



Prevention and Fight against Crime
Action Grants 2012
Trafficking in Human Beings – THB

Training material for VICTOR Seminars

For actors likely to come into contact with children victims/possible victims of THB

The project VICTOR *Victims of Child Trafficking – Our Responsibility*, was awarded for funding in a framework of EU DG Home Affairs Prevention of and Fight against Crime Programme Action Grants 2012 Targeted Call for Proposals. The coordinator of VICTOR is the Greek NGO “The Smile of the Child”. The foreseen duration of the project is 22 months.

The project partnership comprises of 15 government institutions and NGOs from 7 regional countries: Slovenia, Romania, Bulgaria, Greece, Serbia, Moldova, Ukraine, as well as Terres des Hommes Regional Office in Budapest and the international organization, South East Law Enforcement Center.

Conducting seminars for Actors likely to come in contact with children victims/possible victims of trafficking was one of the key actions foreseen in the implementation of VICTOR project. The seminars which took place in 4 countries: Bulgaria, Romania, Slovenia and Greece served to fulfill one of VICTOR objectives, namely: *Improving situation in the field of identification of children victims/possible victims of trafficking by training of actors likely to come into contact with them.*

The aim of the creation and compilation of the training material used has as its aim to provide a clear idea of the methodology and structure of the seminars in a way which will most efficiently correspond to the fulfillment of the above mentioned objective of the project. At the same time, this material leaves enough space for shaping future seminars according to the specificities of the local environment where they will be organised.

Please find attached to this document the following:

Annex I – VICTOR Training questionnaire which should be distributed to participants prior to the seminar in order to get a better insight on the specificities of the local audience

Annex II – A model VICTOR training seminar agenda which can be altered and formulated according to specific needs

Annex III – The main presentation of a VICTOR training seminar as developed by expert trainers

Annex IV – The VICTOR training Evaluation Form to be completed by participants at the end of the seminars

ANNEX I

“Victims Of Child Trafficking – Our Responsibility”

VICTOR Project

Training on “Identification of Child Trafficking”

VICTOR Questionnaire for trainees

SECTION I: Background of trainee

1. Country:

2. Organization:

3. Position within the organization:

4. Do you belong to one of the following groups of professionals?

- Social Workers/ Psychologists Health Care Professionals Police
 Border Control Prosecution Labour Inspectors Consular Services
 Legal Services Other _____

5. Do you work exclusively with children?

- Yes No I work both with children and adults

6. With which from the following vulnerable groups of children you work the most?

- Roma Children left behind¹ Children in Institutional Care Missing Children (Runaways) Unaccompanied Migrant Minors
- Other _____

7. Please describe the main activities of your organization with regards to child trafficking:

¹ Left behind children are the children whose parents have migrated in another country.

8. Have you developed sustainable partnerships with stakeholders from other countries in the field of combating THB? If so, please indicate.

SECTION II: General background, definitions and legal framework on trafficking in human beings

1. Are you aware of the definition of trafficking in human beings?
Yes No I would like to know more about it
2. Are you aware of the definition of smuggling of people?
Yes No I would like to know more about it
3. Are you aware of the difference between smuggling and trafficking?
Yes No I would like to know more about it
4. Are you familiar with the Referral mechanism for THB victims in your country, if such a mechanism is available?
Yes No I would like to know more about it N/A
5. Do you know if the Referral Mechanism of your country has a special focus on children?
Yes No I don't know
6. Are you familiar with the International legal framework on THB ?
Yes No I would like to know more about it
7. Are you familiar with the European legal framework on THB (EU directive 2011/36/EU)?
Yes No I would like to know more about it
8. Are you familiar with the national legislation on THB in your country?
Yes No I would like to know more about it

9. With which main group of professionals are you most likely to come in contact with, when dealing with a case of child trafficking?

- Law Enforcement- Border Control Health Care Social Services
 (Social Workers/Psychologists)
 Legal Advice Prosecution Other _____ (please indicate)

10. Is there any specific group of professionals with whom you would like to enhance your cooperation? Please indicate the group and explain why.

