



**How better cross-border  
cooperation will  
prevent trafficking of  
children in migration**

June 2019

# Introduction

**The protection of children in migration is dependent on effective multi-agency and cross-border approaches where the best interests of the child are always the primary consideration in all actions taken. At its core, effective cooperation between Member States is essential to prevent and respond effectively to child trafficking. However, current policy and legal frameworks across Member States are significantly lacking, frontline responses are insufficient and cross-border cooperation needs considerable improvement.**

Data provided by the European Migration Network estimate that from 2014 to 2017 more than 30,000 children went missing after their arrival in Europe, with the majority disappearing before filing an asylum claim or during the asylum procedure. It is impossible to ascertain the actual amount of children in migration who go missing, as there is no consistency between Member States and between professionals in the meaning given to 'missing children' and data are not collected in a systematic, uniform and comparable way across Member States and stakeholders. However, the real numbers are expected to be higher.

At European level, the Europol situation report published in October 2018<sup>i</sup> says that children in migration are at higher risk of trafficking and exploitation and that they are likely to be increasingly targeted by traffickers in the future. In the United Kingdom, 1 in 4 trafficked children and

1 in 6 unaccompanied children placed in care are reported missing, according to the latest report by Missing People and ECPAT UK.<sup>ii</sup>

It is therefore time to speed up the cross-border cooperation between Member States in an effort to prevent and respond to these cases across Europe, by looking at what the gaps are, what exists, and what more can be done to protect these children from the risks and the consequences deriving from their disappearance and/or exploitation. Based on research and practice models available at EU and national levels, this paper aims to present a non-exhaustive overview of what the challenges are from a structural and systemic angle, and how addressing those can be beneficial for all children in migration. This paper has been developed within the framework of the Initiative for Children in Migration,<sup>1</sup> and is made to support interested organisations in their advocacy efforts at national and EU levels.

---

<sup>1</sup> For more information on cross-border cooperation, including the latest developments on EU policies, relevant EU measures and available resources for advocacy, please go to: <http://childreninmigration.eu/Solidarity>

# Why better cross-border cooperation is important

There are many different circumstances where the need for cross-border cooperation may arise for children in migration. Some of these circumstances occur in cases where a child needs to be reunited with family members, if the child has gone missing and/or to ensure continuity in their care plan. Significant gaps in all these cross-border procedures leave children vulnerable to exploitation and hinder efforts to respond appropriately to child trafficking.

## Family reunification

Unaccompanied children in Europe may be reunited with family members through a European Regulation known as Dublin III, which establishes the method for deciding which signatory state should process a claim for international protection. Under this Regulation, signatory states shall try to identify the family members of unaccompanied children present in other signatory states. In practice, children accessing transfers through Dublin III experience significant delays mainly due to either human resources constraints or complicated and exceedingly lengthy administrative practices and evidentiary processes.<sup>iii</sup> Evidence shows that there is a lack of

prioritisation of the best interests<sup>2</sup> of the child and uneven interpretation of legal provisions.<sup>iv</sup> Other tools for family reunification may also exist, for example through Central Authorities<sup>3</sup> provided for in the Brussels IIa Regulation,<sup>v</sup> however Member States are not currently making full use of them.

These long delays, uncertainty of the outcome of the reunification process or the rejection of family reunification requests leave children extremely vulnerable to going missing and being recruited into exploitation, as found by a study carried out by Missing Children Europe in 2015<sup>vi</sup> and earlier by Terre des Hommes in 2009.<sup>vii</sup>

## Providing safe and legal ways for children to move from one country to another

Other children in migration might not have any family members or anyone with parental responsibility for them within signatory states. Currently, unaccompanied children will have limited means to access safe and legal options to move between EU Member States. Solidarity and cooperation is essential, such as in the case of the United Kingdom, where after significant public pressure, the government committed, under Section 67 of the Immigration Act 2016 (the Dubs Amendment<sup>4</sup>), to accept a specified number of unaccompanied children from within Europe, where

they are at significant risk of exploitation. However, this agreement is currently limited,<sup>viii</sup> and due to uncertainty around the future of Brexit, cross-border cooperation between the UK and the EU remains unclear. In the meantime, unaccompanied children as young as 13 have been identified in Italy as child victims recruited into sexual exploitation and child labour<sup>x</sup> who in the absence of safe and legal channels report exploitation and abuse on their journeys,<sup>x</sup> risking their lives in traumatic and often fatal crossings which may also lead to recruitment into various forms of exploitation.

---

2 EASO Practical Guide on the best interests of the child in asylum procedures looks at the implementation of the best interests of the child in Dublin procedures.  
3 As mentioned in the European Commission Communication on the Protection of Children in Migration (2017).  
4 Scheme launched by the UK to enable a number of unaccompanied children to travel safely in the UK in the absence of a member of family in the country. It is called the Dubs Amendment, named after the man who led the scheme being introduced, Lord Alf Dubs.

