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REPUBLIK ÖSTERREICH
BUNDESMINISTERIUM FÜR INNERES



IOM International Organization for Migration

FINAL REPORT

"Comprehensive Training Seminar for Law Enforcement Authorities on Good Practices in Combating Child Trafficking"



AGIS 2005

With financial support from the AGIS Programme
European Commission — Directorate General Justice, Freedom and Security



AGIS 2005

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AGIS 2005

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REPUBLIK ÖSTERREICH
BUNDESMINISTERIUM FÜR INNERES



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FINAL REPORT

“Comprehensive Training for Law Enforcement Authorities Responsible for Trafficking in Children/ Minors”

1 June 2005 - 31 May 2006



AGIS 2005

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The publication at hand documents the results of the AGIS 2005 Project “**Comprehensive Training for Law Enforcement Authorities Responsible for Trafficking in Children/Minors**”, implemented by the Austrian Federal Ministry of the Interior (FM.I) in cooperation with the International Organization for Migration in Vienna and with the financial support of the European Commission.

As coordinator of the project, Claire Potaux, supervised the drafting of this report with the assistance of Hannes Goegele; Lora Ujkaj assisted the compilation and finalized this publication. Lydia Wazir edited the final version. As project managers, Erika Laubacher and Volker Frey oversaw and guided the entire project.

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The Austrian FM.I and IOM would also like to thank the project partners: Europol, the Belgian Federal Police, the Swedish Ministry for Foreign Affairs and the Organization for Security and Cooperation in Europe (OSCE). Special thanks go to all the experts, members of the advisory board, trainers and IOM colleagues for their cooperation and assistance, which enabled the successful results of this project. The Austrian FM.I and IOM would like also to express their thanks to the participants of the AGIS Project. Their input, together with their interest and commitment, has been invaluable to both the relevance and the success of the project.

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I. INTRODUCTION

Children are particularly vulnerable to abuse and exploitation and therefore need specific protection and assistance. Children's rights are reflected worldwide through national legislation and international instruments. Trafficking in children is one of the most severe violations of human rights and crimes against persons. Traffickers do not only exploit children in many different ways but also deprive them of an adequate childhood, family life, access to education and health. The consequences of trafficking for children are manifold and may include lasting traumatization.

Sharing information, experience, good practice and knowledge is essential for cooperation among all actors involved in the fight against trafficking in children. This publication aims to be a practical tool for law enforcement officers in order to combat child trafficking, effectively investigate and prosecute child traffickers and adequately protect and assist child victims of trafficking.

The Austrian Federal Ministry of the Interior (FM.I), in cooperation with IOM Vienna, implemented the European Commission AGIS 2005 Project **“Comprehensive Training for Law Enforcement Authorities Responsible for Trafficking in Children/ Minors”**. This project was part of the Austrian Council Presidency's activities in the area of combating trafficking in human beings.

The Final Report summarizes the outcomes of all activities and conclusions of the project. This Final Report is not only meant to present the results of the project but also the methods followed in order to enhance and encourage the organization of such training seminars on combating child trafficking at the national level and/or to pass on the information to interested colleagues.

After a general description of the project, the results of the Rapid Assessment Questionnaire on the situation of trafficking in children in participating countries are presented. Further, the main points of discussions and conclusions of the Project Team Preparatory Meeting and of the Working Group Meeting are described. The summary of the Resource Book is followed by a more detailed report on the International Training Seminar, the High Level Conference and a compilation of the final recommendations and final conclusions.

II. DESCRIPTION OF THE PROJECT

The Austrian Federal Ministry of the Interior in cooperation with the International Organization for Migration (IOM) Vienna implemented the project “**Comprehensive Training for Law Enforcement Authorities Responsible for Child Trafficking/Minors**”, which was submitted to the European Commission under the AGIS Programme 2005 in partnership with the Ministry of Foreign Affairs of Sweden, the Belgian Federal Police, EUROPOL and the OSCE.

During the Austrian EU Presidency, the Austrian Federal Ministry of the Interior is strongly focusing on combating human trafficking and trafficking in children in particular. This project was placed under the activities of the Austrian Presidency of the European Union and contributes to EU efforts mentioned in the Hague Programme as well as in the EU Plan on Best Practices, Standards, and Procedures for Combating and Preventing Trafficking in Human Beings.

The Project was developed in accordance with the recommendations identified during the Workshop for Law Enforcement on Exchange of Information, Best Practices, Lessons Learned on Trafficking in Minors (May 2004) of the project “Victim assistance for minors in the EU, candidate and third countries”, organized by IOM Vienna within the framework of the AGIS Programme 2003.¹

The aim of this follow-up project was to provide law enforcement authorities dealing with child victims of trafficking with specific skills in combating trafficking in children, to identify good practices on combating child trafficking to be presented in a Resource Book, as well as to strengthen regional and international cooperation among the participating countries.

The main activities consisted of a rapid assessment on the situation of child trafficking, the elaboration of a “Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking”² via working groups of experts and an International Training Seminar.

The Project Team overseeing the overall project implementation comprised the IOM Vienna project team, the partners and two selected lead writers.

1. Rapid Assessment

This activity focused primarily on carrying out a **rapid assessment/research** on the situation of child trafficking in participating countries as well as on their specific needs related to combating child trafficking and assisting child victims, via research, collection and analysis of reports and available data. Furthermore, a questionnaire especially designed for the purposes

¹ Please see the project description on the IOM Vienna webpage
http://austria.iom.int/en/artikel.php?menu_id=55&artikel_id=375&history_back=true .

² The Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking can be downloaded free of charge from the Publications Section of the IOM Vienna webpage www.iomvienna.at .

of this project was sent to all participating countries and the results were compiled and analysed.³

2. Preparatory meeting

A preparatory meeting was organized with the project team on 13-14 July 2005 in Vienna in order to discuss and agree with the partners and lead writers on the methodology, content and organization of all the main activities of the project.

Among other points, the participants agreed on the list of experts to be invited as experts/writers of the Resource Book. The project coordinator and lead writer provided **guidelines for the drafting of the national contributions to the members of the Working Groups.**

3. Elaboration of the Resource Book

After a thorough assessment of the results achieved in the IOM AGIS Project “Workshop for law enforcement on trafficking in minors and training for service providers and NGOs” mentioned above, as well as of the needs and interests of the participating countries as outlined in the results of the rapid assessment, the experts from the countries of origin, transit and destination identified by the project team were invited to draft contributions for the Resource Book.

The Resource Book on Good Practices for Law Enforcement Officers on Combating Child Trafficking covers the following specific topics:

- **interviewing techniques,**
- **investigative methods,**
- **cooperation between the law enforcement and NGOs/ social services,**
- **as well as age assessment/ identification of the child.**

The experts identified good practices based on experience and lessons learned in their home country on each specific topic and shared their written contribution to be used for the compilation of the Resource Book.

In addition, the experts drafting written contributions on the topics of investigative methods and interviewing techniques had been given the possibility to attend a working group meeting and discuss their papers in September 2005.

The working group meeting lasted three days. The two Working Groups, each comprising approximately six experts, met separately in order to focus on the theme covered by their respective group. Each participant was asked to present his/her national practice, followed by discussions with the other members of the group in order to identify and reach a consensus regarding lessons learned and good practices on the topic covered. The lead writer based the

³ The results of the Rapid Assessment are further described in this report. A compilation of the questionnaires can be downloaded from the IOM Vienna webpage:
http://www.austria.iom.int/en/images/uploads/Results%20of%20the%20rapid%20assessment%20on%20Child%20Trafficking_1143190173.pdf

compilation of the chapter on the information collected during the discussions, the national contributions and existing materials, such as existing manuals.

Moreover, part of the meeting was dedicated to presenting the findings reached in each Working Group to the other Working Group, identifying the gaps/needs and follow-up activities to this initiative, as well as providing concluding/summary remarks of the meeting.

During the working group meeting, experts and partners reached a consensus on the drafting of the chapter on interviewing techniques and investigative methods, and shared the expertise with the other participants, thus allowing for additional comments from the larger audience.

Based on the results of this meeting and on the written contributions, the two lead writers compiled their respective chapters and IOM Vienna compiled the content of the two other chapters (cooperation with NGOs; age assessment/identification) before sharing this first draft once more with all experts and partners involved in the project.

A selected Advisory Board with members from other participating countries as well as international organizations and NGOs commented on the Resource Book and further improved its quality. The Advisory Board operated via e-mail, thus allowing its members to communicate and provide feedback to the Project Team, in particular to the lead writers and project coordinator, as well as to the experts of the other two topics

IOM Vienna finalized the respective chapters based on the input received by the members of the Working Group and Advisory Board. The Resource Book was professionally edited and formatted. IOM Vienna published the Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking together with the Austrian Federal Ministry of the Interior in March 2006.

4. Brief outline of the content of the Resource Book

On the basis of international and European standards, the **chapter on background information on child trafficking** introduces the definitions of “child” and “trafficking”. Furthermore, this chapter describes trends in child trafficking, as well as consequences of trafficking for child victims and the role of law enforcement authorities in combating this crime.

The chapter on age assessment/identification presents advantages and disadvantages of different methods of age assessment: psychosocial assessment, dental examination, bone X-ray, combination of methods. This chapter further presents methods used for the determination of the identity of children without papers.

The chapter on investigative methods focuses on risk assessment, investigative methods, as well as bilateral and international cooperation.

The chapter on interviewing techniques describes the first contact, first intake and indicators for the identification of children as victims of trafficking, the evidential interview, witness protection and training of all actors involved.

After a general introduction on general standards and incentives for cooperation, **the chapter on cooperation between law enforcement authorities and NGOs/social service providers**

presents practical examples of cooperation in countries of destination and of origin regarding: identification and referrals of child victims, direct assistance to child victims, model protocols of cooperation, assistance in countries of origin in preparation of return and upon return.

Each chapter is followed by specific recommendations on the specific topic of the chapter. The final recommendations at the end of the Resource Book are a compilation and summary of the recommendations of the various chapters, in which comments from the participants of the International Training Seminar were included.

The Resource Book is available online in the Publications Section of the IOM Vienna webpage (www.iomvienna.at).

5. International Training Seminar

The International Training Seminar for Law Enforcement Officers on Combating Child Trafficking brought together some 110 participants from the law enforcement authorities from 39 countries - European Union Member States, candidate countries and third countries (the Balkans, Eastern Europe, Morocco, Nigeria and Switzerland). The Resource Book was distributed and used as training material during the training seminar.

On the first day, all participants attended a general introduction on trafficking in children followed by presentations on the topics of age assessment and cooperation between law enforcement authorities and social service providers/ NGOs.

On the second and third day, participants split into 6 small working groups and received intensive training either on interviewing techniques or on investigative methods. Professional trainers and experts developed interactive and detailed training sessions; all training sessions included case studies, role-plays, interactive exercises and discussions. All of the participants closely examined the topic of child trafficking while exchanging their own work experiences.

6. High Level Conference

The international training seminar culminated in the high level conference “Combating Trafficking in Human Beings, Especially Women and Children: Prevention – Protection – Prosecution”, which was hosted by the OSCE. During this high-level conference, the results and recommendations of the project were presented to a wide audience of around 400 participants (including the AGIS participants). Furthermore, the executive summary of the Resource Book was distributed to all attendees, OSCE delegations and representatives of other international and non-governmental organizations.

Opening addresses and keynote speeches were held by Francois del Marmol, Head of the Unit for the Fight against Trafficking in Human Beings, Belgian Federal Ministry of Foreign Affairs; Marc Perrin de Brichambaut, Secretary General OSCE; Liese Prokop, Austrian Federal Minister of the Interior; Maria Rauch-Kallat, Austrian Federal Minister of Health and Women’s Affairs; Benita Ferrero-Waldner, EU Commissioner for External Relations and European Neighbourhood Policy; Ndioro Ndiaye, IOM Deputy Director General; Antonio

Maria Costa, Executive Director UNODC; Helga Konrad, OSCE Special Representative on Combating Trafficking in Human Beings.

7. Conclusion

The recommendations were presented by the Austrian Council Presidency to the EU Council on Justice and Home Affairs from 27 to 28 April 2006 and will be further promoted within EU institutions and Member States in view of the practical implementation of the recommendations as well as practical use of the Resource Book by the relevant EU and national institutions.

The main results of all activities described above will be described in detail in the following parts of this Final Report.

III. RESULTS OF THE RAPID ASSESSMENT QUESTIONNAIRE, SUMMER - FALL 2005

These results have been compiled on the basis of the answers to a rapid assessment questionnaire from the following 26 countries as well as the Republic of Montenegro of the State Union Serbia and Montenegro:

Albania, Austria, Bosnia & Herzegovina, Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, Germany, Greece, Italy, Ireland, Latvia, Lithuania, Macedonia⁴, Montenegro (SCG), Netherlands, Nigeria, Poland, Romania, Slovakia, Spain, Sweden, Ukraine, United Kingdom.

The replies to the rapid assessment questionnaire were collected during the summer and fall of 2005. The results have not been updated and some of the answers might no longer reflect the reality of the country situation. The results of this Rapid Assessment Questionnaire are only provided for background information.

1. Background information on child trafficking

1. 1. General information on the situation of your country concerning child trafficking (Status, Countries of Origin, Countries of Destination)

Country	Status	Trafficked from	Trafficked to
Albania	- Country of origin - Internal Trafficking		- Greece - Italy - Kosovo - Macedonia
Austria	-Country of transit -Country of destination	-Romania -Bulgaria -Nigeria -Lithuania	
Bosnia & Herzegovina	-Country of origin -Country of transit -Country of destination -Internal trafficking	-Moldova -Ukraine -Romania	-Western European Countries
Bulgaria	-Country of origin -Country of transit -Country of destination	-Romania -Moldova -Ukraine	-Austria, Italy -France, Greece -Spain
Croatia	-Country of transit -Country of destination -Internal Trafficking	-Romania -Serbia & Montenegro -Bosnia&Herzegovina -Bulgaria -Croatia	-Sweden
Czech Republic	-Country of transit -Country of destination	-China -Vietnam	

⁴ Through all the document refers to the Former Yugoslav Republic of Macedonia (FYROM)

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Country	Status	Trafficked from	Trafficked to
Germany	-Country of transit -Country of destination -Internal trafficking	-Bulgaria -Romania -Germany -Nigeria	
Greece	-Country of destination	-Albania, Romania -Bulgaria	
Finland	-Country of transit	-Russia	-Spain -Sweden
France	-Country of origin -Country of transit -Country of destination	-Romania, Bulgaria -States of former Yugoslavia	
Ireland	-Country of destination	-Romania	
Italy	-Country of destination	-Ukraine -Romania -Bulgaria -Nigeria	
Latvia	-Country of origin		-Germany
Lithuania	-Country of origin -Internal trafficking		-United Kingdom -Germany -Norway -Austria
Macedonia	-Country of transit -Country of destination	-Romania -Moldavia -Bulgaria	
Montenegro	-Country of transit	-Serbia, Albania -Kosovo	
Netherlands	-Country of transit -Country of destination -Internal trafficking	-Bulgaria -Romania -Nigeria	
Nigeria	-Country of origin -Country of transit -Country of destination -Internal trafficking	-Benin Republic -Ghana, Togo -Mali, Niger -Chad	-Italy, Germany -France, Spain -Netherlands -Austria, Gabon -Equatorial Guinea
Poland	-Country of transit -Internal trafficking	-Former Soviet Union	-Scandinavia -Western European Countries
Romania	-Country of origin -Country of transit -Internal trafficking		-Spain, France -Austria, Italy
Slovakia	-Country of origin -Country of transit	-Slovakia	-Germany
Spain	-Country of destination	-Romania, Russia, -Nigeria, Estonia -Bulgaria, Colombia -Morocco, Guinea Bissau, Lithuania	

Country	Status	Trafficked from	Trafficked to
		-Serbia&Montenegro -Ukraine, Albania	
Sweden	-Country of transit -Country of destination	-Poland, Moldavia -Latvia, Estonia -Russia -Serbia & Montenegro -Thailand	
Ukraine	-Country of origin -Country of transit	-Belarus -Moldova	-Turkey, Germany -United Arab Emirates
United Kingdom	-Country of destination -Country of transit	-Nigeria, Ghana -Congo, South Africa -Somalia -China, Vietnam -Eastern Europe -India, Bangladesh -Pakistan -Afghanistan	- Ireland and Italy via United Kingdom

Of the questioned countries, 9 declared being a country of origin, 15 a country of transit, 14 a country of destination, and 8 mentioned the existence of internal trafficking in their country.

There is a noticeable trend that child victims of trafficking are mainly trafficked from Eastern Europe (Moldova, Albania, Belarus, Romania, Bulgaria, etc.) to Western Europe, transited through Central Europe, and from Baltic countries to Scandinavian countries, from Africa to Spain and from Asia or Africa to the United Kingdom. All countries are concerned by the problem, whether they are countries of origin, transit or destination.

It is also interesting to note that there are countries subject to internal trafficking, especially even within the EU. Indeed trafficking in human beings does not necessarily mean border crossing. Internal trafficking is also alarming and should be recognized or dealt with accordingly.

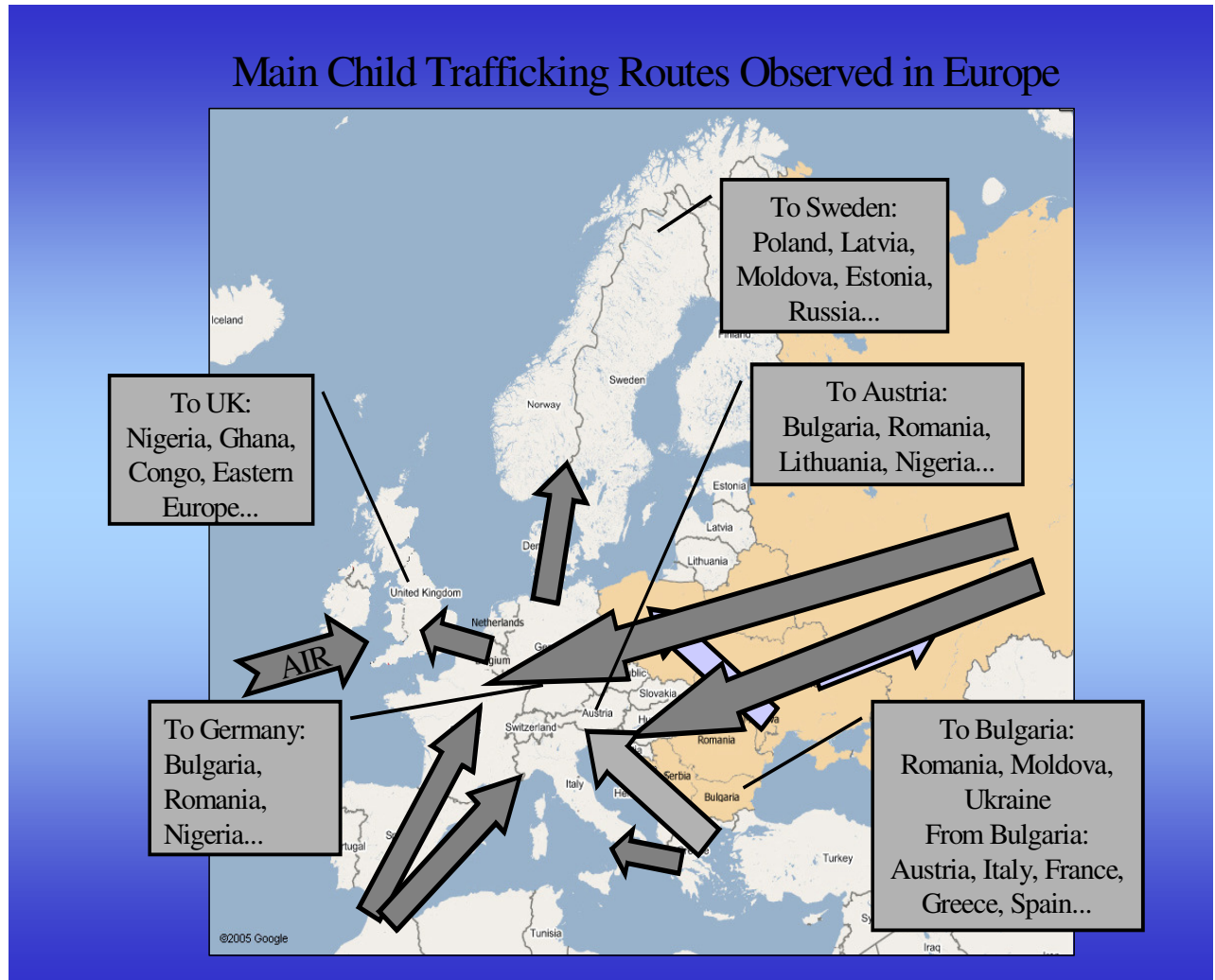


Figure 1: Main Child Trafficking Routes Observed in Europe

1. 2. What are the main forms of exploitation of child victims of trafficking in your country?

Forms of Child Trafficking	Countries
Sexual exploitation (21)	Bosnia & Herzegovina, Bulgaria, Croatia, Czech Republic, Finland, Former Yugoslav Republic of Macedonia, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Montenegro, the Netherlands, Nigeria, Romania, Slovakia, Sweden, Ukraine and U.K.
Labour exploitation (12)	Croatia, Czech Republic, Former Yugoslav Republic of Macedonia, Greece, Italy, the Netherlands, Nigeria, Romania, Slovakia, Sweden, Ukraine and United Kingdom
Organized begging (14)	Austria, Bosnia & Herzegovina, Bulgaria, Former Yugoslav Republic of Macedonia, France, Italy, Nigeria, Poland, Romania, Slovakia Spain, Sweden, Ukraine and U.K.

Criminal activities (12)	Austria, Bulgaria, Former Yugoslav Republic of Macedonia, France, Germany, Italy, the Netherlands, Nigeria, Romania, Spain, Sweden and United Kingdom
Slavery or servitude (6)	France, Italy, the Netherlands, Nigeria, Sweden and United Kingdom
Illegal adoption (7)	Austria, Bulgaria, Germany, Italy, the Netherlands, Poland and Slovakia
Benefit fraud (1)	United Kingdom

The main reported forms of trafficking are sexual exploitation and organized crime, criminal activities and labour exploitation. Child victims of trafficking are often subject to a variety of forms of exploitation. There is emerging evidence to suggest that the exploitation of trafficked children is often progressive - once they are caught up in the situation, they are vulnerable to repeated and various exploitations. It is also worth noting that 7 countries mentioned illegal adoption as a form of child trafficking in their country. A presumably new form of exploitation was also mentioned as “benefit fraud” in the UK.



Figure 2 : Main forms of exploitation of child victims of trafficking

1. 3. Are there any reliable data available on the number of cases of child trafficking?

- **Croatia** (General Directorate for Countering Organized Crime and Anti-drugs – GDCCOA), **Finland, Greece, Italy, Latvia, Macedonia, Romania and Ukraine** can count on **good and reliable** data collected by a **central agency**.
- **Bosnia & Herzegovina, Bulgaria, Czech Republic, Finland, France, Netherlands, Lithuania, Nigeria and Slovakia** can count on **reliable data** but collected by **various agencies**.