11. Previous training experience

11a. Have you ever attended any seminar on trafficking of children before?

- Yes No

11b. If yes, can you provide any details on the seminars you have attended?

12. Could you please identify any specific training needs that could be applicable to the target group you belong to? (ex. Social workers, Health Care Professionals, Law Enforcement). Please describe.

SECTION III: Training Needs on Identification of child trafficking

1. Are you involved in preliminary² identification?

- Yes No Sometimes

Other _____

1a. If yes, do you use specific tools or indicators? If so, please describe.

² Screening Process

1b. If so, do you follow specific defined referral procedures when you identify a presumed victim?

Yes No

2. Are you involved in formal identification³?

Yes No Sometimes

Other _____

2a. If yes, do you use specific tools or indicators? Please describe.

2b. If yes, do you follow specifically defined referral procedures when you identify a presumed victim?

Yes No

3. Are you involved in first interview/evidential interview?

Yes No Sometimes

Other _____

4. Do you come in contact with the presumed victim's accompanying adult?

Yes No Sometimes

Other _____

5. Do you believe that you have the skills and tools to respond to a situation of coming in contact with an accompanying adult of a presumed victim?

Yes No I would like to know more about it

6. Do you have experience in

7. Could you please identify any other specific training needs on the identification of child trafficking?

³ Definition of formal identification (to be added)



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ANNEX II

Training Seminar on the Identification of Children Victims of Trafficking (Place, Date)

AGENDA

08.30- 09.00 Registration of participants

09.00- 09.10 Opening remarks

09.10- 09.20 VICTOR PROJECT presentation

09.20 - 09.45 European, international standards on Child trafficking and their transposition into the National Referral Mechanism and the Child Protection Mechanism

09.45- 10.00 Coffee Break

10.00- 11.30 Working Groups

- Social Workers and psychologists
- Health Workers
- Law Enforcement
- *(Please add or delete groups of professionals)*

11.30- 12.30 Lunch

12.30- 14.00 Continuation of Working Groups

14.00- 14.30 Coffee break

14.30- 15.30 Conclusions of the Working Groups and the value of a multidisciplinary approach

15.30- 16.00 Q&A, Closure of the training seminar

ANNEX III
VICTOR Victims of Child Trafficking – Our Responsibility

Training for Professionals dealing with THB

Identifying and Interviewing children victims of trafficking

Definitions

- ❖ Children are considered all persons under the age of 18.
- ❖ Under the UN Convention all children have the right to be protected from harm.
- ❖ However there are barriers to the effective protection for a lot of children.

Definitions

An unaccompanied child is a person who is under eighteen years, unless, under the law applicable to the child, majority is attained earlier and who is separated from both parents and is not being cared for by an adult who by law or by custom has responsibility to do so⁷.

United Nations High Commissioner for Refugees (UNHCR)

International legal instruments

- Convention on the Rights of the Child
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime
- European legislation and standards
- National legislation



Convention on the Rights of the Child

Article 3§1 of the Convention requires that “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”



Convention on the Rights of the Child

- Article 35 specifically provides that - Parties shall **prevent trafficking in children**.
- States shall prevent the use of children in drug trafficking (**Article 33**)
 - States shall protect the child from all forms of sexual exploitation and sexual abuse (**Article 34**)
 - States shall prevent the abduction of, the sale of or the traffic in children (**Article 35**)
 - States shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare (**Article 36**).
 - State parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse (**Article 39**)



Trafficked children

The number of children trafficked worldwide is notoriously difficult to measure.

It is a problem of very wide geographic distribution.

Most groups working on the field estimate that 1 to 1.2 million children are trafficked globally every year.

Child victims of trafficking are often exploited for commercial sex, including prostitution, pornography and sex-tourism.

They are also exploited for labor, including domestic servitude, migrant farming, landscaping and hotel restaurant work.



