

Final Minutes from the NCP meeting
On Unaccompanied and Trafficked Children in the Baltic Sea Region
Oslo, 18th – 19th May 2004

Participants and program, See enclosed list and program.

Introduction

Lars Lööf and **Eva Ekmevag** from the Children's Unit at the CBSS Secretariat welcomed the participants and outlined the background, purpose and aim of the meeting.

The Working Group for Cooperation on Children at Risk (WGCC) is the body within the CBSS structure that focuses on issues in relation to children in difficult situations. The priorities are:

- Sexual exploitation in all its forms
- **Unaccompanied and trafficked children**
- Children living in the street
- Children in institutions
- Young offenders and self destructive behaviour in children

The UN Convention on the Rights of the Child together with the Palermo declaration are important legal instruments in the cooperation, not least when it comes to unaccompanied and trafficked children.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children states the following:

- "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs

The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article

The St Petersburg summit in June 2002 emphasised the political commitment to protect children in our region from being exploited and abused by traffickers, smugglers or others, bringing them from one country to another. The meeting at Frösundavik in February 2003 were attended by government officials and experts from all the 14 countries in the cooperation, and formed the starting point of the operational cooperation.

The political commitment has hence been underscored by the CBSS foreign ministers' at their meeting in Pori in June 2003 and is also on the agenda at the Laulasmaa Summit in June 2004.

Who are the children?

- Unaccompanied, Separated and Trafficked Children:
 - Unaccompanied/separated asylum seeking children and young persons (Registered. Statistics exist in most countries.)
 - Children and young persons trafficked from one country to another. (Unregistered. Some, patchy criminal statistics.)
 - Exploited children and young persons as well as children and young persons at risk of exploitation in a country other than their own with valid documents. (Unregistered. No statistics.)
 - Reside in the host country without legal documentation. (Unregistered. No statistics.)

Why a regional cooperation?

- “The wheel has **not** yet been invented”
- Children and young persons, victims of trafficking are not given support or offered support when they return
- The issue of children and young persons, trafficked and/or separated fall under the responsibility of several ministries
- No competence nor capacity to offer rehabilitation in the region
- Three barriers
 - It doesn't exist
 - Very few children in (from) our country
 - They don't want any assistance anyway
- Political declarations must be accompanied by actions
- The best interest of the child is best seen to if parties involved cooperate
 - The child together with countries of origin, transit and destination
 - ”It is not up to the host country alone to decide what is in the best interest of a child”
- Time is crucial in the life of the young person
 - Spending a year waiting is detrimental to a young person's development

Where are we now?

- National Contact Points placed on the web site <http://childcentre.baltinfo.org>
- Plan of action adopted by WGCC on 17 May 2004
- Co-operation with other initiatives in the region
 - Expert group on trafficking in human beings within the Task Force on Organised Crime
 - Nordic Baltic 8 initiative, Barents Euro Arctic Initiative
- NGO co-operation
 - ECPAT Europe, Separated children in Europe programme, Kvinnoforum Sweden, NGO programme
- Cooperation with international organizations
 - IOM, UNICEF, OSCE programs preventing trafficking
- Other initiatives outside of the region:

- South East Europe stability pact - task force against trafficking

Presentations by “external” experts

Ms. Turid Heiberg (Save the Children/ ECPAT – Norway) commented on empirical studies of trafficking in minors and how to use these studies. Copies of two studies made by ECPAT groups in several European countries were made available to the participants. (For obtaining additional copies, contact: turid.heiberg@reddbarna.no) Funding for a new ECPAT study has recently been granted; this study will focus on rehabilitation models. Some conclusions from the previous studies apply to most countries:

- There is a lack of reliable statistics and research based information on this subject
- Detection of the exploited minors is problematic
- There is too little cooperation between countries of origin and destination
- In Eastern Europe the risk groups are quite similar
- The victims are quite often treated violently
- In general, the traffickers use ordinary migration routes
- Organisers apply various recruitment strategies
- The implementation mechanisms for anti-trafficking legislation are quite weak
- Rehabilitation measures for this group are rare and mostly inadequately staffed.

