



**2018 OSCE
SUPPLEMENTARY HUMAN DIMENSION MEETING**

**CHILD TRAFFICKING:
FROM PREVENTION TO PROTECTION**

**28-29 May 2018
Vienna, Austria**

ANNOTATED AGENDA

Supplementary Human Dimension Meetings are organized by the OSCE Chairmanship-in-Office (CiO) with the support of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in accordance with the decisions of the Conference on Security and Co-operation in Europe (CSCE) Summits in Helsinki (1992) and Budapest (1994). The first 2018 Supplementary Human Dimension Meeting is devoted to *Child Trafficking: From Prevention to Protection*; its modalities are set out in accordance with the Permanent Council Decision (PC.DEC/476, 23 May 2002).

A commitment to the rights of the child has featured prominently on the OSCE agenda since 1990, when the participating States decided to *accord particular attention to the recognition of the rights of the child, his or her civil rights and his or her individual freedoms, his or her economic, social and cultural rights, and his or her right to special protection against all forms of violence and exploitation*. (Copenhagen 1990). OSCE participating States have also committed to combat trafficking in children. Relevant OSCE commitments on trafficking in children include: Istanbul 1999, Sofia Ministerial Council Decision No. 13/04 on the special needs for child victims of trafficking for protection and assistance (2004), the OSCE Action Plan to Combat Trafficking in Human Beings (2003), the Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: Addressing the special needs of child victims of trafficking for protection and assistance (2005) and the Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later (2013), Brussels Ministerial Council Decision No. 15/06 on combating sexual exploitation of children (2006), Madrid Ministerial Council Decision No. 9/07 on combating sexual exploitation of children on the Internet (2007), Kyiv Ministerial Council Decision No. 7/13 on combating trafficking in human beings (2013).

The Vienna Ministerial Council Decision No. 7/17 “Strengthening efforts to combat all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children”. All these documents demonstrate the dedication to and prioritization of the issue of child trafficking by the OSCE participating States.

OSCE participating States have recognized the importance of international instruments such as UN Convention on the Rights of the Child (CRC), where the best interests principle is set out, and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol) (2000) which includes the first internationally

agreed definition of the crime of trafficking in persons and provides a framework to effectively prevent and combat trafficking in persons. Other instruments such as Council of Europe Convention on Action against Trafficking in Human Beings (2005) and Strategy for the Rights of the Child (2016-2021), the New York Declaration for Refugees and Migrants (2016), political declaration at the Periodic Review of the United Nations Global Plan of Action to Combat Trafficking in Persons (2017) reaffirming the centrality of the Palermo Protocol, UNGA Assembly Resolution 70/179, “Strengthening the Coordination of Efforts to Combat Human Trafficking” as well as the global commitment for the 2030 Agenda for Sustainable Development through the Sustainable Development Goals 5, 8 and 16, have inspired and impacted the work in many OSCE participating States.

Although the OSCE participating States have made significant strides towards addressing the issue of trafficking in children through the “4Ps” framework of prevention, prosecution, protection and partnerships, the development of strong national anti-trafficking legislation, policy and referral mechanisms, and regional co-operation efforts to combat trafficking in children, this heinous crime still persists across the OSCE region, with a differentiated negative effect on boys and girls. The gender dimension of trafficking in human beings and the particular vulnerability of girls cannot be underestimated and needs to be addressed in all OSCE anti-trafficking efforts. UNODC’s biennial Global Report on Trafficking in Persons estimates that 71% of detected trafficked persons are women and girls and that 96% of detected individuals trafficked for the purposes of sexual exploitation are women and girls¹. Women and children in situations of armed conflict and persons forcibly displaced by armed conflict can be especially vulnerable to trafficking in persons and to these forms of exploitation. It has also been recognized the connection between trafficking in persons, sexual violence and terrorism and other organized criminal activities. UN SC Resolution 2388 (2017) has also underlined the need to ensure protection of all unaccompanied children who are victims of or those vulnerable to trafficking in persons through their prompt identification and immediate assistance taking into account their specific needs.

In line with the participating States’ commitment to a victim-centred, human rights-based and gender sensitive approach in the best interest of the child, it is of vital importance that trafficked children are regarded with full respects to their human rights and are provided with access to all rights and protections guaranteed to them by national and international obligations. This has been highlighted over the last decade, starting from the 8th *Alliance against Trafficking in Persons Conference* on “Child Trafficking: Responses and Challenges at Local Level” (2008) to two recent events in 2017: the 17th *Alliance Against Trafficking in Person Conference* on “Trafficking in Children and Best Interests of the Child” and the Human Dimension Seminar on “Rights of the Child: Children in Situation of Risk.”

