



**Trafficking and  
exploitation,  
useful definitions  
analysis and  
action**

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# The international definition of trafficking

Child trafficking is a serious crime and a gross violation of **Child Rights and Human rights**. It occurs all over the world and affects almost every country as an origin, transit or destination country or sometimes a combination of all

- **The definition on trafficking consists of three core elements:**
- 1) The **action** of trafficking which means the recruitment, transportation, transfer, harboring or receipt of persons
- 2) The **means** of trafficking which includes threat of or use of force, deception, coercion, abuse of power or position of vulnerability
- 3) The **purpose** of trafficking which is always exploitation. In the words of the Trafficking Protocol, article 3 "exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs

# Types of Exploitation

- Sexual exploitation e.g. child sexual abuse, child abuse images
- Domestic servitude e.g. undertaking domestic chores, looking after young children
- Labour exploitation e.g. working in restaurants, building sites, cleaning
- Enforced criminality e.g. cannabis cultivation, begging and pick pocketing, drug dealing, trafficking for the purpose of benefit fraud
- Trade in human organs
- Servile and underage marriage

# The Legal Framework

- **Palermo Protocol**

(PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN, SUPPLEMENTING THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME)

- **Council of Europe Convention on Action against Trafficking in Human Beings**

**From the Preamble** “Considering that all actions or initiatives against trafficking in human beings must be non-discriminatory, take gender equality into account as well as a child-rights approach”

- **Convention on the Rights of the Child (CRC)**

The United Nations Convention on the Rights of the Child (UNCRC) is a legally-binding international agreement setting out the civil, political, economic, social and cultural rights of every child, regardless of their race, religion or abilities.

- **EU Member State specific Child Protection Legislation**

Informed by the Palermo Protocol, the Convention on Action Against Trafficking in Human Beings, the Convention on the Rights of the Child and in some Member States the [Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse](#) (the LANZAROTE Convention )

# Difference between Smuggling and Trafficking

## Smuggling

Smuggling can be broke down into three elements:

- **1. Procuring the illegal entry of another person**
- **2. Into another State**
- **3. For the purpose of financial or material gain**
- The main differences between smuggling and trafficking are that migrants usually consent to being smuggled, traffickers generate money from the ongoing exploitation of their victims (smugglers only generate money from the movement and illegal entry, there is no further transaction), and smuggling must involve illegally crossing a border. Trafficking does not have to involve crossing a border as it can also occur within a country (also known as internal trafficking).

# Trafficking as a violation of human rights

- **debt bondage: the pledging of personal services** as security for a debt where the value of those services is not applied towards the liquidation of the debt or their length or nature is not limited and defined
- **forced labour, defined** by Convention No. 29 concerning Forced or Compulsory Labour of the International Labour Organization (ILO) as: “all work or service which is exacted
- from any person under the menace of any penalty and for which the said person has not offered himself [herself] voluntarily
- **Slavery, servitude**, child sexual exploitation, forced marriage, servile forms of marriage, child marriage, enforced prostitution and the exploitation of prostitution are also trafficking-related practices that are prohibited under international human rights law.