ECPAT recommends:

- Centres for trafficked children and young people
- Improved cooperation mechanism between nations
- Contact points for trafficked minors with low thresholds

The representatives from the *Norwegian police (Ms. Anne Siri Svenson from the Police Directorate and Ms. Lill Ann Kleivan from the National Crime Investigation Service)* informed about the role of the Norwegian police in cases involving unaccompanied and trafficked minors.

The Police Directorate is in charge of some measures in the national Action Plan against Trafficking in Women and Children (2003-2005). This includes participation in the Task force on Organized Crime in the Baltic Sea Region and in the Barents Euro-Arctic Task Force. In this context they focus for example on Norwegian citizens as sex tourists.

The National Crime Investigation Service (NCIS) has so far not registered any cases of minors who have been trafficked to Norway. In the short run, NCIS is mapping the problem and underlines the challenge of detecting such cases. Contact points concerning these crimes have now been established in each (27) of the Norwegian police districts. In 2003, Norway started age testing unaccompanied minor asylum seekers; the results so far indicate that a vast majority of these asylum seekers seems to be above the age of 18. NCIS has contact points in several countries.

Mr. Jörgen Lindeberg (Swedish Police, Stockholm) commented on recent experiences from police investigations of suspected trafficking in minors. He is a part of (a 3 year government funded) “Project Europe” – with the aim to improve investigations of trafficking cases. The presenter underlined the transnational and brutal nature of the trafficking and prostitution market. Examples of detailed records kept by some pimps and organisers indicate very roughly the number of people involved. Some buyers explicitly ask for young girls.

Selling techniques have become more sophisticated (ads on the Internet etc).”Sale and delivery” procedures vary substantially. There are for example brothels in one country lending out girls for a specific period of time for activities in another country.

Victims are essential in the penal code process, but they do rarely trust the police and one may ask – what do they gain from being a witness for the prosecution? A new challenge following the EU expansion is the decreased need for Swedish middlemen. Closer cooperation between investigation teams from different countries would facilitate combating this segment of organised crime.

Mr. Sören Pedersen, Save the Children - Norway, gave a brief overview of the Separated Children in Europe program and its future focus.

Case oriented presentations - identification of gaps and best practise

Sweden

Mr. Erik Stenström, MFA, focused on problems concerning identification e.g. based on language testing. Several challenges are obvious concerning identification of children entering the country as single minor asylum seekers.

Poland

Ms. Agnieszka Morawska, Nobody’s Children Foundation, highlighted in the case presentation several difficulties e.g. unclear legal situation concerning unaccompanied minors, unclear procedures for handling cases and too weak coordination mechanisms between reception centres, border guard and police authority. Unclear procedures verifying the identity of parents and guardians contribute to making it more difficult to reveal smugglers posing as parents. There is also a lack of assistance programs and information materials in relevant languages for unaccompanied children. The language barrier makes it impossible to get in proper contact with the children. Information material available in specific languages is therefore very important. Furthermore, there is a need to establish programs for assisted and voluntary reunion and finally to focus on preventive campaigns against not least teenage prostitution.

In the area of best practice Ms. Morawska referred to a new innovative procedure interviewing minors, training programs for the boarder guard and the office for repatriation and also improved possibilities for unaccompanied minors to attend school.

Moldova

Ms. Iuliana Samburschi, Ministry of Health, presented a case with a single mother who for a period worked abroad. When she returned to Moldova she learnt that criminals had captured her children. They where finally found begging on the streets of Moscow. Approximately 50 per cent of the missing children in Moldova are found in Moscow. The cooperation with streets centres in Moscow is therefore intense. Missing children located in Moscow are returned to special transit centres in Moldova at the moment run by international organisations (IOM, UNICEF) and later either returned to their homes, or in most cases, to a child institution.

