flourishes (Coppola et al., 2014).

### **Roma children**

The EU Strategy identifies Roma children as a high-risk group for trafficking. Evidence from the projects reviewed would support this claim. It is estimated that 90% of all street begging in Europe is undertaken by Roma children (Dimitrova et al. 2015) and some begging will be exploitative in nature. However, exploitation, such as forcing a child to beg, in the company of a parent or guardian does not meet the definitional criteria of child trafficking. Consequently, responses are contradictory or absent as the situation is not perceived to be one of trafficking. Several projects outlined the specific socio-economic factors that increase vulnerability for Roma children (CSD, 2013b; Degani et al., 2015). These include systemic poverty, limited access to education, and lack of opportunity in the country of origin (CSD, 2013b; Dimitrova et al., 2015). Other projects also sought to explain specific community characteristics that may have a bearing on child trafficking, such as an expectation that children will actively contribute to household income from an early age (Dimitrova, et al., 2015). However, these factors are contested as if broadly applied may lead to stereotyping of Roma communities. Thus, much of the increased vulnerability stems from cultural attitudes and confusion in the receiving countries (Cazenave, 2012; Degani et al., 2015).

### **Discussion**

This review indicates that trafficked children across Europe are not receiving the state care and protection that they, as children, are entitled to. If the core aspects of a child protection system (i.e. identification and referral procedures and suitable accommodation/support) are not in place then any of the additional mechanisms, specific to trafficked children, such as the NRM become difficult to action. Even when children are identified as suspected victims; service provision is limited and discontinuous (Coppola et al., 2014). Sometimes, being identified as a potential victim is inadequate as the threshold for child protection intervention is so high (Hurley et al., 2015). Many or all of the problems outlined above are a consequence of insufficient funding, lack of political will and ambivalence about 'which' children need

protection. The need to increase financial provision for support services is noted in many projects (CBSS, 2014; Coppola et al., 2014; IMPACT, 2014).

Measures to prevent circumstances in which child trafficking occurs are limited (Dottridge, 2004; CBSS, 2014). Projects and anti-trafficking research rarely address the socio-political causes of disadvantage and exclusion. The preoccupation with identification and risk management, rather than prevention is a core problem of child protection systems globally (CRC, 2013). In order to develop protective systems that function for all children there needs to be a fundamental shift to re-direct political and social efforts towards prevention (Lorenz, 2016). This also accords with the CRC (2013) and the EU Directive (2011), child protection systems need to be reoriented towards primary prevention. Simple prevention measures include universal birth registration, free education, stricter control of labour regulations and the criminalisation of the use of services of a trafficked victim (AECTP, 2010). Additional measures are those highlighted by CBSS (2014, p14) “tackling social and economic exclusion and marginalisation, combating corruption, promoting development, peace, stability and the rule of law”, which require the development of preventative social and labour policies (Lorenz, 2015).

### **Freedom of movement**

One of the effects of poorly resourced protection systems in countries of origin combined with the right to free move enshrined in the Maastricht Treaty is child movement (Cazenave, 2012). Requirements vary between EU countries, but children can move within the Schengen area with just a form of identification or for some countries an affidavit signed by the parents (Buzatu, 2015). ‘Children on the move’ is an umbrella term that encompasses children migrating alone or accompanied and who may be exposed to vulnerable situations during their journey(s) (European Forum on the Rights of the Child, 2013). Living in another country, without parental or primary care –giver oversight increases their situational vulnerability. Such children may become victims of trafficking. However, an overemphasis on potential risk for children on the move precludes discussion of the opportunities that such movement may create. Direct work with children in some of the projects challenges the

risk discourse that permeates child trafficking (Coppola et al., 2014; Wenke et al., 2015). As O'Connell-Davidson (2013) notes a shift to acknowledging children as more than just victims to be rescued is a necessary one. The notion that children can exercise agency, and are able to make decisions, even if they are not always wise ones is a challenge to systems that are designed to protect.