- **Austria, Estonia, France, Ireland, Lithuania⁵, Montenegro, Poland, Slovakia, Spain, Sweden and United Kingdom lack data** on child trafficking.
- **Albania**, the collection of data has started to be centralized, but the process needs improvement.

8 countries can count on good and reliable data collected by a central agency, 9 countries can count on reliable data but collected by various agencies and 11 lack data on child trafficking, one started a centralized collection of data

2. National Legal Instruments

2. 1. Please provide the legal definition of trafficking in human beings in your country:

Almost all countries adopted the definition of the Palermo protocol or/and their legislation is in line with it⁶.

- **Albania:** Palermo protocol officially recognized.
- **Austria:** THB - § 104 a Criminal Code Austria.
- **Bosnia & Herzegovina:** Fully harmonized with Palermo Protocol.
- **Bulgaria:** Combating Trafficking in Human Beings Act, additional provisions § 1, paragraph 1, "Trafficking in Human Beings".
- **Croatia:** Article 175 of Croatia's Criminal Code (Trafficking in Human Beings).
- **Czech Republic:** Who makes, hires, allures, transports, hides, holds or exposes persons under 18 years old to sexual purposes, slavery or servitude, forced labour or other forms of exploitation shall be punished by 2 up to 10 years of imprisonment - new wording since 11/2004.
- **Estonia:** There is no legal definition of THB in Estonia; it is covered in their Penal Code by articles on enslaving and unlawful deprivation of liberty.
- **Germany:** German Penal Code; Section 180b (Trafficking in Human Beings) and Section 181 (aggravated trafficking in human beings).
- **Greece:** Law 3064 of 15 October 2002.
- **Finland:**
Penal Code: Chapter 25
Section 3 - Trafficking in human beings

⁵ Reliable data is available if the case is investigated in Lithuania; sometimes there is a lack of data if the case is investigated abroad; not all countries provide the necessary data.

⁶ All the replies have been summarized on this document, for further information on the national legislation refer to the report on the IOM Vienna website:
http://austria.iom.int/en/artikel.php?menu_id=41&artikel_id=457&history_back=true

Section 3a - Aggravated trafficking in human beings.

- **France:** French Penal Code: Article 225-4-1, Article 225-4-2, Article 225-4-3.
- **Ireland:** Section 2(1) Illegal Immigrants (Trafficking) Act 2000.
- **Italy:** A specific legislation has been created with regard to human trafficking – L. 228/2003.
- **Latvia:** Penal Code: Section 165.1 Sending a Person for Sexual Exploitation
Section 165.2 Sending to a Foreign State
Section 154.1 “Human Trafficking”
Section 154.2 Meaning of Human Trafficking
- **Lithuania:** Penal Code Article 147 Trafficking in Human Beings,
Article 157 Sale of a Child.
- **Macedonia:** Accepted the Palermo Protocol definition.
- **Montenegro:** Trafficking in human beings has been recognized as a criminal offence in the Criminal Code of Montenegro (Article 444).
- **Netherlands:** Dutch Criminal Code; Article 250a §1, §2, §3 (until 01.01.2005)
Dutch Criminal Code; Article 273a (since 01.01.2005).
- **Nigeria:** Trafficking includes all acts and attempted acts including the recruitment, transportation within or across Nigeria’s borders, purchase, sale, transfer, receipt or harbouring of a person involving the use of deception, coercion or debt bondage with the purpose of placing or involving the person, willing or not, into servitude, etc.
- **Poland:** Poland is a party of the Palermo Convention and uses the definition formulated in the above-mentioned legal act.
- **Romania:** Law No. 678 on the Prevention and Combat of Trafficking in Human Beings (December 2001). Code of criminal Procedure (November 14, 2003). Law n° 682/2002 on Witness Protection (2002).
- **Slovakia:**
2002 Penal Code Amendment: Pandering § 204/3c; Trafficking in children §216a;
Trafficking in human beings § 246 ; Production of child pornography § 205b.
- **Spain:** Accepted the Palermo Protocol definition.
- **Sweden:** A foreign person who is forced into slavery in any field.
- **Ukraine:** Article 149 of the Criminal Code, “Trafficking in human beings or other illegal agreement on transmission of a human being”.
- **United Kingdom:** As per UN/EU definition.

2. 2. Legal definition of children / juvenile/ minor:

In some countries, distinctions are made between children and juveniles or minors, for instance in Germany and in Austria, where children above 14 years old are legally responsible for their acts and do not receive the same protection as younger children.

2. 3. Please list the bilateral agreements concluded with countries of origin / transit / destination to combat trafficking in human beings:

- **Albania:** signed with Greece a bilateral agreement on prevention and protection of child trafficking.
- **Bosnia & Herzegovina:** Croatia, Turkey, Italy, Hungary
- **Bulgaria:** Belgium, Greece, Italy, Macedonia, Moldova, Romania, Serbia, Turkey, Ukraine (both for THB and organized crime)
- **Croatia:** Czech Republic, Italy, Hungary, Bulgaria, Macedonia, Albania, Slovenia, the Ukraine, Turkey, Greece, Slovakia, Romania, Chile, Latvia, Serbia, Bosnia and Herzegovina, India and Sri Lanka. Joint declarations on cooperation in the war against organized crime, also in the area of combating trafficking in persons, with Austria, Ukraine, China, Slovakia and Poland. The Ministry of Interior Affairs has made a contract on cooperation in the prevention and suppression of cross-border crimes, and has signed the Charter on the Organization and Operation of Initiatives for Cooperation in Southeastern Europe — SECI Regional Center for the Suppression of Cross-border Crime.
In the area of multilateral agreements, in addition to the one previously mentioned, the Republic of Croatia is a member of the Adriatic-Ionian Initiative, whose members besides the Republic of Croatia are Bosnia and Herzegovina, Serbia and Montenegro, Albania, Slovenia and Italy.
- **Greece:** Egypt, Albania, Armenia, Bulgaria, France, Iran, Israel, Italy, China, Croatia, Cyprus, Lithuania, Malta, Ukraine, Hungary, FYROM, Poland, Romania, Russia, Slovenia, Tunisia and Turkey.
- **Ireland:** Bilateral agreements not specific to trafficking but which include trafficking are being concluded with the following countries: **Poland, Bulgaria, Russia, Hungary**
- **Latvia:** THB part of the agreements on organized crime
- **Lithuania:** Belarus, Belgium, Germany, Greece, Hungary, Moldova, Poland, Russia, Sweden, Ukraine
- **Nigeria:** Italy, Spain, UK, Benin
- **Poland:** Several bi-/multilateral agreements on organized crime, including THB
- **Romania:** Hungary, Bulgaria, Ukraine, Moldova, Austria, Germany, Italy

- **Slovakia:** Combating trafficking in humans beings is a part of combating organized crime agreements. Slovakia has such agreements with these countries: Belarus, Bulgaria, Czech Republic, Croatia, Hungary, Latvia, Poland, Romania, Russia, Slovenia, Turkey, Turkmenistan, Ukraine, Uzbekistan, Albania.
- **Spain:** Resolution of the European Parliament (19 Sept. 1996), Spain has ratified the Facultative Protocol of the Convention on the Rights of the Child, on the sale of children, child prostitution and pornography. Spain has ratified the Palermo Protocol (...).
- **Ukraine:** Turkey, Germany, Hungary, Moldova, Czech Republic, Belarus, Russia, Poland

Many bilateral agreements with countries of origin / transit / destination as well as regional agreements on combating trafficking in human beings have been concluded.

2. 4. Is there any National Action Plan to combat trafficking in persons in your country?

- The following countries have a National Action Plan to combat trafficking in persons: Albania, Austria, Bosnia & Herzegovina, Bulgaria, Croatia, Czech Republic, Finland, Italy, Latvia, Lithuania, Montenegro, Netherlands, Poland, Romania, Ukraine, United Kingdom.
- The following countries do not have a National Action Plan to combat trafficking in persons : Germany, Greece, France, Ireland.
- Estonia, Macedonia, Nigeria, Slovakia, Spain , Sweden are currently drafting a National Action Plan.

Sixteen countries already have a National Action Plan to combat trafficking in persons, 4 countries did not yet have such an Action Plan, and 6 countries are in the process of drafting a National Action Plan.

2. 5. Is there any specific National Action Plan focusing on child trafficking in your country?

- The following countries already have a National Action Plan focusing specifically on child trafficking: Albania, Bosnia & Herzegovina, Bulgaria, Czech Republic, Romania.
- Austria, Estonia, Finland, France, Germany, Greece, Ireland, Latvia, Lithuania, Netherlands, Poland, Slovakia, Spain, Sweden, Ukraine and the United Kingdom do not have a specific National Action Plan on child trafficking.
- Croatia, Macedonia, Montenegro, Nigeria are in the process of drafting a National Action Plan that focuses on children.

Only 5 countries have an Action Plan that specifically focuses on children.

3. National Institutions Responsible for Counter-Trafficking

3.1. Is there a National Rapporteur or an Anti-trafficking Coordinator in your country?

- In Albania, Bosnia & Herzegovina, Bulgaria, Croatia, Czech Republic, Greece, Italy, Latvia, Lithuania, Macedonia, Montenegro, Netherlands, Nigeria, Sweden, Romania, Ukraine and the United Kingdom there is a National Rapporteur / Anti-trafficking Coordinator.
- There is none in Austria, Estonia, Finland, France, Germany, Ireland, Poland, Slovakia, Spain.

3.2. Is there a special Anti-Trafficking Police Unit in your country?

- A special Anti-Trafficking Police Unit is active in Albania, Austria, Bosnia & Herzegovina, Bulgaria, Croatia, Czech Republic, Finland, Germany, Greece, Italy, Latvia, Lithuania, Macedonia, Montenegro, Nigeria, Romania, Sweden, Slovakia and the Ukraine.
- No special unit has been established in Estonia, France, Ireland, the Netherlands, Poland, Spain or the United Kingdom.

In 17 countries there is a National Rapporteur / Anti-trafficking Coordinator; 9 countries do not have one. A special Anti-trafficking Police Unit is active in 19 countries.

4. Methods Used in Cases of Child Trafficking

4. 1. Which methods of investigation are used in your country in the framework of counter-trafficking operations?

Methods of Investigation	Countries
Pro-active,intelligence-led investigation	All Countries
Reactive,victim-led investigation	Austria, Bosnia & Herzegovina, Bulgaria, Czech Republic, Estonia, Finland, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Macedonia, Montenegro, Netherlands, Nigeria, Poland, Romania, Slovakia, Spain, Sweden, Ukraine, United Kingdom
Disruptive Approach	Austria, Bosnia & Herzegovina, Czech Republic, Estonia, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Montenegro, Poland, Romania, Slovakia, Spain, Ukraine, United Kingdom
Prosecuting other crimes	Austria, Bosnia & Herzegovina, Croatia, Czech Republic, Estonia, Finland, France, Germany, Latvia,

	Lithuania, Poland, Romania, Slovakia, Spain, Ukraine
Joint Teams / Liaison officers	Austria, Bulgaria, Croatia, Czech Republic, Estonia, France, Germany, Ireland, Italy, Latvia, Lithuania, Montenegro, Netherlands, Nigeria, Poland, Romania, Slovakia, Sweden, Ukraine, United Kingdom

Figure 3 : Methods of investigation used in the framework of counter-trafficking operations

All of the countries declared using pro-active investigative methods, other investigative methods were also widely used.

To support the counter-trafficking investigations, 16 countries declare using a manual (national or international, e.g. INTERPOL, National Police Manual were the most frequently mentioned). 8 countries declared not using any manual.

4. 2. Do law enforcement authorities follow specific guidelines when interviewing child victims of trafficking in your country?

All countries except France, Greece, Montenegro and Nigeria follow specific guidelines when interviewing child victims of trafficking.

4. 3. Which techniques of age assessment are used in your country and how do you rate their efficiency?

	Very efficient (0-6 months- margin of error)	Efficient (6 months-1 year)	Not reliable (more than one year)	No efficiency rated
<input type="checkbox"/> bone X-ray	Bulgaria, France	Poland, Sweden	Nigeria, Spain	Lithuania
<input type="checkbox"/> dental measurement	France	Bulgaria, Poland, Sweden	Spain	Lithuania
<input type="checkbox"/> ocular/psychosocial assessment		Bulgaria, Macedonia, Sweden	Slovakia	Lithuania
<input type="checkbox"/> genital measurement			Spain	Lithuania
<input type="checkbox"/> combination of methods listed above		Austria, Bulgaria, Italy, Sweden		Lithuania
<input type="checkbox"/> other (please, specify)				

Figure 4 : Techniques of age assessment

4. 4. Is age assessment of unaccompanied minors or child victims of trafficking an issue in your country?

- Age assessment of unaccompanied minors or victims of trafficking is an issue for Albania, Austria, Bulgaria, France, Latvia, Nigeria, Poland, Spain, Sweden and the United Kingdom.
- Age assessment of unaccompanied minors or victims of trafficking does not represent an issue of concern for Bosnia & Herzegovina, Croatia, Czech Republic, Estonia, Finland, Germany, Greece, Ireland, Lithuania, Macedonia, Romania or Slovakia.

If yes, please explain why:

- For Albania, Austria, Bulgaria, France, Latvia, Poland, Romania, Spain and Sweden age assessment is important because different legal statuses apply to different ages (14, 16, 18 years old).
- For Albanian, Poland, Sweden and the United Kingdom age assessment is important because different age groups are accorded different types of protection and assistance.
- For Nigeria, age assessment of the victims is relevant with regard to the charges made against the trafficker (more severe depending on the age of the child).

4. 5. How would you evaluate the cooperation between law enforcement authorities and NGOs/ social service providers in your country?

The cooperation between law enforcement authorities and NGOs/ social service providers is evaluated as excellent in 7 countries, good in 13 countries, insufficient in 3 countries and no cooperation with NGOs has been established in one country.

5. Training for Law Enforcement Authorities

5. 1. In your country, have training seminars for law enforcement authorities already been organized?

In all countries except Slovakia training seminars on trafficking in human beings have been organized.

Training seminars specifically focusing on child trafficking have been held in Albania, Bulgaria, Croatia, Germany, Ireland, Latvia, Lithuania, Macedonia, Nigeria, Poland, Romania and Sweden.

5. 2. How do you value the organization of an International Training Seminar for law enforcement authorities on the following specific issues to combat child trafficking?

Training on the issues below	Highly needed	Needed	Not needed
Age assessment	4	12	5
Interviewing techniques	11	7	4
Methods of Investigation (including bilateral cooperation)	7	14	2
Cooperation with NGOs and social service providers	5	11	4

5. 3. Has your country developed good practices in one or more of these specific topics?

- In age assessment: Poland, Sweden.
- In interviewing techniques: Austria, Croatia, Finland, France, Greece, Macedonia, Romania, Sweden, UK.
- In investigation methods (incl. bilateral cooperation): Austria, Croatia, Finland, Italy, Macedonia, Romania, Sweden.
- In cooperation with social services and NGOs: Albania, Bulgaria, Croatia, Finland, Italy, Ireland, Lithuania, Macedonia, Romania, Sweden.
- Others (crime documentation): Ukraine.

5. 4. What do you think about the exchange and promotion of good practices on combating child trafficking?

- For Albania, Bosnia & Herzegovina, Bulgaria, Croatia, France, Ireland, Italy, Macedonia, Montenegro, Nigeria, Poland, Romania, Spain and Sweden the exchange and the promotion of good practices is highly important and needed.
- For Austria, Czech Republic, Estonia, Finland, Greece, Latvia, Lithuania, Slovakia, Ukraine and the United Kingdom the exchange and the promotion of good practices is needed.
- For Germany the exchange and promotion of good practices is not needed.

The replies to the Rapid Assessment Questionnaire provided a lot of relevant information on the situation of child trafficking in participating countries, as well as the needs of these countries in combating child trafficking. The results of this rapid assessment brought more information on the situation in each country. It also confirmed the value of treating the subjects selected for the Resource Book and the utility of organizing an International Training Seminar with working groups on Interviewing Techniques and Investigative Methods.

IV. PREPARATORY MEETING OF THE PROJECT TEAM, 13- 14 July 2005

In order to bring together the project team, partners and leading experts and in order to present and discuss the outline and activities of the project, IOM Vienna organized a Preparatory Meeting together with and hosted by the Austrian Federal Ministry of the Interior, from 13 to 14 July 2005 in Vienna.

The participants of the meeting included: Dr Petra Unterweger (Department for Bi- and Multilateral Affairs, Ministry of the Interior of Austria), Dr Nicole Stemmer (Department for Bi- and Multilateral Affairs, Ministry of the Interior of Austria), Major Gerald Tatzgern (Criminal Intelligence Service Austria, Ministry of the Interior), Dr Willfried Kovarnik (Verwaltungspolizeilichen, Bundespolizeidirektion Wien), Mr Wim Bontinck (Head of Human Trafficking Unit, Belgian Federal Police), Mr Bruno Mens (Crimes against Persons Unit Trafficking in Human Beings Group, EUROPOL), Ms Maria Lennartsson (Manager of the Child Group, Swedish Migration Board), Mr Ian Knight (Child Protection Group, Metropolitan Police UK), Ms Anelise Gomes de Araujo (Anti-Trafficking Assistance Unit, OSCE), Dr Erika Laubacher-Kubat (Head of Austrian Programmes, IOM Vienna), Ms Claire Potaux (Counter-Trafficking Focal Point, IOM Vienna), Ms Ginette Baerten (Project Assistant, IOM Vienna), Ms Ilaria Piccioli (Project Assistant, IOM Vienna), Mr Hannes Goegele (Project Assistant, IOM Vienna).

1. Project Description and Rapid Assessment

Ms Claire Potaux presented the main activities of the project and the draft results of the rapid assessment. Although not yet final, the results were interesting, proving the need for a Resource Book on child trafficking as well as specific training of police officers on the topic.

The participants agreed that it would be useful to compile the results of further replies to the questionnaire in order to distribute the final version.

2. Draft Outline of the Resource Book

Participants agreed that the Resource Book should compile good practices and recommendations on combating child trafficking. The focus of all the parts of the Resource Book need to be “child specific” and gender sensitive.

The project team agreed to use the term “child” for any persons under the age of 18. The term “trafficking” should be understood as defined in Article 3 of the UN Protocol on Trafficking in Persons, but for the purpose of the Resource Book and within the project, this definition will be complemented by other existing definitions in order to incorporate a broader definition of the forms of exploitation (including child pornography, illegal adoption, etc.).

Furthermore, the focus should not be only on trafficking for sexual exploitation but on all forms of exploitation: labour exploitation, begging, stealing, petty crimes, domestic servitude, trafficking in organs, for illegal adoption, slavery-like conditions.

The Resource Book will compile good practices from selected participating countries. These good practices might not all be representative for all the participating countries but give examples of possible solutions depending on the national context.

IOM Vienna proposed a draft outline of the Resource Book, which was discussed by the participants and finally agreed upon with some minor modifications.

3. Proposal List of Experts/Writers of the Resource Book

IOM Vienna further proposed a list of experts to be invited for drafting written contributions on specific related topics, which would then be used as the basis for the single chapters of the Resource Book. The participants agreed on the experts to be invited to draft contributions for each of the chapters.

4. Guidelines for the Experts/Writers of the Resource Book

In order to simplify the drafting of the Resource Book, IOM Vienna presented guidelines to be distributed to the identified experts. These guidelines encouraged experts to contact counterparts in other countries or within their respective country in order to maximise the quality of their presentation. Furthermore, these guidelines explained the target group the contributions should be written for, namely law enforcement officers from participating countries who already have experience in combating child trafficking.

Participants of the meeting further discussed the definitions to be used for the terms “trafficking in human beings”, “child” (definition as in Article 3 of the Palermo Protocol) as well as “good practice”. These definitions were later included in the guidelines and are described extensively in the background chapter of the Resource Book.

Further, the guidelines contained instructions on the size and outline of the national contributions as well as the structural requirements.

Participants further stressed the importance of sharing the draft chapters with all experts participating in the respective working groups before sending them on to a consultative Advisory Board.

5. Working Group Meeting

The project partner and project team further agreed on the agenda of the Working Group Meeting that was held in September 2005. In preparation for this meeting, it was decided to share the content of the CD ROM, which was prepared by IOM Vienna and contained relevant background information on child trafficking, with the experts/writers. A copy of the CD ROM was sent to those experts who wished to receive one.

6. Advisory Board

The participants decided that the Advisory Board should only have a few very dedicated members, who would be contacted via e-mail during the final stage of the drafting of the Resource Book for their feedback on the single chapters corresponding to their specific expertise.

7. Resource Book

In order to keep to the tight schedule of the project, it was agreed that the Resource Book would be called “1st Edition” when distributed during the international training seminar in March 2006 and could be modified according to the recommendations of the participants of the seminar or during a follow-up project. It was stressed that the aim was to achieve the highest quality possible in the limited time available.

It was further decided that the Resource Book shall be restricted to law enforcement authorities only. However, participants agreed to place an open version of the Resource Book online, without the confidential parts.

A CD ROM containing relevant legal background documents as well as a list of the reports mentioned in the references of the Resource Book was distributed. The links to the relevant documents and reports were also placed online on the IOM Vienna webpage.

8. International Training Seminar

It was agreed that the methods used by the facilitators and presenters should be as interactive as possible (including video taping of exercises, role plays, etc.). These types of activities require specialized equipment in the rooms of the working groups (screen, beamer, video camera, etc.).

Participants agreed that the evaluation of the Resource Book and of the international training seminar should be done within the same evaluation form; this form should be filled in by the participants step by step during the international training seminar.

A proposal was made to add a working group of NGOs during the training seminar. However, since the training seminar is targeted towards law enforcement services, participants agreed to consider this possibility in a follow-up activity.

Further points on logistics, use of logos, availability of the results of the project, promotion of the project and the actions requested from the partners were discussed and tasks were carefully delegated.

The preparatory meeting proved to be useful in reaching a common understanding and in defining and agreeing on all the activities of the project at an early stage, which in turn facilitated the smooth implementation of the project.

V. WORKING GROUP MEETING ON INTERVIEWING TECHNIQUES AND INVESTIGATIVE METHODS, 21-23 SEPTEMBER 2005 – VIENNA

1. Introduction

The Austrian Federal Ministry of the Interior and the International Organization for Migration (IOM) Vienna organized the Working Group Meeting for Experts on Interviewing Techniques and Investigative Methods from 21 to 23 September 2005. The Austrian Federal Ministry of the Interior hosted the meeting in Vienna.

The aim of the Working Group Meeting was to bring together experts on investigative methods and interviewing techniques, to present their written contributions drafted as a basis for the Resource Book in separate groups, and to discuss and agree on good practices and recommendations. Furthermore, the working groups were asked to review the general outline and content of the chapter of the Resource Book on their topic and to discuss the presentation of the topics during the international training seminar. The two working groups met separately at the same time, followed by a final session with all experts, which provided the participants with the opportunity to share the results with the members of the other working group and to engage in a joint general discussion.

