A child is a child

Protecting children on the move from violence, abuse and exploitation

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May 2017

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EXECUTIVE SUMMARY

Millions of children are on the move across international borders – fleeing violence and conflict, disaster or poverty, in pursuit of a better life. Hundreds of thousands move on their own. When they encounter few opportunities to move legally, children resort to dangerous routes and engage smugglers to help them cross borders. Serious gaps in the laws, policies and services meant to protect children on the move further leave them bereft of protection and care. Deprived, unprotected, and often alone, children on the move can become easy prey for traffickers and others who abuse and exploit them.

Alarming numbers of children are moving alone

Many children move alone and face particularly grave risks. In parts of the world, the number of children moving on their own has skyrocketed. On the dangerous Central Mediterranean Sea passage from North Africa to Europe, 92 per cent of children who arrived in Italy in 2016 and the first two months of 2017 were unaccompanied, up from 75 per cent in 2015. At least 300,000 unaccompanied and separated children moving across borders were registered in 80 countries in 2015–2016 – a near fivefold increase from 66,000 in 2010–2011. The total number of unaccompanied and separated children on the move worldwide is likely much higher.

Specific reasons motivate children to undertake journeys alone. Many seek to reunite with family members already abroad. Others pursue their families' aspirations for this generation to have a better life. Perceptions of the potential benefits of children moving, especially to certain destinations, filter through social networks. Other factors include family breakdown, domestic violence, child marriage and forced conscription.

Without safe and legal pathways, children's journeys are rife with risk and exploitation

Whatever their motivation, children often find few opportunities to move legally. Family reunification, humanitarian visas, refugee resettlement spots, and work or study visas are out of reach for most. But barriers to legal migration do not stop people from moving, they only push them underground.

Wherever families and children desperate to move encounter barriers, smuggling in human beings thrives. Smugglers range from people helping others in need for a fee to organized criminal networks that deliver children into hazardous and exploitative situations.

Once children and families place their fates in the hands of smugglers, the transaction can readily take a turn towards abuse or exploitation – especially when children and families incur debts to pay smugglers' fees. Europol estimates that 20 per cent of suspected smugglers on their radar have ties to human trafficking – they help children cross borders, only to sell them into exploitation, sometimes akin to contemporary forms of slavery.

Some routes are particularly rife with risks. In a recent International Organization for Migration survey, over three-quarters of 1,600 children aged 14–17 who arrived in Italy via the Central Mediterranean route reported experiences such as being held against their will or being forced to work without pay at some point during their journeys – indications that they may have been trafficked or otherwise exploited. Traffickers and other exploiters thrive especially where state institutions are weak, where organized crime abounds, and also where migrants become stuck and desperate.

As States struggle to manage migration, children fall through the cracks

As large numbers of refugees and migrants arrive, children among them are routinely left in conditions that would be deemed unacceptable for native-born children. They languish in overcrowded shelters, end up in makeshift camps or are left exposed to the dangers of life on the streets. Sometimes, compatriots force them to work under exploitative conditions in exchange for shelter and food. Mistrust of authorities and fear of detention and deportation keep children from coming forward to seek protection and support.

Harsh border enforcement policies leave children in limbo and exacerbate their risk of exploitation

Border closures and aggressive pushback measures can leave children and their families stranded in countries where they do not want to stay, are not welcome, or have few prospects. Unable to move on or go back, they are trapped in prolonged limbo that feeds anxiety, despair and self-harm, as documented among children in Greece and in Australian processing facilities in Nauru.

Some children avoid authorities for fear of detention, living on the streets under abysmal conditions and sometimes selling sex or resorting to petty crime as they save up to pay smugglers to facilitate their onward journeys.

Children on the move are children, first and foremost – they need protection

The Convention on the Rights of the Child protects every child, everywhere. All children, regardless of legal status, nationality or statelessness, have the right to be protected from harm, obtain such essential services as health care and education, be with their families, and have their best interests guide decisions that affect them.

Yet in practice, children on the move often suffer violations of their rights because of their migrant status. The way children on the move are treated varies widely from State to State, and the responsibility to care for them often falls too heavily on poorer countries. Even children fleeing violence and conflict often do not get the protection they need, particularly when refugee protection is curtailed in law or practice.

Sharing, not shifting, the responsibility to protect children on the move

The current system is failing refugee and migrant children. States have a responsibility to uphold their rights and protect all children within their borders, without exception.

When world leaders adopted the New York Declaration for Refugees and Migrants in September 2016, they acknowledged the urgent and unmet needs of vulnerable child migrants – especially unaccompanied and separated children – who do not qualify for international protection as refugees and who may need assistance.

It is now time to act.

Children's rights are not confined by national borders. Where conflict or disaster, neglect, abuse or marginalization drive children to move, their rights move with them. Leadership is urgently required to forge global agreement on how to protect and guarantee the rights of children as they move, no matter who or where they are.

AGENDA FOR ACTION

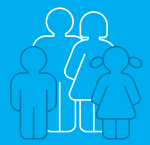
UNICEF is calling for a six-point plan to keep refugee and migrant children safe

PROTECT UPROOTED CHILDREN FROM EXPLOITATION AND VIOLENCE

Refugee and migrant children are extremely vulnerable to violence and abuse, and to being preyed upon by smugglers and even enslaved by traffickers. UNICEF calls for increasing safe and legal channels for children to migrate and to seek refuge. Cracking down on trafficking, strengthening child protection systems and expanding access to information and assistance can help keep children safe. Children and families should never be returned to face persecution or life-threatening danger in their countries of origin.

END THE DETENTION OF REFUGEE AND MIGRANT CHILDREN BY CREATING PRACTICAL ALTERNATIVES

Detention is harmful to children's health and well-being – and can undermine their development. UNICEF calls for practical alternatives to detention for all children. Unaccompanied and separated children should be placed in foster care, supervised independent living, or other family- or community-based living arrangements. Children should not be detained in adult facilities.



KEEP FAMILIES TOGETHER AND GIVE CHILDREN LEGAL STATUS

Children who are travelling alone or who have been separated from their families are more easily preyed upon and more vulnerable to violence and abuse. UNICEF calls for stronger policies to prevent children from being separated from their parents and other family members in transit; and faster procedures to reunite children with their families, including in destination countries. All children need a legal identity and should be registered at birth.

HELP UPROOTED CHILDREN TO STAY IN SCHOOL AND STAY HEALTHY

Many refugee and migrant children miss out on an education – and many lack access to health care and other essential services. UNICEF calls for increased collective effort by governments, communities and the private sector to provide uprooted children with access to an education and health services, and to shelter, nutrition, water and sanitation. A child's migration status should never be a barrier to accessing basic services.

PRESS FOR ACTION ON THE CAUSES THAT UPROOT CHILDREN FROM THEIR HOMES

Protracted conflicts, persistent violence and extreme poverty and disadvantage drive millions of children from their homes. UNICEF calls for greater effort to protect children from conflict and to address the root causes of violence and poverty, including by increasing access to education, strengthening health and child protection systems and social safety nets, expanding opportunities for family income and youth employment, and facilitating peaceful conflict resolution and tolerance.

COMBAT XENOPHOBIA AND DISCRIMINATION

Uprooted children are often victimized by discrimination, xenophobia and stigma – both on their journeys and in their final destinations. Everyone has a part to play in welcoming uprooted children into our cities and communities. UNICEF calls on local leaders, religious groups, NGOs, the media and the private sector to help combat xenophobia and facilitate greater understanding between uprooted children and families with host communities. Governments should also set up stronger measures to combat discrimination and marginalization in countries of transit and destination.

CHAPTER 1 CHILDREN'S PATHWAYS, FORCED AND CHOSEN

Child migration is a global reality. As of 2015, 31 million children were living outside their country of birth.[1] While most of them moved in a regular fashion to relocate in a different country with their families, this number also includes 10 million child refugees and 1 million asylum seekers who fled armed conflict, violence and persecution (see *Figure 1*).[2]

Box 1:

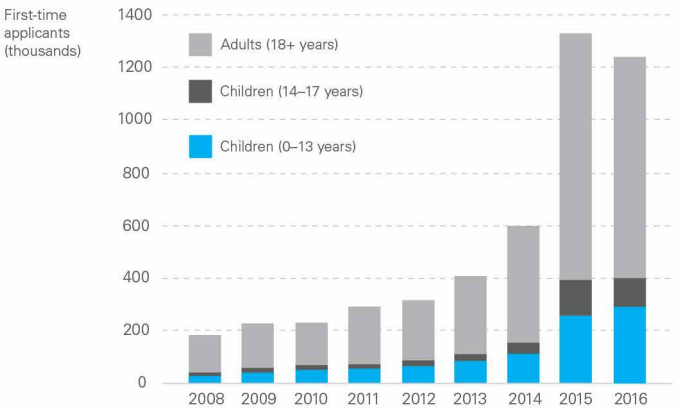
Scope of the report

This report examines the risks faced by children moving across international borders – with their families or on their own – especially when they engage smugglers to facilitate their movement. It also shows how States' measures to restrict migration often leave children stuck and desperate, making them easy prey for traffickers and others who abuse and exploit children.

The report spotlights violence, abuse and exploitation encountered during the journey itself to underscore the urgency of taking measures to better protect children as they move. While its findings are based primarily on data on migration routes towards Europe and North America – owing to greater data availability – limited evidence from elsewhere in the world suggests they hold for other contexts as well.

A surge in the numbers of children seeking asylum in Europe

Fig. 1: Number of asylum seekers in 32 European countries, by age, 2008–2016



In 2016, over **1.2 million people applied for asylum** in 32 European countries – more than three times as many as in 2013.

Child asylum seekers

2008 2016

For children, this trend was even more dramatic. Their **numbers increased** almost **tenfold** compared to 2008 and **fourfold** compared to 2013.

2008 2016

The share of children among asylum seekers increased by almost half, from **one in five** in 2008 to **one in three** in 2016.

Note: The 32 countries include European Union countries and the four countries of the European Free Trade Association. Data include first-time applicants only.

Source: Eurostat, <http://ec.europa.eu/eurostat/web/asylum-and-managed-migration/data/database>, accessed 20 March 2017.

