

ENDING TRAFFICKING IN CHILDREN AND YOUNG PERSONS

Together, towards a future without child trafficking in Europe



Conference organised in
the framework of the
German Presidency of the
Committee of Ministers
of the Council of Europe

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CONCEPT NOTE



Bundeskriminalamt



Presidency of **Germany**
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BACKGROUND

THB LIBERI Project

The THB LIBERI project, running from 2018-2021, is funded by the Internal Security Fund (ISF) of the European Union. It is led by the German Federal Criminal Police Office (BKA-SO41) and involves seven German federal states police departments, as well as the Austrian Federal Criminal Police Office.

Liberi is Latin for "children". The goal of THB LIBERI is to fight trafficking and exploitation of children and young people (up to the age of 21) through a multidisciplinary approach, combining knowledge from different sectors in order to raise awareness of the characteristics of child trafficking and promote a common approach to preventing and combating it. To reach this goal, the THB LIBERI project is practically oriented and aimed at combating criminal structures by casting as wide a net as possible across all manifestations of human trafficking. The project covers three main topics:

1. Exploitation of children and young persons through the Internet

The Internet offers a world of opportunity and challenges, not least to children, but also to traffickers. This topic covers the recruitment of young victims through the Internet, how they are advertised and used to lure clients through escort websites. It also covers the role of the Darknet in relation to the sexual exploitation of children, the needs and opportunities coming to light during investigative procedures, and how best to tap into online prevention to keep children and young people safe.

2. Exploitation of children and young persons by family structures

Many children are trafficked by members of their families or communities. Besides trafficking for sexual exploitation purposes, the project covers exploitation through forced begging and committing criminal offences.

3. Strengthening child and young persons' testimonies

One of the main challenges in investigating human trafficking offences is the collection of testimonial evidence from victims. In many countries, an investigative procedure is dependent on the victims' willingness to come forward and/or testify and a trafficking victim's statement is a necessary proof of evidence. With further dichotomies at the heart of the process between gathering objective evidence and ensuring a victim-centred approach, the project aims at developing the knowledge and capacity of relevant professionals (investigators, prosecutors, the judiciary) to deal with child trafficking cases, using a multi-disciplinary approach.

GRETA

The Council of Europe Convention on Action against Trafficking in Human Beings entered into force on 1 February 2008. It currently has 47 States Parties (46 Council of Europe member States and Belarus). The Convention adopts a human rights-based and victim-centred approach to the fight against human trafficking, providing a number of rights for victims of trafficking. A child-sensitive approach is reflected throughout the Convention and there is a number of provisions which concern children.

The Convention provides the setup of a monitoring mechanism aimed to ensure its effective implementation, composed of an independent Group of Experts on Action against Trafficking in Human Beings (GRETA), and the Committee of the Parties to the Convention.

Most of the State Parties to the Convention have undergone two rounds of evaluation by GRETA. In the course of the second evaluation round, launched in May 2014, GRETA paid particular attention to measures taken to address the vulnerability of children to trafficking. GRETA dedicated a thematic section in its 6th General report on the issue of child trafficking.

The ongoing third evaluation round of the Convention has a thematic focus on victims' access to justice and effective remedies.

GRETA's significant body of work contributes to a continuous development and improvement of European structures for combatting human trafficking and is highly relevant to the THB LIBERI project.

German Federal Co-operation Guidance

The Federal Co-operation Guidance on Protecting and Supporting Child Victims of Trafficking and Exploitation forms the basis of the referral mechanism in place in Germany for cases of trafficking in children. This guidance was developed by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) and ECPAT Deutschland e.V. (German Chapter of the ECPAT International Network Ending Sexual Exploitation of Children), together with experts and specialist practitioners. It contains a set of recommendations for co-ordinated, trust-based and child-oriented co-operation between the child welfare services, the police, BAMF, specialised counselling centres and other stakeholders to identify and protect victims of human trafficking in children. This guidance is currently in the process of being implemented throughout Germany, in the federal states (Länder) and municipalities.