## Responding to missing and trafficking cases with a cross-border component

Cross-border cooperation is essential when investigating and responding to the disappearance of migrant children. Children may disappear from countries of first arrival, transit and destination for different reasons: frustration with significant delays in transfers, long and complex asylum procedures, the lack of access to safe and legal routes, the lack of child-friendly information on their situation and rights, unsafe accommodation, facing destitution, ongoing abuse or exploitation, or being recruited into exploitation.

Cross-border cooperation has a crucial role in preventing children from going missing and/or being (re)trafficked, by reducing the occurrence of the said push factors, for instance through better information sharing upstream of the identification and registration processes, hence speeding up the procedures. Indeed, the identification of child victims of trafficking is particularly complex and there are significant obstacles to their identification. Member States have an obligation to take the necessary measures to establish mechanisms to identify those who have been trafficked as early as possible,<sup>xi</sup> but research shows that identification and disclosure<sup>5</sup> are rarely single events, instead they are staggered over time and will only occur when the child has a trusted, secure relationship with a practitioner.<sup>xii</sup> Significant barriers to the disclosure of abuse by children in migration may include fear of retribution, debt bondage,<sup>6</sup> spiritual abuse,<sup>7</sup> fear of arrest, fear of deportation and immigration detention or an overwhelming feeling of shame.<sup>xiii</sup> For these reasons, children are unlikely to

disclose their exploitation on initial encounters with a public authority and practitioners may be unaware of pertinent information, which may aid identification, held by professionals in other Member States through which children travelled.

Cross-border cooperation is also essential in responding to cases of disappearances or trafficking. Information sharing is crucial to proactively inform other Member States of the potential trajectory of a child, or to inform another Member State of the presence of a child, hence allowing that country to close the case. It is above all important to reduce the number of similar processes that a child goes through when moving across borders, such as being interviewed and having to tell their story multiple times.

Following identification or during aftercare, cooperation may also be needed to ensure that the child receives support and protection according to their best interests, and that their individual care plan is continued across borders if they move to another country. Guardians or professionals in charge of the medical or psychosocial monitoring should be able to communicate with their counterparts on the situation and the needs of the child, in order to ensure the child's best interests are respected.

If the child is a victim of trafficking, law enforcement investigations may also require cross-border cooperation to aid their investigative capacity and bring perpetrators to justice.<sup>xiv</sup>

---

5 Disclosure by a child or young person who has been trafficked takes time. Details are rarely available when they first become known to a public authority. Research shows that disclosure of trauma, abuse or exploitation often only occurs after a relationship of trust has been built up between the practitioner and the child or young person.

6 For more information on debt bondage, please see ECPAT UK's FAQ's, p.18, available at: <https://www.ecpat.org.uk/Handlers/Download.ashx?IDMF=4589c2b3-70ca-41ed-81cc-fe1aae9d8fc0>

7 For more information on spiritual abuse, please see ECPAT UK's FAQ's, p.19, available at: <https://www.ecpat.org.uk/Handlers/Download.ashx?IDMF=4589c2b3-70ca-41ed-81cc-fe1aae9d8fc0>

# Current barriers to cross-border cooperation

Significant challenges hinder cross-border cooperation in the myriad of ways which the situation of children in migration may require. Generally, there are significant legal and structural gaps as well as unclear procedural obligations amongst Member States to protect children in migration. Like dominoes, these ineffective or inexistent procedures may render children increasingly vulnerable to exploitation or fail to identify a child who has been exploited and provide them with the support they require to recover from trauma.

## Lack of clear procedures within and between Member States

A limited number of Member States have specific legal or procedural regulations regarding missing children in migration<sup>xv</sup> and, when they do, practice may differ from the written procedures. Reporting arrangements for such cases also differ substantially and professionals consistently report that these cases receive a lower priority than other cases or a fixed 'no action' period before the start of police investigations.<sup>xvi</sup> Only 25% of the disappearances of migrant children reported to the 116 000 hotlines in 2018 were found within the year.<sup>xvii</sup> When

cooperation ends at national borders, often very little is known about the unresolved cases and any assumption or underestimation may be very dangerous for the child.

Responses to the disappearance of migrant children thus require multi-agency cooperation across borders to ensure their safety. Currently, cooperation in this context appears to be the exception rather than the rule, based mostly on personal connections rather than on formal procedures.<sup>xviii</sup>

"When confronted with an increasing number of disappearances of unaccompanied children, we initiated a Memorandum of Understanding with all the relevant actors in the field: the police, the magistrate, the tutors, the immigration office and the shelters. It doesn't work miracles, but it allows the different actors to understand each other's work, to see which information is crucial for the partners and to speed up the exchange of information. It's our duty to continue to break through the indifference towards this group of children."