Trafficked children

Furthermore they are trafficked for adoption, arrange marriages and for their organs.

Regions include:

- West Africa with 13 countries involved
- South Asia, particularly India & Nepal
- Southeast Asia (civil conflict in Bourma)
- Central Asia
- Eastern Europe
- Balkans
- Russia
- Latin America, particularly Mexico & Colombia

Trafficked children

Children can be trafficked by close family members

Although the terms trafficking and smuggling are distinct, when faced the reality of a child's sudden arrival within a family or with an adult, the situation is very often unclear.

Trafficking in Europe - Categories

Whereas there is no hard data on the number of child victims being trafficked within or into European countries, research and reports indicate that trafficking is taking many different forms – both transnational and internal.

Accumulated knowledge from field work in South Eastern Europe shows that child victims generally fall into 2 categories:

1. Adolescent girls between 15 and 17 years of age for sexual exploitation;
2. Children under 13 years of age for forced labor, begging and, exceptionally, for the sale of organs;

Vulnerable children

Children from minority ethnic communities (Roma children etc)

Refugees

Asylum seekers

Children arriving as unaccompanied minors

Children with disabilities

The profile of a trafficking victim

Many of the victims who are being returned to their countries of origin have similar vulnerability profiles:

- Children who grew up in institutions
- Children from families where domestic violence or abuse was taking place
- Children who come from poor disadvantaged and often dysfunctional families.



Contributing Factors

- Denial of the existence of abuse by groups
- Cultural differences in attitudes to child care
- Lack of settings in which to provide appropriate alternative care.
- Some children may not attend school at all, an important safety net for children in danger.



Structural forces driving child trafficking

- Child labor
- Children by armies, militias and paramilitary organizations in global conflict zones
- HIV/AIDS
- "Tourism"



Child labour

- The International Labor Organization estimates that there are 246 millions children laborers worldwide.
- 8 millions are living in slavery or debt- bondage
- Many have to work to survive and to help their families survive
- The demand for ever cheaper and more compliant labour is large and growing



Children by armies, militias and paramilitary organizations in global conflict zones

- Girls in conflict zones are particularly vulnerable to sex violence
- Children in a world with civil conflicts, refugees and large scale of migration are born without the most basic forms of documentations (formal registration, birth certificate, citizenship, passport)
- Thousand children are born in the limbo of refugee, migrant, or illegal alien status
- These children are by far the most vulnerable to trafficking



HIV/AIDS

- HIV/AIDS has generated more than 14 million new orphans.
- More than 90% live in developing countries
- For these orphans work may be essential to survive, and being without parents makes them highly vulnerable to exploitation and trafficking.



Child Sex - Tourism

- Child sex tourism (CST) involves people who travel from their own country to another and engage in commercial sex acts with children.
- Tourists engaging in CST often travel to developing countries looking for anonymity and the availability of children in prostitution.
- CST is a shameful assault on the dignity of children and a form of violent child abuse.
- The crime is typically fueled by weak law enforcement, corruption, the Internet, ease of travel, and poverty.



Consequences



1. HEALTH PROBLEMS: Physical Symptoms- Mental Symptoms

Sexually transmitted diseases, HIV/AIDS, rectal trauma and urinary difficulties from working in the sex industry

Chronic back, hearing, cardiovascular or respiratory problems from endless days toiling in dangerous agriculture, sweatshop or construction conditions

1. HEALTH PROBLEMS: Physical Symptoms- Mental Symptoms

Sleeping and eating disorders
Fear and anxiety
Depression, mood changes
Guilt and shame
Cultural shock from finding themselves in a strange country
Traumatic Bonding with the Trafficker
Posttraumatic Stress Disorder

Trauma

- separation from loved ones/support systems
- physical abuse or threats of abuse
- threats against loved ones for non-compliance
- sexual exploitation
- psychological humiliation
- being restrained, confined to a locked place
- being transported without knowledge of the destination
- witnessing violence and sexual activity

2. DISCRIMINATION

Trafficked children are easy targets for discrimination and stigmatization

CRIMINALIZATION

- Child prostitution, is illegal in many countries often resulting in the criminalization
- Young Trafficking Victims Treated as Criminals
- Criminalization leads to violence; police harassment; reduced access to services; psychological disease; drug use; poor self-esteem; loss of family and friends.