# Rights of a child

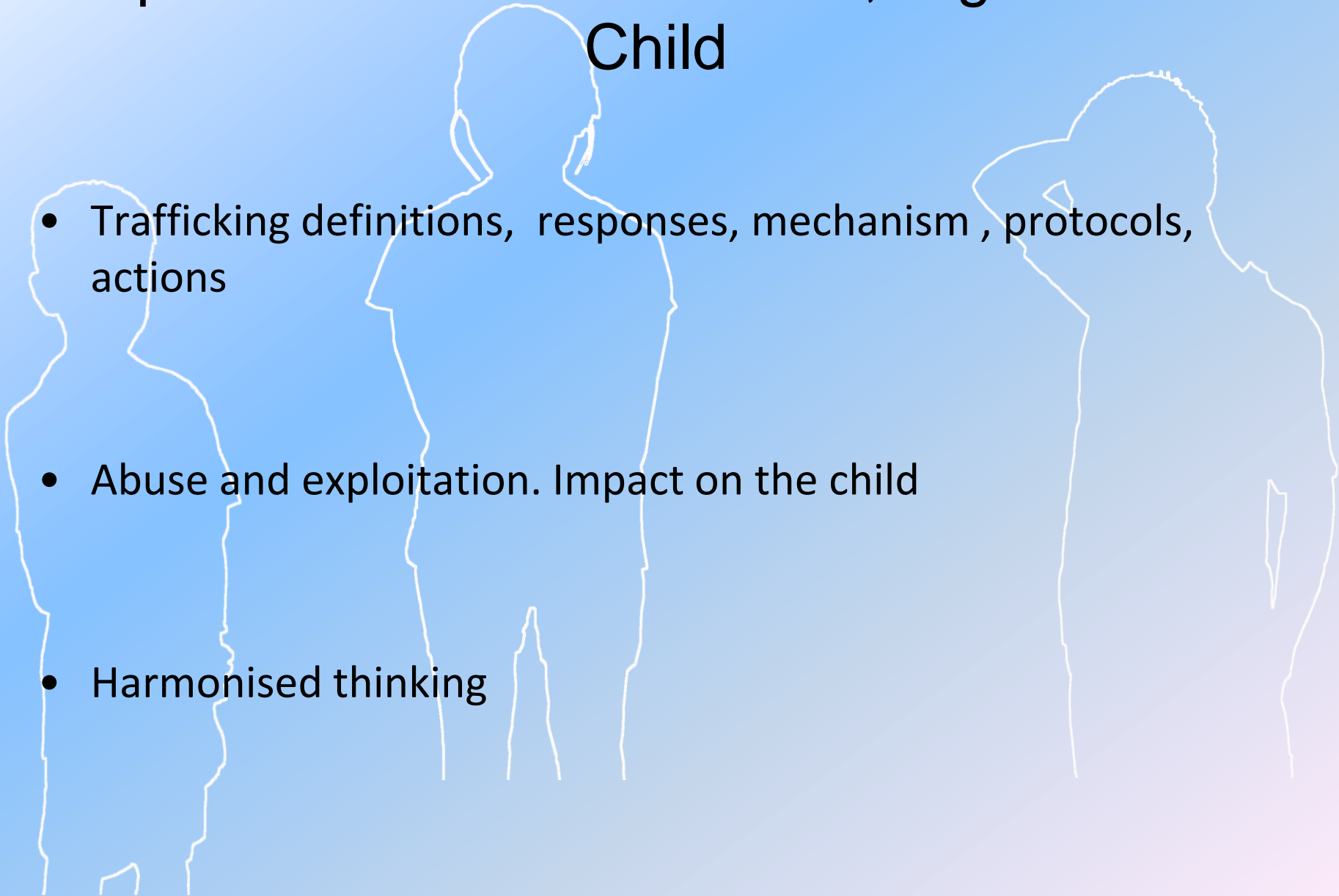
Ensuring the immediate and longer-term safety and well-being of child victims of trafficking

A number of conventions reflect the core rule derived from the obligations contained in the Convention on the Rights of the Child:

That the best interests of the child are to be at all times paramount. In other words, States cannot prioritize other considerations, such as those related to immigration control or public order, over the best interests of the child victim of trafficking. In addition, because of the applicability of the Convention to *all children under the jurisdiction or control of a State, non-citizen child* victims of trafficking are entitled to the same protection as nationals in *all* matters, including those related to the protection of their privacy and physical and moral integrity