On the morning of the first day, the participants were given a general introduction of the project and the overall situation of child trafficking in participating countries, followed by an explanation of the work in the working groups and presentation of the agenda of the meeting.

During the afternoon of the first day and the morning of the second day, participants were split into two working groups, providing experts with the opportunity to present their respective contributions drafted for inclusion in the Resource Book, which were followed by questions and discussions.

During the afternoon of the second day, participants agreed in each working group on the outline of the chapter on their topic.

During the morning of the third day, the participants discussed possible recommendations and how to present the topic during the international training seminar.

During the last afternoon, all of the participants met again as a group; the lead writers of each group presented the results of the discussions of their working group and opened the floor for discussions on any remaining questions.

The overall participation was very good; the experts and lead writers demonstrated a high degree of commitment which enabled fruitful discussions and work on each of the topics. These factors led to the success of the meeting.

IOM Vienna produced a Working Group Meeting report both to support the lead writers in drafting their respective chapters as well as to compile the discussions held in the single working groups and thus present them to all of the experts who attended the meeting.

The participants of the meeting included: Mr Ardian Visha (Albania, General Prosecutor Office), Ms Regine Buchmann (Austria, Criminal Intelligence Service, FM.I), Mr Kurt Planinsic (Austria, Criminal Intelligence Service, FM.I), Mr Wim Bontinck (Belgium, Federal

Police), Ms Ivanka Nestorova (Bulgaria, National Service for Combating Organized Crime), Mr Bruno Mens (EUROPOL, Crimes against Persons Unit Trafficking in Human Being), Mr Giuseppe Battaglia (Italy, Organized Crime Department, Carabinieri Headquarters), Ms Reda Sirgediene (Lithuania, Criminal Police Bureau), Ms Karina Dekens (The Netherlands, Police Academy), Ms Maria Keller-Hamela (Poland, Nobody's Children Foundation), Mr Ionut Constantin Modrescu (Romania, General Directorate for Countering Organized Crime and Drugs), Mr Martin Stein (Sweden, National Criminal Intelligence Service), Ms Bigna Keller (Switzerland, Hospital Bern, Child Protection Group Department), Ms Debbie Townsend (United Kingdom, Metropolitan Police), Ms Nicole Stemmer (Austria, FM.I), Mr Günther Sablattnig (Austria, FM.I), Mr Ernst Wutscher (Austria, Bundespolizeidirektion Wien), Ms Anelise Gomes de Araujo (OSCE, Anti-Trafficking Assistance Unit), Ms Jola Vollebregt (OSCE, Strategic Police Matters), Ms Erika Laubacher-Kubat (IOM Vienna, Head of Austrian Programmes), Ms Claire Potaux (IOM Vienna, Project Officer), Mr Hannes Goegele (IOM Vienna, Project Assistant), Mr Leonhard Schwärz (IOM Vienna), Ms Ginette Baerten (IOM Vienna), Ms Alessandra Ferlesh (IOM Vienna).

The report below is not a summary of the presentations made during the meeting, since the outcome of the presentations and discussions is included in the Resource Book. This report rather presents the outcome of the meeting and the methodological approach towards the drafting of the Resource Book and the design of the international training seminar.

2. Description of the project and presentation of the results of the Rapid Assessment

Ms Claire Potaux from IOM Vienna presented the project to the participants, giving an extensive overview of the partners, origins and background of the project, the overall objectives as well as the detailed activities, participating countries and expected results.⁷ Furthermore, Ms Potaux briefly presented the partial results of the Rapid Assessment Questionnaire on the situation of trafficking in children in the participating countries. As one of the results of the Rapid Assessment indicated, Ms Potaux highlighted the countries' need for the training of law enforcement officers in child trafficking, especially in investigative methods and interviewing techniques.⁸

3. Overview of the situation on child trafficking in the participating countries

Ms Ginette Baerten from IOM Vienna presented an overview of the situation on child trafficking in the participating countries. Ms Baerten described the main forms of exploitation of children and the profiles of children victims, as well as the trafficking routes and new trends. A background paper was distributed to the participants.

During a short discussion, participants agreed on the difficulty of defining countries as countries of origin, transit and/or destination. Indeed, the situation has changed and some countries can be considered at the same time countries of origin, transit and destination⁹.

4. Presentation of the outline of the Resource Book

⁷ Please refer to the chapter "Project Description" in this Report.

⁸ Please refer to the chapter "Results of the Rapid Assessment" in this Report.

⁹ Please refer to the chapter "Results of the Rapid Assessment" in this Report.

Ms Claire Potaux described the outline and the concept of the Resource Book in more detail and presented the general guidelines sent to the experts for drafting their contributions, insisting on:

- the focus on children
- the need to describe practical experience and good practices.

Finally, the timetable for the elaboration of the Resource Book was presented to all the participants, highlighting the importance of keeping the deadlines for the compilation of the chapters of the Resource Book, as well as for providing feedback and suggesting modifications in view of finalizing the Resource Book in time for the International Training Seminar.

Experts and partners agreed on the coherent outline of the Resource Book, on avoiding duplication but rather linking to other chapters in the Resource Book and making references to other already existing manuals and documents.

Furthermore, Ms Claire Potaux described the task of the Advisory Group, which was to provide feedback and input on selected parts of the final draft version of the Resource Book. At the same time, she presented the draft list of members of the Advisory Group, as already agreed upon at the Preparatory Meeting.

5. Presentation of the International Training Seminar

Ms Claire Potaux presented the International Training Seminar, its first draft agenda and the participating countries.

The training on each topic during the International Training Seminar is supposed to be based on the Resource Book; experts and trainers are asked to structure the training to be as interactive as possible.

The experts decided that the participants should be law enforcement officers with three years of experience in dealing with children victims of trafficking; they must have the capacity and opportunity to pass on the acquired skills to their colleagues; and they must be able to speak English since they will also be requested to participate actively in the training.

5.1. Working Group on Investigative Methods

Over the course of two days, all the participants of the Working Group on Investigative Methods, including experts on the topic and partners of the project, shared their expertise and dynamically discussed situations on investigation matters related to child trafficking in their respective countries.

All the experts from the countries gave their presentations on the topic of investigation related to child trafficking. Afterwards, ideas and comments were shared and discussed. After all of the presentations were given, the relevance of the topics was established, possible cross-references, gaps and needs were discussed and analysed and potential recommendations were identified.

The main headings of the chapter on investigation, reflecting the main topics of the chapter, were identified, as follows:

- risk assessment;
- proactive / intelligence-led investigation;
- reactive investigation;
- disruptive actions;
- international and bilateral cooperation.

Additional keywords and information on each of these topics were included throughout the working group session.

In the end the participants agreed upon the following outline for the chapter:

Threat and Risk Assessment

- Threat assessment
- Risk assessment
- Specific issues on risk assessment

Investigative Methods

- General principles
- Common concern: evaluation of the investigative method
- Pro-active and intelligence-led investigations
- Reactive or victim-led investigations
- Disruptive actions

Bilateral, regional and international cooperation

- National contact points – child trafficking
- Network of liaison officers
- Exchange of information
- Regional/international cooperation institutions
- International cooperation on criminal matters

Recommendations

Experts agreed to further assist Mr Bontinck in compiling and writing the chapter on investigative methods depending on time-availability and interest.

It was agreed that the whole chapter should comprise around 50 pages and should also include some practical examples.

Regarding training, the experts decided to split the participants into several groups. Within the groups, case studies were to be discussed on the basis of the Resource Book.

5. 2. Working Group on Interviewing Techniques

The meeting of the working group on interviewing techniques was chaired by Ms Debbie Townsend, co-lead writer. Ms Townsend was present on behalf of lead writer Mr Ian Knight (UK Metropolitan Police), who could not be present for the working group meeting. The meeting was co-chaired by Ms Claire Potaux (IOM Vienna).

Ms Townsend briefly opened the meeting of the working group on interviewing techniques; a few rules on the organization of the meeting and the discussions were agreed upon with the participants. Ms Townsend reiterated the purpose of this part of the meeting: to present the contributions of the experts, discuss the topic more in-depth in view of identifying gaps and drafting a final outline of the chapter with clear ideas of its content.

The very fruitful discussions after each presentation led to various modifications of the outline of the Resource Book, mainly covering the identified gaps in the specific topics. This report will not focus on the content of the presentations, but rather on the results of the discussions in the group.

6. Outline of the Resource Book

The draft outline of the Chapter on Interviewing Techniques was elaborated on the basis of the results of the discussions (gaps identified, items to stress or to add in the chapter, etc.). The various items were placed under the main headings of the chapter after discussions about each point, the best place to present the item, etc.

An outline was drafted during the meeting and agreed on by the participants of the group.

Introduction

First Contact/ Identification

- First Contact
- Potential Indicators of Trafficking
- First Intake

Conditions and Preparation of Evidential Interview

- Assessment of suitability for interview
- Planning the interview, venue, facilities, etc.
- Preparing the persons involved in the interview
- Memory, developmental level and suggestibility of the child

The Evidential Interview

- Definitions
- Phases of the interview (1. Introduction/Rapport; 2. Free Narrative; 3. Questioning/Clarification; 4. Closure)
- Checklist of topics related to trafficking

Witness Protection

Training of all actors involved

Recommendations

The participants also agreed on the detailed content of each part and on a list of guiding principles to be included at the beginning of the Resource Book, as well as on all the recommendations.

7. Presentation of the topic during the International Training Seminar

During the discussion on how to present the topic at the International Training Seminar, recommendations concerning the structure as well as the content of the training were identified.

Participants agreed that the working group on interviewing techniques should be split into three sub-groups, each comprising around 15 participants) in order to minimize the number of participants in each group and thus enable practical training.

There are two trainers for each of these three groups, including a law enforcement authority as well as a psychologist/ social worker.

The experts decided that the first day of the training on interviewing techniques would be an interactive presentation of the basic principles and content of the Resource Book. The second day would be mainly dedicated to role-play and practical exercises based on two case studies. The participants were able to agree on a very detailed agenda for the two-day training seminar, including the timing of each session as well as the overall content and modus (lecture or interactive discussion/ role-play).

The case studies should be based on real cases and adapted to fit the context of the training programme. These cases are then prepared by some experts after the training and shared electronically for further inputs among all trainers.

During the last part of the session of the working group on interviewing techniques at the International Training Seminar, the participants should evaluate and give feedback to the trainers.

The trainers expressed the need to convene again before the meeting in order to fine-tune their training methods and to harmonize the contents and presentations of the training programme in all of the sub-groups.

A trainers training meeting took place on the 13 March at the eve of the International Training Seminar. This trainers meeting was really constructive and the trainers agreed on final arrangements and on training methods to be adopted for the working groups and for the small working groups.

8. Conclusions

On the last day, all of the experts met again in order to present their discussions and decisions with regard to the outline of the Resource Book as well as of the International Training Seminar. The experts also discussed potential overlaps between the two chapters.

Following the meeting, IOM Vienna produced a report shortly describing the presentations of all the experts, summarizing the discussions held in the individual groups, as well as stating all decisions taken by the experts in order to support the lead writers in drafting the respective chapters. The report proved to be useful both for the lead writers as well as all other experts who attended the Working Group Meeting.

VI. EXECUTIVE SUMMARY OF THE RESOURCE BOOK FOR LAW ENFORCEMENT OFFICERS ON GOOD PRACTICES IN COMBATING CHILD TRAFFICKING

The Resource Book presents current good practices and recommendations, recognized by an international team of experts having extensive knowledge on the topic. The publication further includes innovative techniques and practical information based on inputs from national and international experts from law enforcement, medical science and civil society.

After briefly introducing the legal background of combating child trafficking, the Resource Book elaborates good practices on:

- age assessment/Identification of the child;
- investigative methods;
- interviewing techniques;
- and cooperation between law enforcement authorities and NGOs/social service providers.

In IOM's project team, Claire Potaux coordinated the entire project, facilitated the process of compiling all data and resources and also drafted parts of the Resource Book. Hannes Goegele assisted in the drafting of the Book, coordinated the communication with members of the Advisory Board and was responsible for the overall coherence as well as presentation of the Resource Book. Ginette Baerten edited the first draft and significantly enhanced its readability. Lydia Wazir edited the final version. Lora Ujkaj compiled and revised background information. As project managers, Erika Laubacher and Volker Frey oversaw and guided the entire project.

1. Introduction

The Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking was compiled within the framework of the project of the Austrian Federal Ministry of the Interior, "**Comprehensive Training for Law Enforcement Authorities Responsible for Trafficking in Children/Minors**", with the financial support of the AGIS 2005 Programme of the European Commission. The International Organization for Migration (IOM) Vienna was charged with its implementation. The partners of the Austrian Federal Ministry of the Interior and IOM Vienna for this project include the Swedish Ministry for Foreign Affairs, the Belgian Federal Police, Europol and the OSCE.

The Resource Book was specifically **designed to support law enforcement officers working in the area of combating child trafficking, who already have practical experience in this field.** The main topics and focus of the Resource Book resulted from recommendations outlined during the workshop for law enforcement on trafficking in children held on 7 May 2004¹⁰ and the results of a Rapid Assessment Questionnaire¹¹. **The Resource Book contains chapters on the following topics:**

¹⁰ This workshop was organized by IOM Vienna within the scope of the AGIS 2003 Project "Victim Assistance for Minors: Capacity Building via Training and Exchange of Information/ Best Practices between EU, Candidate and Third Countries".

- **Age assessment/identification;**
- **Investigative methods;**
- **Interviewing techniques; and**
- **Cooperation between law enforcement authorities and NGOs/ social service providers.**

The Resource Book was compiled on the basis of contributions drafted by experts on identified good practices based on experience and lessons learnt in their home country on each specific topic. The Resource Book was compiled by lead writers and IOM Vienna. A selected Advisory Board provided comments to further improve the quality of the Resource Book.

The Resource Book aims to:

- increase awareness and knowledge of the problems and complexities of cases of trafficking in children;
- disseminate identified good practices and recommendations;
- increase the practical skills and improve the capacity of law enforcement officers to combat trafficking in children/minors;
- strengthen cooperation between law enforcement authorities of the participating countries.

This summary of the Resource Book presents the main findings of the Resource Book.

The Austrian Federal Ministry of the Interior and IOM Vienna would like to thank all experts involved in the production of the Resource Book for their contributions.

2. Background information on child trafficking

This chapter introduces the **definitions of the terms “child” and “trafficking” used in the Resource Book**, as well as international and European standards on trafficking in human beings and children’s rights.

2. 1. Definitions

Throughout the Resource Book, the term **“child” refers to any person under 18 years of age**.¹²

Article 3 of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing the *United Nations Convention against Transnational*

¹¹ Conducted during the preparatory phase of the AGIS 2005 Project “*Comprehensive Training for Law Enforcement Authorities Responsible for Trafficking in Children/ Minors*”. This questionnaire was sent to all the participating countries in view of assessing the situation of trafficking in children and the special needs in each country.

¹² In accordance with the definition of Article 3d) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

Organized Crime (Palermo Protocol), provides the internationally recognized **definition of trafficking in human beings**:

- (a) *“Trafficking in persons” shall mean the **recruitment, transportation, transfer, harbouring or receipt of persons**, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, **for the purpose of exploitation**. **Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs**;*
- (c) *The **recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation** shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;*

According to the Protocol, **the consent of a child, or the means to achieve such consent, is irrelevant**, as long as the **overall objective of the operation is the exploitation of the child**. The terms of the Protocol can be equally applied to **internal and international trafficking**.

The Palermo definition serves as basis for this Resource Book. Nonetheless, the Resource Book also recognizes forms of exploitation that are not explicitly mentioned in the Palermo definition, such as pornography, child soldiers, illegal adoption, begging, theft and petty crimes.

2. 2. International and European standards

International and European instruments define a **system of protective measures applicable to child trafficking**. Among various other relevant instruments, the following are briefly described in the Resource Book.

The Palermo Protocol recognizes the special needs of children. With its focus on organized crime, Parties agree to criminalize trafficking, to ensure offenders are punished and to cooperate and share information with law enforcement agencies of the Parties. The Protocol also emphasizes the importance of victim protection and assistance, as well as efforts to prevent trafficking.

The Convention on the Rights of the Child is guided by four principles, which underlie each right enshrined in the Convention: non-discrimination (Article 2), best interests of the child (Article 3), survival and development (Article 6) and participation (Article 12). Some of the other relevant key principles include: respect for cultural identity; interpretation; right to information; confidentiality; right to be protected; inter-organizational cooperation; staff training; timeliness.

The Council of Europe Convention on Action Against Trafficking in Human Beings (16 May 2005) specifically provides **minimum standards for the protection and assistance of victims** (psychological, medical, housing and material help; counselling and information; access to education for children and support throughout any criminal procedure).

Taking a human rights and victims-centred approach, the **2005 Council EU Plan on Best Practices, Standards and Procedures for Combating and Preventing Trafficking in Human Beings** encourages Member States:

- to ensure that EU anti-trafficking policy reflects a child rights approach based on globally recognized principles (...);
- to ensure that **appropriate referral mechanisms** are in place in order to enable early **identification** and referral of trafficked persons, especially children;
- to **enhance police cooperation** between special units to fight trafficking in human beings;
- to **consolidate the cooperation of public authorities with civil society organizations** to protect victims, prevent and fight human trafficking (etc.).¹³

The good practices and recommendations described in this Resource Book shall be applied to each country, provided they are not in contradiction with the national legislation.

2. 3. General trends

Children are particularly vulnerable to trafficking in human beings, due to their lack of experience, dependence and trust of adults, notably relatives and people in positions of authority, and have fewer possibilities to escape exploitative situations.

Child victims of trafficking are often subject to a **variety of forms of exploitation**. There is emerging evidence to suggest that the exploitation of trafficked children is often progressive - once they are caught up in the situation, they are vulnerable to repeated and various exploitations. Child trafficking within the country (internal trafficking) is also alarming and not always recognized or dealt with accordingly.

Profiles of children especially vulnerable to trafficking include children from families suffering from economic restructuring, social dislocation, conflict, poverty, dysfunction, low level of education, discrimination, lack of opportunity, desperation for a better life and who are ethnic minorities. Moreover, children placed in institutions, orphanages or on the streets, as well as migrant children are especially vulnerable to trafficking.

Currently, one of the most worrisome aspects of trafficking is the lack of identification of child victims of trafficking.

Reporting on child trafficking: More attention and recognition is gradually being given to other forms of child trafficking such as begging, forced labour and criminal activities, although under-reporting is still evident as often children are not identified as trafficked or exploited. Distinction between adult and child victims in data collection is still rare.

Internal trafficking: More attention should be paid to national child victims of trafficking.

¹³ EU Plan on Best Practices, Standards and Procedures for Combating and Preventing Trafficking in Human Beings, 2005/C 311/01.

Trafficking of families: Children trafficked with their parents or mothers, often for exploitation in street begging.

2. 4. Consequences of trafficking for child victims

Trafficking is a violation of every child's right to a healthy childhood and a productive, rewarding and dignified life. Trafficked children are often beaten and abused, with the violence occurring at all stages of the trafficking cycle; they are deprived of education, appropriate care and nutrition etc.

Trafficked children are likely to be traumatized, which might have the following consequences: narrowing of attention; dissociation; repression; Post-Traumatic Stress Disorder (PTSD).

It is important that law enforcement officers recognize and acknowledge the possible impacts of the ordeal on child victims of trafficking. Lack of cooperation, overt hostility, an impaired ability to recall events in detail, errors in accounts or fabrications concerning specific events are all likely to occur as a consequence of trauma, and should be accepted as such. Law enforcement officers must consider that traumatized persons are in **danger of secondary victimization** occurring through the response of institutions and individuals.

2. 5. Main roles of the police in combating child trafficking

The roles of the police are to prevent crimes; protect life and property; investigate crimes; collect evidence; effect the arrest of suspects; effect search and seizure to collect evidence; file complaints with the Prosecutor's Office; protect the rights of the child; cooperate with governmental and non-governmental agencies ensuring assistance to victims; take part in ensuring protection of witnesses.

3. Age Assessment/ Identification

3. 1. Introduction

Some trafficked children travel without identity papers or with forged documents. Furthermore, they may be afraid to disclose their real identity, due to lack of trust in the authorities or actual threats made by their traffickers. In some cases, they have been briefed by their traffickers to lie about their identity and recite the "stories" they have been told by their traffickers.

In most cases where children have been trafficked, **age assessment plays a crucial role in determining the legal status, the protection and care provided to the child, as well as in the severity of the penalty incurred by the trafficker.** Furthermore, it is part of the identification process, facilitates potential procedures of voluntary return and ensures appropriate integration or reintegration measures.

A person who claims to be a child might not always have the physical appearance of a child. Cultural differences, gender and the forms of exploitation suffered by trafficked children have an impact on their appearance and behaviour.

Medical age assessment should only be carried out in cases of doubt, with the consent of the individual, should respect human dignity and be carried out by qualified medical personnel. If an age assessment is to be carried out, it should be made as soon as possible to avoid a period of waiting in uncertainty on behalf of the child.

The potential child victim of trafficking should **stay at a child-specific shelter** throughout the procedure of determination of identity including age assessment.

In case the child does not speak the language of the country where he/she is located, an **interpreter** should be present during all stages of the identification procedure (interview and medical examinations).

There are various methods for age assessment, as described below but for each of these methods, **margins of error** are called for. Therefore, it should be reminded that age assessment is **no determination** and the child should be given the **benefit of the doubt** if the exact age is uncertain.

Children should have the **possibility to challenge the outcome** of the identification including the results of the age assessment.

3. 2. Psychosocial age assessment

The psychosocial age assessment has two aims: the improvement of accuracy of age determination and the determination of the actual psychosocial maturity and of the needs, which require support.

The methods that are to be applied enfold **the interview and observation of behaviour**, and, therefore, are to be seen as a **‘diagnostic process’**. **Two, one and half hour long interviews (in a span of approximately one week) are applicable** - if substantial disturbing factors such as traumatic reaction and cultural shock are excluded. This is called a **clearing interview**.

Observation of behaviour by the qualified personnel of the clearing centre during approximately two weeks could provide further information to the needs diagnostics and contribute to age assessment.

3. 3. Dental age assessment

It is **essential to have an experienced dentist perform the dental age assessment**, as he/she should be able to make a fairly accurate guess of a person’s chronological age based on the general picture of the dentition. Further specific age assessment will always be based on a radiological examination of the dentition. Standard procedure should be to expose the complete dentition in order to provide **a radiological panoramic overview**.

In Belgium, the age assessment is based on the clinical impression of an experienced dentist and the radiological examination of the dentition, of the **hand wrist of the non-dominant hand and of the medial ends of both collarbones**. **The combination of these three radiographs** helps the forensic odontologist to differentiate between an 18-year-old and a 20-year-old, or persons even older than 21 years of age.