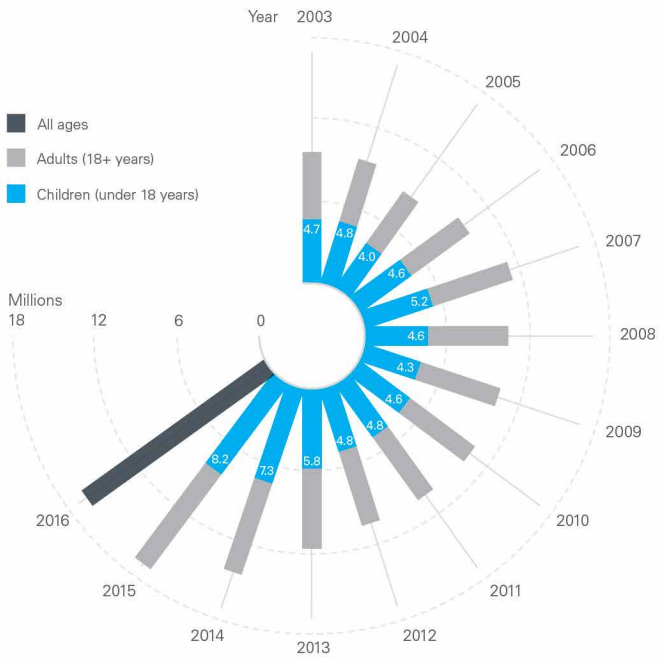
Since 1990, the number of international child migrants has grown along with the global population, with the share of migrants among the world's children remaining stable.[3] Movements related to conflict, meanwhile, have spiked.[4] The overall number of refugees – children and adults under the mandate of the United Nations High Commissioner for Refugees (UNHCR) – increased from 10.4 million at the end of 2011 to 16.5 million in mid-2016.[5] While in 2005 about 1 in 350 children was a refugee, in 2015 the ratio came to nearly 1 in 200 children.[6] Half the world's refugees were children (see *Figure 2*).

Alarming numbers of children are moving on their own. On the Central Mediterranean route to Italy in 2015, unaccompanied and separated children made up 75 per cent of all children arriving in Italy by sea; this proportion rose to 92 per cent in 2016 and remained at that level through the first two months of 2017. Most of these children came from Eritrea, the Gambia, Nigeria, Egypt and Guinea.[7]

Around 200,000 unaccompanied and separated children applied for asylum in 2015 and 2016 in about 80 countries with available data (see *Figures 3* and *5*),[8] while about 100,000 were apprehended at the border between Mexico and the United States during the same period.[9] Taken together, these numbers – 300,000 children – demonstrate a dramatic rise, compared to the 66,000 recorded in 2010–2011.[10] These numbers refer to only a subset of children moving across borders on their own. The total number of unaccompanied and separated children on the move worldwide is likely much higher.

The number of refugees under UNHCR's mandate – half of whom are children – rose by 59 per cent between 2011 and 2016

Fig. 2: Number of refugees, by age, 2003–2016



The total number of refugees has increased by **59%** over the last five years, from **10.4 million** to **16.5 million.**

Half of all **refugees are children** under the age of 18. In 2015, globally, 8.2 million children under the age of 18 living outside their countries of birth were refugees.

Note: All numbers refer to refugees under UNHCR's mandate only. Number for 2016 refers to mid-year; no age-disaggregation available.

Source: UNICEF analysis based on United Nations High Commissioner for Refugees, Population Statistics Database, UNHCR, 2016; Mid-Year Trends 2016, UNHCR, Geneva, 2017.

Alarming numbers of children are moving on their own

Fig 3: Selected numbers of unaccompanied and separated children in 2015 and 2016

Note: Numbers of unaccompanied and separated children on this map cannot be combined to yield a global figure, as there may be some overlap between the groups depicted below

North America

Europe

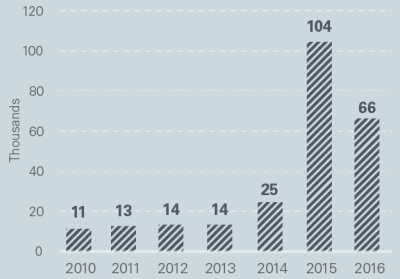
Asia

Africa

South America

170,000 unaccompanied and separated children **applied for asylum in Europe** in 2015 and 2016

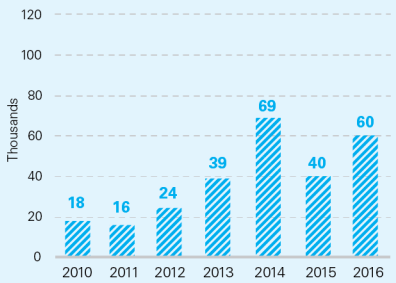
Number of unaccompanied and separated **children applying for asylum**, 2010–2016



Note: "Europe" refers to the 28 countries of the European Union and the four countries of the European Free Trade Association. Data include first-time applicants only.
Source: Eurostat, 2017.

100,000 unaccompanied and separated children **were apprehended at the Mexico-U.S. border** in 2015 and 2016

Number of unaccompanied and separated children **apprehended by authorities** at the southwest U.S. border, 2010–2016



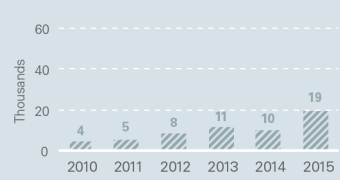
Note: U.S. Customs and Border Protection data refer to fiscal years, running from October to September – and are denoted by the year it ends.
Source: U.S. Customs and Border Protection, 2016 and 2017.

90,000 unaccompanied and separated children were **displaced internally and across borders in the Horn of Africa** in 2015

Note: Includes internally displaced persons, asylum seekers and refugees within Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan, and South Sudan.
Source: Regional Mixed Migration Secretariat, 2016.

19,000 unaccompanied and separated children **applied for asylum in other countries** in 2015

Number of unaccompanied and separated **children applying for asylum in other countries**, 2010–2015



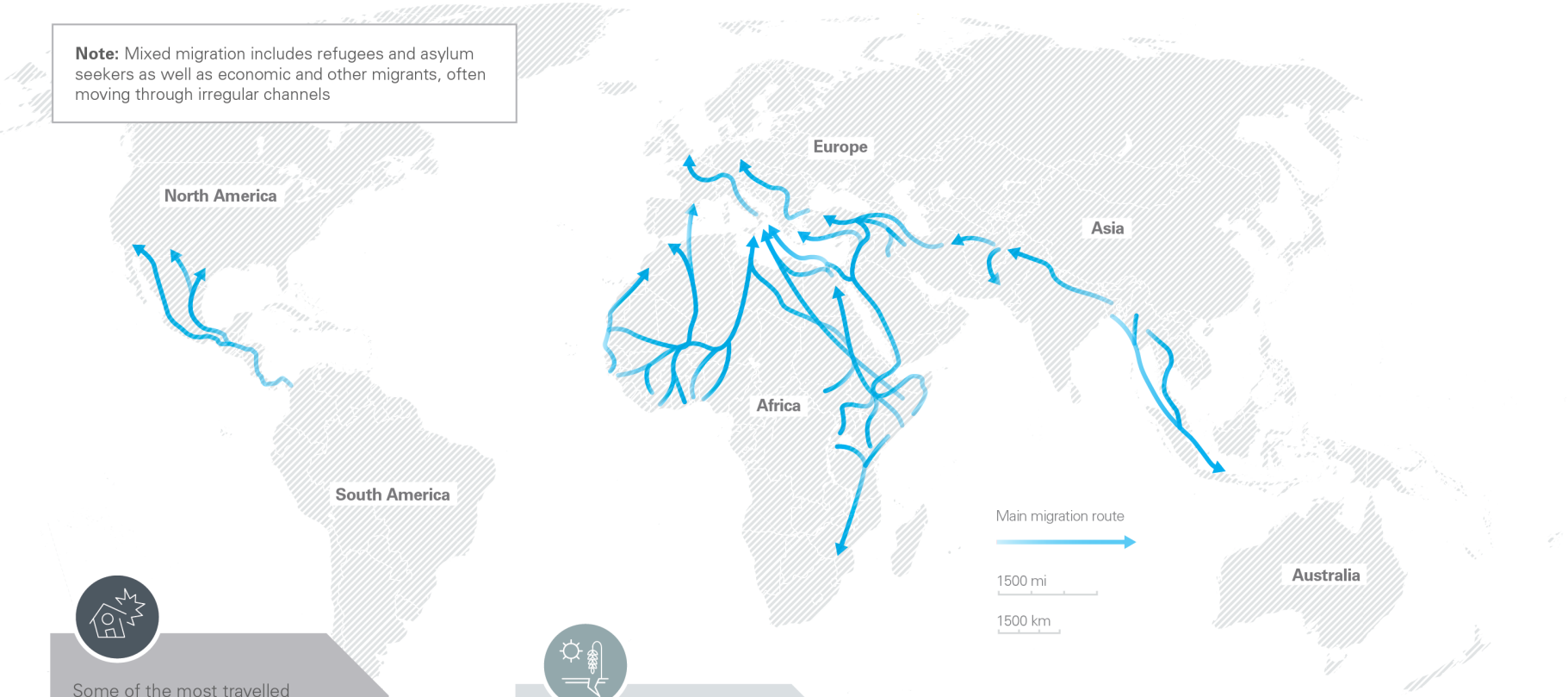
Note: "Other" refers to non-European countries for which data are available depending on the year, the data refer to between 37 and 53 countries.
Source: United Nations High Commissioner for Refugees, 2017.

This map does not reflect a position by UNICEF on the legal status of any country or territory or the delimitation of any frontiers. The dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. The final boundary between the Sudan and South Sudan has not yet been determined. The final status of the Abyei area has not yet been determined.

Children and adults migrate for many reasons

Fig. 4: Main global mixed migration routes

Note: Mixed migration includes refugees and asylum seekers as well as economic and other migrants, often moving through irregular channels



Some of the most travelled migration routes inscribe a map of human suffering. Children and families migrate to **flee armed conflict** in countries ranging from Syria to South Sudan to Ukraine; to **extricate** themselves **from intolerably violent environments**, like Honduran or Salvadoran cities rife with gang activity; or to **escape persecution**, as with Rohingya leaving Myanmar.[i]

Other migration routes reflect the ravages of a **changing, ever harsher climate** on environments and livelihoods. Somali and Ethiopian pastoralists journeying in search of food and water amidst drought were among the about 108 million people facing crisis-level food insecurity – or worse – in 2016.[ii]

Many major routes trace migrants' **search for work** that can sustain them – like those from India, Pakistan, Bangladesh and Indonesia to the Gulf States, or from China's and India's countryside to its cities.

[i] UNICEF, *Uprooted, The growing crisis for refugee and migrant children,* September 2016, p.83, citing UNHCR, *Mixed Maritime Movements in South-East Asia in 2015,* February 2016, p.2

[ii] Food Security Information Network, *Global Report on Food Crises,* 2017.

This map does not reflect a position by UNICEF on the legal status of any country or territory or the delimitation of any frontiers. The dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. The final boundary between the Sudan and South Sudan has not yet been determined. The final status of the Abyei area has not yet been determined.