Child Focus, running the hotline for missing children in Belgium, 2015.

## Legal and procedural gaps in protecting the child's information when cooperating across borders

Within the context of child protection, information sharing has been recognised as vital to safeguard and promote the welfare of children. The General Data Protection Regulation (GDPR)<sup>8</sup> places duties on organisations and individuals to process personal information fairly and lawfully. These regulations are not a barrier to sharing information, where the failure to do so would cause the safety or wellbeing of a child to be compromised. Similarly, human rights concerns, such as respecting the right to a private and family life would not prevent sharing where there are real safeguarding concerns.

Unfortunately, there is a legitimate fear amongst children in migration that information sharing between agencies can be used for the purposes of immigration enforcement and/or in the context of the criminal justice system. Practices of this kind have led to the use of data in the context of health, policing and education,<sup>xix</sup> such as the agreement from December 2016 where the UK Department for Education shared

data from the National Pupil Database, collected through the School Census, with the Home Office for immigration enforcement purposes.<sup>xx</sup> In the UK, the national legislation that sets out the duties under GDPR is the Data Protection Act 2018. This legislation contains an exception for data sharing under 'immigration control'.<sup>xxi</sup> It is well documented that fear of immigration and law enforcement is consistently used by traffickers to control children by threatening deportation and/or imprisonment if the child does not comply or reports their abuse. Similarly, professionals working with children may fear that reporting a missing child might lead to immigration enforcement, detention or transfer to another country once the child has been found. It is essential that a firewall<sup>xxii</sup> is in place between immigration enforcement, child protection and other services when handling the data of children in migration, and also that it is clearly communicated to the child and the stakeholders responsible for their protection, especially in light of the recent EU regulation on the Interoperability of the EU Information Systems.<sup>xxiii</sup>

**Second Generation Schengen Information System** or SIS II is a database of live alerts regarding individuals and objects of interest to law enforcement. Its main purpose is to help preserve internal security in the Schengen States in the absence of internal border checks. SIRENE Bureaux<sup>9</sup> can be empowered to efficiently use the Schengen Information System in cases of children in migration who went missing and are believed to be in danger, in the best interests of the child. However, while the revision of the SIS brought some positive changes in the use of alerts in cases of missing children, such as the possibility to differentiate between the different categories of missing children,<sup>10</sup> it also brought some concerns. For instance, in the case of missing migrant children, the competent authorities may move the child to a safe place in order to prevent them from continuing their journey, if so authorised by national law. Migration authorities are now also authorized to access to the database, including article 32 alerts.<sup>11</sup> The SIS dual purpose of finding missing persons (incl. children) and managing return thus puts the protection of children at risk and may discourage reporting.

<sup>8</sup> Or, when it comes to the protection of personal data in the law enforcement context (e.g. investigation or crime prosecution), the Data Protection Law Enforcement Directive.

<sup>9</sup> SIRENE stands for Supplementary Information Request at the National Entries. Each Member State operating SIS has set up a national SIRENE Bureau, operational 24/7, that is responsible for any supplementary information exchange and coordination of activities connected to SIS alerts.

<sup>10</sup> e.g. runaways, unaccompanied children in the context of migration, and children abducted by a family member

<sup>11</sup> Article 32 of the Council Decision 2007/533/JHA concerns alerts on missing persons. The purpose of this alert category is to find missing persons, including children, and to place them under protection if lawful and necessary.

## Guardianship: a key prevention measure in need of considerable improvement

International standards call for a guardian to be in place for all unaccompanied and separated children. Guardians represent, assist and support unaccompanied children by safeguarding their best interests and wellbeing. In some countries, guardians also provide for the child's basic needs and assist them in asylum and family tracing procedures. However, guardianship schemes are not in place in all Member States and when there

is a scheme, these may not be of the right scope or quality. Research on guardianship standards in twelve Member States suggests that there is a need for considerable improvements, such as timely appointment and clarifying roles.<sup>xxiv</sup> By not investing in ensuring that guardians are qualified, trained<sup>xxv</sup> and appointed swiftly, European and national authorities lose key opportunities to build trust with children and help prevent them from going missing.

**The European Guardianship Network** is a project that started in September 2018, funded by the European Commission and managed by Nidos, and aims to develop a network of institutions and agencies who work in the area of guardianship for unaccompanied and separated children. The vision of the European Guardianship Network is to create an inclusive and supportive environment which will enable members to contribute to the development of effective and consistent ways of delivering high quality, child rights-based and accessible guardianship services. The Network will be a welcoming and enabling forum for the development of best practice that will put the rights and best interests of separated and unaccompanied children at the heart of its work thus leading to better outcomes for children and the guardianship services who work with them. The Network has great potential to have a key role in improving the cross-border cooperation between guardians and other actors, including in cases of Dublin transfers, trafficking and disappearances.