3. 4. Age assessment by bone X-ray

An X-ray taken of the non-dominant hand can be used to evaluate the skeletal maturation. However, the high standard deviation of the results of age assessment and radiation exposure should be taken into account.

The X-ray of the clavicle also plays an important role in age assessment; however, the level of the radiation exposure of a clavicle computed tomography is too high.

Since reference studies that could be used for forensic purposes are generally not available for the areas of origin of the unaccompanied minors (UAMs), the question arises whether there are significant developmental differences between **various ethnic groups and/or socio-economic status**, which would contradict the application of relevant age standards to members of an ethnic group other than the reference population.

3. 5. Combination of methods

In Sweden, the combination of the following methods is used for age assessment:

- Inspection: the physical appearance is the basis for the assessment, whereby the individual's psychological maturity is also taken into account;
- Interviewing techniques: the information gathered during the interview is assessed against the consistency of the age given;
- Physical examination: physical examination with determination of anthropometric measures; signs of sexual maturation; developmental disorders;
- Odontological examination: determination of the dental status and X-ray study of the dentition;
- X-ray examination of the left hand.

If an agreement exists between the medical faculties and the national alien's service and law enforcement, the results should take **less than two working days**. **These methods should be used together to increase the diagnostic accuracy and to improve the identification of any relevant development disorders.**

3. 6. Identification of the child

Depriving a girl or a boy of his/her identity is an infringement on the rights of the child. It is therefore important to quickly take measures to determine the identity of the child if he/she does not have the relevant identity documents.

In order to identify the child, one has to look into the possibilities of having documents of the child sent to the country where the child is residing, contacting relatives or other acquaintances for assistance, or contacting his/her embassy. In Sweden, if there are doubts about the child's nationality, language tests are performed. The presence of police liaison officers from the country of origin can improve identification.

Furthermore, all UAMs should be **registered in a central database and documented** as soon as they come to the attention of the appropriate authorities. Identification should be immediately followed by referral to a relevant and appropriate reception facility.

4. Investigative Methods

Principles

Child victims of trafficking have **special needs and vulnerability** that should be taken into account and reflected throughout the investigation; a **child-friendly approach** should be used and the investigator should be **guided by the best interests of the child**.

Investigation is not only aiming at the prosecution of the offender but also at the protection of the child victim.

In case of a child as victim of trafficking or a victim in danger, the police have to intervene immediately.

Multi-agency intelligence enriches police data and improves operational police analysis.

Pro-active or intelligence-led investigations should be preferred, whenever possible. The disruptive investigative method should be used only if there is no other option.

Police officers dealing with child trafficking cases need to have received specific training.

Exchange of information and cooperation between national institutions and agencies, as well as between countries of origin, transit and destination are the basis for successful investigations of child trafficking cases.

4. 1. Threat and risk assessment

“Threat assessment” is a *strategic* analysis. It contains all activities and different methods of collecting, processing and analyzing data on potential situations of child exploitation.

“Risk assessment” is an *operational* risk evaluation. It is an evaluation in relation to existing and potential child victims of trafficking and also focuses on the ideal investigative and multi-agency team and the joint action of police services and social service providers.

The risk assessment process must start as soon as the victim comes to notice. Every investigator has a clear duty to conduct risk assessment with respect **to the safety and welfare of the victims and their families at every stage of the investigative and judicial process and beyond.**

Specific useful tools are the use of a multi-agency (investigative) team; making child victims of trafficking files easily recognizable; flagging of suspects.

An effort should be made to **gain the media as a reliable partner in combating child trafficking.** In order to avoid an unwanted disclosure of investigative information in contacts with the media, the use of a press police officer is a good practice.

Based on multi-agency expertise, international information exchange, strategic/ case analysis and research, **profiles of child trafficking victims and child traffickers can be drawn.**

4. 2. Investigative methods

The dismantlement of an organized criminal group or a criminal organization behind child trafficking will lead to more structured and permanent “results”. Working together with other specialists is an ideal approach. In trafficking cases, investigative actions have to take place in countries of origin, transit and destination.

- **Proactive or intelligence-led investigations**

The aim is to gather maximum intelligence and pre-arrest evidence without relying on the victims' testimony. The objective is to ascertain criminal situations in their damage on own initiative, instead of waiting for a complaint. Bringing the intelligence and the resources of different agencies to bear upon intelligence gathering, evidence gathering and investigation maximizes the potential for dismantling criminal organizations and their successful prosecution.

If guided, sensitized and well informed on the trafficking process, **front line and local police officers** can strongly contribute to intelligence and evidence gathering in pro-active investigations. **Border guards should have clear procedures to follow** in case they suspect a child to be a victim of trafficking.

Direct contact with national counter-trafficking contact points could facilitate cross-border intelligence and evidence gathering. Moreover, the national and international "flagging" of suspects, victims and investigations with any relevant local, regional, national and international police authorities is essential.

- **Reactive or victim-led investigations**

The victim-led investigations are mainly based on the victim's statement. This **endangers the integrity** of the victim, but also of his/her relatives and friends or family. Therefore, a **thorough assessment of the suitability of an evidential interview of the child is needed.**

However, the child victim's testimony can guide the investigative teams to available additional corroborative material to be used as evidence in judicial proceedings. **The necessity to avoid secondary victimization should be one of the primary considerations.** The specialized interviewer and the investigative team have to work in close cooperation to identify the key information to be collected.

Steps should be taken to allow **financial compensation** of the child victims in practice.

Witness protection programmes and victim support measures have to be used. **The protection of the identity of child witnesses is essential.**

- **Disruptive actions**

Disruptive investigative methods tend to be a mixture of proactive and preventive tactics. In relation to child trafficking, the disruptive investigative method should be the ultimate

approach. No other alternative option should be open or feasible. **The disruptive actions do not guarantee the most important aspect of child protection: the recovery of presumed or potential child victims.**

4. 3. Bilateral, regional and international cooperation

4. 3. 1. Channels for exchange of information and cooperation

In order to be able to choose the correct and most effective cooperation channel, the investigator needs to have a clear vision of all the following possibilities. In the interest of an investigation it is of utmost importance to be aware of where, when and which specific information is available and can be retrieved, and through or via which obligatory channels - both on a national and cross-border level. Intelligence has to be made available and knowable, accessible and exchangeable.

- **Network of liaison officers**

There are different types of law enforcement liaison officers (liaison officers based by a country in another country, based in international agencies, temporarily based in a specific country, liaison magistrate networks, etc.).

- **Interpol**

One of Interpol's core functions is to enable the world's police to exchange information securely and rapidly. The organization developed its global police communication system, called I-24/7, with the goal of connecting law enforcement officials in all 184 member countries and providing them with the means to share crucial information on criminals and criminal activities.

Interpol's Specialist Group on Crimes against Children focuses on four different areas including trafficking in children. 'Interpol's **Working Group on Trafficking in Women for Sexual Exploitation**' is also relevant in this context. Interpol THB/Child Unit is the central point for all international law enforcement authorities dealing with victim identification.

- **Schengen Information System**

SIS is an information system used in 17 European countries that provides data on persons or objects, as recorded by the participant countries. The Commission recommends a synergy between SIS II and the future visa information system (VIS) involving in particular a common technical platform (possible treatment of biometric data).

- **Eurodac**

The Eurodac system enables Member States to identify asylum-seekers and persons who have crossed an external border of the community in an irregular manner (fingerprints). Data are collected for anyone over 14 years of age.

- **Europol**

Europol is the **European Police Office that handles criminal intelligence and facilitates the exchange and analysis of information.** Europol Liaison Officers (ELOs) have direct access to their own national databases and to the Europol Computer System (TECS) consisting of three principal components: an information system, an analysis system and an index system where information and/or intelligence is available.

The information is accessible via the ELOs at Europol, the Liaison Officers at Europol based abroad and the Europol National Units in the Member States.

- **Eurojust**

Eurojust was set up to **enhance the effectiveness of the competent investigating and prosecuting authorities** within Member States when dealing with serious and organized cross-border crime. Eurojust endeavours to improve the operation of existing instruments dealing with all forms of judicial cooperation and mutual legal assistance in use within the EU. Prosecuting and investigating authorities in the EU Member States responsible for dealing with cases of trafficking in human beings are encouraged to contact their National Members at Eurojust in order to benefit from the assistance that Eurojust is able to provide.

Eurojust and Europol have signed a cooperation agreement, allowing both parties to cooperate in the fight against serious forms of international organized crime.

- **Liaison offices**

These are set up by bilateral or multilateral agreements and **joint centres at the borders**.

- **Regional cooperation institutions**

Examples of regional cooperation institutions are the **Southeast European Cooperation Initiative** and the **Baltic Sea Region Task Force on Organized Crime**.

Each country should **feed the national database** with all child abuse related information and should in particular organize themselves in view of **enhancing the international cooperation** by **connecting to the I 24/7 (Interpol)** and sending the relevant information on child traffickers or other cross-border child related offences to Interpol. Moreover, European Member States should **ensure the availability of the Europol information (TECS) and include all child trafficking and child abuse offender** or suspect related information in the **Information System of Europol**.

4. 3. 2. International cooperation on criminal matters

- **Extradition**

- **UN Convention against Transnational Organized Crime** (Article 16);
- **Council of Europe European Convention on Extradition CETS 024; (Additional Protocol to the European Convention on Extradition CETS No.: 086, Second Additional Protocol to the European Convention on Extradition CETS No.: 098).**
- **The European Arrest Warrant**, valid throughout the European Union, **has replaced extradition procedures between EU Member States**, with simpler and faster procedures.

- **Mutual assistance on criminal matters (Rogatory Letters)**

- Article 18 of the **UN Convention against Transnational Organized Crime** calls for the widest measure of **mutual legal assistance in investigations, prosecutions and judicial proceedings**, and expands the scope of application to all offences covered by the Convention, **including trafficking in human beings**.

- The **Council of Europe (CoE) Convention on Mutual Assistance in Criminal Matters** of 1959 -"**Rogatory Letters**". One of the main problems linked with the increase of requests of mutual legal assistance is translation (costs and time constraints).
- On **29 May 2000**, the EU Council of Ministers adopted the **Convention on Mutual Assistance in Criminal Matters that is not yet in force**. The Commission has proposed a **European Evidence Warrant**.

5. Interviewing Techniques

A child can give very accurate information if interviewed appropriately.

Principles

Consideration should be given to the best interests of the child at each stage of the process. **All children below the age of 18 years old** should be treated according to their particular needs and special vulnerability.

The language used should, at all times, **be adapted to the age of the child**. Due consideration of the **gender of the child** should be made.

The interview is not an interrogation. The purpose of the interview is to assist the child to disclose information and so contribute to the investigation and the prosecution of offenders.

Interviews should only be undertaken by **trained staff with specialized skills**.

An interpreter should be used in every case where the child is a foreign national, even if the child seems to speak the language of the country where the interview takes place.

The interview cannot take place where the child lives, and never in the shelter where the child is residing, but should take place in a **child-friendly environment**.

Interviewers must be honest with the child and should never make false promises. Interviewers should explain and inform the child about the purpose of the interview or questioning.

Interviewers should not wear a uniform for the interview.

5. 1. First contact/Identification

5. 1. 1. First contact

The aim of the first contact interview is to gather information that may assist in the identification of potential or actual victims of trafficking. As the **lack of proper identification of child victims of trafficking is one of the most serious problems** related to combating trafficking and providing assistance to child victims, as well as key to the protection of their rights and to finding solutions appropriate to their needs, **this phase is**

essential. A full, accurate and comprehensive record of first contact interviews should be made and passed on to the investigating officer.

- **Potential indicators of child trafficking**

Law enforcement officers should be alarmed if a child: looks untidy or just the opposite – has very expensive clothes and cosmetics; seems drowsy, which may indicate the influence of drugs, has visible signs of violence on his/her body, etc. The rescue circumstances should be taken into account in the assessment.

Questions which may provide indications of trafficking are listed in the Resource Book.

5. 1. 2. First intake

The **immediate needs** of the child should be assessed by the interviewer on their arrival either at the police station or location where this interview is going to take place. During the interview, specific topics should be covered to assist the interviewer in making an assessment as to the child's legal status, with each interview tailored to the circumstances of the individual child.

Trafficked children hardly ever disclose the offence, as they do not realize that they were or are going to be exploited/ trafficked.

As soon as a child is identified as a victim or witness of trafficking, **first intake questioning should cease. Referral should be made to the relevant departments, such as medical services and social services.** A **guardian should be appointed** to accompany the child throughout the entire process until a durable solution in the best interests of the child has been identified and implemented.

5. 2. Conditions and preparation of the evidential interview

During the preparation for the evidential interview, the interviewer needs to be in continuous contact with the investigative team, NGOs, social services, forensics and investigators as well as anyone else involved in dealing with the child, so as to gather as much information as possible on the child.

Planning is a vital part of any interview and time must be set aside to prepare for this. The interview should be held in a safe, secure and child-friendly environment, so that the child does not feel threatened or exposed to threat or danger. The **timing** of the interview is important and will normally take place as soon as the child has been identified as a victim of trafficking. However, consideration should be given to the child's immediate needs and/or any special needs the child may have.

The investigating team should **consider who is best qualified to conduct the interview** after a full discussion of any issues raised. **The number of people conducting the interview should be limited to two trained interviewers, plus an interpreter if required.** It is recommended that the child's trusted adults (e.g. parent, tutor, support person) are not permitted to be present in the interview or monitoring rooms.

Where legally accepted and available, the **interview should be recorded on videotape**. In order not to omit the key points concerning preparation of the room and the equipment before the interview, it may be useful to use a **checklist** of these items and go through this before each interview.

The child must be briefed before the interview. The overriding principle of any pre-interview meeting is that the individual preparing the child needs to be honest and make no false promises to the child.

It is the task of the interviewer to help the child disclose and tell his/her own true story that consists of factual and detailed information. To achieve this, the interviewer has to minimize his/her influence. To the greatest extent possible, the questions asked should be formulated in relation to the child's range of knowledge and reasoning capacity.

If the child is a foreigner, the presence of an interpreter is required, even if the child apparently knows the language of the country in which the evidential interview takes place. The interviewer should be carefully selected and trained. The interpreter should never be allowed to take over the interview or ask the child any of his/her own questions.

The interviewer has to keep in mind that when a child uses a word, it does not necessarily mean that the child fully understands the word.

The **presence of an adult outside the interview room** with whom the child has an attachment can have a positive effect on the confidence of the child and will assist in the reduction of stress and trauma caused by the interview. However, these benefits must be balanced against the potential for the adult to become a suspect in criminal matters.

5. 3. Evidential Interview

The purpose of the evidential interview is to gather evidence for use in legal proceedings, immigration matters, child protection issues and/or the prosecution of offenders. The motto of any interview should be: "Children are the experts".

When interviewing children, a structured, phased approach should be taken. This approach consists of four main phases:

- **Introduction/Rapport:** (introduction, engage in neutral conversation, explanation of ground rules, concept of "truth").
- **Free narrative:** The child should be encouraged to recount, in his/her own words and at his/her own pace, their account of relevant events. **Evidentially, this is the most important phase of the interview and usually provides the most accurate information.** If the child starts to disclose spontaneously, the interviewer should adopt a posture of active listening.
- **Clarification/Questioning:** During this phase of the interview, as all others, it is advisable to keep questions as short and simple as possible (remember the ground rules; begin with open questions, followed by closed, alternative questions if necessary).

- **Closing:** In order to give the child a chance to correct any misunderstandings, the interviewer should re-tell the child's story in exactly the same order of events as the child has just told it. Before the interview can move on to a neutral topic, the child should be given a further opportunity to make comments or ask questions.

An **aide memoir** is a helpful tool, but interviewers must keep in mind that some questions will not be relevant and others will need to be adapted to a language appropriate to the child. The aide memoir also needs to be adapted to the various forms of exploitation.

The key aim of **video recording** evidential interviews is to **reduce the number of times** in which children need to recount what has happened and avoid the child's presence in court.

If the child is to be involved in **giving evidence at any criminal justice proceedings, consideration should be given to their protection prior to, during and after they have given evidence.** For this purpose, a **Victim/Witness Protection Group** should be established; this Group should be composed of all relevant law enforcement authorities as well as NGOs/social service providers and develop and implement special protective steps.¹⁴

Training for law enforcement officers charged with interviewing children is essential. Ongoing training and supervision is suggested.

6. Cooperation between Law Enforcement Authorities and NGOs/Social Service Providers

As recognized in the main international and European instruments, the cooperation between all actors involved in the fight against child trafficking (law enforcement agencies, non-governmental organizations, other organizations, civil society, social service providers, employer organizations, trade unions, etc.) is of utmost importance.

Law enforcement agencies should cooperate with NGOs/social service providers primarily in the following areas:

- Prevention by reducing the number of potential victims;
- Prevention by reducing the number of traffickers;
- Identification and referral;
- Victim assistance;
- Victim – witness assistance and protection;
- Assessment of the feasibility and preparation of a potential voluntary return;
- Return to and reintegration in the country of origin if it is in the best interests of the child.

When a child (or adult) is identified as, or suspected of being, a victim of trafficking, he/she must be **referred to appropriate care**, either with an NGO, social services or child

¹⁴ Stability Pact for South Eastern Europe Task Force on Trafficking in Human Beings, 2003, *Special Protection Measures for Trafficking Victims Acting as Witnesses*: 4-6.

protection authority, in order to ensure suitable assistance and protection. A system of ensuring this is known as a **National Referral Mechanism**.

The relationship between law enforcement authorities and NGOs/social service providers must be based on mutual understanding and trust, with each recognizing the important role played by the other as well as the different interests of those involved.¹⁵ The establishment of agreed rules, based on a **Memorandum of Understanding** or similar, helps to institutionalize this relationship.

This chapter presents concrete examples of good practices of cooperation in France, Italy, Belgium and Albania.

6. 1. Assistance in a country of destination: Association Jeunes Errants¹⁶ - Marseilles, France

In the past ten years, the origins and problems faced by street children have changed. It is therefore constantly necessary to adapt the solutions to the needs created by the new situation. Currently, the organizations and community services work with street children of 16 different nationalities, aged from six to 17 years old. The average total number is between 300 to 400 children a year in Marseilles.

AJE conducts **outreach work to known “sensitive” areas or at the request of partner NGOs**. The goal is a local assessment including the observation of the phenomenon of vagrancy and referral to the relevant competent authorities.

When an unaccompanied foreign child is brought to the police station, the police alert the Juvenile Court. On the basis of a protocol, the **Juvenile Court** calls upon the Service of Specialized Educative Action (SSEA) of AJE as soon as they are aware of an unaccompanied foreign child being in danger. The contact with the Juvenile Court enables the intervention to be adapted depending on the identified danger, and to **transmit relevant elements to law enforcement authorities** in order to contribute to the investigation into criminal activities linked to the child.

Recognizing a situation of danger, the Juvenile Prosecutor makes the decision to open a “file of protection”. The magistrate has to answer the following two questions: Why did the child leave his/her home environment? In which conditions can he/she return? Under the mandate of the Juvenile Judge, AJE intervenes and is charged with the assessment in a multidisciplinary and intercultural manner. Since the creation of the AJE, the development of cooperation with key actors in the cities of origin and transit was recognized as a priority.

6. 2. Assistance in a country of destination: Municipality of Venice, Italy

- **Cooperation during identification, first intake and referral**

The Municipality of Venice and the police headquarters have established two specialized operative units. The first unit, the Street Operators Team, is comprised of five trainers and four female cultural linguistic mediators (Romania, Nigeria, Russia, Albania) and was

¹⁵ Commission of the European Communities, COM 2005/514, *Fighting Trafficking in Human Beings – an Integrated Approach and Proposals for an Action Plan*: 13.

¹⁶ Association of Young Vagrants, hereafter AJE.

established within the Adults' Service of the Council Office for Social Policies. The second unit, the Second Section of the Flying Squad, is comprised of law enforcement officers who are part of the Venice police.

The protection of the child's rights has the utmost priority. These services intervene even if the child is not identified as a victim or does not act as a witness.

In the municipality and province of Venice, law enforcement and social services work together during the formalities of first contact with potential victims of trafficking. By adhering to the established procedures of cooperation during the first intake, law enforcement officers contribute towards: establishing a relationship of trust with the potential victim; providing victims of trafficking with the time to decide whether to cooperate with the authorities or not; adapting their conduct to the victim; avoiding possible infiltration by criminal networks.

- **Assistance and social integration in Italy**

A child victim of trafficking who is **younger than 16 years old** is **adequately protected by the regulation provided for children, specifically also for unaccompanied foreign minors. Children who are older than 16 years old are assisted under the assistance and social integration programme, a legislative device for victims of trafficking.** Assistance and social integration is regulated by Article 18 of Law Decree 286/98.

Law enforcement authorities must keep in mind that the person is firstly a trafficked victim and only secondly a witness.

- **Protection of victims during trial in Italy**

Legal representation is ensured for the victim (including the claim to compensation).

The cooperation between the social service, law enforcement and the judiciary in the protection of victims/witnesses (child or adult) during the penal proceedings relates essentially to the **safety of the person. The period of time between taking the statement and the anticipated testimony of the witness to the judge before the trial** is the most sensitive period for a victim, who is also a witness. Some procedures defined to prevent situations of intimidation and blackmail are further described.

However, problems still remain. Italian immigration laws, applied to prevent and combat irregular migration, can be detrimental to these positive collaborative efforts as **unrecognized victims may be deprived of protection and assistance and thus deported.** Children, who may not be recognized as such, are likewise returned home, where they may be at risk of re-trafficking.

6. 3. Cooperation between civil society and law enforcement: a Belgian example and European Model Protocols (Child Focus)

- **Child Focus Protocols**

The framework for day-to-day cooperation in cases of missing and sexually exploited children is outlined in a **protocol between Child Focus and the judicial authorities**, which is

integrally included in a Directive from the Minister of Justice that regulates the actions of the law enforcement agencies in tracing missing persons. The centre disposes of an operational team, which is accessible 24 hours a day, seven days a week, via a national toll-free number “110”,¹⁷ to provide immediate support to victims. Moving into action in the first few hours following a disappearance has proven to be essential for collecting sightings of a missing child.

A second protocol of cooperation between Child Focus – Net-Alert¹⁸ and the judicial authorities and specialized services of the Belgian Federal Police Forces was signed on 19 June 2002. The specific goal of the latter protocol is to optimize **combating child pornography on the Internet**.

- **European Model Protocols**

With the aim of stimulating the development of cooperation between law enforcement authorities and NGOs across Europe, Child Focus and IRCP developed **“European Model Protocols”**, which are promoted as practical tools for authorities and NGOs wishing to formalize their cooperation. The European Model Protocols are included as an annex to the publication “Cooperation between civil society organizations and law enforcement services in the area of missing and sexually exploited children. Possibilities and limits from a European legal perspective”.¹⁹

Before entering into a protocol of cooperation with a law enforcement agency, an NGO is invited to check whether the proposed and preferred activities, be they **information- or cooperation-related**, are legally authorized and under which conditions. To this aim, the publication includes a **practical checklist**. Finally, before entering into an official protocol, general **quality standards as well as a code of practice** should be guaranteed by both parties.