Source: Adapted from Missing Migrants Project, International Organization for Migration (IOM); UNHCR; i-Map; Regional Mixed Migration Secretariat (RMMS).

Why children migrate

Children migrate to escape violence, armed conflict and persecution; the ravages of climate change and natural disasters; and poverty and inequality – and to pursue their aspirations for a better life (see *Figure 4*). Their reasons for migrating may evolve and overlap. Migration can be a way to exercise agency and cope with drastically constrained choices, and it can bring benefits to those who undertake it – and to the societies they leave and join.

There are some distinctive aspects to children's migration that contribute to the high and rising numbers of children moving on their own. Many young migrants set out to find opportunities for work or education.[11] In other cases, children leave home to avoid the prospect of unwanted child marriage, female genital mutilation or gender-based violence (in the case of girls)[12] or forced conscription (a particular risk for boys in some contexts).[13] Women and girls usually have less control over the decision to migrate than men and boys; for the former, the decision is more likely to be made by their families rather than through their own agency.[14]

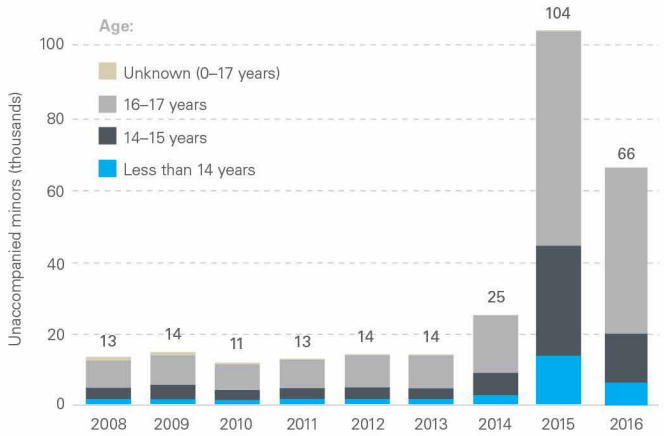
Family looms large among the factors that motivate children's migration. Some children migrate when their families break down or their parents die. Others move to join family members who made the journey ahead of them. A significant proportion of unaccompanied children moving northward from Central America, for instance, have at least one parent or other close relative already residing in the United States.[15]

In some cases, children migrate on their own because their chances of success are deemed greater than those of older family members. Interviews conducted in Afghanistan, among communities from which unaccompanied migrant children originated, revealed that decisions to migrate were informed by an awareness that children under 18 arriving in Europe or Australia would enjoy special protections and would have a greater chance of being allowed to stay.[16]

The number of unaccompanied children applying for asylum in Europe increased dramatically after 2013

Fig. 5: Number of unaccompanied minors among asylum seekers in 32 European countries, by age, 2008–2016.

In 2015 and 2016, among nearly 800,000 children who applied for asylum in Europe, **170,000** were considered **unaccompanied.**



Note: The 32 countries include European Union countries and the four countries of the European Free Trade Association. Data include first-time applicants only.

Source: Eurostat, <http://ec.europa.eu/eurostat/web/asylum-and-managed-migration/data/database>, accessed 8 May 2017.

Families may also encourage children to migrate in order to escape circumstances that are dangerous or not conducive to their healthy development. This was the case, for instance, for Hazara children who migrated from Afghanistan to Pakistan or Iran with their families, but then moved on to Europe alone to escape the violence and social marginalization they experienced in those countries.[17]

Journeys marked by risk

For many children on the move in search of a better future, what they encounter is not what they expected. On long and arduous journeys, children navigate a shifting landscape of risks, especially if they move through irregular channels. Deprived of essentials like health care, safe water, shelter and education, they contend with exposure to the elements, unsafe modes of transportation, abuse at the hands of smugglers, and trafficking into forced labour or sexual exploitation.

Some routes have become especially perilous. Worldwide, the International Organization for Migration (IOM) has recorded more than 21,000 migrant deaths since 2014 (see *Figure 6*); the precise number of children among them is not known.[18] The Central Mediterranean route is one of the world's deadliest, with 4,579 deaths – including an estimated 700 child deaths – recorded alongside 180,000 arrivals in 2016, meaning that 1 in 40 people who attempted to make the crossing died in the process.[19]

Similarly dangerous is the route through Southeast Asia. At the height of the Rohingya exodus from Myanmar in 2014–2015, an estimated 1 in 60 people lost their lives attempting to cross the Bay of Bengal and the Andaman Sea, with a total of 1,838 fatalities since 2014.[20]

These routes are also rife with risks of violence, abuse and exploitation. Recent evidence points to high rates of trafficking and exploitation facing children on the Central Mediterranean route from North Africa to Italy.[21] Migrants undertaking sea voyages in Southeast Asia also face high risks of exploitation and sexual and gender-based violence.[22]

How the risks manifest themselves for individual children depends on a number of factors, like their nationality and legal status, whether they belong to an ethnic or religious minority, or whether they have a disability. Unaccompanied children, deprived of family care and support, are especially vulnerable. But even the presence of family does not always shield children from harm. They may be detained, witness their parents being abused or humiliated, or spend months stuck in limbo together with their families.

Vulnerability varies with gender as well. Girls on the move face particular risks owing to discrimination, gender-based violence and sexual exploitation. A number of reports suggest that refugee women and girls, particularly those from sub-Saharan Africa, often experience violence at the hands of smugglers.[23] For boys – who make up the majority of children migrating on their own – the common perception that they are less vulnerable does not take into account the acute risks of forced conscription, torture or sexual violence faced by many, especially in contexts of armed conflict.[24] Often, gender stereotypes keep severely traumatized boys from getting the help they need.[25]

Prolonged journeys compound the risks for children, and the efforts of some States to restrict migration are a significant contributing factor. When borders close or when the wait to join their families drags on, children find themselves stuck in a state of limbo that drains their psychological resources, exacerbates deprivations and can make them increasingly desperate to move on. States can also cause harm when children are detained or relegated to overcrowded shelters with inadequate protection from abuse, or when they are deported to face the very dangers they risked their lives to escape. When children encounter barriers that keep them from migrating, they resort to irregular channels and dangerous routes. Many are well aware of the risks – but they weigh these risks against those they face in their countries of origin, or wherever they might be stuck along the way.

The game

Hakim, 17, who undertook the long journey from Afghanistan to Europe with his brother, his sister and her children, has found himself stuck in a Government-run shelter for migrants in Principovac, Serbia. He and his brother are thinking about splitting off from the others to more easily sneak across the next border, into Hungary, and ultimately to the United Kingdom, to join their relatives.

Hakim describes the irregular border crossings he and so many other refugees have had to make as a 'game':

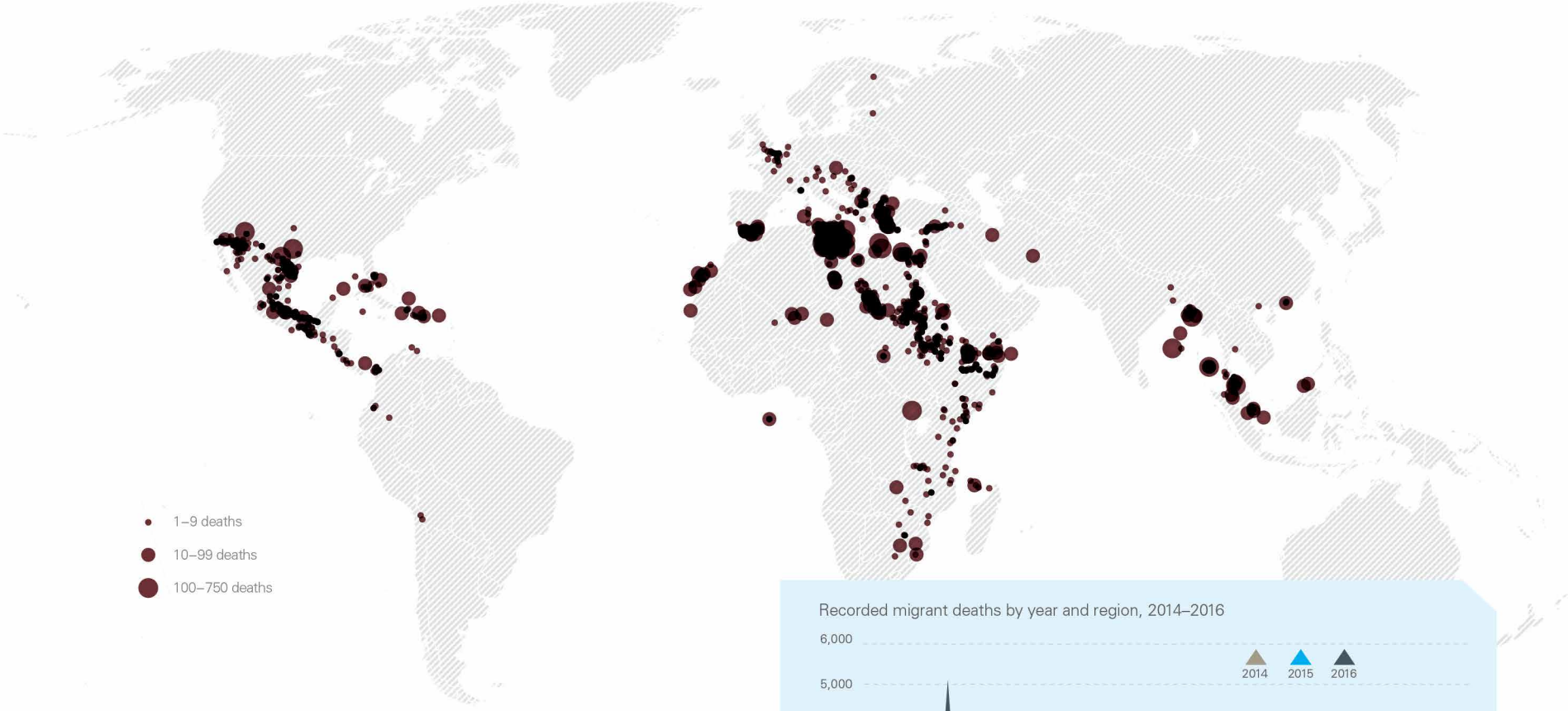
> You have the train game, where people hide in shipping containers. You have the forest game, where people sneak through the trees. You also have the truck game, where you wait for [commercial] truck drivers near the border to fall asleep or pass out drunk in their cabs. Then you open the container at the back of the truck and sneak in. There is even an airplane game, where you use fake passports, but that is the most expensive.