## Lacking legal provisions and multi-agency cooperation in finding a durable solution for the child

Currently, no Member State has directly transposed the duty under Article 16.2 of the EU Anti-trafficking Directive into their national legislation.<sup>12</sup> This provision states that Member States shall take the necessary measures with a view to finding a durable solution based on an individual assessment of the best interests of the child.<sup>xxvi</sup> International obligations under the General Comment 14 to the UNCRC state that a child's best interests must be assessed and taken into account as a primary consideration in all actions or decisions that concern them. However, at present, most EU+<sup>13</sup> States do not have an established process for implementing this legal obligation, and most existing processes are limited to children within asylum procedures. Article 14 explains that "Member States shall take the necessary measures to ensure that the specific actions to assist and support child victims

of trafficking in human beings, in the short and long term, in their physical and psycho-social recovery, are undertaken following an individual assessment of the special circumstances of each particular child victim, taking due account of the child's views, needs and concerns with a view to finding a durable solution for the child." This therefore explains that a 'durable solution' is not just a matter of immigration status, but incorporates measures needed to ensure a child's long-term physical and psychological recovery. As UNICEF's research shows, it requires a multi-agency and above all a child protection response.<sup>xxvii</sup> A durable solutions provision in law would therefore ensure consideration of what each child requires. A durable solutions process would ensure careful consideration is given to each child's best interests with regard to any returns process that takes place.

<sup>12</sup> Some countries have Best Interest Determination procedures as part of immigration status determination, however no EU Member State has directly transposed the provision of durable solutions from the Trafficking Directive into national legislation making it a procedural obligation for Member States to seek a durable solution for the child based on an individual assessment of their best interests.

<sup>13</sup> Including Norway, Switzerland, Liechtenstein and Iceland

## Training for frontline professionals

Lack of training is also pointed out as a major factor hindering cooperation. The SUMMIT research (2015)<sup>xxviii</sup> found that almost all participants surveyed as part of the project had experienced the disappearance of a child in their care. Despite the high number of disappearances, there were few law enforcement professionals who had experience in dealing with these cases. Unaccompanied children who were found again in specific contexts that suggested that they had been engaged in criminal activity were often considered perpetrators and not victims, and therefore not referred to the appropriate services to support

their disengagement from criminal networks. On the other hand, less than half of the participants had received training in prevention, response to and aftercare of children who went missing in migration. Regular training is needed for frontline professionals, with priority on information regarding the roles of authorities and agencies involved in the care of unaccompanied children; available child protection and welfare services; prevention, response and aftercare needs and best practices on cases of missing children in migration; identification and prevention of trafficking and exploitation risks and how to respond; and risk assessments.

These training, knowledge and procedural gaps remain a matter of concern, as confirmed in the framework of the **Amina project led by Missing Children Europe**. The project aims to radically improve the day-to-day practice of professionals working on transnational cases of unaccompanied children at risk in Europe, by identifying the gaps in practice and developing innovative practical tools to improve exchange of intelligence and follow up on transnational cases. For that, simulation-based exercises took place in six countries on the cross-border responses around two fictional cases of missing children in migration at risk of trafficking (2018).<sup>xxix</sup> The task force will release suggestions and guidelines for improved and faster cooperation between competent authorities in December 2019.

Numerous international standards for international protection are very unequally transposed or implemented in national legislation of EU Member States, and it is therefore urgent to harmonize the

procedures applicable to children in migration, so that cross-border cooperation could be implemented more successfully at every step of the procedures.



## Existing tools, initiatives and organisations

There are various governmental and non-governmental organisations that have developed tools and resources to prevent trafficking and cases of missing children in migration, aid in the identification process and ensure that perpetrators are brought to justice.

**Eurodac** matches the fingerprints of applicants in asylum procedures so that EU Member States may determine responsibility for examining an asylum application. The proposed revision of the **Eurodac Regulation** expands the purposes of the Eurodac database to also identify and track secondary movement and enforce decisions on return. It also lowers the age at which a child must be registered, from fourteen to six, and introduces the use of coercion to obtain fingerprints for children aged above fourteen. The lowering of the age of registration could be used to better coordinate the protection of children, but data will also be used to enforce Dublin Regulation, restrictions on secondary movement and return decisions, which may run contrary to the best interests of the child and cause more children to avoid and disengage from contact with state authorities.