# Relationship between Trafficking, Exploitation and Child Abuse, Rights of the Child

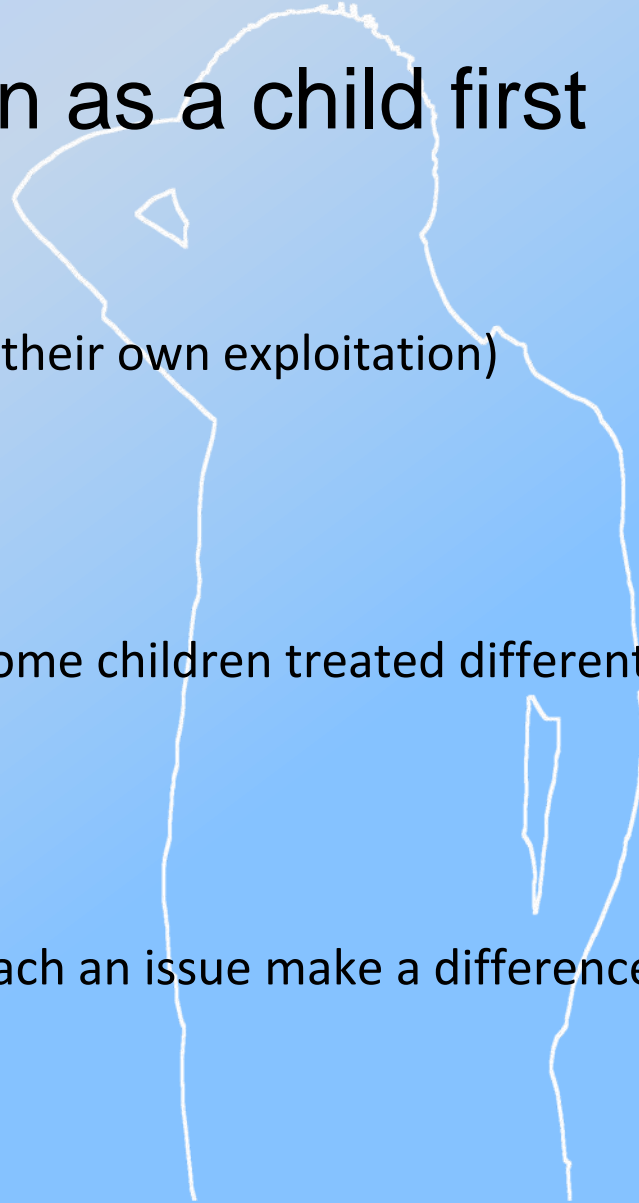
- Trafficking definitions, responses, mechanism , protocols, actions
- Abuse and exploitation. Impact on the child
- Harmonised thinking





# A child seen as a child first

- Consent (can a child consent to their own exploitation)
- Children as Children. Why are some children treated differently?
- Approach. Does how we approach an issue make a difference?



# Child Protection

- Conflicting and competing priorities
- Working within defined roles
- Stepping outside defined roles while maintaining professional practice