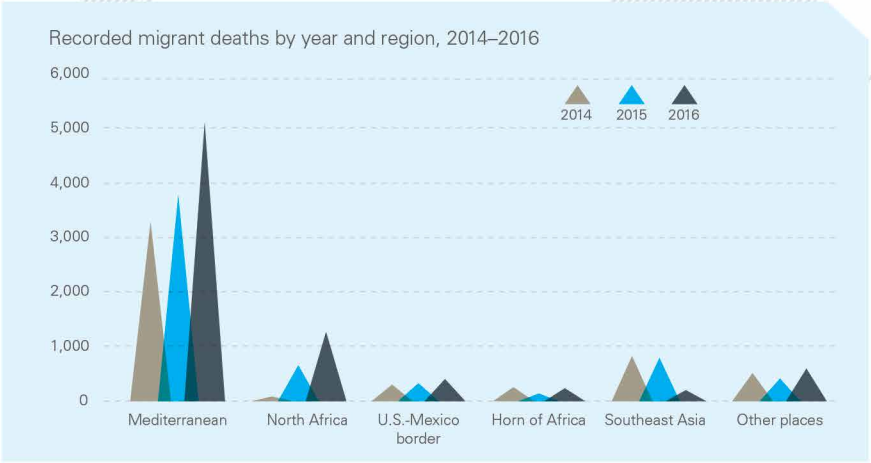
It's more fun, explains Hakim, to think of it as a game – all the refugees think of it that way. "But when the police catch you," he acknowledges, "the game is over."

Hakim knows that 'game over' can mean separation from family, arrest, and beatings. But, he muses, "We have had to face risk all the way from Afghanistan. This is no different. You have to risk in life."[26]

More than 21,000 migrants have died along major mixed migration routes since 2014

Fig 6: Recorded deaths of migrants worldwide since 2014





This map does not reflect a position by UNICEF on the legal status of any country or territory or the delimitation of any frontiers. The dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. The final boundary between the Sudan and South Sudan has not yet been determined. The final status of the Abyei area has not yet been determined.

Note: Every circle represents one incident, with a varying number of deaths: 1–9 deaths (n=1900), 10–99 deaths (n=262), 100–750 deaths (n=40), where n is the number of incidents.

Source: Missing Migrants Project, International Organization for Migration, dataset with estimated coordinates, <https://missingmigrants.iom.int/>, accessed 11 April 2017.

Children left to fall through the cracks

The world has set out to find ways to better manage migration – and protecting children is an integral part of that endeavour. The Sustainable Development Goals include Target 10.7, which aims to "facilitate orderly, safe and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies." The New York Declaration for Refugees and Migrants (2016) – which outlines commitments to better protect and respect the rights of refugees and migrants and support affected countries – explicitly considers the special needs of refugee and migrant children.[27]

When the world's States ratified the Convention on the Rights of the Child (CRC) – as nearly all of them have done – they committed to respect and ensure the rights of "each child within their jurisdiction, without discrimination of any kind."[28] This means that a refugee or migrant child – whatever her or his legal status and whether newly arrived, seeking to stay or just passing through – has the same rights as any other child within a country's borders.

In spite of this commitment, States are not living up to their responsibilities to protect children and manage migration collectively – whether because of a lack of resources, capacities or political will. The greatest share of responsibility falls on developing countries that are ill-equipped to provide protection, while wealthier countries take measures to reinforce their borders and stop people from arriving on their shores.

Where States fail to agree on how to share the responsibility for managing migration, children bear the brunt of the consequences. When children on the move are left unprotected, the consequences for their long-term development can be dire. Violence, abuse and exploitation can compromise children's physical and mental health and make it harder for them to learn, which can curtail their opportunities for the future.

CHAPTER 2 IN THE HANDS OF SMUGGLERS

Few legal ways to move

While the numbers of children on the move are growing, opportunities to migrate through regular channels remain scarce.

Children and others fleeing conflict, violence and persecution have their rights protected, at least in law, under the 1951 Refugee Convention. But in practice, they may find few legal means to move out of harm's way. States have made it increasingly difficult for asylum seekers and migrants to enter their territories. Carrier sanctions prevent airlines from taking on board passengers without the necessary entry permits, leaving people who genuinely need protection unable to get on a flight to seek asylum.

Humanitarian visas are hard to come by, while refugee resettlement – the process by which refugees are brought to countries willing to welcome them – is vastly oversubscribed and focused on alleviating long-term displacement. Only a small share of refugees are resettled every year. UNHCR estimates that 1.19 million refugees will need resettlement in 2017 – but only expects to be able to place 170,000.[1]

As conflicts drag on, many refugees have little hope of returning to their countries of origin, establishing stable lives in the countries in which they were first recognized as refugees, or being resettled. Many take their fates into their own hands and move on to countries further afield, hoping to find better protection and opportunities to reestablish their lives.

Legal opportunities for labour migration, meanwhile, do not reflect the high demand for labour in low-skilled sectors like domestic services, agriculture or construction, where low wages and tough conditions deter local workers. The mismatch forces the market underground, creating ample opportunities for profiteering by middlemen, who charge irregular migrant workers exorbitant sums to secure those jobs – often necessitating debts that put workers at risk of exploitation.

Children whose parents migrated ahead of them find few legal channels to reunite with their families. Family reunification often entails long wait times, while barriers like income thresholds, age limitations, and definitions of family that exclude extended families put it out of reach for many. The European Union (EU) Council Directive on the Right to Family Reunification, for instance, allows Member States to apply additional qualifications for family reunification for children above the age of 12.[2]

Legal status is another common barrier. Temporary visa holders may not be eligible to have family members join them, even if they have legally resided in the country for years – as is typically the case with Central Americans granted Temporary Protected Status in the United States.[3]

Measures that countries of origin take to protect their citizens can have unintended consequences. Bans on women migrating violate their right to leave their country. Rather than keeping women from moving, such bans are most likely to push them into irregular channels – leaving them more vulnerable to violence, abuse and exploitation. Some counter-trafficking efforts in Burkina Faso, Mali and Nepal have led to young people being intercepted as they move within their country or across borders. As research from 2012 shows, this can lead them to adopt riskier routes or to move alone, instead of in groups, to avoid detection.[4]

When migrants face cumbersome procedures and long processing times for formal migration, they may engage informal brokers to organize travel and job offers faster – but often through more dangerous routes. In Ethiopia, interviews conducted by the Overseas Development Institute with girls who had worked as domestic workers in the Middle East revealed how government regulations designed to protect migrants' rights are subverted.

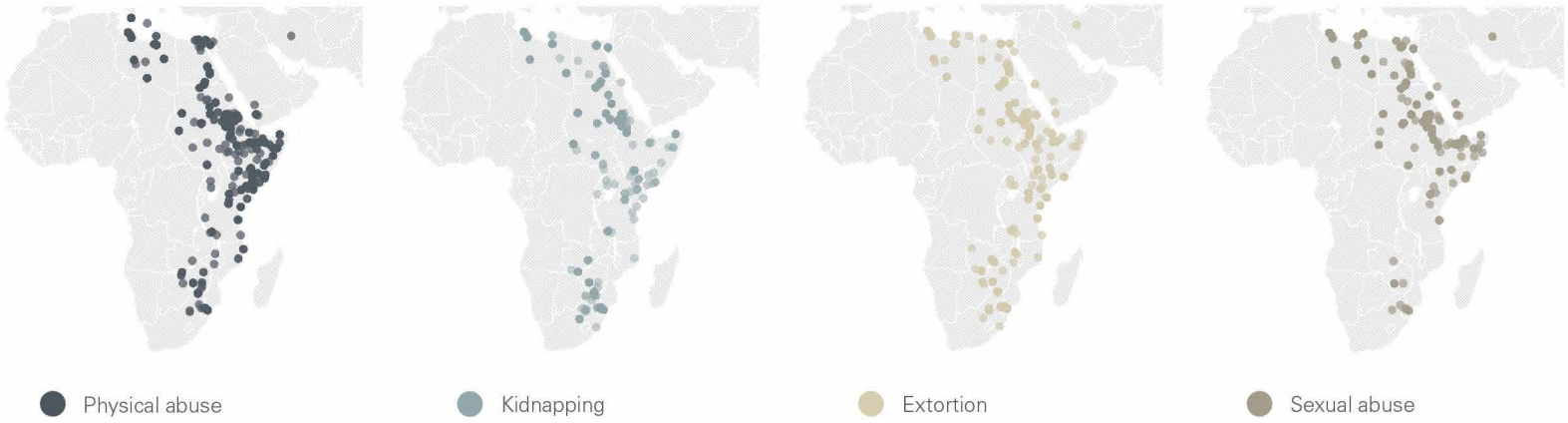
While Ethiopian law prohibits children under 18 from migrating, girls as young as 13 can obtain false identification that overstates their age. While the Government has sought to regulate labour recruitment practices, including costs, brokers sometimes collude with or pay off police or government officials to flout these regulations. Their much higher fees sometimes force families to sell off assets, or require the girls to assume massive debts.[5]

Migrant smuggling

Migrant smuggling enterprises thrive around the world, especially where border enforcement regimes are strict, opportunities for legal passage are few, and families and children are eager, or desperate, to leave (see *Figure 9*).

For refugees and migrants from the Horn of Africa, journeys rife with violence, abuse and exploitation

Fig. 7: Incidents reported by refugees and migrants from Djibouti, Eritrea, Ethiopia and Somalia on the move to Europe and South Africa



Note: Incidents reported by 3,784 refugees and migrants in interviews conducted between April 2015 and November 2016 in locations in Africa and Europe. Physical abuse (n=1,464), kidnapping (n=650), extortion (n=1,130) and sexual abuse (n=834), where n is the number of incidents.

Source: Mixed Migration Monitoring Mechanism initiative (4Mi), a project by the Danish Refugee Council, first implemented by the Regional Mixed Migration Secretariat (RMMS) East Africa & Yemen, 2017. <http://4mi.regionalmms.org/4mi.html/>.

No accommodation for a disability

Eaz, 18, lost both his legs when a bomb hit his home in Syria. He fled to Jordan, but then found himself stuck there without proper medical treatment. In the end, he turned to smugglers to get him to Europe. "I wanted to come by plane because the journey is hard for someone like me," he says. "I waited for refugee status for three years but didn't hear back. Finally, I came by sea with smugglers."[6]

Migrant smugglers offer ways to circumvent emigration restrictions, cross heavily guarded borders, traverse difficult terrain and avoid the slow processes that formal migration can entail.[7] Theirs is a billion dollar industry that fuels underground economies in migration hubs like Sebha, Libya, and Agadez, Niger.[8]

Smugglers range from people who want to help others in need[9] to criminal networks with ties to human trafficking that lure refugees and migrants into forced labour. Not all smugglers are abusers or exploiters. Many simply deliver a service – arranging passage for a fee. While facilitating unauthorized movement across a border is a crime,[10] the process is often benign from the standpoint of the people smuggled.