Child victims of trafficking can miss out on protective services because immigration and asylum systems take precedence (Hynes, 2015; O'Connell-Davidson 2011). This review finds that exclusion occurs irrespective of nationality or citizenship status. Being a EU citizen does not, in the projects reviewed, guarantee support and protection from another member state (CSD, 2013b; Degani et al., 2015; IMPACT 2014). In fact, being an EU citizen may complicate access to support as destination countries have “no practical means of offering adequate protection to EU migrant children” (Cazenave, 2012 p8) partly because there is no specific legislation that governs the return of an EU migrant child. The exclusionary criteria result from stereotypes about trafficked victims of children from certain ethnic communities (i.e. Roma). The belief that child trafficking involves girls trafficked for sexual exploitation has persisted for some time (Dottridge, 2006; O'Connell-Davidson 2013). As some of the projects reviewed show, services struggle to recognise and respond to older children, especially boys and those involved in labour exploitation and forced begging (Dottridge, 2006; Dimitrova et al., 2015). This is despite the EU addition of begging to the definition of trafficking and a specific encouragement to consider ‘new forms of trafficking’ in the EU Anti-Trafficking Strategy (2012).

There are many possible reasons for poor system interaction but the effect on trafficked children is harmful. Trafficked children may be enmeshed in a multitude of systems including immigration, judicial, labour market and general welfare as well as the child protection system. Moreover, there is no mechanism for keeping the child at the centre of all these systems. Some argue that the very requirement for trafficked children to have specialised services is “an obstacle to connect with the prerogatives that all policies

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addressed to children should guarantee the maximum level of rights and welfare” (GATE, 2013, p. 98). Others conclude that specialist anti-trafficking support services are essential but within a broader framework of unconditional support for all children (Degani et al., 2015). Communication between systems at local, national and transnational level still requires improvement (Degani, et al., 2015; Dimitrova et al., 2015) despite an ongoing commitment to training and awareness raising (EU, 2011). Training is aimed at border officials, Police, child protection services, the judiciary, support services, shelters and respite centres to assist with both initial identification and screening (Save the Children Italia, 2007 & 2009; South east safe net, ND) as well as awareness raising for children and young people to help them improve their own safety skills (Wenke et al., 2015).

### **Market forces**

As O’Connell-Davidson (2011) points out, many systems, e.g. immigration control can cause harm to those trafficked, but State attention is always directed outwards, not inwards. By turning inwards a series of irreconcilable pressures emerge which centre around notions of care and control. Many aspects of State protective services are privatised (i.e. residential care) and NGO’s are left to support and protect children in the absence of functioning state systems (VICTOR, 2015a). There is a need for better monitoring, quality assurance and evaluation of both privatised and public child protection services (ATECP, 2010). Moreover, national and transnational systems must co-operate better. Greater co-operation between states is required at a time when supranational institutions are under pressure. As Lorenz (2016) points out; the EU welcomes mobility and free trade but is not able to provide the transnational support structures that are required. Fragmentation of policy and services results in a significant gaps between what Lorenz (2016) calls the humanitarian principles of the founding EU charter and the dissolution of member state services under acute stress. Neo liberalism places increasing pressures on welfare regimes and the consequences exclude many (Lorenz, 2016), including children on the move.

### **Way forward**



Child trafficking is a lens through which the failings of support services to manage child protection under intense socio-economic pressure are only too clear. Accounts from child victims, of enduring exploitation in their country of origin, in transit and finally in the destination country, demand a protective response. Sadly, such a response is rarely forthcoming. Child trafficking in Europe is not solely the domain of criminals but occurs as a by-product of contemporary state mechanisms including child protection, immigration, labour market and criminal justice systems. The interaction of these systems is ad-hoc, may cause further harm and the focus on the child is often lost. Unless the role of social work and other support professions is simply to 'smooth over the gaps of built-in contradictions' (Lorenz, 2016, p10) then change is required. It is proposed that this change must be grounded in prevention and child's rights and that the concern is with upholding the dignity of every child not only those who meet specific protective criteria. Child rights are integral to developing preventative socio-economic systems that protect all children.