2. DISCRIMINATION

“Authorities should be protecting -- not punishing -- victims of trafficking. While these young women are in prison, their suspected traffickers and the brothel owner are free, protected by a criminal justice system that blames the victim. The traffickers are the ones who should be put on trial and punished”

(Sara Colm, senior researcher for Human Rights Watch).

3. Other negative experiences suffered by trafficked children include

- Deprivation of opportunities for education
- Deprivation of critical childhood play experience
- Being forced to change names
- Being forced to lie, steal or commit other illegal acts and
- Inadequate nutrition and medical care.

Other possible consequences of trafficking on children

- Negative perception of self-worth (shame, guilt and stigmatization)
- Sense of vulnerability and helplessness
- Distorted value system/involvement in illegal activities
- Physical illnesses
- Brain changes
- Low educational achievement
- Sexual promiscuity
- Difficulty in establishing or maintaining healthy relationships

Other possible consequences of trafficking on children

- Loss of ability to trust
- Negative expectations about the future
- Difficulty concentrating
- Difficulty regulating emotions
- Sleep and eating disorders
- Profound sadness and depression
- Irritability
- Self-destructive behaviour
- Inappropriate attachment behaviours
- Developmental delays or regressions

World Federation from Mental Health, Center for Multicultural Human Services reprinted from "Understanding and Responding to the Psychological Needs of Trafficked Children", <http://www.wfmh.org/wmhdav/currentissues/traffickedchildren.pdf>

Important topics

- Prevention
 - Public awareness and education
- Recognizing – Identifying children victims of trafficking
 - Approach children in a manner that takes into consideration their age, culture, language, development etc
- Protection
 - Benefits and services to help **victims** rebuild their lives
- Prosecution
 - New law enforcement tools and efforts

THE ROLE OF LAW ENFORCEMENT AUTHORITIES
(Resource books for Law enforcement officer on good
practises in combating child trafficking – IOM Austria, 2006)

- Prevent the crime
- Protect life and property
- Investigate crimes
- Collect evidence
- Implement diversion option, when necessary
- Effect arrest of suspects
- Effect search and seizure to collect evidence
- Protect the rights of the child
- Cooperate with governmental and non- governmental agencies
ensuring assistance to victims
- Take part in ensuring protection of witnesses

Before the Interview

Importance of age assessment

Age assessment plays a crucial role in the protection and care provided to the child, as well as in the severity of the penalty incurred by the trafficker.

Traffickers and smugglers are known to take identity documents from children, and many children who arrive unaccompanied do so without any proof of identity or age.

Like adults, children might sometimes travel with false documents.

Guidelines on
Policies and Procedures on Dealing with Unaccompanied
Children Seeking Asylum (UNHCR, 1997)

If an age assessment of the child's age is necessary, the following considerations should be noted:

- A) Such an assessment should take into account not only the physical appearance of the child but also his/her psychological maturity.
- B) When scientific procedures are used in order to determine the age of the child, margins of error should be allowed. Such methods must be safe and respect human dignity.
- C) The child should be given the benefit of the doubt if "the exact age is uncertain".