Smugglers can be locals along a particular migration route, who know the language and the terrain. They are often well known, perhaps trusted, within the community, and may belong to the same social circles, or even families, as the migrants they smuggle (see *Figure 8*). In Eritrea, the Tigrinya word for smugglers is *delalai* – 'people who help'.[11]

Many smugglers act alone, working in the vicinity of the area they live in to assist people in just one segment of their journey. The *coyotes* smugglers in the Northern Triangle often just bring migrants across the border.[12] Others work through informal, loosely knit networks, where individual smugglers know each other personally, though they may not know the entire chain of providers.[13]

Smugglers who arrange longer journeys usually operate through networks. Some of these are large criminal organizations – like the trafficking rings operating among the Nigerian diaspora in Italy.[14] Often, smugglers bribe officials en route or transport additional goods.[15]

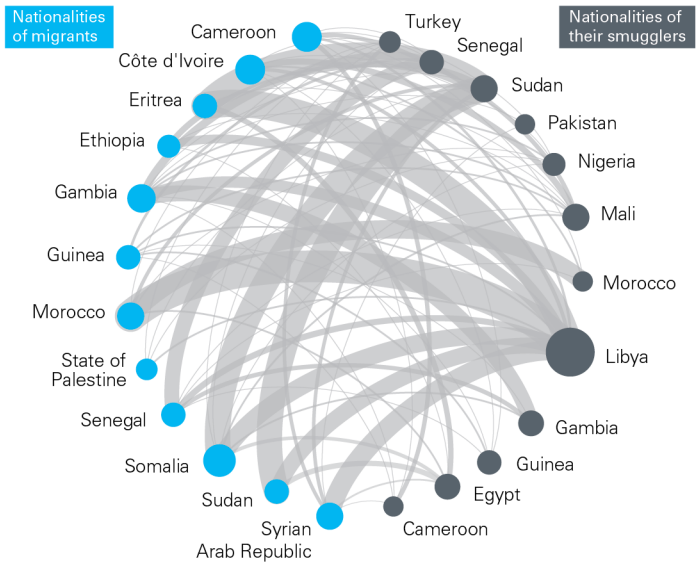
Migrant smuggling networks include multiple players. Families of young Afghans on the move often engage a mediator to deal with the smuggler on their behalf and withhold payment until their child reaches the destination safely.[16] For sea voyages, smuggling networks engage a boatman, or *scafista*; sometimes they even press children into this role to pay for their journey.[17] Migrant smuggling services can be institutionalized as fake travel agencies, as has been found in Egypt.[18]

Smugglers may charge steep fees – a family of five from Afghanistan, for example, paid US$11,000 to get to Greece.[19] This can deplete the resources of children and families or require them to take on debts they have trouble paying, which can lead to exploitative situations later on. Smugglers may resort to violence and abuse – or trafficking – to ensure payment.[20]

Relationships between migrants arriving in Italy and the smugglers who brought them there

Fig. 8: Network diagram showing the relationships between migrants on the Central Mediterranean route to Italy (blue) and their smugglers (dark grey), by nationality

The thickness of the connecting lines represents the frequency with which services were provided



Syrian migrants were facilitated almost exclusively by Libyan smugglers, whereas Senegalese migrants mostly used the services of Senegalese smugglers.

Note: Based on interviews with 2,400 newly arrived migrants.

Source: European Border and Coast Guard Agency, 'Risk Analysis for 2017', Frontex, Warsaw, 2017.

In some cases, parents left behind in Somaliland get a call from a smuggler who has imprisoned their migrant child somewhere en route, demanding they pay to secure the child's release. Most pay between US$5,000–10,000, often with devastating impacts on their livelihoods, as they are forced to sell land and belongings.[21] Meanwhile, Egyptian boys in Italy whose families incurred debts to fund their journeys reportedly know they could be handed over to traffickers and subjected to violence if their families cannot pay.[22]

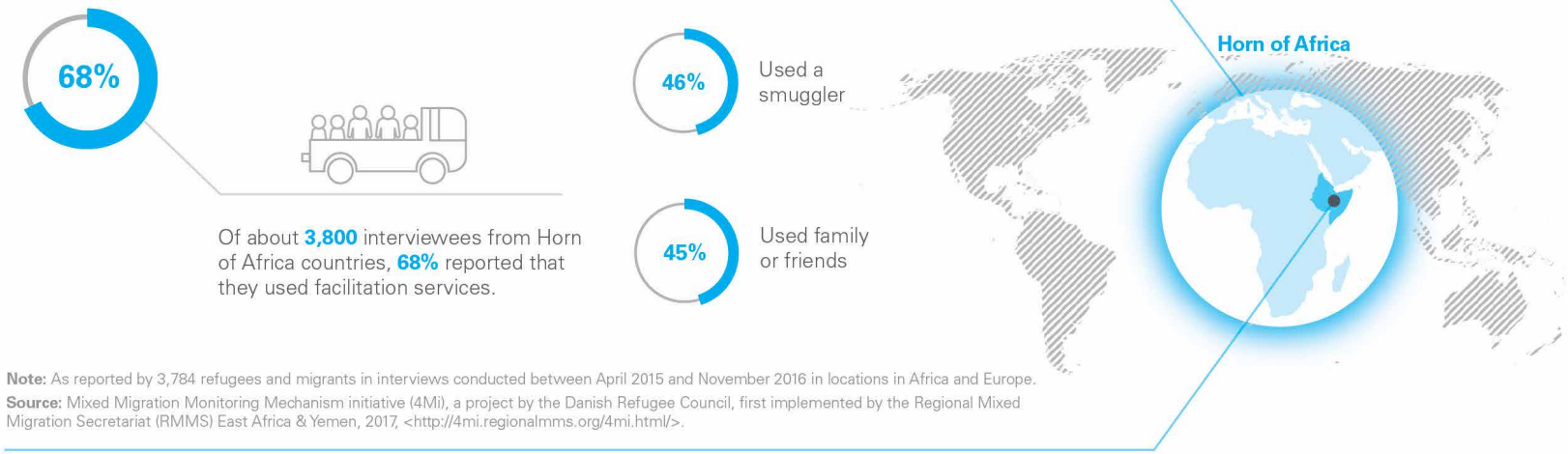
Putting children on the move at risk

Migrants and refugees who engage smugglers place their lives in their hands. This gives smugglers tremendous power – and with it, the opportunity to abuse and exploit, or to expose their charges to risks of injury and death from environmental dangers and unsafe modes of transportation.[23]

Witnesses describe migrants being left behind in the Sahara Desert after falling from a vehicle that refused to stop.[24] In June 2016, 34 migrants, including 20 children, were found dead near Arlit, Niger, by the Algerian border.[25] In 2015 in Austria, 71 dead migrants were discovered in an abandoned truck at a highway stop.[26] Similar incidents have been recorded along sub-Saharan routes toward South Africa, where 20 dead Somali migrants were discovered after suffocating in the cargo bay of a truck in Zambia.[27]

Migrant smuggling thrives in the Horn of Africa

Fig. 9: Use of facilitation services among refugees and migrants from Djibouti, Eritrea, Ethiopia and Somalia



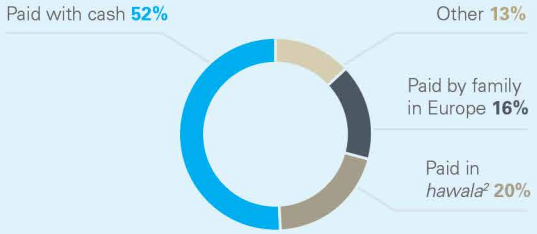
Note: As reported by 3,784 refugees and migrants in interviews conducted between April 2015 and November 2016 in locations in Africa and Europe.

Source: Mixed Migration Monitoring Mechanism initiative (4Mi), a project by the Danish Refugee Council, first implemented by the Regional Mixed Migration Secretariat (RMMS) East Africa & Yemen, 2017, <http://4mi.regionalmms.org/4mi.html/>.

Migrant smuggling thrives around the world, where border enforcement regimes are strict, opportunities for legal passage are few and families and children are eager, or desperate, to leave[1]

It is estimated that **90%** of irregular migrants entering Europe in 2015 **used facilitation services** at some point during their journey. In most cases, these were provided by migrant smuggling networks

Europol has intelligence on nearly **40,000 suspected smugglers**



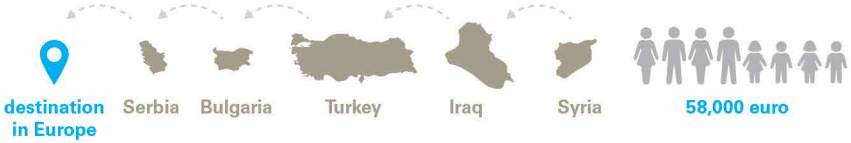
Preferred means of payment for facilitation services

17,459 new suspected migrant smugglers were identified between January 2016 and January 2017 – up **24%** from 2015.

Migrant smuggling networks' facilitation services to reach or move within the European Union generated **4.7–5.7 billion euro** in 2015.

Migrant smugglers' fees vary tremendously, depending on the country of origin and the route to Europe

A family of five coming from Afghanistan might pay **11,000 euro...**[4]



...while a family of eight from Syria might pay as much as **58,000 euro**[5]

[1] Europol, Migrant Smuggling in the EU, 2016; Joint Europol-INTEROL Report Migrant Smuggling Networks, 2016.
[2] *Hawala* is a payment system where money is paid to an agent who then instructs another agent, located elsewhere, to pay the recipient.
[3] European Migrant Smuggling Centre, 'Activity Report: First year, January 2016–January 2017', Europol Basic Protection Level, Europol Migrant Smuggling Centre, 2017.
[4] Christoper Tidey interview with Maroof, at camp in Pikpa, Lesvos, Greece, 14 March 2017.
[5] Reuters, 'The Smuggling Game: Playing with life and death to reach Europe', <www.reuters.com/article/us-europe-migrants-serbia-smuggling-idUSKBN16Z190>, accessed 10 May 2017.

Migrants have died of asphyxiation from inhaling gasoline fumes or being packed in overcrowded, enclosed spaces, such as below the decks of a boat.[28] Others have drowned in boats pushed past the limits of their seaworthiness – as was the case in three-quarters of reported deaths on the Mediterranean Sea. In Southeast Asia in 2015, smugglers left 5,000 predominantly Rohingya refugees, many of whom were children, stranded at sea without food or water in overcrowded 30-meter-long trawlers, while they escaped on smaller boats. That same year, the remains of over 220 people were unearthed in or around smugglers' camps in Malaysia and Thailand.[29]

Children and families who pay smugglers or brokers to assist in their journeys often report violence and abuse.