Finland

Ms. Jutta Gras, Ministry of the Interior, presented a case concerning an 8 years old unaccompanied minor asylum seeker (boy) from Somalia. He had no fingerprints (being

burned away /filed smooth). He was aggressive and therefore very difficult to interview. His background was complicated due to lack of basic security and a disturbed family life in Somalia. The case shows difficulties in using fingerprints as a method of identification and also raised concern as several countries only register fingerprints if the individual is a suspect in a criminal investigation.

Ukraine

Ms. Ludmila Yakimenko, Ministry for Family, Children and Youth, gave an overall picture of the situation in Ukraine. Centres for unaccompanied minors are established to take care of these children. One major problem is poverty among families. It has in some cases, led families to sell their children to criminal networks. Working directly with the family is an important challenge - low income means social insecurity is risks factors for children to become recruited by traffickers. Family homes are established as alternatives to child institutions. A hot line is established and information about where to get help is printed on children's schoolbooks.

Iceland

Ms. Hildur Dungal, Directorate of Immigration underlined that there are not very many cases in Iceland. In the two known trafficking cases (the victims above 18 years) Keflavik Airport was used as a transit airport. The victims where offered residence permits, but refused the offer. The traffickers where prosecuted but not convicted due to lack of sufficient evidence. Iceland has made a plan against trafficking (handed out at the meeting). Children who are victims of trafficking and unaccompanied minor asylum seekers are taken care off by the social service welfare and placed in foster care.

Belarus

Mr. Andrei Saladounikau, Ministry of the Interior, referred to an ECPAT report (also available at www.childcentre.baltinfo.org) giving essential information about the situation in Belarus. Belarus is a country of origin, transit (to Europe) and destination. Belarus has e.g. established special centres to take care of these children. Furthermore they have problems with underage pimps – two cases have recently been detected.

Russia

Mr. Vladislav Shaposhnikov, Embassy in Oslo, provided a brief orientation on a new law against trafficking considered by the Parliament (a draft – to be adopted soon). Both experts and social workers are important when it comes to working against trafficking.

Norway

Ms. Siw Ellefsen, Ministry of Children and Family Affairs, presented briefly the status concerning available statistic on single minor asylum seeker (total registered number 916 in 2003) and the lack of statistic concerning trafficked children in Norway (no identified cases). Norway has a national plan of action against trafficking in women and children and the Ministry of Children and Family Affairs have a special responsibility to follow up the child perspective in the plan. Norway is now considering a national system to be established to give victims of trafficking support and protection; this system will also heed the special needs for children. Information to combat trafficking is aiming at chosen targets group such as men and young people.

A country update on the trafficking situation, views regarding the future role of the NCP and suggestions on operational issues to focus on in the continued regional process

Sweden. The trafficking group at the National police keeps a track of trafficking. The data on trafficking say that approximately 400 – 600 women are trafficked each year, unknown if this is an increase or not. 21 reports on trafficking last year. Two sentences, 8 for pimping.

A new law enters into force in October 2004 making it possible for victims and witnesses to get a temporary residence permit to stay in Sweden during court proceedings. The local council will be reimbursed the costs by the state. The guardians will get the authorities to deal also with issues in relation to care and custody of the child. The bill will later also include slavery and trade in organs.

There is a great need for more cooperation between social services, police officers and migration officers. The city of Gothenburg has developed a good model. Generally, there is a need of continued training for people who work with these issues. Street prostitution is today mainly directed through Internet and girls are being driven around in cars. This makes the criminal activities difficult to detect. Stopping the buyers and providers operating on Internet is a great international challenge.

Poland: The number of unaccompanied children admitted by institutions is increasing: 1998: 275, 2002: 420 children. Also the number in receptions centres increases: in 1998 12 and in 2002 161. 13 have been detained so far during 2004 for having entered Poland illegally. Only 5 – 10 % gets refugee status. 2-3 minors are deported each year. Disappearances from the institutions are alarming: 80 % of the minors in receptions centres disappear within one week.