The 17th *Alliance Conference* demonstrated the need for continued efforts to address issues such as threats facing children in crisis situations, factors heightening child vulnerability, the adequacy of existing child protection systems, as well as policies and measures that should foster the best interests of the child. A special emphasis was placed on children “on the move” including unaccompanied minors, missing and internally displaced children, and on the importance of maintaining equal focus across the “four pillars” of prevention, protection, prosecution and partnership as crucial to the effective, co-ordinated and comprehensive response to child trafficking (SEC.GAL/65/17). The 2017 Human Dimension Seminar

¹ ICAT Issues Brief, *Gender Dimensions of Trafficking*. Issue 04, 09/2017.

confirmed the need for child-tailored national referral mechanisms, which would ensure the application of human rights and victim-centred approach, with the best interest of the child as the primary consideration, in all cases of trafficking in children.

This Supplementary Human Dimension Meeting will offer a platform to a variety of actors, including OSCE participating States, OSCE institutions and executive structures, international organizations, civil society organizations and academic experts, to take stock of OSCE human dimension commitments in the sphere of combatting trafficking in children, addressing the vulnerability of child victims and children at risk of trafficking with a particular focus on unaccompanied minors, to exchange good practices and to offer recommendations and guidance on how to design and implement sustainable mechanisms to ensure a victim-centred and child-friendly human rights based approach to countering child trafficking, including through multi-agency partnerships.

DAY 1

MONDAY, 28 MAY 2018

SIDE EVENTS 13:00–15:00

OPENING SESSION	15:00–16:00
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Opening remarks

Keynote addresses

Technical Information

WORKING SESSION I:	16:00-18:00
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PREVENTING CHILD TRAFFICKING

Prevention of trafficking should ensure that all children are protected against all forms of discrimination, violence, abuse, exploitation and neglect, as there is a direct correlation between these factors and vulnerability to trafficking. Prevention strategies should also incorporate measures to address the demand for trafficking in children, by implementing stringent penalties not only on traffickers, but within the private sector, when goods produced by child victims of trafficking are identified within their supply chains, and on those who purchase trafficked children for the purposes of sexual exploitation. Prevention strategies should actively incorporate protective measures for children's usage of Internet, as well as disruption measures and sanctions for the utilization of Internet for child trafficking. Prevention strategies should be developed, which are specific to the gender dynamics and types of trafficking affecting girls and boys, and with a particular focus on girls as they are the majority of the victims of child trafficking.

In 2017, OSCE participating States have reaffirmed their commitment to the prevention of trafficking in human beings through the MC.DEC/6/17 on Strengthening Efforts to Prevent Trafficking in Human Beings, recognizing the prevention as a priority issue, and through MC.DEC/No. 7/17 Strengthening Efforts to Combat All Forms of Child Trafficking,

Including Sexual Exploitation, as Well as Other Forms of Sexual Exploitation of Children. The 2013 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings PC.DEC/1107 also identified primary factors that need to be addressed in prevention strategies: lack of a stable family environment and parental care, irregular migration status and discrimination. Not all the children are exposed in the same way to the risk of becoming victims of trafficking and studies on intersectionality help identifying and addressing the multiple risk factors. Children in institutions and alternative care, runaway youth, unaccompanied and separated children, children with disabilities, children belonging to national minorities, such as Roma and Sinti, stateless children, children without birth registration, child asylum-seekers, refugees and IDPs, and children left behind by migrating parents have been identified as particularly vulnerable to trafficking and other forms of exploitation.

Session I will provide an overview of child trafficking prevention strategies across the OSCE region, and examine on-going efforts to prevent trafficking in children, taking into consideration the different forms of gender vulnerability of boys and girls. The session will also aim to identify policies and strategies, rooted in the multi-disciplinary as well as multi-stakeholder approach, which have resulted in concrete measures to successfully prevent and reduce vulnerability of children to trafficking.

Questions for Discussion:

- What national policies are effective to decrease vulnerability of specific groups of children (such as those listed in the 2013 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings) to trafficking?
- What promising practices exist in the OSCE region of multi-agency, cross-sectorial and multinational measures to prevent trafficking in children?
- What successful initiatives have been implemented to strengthen education and awareness-raising efforts (including with the use of new technologies) and develop and implement empowerment programmes which take into account the particular needs of girls and boys, in order to enhance the capacity to prevent human trafficking within communities?
- Are voices of children reflected in designing child trafficking prevention measures?
- How are gender and other factors of increased vulnerability of children reflected in the development of preventive measures to address child trafficking?