OBJECTIVES OF THE CONFERENCE

The objectives of the conference - organised jointly by the Council of Europe and the German authorities, with financial support from the European Union through the THB LIBERI project - is to take stock of recent trends in the trafficking and exploitation of children and young persons, provide law enforcement with more effective tools for investigating human trafficking offences, while respecting and protecting the rights of child victims, and sensitise policymakers to existing problems in the fight against human trafficking.

Human trafficking is a dynamic crime with an ever-growing use of information and communication technologies (ICT). The Internet is becoming progressively important in the recruitment, exploitation and control of victims. Recruiting children and young persons via social networks and advertising their services via escort websites is increasingly easy, while detecting online victims is becoming more difficult. The aim is thus to establish mechanisms to identify young victims of human trafficking and to share best practices and ideas for improved detection. The UN Convention on the Rights of the Child, as well as the Council of Europe Convention on Action against Trafficking in Human Beings and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, set out specific obligations for states to avert threats to the well-being of a child. The conference will cover the need for states to guarantee multi-disciplinary and inter-agency structures to safeguard child victim's rights.

After a high-level introduction and key-note speeches, the THB LIBERI project results will be presented and discussed in the framework of several workshops, enabling participants from other countries and GRETA members to comment and provide additional information.

Suggested topics for the workshops

(1) Internet and child trafficking

- Use of technologies to support the identification of victims
- Knowledge on possibilities for prevention in relation to the “loverboy” modus operandi (research State Criminal Police Office, Hanover)
- New multidisciplinary approaches, for example hotlines, reporting platforms, collaboration with the private sector and civil society actors
- Effects of the Covid-19 pandemic on online child exploitation

(2) Gathering testimonial evidence from child victims of trafficking

- Long-term protection and safety of victims of trafficking and exploitation
- Use of audio-visual means for questioning victims
- Child-friendly criminal investigations and judicial processes, following the Council of Europe’s Guidelines on child-friendly justice and ensuring the best interests of the child
- Behaviour-sensitive monitoring of victims during questioning
- Legal framework for investigating online child sexual abuse
- Training and guidance for investigators, prosecutors and judges on the topic of trafficking of children and young persons

(3) Creating multidisciplinary co-operation with a focus on detecting exploitation of children and young persons

- Use of reporting platforms/hotlines, monitoring and reporting units
- National and transnational referral mechanisms for child victims of trafficking (including the example of the German Federal Co-operation Guidance on Protecting and Supporting Child Victims of Trafficking and Exploitation)
- Child-friendly, multidisciplinary and interagency collaboration responding to child victims and witnesses of violence (European Barnahus Quality standards)
- Co-operation with civil society stakeholders running shelters and other services for victims
- Specialisation and training of police officers, prosecutors and judges
- Dealing with criminal family structures or ethnically closed groups
- International and interdisciplinary exchange
- Effects of Covid-19-pandemic on detection of exploitation

The German NGO network against THB (KOK) will present its recently published (30 July 2020) manual on THB which describes *inter alia* the role of different bodies involved in criminal proceedings, the situation of children as victims and their special protection needs.

PARTICIPANTS

- THB LIBERI project participation: Federal Criminal Police Offices from Austria and Germany, the Berlin and Hamburg State Criminal Police Offices, the Frankfurt/M, Krefeld, Leipzig, Hanover and Augsburg Police Headquarters
- German Federal Ministries: Federal Ministry of Family Affairs, Senior Citizens, Women and Youth (BMFSFJ), Federal Ministry of the Interior (BMI), Federal Ministry of Labour and Social Affairs (BMAS), Federal Ministry of Justice and Consumer Protection (BMJV)
- Experts from the 47 State Parties to the Convention on Action against Trafficking in Human Beings
- GRETA members
- Representatives of other Council of Europe bodies (e.g. Lanzarote Committee, Cybercrime Convention Committee, Committee of Experts on Roma and Traveller Issues (ADI-ROM))
- Permanent Representations staff
- EU Anti-Trafficking Co-ordinator
- Driver and co-drivers of the EMPACT THB-Project
- Representatives of Eurojust and Europol
- Civil society actors (including *KOK gegen Menschenhandel* and ECPAT Germany)