These Model Protocols contain a description of general provisions (including the mutual respect for each other’s codes of conduct and rules of confidentiality), a description of responsibilities, information-related cooperation and operational cooperation.

As Secretary General of the Federation for Missing and Sexually Exploited Children, Child Focus actively encourages the Members to comply with the general quality standards as well as the code of practice developed within the above-mentioned study. **Child Focus urges the Commission and the Council to promote the European Model Protocols** in order to facilitate cooperation within the EU and with third countries.

6. 4. Assistance in countries of origin in preparation of and upon return (Terre des hommes Albania)

In Albania, a number of good practices in the cooperation between the law enforcement and NGO sector can be observed, mainly represented by the BKTF Coalition. In the framework of the Transnational Action against Child Trafficking (TACT) project, **Terre des hommes**

¹⁷ Child Focus can also be contacted by other means, through e-mail, fax, personal contact, etc, and will react uniformly independent of the way in which it was contacted.

¹⁸ Child Focus – Net-Alert is a civil hotline established by Child Focus, cf. http://www.childfocus-net-alert.be/uk/UK_homepage.htm

¹⁹ The study is available at www.childscope.net and can be downloaded free of charge.

(Tdh) Albania has signed a collaboration agreement with the General Directory of Albanian Police.

The cooperation between NGOs and law enforcement is unfortunately only very rarely placed within its real transnational context. A decision on a permanent solution in the best interests of the child requires an assessment of the possibility of the return of the child to Albania. This necessitates cooperation with both the law enforcement and NGO sectors in Albania.

Arsis²⁰ has referred a considerable number of cases of children who lived in Greece and were either identified victims of trafficking, potential victims of trafficking or at risk of being trafficked to Tdh Albania. Upon Arsis' notification, the first step undertaken in Albania is the assessment and evaluation of the child's family in Albania. **The involvement of law enforcement is necessary prior to the return of the child. It guarantees the effectiveness of the solution found, its credibility and proper and safe implementation.**

The border police in Albania are very often confronted with **“unannounced” returns** of Albanian unaccompanied minors. The screening for victims of trafficking within this group does not occur before they reach the Albanian side of the border. According to recent amendments to the Albanian Code of Criminal Procedures, a legal representative or a psychologist must be present during police interviews of children.

The **Law on the Protection of Witness and Collaborators of Justice** was adopted in March 2004. The provisions of this law also apply to children and foresee a “protection agreement”. Because these programmes are **not yet operational**, cooperation with law enforcement in witness protection remains problematic. The situation is even more critical when the witness is a child. Despite the very good cooperation with the anti-trafficking police, even the **physical protection of a child witness remains an area of serious concern.**

Efforts should continue regarding the training of law enforcement officials on legislation, policies and good practices regarding assistance to victims, in particular child victims, of trafficking. **In this regard, staff rotations within law enforcement structures as well as social workers dealing with trafficking issues should be avoided and training should be developed to manage any turnover.**

²⁰ Greek NGO.

DOWNLOAD

The Resource Book is available online for free download under the following link: http://austria.iom.int/en/artikel.php?menu_id=43&artikel_id=473&history_back=true or www.iomvienna.at under the section “Publications”.

The documents of the CD-rom (Reports and texts on Trafficking in Human Beings, International Instruments, etc.) distributed together with the Resource Book are available under the following link:

http://austria.iom.int/en/artikel.php?menu_id=41&artikel_id=457&history_back=true

The following experts contributed to the Resource Book:

Giuseppe BATTAGLIA (Carabinieri General Headquarters, Italy); Ernst BERGER (Service for the neuropsychiatry of the child, Austria); Wim BONTINCK (Belgian Federal Police); Karina DEKENS (Police Academy, Netherlands); Claudio DONADEL (Social Services Municipality of Venice, Italy); Madeleine EGGLER (Psychiatric Service of the Bern University, Switzerland); Max FRIEDRICH (Service for the neuropsychiatry of the child, Austria); Marcus HÖRMANN (Universität für Radiodiagnostik, Austria); Azadeh HOJREH (Universität für Radiodiagnostik, Austria); Herwig IMHOF (Universität für Radiodiagnostik, Austria); Marihan KAYA (Universität für Radiodiagnostik, Austria); Bigna KELLER (Children’s Hospital Bern, Switzerland); Maria KELLER-HAMELA (Nobody’s Children Foundation, Poland); Ian KNIGHT (Metropolitan Police, UK); Malik KOUDIL (Association Jeunes Errants, France); Maria LENNARTSSON (Swedish Migration Board); Bruno MENS (Europol); Ionut MODRESCU (Ministry of the Interior, Romania); Delphine MORALIS (Child Focus, Belgium); Ivanka NESTOROVA (Bulgarian Ministry of Interior); Claire POTAUX (IOM Vienna); Mirela SHUTERIQI (Terre des homes, Albania); Reda SIRGEDIENE (Criminal Police Bureau, Lithuania); Martin STEIN (Criminal Police, Sweden); Gerald TATZGERN (Criminal Intelligence Service, Austria); Deborah TOWNSEND (Metropolitan Police, UK); Adrian VISHA (Prosecutor General Office, Albania); Guy WILLEMS (Center of Forensic Dentistry of the Katholieke Universiteit Leuven, Belgium).

VII. INTERNATIONAL TRAINING SEMINAR FOR LAW ENFORCEMENT OFFICERS ON GOOD PRACTICES IN COMBATING CHILD TRAFFICKING, 14- 17 MARCH 2006

1. Introduction

The **International Training Seminar** brought together law enforcement officers from **39 countries**: Albania, Austria, Belarus, Belgium, Bosnia-Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Macedonia, Moldova, Morocco, Netherlands, Nigeria, Norway, Poland, Portugal, Romania, Russia, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Ireland and Ukraine. The Resource Book on Good Practices for Law Enforcement in Combating Child Trafficking was distributed and used as training material during the training seminar. Altogether 108 participants attended the seminar including experts who had drafted parts of the Resource Book as well as representatives of the Austrian Federal Ministry of the Interior, IOM Vienna and the OSCE.

On the first day (14 March 2006), a general introduction on child trafficking was held, followed by presentations on age assessment and cooperation between the law enforcement authorities and NGOs / social service providers.

On the second and third day (15 and 16 March 2006), participants were split into several small groups and received training on one of the two topics: Interviewing Techniques or Investigative Methods. Most participating countries were represented by two participants, one in each working group.

After this intensive training session focusing on interviewing techniques and investigative methods, the participants met for a final **High-level Conference on 17 March 2005**, during which recommendations on combating child trafficking based on the results of the project and the training seminar were presented to a wider audience.

The International Training Seminar took place in the premises of the Austrian Federal Ministry of the Interior. The High Level Conference took place in the conference centre of the OSCE in the Vienna Hofburg.

Overall, participation was very good and the presentations of the experts and trainers of a high quality. The organization of the training sessions enabled participants to engage in discussions after the presentations and to exchange views. Most participants expressed their need and interest in establishing contacts and in sharing information on child trafficking with their colleagues in other countries. The participants were very pleased with how the training sessions were organized and extremely interested in the various themes covered during the three-day training sessions. A number of good practices from different countries were presented, which led participants to formulate recommendations as well as to propose follow-up activities.

2. General Presentations, Tuesday, 14 March 2006

Morning

OPENING STATEMENTS:

Brigadier General Hager, Head of Bi- and Multilateral Affairs at the Austrian Federal Ministry of the Interior and currently Chairman of CATS, gave the welcoming and opening statement. Mr Hager thanked IOM Vienna for the implementation of the project and all the partners (Europol, OSCE, Swedish Ministry of Foreign Affairs, Belgian Federal Police) for their cooperation and support of the project. He underlined that this project was part of the Austrian Council Presidency's activities in the area of combating trafficking in human beings, targeting counter-trafficking in children as one of its priorities in view of strengthening cooperation between countries of destination, transit and origin.

Mr Andreas Halbach, Head of the Special Liaison Mission at IOM Vienna, described the project and presented the aims of the training seminar. He began by acknowledging the difficulty of compiling statistics and providing reliable figures on global trafficking in human beings. According to ILO studies, 12 million persons are victims of forced labour, 20% of whom are victims of trafficking. He explained that this project was developed in accordance with the recommendations identified during the Workshop for Law Enforcement on Exchange of Information, Best Practices, Lessons Learned on Trafficking in Minors (May 2004), of the AGIS 2003 project 'Victim Assistance for Minors'²¹. **The aim of the project** is to provide law enforcement authorities dealing with child victims of trafficking with specific skills in combating trafficking in children, to identify good practices on combating child trafficking to be presented in a Resource Book, as well as to strengthen regional and international cooperation among the participating countries. The Resource Book was finalized and distributed to the participants; the good practices identified during the project would be presented during the training seminar.

Ms Claire Potaux, Counter-Trafficking Focal Point at IOM Vienna and coordinator of the project, gave an introduction on trafficking in children. She explained the definition of child trafficking and described its various stages and components: recruitment, transportation, transfer, harbouring or receipt, forms of exploitation. She stressed that, according to the UN Palermo Protocol, a child shall mean any person under 18 years of age. Ms Potaux mentioned the legal standards/assistance available. She then presented the profiles of child victims and the consequences of trafficking for child victims, including trauma.²²

Mr Volker Frey, Austrian Programme Manager at IOM Vienna, chaired the following sessions and discussions on 'Age Assessment/Identification of the Child and Cooperation between Law Enforcement and Social Services/NGOs.'

²¹ http://austria.iom.int/en/artikel.php?menu_id=55

²² Presentation based on the "Rapid Assessment Questionnaire" as well as on the "Resource Book for Law Enforcement Authorities on Good Practices in Combating Child Trafficking, please refer to the relevant parts in this report for more information on the content.

2. 1. Presentations on Age Assessment/Identification of the Child²³

Mr Berger, Department of Children Psychiatry at the General Hospital of Vienna, presented the psychosocial method of age assessment. He explained why age assessment is needed. He reckoned that psychosocial age assessment, like other methods of age assessment, always relies on estimated values. The psychosocial age assessment is based on a “clearing interview”, which consists of two interviews of about one and a half hours each with a one-week interval in between. He concluded by stating that the strength of psychological age assessment lies in the “needs assessment”, which at the same time allows the assessment of the psychological needs of the child.

A discussion ensued on when these methods can be used, on their limitations for age determination and on how reliable they are. Mr Berger again stressed the fact that age assessment cannot be a totally reliable assessment.

Mr Hörmann, Department of Radiology at the Medical University of Vienna, followed with a presentation on bone X-rays as a tool for age assessment. He stressed the importance of age in children’s rights. He explained that the socio-economic background and health of the child as well as the climate and the region of origin could play a role in the assessment’s results. The main bone X-rays used for age assessment are: hand radiography, iliac bone, pelvic radiography (Risser), orthopantomogram (X-ray of all teeth), radiography or CT of sternoclavicular joint. He explained that the judge or the prosecutor could allow and order ionizing age assessment techniques. He presented the Euratom 2000 amendment, which states that radiologists are responsible for the use of ionizing radiation; they must prove indications but may refuse examination.

The discussion continued on how a radiologist could refuse to carry out X-rays. Legal restrictions and radiation protection concerns might contradict performing combined and/or other techniques for age assessment.

Mr Willems, Department of Forensic Odontology at the Katholieke Universiteit Leuven in Belgium, presented the methods of dental age assessment. He explained why and how the analysis of tooth formation could be used for age estimation. He stressed that teeth are less influenced by environmental circumstances. He added that there are ethnic differences, but these are covered by standard deviations.

During the discussion with the participants, he explained that different ethnic background might influence the results of age assessment, however it is still not known in which proportion. He also commented on a question concerning the use of dental examinations, explaining that it can be used to prove malnutrition, growth problems, trauma of teeth as well as to prove that the child is a victim of trafficking, has been abused, neglected, not been taken care of and other signs. He concluded that a trust relationship should be built between the doctor, the child and the police. He recommended raising awareness on the importance of age assessment and sensitizing governments about the need for a study involving many different countries in order to study the influence of the ethnic and cultural backgrounds on the results of age assessment.

Maria Lennartsson, Swedish Migration Board, gave a presentation on the combination of methods of age assessment and identification of children.

She began by recognizing the difficulties involved with determining whether a young person is a child or a young adult. Just like adults, a separated child might sometimes travel with

²³ Full powerpoint presentations are available on the following link:
http://austria.iom.int/en/artikel.php?menu_id=41&artikel_id=457&history_back=true

false documents. A person who claims to be a child might not always have the appearance of a child. Consequently, it is sometimes necessary to carry out an assessment to establish the age of the child. As stressed both in the Separated Children in Europe Programme (SCEP) and in the Statements of Good Practice and the UNHCR, the benefit of the doubt should be given to the child, when the exact age of the child is uncertain. According to the Council Resolution of 26 June 1997 on Unaccompanied Minors who are nationals of third countries (97/C 221/03)²⁴, an unaccompanied asylum seeker must, in principle, produce evidence of his age; if such evidence is not available, an age assessment may be carried out. A combination of methods can be used, like for instance in Sweden where interviewing techniques, an odontological examination and a bone X-ray examination are carried out. She concluded by presenting methods of identification of children without papers (contact with embassies, IOM, International Social Service ISS, Red Cross, etc.).

During the discussion that followed, questions arose on whether it is possible to be 100 per cent sure of the age of the child, even when combining different methods of age assessment. The conclusion remains that age assessment methods cannot give the exact age but are good tools for assessment. Other participants asked for more details on the International Social Service. Mrs Lennartsson explained that the Swedish Migration Board is successfully supported by ISS, which was founded in 1924 and which is a politically and religiously independent organization represented in 180 countries. ISS works with child- and family-related questions across national borders, such as kidnapped children, unaccompanied minors, foster homes abroad, etc.

Afternoon

2. 2. Presentations on Cooperation between law Enforcement and Social Services/NGOs

Elisa Bedin, Municipality of Venice, gave the first presentation on ‘Cooperation between Law Enforcement and Social Services/NGOs: Outreach work/referrals, assistance.’

Ms Bedin mentioned the legal instruments, which make the programmes for social integration possible. The most powerful legislative instrument is Article 18 of Law N°286/98: Minors or adults who are recognized as exploited or reduced to slavery conditions benefit from a special residence permit for social protection measures. It is interesting to note that this provision also applies to minors who have committed crimes when underage, because the Italian legislator estimates that the engagement in unlawful activities may be the result of exploitation. The minor must be protected and be given the opportunity to integrate into society. Article 18 provides for the issuance of a special six-month residence permit, which may be extended for one year or more as required. The special permit allows the holder access to social and assistance services, a study program, enrolment with the National Employment Agency, and also serves as an employment permit.

Ms Bedin explained that the main objectives of cooperation and intervention are:

- the protection of minors,
- defence of their rights,
- the fight against exploitation and criminal networks.

She added that the intervention with minors is an integral part of a wider and more complex set of policies addressed at the social phenomenon of prostitution, with specific reference to street prostitution. These interventions entail networking and collaboration with other institutions and relevant social actors and are developed within the following three areas:

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http://www.savethechildren.net/separated_children/other_resources/legal_policy/minors_unaccompanied_EUcouncil_resolution.pdf

- Identification of victims of trafficking;
- Protection, assistance and social integration of victims;
- Legal assistance to victims during regularization and legal proceedings.

Delphine Moralis, Child Focus in Belgium, presented the Model Protocol/ Agreement on Cooperation between law enforcement and NGOs.

Ms Moralis gave an introduction on the mission of Child Focus, describing the support they provide in cases of missing children, abductions and sexual exploitation or abuse of children. Child Focus is active in all stages of the investigation: prevention, search and location, analyses. Child Focus collaborates with federal authorities in Belgium (justice, law enforcement, foreign affairs) based on official agreements. They contribute on a structural level to the prevention and the fight against child trafficking for sexual exploitation, paedophilia and child pornography. Child Focus and the Institute for International Research on Criminal Policy (IRCP) developed European Model Protocols of co-operation. Child Focus promotes international cooperation and has established a European/ international network, regrouping organizations with similar goals. With the support of the European Commission three studies have been conducted and updated under the common title “Childoscope”, created to promote integrated European policies on missing and sexually exploited children.

In conclusion, Ms Moralis stressed the importance of giving political support to the work of NGOs. On the one hand, national judicial and law enforcement authorities have to consider NGOs as real partners in the fight against trafficking in minors. On the other hand, the Commission and the Council have to promote the European Model Protocols.

Malik Koudil, Section Head at Association Jeunes Errants (AJE), gave a presentation on the assistance in countries of destination.

AJE was established in 1994 and consists of three services: the Service of Specialized Educative Action, the Investigation and Educational Orientation Service, and the Resources Service. AJE is supported by the French Ministry of Justice, the French Ministry of Social Cohesion, the Municipality of Marseilles, the General Council, the region, by private foundations and by the European Fund for Refugees.

Mr Koudil explained that AJE conducts daily outreach work in “sensitive” areas. The AJE Service of Specialized Educative Action’s Evaluation makes queries on the identity, the family and its location, collects information on the family history, reason(s) for the child’s departure, possibility to return, risk assessment, proposal for immediate shelter. The information is then shared with prosecutors. The AJE’s Investigation and Educational Orientation Service is in charge of orientation and investigation. It provides assistance to the minors (instructors, psychologists, social workers) and liaises with institutions, consulates, the parents/ tutors, and cooperates with juvenile judges. The Resource Service is in charge of the cooperation with international and local NGOs, also from the country of origin or transit.

Mirela Shuteriqi, Child Protection Lawyer at Terre des Hommes in Albania, gave a presentation on the assistance upon return.

Terre des Hommes Albania is a NGO member of the International Federation Terre des Hommes and Stop Child Trafficking Campaign. Terre des Hommes is implementing a project called TACT (Transnational Action against Child Trafficking). The main aims of the project are to reduce the number of victims of trafficking and to improve the services provided to children at risk or victims of trafficking, and for the return to the country of origin. The TACT Model of action is also applied in Moldova, Romania, and respective destination countries by Terre des Hommes. Terre des Hommes Albania provides victims of trafficking with

protection through legal assistance, and also supports prevention by registering the child and negotiating with the family. It is also in charge of follow-up social work for assisted voluntary returnees.

Ms Shuteriqi believes that the cooperation with anti-trafficking police has had positive results. The police notifies the NGO upon the arrival of a child at the border; they cooperate in the process of assessing the family and in following-up on the case. Lawyers, psychologists and social workers are also present during the police interview of the child. The police and Terre des Hommes work together in assessing the status of the child. Identification of the victim in the country of destination requires the cooperation of the law enforcement with NGOs. Transnational cooperation is also promoted by Terre des Hommes, as a tool for helping the reintegration of the child. The best interest of the child remains the principal goal and should be followed by all stakeholders in countries of origin, destination and transit.

During the discussion following the presentations on cooperation between NGOs/ social services providers and law enforcement agencies, participants wanted to know how best to cope with the dilemma of giving information to prosecutors, which might expose the child to risks. The testimonies of children are not always necessary. They are usually easily challenged. Concerning the protection of the child, a participant declared that the projects presented were very valuable and could make a difference for a child.

After the presentation, questions arose on what kind of exploitation is observed in Venice. Ms Bedin explained that the main cases identified concern begging and illegal businesses as well as labour exploitation. She pointed out the problem encountered with the Chinese community, which is hidden and closed and therefore very difficult to enter. The problem of the exploitation of Chinese children in Venice is known, but it remains an approximation, since it is very difficult to initiate legal proceedings with victims from this community.

Questions were also asked on the utility of cultural mediators.

Mr Günther Sablattnig, Austrian Federal Ministry of the Interior, concluded the first day of the seminar. He thanked IOM Vienna for the implementation of the project and the efficient cooperation with the Ministry of the Interior in its organization. He also thanked all the participants, experts and partners for their involvement and participation in this project.

The concluding remarks concerned the organization of the two working group sessions and splitting of the participants into smaller groups, logistical information, as well as information regarding the High Level Conference on 17 March 2006.

A cocktail reception offered by the City of Vienna and the Austrian FM.I was hosted in the evening at the Viennese City Hall. **Brigadier Hager, Head of Bi- and Multilateral Affairs at the Austrian Federal Ministry of the Interior**, opened the reception by stating that both the City of Vienna and Austria as a whole are concerned by child trafficking and wish future enhanced cooperation. He thanked all the participants, IOM Vienna and the partners of the project.

3. Training Seminar, 15 - 16 March 2006

During the next two days of the International Training Seminar, each participant attended one of the working groups: either on investigative methods or on interviewing

techniques. Most of the participating countries were represented by two participants: one in each working group.

3. 1. Report on Investigative Methods Working Group

General presentations were held for all participants in the working group on investigative methods, followed by smaller group sessions for further discussion, practical case studies and exercises on each topic. On 15 March 2006, presentations on **Risk Assessment and Identification of Victims of Trafficking and Investigative Methods** were held. On March 16 the presentations focused on cooperation: **International Police Cooperation, Cooperation in the Baltic Sea Region, Exchange of Information.**

Each of the topics of the general presentations was followed by a small group session on the same topic, where the trainers moderated the work on case studies. The aim of the case studies was to discuss and identify good practices, exchange information on risk assessment, investigative methods, and bilateral and international cooperation. Work on case studies in smaller groups allowed for real discussion and exchange between the participants. In some cases, the participants worked and discussed the cases and questions together, and in other cases they split up into sub-groups and examined different hypotheses or methods, and reporting back to the others. This was followed by discussions, in particular with a view to identifying further recommendations. In the following section the general presentations are summarized, followed by each case study/ exercise. The results of each of the working groups will be described in the next section.

Wednesday, 15 March 2006

Morning

Gerald Tatzgern, from the Criminal Intelligence Service of the Austrian Ministry of the Interior gave a general presentation on Risk Assessment. He explained that in order to respect the safety and welfare of the victims and their families at every stage of the investigative process, an operational risk evaluation should be carried out. Risk assessment consists of: evaluating the existing risk, evaluating the operational risk, identifying new/additional levels of risk, evaluating the relation to existing and potential child victims, and focusing on the ideal investigation team. Risk assessment should also include the following activities: continuous risk assessment versus prioritising joint responses, joint venture with the media, profiling victim and offender, determination of the identity of child victims. Mr Tatzgern also clarified the difference between risk assessment and threat assessment, describing threat assessment as the result of the following activities: strategic analyses, statistical data, information-led policing, national pull factors and collection of information related to the environment of the child. The discussion following the presentation emphasized the differences between risk assessment and threat assessment.

Alberto Andreani from the UNMIK Central Intelligence Unit gave a general presentation on the identification of children as victims of trafficking. For the identification of a child as a victim of trafficking, the type of exploitation and the organization that controls the victim have to be identified or used as indicators. These children are usually forced to work and therefore suffer different traumas. Indicators of potential cases of child trafficking vary depending on the form of exploitation. General indicators can be identified as follows: limitation of freedom, absence of identity documents, a facilitator arranges the daily

trips or trips on demand to the labour site, bruising, broken bones or other signs of physical violence, signs of untreated medical problems. Other indicators might be the evidence of the following medical problems: malnutrition, dehydration, poor personal hygiene, psychological disorders (i.e. post-traumatic stress disorder).