18:00-20:00

Reception hosted by the Italian Chairmanship of the OSCE at Palmenhaus, in Burggarten 1, Vienna 1010, Austria

DAY 2

TUESDAY, 29 MAY 2018

WORKING SESSION II:

10:30-12:30

**PROTECTING CHILD VICTIMS AND CHILDREN AT RISK
OF TRAFFICKING**

According to the 2016 UNODC report, 27% of all global human trafficking cases - of which 28% of are children, with girls constituting 20% and boys 8% of all child trafficking victims - occur within the OSCE region.² While trafficking for labour and sexual exploitation are the predominant forms of trafficking, within certain parts of the OSCE over 10% of children are trafficked for the purposes of organ removal, forced begging and forced criminality.³ The alarming rates of child trafficking have been recognized by the OSCE participating States in their commitments and initiatives to strengthen national and trans-border child protection systems.

The protection needs of children - trafficking victims, significantly different from those of adults, have been recognized in relevant OSCE commitments, for example the Sofia Ministerial Council Decision No. 13/04 on the special needs for child victims of trafficking for protection and assistance (2004), the OSCE Action Plan to Combat Trafficking in Human Beings (2003), its 2005 and 2013 Addenda, as well as in various international instruments. The OSCE Action Plan recommends the establishment of National Referral Mechanisms (NRMs), defined as “co-operative frameworks within which participating States fulfil their obligations to protect and promote the human rights of the victims of trafficking” (MC.DEC/2/03, V. 3). An NRM outlines the process of identifying and referring victims of trafficking for assistance, whilst ensuring respect for their human rights. ODIHR’s 2004 Practical Handbook “National Referral Mechanisms - Joining Efforts to Protect the Rights of Trafficked Persons” is currently being updated to also include a section expressly addressing the specific needs of child victims of trafficking so they have access to child-friendly, tailored, human rights based and gender-sensitive national protection frameworks, which are in the best interest of the child and take into consideration the voices of children in their decision making processes.

Significant progress in the protection of child victims of trafficking has been achieved in the past decade. But with emerging and evolving trends in child trafficking and substantially increased levels of unaccompanied and separated minors in the OSCE region, improvements and strengthening of child protection systems, in line with the best interest of the child, are essential. Additional efforts are needed in the areas such as: identification, birth registration, child age verification, family tracing and reunification, legal guardianship, confidentiality and data protection, recovery and reflection period, compensation and child-friendly judicial proceedings, witness protection, application of the non-punishment principle, regularization of migration status through provision of residence permits, repatriation and return, assistance through access to legal and medical services and psycho-social support incorporating a trauma informed approach, provision of child advocates, cultural mediators and interpreters, access to safe and appropriate accommodation, multi-disciplinary approach, etc. The *17th Alliance*

² UNODC, Global Report on Trafficking in Persons 2016, Vienna, 2016.

³ 6th General Report, the Group of Experts on Action against Trafficking in Human Beings (GRETA), Strasbourg, 2017.

Against Trafficking in Person Conference confirmed that if in place, effective and functional child protection systems can significantly reduce risks of trafficking and create favourable conditions for identifying and assisting child victims of trafficking.

Session II will provide an overview of existing systems for the protection of child victims of trafficking and children at risk for trafficking. It will outline current issues and challenges in the field of child protection, and identify concrete policies, strategies and promising practices on how to improve protection and support for child victims of trafficking and children vulnerable to trafficking, ensuring a victim-centred, gender-sensitive and child-friendly human rights based approach. The session will also explore the support that OSCE executive structures could provide to participating States to assist them in achieving this aim.

Questions for Discussion:

- Which institutional frameworks exist at the national and local level to effectively develop and implement child-friendly anti-trafficking protection strategies and measures? Are multi-disciplinary and multi-agency approaches integrated in those frameworks?
- How are victim-centred, trauma-informed and gender sensitive approaches incorporated in protection strategies and efforts to combat trafficking in children?
- What are the biggest challenges in implementing effective child-tailored NRMs and what measures should be taken to overcome these challenges?
- Are there examples of successful trans-national co-operation ensuring adequate protection of child victims of trafficking?
- Which elements of national child protection systems require improvement and strengthening to prevent re-trafficking of children?

SIDE EVENTS 13:00–14:30

WORKING SESSION III:	14:30-16:30
UNACCOMPANIED MINORS: THE NEED FOR SPECIAL PROTECTIONS	

With a fivefold increase in unaccompanied minors crossing borders since the beginning of the current decade, these children have been identified as at significant risk of being trafficked or exploited, due to their age and migration status. 170,000 unaccompanied minors sought asylum in Europe in 2015-2016⁴. The central Mediterranean passage has been named as one of several migration routes particularly dangerous for children. A recent UNICEF report on children on the move across the Mediterranean Sea has pointed to racism, xenophobia and other forms of intolerance as significant contributing factors to increasing the vulnerability of children, especially unaccompanied minors, to trafficking⁵. There are also gender dimensions to trafficking of unaccompanied minors, with 86% detected male victims trafficked for labour exploitation, while 72% of female victims trafficked for sexual exploitation.⁶

⁴ United Nations Children's Fund, *A Child is a Child: Protecting children on the move from violence, abuse and exploitation*, UNICEF, New York, 2017.