The average time for staying in a children's centre is 3 days. All minor girls admitted to the reception centres have left within a short time. There is no statistics available regarding minors entering with parents and later sold on by them. However such cases do exist.

Polish unaccompanied or trafficked children abroad are very few, Polish La Strada had a few cases and 3 – 4 cases are known to Interpol of minors trafficked to Germany for prostitution. Research has been conducted on trafficked children in Poland in connection with child sexual abuse cases. The researcher could be a future source of information and could also be involved in the cooperation. 6 cases of child trafficking were detected in 2003. The NGOs estimate that the real number of victims is much higher. Poland is foremost a transit country. Most of the small children in institutions are citizens of Romania, Moldova or Ukraine. They are often born in Poland and left in the country by their parents. The majority leave the children's centre after a year. Children between 15 and 17, mainly girls of Vietnamese origin are involved in prostitution (a large group of Vietnamese live in Poland). The boys are often from India, Afghanistan, Somalia or Sri Lanka, and suspected to come to Poland out of economic reasons. Many maintain contacts through mobile phones and e-mail.

It is important to start identifying unaccompanied children that may have been trafficked. The victims may have to repay the debt (travel costs and accommodation) putting them at severe risk since they may need to work for years to be able to pay the debt. Enhanced cooperation with Ukraine, Belarus and Moldova is vital since there are many unaccompanied children from these countries in Poland. A good start would be to find out more about the seven children from Ukraine, placed in institutional care in Poland.

Moldova: Available statistics comes from data collected by IOM regarding victims of trafficking being returned to Moldova. 58 % of the victims are young women between 18 and 25, 30 % are children under 18. 12 victims have been returned since the beginning of the year, most of them were mothers by the time they were taken from Moldova. Children are left in Moldova without adequate supervision and these children become easily victims of trafficking either by themselves or through engagement in begging or other activities. 60 % of all children in children's institutions do have one parent but they are all at high risk of being trafficked due to the poor living conditions in Moldova. 20 % of the returned victims come back pregnant. Steps have been taken by the government to cooperate with La Strada, Save the Children and OSCE. These children are often treated as minor criminals in the host country. Moldova has no problem with children from other countries. There is a lack of reintegration- and rehabilitation programmes, and ideas and models of programmes to prevent re-trafficking would be most welcome, since many children returning are being re-trafficked. (Sweden proposed to provide details about a good example from Hungary). Disabled children from multiple children-families are another high risk group of being trafficked by criminal groups. They are foremost being engaged in begging and other activities to raise funds.

Finland: A new Aliens act entered into force in the beginning of May. The parliament attached three statements one of which specifically addresses the child and the tracing of its family members. Data available on unaccompanied asylum seeking children shows that most of these children come from Africa, in all about 74 cases since the beginning of 2004, with citizens from Somalia as the largest group. When getting the negative decision the entire family often disappear or leave the children in Finland before being sent home. Disappearances of unaccompanied minors seem to be a common problem in our region, and examples of best practise on how to handle such cases would be highly valuable.

There are no statistics available on trafficking in human beings. A contributing factor could be that there is not yet any provision explicitly dealing with trafficking in the penal code. Once this change has been made statistics will be more easily available. Prostitution of foreigners is a problem and minors could be involved, although there have been few registered cases up to now. People who travel to neighbouring countries to buy sex from minors are probably a more frequent problem.

Ukraine: The situation of abuse and legal violations by traffickers and others are compiled in yearly reports. In 2002 52 persons were punished for sex with minors and 231 for moral degradation of minors. Families are at the root of the problem. As a rule such parents are deprived of parental rights and their children are placed with other families or in institutions. About 6000 children are deprived of their parents on an annual basis. Ukraine has a national programme for countering trafficking from 2003-2005.