## **Conclusion**

This review of 20 anti-child trafficking projects in the European Union indicates that an overhaul of the aim, purpose and functioning of protective systems is required. Currently, the identification, support and long-term decision making for child victims of trafficking creates problems in the European countries considered. Frequently, these problems are attributed to decision-making based on immigration status although many of the children in these projects were EU citizens. This paper argues that exclusionary criteria are applied to many children and that in the domain of trafficking this includes age, ethnicity and gender. However, the gaps in child protection systems are not specific to child victims of trafficking although their particular plight magnifies them. Better protection is dependent on systems that have the capacity to respond to all children, not to specific groups or particular issues as is acknowledged by UNICEF (2008). Child protection systems should be based on a principle of upholding the dignity of every child whilst having the capacity to respond to all. Such a transformation cannot be achieved without significant political will and resources. So far, the EU has nudged member

states to reflect on their child protection systems through the EU Trafficking Directive (2011) and accompanying Strategy (2012) however a bolder commitment to prevention is urgently required.

## References

ATPEC (2010). *Joint Statement on Child Protection, Especially among Migrant, Undocumented, Unaccompanied, Separated and Asylum Seeking Children, to enhance Prevention of Child Trafficking*. Alliance against Trafficking in Persons Expert coordination team. Retrieved from <http://www.osce.org/home/72015>

Buzatu, C (2015). *Entrusted Children: A study on the legal requirements and procedures concerning the exit and re-entry of Romanian minors in the context of human trafficking: the role of Public Notaries*. Budapest; Terre des Hommes.

Cazenave, P (2012). *Protecting Migrant Children in a Freedom of Movement Area*. Budapest; Terre des Hommes.

Catch and Sustain (2015) *Anti-trafficking intervention programme targeted to vulnerable children*. Luxembourg: European Federation for Street Children.

CBSS (2014). *Child Exploitation – Cross-National Child Protection in Practice 'PROTECT Children on the Move'*. First Expert Meeting. Retrieved from: <http://www.childcentre.info/protect-children-on-the-move/>

Coppola, V., Sorgoni, F., Morniroli, A., Di Martino, P., Bosch, L., and Biji, A. (2014). *Protection First, Early identification, protection and assistance of child victims and at risk of trafficking and exploitation. Briefing Paper*. Retrieved from <http://www.scepnetwork.org/images/21/282.pdf>

CoE (2005). *Convention on Action against Trafficking in Human Beings*. Council of Europe. Retrieved from: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168008371d>

Committee on the Rights of the Child (2005). *General Comment No. 6 on the treatment of unaccompanied and separated children outside of their country of origin*. Retrieved from:  
[https://www.unicef.org/protection/files/CRCGC6\\_EN.pdf](https://www.unicef.org/protection/files/CRCGC6_EN.pdf)

Committee on the Rights of the Child (2013). *General Comment No. 14 on the right of the child to have his or her best interests taken into primary consideration*. Retrieved from:  
[http://www2.ohchr.org/English/bodies/crc/docs/GC/CRC\\_C\\_GC\\_14\\_ENG.pdf](http://www2.ohchr.org/English/bodies/crc/docs/GC/CRC_C_GC_14_ENG.pdf)

CSD (2013a). *Assisting and reintegrating child victims of trafficking. Improving Policy and Practice in EU member States*. Sofia: Centre for the Study of Democracy.

CSD (2013b). *Child Trafficking Among Vulnerable Roma Communities*. Sofia: Centre for the Study of Democracy.

Degani, P., Pividori, C., Bufo, M., Donadel, C., Bragagnolo, C.,...De Coll, A. (2015) *Trafficked and Exploited Minors between vulnerability and illegality*. Retrieved from [http://unipd-centrodirittiumani.it/public/docs/Report\\_en\\_web.pdf](http://unipd-centrodirittiumani.it/public/docs/Report_en_web.pdf)

Derluyn, I., & Broekaert, E. (2005). On the way to a better future: Belgium as transit country for trafficking and smuggling of unaccompanied minors. *International Migration*, 43(4), 31-56

De Witte, L., & Pehlivan, M. (2014). *Vulnerability of Bulgarian and Romanian Children to Trafficking in The Netherlands and in Brussels*. Budapest: Mario Project.