⁵ United Nations Children's Fund, *Harrowing Journeys: Children and youth on the move across the Mediterranean Sea, at risk for trafficking and exploitation*, UNICEF, New York, 2017.

⁶ United Nations Children's Fund, *Harrowing Journeys: Children and youth on the move across the Mediterranean Sea, at risk for trafficking and exploitation*, UNICEF, New York, 2017.

According to Europol, in 2016 10,000 children went missing from reception centres and could have been trafficked for the purposes of labour and sexual exploitation. Unaccompanied and separated children continue going missing due to a number of factors such as poor reception conditions, lengthy and burdensome identification and asylum procedures, protracted family reunification timeframes, lack of provision of child-friendly information, fear of deportation, and lack of identification of vulnerabilities such as trafficking. Moreover, too often children are wrongly identified as adults and have no access to the rights unaccompanied minors are entitled to - they are not placed in dedicated reception centers, they may get an expulsion order and be detained pending deportation, etc. Protection of unaccompanied minors requires significant improvements in many areas including: early and proactive identification of child trafficking victims among unaccompanied and separated children, individual vulnerability assessments, child appropriate and safe reception facilities and temporary placements, age and identity verification, appointment of legal guardians, family reunification processes and access to health care and education.

The need for early-warning, early-screening and protection mechanisms for children “on the move” victims of trafficking or at risk of becoming victims, has been recognized by the UN SC Resolution 2388 (2017). The Resolution urges Member States to consider the “particular protection needs of unaccompanied children [...] including by referring them to the relevant child protection authorities, regardless of their immigration status.” These are also a priority issues in the OSCE region. Particularly, OSCE participating states have agreed “to increase the capacity and broaden the scope of first line responders to identify child victims of trafficking” as well as “to provide them with protection, appropriate assistance and referrals mechanisms” while recognizing that “specialized facilities, adequate security, training for and sufficient numbers of staff, as well as of female patrollers, can mitigate” the risks to fall victim of trafficking in persons, especially for vulnerable target, such as children (MC.DEC/7/17). International measures and instruments such as the EU measures for a Common European Asylum System including its various directives, the European Commission Action Plan on Unaccompanied Minors, the New York Declaration for Refugees and Migrants (2016) have contributed to the efforts to safeguard unaccompanied minors in the OSCE region.

While there have been strong legislative measures adopted by some participating States, significant gaps and challenges in the protection of unaccompanied minors remain across the OSCE region. As the OSR/CTHB needs assessment report “From Reception to Recognition: Identifying and Protecting Human Trafficking Victims in Mixed Migration Flows” underlines, commendable efforts have been made by host countries to improve immediate protection means for children reaching Europe, in particular unaccompanied minors. However, to ensure that child trafficking along migration routes is addressed within broader child protection frameworks, the results of these efforts should be regularly monitored and good practices shared with relevant actors.

Session III will provide an overview of the current challenges and promising practices in the protection of unaccompanied minors across the OSCE region. It will examine, in light of on-going development of policies and measures in the OSCE region, the effective approaches to reduce vulnerability to trafficking of unaccompanied minors, and practical protection measures for unaccompanied minors – victims of trafficking. It will consider the gender dimension and the necessity of including the voices of unaccompanied minors in the design and implementation of the protection systems.

Questions for Discussion:

- What are the current challenges to protection of unaccompanied minors and how can child protection system be improved to provide tailored protection and assistance to these children and youth? How asylum and migration regimes can be integrated into child protection systems and subsequent NRMs?
- Are there effective cross-border mechanisms to ensure expedited family reunification (when it is in the best interest of the child) for unaccompanied minors, as well as transnational child protection co-ordination mechanisms?
- How can participating States improve identification measures and effectiveness of individual risk assessments for unaccompanied minors to facilitate the protection measures for trafficked and at risk children?
- Are there promising practices in provision of legal guardians and child advocates to reduce disappearance of unaccompanied minors from reception facilities and other interim protection centres?
- What are the measures adopted to ensure that the right of children to be heard in all matters affecting them is upheld?

Closing Session

16:30 – 17:30

Report by the Rapporteur from the Working Sessions

Comments from the floor

Closing remarks

17:30 Closing of the Meeting