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Child-specific additions to Inter-Agency Issue Brief #5**Smuggling of migrants, trafficking in persons and contemporary forms of slavery, including appropriate identification, protection and assistance to migrants and trafficking victims**

How many children are at risk of trafficking, exploitation, or abuse during migration?

- The global number of smuggled children remains unknown, given the challenges of data collection.¹ In 2015–2016 alone, at least 300,000 children migrated unaccompanied; the majority are presumed to have used the services of smugglers.²
- Children accounted for 28 per cent of the over 63,000 trafficking victims detected worldwide in 2014 (with girls accounting for 20 per cent and boys for 8 per cent).³ The actual number of child victims of trafficking is assumed to be significantly higher. Many victims remain undetected, while the 2014 data – the most recent and comprehensive global data on trafficking – were collected prior to the surge in refugees and migrants into the European Union and the United States.
- An estimated 5.5 million children are subjected to forced labour, a contemporary form of slavery. Many of them will have moved across borders.⁴

Inter-Agency Issue Brief #5 captures many of the specific considerations involved in protecting children from trafficking, contemporary forms of slavery and the risks that smuggling entails. This UNICEF Issue Brief provides additional points on family unification as a driver of child migration, the importance of protection systems, and role of cross-border cooperation on child protection in the Global Compact.

1. Family reunification

The inter-agency issue brief articulates the importance of family tracing and reunification as one of the safe and legal pathways that requires strengthening:

For instance, with legal or practical obstacles restricting or delaying family tracing and reunification, many migrants, including children, are induced to take dangerous irregular routes and rely on smugglers to unite with their families. (p. 5).

Increasing numbers of children are moving on their own, many to reunite with family members who have moved before them. Given the emphasis the Convention on the Rights of the Child places on family unity, Member States should institute laws and policies that facilitate reunification, including in destination countries.¹

Procedures that result in practical obstacles and lengthy delays often unduly separate families for extended periods of time. This increases the likelihood that children and their families will choose irregular means, and leaves children more vulnerable to abuse and exploitation by smugglers and traffickers.

¹ United Nations Office on Drugs and Crime, *Global Report in Trafficking in Persons*, Vienna, UNODC, Vienna, 2016, p. 47, [link](#).

² United Nations Children's Fund, *A Child Is a Child: Protecting children on the move from violence, abuse and exploitation*, UNICEF, 2017, p.11, [link](#).

³ United Nations Office on Drugs and Crime, *Global Report*, pp. 25–26, [link](#).

⁴ International Labour Organisation, *ILO Global Estimate of Forced Labour*, ILO, Geneva, 2012, [link](#).

2. Child protection systems

The inter-agency brief recognizes the importance of child protection systems:

Strong national child protection and social protection systems in origin, transit and destination countries can contribute to effectively prevent, identify, refer and address related cases of child violence, abuse and exploitation, including trafficking in children. Social outreach work to provide assistance to and monitor children who are in situations of particular vulnerability along migratory routes and at destination, including those who are unaccompanied, can assist in early identification and prevention of any further harm. (p. 5)

Efforts to protect children from trafficking and exploitation as well as abuse by smugglers need to be integrated into existing child protection systems and address the specific needs of children on the move.

Responses need to consider the agency and voice of children, especially those in hazardous situations. Outreach and assistance are only effective if children trust those who provide information and services. If being identified or seeking help is associated with an actual or perceived risk of detention or deportation, children tend to avoid authorities, which leave them at greater risk of harm from smugglers and traffickers.

3. Cross-border cooperation on child protection

The rights and protections that should be afforded to children on the move – including those subjected to smuggling, trafficking or contemporary forms of slavery – are recognized in international standards and principles, notably the Convention on the Rights of the Child, the Palermo Protocols and the United Nations Global Plan of Action to Combat Trafficking in Persons.