**Eurojust** is the EU's Judicial Cooperation Unit and plays a key role in tackling human trafficking by facilitating and funding **Joint Investigation Teams (JIT)**. A JIT consists of judicial and police authorities from at least two Member States, who collaboratively conduct a specific cross-border criminal investigation for a limited period. JITs are an essential tool for law enforcement to fulfil their investigative duties when the crime involves two or more Member States and there is a need for cooperation. The number of cases under the JITs has risen steadily over the last years, as did the cooperation with non-EU countries.<sup>xxx</sup>

**Europol** is the European Union Agency for Law Enforcement Cooperation. Human trafficking is currently one of Europol's priority crime areas and an EMPACT (European multidisciplinary platform against criminal threats) priority, for which a multi-annual strategic and operational plan has been devised to enhance cross border cooperation.

**European Criminal Records Information System** or ECRIS is a secure electronic system for the exchange of information on convictions between EU Member States. It provides judges and prosecutors with easy access to the criminal records history of an individual in a different Member State, thereby removing the possibility that they can escape justice by moving to a new country.

**Prüm Decisions** grant Member States access to national databases containing DNA profiles, fingerprints and vehicle registration data across the EU. Their purpose is to simplify and increase the efficiency of EU-wide intelligence gathering processes and encourage greater sharing of information.

**EASO Dublin Network** is the network bringing together all Member States applying the Dublin Regulation and provides for enhanced communication and coordination between national actors. The participating experts formulate concrete proposals to better exchange information among Member States during the daily operationalisation of Dublin transfers, and to overcome practical obstacles based on common understanding.

The **EU Anti-Trafficking Coordinator (EU ATC)** was initially foreseen in the Stockholm Programme and elaborated in the EU Anti-trafficking Directive. The European Commission appointed an EU ATC, Dr. Myria Vassiliadou, who is responsible for improving coordination and coherence among EU institutions, EU agencies, Member States and international actors, and for developing existing and new EU policies to address trafficking in human beings (THB). This includes monitoring the implementation of the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016 and the December 2017 Communication stepping up EU Action to address trafficking in human beings.

The **EU Network of National Rapporteurs or Equivalent Mechanisms on Trafficking in Human Beings (NREMs)** was established following Council Conclusions in June 2009. Furthermore, the role of the NREMs is elaborated in the Anti-trafficking Directive, Article 19. The NREMs are responsible for monitoring the implementation of anti-trafficking policy at the national level and play a crucial role in data collection on trafficking in human beings at both national and EU levels.

The **European network of 116 000 hotlines for missing children** was established through the decision of the European Commission to provide the same service of social value to citizens dialling the same number across EU Member States, 116 000. Hotlines are available 24/7 and provide administrative, psychological and legal support to families and children. Hotlines cooperate with several professionals (including law enforcement) to make sure that the best interests of the child are the most important element of the whole investigation, procedure and follow up. Hotlines can have a decisive role in the resolution of cross-border cases of children disappearances, including children in migration, because of their role in connecting different actors involved in care for children and responding to the disappearance of children in migration.

In the UK, the **Refugee Youth Service (RYS)** and the **NSPCC's Child Trafficking Advice Centre (CTAC)**<sup>14</sup> work together to safeguard children who live in the Calais 'Jungle'. RYS refers children to CTAC when it suspects that they have moved from France to the UK. CTAC then shares child protection information with relevant UK agencies and tries to establish the children's whereabouts. Between August 2016 and November 2017, 196 children of 12 different nationalities, who had been living in the Calais 'Jungle' in France, were referred to CTAC.<sup>xxxii</sup> RYS and CTAC call for a formal referral system between France and the UK both to better protect children and to ensure that receiving local authorities in the UK know as much as possible about children entering their care. If implemented with a clear firewall between protection and migration management boards, these initiatives can inspire other concrete cooperation mechanisms elsewhere in Europe.

Two **Transnational Referral Mechanism** initiatives have recently developed:<sup>xxxii</sup> the Transnational Referral Mechanism **Model** by the International Organisation of Migration, available on their online platform, an outcome of the EU-funded Transnational Action (TACT) project; and the **RAVOT-EUR** project 'Referral of and assistance for victims of human trafficking in Europe', between Hungary, Belgium and the Netherlands and which contributes to the assistance, safe return and referral of victims of trafficking related to sexual and labour exploitation. The project also facilitates transnational networking and trust building among professionals. If a firewall is in place and transnational referral mechanisms are not solely focussed on returns, these examples of formalised cooperation could easily be exported to other countries in Europe.