Dimitirova, K., Ivanova, S., & Alexandrova, A. (2015). *Child Trafficking Among Vulnerable Roma Communities*. Sofia: Center for the Study of Democracy.

Dottridge, M. (2006). *Action to prevent child trafficking in South Eastern Europe. A Preliminary assessment*. Terres des Hommes and UNICEF.

Retrieved from:

[https://www.unicef.org/ceecis/Assessment\\_report\\_June\\_06.pdf](https://www.unicef.org/ceecis/Assessment_report_June_06.pdf)

European Commission (2016). *Report on the progress made in the fight against trafficking in human beings*. Brussels, 19.5.2016. COM (2016) 267 Final.

European Forum on the Rights of the Child (2013). *The role of child protection systems in protecting children on the move-background paper*. Retrieved from [http://ec.europa.eu/justice/fundamental-rights/files/s2\\_forum\\_move\\_en.pdf](http://ec.europa.eu/justice/fundamental-rights/files/s2_forum_move_en.pdf)

European Union (2011). Directive 2011/36/EU of the European Parliament and of the Council of 5th April 2011 on preventing and combating trafficking in human beings and protecting its victims.

European Union (2012) Strategy towards the Eradication of Trafficking in Human Beings 2012–2016, COM (2012) 286, final. Retrieved from: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52012DC0286&from=EN>

FRA (2015a). *Mapping Child Protection Systems in the European Union*. Luxembourg: European Union

FRA, (2015b). *Guardianship Systems for children deprived of parental care in the European Union; with a particular focus on their role in responding to trafficking*. Luxembourg: European Union.

GATE (2013) *Guardians against Child Trafficking and Exploitation - European Report*. 2013 KMOP and Defence for Children International – Italy

Galloway, M, Smit, M, & Kromhout, M 2015, 'Between Control and Support. The Protection of Unaccompanied Minor Asylum Seekers at Risk: The Dutch Case', *International Migration*, 53, 4, pp. 51-61

Girip, R., and Olaru-Raita, C. (2014) *Children on the Move in Romania; a situational analysis*. Bucharest: Project Mario.

Gjermeni, E, Van Hook, M, Gjipali, S, Xhillari, L, Lungu, F, & Hazizi, A. (2008). Trafficking of children in Albania: Patterns of recruitment and reintegration. *Child Abuse & Neglect*, 32, 941-948. Doi: 10.1016/j.chiabu.2007.09.015

Hynes, P. (2015). No 'Magic Bullets': Children, Young People, Trafficking and Child Protection in the UK. *International Migration*, 53 (4), 62-76.

Hurley, B., John-Baptiste, M and Pande, S. (2015). *Free to Move, Invisible to Care*. London: NSPCC.

IMPACT (2014). *Improving and Monitoring Protection Systems Against Child Trafficking and Exploitation. Transnational Analysis*. Athens: KMOP and Defence for Children International, Italy.

Kandoorp, M (2015). *Methodology Guidance on Child Notice*. Netherlands: UNICEF.

Kearney, J. (2013). In the loop: A systemic approach to re-thinking the child protection system. *Social Work and Social Sciences Review*, 16(3), 7-19. doi: 10.1921/swssr.v16i3.539

Kelly, L. (2005). 'You can find anything you want': A critical reflection on research on trafficking in persons within and into Europe. *International Migration*, 43(1-2), 235-265

Lorenz, W. (2015). 'Rediscovering the social question'. *European Journal of*

*Social Work*, 19, pp. 4-17. doi: 10.1080/13691457.2015.1082984

Lorenz, W. (2016). European policy developments and their impact on social work, *European Journal of Social Work*, DOI: 10.1080/13691457.2016.1185707

Munro, E. (2012). *The Munro Review of Child Protection: Final Report – A Child Centered System*. London: Department for Education.