Witnessing abuse

Maroof, 36, paid smugglers to bring him, his six children and his wife from Afghanistan to Greece. He says the smugglers would beat him when he was too slow during the many hours of walking through forests and over mountains. They did not beat the children, but threatened them when they cried. The trip exacted a heavy toll on them: "My children's behaviour has changed since coming here. They don't want to go to school and they fight," says Maroof.[30]

Migrants on a number of routes report kidnapping (see *Figure 7*). More than half of migrants who had taken the Central Mediterranean route to Italy reported having been held against their will, and some reported this was done by smugglers.[31] Reports of being held captive, having their physical movement restricted, and being kidnapped during the smuggling process are similar, but less frequent, on the Eastern Mediterranean route.[32]

Held for ransom

On the way from Honduras to the United States, Pedro and his four children were kidnapped and held for ransom in northern Mexico. "Whenever the children did something wrong [the kidnappers] would punish them, lock them in a place with no air," he says. "They'd only let the child out when he would collapse." The family was rescued, but deported back to Honduras.[33]

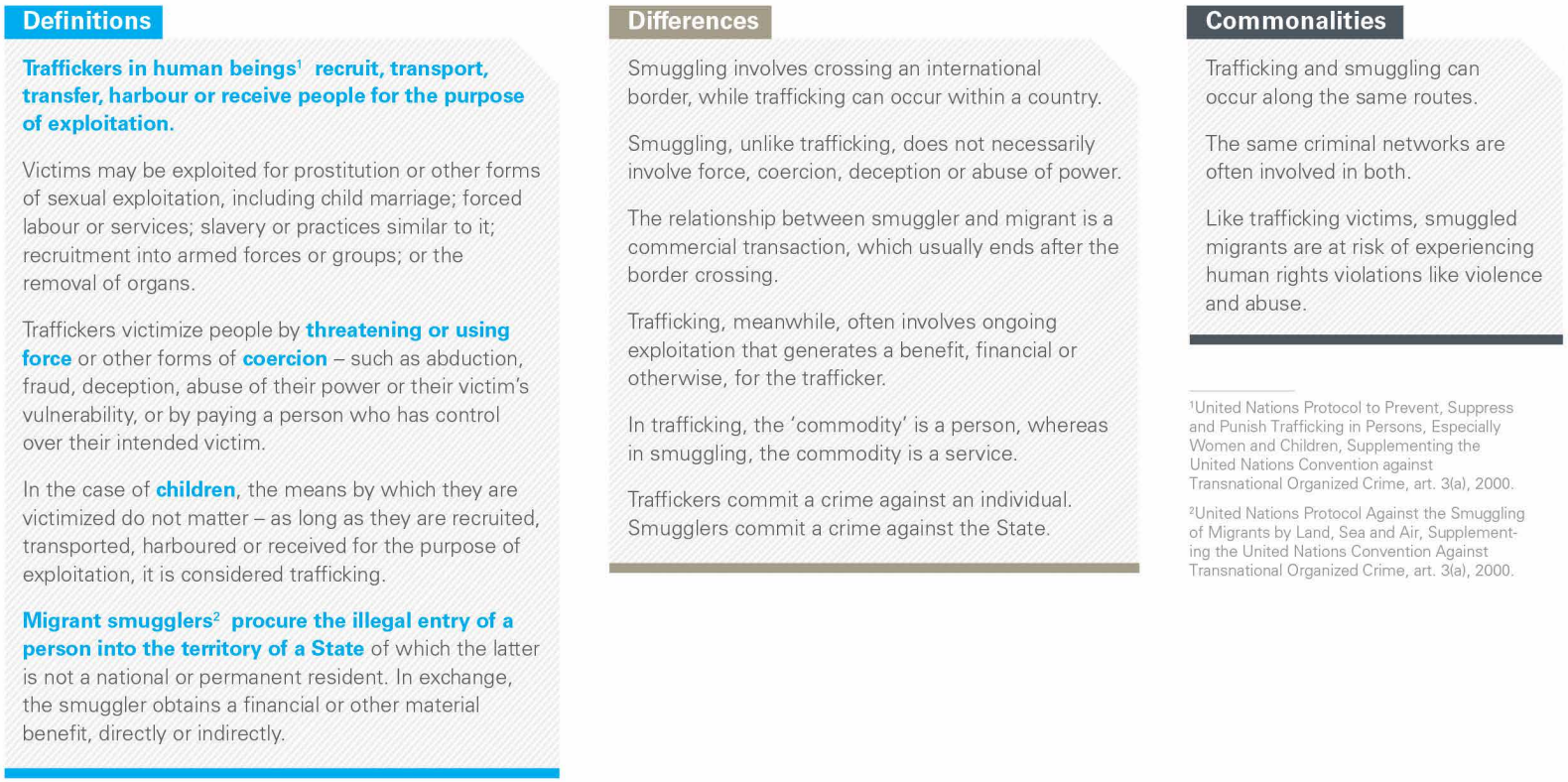
While smugglers and traffickers are not one and the same, smuggling operations linked to organized crime have significant links to traffickers. Europol estimates that more than 90 per cent of migrants entering the EU in 2015 used facilitation services, in most cases provided by criminal groups. Europol also estimates that 20 per cent of suspected smugglers had links to human trafficking, and 22 per cent to drug trafficking.[34]

Migrants arriving in Yemen have reported that Afari brokers sold migrants to Yemeni groups that would transport them to Yemen and deliver them to gangs involved in trafficking.[35] Smuggling services in Egypt have been reported to work closely with traffickers, handing over customers who cannot pay their fees upon arrival, leaving children subject to exploitation.[36]

Smugglers may offer migrants, including children moving on their own, a 'pay as you go' deal – asking for no money up front, but later demanding sums children may not be able to pay. Children may be forced to work off their 'debts' under atrocious conditions akin to contemporary forms of slavery, under threat of violence.

Migrant smuggling and human trafficking are not the same, but they can intersect

Fig. 10: Migrant smuggling and human trafficking: differences and commonalities



Source: Source: Inter-Agency Coordination Group against Trafficking in Persons, 'What Is the Difference between Trafficking in Persons and Smuggling of Migrants?', Issue Brief no. 1, ICAT, October 2016.

"It was like the slave trade"

Aimamo, 16, and his twin brother were forced to work on a farm in Libya for two months to pay their smugglers. He described it as akin to slavery:

> If you try to run, they shoot you and you die. If you stop working, they beat you. ... Once, I was just resting for five minutes, and a man beat me with a cane. After working, they lock you inside.[37]

State authorities do not gain children's trust

Children on the move also suffer violence, abuse and extortion at the hands of those whose job it is to enforce the law – border guards, local police, detention officers.

"We don't have another way"

Refugee children like 16-year-old Malik from Herat, Afghanistan, describe being beaten and injured by border police in Hungary. A police beating dislocated Malik's knee.[38] Another refugee boy from Afghanistan, 16-year-old Karim from Maidan Wardak, describes being beaten by police with sticks each of the four or five times he has tried to cross the border into Hungary.

"We know this is illegal," says Karim, "but we don't have another way. We know it is their duty, but they don't have to beat us because we are human, too." He and other children on the move also describe police using pepper spray and having their dogs attack children.[39]

Especially where weak institutions allow corruption and criminal networks to flourish, children's rights are violated when they pass through border crossings, when they are apprehended, arrested or detained, or during deportation proceedings. Migrants on routes all around the world report paying bribes to security personnel to avoid arrest and detention,[40] while reports of border patrol and immigration agents abusing children verbally, physically and sexually abound.[41]

Children quickly learn to mistrust authorities. Many are not aware of their rights and are hesitant to seek help, whether from state agencies, civil society or international organizations. Fear of being abused or thwarted in their journeys motivates children to evade detection by authorities.[42] Children have avoided registering or have absconded from shelters in Europe out of fear of fingerprinting or age assessments. Though the latter can only yield rough estimates,[43] children may be detained or deported if they are deemed to be adults.[44]

Remaining under the radar may entail living in hazardous conditions, travelling amidst severe environmental dangers, and going without adequate food and health care – while living in fear of detection and its repercussions.

In central Belgrade, about 1,000–1,200 men and boys shelter in an informal squatter settlement known as 'the Barracks'. They refuse to register with asylum services in Serbia because they are afraid of being detained or deported. Registering with the authorities could also mean being moved to an official shelter or transferred to another part of the country, which would make it harder to connect with smugglers who can help them get back on their way across the border into Bosnia and Herzegovina, Croatia, Hungary or Montenegro.

For remaining unregistered, the men and boys living in the Barracks pay a price – living in abysmal conditions, with almost no access to safe water or sanitation, sleeping on filthy mats in abandoned warehouses. For unaccompanied boys sheltering there alongside men unrelated to them, it is an environment rife with risks. News reports have indicated that refugee and migrant boys there have been victims of sexual exploitation and abuse.[45]

State crackdowns and pushbacks exacerbate vulnerability

As large numbers of people move by any means they can, many Governments have responded with restrictive measures and strong rhetoric, often against a backdrop of rising xenophobia and intensely politicized debates. Popular fears over newcomers changing the culture, committing crimes and competing for jobs and benefits complicate efforts to integrate refugee and migrant children, who very much depend on people's willingness to welcome them.

The responses from some States, designed to demonstrate control over their borders and 'toughness' on immigrants, contribute to pushing children underground. This stokes demand for smugglers to help children cross borders and remain under the radar. Smugglers catering to migrants in Central America tend to offer a package deal that includes on average three attempts to cross the Mexico-United States border.[46]

States close their borders by erecting physical obstacles like walls, towing boats back out to sea, terminating rescue operations, or empowering border guards to beat migrants back by force. Other obstacles are legal in nature – like barriers to family reunification, or declaring some countries of origin 'safe', so that their nationals are not eligible for asylum. Pushback policies from the Balkans to Bangladesh[47] see border police preventing refugees and migrants from entering state territory, depriving them of their right to seek asylum, and violating States' obligations to refrain from returning people to situations of persecution or threat of serious harm (non-refoulement).

When one country makes it harder for migrants to enter, they often take other routes. This prolongs journeys, makes them more hazardous and increases the costs to migrants – all of which, in turn, increases the risk of exploitation along the way.