Guidelines on
Policies and Procedures on Dealing with Unaccompanied
Children Seeking Asylum (UNHCR, 1997)

The Age Assessment Techniques include:

- A- Psychosocial assessment
- B- Dental examination
- C- Bone X-ray
- D- Combination of methods

Interviewing children

The interview should be conducted

By professionally trained staff

In a language that the individual is familiar with;

In a juvenile, age-appropriate atmosphere in the presence of a trusted third party;

Principles which outline the rights of all child witnesses/victims

"Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime"

- Right to be treated with dignity and compassion
- Right to be protected from discrimination
- Right to be informed
- Right to be heard and to express views and concerns
- Right to effective assistance
- Right to privacy
- Right to be protected from hardship during the justice process
- Right to safety
- Right to reparation
- Right to special preventive measures

First contact (First contact will usually be made by a "street police officer")

Language – mother tongue and ability to communicate in language of host country

Name

Nationality

Age

Family

Address – where the child currently lives

(Resource books for Law enforcement officer on good practises in combating child trafficking – IOM Austria, 2006)

Child's behaviour Law enforcement officers should be alarmed if a child:

Looks untidy or just the opposite – has very expensive clothes and cosmetics.

Has visible signs of violence on his/her body: bruises, scratches, burns etc.

Exhibits anxious behaviour: looks scared or cries.

Shows a high level of stress.

Provides answers that seem pre-learned, too mature or unnatural for the child's age.

Travels with an adult who is not his/her biological parent.



Child's behaviour
Law enforcement officers should be alarmed if a child:

Claims that he/she does not know where his/her parents are, has no contact with the family

Does not know the exact destination, cannot define for how long he/she has left the home country

Has no travel documents; cannot explain what has happened to his/her passport

("Combating child trafficking in Poland", implemented by the Nobody's Children Foundation and the British Embassy in Warsaw)



Preparing the child for the interview
The child should know that:

That he/she will be talking to a trained interviewer who frequently talks to children.

The interview will be conducted at a police station or other suitable venue.

The interview will just involve talking.

That he/she has done nothing wrong and will not be punished.

That he/she is free to recall anything he/she wants to.



Preparing the child for the interview
The child should know that:

The interview is not a test for the child. The child must not be put under pressure.

That he/she knows who, apart from the interviewer, will be present at the interview.

The child will need to know who they are and what their role is.

About the consequences and risks that their statement might have for themselves and their loved ones.



The interviewer

Develop a neutral and empathetic approach

Ask questions about the following aspects: evidence of special problems - developmental disorders (i.e. speech disorders, language skills and mental disorders, disabilities, cultural factors and family background)

Consider whether the child is able to make a statement regarding his/her age, cognitive and emotional level and possible trauma.

Does the child need extra care and help during the interview



The interviewer

Find out whether the child disclosed him/herself: to whom, when and what exactly did the child disclose

Ensure the child has been prepared/briefed about why, with whom and where the interview will take place.

How did this preparation go, what has he/she been told and by whom?

What are the safety issues for the child, family or loved ones before, during and after the interview?

What means can be used to protect the child and minimize the risks?



Language development

A five-year-old generally talks in an understandable way, and at the age of 10 a child has reached the level of an adult

Children, under the age of four, have difficulty with objects, persons, location, amounts and characteristics.

When a child uses a word, it does not necessarily mean that the child fully understands the word.

Children, who can count well, will not naturally be able to indicate how many times something has happened.



Some of the factors known to affect children's suggestibility include:

Age

Delay from the time of the incident to the time of the interview

Status of the interviewer

Repeated interviewing

Type of question

Reinforcing certain answers



Some advice:

Do not guess what the child is trying to say.

Avoid words that children usually do not understand.

Ask about one detail or concept at the time.

Use simple sentence structures.



Interpreters

Screened and officially recognized

Specialized in dealing with children with disabilities and other special needs

Unbiased and neutral

Not related to the child or have any connection to either the child or to his/her environment (community, tribe or ethnicity)

Open in their attitude to the child and the interviewer



Interpreters

Speak the same dialect of the language the child speaks

Be trained or have some experience of working with children

Be able to deal with hearing sensitive and sometimes traumatic information and accept the subject matter (e.g. not refuse to talk about sexual abuse)

Have knowledge of the legal conditions and requirements of the interview.