The discussion that followed focused on indicators that vary depending on the forms of exploitation: sexual exploitation, labour exploitation, trafficking for begging/stealing or domestic servitude. Other indicators mentioned were cultural background and religion.

After this presentation the participants split into three working groups (E, F, D) to work on a case study on risk assessment and identification.

Case Study on Risk Assessment

- In a big city, the police are confronted with a significant number of cases where children are involved in petty crimes such as stealing, shoplifting, pick pocketing and begging. Police officers are worried.

- In most of the cases girls are involved. The activities of the children as well as their afflux are seasonal. They are mainly in crowded places. The police cannot arrest the children because they claim to be under the age of criminal responsibility (14 years of age in this country).

- When Rita was intercepted by a police officer, she stated that she came to this country accompanied by two other girls and one unknown adult with the permission of her parents. Rita was residing in a flat with other girls.

Questions

- 1- What are the indicators of trafficking in this case?
- 2- Which are the elements of the crime?
- 3- Which type of data should be collected for risk assessment?
- 4- How to deal with the family and relatives?
- 5- What are the safety risks?
- 6- What are the implications of criminal proceedings?

Afternoon

Wim Bontick, Chief Commissioner, Head Unit Human Trafficking, General Directorate of Criminal Investigation, Federal Police – Belgium, gave a general presentation on Investigative Methods.

Mr Bontinck presented **proactive or intelligence-led investigative methods** as well as **reactive or victim-led investigative methods**, making references to the Resource Book as well as to the **Interpol Manual for Investigators (Interpol Working Groups on Trafficking in Women for Sexual Exploitation)**. The aim of intelligence-led investigation is to gather a maximum of intelligence and pre-arrest evidence without relying on victims' testimony in the countries of origin, transit and destination. The objective is to ascertain criminal situations in their damage on own initiative, instead of waiting for a complaint. It should be noted, however, that a "victimless prosecution" might be unrealistic at present. He also presented the principles and techniques of victim-led investigations and how to facilitate a victim's testimony and protection of the child as victim.

After this presentation the participants split into three working groups (E, F, D) to work on a case study.

EXERCISE FOR WORKING GROUPS ON INVESTIGATION

I) Your Liaison Officer (LO) transmits a photocopy of an advertisement in a local magazine and in a number of local newspapers. In the advertisement, a contact person with only a telephone number in your country offers jobs to women. A week later, investigators THB of a local police service inform you of advertisements in which a private club is making publicity for young women of the country of origin in the message of your LO. The club is known as a meeting address.

II) Two months later, a shelter centre informs you that someone brought a sixteen-year-old girl to the centre. The girl was sexually exploited. She is not able to indicate the location where she was held. She is a citizen of the country from the message of your LO. She states that she was promised a job as au pair girl and had been lured into prostitution after reading an advertisement in a local magazine. People in the prostitution location were threatening her family if she should flee. The private person says he found the girl on a street corner.

III) After a police intervention due to a call for assistance from a private person, a bar owner and a female employee inform police officers of the intervention unit that in clubs in the neighbouring town young girls are said to be employed.

Questions:

How could you react with the various pieces of information? What sources could you use in view of your investigation? Which type of investigation would you choose?

Thursday, 16 March 2006

Morning

Giuseppe Battaglia, Organized Crime Office, International Police Cooperation Section, gave a presentation on International Police Cooperation.

Mr Battaglia presented the main tools of international police cooperation including the institutions of the European Union's third pillar. EUROPOL was created to strengthen police cooperation within Europe. The involvement of EUROPOL can be requested if at least two Member States are involved in the case, and if the case presents an operational criminal structure and involves a crime for which Europol is competent. The Schengen area and its Schengen Information System are also a good tool of mutual assistance for the purposes of preventing and detecting criminal offences. Interpol can be also contacted for operational activities, exchange of information, for the involvement of international rogatory commissions, etc. Several bi- and multilateral agreements have been concluded between countries. He also mentioned the joint investigation teams (European judicial network) and Eurojust (prosecution assistance and coordination) as two European references of cooperation in the fight against criminality.

Reda Sirgediene, Commissioner, Lithuanian Criminal Police Bureau, gave a presentation on cooperation in the Baltic Sea Region.

Mrs Sirgediene described different regional institutions for cooperation: the Task Force on Organized Crime in the Baltic Sea Region, the Council of the Baltic Sea States' Working Group for Cooperation on Children at Risk and the Nordic-Baltic Task Force Against Trafficking in Human Beings. She presented the action plan of the Council of the Baltic Sea States' Working Group for bilateral and multilateral cooperation in coordination with other actors, which consists mainly of the establishment of national contact points to coordinate national resources in relation to the identification, care, safe return and rehabilitation of unaccompanied and trafficked children. There is also an important involvement of NGOs, the

private sector, governmental agencies and governments. The aim of the Nordic-Baltic Task Force against Trafficking in Human Beings (Nordic-Baltic Task Force) is to strengthen the regional cooperation among government agencies and to enhance the fight against trafficking in human beings, especially women and children, at the political level. It aims at reinforcing already existing networks, and facilitating coordination among responsible agencies in the countries and the region. To ensure the proper co-ordination of activities, every country is represented by a politician and an expert. She also presented ideal scenarios for using the bilateral, regional and international cooperation channels.

Bruno Mens, Crime against Persons Unit, EUROPOL, gave a presentation on bilateral and international cooperation.

Mr Mens presented the Law Enforcement Organisation EUROpean POLice. He explained that EUROPOL can be mandated only if two or more Member States are involved in cases of organized crime and if this crime is under the mandate of EUROPOL. The exchange of information proceeds from the national unit through a liaison officer to EUROPOL. The added value of Europol in European cooperation is very important since:

- It enables a multi-agency approach.
- 25 EU Member States are represented. Agreements have also been signed with: Bulgaria, Canada, Colombia, Iceland, Norway, Romania, Russia, Switzerland, Turkey and USA. There are agreements in progress with: the Western Balkans and Australia, Israel, Monaco and Ukraine. The added value of EUROPOL includes:
- No problems of linguistic barriers.
- It enables a quick exchange of information.
- It provides an EU-wide overview of organized crime.
- It provides technical, analytical and operational support in investigations:
 - practice, training, participation/contribution in European projects.
 - Analysis Work Files, which allow an easy collection, collation, analysis and dissemination of intelligence.

The discussion following the presentation focused on the importance of contacting and working together with Europol/ Interpol/ Eurojust and the possibilities of doing so for EU Member States and for other countries.

Afternoon

The last session of work in small groups focused on bilateral, regional and international cooperation. The two following exercises were done in the Working Groups (D,E,F).

Third case study:

A case from the Lithuanian Police (countries changed)

The Commissioner General of the Lithuanian Police received a letter from journalists with substantial information that a woman A and her 5 year-old-son are potential victims of trafficking, very likely for organs. The situation dealt with relationships via the Internet.

Discussing the case

1. *What should be the immediate measures and main steps taken to solve the case above successfully?*
2. *How to coordinate national and international efforts?*
Which channel of cooperation could be the most appropriate and sufficient?

Sharing information on the situation in the participating countries and potential involvement of journalists as source of information.

Fourth case study:

EXERCISE FOR WORKING GROUPS ON INFORMATION “GENERAL VIRTUAL CASES”

1 About what: identifying the elements (in view of prosecution of the “trafficking aspect”)

Generally speaking, we would begin by establishing that we are dealing with a case of child trafficking, the exploitation of a child – the type of exploitation is irrelevant (the participants have to look at all possible sources where they can retrieve information: LE, non-LE, NGO, IO, service providers (travel agencies), civil society....)

2 About who:

2.1 Suspect/offender

2.1.1 Identified; apprehended/arrested; not-apprehended/arrested

2.1.2 Not-identified; apprehended/arrested; not-apprehended/arrested

2.2 Victim/child related

2.2.1 Identified

2.2.2 Not-identified

Which (protective) measures are to be taken: nationally and internationally.

3 General questions

3.1 Identify at which stage the judiciary should be involved.

3.2 What will you do with all information collected/retrieved during & at the end of the investigation, prosecution and conviction?

3.3 Identify or describe for your own country the possibilities and possible constraints?

3.4 What information can you share with civil society: IO, NGO, non-police agencies, service providers, etc.

Training in Small Groups of the Working Group Investigative Methods

Participants of the Investigative Methods Group split into three small working groups D, E and F.

The trainers of the small group sessions were:

Group D: Wim Bontinck (Belgium) and Alberto Andreani (Italy),

Group E: Giuseppe Battaglia (Italy) and Reda Sirgediene (Lithuania),

Group F: Gerald Tatzgern (Austria) and Bruno Mens (Europol).

The following is a summary of the discussions in each of the small group sessions.

Group D

(Albania, Belgium, Czech Republic, Finland, Greece, Italy, Latvia, Moldova, Morocco, OSCE Police Matters Unit, Slovenia, Spain, Sweden, Switzerland and Ukraine).

During the first small group session, the participants introduced themselves, their work on countering trafficking in human beings/children, as well as their expectations for the training seminar.

Case Study 1: Risk Assessment and Identification

The participants examined the indicators of risk assessment in child trafficking cases and child identification tools. They expressed the importance of analysing the social network of the victim. The participants underlined that a careful family assessment should be conducted,

and that a child should never be sent back to his/her home country before a risk assessment is conducted upon his/her return in the country of origin. His/her family should not be contacted before a careful analysis of the social, ethnic and cultural background of the child has been conducted. It is important to bear in mind that the relatives might be involved in the trafficking process. The participants also mentioned that a good level of cooperation with NGOs and social providers should be enhanced and maintained. The participants identified different available tools of child identification, for instance: checking records in criminal databases, verifying fingerprints (depending on national legislation), researching the environment of the child (country of origin, travel, residence). It was stressed during the discussion that it is important to always take into account the best interests of the child. Social services, child protection services should be involved.

Case Study 2: Investigative Methods

The participants read the case and began discussing the type of investigation to adopt. They underlined the importance of privileging intelligence-led investigation. They concluded that the best approach remains a fully pro-active investigation. The police have to collect and verify available information. They acknowledged that problems might appear if the prosecution cannot be led without victims. There are also cases of prosecution where victims are not available. Through this case study analysis and discussion, the main conclusion identified is to recommend police officers to privilege pro-active investigation and pursue investigations with a creative way of thinking. Indeed, the trainer reckoned that all information can be used to do something and data have to be exploited to a maximum. Police officers need to get ideas from the various inputs, to correct/ adapt their techniques, procedures.

Case Study 3: Lithuanian Case

For this case study the participants worked in pairs and then reported the outcomes of their discussions to the others. During the discussion on this exercise the participants described the different channels and procedures available in their country in relation to bilateral and international cooperation. The discussions between the participants on international cooperation underlined the benefits of the use of Europol or Interpol liaison officers. They also agreed on the importance of maximizing possibilities through the use of all resources available. The participants advised on the need for the creation and implementation of a national database to make the information available abroad (within data protection limits).

General Virtual Case 4: Exchange of Information

For this exercise, the participants were split into two different groups: one examining the victim' s position and the other group that of the offender. Based on experience, it is important to try to identify how useful or useless some methods are. There is a need for investment in sharing good practices in the investigation and profiling of offenders. The profiles of traffickers should be analyzed more in order to be able to be more proactive. As far as risk assessment is concerned, there is a need for maximum information sharing to assess the situation. Once a victim is identified, there is a need for a reactive response, as well as for the protection of the victim in the best possible way.

Throughout the discussions in this group further recommendations were identified:

- The judiciary should give feedback on the final decision in Court linked to cases in child trafficking to investigation police services to improve the police practices, to minimize the pressure on the victims and to enhance information-led investigations.
- Law enforcement agencies of the EU Member States should especially assist their counterparts in developing countries, identified as source or transit countries of child trafficking.
- In case of a presumed child victim and based on the risk assessment, the police should decide if an immediate intervention is needed.

During the last session of the working group on investigative methods, Mr. Bontinck presented the results of the work of Group D.

The discussion within the group went smoothly; the topics were linked to the participants' sector/unit. The position of the victim and techniques of investigation were well known by the participants; a good exchange on these practices took place.

The following good practices were identified:

- There is a need for police officers and prosecutors to focus on and look for the best practices with regards to the offender in order to rely less on the victims.
- Investigations should not only be conducted on victims. They should rely the least possible on the statement of the victims.
- Depending on the national legislation, a successful investigation without victims might appear difficult in some cases. If the statement of the victim is necessary, adequate protection of the victim/witness should be ensured.

Group E

(Austria, Belarus, Bulgaria, Denmark, Eurojust, Ireland, Italy, Lithuania, Macedonia, Nigeria, Norway, Serbia and Montenegro, Slovakia, Sweden).

During the first small group session, the participants introduced themselves and their work on countering trafficking in human beings/children, as well as their expectations for the training seminar.

Case Study 1: Risk Assessment and Identification

The participants proposed to organize info campaigns in countries of origin, transit and destination and programmes of reintegration for the children. They agreed on the priority of respecting the best interest of the child at all stages of the investigation. The compilation of information should be collected through the observation of the location of the children. A cooperation with the street and traffic police should be strengthened, as well as with taxi drivers, shop owners, etc. The participants mentioned the necessity of creating a data-exchange network in the form of a computerized system (centralized).

Case Study 2: Investigative Methods

The participants worked on the case study in three smaller groups. As far as investigative methods are concerned, they mentioned that strategies may vary from source and destination

country to country. Proactive and intelligence-led investigation should be privileged in order to dismantle organized trafficking networks.

In countries of destination reactive and proactive investigation should be conducted, whereas disruptive investigations may be the only option when minors are concerned particularly in source countries. The disadvantages of disruptive investigation are the lack of cooperation of victims - especially before exploitation occurs - as well as the subsequent lack of evidence, implying difficulties in prosecuting the crime.

In many countries, evidence of exploitation by testimony is necessary for a successful prosecution.

The following recommendations were identified during the discussions:

- There is a need for frontline police to be trained and sensitized in identification and risk assessment.
- Disruptive investigations may be the only viable method to adopt when minors are concerned, particularly in source countries.
- Victim-led prosecution is not always feasible. Nonetheless victim-friendly procedures are necessary for a successful prosecution.
- There is a need to receive information about court proceedings in other countries (in order to avoid repeating mistakes).
- Legal assistance should be provided during the investigation.
- The investigation should be effective and prompt.
- The timing of interviews should be appropriate.
- Training seminars should be organized in order to improve and increase the implementation of manuals/books by local police.

Mr. Battaglia presented the results and conclusions of the work of Group E:

A fruitful discussion took place between the participants. They shared their personal experience constructively and were able to work on the case studies well.

The main points discussed were the following:

- Risk assessment requires the widest possible range of information.
- A pro-active method should be preferred.
- A reactive method should be considered if the victim has been identified.
- A victim-centred approach should be applied with the main aim of maximizing the protection of the victim.

Group F

(Austria, Bosnia-Herzegovina, Croatia, Estonia, Europol, Hungary, Ireland, Latvia, Netherlands, Poland, Portugal, Romania, Russia, Sweden and Switzerland).

During the first session of the working group the participants introduced themselves, their experience in this field and their expectations. This proved to be very useful, as it showed from the beginning the different levels of practical experience in combating child trafficking, as well as the scope of identified cases of child trafficking in the different countries. All participants stressed their interest in building contacts and working relationships with their counterparts.

Case Study 1: Risk Assessment and Identification

First the participants looked at the indicators of the crime of child trafficking in this specific case. The participants explained the various national legislations and regulations in their countries - how to deal with a child who has been arrested while stealing. The problem that children usually do not stay in the shelters was pointed out. The participants suggested that if the child has been intercepted while committing an offence, the Juvenile Judge should be able to place the child in a closed shelter in order to protect the children from the traffickers.

As part of the risk assessment, the responsibility of the parents should be checked. Some practical hints were given on how to assess the potential involvement of the parents in the trafficking of their children. Further, the victims need to receive permission to stay in order to build up the case against the traffickers.

The participants also briefly presented the strategy to centralize data on trafficking cases in their countries.

Case Study 2: Investigative Methods

The participants read the first part of the case and began discussing the type of investigation possible at this stage: it was decided to use a pro-active method. Then they explored potential concrete actions and reactions in this case. Possibilities depend mainly on national legislation. The participation of a prosecutor in this group was enriching, as she was able to draw limits and explain when evidence can be used or not.

After looking at the second part of the case study, the participants decided to take a reactive approach. They further discussed initial contact, interviewing the child and referral after the interview. They stressed the possibility of using proactive methods at the same time.

Case Study 3: Lithuanian Case

For this case study the participants worked in pairs and then reported the results of their discussions to the others. The focus was on the cooperation channels and first contact in view of cooperation. This exercise showed the different channels and different procedures in each country in relation to bilateral and international cooperation. In some countries, direct contact is possible and in other countries it is not official and remains to be officialized. The participants mainly mentioned the use of liaison officers and contacting Europol and Interpol.

General Virtual Case 4: Exchange of Information

For this exercise, the participants were split into two different groups: one group examined the victim's position and the other group that of the offender. The participants reported on the results of their group and identified sources of information that should be considered. The trainers and other participants had further suggestions. The participants also discussed the collection of data and sharing of personal/ depersonalized data.

The following recommendations were identified during the discussions:

- Social services should build a network of information and trends on the situation of child trafficking, etc.
- Contact lists of reliable NGOs and social services in countries of origin should be made available.

- A centralized police office should collect all data at the national level in order to support local police.
- There should be joint training seminars for judges, prosecutors and law enforcement agencies.
- Specialized Units for combating trafficking in human beings should be created (if not existing) within law enforcement authorities and the judiciary.
- Law enforcers should try to avoid relying only on the testimony of the child victim.

Mr Tatzgern presented the main results and conclusions of the work of Group F:

The participants of the group had different experiences in dealing with trafficking in children. They showed great interest and stressed the importance of having more contacts and exchange of experience.

Concerning international cooperation, each country has different regulations and procedures. Cooperation can be based on personal contacts and liaisons with the Liaison officers (Europol, Interpol) and national police officers. In each specific case it is important to assess and identify the best possible channels of cooperation.

The participants used the information presented during the training seminar in their work on the case studies; new and creative ideas emerged during the presentations in the workshops. The participants came up with practical advice, tips and skills to bring back home.

The work in this group was focused on the child victim and his/her vulnerability as well as on the investigation. The discussion also touched on the cooperation with NGOs and social services, which should be based on a legal framework.

Mr Tatzgern highlighted the good and active participation in the group, as well as the friendly atmosphere.

Final session of the Working Group on Investigative Methods, 16 April 2006 afternoon

During the last session of the Working Group on Investigative Methods, the results and main findings of each small group were presented to the whole group and allowed for comments from the participants.

Then the recommendations identified in each group and proposals for modification of the recommendations from each of the small groups were discussed in view of finding a broader agreement. The idea was to adapt the recommendations of the Resource Book with the comments of the participants. These recommendations would be modified and distributed and presented during the High Level Conference on the following day.

Following extensive discussion of each of the proposed additional points or suggested modifications, the following points were agreed on and added in the Recommendations:

- Law enforcement and other relevant agencies should guarantee appropriate action including a prompt and effective investigation in cases of child trafficking within their national legal framework.
- There is a need for frontline law enforcement officers to be sensitized about the identification of child victims of trafficking and referral to the relevant services.
- Social services should build a network of information on the situation of trafficking in children, trends, etc.

- Specialized units for combating trafficking in human beings should be created (if not existing) within law enforcement authorities and the judiciary. Law enforcement officers and prosecutors should work together at a strategic and operational level.
- Contact lists of reliable NGOs and social service providers in the countries of origin, transit and destination should be made available.
- “Use the potential of Eurojust to facilitate the prosecutions of suspected traffickers.”
- Every assessment should look in particular at the protection offered in the country of origin.
- For this purpose, law enforcers should not only rely on the testimony of the child victim.
- Suspected victims of trafficking should be provided with legal assistance during the investigation.

Finally, Claire Potaux from IOM Vienna thanked the Austrian Federal Ministry of the Interior, all the trainers and the participants for their participation and active contribution to the success of the training seminar.

Ms Nicole Stemmer concluded the working group session by reminding that the training seminar was part of the activities of the Austrian EU Presidency, congratulating everybody for the results of the training seminar, thanking the partners, experts and participants, and extending a special thanks to IOM Vienna and Claire Potaux for implementing the project.

3. 2. Report on the Interviewing Techniques Working Group

Executive Summary of Activities and Discussions

The aim of the Working Group on Interviewing Techniques was to present current good practices in the field of interviewing child victims of trafficking to law enforcement officers. These good practices are also applicable to interviews of child witnesses of this crime.

On the first morning of the Working Group session, all participants received a general introduction on interviewing techniques by Debbie Townsend (UK), as well as a background presentation on the circumstances of the interview, including child-friendly rooms, by Maria Keller-Hamela (Poland).

The participants then split into three smaller groups (Group A, B and C), each of which was facilitated by one law enforcement officer and one child psychologist, on the basis of the contents of the Resource Book.

Further, the trainers encouraged participants to make use of the recommendations in the Resource Book for drafting new recommendations or making modifications to them.

2. 1. Theoretical Introduction

Together with the two theoretical presentations, the experts presented the principles on which the interviews should be based; these principles are described in the Resource Book and therefore only a few are presented below.²⁵

²⁵ Please see IOM Vienna, Austrian Federal Ministry of the Interior: 121

- Consideration should be given to the best interests of the child at each stage of the process.
- All children below the age of 18 years old should be treated according to their particular needs and special vulnerability.
- The language used by the interviewers should be adapted to the age of the child throughout the interview.
- The interview is not an interrogation.
- Interviews should only be undertaken by trained staff with specialized skills.
- The interview should take place in a child-friendly environment.
- Interviewers must be honest with the child.

2. 2. First contact/identification

Ms Townsend stressed that interviews at first contact play a vital role in the investigation but they are not to be confused with the evidential interview that may follow. The aim of the first interview is to gather information that may assist in the identification of potential or actual victims of trafficking.²⁶

In too many cases, the situation of children is improperly assessed and children are not identified as potential or actual victims of trafficking. The lack of identification of child victims means that an investigation, followed by the prosecution and conviction of the traffickers, is less likely. A full, accurate and comprehensive record of first contact interviews should be made and passed on to the investigating officer. First contact will usually be made by a “street police officer”.

Ms Townsend further explained that this interview should contain further detailed questions to assess whether the child is a potential or actual victim of trafficking. **“The immediate needs of the child should be assessed by the interviewer on his/her arrival either at the police station or location where the interview is going to take place.”**²⁷ The start of the interview should be deferred whilst the welfare of the child is addressed and a referral to social services or other partner agencies may be necessary at this stage.