# Journey of a child

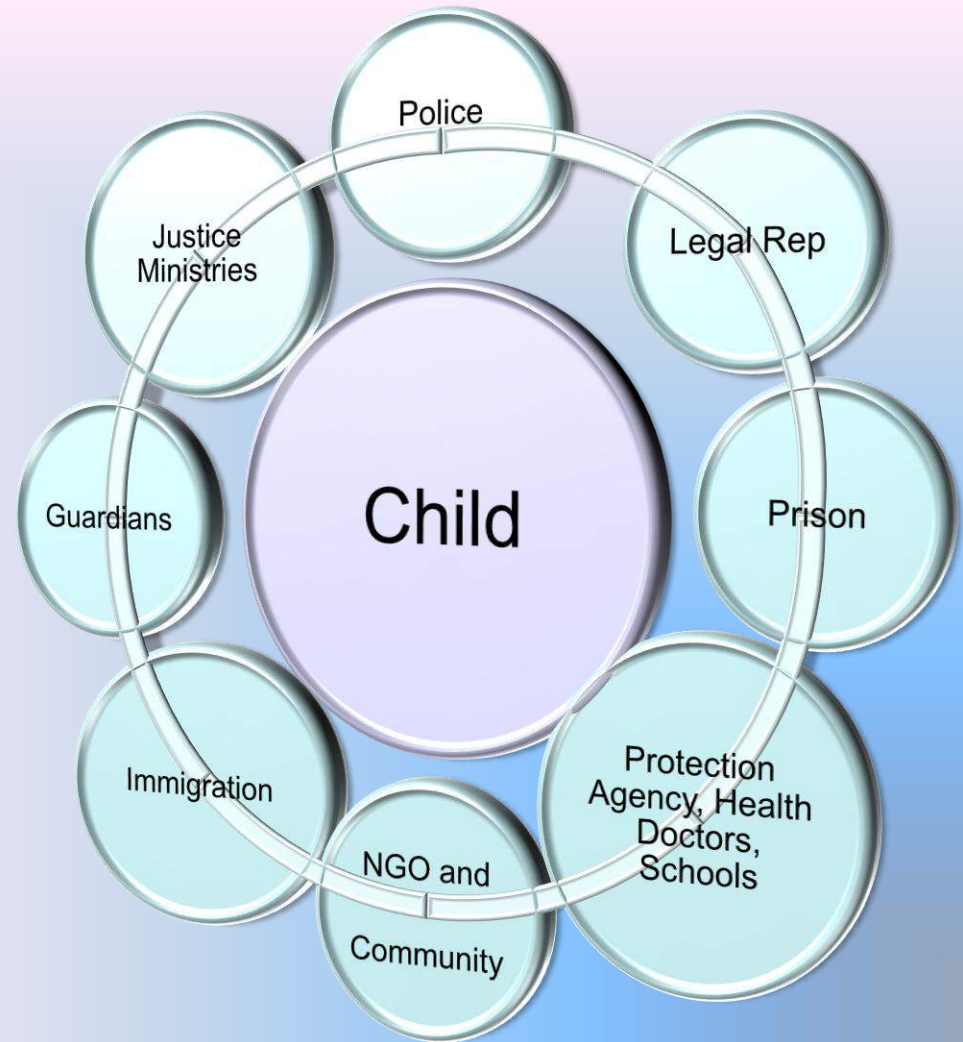
## Roles and Expectations

- The Child's Story
- The Experience
- the why
- the how
- the who

- Trust and Protection
- Rights through Trust

- Time Frame

- Informed and effective intervention





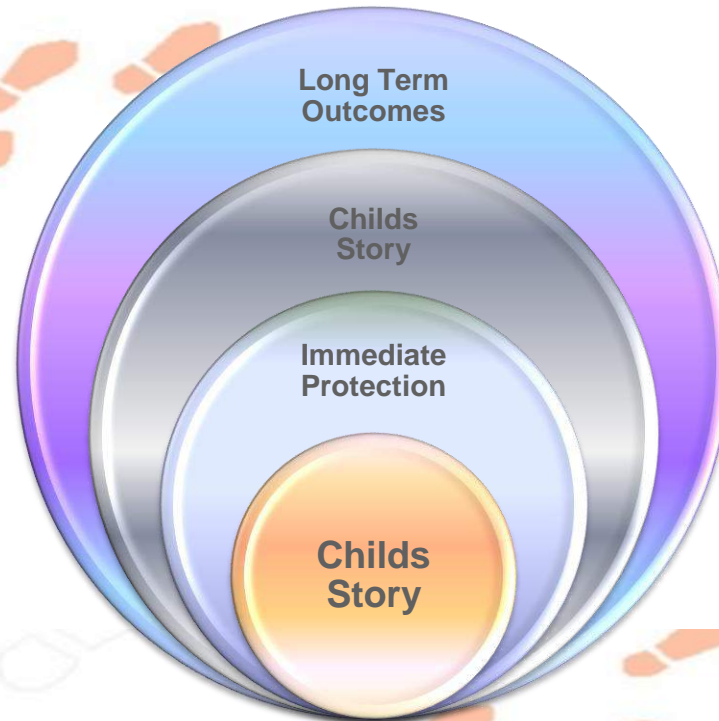
**Designing complex  
strategies to  
prevent and  
respond to  
trafficking**

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# Designing complex trafficking strategies