Interviewing phases

(Resource books for Law enforcement officer on good practises in combating child trafficking – IOM Austria, 2006)

Introduction/Rapport

Free narrative

Clarification/Questioning

Closing



Introduction/Rapport

The interviewer should explain his/her role

Each person, including the child, is to give his/her full name

Engage the child in conversation around neutral topics

Be sensitive to what the child does and does not understand



Free Narrative

The child should be encouraged to recount, in his/her own words
The interviewer's body language is very important during this phase.
The major problem is often how to help the child
The interviewer should not interrupt
Encourage the child to continue talking by adding neutral, open questions and inputs such as "and then", "hmm" or "go on".
If the child does not disclose spontaneously ask indirect questions.



Clarification/Questioning

- 1) Remember the ground rules.
- 2) Begin with open questions.
- 3) Avoid special Terminology.
- 4) Use Closed alternative question.
- 5) Avoid Leading questions.



Closing

The interviewer should re-tell the child's story in exactly the same order of events as the child has just told it.

The child should be given a further opportunity to make comments or ask questions.

The child should be thanked for his/her time and effort.



Ground rules about communication

If the child does not know the answer to a question asked by the interviewer it is okay to say so. The interviewer should tell the child that he/she does not want the child to make up an answer.

If the child does not understand a question that is asked, he/she is to tell the interviewer, who will try to put it in different words.

Tell the child that if the interviewer repeats a question it is because he/she forgot or did not understand the child's answer

Tell the child that if the interviewer makes a mistake he/she wants the child to tell him/her.

Explain to the child that the interviewer does not know what happened



DON'T

- Interview a child multiple times
- Interview a child who is not briefed before the start
- Interview a child in a noisy or child unfriendly place
- Wear a uniform during the interview (as this stresses the imbalance of power)
- Interview a child with more than two people present
- Interrupt the child whilst he/she is disclosing
- Ask leading questions
- Ask "why" questions (this can make the child feel guilty)
- Ask more than one question at the same time (may confuse the child)



DON'T

- Ask developmentally inappropriate questions
- Ask multiple questions at the same time
- Repeat the same questions
- Put pressure on the child, by being impatient and pushy
- Compliment a child for recalling case-information
- Show your disbelief
- Judge



Profiles of law enforcement interviewers

- Self-motivation to specialize in interviewing children and adolescents;
- Enjoys working with children;
- Motivation and willingness to change one's own attitudes and behaviour;
- Ability to analyze situations in a critical manner;
- Ability to collaborate in a team;
- Effective communication and conversation skills
- Experience in all aspects of the criminal and civil law relating to children and child trafficking legislation



The motto of any interview should be, "Children are the experts". They are the only ones who know what they have experienced.

This is an evidential interview and not an interrogation

The aim of the interview is to obtain a truthful and accurate account of what the child has been victim of or witness to.



**VICTOR Victims of Child Trafficking – Our
Responsibility**

THANK YOU FOR YOUR ATTENTION

ANNEX IV

Training Seminar on the Identification of Children Victims of Trafficking

Place, Date

EVALUATION FORM

Please fill in accordingly:

1. In which group you have participated? (tick the box)

- Health Care Workers- Psychologists

- Social Workers

- Law Enforcement

Please circle the adequate answer:

Note:

1: Very Little

2: Some

3: Quite a bit

4: A lot

5: Cannot assess

2. The training seminar objectives responded to my expectations

1 2 3 4 5

3. The training seminar structure was adequate to its objectives

1 2 3 4 5

4. The open discussions have been well coordinated

1 2 3 4 5

5. The training material was sufficient and well elaborated

1 2 3 4 5

6. The speakers fulfilled my expectations

1 2 3 4 5

7. The speakers, during working groups, created a favourable atmosphere that allowed us to be creative and productive

1 2 3 4 5

8. The time allocated for open discussion was sufficient

1 2 3 4 5

9. The training seminar fulfilled my requirements

1 2 3 4 5

Other Comments:

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Thank you for your participation!