Ms Townsend stressed that the interview should be tailored to the circumstances of the individual child and conducted:

- in a quiet room away from any distractions/interruptions;
- never where the child was found;
- by a police officer experienced in interviewing children;
- in the child’s mother tongue –using an interpreter should be considered.

²⁶ Please see IOM Vienna, Austrian Federal Ministry of the Interior, Chapter 2.1-: 121

²⁷ IOM Vienna, Austrian Federal Ministry of the Interior, Chapter 2.2-: 123

A clear, concise and accurate record of the interview should be made using the specific mode currently accepted within the legislation.

Ms Townsend then presented potential indicators²⁸, such as when the child

- looks untidy – clothes shabby, hygiene poor;
- has very expensive clothes;
- may seem drowsy – consider being under the influence of drugs, etc.;
- visible signs of violence – burns, scratches, bruises etc.;
- looks scared or cries;
- shows high level of stress;
- gives rehearsed or far too mature or unnatural answers to questions;
- looks to accompanying adult for permission to answer questions;
- travels with adult who is not biological parent;
- exhibits unusual behaviour towards accompanying adult;
- claims that he/she has no idea where parents are;
- has no contact with family;
- does not know exact destination;
- cannot define how long he/she has left the home country;
- has no travel documents;
- is unable to explain what has happened to his /her passport.

Ms Townsend stressed the fact that **as soon as a child has been identified as a victim or witness of a crime of trafficking, first intake questioning should cease.**²⁹

2. 3. Evidential interview

Ms Townsend further introduced the purpose of the evidential interview, which is to gather evidence for use in legal proceedings, immigration matters, child protection issues and/or the prosecution of offenders; thus it is essential to obtain a valid and reliable statement without any influence. The task is to help the child disclose and tell his/her story in his/her own words. The interviewer should bear in mind that making a statement should be voluntary. Pressuring the child is never in the best interest of either the child or the case. In the Working Group Meeting in September 2005, all participating experts had agreed that the motto of any interview should be: “Children are the experts”.

The aspect of preparation of the interview was particularly stressed during the training seminar as **planning is a vital part of any interview**. Emphasis was also placed on the need

²⁸ Please see IOM Vienna, Austrian Federal Ministry of the Interior, Chapter 2.1.2-: 122

²⁹ IOM Vienna, Austrian Federal Ministry of the Interior, Chapter 2.2-: 124

for flexibility to adapt to unforeseen circumstances. Later, in the smaller groups, participants had the possibility to practice the phases of the evidential interview.

The assessment of the suitability of the interview should include the following aspects: necessity of the interview; does the child want to give a statement; is the child able to; language; health issues; disabilities; emotional state; developmental stage; trauma.

It is extremely important that the interviewer collects as much information about the child from all agencies to be well prepared. It is also important to prepare the child for the interview.³⁰

The evidential interview comprises the following phases:³¹

1. Planning the interview;
2. **Introduction/Rapport** building (introduction - setting the tone, talking about neutral topics, establishing the ground rules, considering the concept of truth, taking into consideration intercultural aspects);
3. **Free Narrative** (using general and specific open-ended questions, listening actively, using silence, encouraging the child to recall in his/her own words what has happened without interruption, echoing, summarizing to ensure that the information is correctly understood, being empathic);
4. **Clarification/Questioning** (to gather evidence and fill in the gaps using open-ended questions and keeping questions as short and simple as possible, taking into account the child's age and stage of development);
5. **Closing** (summarizing what the child has said and giving him/her the chance to correct any mistakes, asking whether the child has any questions, thanking the child for his/her time and effort, explaining what is going to happen next, returning to neutral topic, providing contact information/details).

2. 4. Circumstances of the interview

Ms Keller-Hamela stressed how important it is to put the child at ease during the interview as he/she

- doesn't understand legal procedures;
- is scared of unknown situations;
- is afraid of the consequences of accusing the trafficker;
- feels guilty;
- blames her/himself.

Therefore, the interviewing room needs to meet the psychological needs of children as well as the formal requirements for legal purposes. Ms Keller-Hamela explained that the interview should take place in a safe, secure, quiet and secluded environment but never where the child lives. Ms Keller-Hamela showed and explained how little changes, such as table clothes,

³⁰ Please see IOM Vienna, Austrian Federal Ministry of the Interior, Chapter 3.3.1-: 132.

³¹ Please see IOM Vienna, Austrian Federal Ministry of the Interior, Chapter 4.3-: 143.

curtains, etc. can make a big difference and transform the room into a child-friendly environment.

On the basis of the Resource Book, Ms Keller-Hamela described crucial aspects to be considered when interviewing a child. Among those, Ms Keller-Hamela highlighted the following:

- Do not sit in front of the child.
- Give the child the possibility to look straight ahead without looking into the eyes of the police officer.
- Visit the room together with the child and the accompanying adult prior to the interview.
- Windows should be closed.
- There should be no phone calls or other disturbances.
- Children should be picked up at the entrance so that they do not have to look for the interview room.
- Explain the context and show the facilities and installations (let children ask questions and answer them.) If this step is left out, there is a danger that the child will ask these questions at a difficult phase of the interview.
- Remember to introduce any other people present such as the cameraman, the expert, the consultant or an additional interviewer who might be behind the one-way mirror or in the camera room. Avoid meeting the accused.
- Provide paper and writing or drawing materials, tissues and water.
- Check that the camera is ready to be used (do this before each interview) and explain how it works.

2. 5. Memory development

In each small group, the trainers continued the theoretical introduction, explaining that a child's memory is not chronological and therefore it is essential to let the child talk freely and to follow the flow of the remembrance of the child. Thus, when considering memory, one should keep in mind the general development of the remembering person (expectations, attitudes, etc.).

encoding registering a memory

storing committing to short or long term memory

retrieval recalling from the past

Children under three years of age do not yet have an autobiographic memory, they do not yet have a clear notion of a "self"; their linguistic ability is in development (girls earlier than boys); the linguistic ability at the moment of the event is essential for remembrance (and not the linguistic ability at the moment of the interview).

Children at the age of three years of age have the ability to store in an autobiographic memory; young children need more concrete questions to be able to retrieve the information!

Children at the age of four years of age remember personal experiences during a longer time period relatively accurately and self-centred; they are capable of differentiating various similar events but less accurately than older children, especially the position of details over time.

Children at the age of six to seven years of age remember personal experiences during a longer time period relatively accurately and self-centred; they are capable of differentiating various similar events but less accurately than older children, especially the position of details over time.

2. 6. Type of Questions

The trainers then explained the different ways of questioning, which should lead to information that can be used in the criminal proceedings, showing that the story provided by the child is true and factual. To achieve that goal, the interviewer should give special attention to the type of questions, as different questions lead to different answers.

The experts concentrated on the following two approaches:

General open-ended questions stimulate the child to tell a story; “What do you want to tell me?”

Specific open-ended questions, just asking for a specific answer; “What colour was the man’s hair?”

Training in Small Groups of the Working Group Interviewing Techniques

The first task of each participant in the small groups was to interview a colleague from another country in order to then present what the participant came to know about his/her colleague in a rather short period of time. Participants were asked to find out about the colleagues name, country, experience, expectation as well as about something unusual in his/her life.

More than getting to know each other, this exercise was designed to make the participants already work on their interviewing skills.

Participants and experts discussed the importance of knowing and recognizing their own limits, their non verbal expression (body language), especially when conducting the interview. The trainers explained that the interviewer needs to be aware of the fact that his/her own reality does not correspond to the child’s reality. Participants therefore agreed that the interviewer needs to have a certain distance to him/herself.

In the beginning of the small group sessions, participants further highlighted the following expectations:

- To learn how to prepare an interview and how to manage the time (before/during/after);
- To learn practical and special interviewing techniques;

- To know more about specific questions in child trafficking cases;
- To learn more about other countries' interviewing techniques;
- To make contacts with colleagues from other countries.

Participants were later tasked to split into groups of four and discuss the needs of children. Participants agreed that such needs include:

- Medical aid
- Food (to still their hunger)
- Water (to still their thirst)
- Sleep
- Toilet

Participants discussed the importance of bearing in mind the best interests of the child throughout the procedure. In addition to the trainer's comments, participants particularly stressed the need to provide the best protection possible, to take into account the psychological status of the child as well as the need of a child appropriate room/location in which to conduct the interview.

Above all, the trainers stressed the importance of preparing the interview in the best possible way. During the discussions in the small groups, the participants agreed upon the following questions to be reminded prior to conducting as well as during the interview:

- Is the interview reasonable?
- Am I aware of the different language accents?
- Am I recognizing all of the child's feelings?
- Am I listening to what the child has to say?
- Am I making the situation safe for the child?

Following the theoretical introductions, participants were later asked to describe the interview rooms in their own country. The trainers then showed several situations of an interview, such as a friendly interview, an interrogation, an interview with detailed questions. The trainers also illustrated on a flipchart the ideal distribution of a location: the interview room should be very close to a waiting room as well as connected to a side room provided with a one way mirror.

The trainers illustrated through role-playing, one playing the role of the interviewer and the other the child, the importance of making the child feel safe during the interview. In Switzerland, victims have the inalienable right to be accompanied by a staff member of The Agency for Victim Assistance. The experience has shown that both children and trusted adults feel it is helpful just to know where these professionals are waiting and where they can be reached if necessary. Another example of how to make the child feel at ease is e.g. to place the accompanying adult's handbag in the interviewing room while he/she is waiting outside the room.

In the small groups, the participants discussed the set up of the interview extensively and agreed on the following main points:

- Keeping the distance;
- Preparing the room with table clothes, water, paper/pencil and making sure the equipment is working properly.

The police officer as the instrument of the interview

The working group session demonstrated that the police officer is the instrument of the interview; depending on the police officer's performance, the child victim/witness would disclose his/her story.

Participants further stressed the need for skilled interpreters³² who received a special training and are especially sensitized to cases of child trafficking. However, the participants raised the point that hiring professional translators often constitutes a financial problem. Participants agreed that a well-trained interpreter is independent of gender; however, the interviewer should accept the wish of the child, in case the child prefers having a male/female interpreter. The interpreter should not sit in between but behind the child and the interviewer. The interpreter does not actively take part in the interview.

In order to improve the skills of the police officer in his/her role as the interviewer, some participants suggested - according to their national practice - to use the videotapes or an observing trainer in one of the side rooms for feedback on the interviewer's performance.

The trainers further stressed the need to inform the child that in the case of the interview the police officer is a special police officer for children. It is important to give the child a good example of police and to recount positive experiences when providing the basis of confidence. In some countries, interviewers provide the child with a business card (sometimes also with photo) so that the child could always contact the interviewer when in need of help. Participants discussed possible ways of gaining the confidence of the child in each small group.

An interesting discussion ensued about the role of police officers combating trafficking in children in particular. Due to the special needs of children, interviews often have to be postponed; this leads to presumptions, such as that the police officer in charge is too lazy to conduct the interview. Therefore, participants stressed the need to sensitize all police officers on the special vulnerability of children and to lobby their particular work in combating child trafficking. Further, participants stressed that in cases of child trafficking the focus is not on the final result, but rather on the best interests of the child.

Influencing a child-witness: negative and positive factors

In each group, participants were then asked to split into two smaller groups, one discussing how an interviewer can positively influence the child/witness and one discussing how the interviewer can avoid influencing the child and his/her statement negatively.

³² Please see IOM Vienna, Austrian Federal Ministry of the Interior, Chapter 3.3.4-: 126 - 136.

Experts and participants came up with the following points regarding potential factors of negative influencing:

- the interviewer neglecting to introduce him/herself;
- wearing a police uniform;
- asking too many and repeating questions; asking difficult questions the child does not understand (police jargon);
- not knowing his/her limits;
- conducting the interview in formal surroundings (police station);
- mixing the phases of the interview;
- being impatient, too emotional, too formal, not connecting to the child;
- showing non-verbal signs like frowning, disgust;
- rushing/pressuring the child;
- the perpetrator or mother is present during the interview;
- interpreter is not specialized (lack of training, language skills, ethical and/or professional code).

As the child is a “walking source of information” disregarding the above potential negative factors in the planning stage or during the interview will lead to the loss of vital information and points that could make a court case.

On the other hand, experts and participants came up with the following examples on how to positively influence a child:

- explaining and being very clear about the goal, the reason and procedure of the interview;
- preparing the child for the interview;
- explaining role of the interviewer;
- not wearing a uniform and so creating a more informal atmosphere;
- being honest;
- making the surroundings as child-friendly as possible;
- starting questioning slowly; actively listening to the child; letting the child talk.

Role play

Following this theoretical introduction on the child’s development and the different types of questions, the second day was spent mainly doing role plays and discussing this experience. In each group, participants were tasked to split into groups of threes and fours. Each participant was then tasked to take part in the role play as either the child (girl/boy of a specific age), or the interviewer, the observer, or where appropriate the translator.

The trainers had prepared several case studies, based on discussions held during the Working Group Meeting in September. The “child” was given the whole information on the case, while the interviewer was provided only with parts of the story as per below.

Case Krasimir and case Sophia

Name:	Krasimir	Sophia
Age:	8 yrs	8 yrs
Date of birth:	4 March 1998	4 March 1998
Born:	Varna, Bulgaria	Varna, Bulgaria
Siblings:	Nikolaj (m) 16 yrs Ivanka (f) 6 yrs Williem (m) 18 yrs	Nikolaj (m) 16 yrs Ivanka (f) 6 yrs Williem (m) 18 yrs
Mother:	Juliana 38yrs – unemployed	Juliana 38yrs - unemployed
Father:	Ivan 40yrs – unemployed	Ivan 40yrs - unemployed

On Saturday 11th March 2006 a police officer on patrol in the 6th district of Vienna noticed an unaccompanied young boy/girl at the entrance of a big supermarket on Mariahilfer Straße. Krasimir/Sophia was kneeling on a cushion and in front of him/her was a hat with a few coins in it. The officer spoke to Krasimir/Sophia but he/she did not understand neither English nor German. Krasimir/Sophia told the officer “I’m a tourist, I’m waiting for my father”. The officer felt these were suspicious circumstances, so Krasimir/Sophia was taken to the police station.

At the police station Krasimir/Sophia produced a bad copy of his/her Bulgarian passport from his/her shoe. He/she said he/she lives in Austria with a family friend and his/her family still lives in Bulgaria. Krasimir told the officers that the family friend takes him/her and 3 other boys/girls to different places every day and he/she has to beg for money until 6 pm.

When he/she has finished he/she has to walk home alone and hand the money over to the family friend. Krasimir/Sophia also said that if he/she did not make more than 40 euros per day he/she was beaten.

Case Peter and Case Olga

Name:	Peter Ivanova	Olga Ivanova
Age:	16 yrs	16 yrs
Date of birth:	1st February 1990	1st February 1990
Born:	Estonia	Estonia
Address:	Flat 2, Herrengasse 7, Vienna	Flat 2, Herrengasse 7, Vienna
Family:	Grandmother Victoria 63yrs	Grandmother Victoria 63yrs

Peter/Olga was taken to the police station as a result of a raid in the flat. The flat has been under surveillance for some time, suspected of being a brothel.

Peter/Olga has been identified as a victim of trafficking. He/she has told officers that he/she came to Vienna 2 years ago having been recruited by a man called Juri. He/she was given a ticket to Vienna by him and he/she has been working as a prostitute ever since. The introduction to Juri was done by his friend/her boyfriend “Kolec”, who is 38 years old.

The trainers further provided the following instructions: first, each group had to play out the introductory phase of the evidential interview; then, they had to play out both the introduction and the free narrative; only in a third step, were the participants asked to play out the whole interview. After each step, participants had to switch roles in order to provide everyone with the possibility of getting to know the role and feelings of the child, the interviewer and the observer/translator.

After every step, all participants discussed their experience together. They particularly stressed the difficulty in preparing the interview well and in conducting the introductory phase. Moreover, participants positively recognized the importance of the role play, as it provided them with the chance to see the interview from different angles.

Conclusions

During a final session, all participants of the working group on interviewing techniques came together, presenting the main points of the work done in the small groups as well as discussing the recommendations outlined in the Resource Book and adding additional ones.

Participants agreed that there is no perfect situation. However, each and every interview should be prepared in detail as best as possible in order to avoid any distractions. It is important to make the child feel safe in the interviewing room.

During the working group sessions, all participants had the chance to experience and observe several interview situations (police officer – child; interviewer – child; friendly situation; detailed questioning, etc.) making them aware of the special needs of the interviewed child as well as of the technical aspects and the importance of mastering all phases of the interview. Participants stressed the need for such training on a regular basis.

Participants praised the high quality of the Resource Book and confirmed their intention to brief their supervisors and colleagues in their respective home countries about the training received and about the special vulnerability and needs of children.

Participants further recognized the need for policy makers to adapt their national legislation to international standards.

Participants agreed upon the following modifications of / additions to the recommendations:

- There is a need for frontline law enforcement officers to be sensitized about the identification of child victims of trafficking and referral to the relevant services.
- The assessment of the return of a child to his/her home country must be multidisciplinary and intercultural, with the analysis of each individual's situation based on security, sociological, clinical, social, economical, historical and cultural factors, for which cooperation between country of origin and destination is very important. Every assessment should look in particular at the protection offered in the country of origin.
- Interviewers must be honest with the child and should never make false promises. Interviewers should enter every interview without prejudice, and explain and inform

the child about the purpose of the interview or questioning. Gaining the child's trust during the interview is essential. The interviewer should prepare him/herself and especially consider the best interests of the child.

- The interview is not an interrogation. The purpose of the interview is to assist the child to disclose within a free narrative interview and so contribute to the investigation and the prosecution of offenders.
- More training should be conducted in order to improve the skills of law enforcement officers in interviewing children, including training of trainers at the national and international level. Resources should be allocated for this purpose.
- Appropriate child-centred facilities and technical equipment should enable the child to feel comfortable and to assist the child in telling his/her story.

These recommendations have been included in the document "Recommendations on the Project Comprehensive Training for Law Enforcement Authorities Combating Trafficking in Children/Minors" presented at the high level conference following the training seminar.

4. Compilation of the results of the International Training Seminar Evaluation Forms

In general, of the 44 received evaluation forms from the participants of the International Training Seminar, the feedback was very good.

All participants stated that their overall appreciation of the Workshop was very good to excellent. Furthermore, they expressed their full satisfaction with the content as well as with the organization of the workshop.

This overall positive result represents the oral feedback that IOM Vienna received from the participants during the International Training Seminar as well as in contacts with participants following the International Training Seminar. The participants qualified the Resource Book as an excellent publication of very attractive and of high quality. The overall dialogue and participation went very smoothly and with much active and constructive involvement from each participant.

The majority of the participants mentioned that they very much appreciated the opportunity to network and exchange information with colleagues from countries of destination, transit or origin. Many participants also very much appreciated that the International Training Seminar helped increase understanding of other countries' procedures, legislation and difficulties concerning the fight against child trafficking.

Furthermore, several participants mentioned that the presentations related to age assessment and interviewing techniques were interesting and had added value for their work.

Other issues that were positively appreciated were: International cooperation and information exchange between law enforcement officers, as well as investigative methods and cooperation between law enforcement and social services/NGOs.

Participants especially complimented the exceptional professionalism and skill of the trainers.

Follow-up to the International Training Seminar and the Resource Book:

One of the most important results of this International Training Seminar is that all participants agreed that it was necessary to have a follow-up to the workshop. They expressed this wish orally at the end of the training seminar and during the breaks. The participants were very pleased that the publication was distributed as a working tool during the Seminar. They expressed the need for translating the Resource Book into their local language.

The participants also mentioned the need to follow up the International Training Seminar by other seminars or with the implementation of training programmes. They suggested organizing seminars on the same topic but at a national level in the participating countries. They all believed this training seminar would increase and improve cooperation between all actors involved in preventing and combating trafficking in human beings at the international level. Some participants recommended paying attention to cooperation between judicial authorities, and implementing specific guidelines to obtain effective international cooperation. In addition to these recommendations, the desire was expressed for further follow-up activities covering topics such as: an international training seminar for trainers, regular follow-up training on sharing new information and good practices on methods for fighting child trafficking, as well as a seminar to assess the results and the difficulties in implementing the good practices identified or a European training seminar in cooperation with CEPOL.

VIII. HIGH LEVEL CONFERENCE ON COMBATING TRAFFICKING IN HUMAN BEINGS, ESPECIALLY WOMEN AND CHILDREN: PREVENTION – PROTECTION – PROSECUTION, 17 MARCH 2006, VIENNA

1. Introduction

The '*Alliance Against Trafficking in Persons*' High Level Conference on Combating Trafficking in Human Beings, Especially Women and Children: Prevention – Protection – Prosecution was hosted and organized under the auspices of the OSCE Special Representative on Combating Trafficking in Human Beings. This conference was attended by all the participants of the International Training Seminar, the OSCE delegation representatives, experts, members of the EU and national Parliament, as well as wider representation from the "Alliance Against Trafficking in Human Beings". The conference was hosted in the Hofburg, Neuer Saal in Vienna. The recommendations and results of the AGIS 2005 project implemented by IOM Vienna under the Austrian EU Presidency were presented to this broader audience together with keynote speeches and presentations on other related topics.

During this one-day meeting, keynote speeches were held by representatives from the International Organization for Migration (IOM), the UN Office on Drugs and Crime, Save the Children International as well as the Austrian Government and the European Commission. It focused on the prevention of trafficking, protection of victims and prosecution of perpetrators, and on the health implications of human trafficking.

Dr Helga Konrad, OSCE Special Representative on Combating Trafficking in Human Beings, opened the Conference, mentioning that it was the concluding day of the International Training Seminar on Children Trafficking for Law Enforcement Authorities of the AGIS 2005 project implemented by the International Organization for Migration in Vienna under the Austrian European Union Presidency.

2. Welcome and Opening Addresses

Francois del Marmol, Minister Plenipotentiary, Head of Unit for the Fight against Trafficking in Human Beings, Belgian Federal Ministry of Foreign Affairs.

Mr. Del Marmol mentioned the specificity of approach of each actor. He recommends a combined and convergent approach, such as for instance the AGIS International Training Seminar.

Marc Perrin de Brichambaut, Secretary General, OSCE.

Mr de Brichambaut highlighted that further steps need to be taken in curbing trafficking in countries of origin, transit and destination. Concrete actions have been taken by the OSCE through the establishment of the OSCE Action Plan and National Referral Mechanism. Fighting the horrendous crime of child trafficking while ensuring the safety and well-being of this most vulnerable group in society, should remain the common goal for the promotion of human development, prosperity and security at regional, national and international levels. The

OSCE as a regional organization is a forum in which political commitments, regular dialogue and cooperation among countries can contribute to strengthening the exchange of experience and expertise, as well as the implementation of concrete actions.

Liese Prokop, Austrian Federal Minister of Interior, EU Presidency.