## Prevention and response

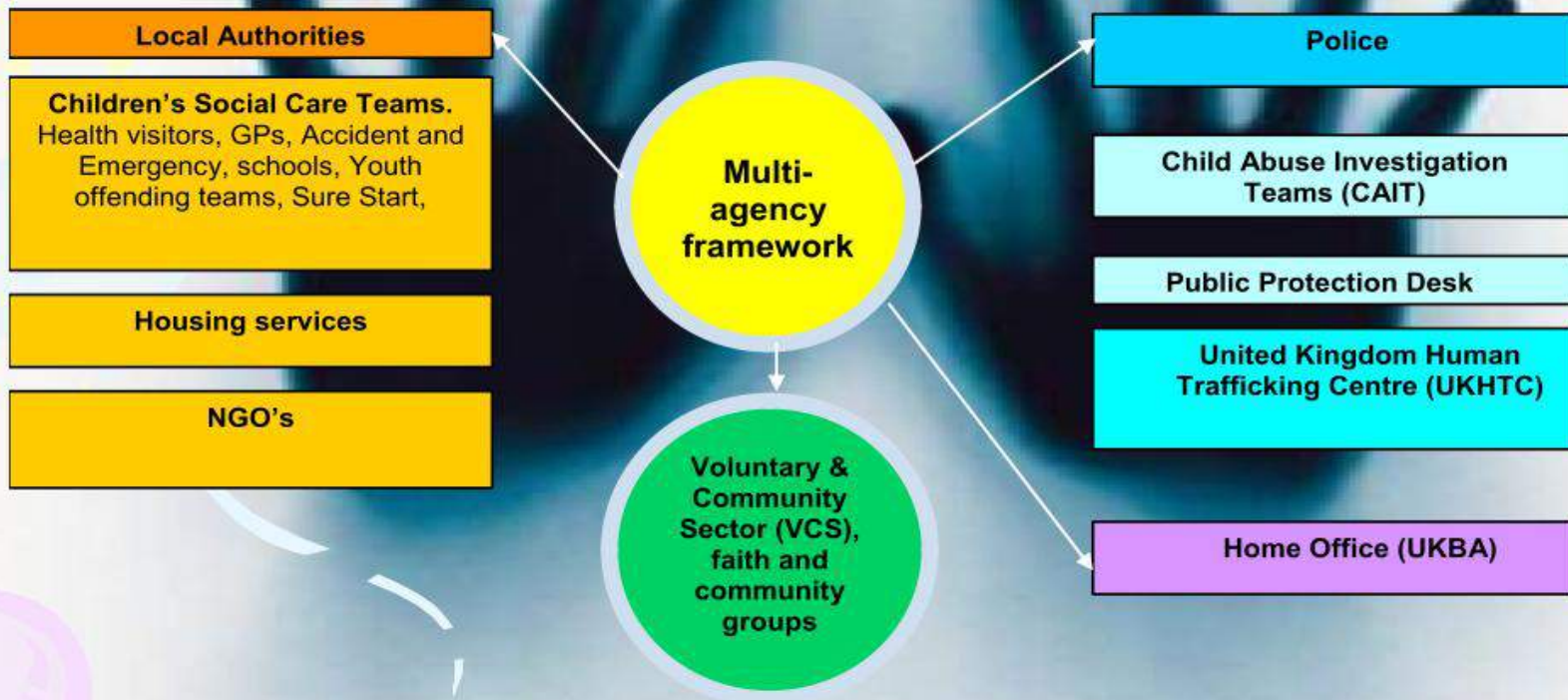
Working Group Activity



Think of potential barriers which exist or may arise in understanding the child's whole story

# Example of a Multi-Agency Framework

## Working Together



# Designing complex trafficking strategies

## Prevention and response

What do I need to know?

Multi-agency or single agency response

What can I share

Following a child trafficking and child approach. Is it relevant to my work?

What does child rights focus mean with all the guidance

Yes? Why

How can I apply a child rights approach

No Why

Why do partner agencies not respond?

How can I implement child trafficking protection measures

Why do I not respond ?

I have this brilliant idea I think will help!

What can I do to help

Holistic approach? What needs to be joined up to deliver that

# Designing complex trafficking strategies

## Prevention and response

### Activity

**Session 1** The Child rights approach and how this can change practice

**Break:** Coffee Break 11.15

#### **Session 2 Working Group Activity:**

Using the child as a focus. What steps can be taken to draw together the immediate need for action and longer term

#### **Think about**

- a) What your organisation Needs from Others
- b) What your Agency Can Provide to Others (list any potential barriers which exist or may arise)
- c) What support you would need to do what is needed

#### **Session 3 Group Feedback:**

How Can We Best Respond? (as an Individual agency and within a Multi-agency Framework)

**Break:** Lunch 1300





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