**Trainings** to frontline professionals are also available such as through the OSCE project "Combating Human Trafficking along Migration Routes", which aims at enhancing the ability of interested participating States and Partners for Co-operation to effectively investigate and prosecute human trafficking and to promptly identify victims of THB along migration routes by promoting a multi-agency and human rights-based approach. Several simulation-based training exercises, based on developed scripts, were developed in the framework of this project, and a training handbook was created, including an innovative methodology to counter human trafficking.<sup>xxxiii</sup>

---

<sup>14</sup> The National Society for the Prevention of Cruelty to Children (NSPCC) is a charity working in child protection in the UK

## 10 Key steps

- 1 Pursue efforts to harmonise and systemise the collection and exchange of personal data on missing children in migration who are at risk of exploitation, in line with their best interests, and to ensure their protection.
- 2 Ensure that a firewall<sup>15</sup> is in place between immigration enforcement, on the one hand, and child protection and other services, on the other, when handling the personal data of children in migration, by:
  - a. applying strict limitations on the use of personal data collected and retained by child protection services, social service providers, security forces or immigration administration for immigration enforcement purposes;
  - b. safeguarding personal data of children in tools for the protection of children across borders (e.g. when placing alerts for missing children in migration on the Schengen Information System).
- 3 Intensify efforts to ensure that all unaccompanied children are appointed a qualified, trained and independent guardian as soon as they are identified.
- 4 Ensure that any system that replaces the current Dublin Regulation strengthens best interest assessments in Dublin procedures and maintains the principle that children should stay in the Member State where they are present, unless this is not in their best interests.
- 5 Ensure a continuum of non-discriminatory care and protection along the journey, by providing the same quality of child care and child protection procedures at national and cross-border levels and by working towards faster transposition and implementation of the child protection standards included in EU law, including the Common European Asylum System.
- 6 Support children to move safely from one country to another when it is in their best interests, for instance by:
  - a. refraining from applying Dublin transfers towards the first country of arrival,
  - b. ensuring the efficient functioning of the Dublin procedures for swift family reunion. To this end, liaison officers in other Member States' Dublin Units, common templates, guidance, sufficient resources as well as Standard Operating Procedures (SOPs) should be in place to facilitate cooperation and ensure participation of all relevant actors,
  - c. developing a strong solidarity mechanism on the blueprint of the relocation system,
  - d. increasing and efficiently implementing quotas of resettlement of refugee children from third countries, and
  - e. creating more possibilities for children to travel to the EU regularly, and for families to migrate together, including for work, study, family reunifications and protection purposes.
- 7 Develop cross-border case management services and information sharing to effectively channel information between NGOs and national child protection systems across borders and to ensure that the best interests of the child remain central in the management of international cases of missing children, with proper data protection safeguards.
- 8 Formalise the cooperation nationally and across borders between stakeholders involved in cases of missing, exploited or trafficked children or involved in family tracing activities, for instance by clarifying roles and responsibilities and establishing protocols of cooperation.
- 9 Support access to funding for the national civil society organisations that are part of cross-border networks providing essential services to migrant children.
- 10 Develop and raise awareness on existing initiatives, tools, standard operating procedures and joint investigations, including in cases of trafficking.

**In putting in place these recommendations, due considerations should be paid in making sure that children's voices are heard in cross-border cooperation processes, that their best interests are the primary consideration in all actions, and that durable solutions are sought immediately after arrival in a EU Member State. For more information on this, we refer to the [Lost in Migration recommendations](#) and the policy paper "[Durable solutions and the best interests of the child in context of return processes](#)".**

---

<sup>15</sup> For more explanations on what we mean by firewall, please see: <https://picum.org/firewall-3/>