Mrs Prokop expressed her satisfaction with the expressed awareness and involvement in coping with the challenges of the fight against trafficking in human beings. She was pleased with the growing recognition of the need for international cooperation in this area. She declared that the building of networks and the definition of common interests and goals are particularly important in the common struggle against trafficking in women and children. With this focus as part of its EU Presidency, Austria is continuing its efforts to fight against human trafficking. She thanked the trainers, the participants, IOM and all the partners for their involvement in the International Training Seminar on Child Trafficking (AGIS 2005) placed under the Austrian EU presidency.

Maria Rauch-Kallat, Austrian Federal Minister of Health and Women's Affairs, EU Presidency.

Mrs Rauch-Kallat outlined the challenges of combating trafficking in human beings and of women forced into prostitution on the eve of the opening of the Football World Cup Championship in Germany. She especially underlined the importance of assisting victims with a recovery and reflection period. Their access to medical care and health should also be supported.

Ndioro Ndiaye, Deputy Director General, IOM.

IOM Deputy Director General Ndioro Ndiaye asserted that women and children, wherever they are in the world, must be safe from traffickers who deprive them of their basic human rights and human dignity. The criminals involved in this despicable global business must be brought to justice. Mrs Ndiaye said NGOs had noted that most trafficking victims are children when they are recruited. She said that in Europe, the IOM and other agencies identified a new trend of children being trafficked with their parents and mothers, often for exploitation in street begging, and that this may be a strategy to foil authorities or simply a method of exerting greater control by the trafficker. Moreover, one third of the victims are single mothers. She declared that we should also be aware of the rise in internal trafficking. She recommended the use of the Resource Book and acknowledged the success of the International Training Seminar. She thanked all the participants, the partners and the Austrian EU Presidency for having placed trafficking as one of its priorities. The European Commission AGIS programme is a good example of the efforts undertaken in the fight against trafficking in human beings.

Ruth-Gaby Vermoth Mangold, MP, Council of Europe PA.

Mrs Mangold stressed the need for using effective instruments to fight trafficking in human beings and to emphasize work on the three "Ps": Prevention, Protection, Prosecution.

Antonio Maria Costa, Executive Director, UNODC.

Mr Costa complimented the Ministry of the Interior for promoting the implementation of

trainings and raising awareness of this worldwide problem. He mentioned the publication and launch in May 2006 of the first UNODC Global Report on Trafficking in Persons.

Helga Konrad, OSCE Special Representative on Combating Trafficking in Human Beings.

Dr Konrad highlighted the important role the OSCE plays in the battle against human trafficking, while reiterating the importance of a victim-centered approach. She made reference to the recommendations of the AGIS project. She encouraged all actors involved to establish a well structured and systematic cooperation in order to effectively fight human trafficking. She also encouraged the use of the 'Resource Book for Law Enforcement Officers on Good Practices for Combating Child Trafficking' as an important resource for capacity building and victim protection.

Benita Ferrero-Waldner, EU Commissioner for External Relations and European Neighbourhood Policy.

Mrs Ferrero-Waldner conveyed to the participants of the conference that trafficking in human beings is sometimes an even more profitable business than trafficking in weapons. Therefore, she pointed out the need for reinforced co-operation between the OSCE, Europol, the EU and its member states. She emphasized the importance of developing and strengthening the protection, human rights and security of victims of trafficking through a comprehensive approach.

Jyothi Kanics, Programme Manager, Separated Children in Europe Programme, Save the Children.

Mrs Kanics handed over the 'Statement of Good Practice' for Separated and Unaccompanied Children to the EU Presidency.

Professor Max Friedrich, Head of Service for Neuropsychiatry of the Child, AKH, Vienna.

Professor Friedrich gave a presentation on the special vulnerability of child victims of trafficking and the special care, which must be offered to traumatized children. He explained that children must be guaranteed gender-specific integrity in somatics, intellectuality, emotionality and socialisation.

Heike Gerhardt, Psychiatrist, Hospital for Psychiatry and Psychotherapy, Frankfurt.

Ms Gerhardt gave a presentation on trauma and the needs of the victim. She explained that the victims need to be provided with information to understand their trauma. Their Post Traumatic Stress Disorder can be reflected in a number of symptoms. Explanations and support has to be given to the victims.

Kurt Hager, Chairman of CATS, Austrian Federal Ministry of the Interior, EU Council Presidency.

Brigadier General Hager presented to the audience the results of the AGIS 2005 Programme on "Comprehensive Training for Law Enforcement Authorities Responsible for Combating Trafficking in Children/Minors". He thanked IOM Vienna for the professional coordination and implementation of the project and all the partners, experts and participants for their

fruitful cooperation. He presented the aim of the project, the main activities, the content of the Resource Book, as well as the activities of the Working Groups during the International Training Seminar. He concluded by presenting the identified recommendations on combating child trafficking: recommendations on identification / referral, identification/ age assessment, co-operation at the national level, international co-operation, investigative methods, and on interviewing techniques.

Cathy Zimmerman, Health Policy Unit, London School of Hygiene and Tropical Medicine.

Mrs Zimmerman gave a presentation on the Upcoming Report on the Physical and Psychological Health of Women and Adolescents Trafficked in Europe entitled 'Stolen Smiles'. She highlighted the long term health consequences for victims of trafficking due to their experience, while calling on authorities and service providers to ensure that a broad range of health care services and assistance aimed at recovery be provided to victims.

Henk Werson, Police Inspector, Expertise Centre Human Trafficking and People Smuggling, Netherlands.

Mr Werson gave a presentation on the implications of the health status of trafficked victims for the prosecution. Many trafficked victims suffer from Post-Traumatic Stress Disorder, and as result need time to recover.

3. Where Do We Go From Here?

Kurt Hager, Chairman of CATS, Austrian Federal Ministry of the Interior, EU Council Presidency.

Brigadier General Hager presented the AGIS project, the Resource Book and the recommendations. He pointed out that the Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking will be distributed to FRONTEX, CEPOL and Europol, in order

to incorporate the recommendations and comments in the teaching and training programmes of these institutions. These recommendations were also presented to the Council on Justice and Home Affairs on 27-28 April 2006. He stressed that cooperation within the European Union and other International Organizations needs to be intensified. New neighbourhood policies must also be linked with the fight against organized crime.

Heike Gerhardt, Psychiatrist, Hospital for Psychiatry and Psychotherapy, Frankfurt.

Ms Gerhardt emphasized the need for appropriate medical assistance. Stabilisation of the victims should be a high priority. The stake of NGOs in the stabilisation of the victims is already important.

Cathy Zimmerman, Health Policy Unit, London School of Hygiene and Tropical Medicine.

Ms Zimmerman declared that the health of the victims linked to trafficking in human beings should be given more attention. It is important to make sure that a full range of services (mental health, physical health) is provided.

Henk Werson, Police Inspector, Expertise Centre Human Trafficking and People Smuggling, Netherlands.

Mr Werson stressed the need for the ratification of a number of important international instruments, such as the Council of Europe Convention, the UN Protocol, etc, while calling for the compilation of existing manuals on THB into a comprehensive resource.

Joachim Nunes de Almeida; Head of Unit; Fight against Terrorism, Trafficking and Exploitation of Human Beings, and Law Enforcement Cooperation, Directorate General Justice, Freedom and Security, European Commission.

Mr Nunes de Almeida stressed the importance of a good legal framework. According to experience, if the legislation is well transposed good results can be achieved.

Helga Konrad, OSCE Special Representative on Combating Trafficking in Human Beings.

Dr Konrad closed the High Level Conference by concluding that it is important to strengthen the existing network of child protection in view of properly assisting the children and implementing a child-friendly procedure. Intelligence-led investigation should be preferred. There are tools on good practices in combating trafficking in children available now, such as the Resource Book compiled under the AGIS 2005 initiative. Police and judicial practices should be improved, national cooperation should be strengthened, and authorities and social service providers must improve their responses to the urgent needs of victims of trafficking concerning health care and basic assistance.

IX. FINAL RECOMMENDATIONS

The following recommendations are the results of the Project “Comprehensive Training for Law Enforcement Authorities Responsible for Trafficking in Children/Minors”. They were drafted as part of the Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking produced during this project and updated with comments from the participants of the international training seminar, held in Vienna from March 14 to 16, 2006. IOM Vienna would like to reiterate its thanks to all experts and practitioners who contributed to the elaboration of the Resource Book and to the identification of recommendations. For some of these recommendations, a link is made to the relevant dispositions of the *EU Plan on Best Practices, Standards and Procedures for Combating and Preventing Trafficking in Human Beings* (2005/C 311/01), as this latest document should guide the actions of the EU Member States in the fight against trafficking in human beings.

1. General recommendations on child trafficking

Resources should be allocated in order to implement the good practices in combating child trafficking and protecting child victims of trafficking identified in the Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking.

Consideration should be given to the best interests of the child at each stage of the process. All actions shall be based on the principles of protection and respect for human rights as outlined in the UN Convention on the Rights of the Child, Palermo Protocol³⁰ and other relevant instruments. All children below the age of 18 years old should be treated according to their particular needs and special vulnerability. Point 3(v) of the 2005 EU Plan³¹ stresses that EU anti-trafficking policy reflects a child rights approach, which must apply to any person below the age of 18.

Law enforcement and other relevant agencies should **guarantee appropriate action** including a **prompt and effective investigation in cases of child trafficking within their national legal framework**.

Children should be registered and documented as soon as they come to the attention of the authorities. **Child victims of trafficking should have full access to assistance and protection services even if they do not act as witnesses or do not cooperate with the authorities.**

Child protection systems should be better applied at the national level in order to protect children more effectively from sexual exploitation and from becoming vulnerable to trafficking and unsafe migration.³²

In child trafficking cases, **close cooperation between all actors involved** (law enforcement authorities, social service providers, etc.) is essential. In case of international child trafficking,

³⁰ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

³¹ Council, EU Plan on best practices, standards and procedures for combating and preventing trafficking in human beings (2005/C 311/01).

³² ECPAT: Joint East-West research on trafficking in children for sexual purposes in Europe: the sending countries, Point 3 “The most important conclusions”.

cooperation between these actors in the **countries of origin, transit and destination** plays a vital role in identifying, providing assistance to and protecting the child victim as well as prosecuting the traffickers. **The conclusions of the Memoranda of Understanding and Protocols between the actors involved and of intergovernmental bilateral agreements between countries of origin and destination are very useful in this process.**

The money and assets of the traffickers seized and/or confiscated should be redistributed to the victims in the form of compensation, and dedicated to combating trafficking and/or improving assistance to child victims/witnesses.

Involving the media can be beneficial in combating child trafficking. Law enforcement officers should make the media reliable partners. In order to avoid an unwanted disclosure of investigative information in contacts with the media, the use of a press police officer is a good practice. Guidelines on ethical and legal obligations of the media to preserve the confidentiality of information and the privacy of the victim/witness should be developed.³³

2. Identification/Referral

In accordance with point 3(ii) of the 2005 EU Plan,³⁴ the **identification of children as victims of trafficking needs to be improved, which requires political will as well as the awareness of police officers at first contact/intake.** In point 4(vi), the 2005 EU Plan encourages measures for rapid identification of potential victims, especially to protect unaccompanied minors, identified as a particularly vulnerable group.

There is a need for frontline law enforcement officers to be sensitized to the identification of child victims of trafficking and to ensure their referral to the relevant services.

To ensure the timely identification of child victims, it is important that law enforcement authorities and NGOs/social service providers **share all relevant information** received/obtained on potential victims and children at risk.

As soon as a child is identified as a victim of trafficking, a **guardian** should be appointed to accompany the child throughout the entire process until a durable solution in the best interests of the child has been identified and implemented.

Clear procedures should be developed for all law enforcement personnel and other actors involved (social service providers, immigration services, etc.) to immediately **refer children who are identified as potential or actual victims of trafficking** for needs assessment, appropriate care and protection. At the national level, **National Referral Mechanisms** (including national rapporteurs, round tables, working groups, national action plans, etc.)³⁵ should be established in order to protect the human rights of victims of trafficking and ensure effective referral to appropriate services. The need for appropriate referral mechanisms was also mentioned in point 3(ii) of the 2005 EU Plan.³⁶ These procedures or mechanisms should

³³ Stability Pact for South Eastern Europe Task Force on Trafficking in Human Beings; outcome document of the working group meeting on "Victim/Witness Protection", Portoroz, Slovenia "Special Protection Measures for Trafficking Victims Acting as Witnesses".

³⁴ Council, EU Plan on best practices, standards and procedures for combating and preventing trafficking in human beings (2005/C 311/01), see also annex 3.3.(c), 3.3.(e).

³⁵ OSCE/ODIHR, National Referral Mechanisms, Warsaw, 2004.

³⁶ EU Plan on best practices, standards and procedures for combating and preventing trafficking in human beings (2005/C 311/01).

include a specific child-friendly approach and clear guidelines in case the victim of trafficking is a child.

3. Determination of the identity of the child including age assessment

The determination of the identity of detected child victims is indispensable. **Standardized procedures should be established and national and international cooperation enhanced in order to be able to ensure the rapid identification of children** who are found without identification papers or with falsified documents. Close intelligence sharing and coordination is essential between specialist units and the consular officials of the embassies of the countries of origin and destination.³⁷

The potential child victim of trafficking should **stay at a child-specific shelter** throughout the procedure of determination of identity.

Age assessment should only occur **in case of a doubt** of the age stated by the child and in the absence of means of identification (birth certificate, passport, identity card). In such a case, age assessment should take place **as soon as possible**.

All examinations should take place on a **voluntary basis**.³⁸ All procedures must **respect the dignity of the child**.³⁹

Procedures for age assessment should take into account that age assessment is no determination and that the most accurate assessments are likely to take place over time and should be holistic using a **combination of methods** and relevant professional specialists.

Due to the margins of errors in all age assessment methods, children should always be given the **benefit of the doubt**, with the lowest age selected.⁴⁰ Children should have the **possibility to challenge the outcome** of the identification including the results of the age assessment.⁴¹

4. Cooperation at the national level

Law enforcement authorities and the judiciary should recognize the **need to be assisted by and work together with experts** including social service providers in relation to the sector of exploitation.

Cooperation should be based on the mutual commitment of law enforcement authorities and NGOs/social service providers to work together, firstly to prevent child trafficking and identify, rescue and assist child victims, and secondly to convict traffickers. Cooperation based rules agreed upon by these different actors and promoting mutual understanding and trust are mentioned in point 5(i) of the 2005 EU Plan.

³⁷ IOM Chisinau; Third Annual International Law Enforcement Conference: International Perspectives on Law Enforcement Cooperation in Combating Trafficking in Human Beings; 18-20 May 2005, Chisinau, Moldova, Draft Recommendations, p. 9.

³⁸ In line with Article 37 of the Convention on the Rights of the Child.

³⁹ Separated Children in Europe Programme: Policies and Practices in European Union Member States: A Comparative Analysis: 19.

⁴⁰ Ibid.

⁴¹ Practice Guidelines for Age Assessment of Young Unaccompanied Asylum Seekers, page 10: "It was explained to you at the end of the interview that you have the right to disagree with the outcome of the assessment, and to challenge our decision," by contacting the Children's Asylum Service at Hillingdon Social Services or by requesting the "Complaints Procedure for Children and Young People".

Social services should build a network of information on the situation of trafficking in children, trends etc.

In view of **institutionalizing cooperation, protocols and agreements** on cooperation between the law enforcement authorities and NGOs/social service providers should be developed, stating the role of each party, their responsibilities and the type of cooperation.

Focal points for trafficking issues should be established at a national and international level, which should be known and used by all actors within and outside the country.

Specialized units for combating trafficking in human beings should be created (if non existing) within law enforcement authorities and the judiciary. Law enforcement officers and prosecutors should work together at a strategic and operational level.

A permanent communication strategy of multi-agency teams on child trafficking issues should be elaborated. This could be reached through periodic meetings, a network of contact persons in each organization involved, newsletters as well as common training. **Multi-agency intelligence enriches police data and improves operational and strategic police analysis.**

Integrated training seminars should be organized with people in charge from national agencies on a regular basis and from time to time with responsible officers from concerned countries (origin, transit and destination) in order to share information and good practices and strengthen dialogue among all actors involved.

5. International cooperation

According to point 4(ix) of the 2005 EU Plan, Member States should **promote police cooperation between special units to combat human trafficking in the Member States** and countries of origin, in line with EU standards. Further, the EU Plan encourages the development of common projects to set up and enhance the capacity of special units in countries of origin.

It is **necessary for NGOs/social service providers in countries of origin, transit and destination to establish and formalize relationships and cooperation** to ensure input into counter trafficking prevention activities, criminal investigations, return assessments and reintegration initiatives. Contact lists of reliable NGOs and social service providers in the countries of origin, transit and destination should be made available.

Increased use should be made of provisions to establish **joint investigation teams** made up of personnel from the specialist units in the countries of origin and destination in order to conduct properly funded and equipped investigations in appropriate cases.⁴² In point 4(viii) the 2005 EU Plan encourages involving Europol in the exchange of information, in joint operations and joint investigative teams and the use of the potential of Eurojust to facilitate the prosecutions of suspected traffickers.

⁴² IOM Chisinau; Third Annual International Law Enforcement Conference: International Perspectives on Law Enforcement Cooperation in Combating Trafficking in Human Beings; 18-20 May 2005, Chisinau, Moldova, Draft Recommendations: 6.

The assessment of the return of a child to his/her home country must be multidisciplinary and intercultural, with the analysis of each individual's situation based on security, sociological, clinical, social, economical, historical and cultural factors, for which cooperation between country of origin and destination is very important. Every assessment should look in particular at the protection offered in the country of origin.

6. Investigative methods

Child victims of trafficking have special needs and vulnerability that should be taken into account and reflected throughout the investigation; a child-friendly approach should be used and the **investigator should be guided by the best interests of the child.**

Prioritize child trafficking cases, as other crimes against children. For this purpose, the files should be made clearly recognizable and flagged.

Every investigator and all actors involved have a clear duty to **conduct a risk assessment** in respect of the safety and welfare of the child victims and their families at every stage of the investigative and judicial process and beyond.⁴³ The risk assessment must be started as soon as the victim comes to the police's notice.

Pro-active or intelligence-led investigations should be preferred, whenever possible. For this purpose, law enforcers should not only rely on the testimony of the child victim. Flagging suspects and convicted offenders can be a useful tool. The disruptive investigative method should be used only if there is no other option.

Potential victims of trafficking should be provided with legal assistance during the investigation.

In the interest of an investigation it is of utmost importance to be aware of why, where, when and under which conditions **specific information is available and can be retrieved, and through or via which obligatory channels** – both at a national and cross-border level. The management of the law enforcement information is bound by national and global regulations, which need to be respected.

Each country should **feed the national database** with all child abuse related information and should in particular organize themselves in view of **enhancing the international cooperation** by connecting to the I 24/7 (Interpol) and sending the relevant information on child traffickers or other cross-border child related offences to Interpol. Moreover, European Member States should ensure the availability of the Europol information (TECS) and include all child trafficking and child abuse offender or suspect related information in the Information System of Europol.

7. Interviewing techniques

⁴³ Based on INTERPOL, Interpol Working Group on Trafficking in Women for Sexual Exploitation, 2002, Manual for Investigators: 54-55.

Interviewers must **be honest** with the child and should never make false promises. Interviewers should enter every interview without prejudice, and explain and **inform the child about the purpose** of the interview or questioning. Gaining the child's trust during the interview is essential. The interviewer should prepare him/herself and especially consider the best interests of the child.

The interview is not an interrogation. The purpose of the interview is to assist the child to disclose within a free narrative interview and so contribute to the investigation and the prosecution of offenders.

More training should be conducted in order to improve the skills of law enforcement officers in interviewing children, including the training of trainers at a national and international level. Resources should be allocated for this purpose.

Interviews should only be undertaken by **trained staff with specialized skills**. The interviewer should work very closely with other actors (investigator, social carer, guardian, etc.) in a multi-agency approach.

An interpreter should be used in every case where the child is a foreign national, even if the child seems to speak the language of the country where the interview takes place.

The interview performed by law enforcement authorities cannot take place where the child lives, and never in the shelter where the child is residing, but in a **child-friendly environment**. Appropriate child-centred facilities and technical equipment should enable the child to feel comfortable and to assist the child in telling his/her story.

The language used should, at all times, be adapted to the **age** of the child, and due consideration be given to the **gender and the cultural background** of the child. Interviewers should not wear a uniform for the interview.

Children should **not have to re-tell their story**; therefore, the interview should be video recorded and repetition should be avoided.

In case the child needs to testify or make a statement, **adequate witness protection** measures should be taken; in any case, the protection of the identity of child witnesses is essential.

Child victims/witnesses should never be confronted by or come into contact with **suspects** during the interview and legal proceedings.

X. CONCLUSION

Within the framework of the project, practical recommendations were identified by the experts, compiled by the lead writers and IOM Vienna and finalized with the comments of the Advisory Board and the participants. These recommendations were distributed, together with an executive summary containing further results of the project, to all attendees of the High Level Conference, OSCE delegations and representatives of other international and non-governmental organizations.

Representing the EU Council Presidency, the Austrian Ministry of the Interior brought the Resource Book and Recommendations to the attention of EUROPOL, EUROJUST, FRONTEX and CEPOL to promote the use of the Resource Book in their institutions. Furthermore, the Austrian Ministry of the Interior presented the Recommendations during the EU JHA Council on 27 and 28 April 2006 and the results of the project will have influence on the Expert Conference on the Implementation of the EU Plan on Trafficking in Human Beings. This expert conference will be arranged by the Austrian Council Presidency in cooperation with the European Commission and will take place in Brussels from 20 to 21 June 2006.

Participants and partners suggested follow-up activities for consideration to strengthen the cooperation between judicial authorities (prosecutors, magistrates, etc.) and to implement specific guidelines to obtain effective international cooperation. Many participants also mentioned the need for organizing an international training seminar for trainers. They also proposed the implementation of regular follow-up trainings to maintain information exchange and good practices on methods for combating child trafficking at the national or international level, as well as a seminar to assess the results and the difficulties of implementing the good practices identified during this International Training Seminar. Organizing a European training seminar in cooperation with CEPOL was also proposed.

As far as the Resource Book is concerned, it was agreed that it would be called "1st Edition" when distributed during the international training seminar in March 2006 and could be modified according to the recommendations of the participants of the seminar or during a follow-up project. It was also suggested that subsequent editions of the Resource Book could include new chapters or updates of the current ones; an online training version of the Resource Book could be made available as well.

Further interest was expressed by various countries to translate the Resource Book and use it in training their national police officers and for bilateral or multilateral training seminars and capacity building with other countries (e.g. Belgium, Poland and Germany).

The project received particularly positive responses from both the participants of the training seminar and the High Level Conference as well as from the users/readers of the Resource Book.

The Austrian Federal Ministry of the Interior and IOM Vienna would like to express their great appreciation to all actors involved in the implementation of this project. Particular thanks go to the European Commission for its financial support under the AGIS 2005 Programme, the Swedish Ministry for Foreign Affairs for their additional financial support and the OSCE for hosting the High Level Conference, as well as to the project partners Europol and the Belgian Federal Police.

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