O'Connell Davidson, J. (2011). Moving children? Child trafficking, child migration, and child rights. *Critical Social Policy*, 31, 454-477. doi: 10.1177/026101831140501

O'Connell Davidson, J. (2013). Telling Tales: Child Migration and Child Trafficking: Stories of trafficking obscure the realities for migrant children. *Child Abuse & Neglect*, 37, 1069-1079. Doi: 10/1016/j.chiabu.2013.10.012

O'Donnell, R (2014). *The Role and Impact of the EU in Advancing Children's Protection Rights*: seminar presentation. Retrieved from <https://www.liverpool.ac.uk/media/livacuk/law/european-childrens-rights-unit/Liverpool,presentation.pdf>

Oude Breuil, B. (2008). Precious Children in a Heartless World? The Complexities of Child Trafficking in Marseille. *Children & Society*, 22, 223-234. doi:10.1111/j.1099-0860.2008.00153.x

Parton, N (2006). *Safeguarding Childhood. Early intervention and Surveillance in a late modern society*. Basingstoke: Palgrave Macmillan.

REACT (2011) *Raising Awareness and Empowerment Against Child Trafficking*. Rome: Save the Children.

Save the Children Italia (2007). *Development of a child rights methodology to identify and support child victims of trafficking*. Rome: Save the Children.

Save the Children Italia (2009). *AGIRE. Acting for stronger private-public partnerships in the field of identification and support of child victims and at risk of trafficking in Europe*. Rome: Save the Children.

SouthEast SafeNet (ND). *Preventing Child Trafficking and protecting unaccompanied minors in the Greek-Turkish borders*. Retrieved from: <http://www.southeast safenet.eu/content/projects-description>

Spratt, T., Nett, J., Bromfield, L., Hietamäki, J., Kindler, H., & Ponnert, L. (2015). Child Protection in Europe: Development of an International Cross-Comparison Model to Inform National Policies and Practices. *The British Journal of Social Work*, 45, 1508-1525. doi: 10.1093/bjsw/bcu109

Townsend, M. (2016, January 30). 10,000 refugee children are missing says Europol. Retrieved January 16, 2017, from <https://www.theguardian.com/world/2016/jan/30/fears-for-missing-child-refugees>

United Nations (2000) Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.

UNICEF (2008) *Summary of Highlights: UNICEF Global Child Protection Systems Mapping Workshop*. Retrieved from: [https://www.unicef.org/videoaudio/PDFs/global\\_child\\_protection\\_workshop.pdf](https://www.unicef.org/videoaudio/PDFs/global_child_protection_workshop.pdf)

UNODC (2013). *Abuse of a position of vulnerability and other 'means' within the definition of trafficking in persons; an issue paper*. New York: United Nations.

VICTOR project (2015a). *Policy Brief: Recommendations to relevant stakeholders on improving the identification of child victims of THB*. Athens: Victor Project.



Walby, S., Towers, J., Francis, B., Shire, K., Kelly, L., Apitzsch, B., Armstrong, J., Balderston, S., Fish, A., Hardaker, C., Kirby, S., May-Chahal, C., & Palmer, E. (2016). *Study on the comprehensive policy review of anti-trafficking projects funded by the European Commission*. Lancaster University. HOME/2014/ISFP/PR/THBX/0052

Weyler, S (2008) *The Frail Chain: Support for child victims of trafficking in the Baltic Sea Area*. The Children's Unit of CBSS.

Wenke, D., Pàmias, J., and Costella, P. (2015) *RESILAND. Participation, Capacities and Resilience of Children on the Move against Trafficking and Exploitation: Orientations*. Athens: KMOP and Defence for Children International, Italy.

Wulczyn, F., Daro, D., Fluke, J., Feldman, S., Glodek, C., Lifanda, K. (2010) *Adapting a Systems Approach to Child Protection: Key concepts and considerations*. New York: UNICEF.