# Endnotes

- i Europol (2018), *Criminal networks involved in the trafficking and exploitation of underage victims in the European Union*, available at: <https://www.europol.europa.eu/publications-documents/criminal-networks-involved-in-trafficking-and-exploitation-of-underage-victims-in-eu>
- ii Missing People and ECPAT UK (2018), *Still in Harm's Way, An update report on trafficked and unaccompanied children going missing from care in the UK*, available at: [https://www.missingpeople.org.uk/files/PandR/Still\\_in\\_Harms\\_Way\\_Final.pdf](https://www.missingpeople.org.uk/files/PandR/Still_in_Harms_Way_Final.pdf).
- iii [https://www.theguardian.com/world/2019/mar/31/calais-child-refugees-hunger-strike-uk-transfer-delay?utm\\_source=ECRE+Newsletters&utm\\_campaign=c4ce5c313c-EMAIL\\_CAMPAIGN\\_2019\\_04\\_01\\_12\\_39&utm\\_medium=email&utm\\_term=0\\_3ec9497afd-c4ce5c313c-422328957](https://www.theguardian.com/world/2019/mar/31/calais-child-refugees-hunger-strike-uk-transfer-delay?utm_source=ECRE+Newsletters&utm_campaign=c4ce5c313c-EMAIL_CAMPAIGN_2019_04_01_12_39&utm_medium=email&utm_term=0_3ec9497afd-c4ce5c313c-422328957)
- iv Safe Passage. (2018). *Caught in the Middle*. Available at: <http://safepassage.org.uk/wp-content/uploads/2019/03/Caught-in-the-Middle-Unaccompanied-Children-in-Greece.pdf>
- v Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, OJ L 338, 23.12.2003, p. 1–29.
- vi Missing Children Europe. (2015). *SUMMIT REPORT Best practices and key challenges on interagency cooperation to safeguard unaccompanied children from going missing*. Available at: <http://missingchildreneurope.eu/Portals/0/Docs/Best%20practices%20and%20key%20challenges%20for%20interagency%20cooperation%20to%20safeguard%20unaccompanied%20migrant%20children%20from%20going%20missing.pdf>
- vii Terre de Hommes. (2009). *Disappearing, departing, running away: A surfeit of children in Europe?* Available at: [https://childhub.org/en/system/tdf/library/attachments/963\\_945\\_disappearing\\_departing\\_running\\_away\\_a\\_surfeit\\_of\\_children\\_in\\_europe\\_original\\_original.pdf?file=1&type=node&id=6660](https://childhub.org/en/system/tdf/library/attachments/963_945_disappearing_departing_running_away_a_surfeit_of_children_in_europe_original_original.pdf?file=1&type=node&id=6660)
- viii The Guardian (2019), *Transfer of vulnerable child refugees from France to UK to end, charities say*, available at: <https://www.theguardian.com/global-development/2019/may/17/transfer-of-vulnerable-child-refugees-from-france-to-uk-to-end-charities-say-home-office>
- ix Save the Children Italy. (2018). *Young Invisible Enslaved: Children Victims of Trafficking and Labour Exploitation in Italy*. Available at: <https://www.savethechildren.it/sites/default/files/files/rapporto%20young%20invisible%20enslaved%20DEF.pdf>
- x UNICEF and IOM. (2017). *Harrowing Journeys: Children and youth on the move across the Mediterranean Sea, at risk of trafficking and exploitation*. Available at: [https://www.unicef.org/publications/files/Harrowing\\_Journeys\\_Children\\_and\\_youth\\_on\\_the\\_move\\_across\\_the\\_Mediterranean.pdf](https://www.unicef.org/publications/files/Harrowing_Journeys_Children_and_youth_on_the_move_across_the_Mediterranean.pdf)
- xi Article 11.4 of the EU Anti-Trafficking Directive
- xii Pearce, J.J., Hynes, P. and Bovarnick, S. (2009) *Breaking the Wall of Silence: Practitioners' Responses to Trafficked Children and Young People*. NSPCC
- xiii Finch, N. (2016). *Better support, better protection: Steps lawyers and guardians can take to better identify and protect trafficked children*. ECPAT. Available at: <https://www.ecpat.org.uk/Handlers/Download.ashx?DMF=a7777e73-bd40-44a1-b7f5-a9dd76b4afbe>
- xiv Article 4 of the European Convention on Human Rights entails a procedural obligation to investigate where there is a credible suspicion that an individual's rights under the Article have been violated: *Rantsev v. Cyprus and Russia*; *CN v the United Kingdom*.
- xv Austria, Finland, Ireland and Romania
- xvi Sigona, N. and Humpris, R. (2017) *Child Mobility in the EU's Refugee Crisis: What Are The Data Gaps And Why Do They Matter?*. Available at: <https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2017/01/child-mobility-eu>
- xvii Missing Children Europe (2018), *figures and trends, from hotlines for missing children and cross-border family mediators*, available at: <http://missingchildreneurope.eu/Portals/0/Figures%20and%20Trends%202018.pdf>
- xviii Missing Children Europe. (2015). *SUMMIT REPORT Best practices and key challenges on interagency cooperation to safeguard unaccompanied children from going missing*. Available at: <http://missingchildreneurope.eu/Portals/0/Docs/Best%20practices%20and%20key%20challenges%20for%20interagency%20cooperation%20to%20safeguard%20unaccompanied%20migrant%20children%20from%20going%20missing.pdf>
- xix Bradley, GM. (2018). *Care don't share, Hostile environment data-sharing: why we need a firewall between essential public services and immigration enforcement*. Available at: <https://www.libertyhumanrights.org.uk/sites/default/files/Liberty%20%27Care%20Don%27t%20Share%27%20Report%20280119%20RGB.pdf>
- xx Memorandum of Understanding Between The Home Office And Department for Education In Respect of the Exchange of Information Assets, published December 2016 [https://www.whatdotheyknow.com/request/377285/response/941438/attach/5/20161016%20DfE%20HO%20MoU%20redacted.pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/request/377285/response/941438/attach/5/20161016%20DfE%20HO%20MoU%20redacted.pdf?cookie_passthrough=1)
- xxi Data Protection Act 2018 Schedule 2, Part 1, paragraph 4.
- xxii For more explanations on what we mean by firewall, please see: <https://picum.org/firewall-3/>
- xxiii Regulation (EU) 2019/817 on establishing a framework for interoperability between EU information systems in the field of borders and visa, OJ L 135, 22.05.2019
- xxiv European Migration Network. (2018). *Approaches to Unaccompanied Minors Following Status Determination in the EU plus Norway*. Available at: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00\\_eu\\_synthesis\\_report\\_unaccompanied\\_minors\\_2017\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_eu_synthesis_report_unaccompanied_minors_2017_en.pdf)
- xxv [https://www.theguardian.com/world/2019/mar/31/calais-child-refugees-hunger-strike-uk-transfer-delay?utm\\_source=ECRE+Newsletters&utm\\_campaign=c4ce5c313c-EMAIL\\_CAMPAIGN\\_2019\\_04\\_01\\_12\\_39&utm\\_medium=email&utm\\_term=0\\_3ec9497afd-c4ce5c313c-422328957](https://www.theguardian.com/world/2019/mar/31/calais-child-refugees-hunger-strike-uk-transfer-delay?utm_source=ECRE+Newsletters&utm_campaign=c4ce5c313c-EMAIL_CAMPAIGN_2019_04_01_12_39&utm_medium=email&utm_term=0_3ec9497afd-c4ce5c313c-422328957)
- xxvi See the Toolkit for guardians, produced by the ProGuard Project lead by Nidos: <https://guardianstoolkit.eu/>
- xxvii Directive 2011/36/EU on combating and preventing trafficking in human beings and protecting its victims. Article 16 (2)