Concerted efforts to stem irregular arrivals in Spain have prompted West African migrants to undertake riskier journeys, traversing the Sahara Desert and the Central Mediterranean to reach Europe. Shifts in arrival numbers suggest that Australia's crackdown on sea arrivals and Israel's sealing of its border with Egypt in 2013 displaced movements by Afghan and Eritrean asylum seekers towards Europe.[48] When the 'Balkan route' was closed in March 2016, thousands of refugees and migrants were stranded in Greece, Serbia and the former Yugoslav Republic of Macedonia.[49]

When borders close, children and families can become stuck in a country they did not intend to stay in, where they may not be welcome or receive needed care, and where opportunities to integrate are few. For children and their families who wait for legal opportunities to move or cannot afford smuggling services, being trapped in limbo takes a heavy toll.

"We cannot take this much longer"

Rosa, 28, and her three young children have been in a camp in Kavalari, Greece, near Thessaloniki, along with 150 other Syrian Kurds, for the better part of a year. They are waiting to hear whether they will be able to move on to join the children's father, who is already in Germany.

The family had an official interview regarding their application, but six weeks later had heard nothing. The uncertainty is taking a toll on the children's emotional well-being – and on Rosa, who finds herself losing her temper and worries she will hit them. "We cannot take this much longer," she says.[50]

Among the thousands trapped in Greece, humanitarian organizations report rising anxiety and despair, and self-harm by children.[51]

At the end of 2016, both Italy and Greece had a shortage of hotspot facilities that could provide unaccompanied minors with adequate shelter, protection, access to asylum procedures and consideration for relocation.[52] In one facility in Greece, girls were accommodated together with boys for more than two weeks; in two others, minors were not separated from adults.[53] Of 2,000 unaccompanied children in Greece as of April 2017, 937 were on a waiting list to be transferred to child-friendly accommodation – with more than 250 children held in reception and identification centres, police stations, or open facilities, commingled with adults.[54]

Detention and deportation

A 15-year sentence

When Addisu, 15, and his 16-year-old brother left northern Ethiopia, along with three adult neighbours, they intended to reach South Africa. The neighbours indicated they had connections there that would help them all find work, so they could send money back to their families.

After travelling on foot, they hitched rides in trucks that took them through Tanzania and into Zambia – where their journey ended in arrest. Addisu and his brother were imprisoned and convicted of "consenting to be trafficked", with a 15-year sentence. At the prison in Mukobeko where they were held, adolescents aged 15–19 shared extremely cramped quarters with adults.[55]

The number of children worldwide currently in detention because of their migration status is unknown, but over 100 countries are known to detain children for migration-related reasons.[56]

Detention is never in the best interests of the child, as the Committee on the Right of the Child and a growing body of jurisprudence have confirmed. Evidence from around the world, compiled in a 2012 report, has shown that, even if there is an attempt to tailor the conditions of detention to children's needs, detention harms children – with serious consequences for their physical and psychological development.[57]

In practice, children around the world are not only detained, they are often held in poor, sometimes atrocious, conditions. The risk of abuse is especially high when children are held alongside adults not related to them, especially those of the opposite sex.[58]

Sometimes, detention is used as a deterrent. In 2014, the United States Government introduced a policy of detaining mothers and children arriving from Central America.[59] In March 2017, the European Court of Human Rights found that Hungary had unlawfully detained asylum seekers in so-called transit zones on its border with Serbia.[60]

Detaining children to deter others is both cruel and ineffective. As part of the Australian Government´s policy of pushback and mandatory detention of all arrivals by sea, up to 2,000 children at any single time have been held in some form of immigration detention. Among children in the regional processing facilities for asylum seekers established by Australia in Nauru, there have been reports of self-harm and 59 reports of assault targeting children documented over a period of roughly two years.[61] The dire situation of migrant children in Libya – where abusive detention conditions have been well publicized – further illustrates that no matter how awful, detention ultimately does not deter people from migrating.[62]

Children are often detained as a step towards deportation. In 2016, more than 85 per cent of unaccompanied Central American migrant children and adolescents apprehended in Mexico were sent back to their countries.[63]

Returning children to their countries of origin may well be consistent with their rights, when a best interests determination establishes

I did my makeup myself with a mirror and a stick to make the dots," says Sabekunnahar, age 11, a Rohingya girl now in a camp in Bangladesh. "My mother was murdered in Myanmar. When I put on makeup it makes me forget about my problems for a little while."

that this provides a durable solution for an individual child and does not entail risk of persecution or harm.[64] This requires tracing children's families in advance rather than returning them to childcare institutions; the latter should remain a last resort, employed only when in the best interests of an individual child. Children should also have the right to appeal any decision.[65] But these safeguards are seldom applied in practice.

The principle of non-refoulement and the prohibition on collective expulsions are not always upheld, and many children lack adequate legal representation during the processes that end in their deportation. In the United States, unaccompanied children without legal representation stand a much greater chance of being ordered to leave than those who have an attorney. Whereas the gap was 92 per cent to 69 per cent in 2005, it had widened to over 90 per cent compared with just over 20 per cent in 2014.[66]

While a number of States refrain from deporting unaccompanied children, at least until their eighteenth birthday, children who migrated with their parents enjoy no such protection. Their best interests are rarely considered separately from their parents' case.

When children are deported, they are often thrust back into the very conditions they undertook dangerous journeys to escape. There are documented cases of children who were deported, and then murdered back in their home countries.[67]

Authorities and humanitarian actors in countries to which large numbers of people are sent back face many of the same challenges that come with accommodating large numbers of arriving migrants and refugees. More than 9,900 Afghans returned from Pakistan in the first months of 2017, following an initial rush of returns in 2016, after the Pakistani Government made living conditions for Afghans in the country increasingly difficult.[68] Many children and families have returned to precarious conditions, with alarming numbers experiencing food insecurity and two-thirds in urgent need of employment. About 4,000 school-aged children have no access to education, 80 per cent of those because they lack the documentation required for school enrolment.[69]

When children do not get the support they need to reintegrate in their country of origin, many try to leave again.

While the aim to ensure orderly migration is legitimate, the types of restrictive measures currently enacted by many States hurt vulnerable children and families, while doing nothing to alleviate the demand for safe movement that underpins the pressure on international borders. And when children remain outside the law, it heightens their risks of violence, abuse and exploitation.

CHAPTER 3 EXPOSED TO VIOLENCE, ABUSE AND EXPLOITATION

"I just want to be free"

At 17, Mary left Nigeria to escape a life with no prospects and no one to rely on. She was introduced to Ben, who said he knew people in Europe and could help her find work and even pay her expenses – 25,000 euros. But what started out so promising quickly turned into a nightmare.

When she arrived in Libya, her departure point for Europe, Ben showed his true face. "Everything Ben... said – that we would be treated well, and that we would be safe – it was all wrong. It was a lie," she says. Many of the girls held along with Mary during the three months she spent in Gharyan were raped, including Mary herself. Ben threatened to hand her over to someone else, and leave her in Libya. Then, he raped her.

Her ordeal in Libya continued for months; she and the other girls were taken to Tripoli and then Sabratha. They were held prisoner in a house, deprived of food, with no one to contact for help. "I wanted to get away, but I couldn't – I had no money, no phone. I didn't even know where I was to escape," she says.

Finally put on a boat to Italy, Mary and her fellow captives had to be rescued by the Italian coast guard. Another girl, who had already made the journey once and was coming back after being deported, told Mary what awaited her now. "She told me we were going to be used as prostitutes."

Mary told authorities at the reception centre what had happened to her, and she was placed in a safe house for victims of sex trafficking. But that was not the end of her ordeal.

"Now the people who paid for my trip are saying to my mother, it's time for money," she says quietly. "They say I have run away, and that they paid for my trip and I owe them. They say that if I don't pay, they will put a curse on me to make me be deported."

She had thought her life would get better. "But I'm still in a prison," Mary says, "I feel like I'm going to be in one place forever: this room. I've been abandoned here. I can't talk to the girls here. I can't tell them what's inside of me, and it makes me feel so old. I'm so confused. I can't focus. I just want to be free."[1]

Trafficking thrives where children are stuck and desperate

Like Mary, many Nigerian girls who fall into the hands of traffickers suffer serious abuses during their journeys. Mary was rescued before she was forced into prostitution – but many do not manage to escape that fate. Upon arrival, traffickers take them in and force them to work, in Italy or elsewhere in Europe.

Often, the girls are told they have debts to repay, and somehow the amounts always seem to increase – for 'rule violations' or 'rent' for the patch of pavement they work as prostitutes. Traffickers keep a close eye on the girls, and to keep them in line, the threat of violence – against the girls themselves or their families back home – is ever present. Many Nigerian trafficking victims work for 3 to 7 years, for little money and with almost no way to refuse any demand.[2]

Trafficking is a serious risk for children on the move (see *Box 2*). Of nearly 1,600 child migrants aged 14–17 who came to Italy via the Central Mediterranean route during the second half of 2016, three-quarters reported experiences that suggest they may have been trafficked or otherwise exploited.[3] Survey results from early 2017 indicate that the situation might be worsening, as 91 per cent reported such experiences. These child migrants indicated that they

had been held against their will or forced to work – or had agreed to work for pay, and then were not paid. A smaller number reported being offered arranged marriage or cash for blood, organs or body parts.[4]

The proportion reporting such experiences in 2016 was highest for migrants of all ages from the West Africa countries Côte d'Ivoire, the Gambia, Ghana, Guinea or Senegal – over 90 per cent.[5] And while the Central Mediterranean route is particularly rife with trafficking, traffickers are active on other routes as well. Around 14 per cent of migrants of all ages travelling through the Eastern Mediterranean route into Greece reported similar experiences.[6]

Box 2:
Global trends in child trafficking

The global number of trafficking victims remains unknown, given the challenges in collecting data. Many countries are not covered in the available data, and many victims remain undetected by government officials and relevant organizations, as 'hidden populations'.[7]

The most recent and comprehensive set of data on child trafficking is from 2014, prior to the surge in refugees and migrants into the European Union and the United States. However, the data provides insights into the patterns of exploitation and abuse that trafficked children experience.

During that period, more than 63,000 victims were detected in 106 countries and territories. Children remain the second most commonly detected group of trafficking victims globally after women, accounting for 28 per cent of the total in 2014.[8]

Countries in sub-Saharan Africa and Central America and the Caribbean detect far more child victims than adult victims – 64 per cent in sub-Saharan Africa and 62 per cent in Central America and the Caribbean in 2014. Girls remain a larger group of trafficked persons, accounting for 20 per cent of all trafficked persons in 2014, compared with boys at 8 per cent.

Almost 60 per cent of victims are trafficked across at least one international border.