In practice, the frameworks and mechanisms for policy coordination and cooperation across borders often do not sufficiently take into account the inherent vulnerabilities of child migrants, or the ways that being in vulnerable situations may exacerbate them.⁵ Authorities often lack child-specific country of origin information and interaction with institutions on the ground to make informed decisions based on the best interests of an individual child. Equally, they often lack the means to monitor the reintegration process following reunification or returns. This increases children's risk of being exploited, undertaking subsequent risky journeys with the help of smugglers, or getting re-trafficked.⁶

To protect children on the move from the dangers of smuggling, trafficking or exploitation in contemporary forms of slavery, Member States need to intensify cross-border and regional cooperation. A number of States and regional bodies have taken such measures and have agreed to common standards, principles and mechanisms to better protect children on the move across borders.

Promising examples of cross-border cooperation include PROTECT Children on the Move, an initiative of the Council of the Baltic Sea States, and the set of common standards adopted by the Member States of the Economic Community of West African States (ECOWAS) to better protect and care for children on the move. The mechanism established under the Child Protection Conventions of the Hague Conference on International Private Law also provides for an instrument to bolster cross-border cooperation to protect children on the move.

These existing initiatives and instruments could serve as an entry point for scaling up cross-border cooperation mechanisms to protect children on the move. The Compact offers a unique opportunity for this, in line with paragraph 52 of the New York Declaration.

⁵ United Nations High Commissioner for Refugees, *Migrants in Vulnerable Situations: UNHCR's perspective*, UNHCR, June 2017.

⁶ International Organization for Migration, *The Causes and Consequences of Re-trafficking: Evidence from the IOM Human Trafficking Database*, IOM, 2010, p. 16, [link](#).

4. Recommendations

In developing the Global Compact, Member States should consider:

- (1) **Encouraging States to strengthen national child protection mechanisms** to protect children from trafficking, contemporary forms of slavery and the risks of smuggling, in particular through:
 - a. More **systematic cooperation between immigration officials and child protection actors** to better identify and assist child victim of violence, exploitation and abuse.
 - b. Strengthened capacity for **alternative care** and **guardianship arrangements** to ensure that unaccompanied children have their best interests considered, receive child-friendly information and have access to legal assistance.
 - c. **Child-sensitive procedures and recourse mechanisms in legal proceedings** to afford all children the right to be heard, regardless of their age or status.
 - d. Due consideration for the **agency and voice** of children on the move in designing responses to identify children at risk and provide services for child victims.

- (2) **Encouraging the removal of existing barriers to family reunification**, in light of their compatibility with the principle of the best interests of the child, including by:
 - a. **Prioritizing visa applications** for family reunification in cases involving children, and accelerating procedures.
 - b. **Expanding the scope of family reunification** to allow children to be reunited with members of their extended family – such as adult siblings, grandparents, aunts and uncles – in countries of destination.
 - c. Making flexible use of existing family reunification mechanisms to **respond to humanitarian situations** by easing procedures and conditions.⁷

- (3) **Explicitly recognizing the inherent vulnerabilities of children on the move**, which are often compounded in 'vulnerable situations', by restating applicable principles and guidelines to protect children on the move, consistent with international standards, as envisioned in paragraph 52 of the New York Declaration.

- (4) **Strengthening cross-border cooperation arrangements** to better protect the rights and well-being of children on the move, by:
 - a. Putting in place designated authorities and liaison officers, as well as procedures for the **handover of guardianship across jurisdictions** in the case of unaccompanied and separated children;
 - b. **Strengthening cooperation on family tracing** for trafficked and unaccompanied children to inform decisions on durable solutions;
 - c. **Setting up joint case management systems** to enable authorities to access information from other countries about decisions taken on behalf of a child and any recommendations made for the child's future;
 - d. **Establishing common standards for child-friendly reception practices**, including for critical procedures such as age assessments.

⁷ United Nations Children's Fund Europe, *The Right of the Child to Family Reunification*, Advocacy brief, 2016, [link](#)