- xxviii UNICEF UK. (2015). *Achieving a durable solution for trafficked children*. Available at: [https://downloads.unicef.org.uk/wp-content/uploads/2016/01/Unicef\\_DurableSolutions\\_Report2015.pdf?\\_ga=2.68372497.1487273109.1541524274-2128396862.1541524274](https://downloads.unicef.org.uk/wp-content/uploads/2016/01/Unicef_DurableSolutions_Report2015.pdf?_ga=2.68372497.1487273109.1541524274-2128396862.1541524274)
- xxix Missing Children Europe. (2015). *SUMMIT REPORT Best practices and key challenges on interagency cooperation to safeguard unaccompanied children from going missing*. Available at: <http://missingchildreneurope.eu/Portals/0/Docs/Best%20practices%20and%20key%20challenges%20for%20interagency%20cooperation%20to%20safeguard%20unaccompanied%20migrant%20children%20from%20going%20missing.pdf>
- xxx NSPCC (2018), available at: <https://learning.nspcc.org.uk/media/1072/uprooted-and-unprotected-ctac-report.pdf>
- xxxi <http://aminameanssafe.eu/News/Post/238/Looking-for-Abena-and-Qiro-across-the-EU-Missing-Children-Europe-and-partners-work-towards-ending-exploitation-of-children-in-migration-with-fictional-cases>
- xxxii European Commission (2018), *Commission Staff Working Document Accompanying the second report on the progress made in the fight against trafficking in human beings*, available at: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20181219\\_sw-d-2018-496-report\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20181219_sw-d-2018-496-report_en.pdf)
- xxxiii OSCE (2019), *Practical Handbook on How to Conduct Simulation-based Training Exercises to Combat Human Trafficking*, available at: <https://www.osce.org/secretariat/413510>

This publication has been made possible with support from:



"This is a joint publication of the initiative for children in migration. For more information: [www.childreninmigration.eu](http://www.childreninmigration.eu)



**Missing  
Children  
Europe**



Every Child Protected  
Against Trafficking

*Initiative  
for children in migration*

Co-signing organisations:



**CHILD  
CIRCLE**



**Child Focus  
116000**



**DBI  
DON BOSCO  
INTERNATIONAL**

**DEFENCE FOR CHILDREN INTERNATIONAL  
DÉFENSE DES ENFANTS INTERNATIONAL  
DEFENSA DE NIÑOS Y NIÑOS INTERNACIONAL**

THE WORLDWIDE MOVEMENT FOR CHILDREN'S RIGHTS

**DESTINATION  
UNKNOWN**

protect children on the move



**Eurochild**  
Putting children at  
the heart of Europe



European  
Network on  
Statelessness



**IFMSA**  
International Federation of  
Medical Students' Associations



**Immigrant  
Council of  
Ireland**



**JUSTRIGHT SCOTLAND**



**Kopin**  
empowering communities



**PICUM**  
PLATFORM FOR INTERNATIONAL COOPERATION ON  
UNDOCUMENTED MIGRANTS



Plate-forme mineurs en exil  
Platform kinderen op de vlucht



**Terre des Hommes**  
International Federation