Ukraine has a system for placing children at risk in a national database. Today 120 children are under such surveillance. Ukraine is foremost a transit country to the west. Foreign minors, many of them from Afghanistan, Africa, Vietnam, have been detained for attempts of illegal borders crossing – if repatriated they are when possible sent to their country or origin. It is important for all of us to be aware of each other's legislation with relevance to unaccompanied and trafficked children. Furthermore to explore possibilities to harmonise our legislation, define contact persons on the local level that could be of help establishing contacts with parents, institutions and others in the surrounding environment. We should also focus upon exchanging best practices on rehabilitation and integration of victimised children. Sometimes the rehabilitation process lacks incentives for victims to return to their home

country. A family who speaks the child's language should preferably be chosen as care taker of the child in the country of destination/transit, during the investigation of the asylum or trafficking case. Ukraine is prepared to put relevant parts of its legislation on the childcentre web site.

Iceland: Iceland has very few cases of unaccompanied minors entering the country. There is nevertheless a potential danger of becoming a transit country between Europe and North America. The NCP-network is important, especially regarding exchange of information, as Iceland does not have active embassies in all the countries participating in the cooperation. Direct contacts are also important to be able to start the dialogue with the home country as soon as a relevant case appears, based on the best interest of the child.

Belarus: 30 000 minors live in shelters or institutions. More than 27 000 minors are registered for a criminal offence. Children at risk are a severe problem. It is very encouraging to meet and receive information especially from our neighbours Ukraine and Moldova. Participation from Moscow would also be much welcomed. Belarus has a national commission on the rights of the child and a national plan of action attached to it. Regional or sub regional meetings would be a good complement to meetings with all countries participating. Such meetings could solve technical questions that do not involve more than a few countries.

Russia: The lack of disaggregated statistics and other pieces of reliable information on unaccompanied and trafficked minors is a common challenge. In addition, existing national statistics are often connected to different pieces of legislation and policies (crime, social welfare, immigration) and do therefore not give a holistic overview. In the future, the roots causes of the problems must be focused upon more deeply. For example family related problems such as poverty, alcohol and drug abuse, unacceptable parenting styles etc. should be addressed nationally, bilaterally and multilaterally.

Norway: Four challenges were voiced:

- Better systems for identifying children who are at risk of being trafficked or who are already victims of trafficking.
- To build up a "trustworthy" system to give victims of trafficking (including children) access to social service, legal assistance, other forms of support and a safe place to stay.
- Cooperation with the countries of origin, in order to give the child a safe return and follow up. In cases where repatriation is not the best option, rehabilitation programs in the country of destination must be implemented. The network of NCPs is particularly important in this respect.
- Information to target groups through the Internet and campaigns.

The representatives of the police added that constructive police cooperation between the countries is important. It is important that the police have the possibility to focus on police matters only, as far as possible. Other matters concerning the needs of trafficked victims should be taken care of by other relevant actors.

Conclusions and the way ahead

The participating countries concluded the meeting by the following:

- **Regarding National Contact Points**
 - They underlined the importance of timely follow up meetings in the network of NCPs
Next meeting in Vilnius, tentatively in mid November 2004
 - They strongly encouraged all countries in the cooperation to prioritise the appointment of their National Contact Point.
To be added to the web site and communicated to regional actors.
 - They emphasised the importance of and encouraged bilateral contacts on individual cases
 - When found appropriate meet on a sub-regional level
 - Add national legislation to the web site and discuss possible harmonisation of legislation
 - Continue the cooperation with and involvement of NGOs and IOs
- **Regarding Expert meetings**

They strongly encouraged meetings on the expert level focusing on

- In cooperation with the Expert group on trafficking in human beings within the Task Force on Organised Crime, explore the possibility of organising an expert meeting on the exchange of practices on victim assistance to support the police investigations.
- How to look at the issue of identification, age assessments, disappearances and family tracing including a view of the effects such efforts may have on unaccompanied and trafficked young persons.
- Returning to what? A broad approach regarding prevention, reintegration and assessment, institutional measures and alternative care.