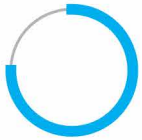
Detected female victims are mainly trafficked for sexual exploitation (72 per cent), followed by forced labour (20 per cent). Detected male victims are mainly trafficked for forced labour (86 per cent), followed by sexual exploitation (7 per cent).[9]

The actual numbers of trafficking victims can be assumed to be significantly higher. Victims trafficked across international borders are more likely to be detected – for instance, in the course of immigration raids on worksites or brothels. That leaves domestic trafficking victims underrepresented in the data.

Prosecutions of trafficking perpetrators are rare. Despite considerable efforts to strengthen the criminal justice response to trafficking worldwide, the number of prosecutions and convictions remains miniscule, with a mere 518 convictions for labour trafficking globally in 2012, according to the U.S. Department of State.[10]

For children on the move, trafficking is a serious risk

Recent surveys indicate that[1]:



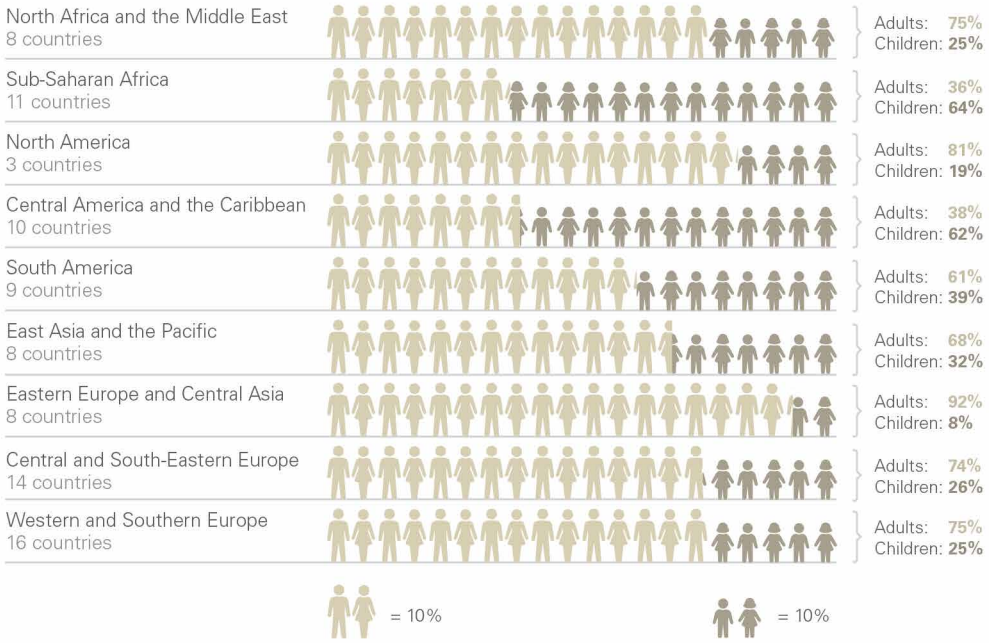
75% of children aged 14–17 arriving in Italy via the Central Mediterranean route **answered "yes"**

Around **20%** of those arriving in Greece via the Eastern Mediterranean route **answered "yes"**

...to at least one of the five indicators associated with trafficking and other exploitative practices – like **being forced to work or being held against their will.**

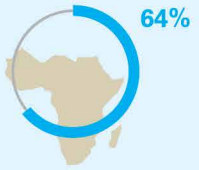
Children make up to two-thirds of detected trafficking victims in some regions

Shares of adults and children among detected trafficking victims, by region, 2014 (or most recent)

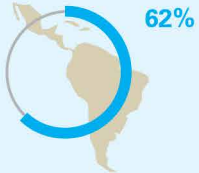


Children made up **over a quarter** of detected trafficking victims worldwide in 2014.

Countries in sub-Saharan Africa and Central America and the Caribbean detect, by far, **more child victims** than adult victims. In 2014, children accounted for:



64% of detected trafficking victims in sub-Saharan Africa.

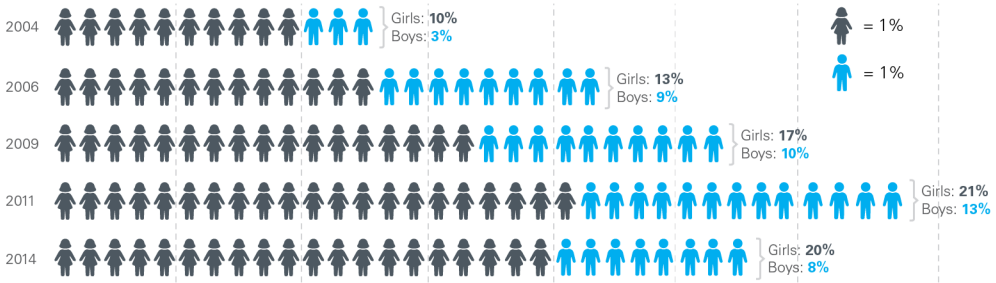


...and **62%** in Central America and the Caribbean.

[1] International Organization for Migration, Displacement Tracking Matrix Flow Monitoring Surveys, 2016, IOM analysis.

Girls make up a larger proportion of detected trafficking victims than boys

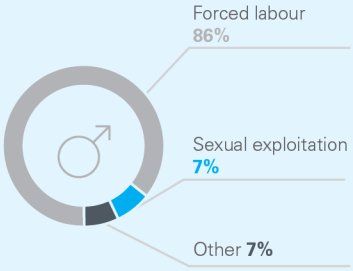
Shares of children among detected trafficking victims, by gender, selected years



Girls made up **20%** of detected trafficking victims in 2014, while boys made up 8%.

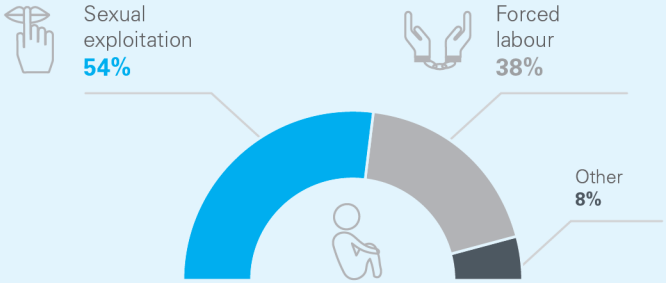
The main forms of exploitation among detected trafficking victims differ by gender

The main forms of exploitation among detected **female trafficking victims**



The main forms of exploitation among detected **male trafficking victims**

Trafficking victims are exploited in many ways; overall, the most commonly detected forms of exploitation are trafficking for:



No country is immune from human trafficking

Victims are trafficked within countries, between neighbouring countries and across continents. In 2012–2014:

More than 500 different **trafficking flows** were detected.

Over **60,000 victims** were detected in more than **100 countries and territories.**[2] Countless others remain undetected.

A clear majority of victims – **57%** – are trafficked **across at least one international border.**[3]

[2] The total number of victims of trafficking in persons remains unknown given the challenges in collecting data – particularly for 'hidden populations' not detected by government officials or relevant organizations. The latest available global data on detected trafficking cases refers to the period 2012–2014. The actual number can be assumed to be significantly higher.
[3] Data from detected trafficking cases in 2012–2014.

Source: United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons*, UNODC, 2016, p.11.

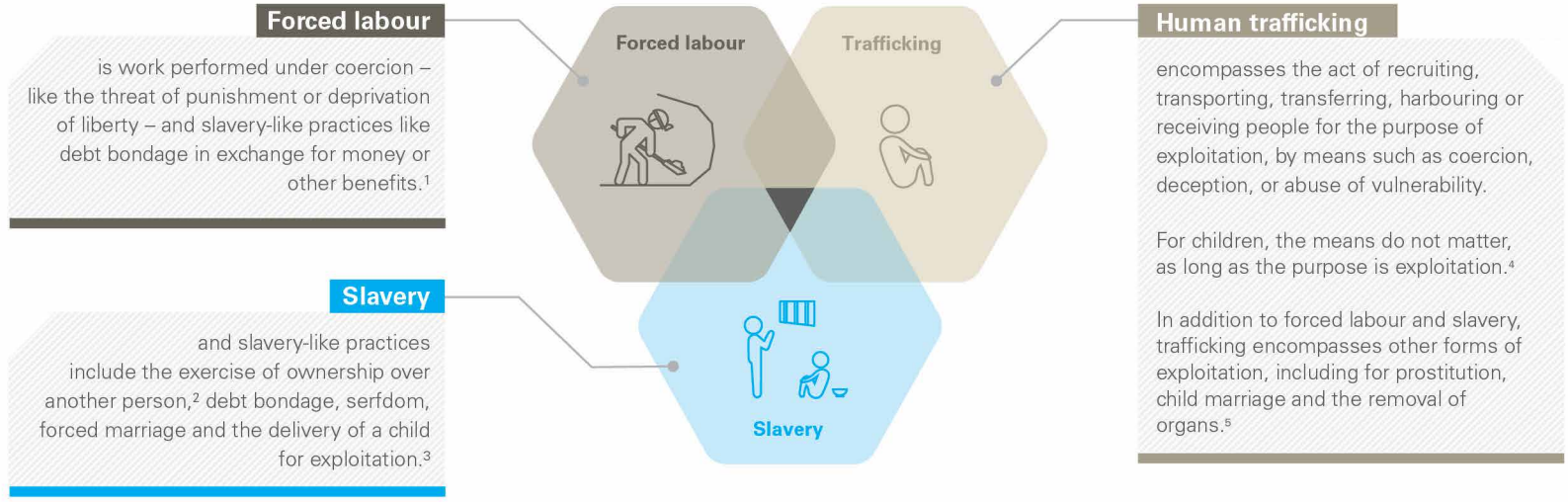
Human trafficking is fuelled by a complex interplay of factors. Trafficking enterprises flourish in States with weak institutions and high levels of crime. The high prevalence of trafficking currently reported on the Central Mediterranean route can to a large extent be traced to the lawlessness in Libya since the 2011 crisis.[11] The collapse of institutions in the wake of natural disasters can also lead to a rise in trafficking, as was the case in Nepal in 2015 and Haiti in 2010.[12]

In part, trafficking is a matter of supply and demand. On the one hand, traffickers meet existing demand in industries like manufacturing, agriculture, domestic services and prostitution – where employers want cheap and exploitable labour and consumers want cheap goods and services.[13]

On the other hand, traffickers seize opportunities to ply their trade where there is a supply of vulnerable people – as suggested by the overlay between trafficking and migration routes (see *Figure 12*) and by the large share of refugees and migrants reporting signs that they may have been trafficked. Large-scale movements of migrants and refugees offer a bonanza for traffickers.

Human trafficking, forced labour and slavery overlap, but there are distinctions between them

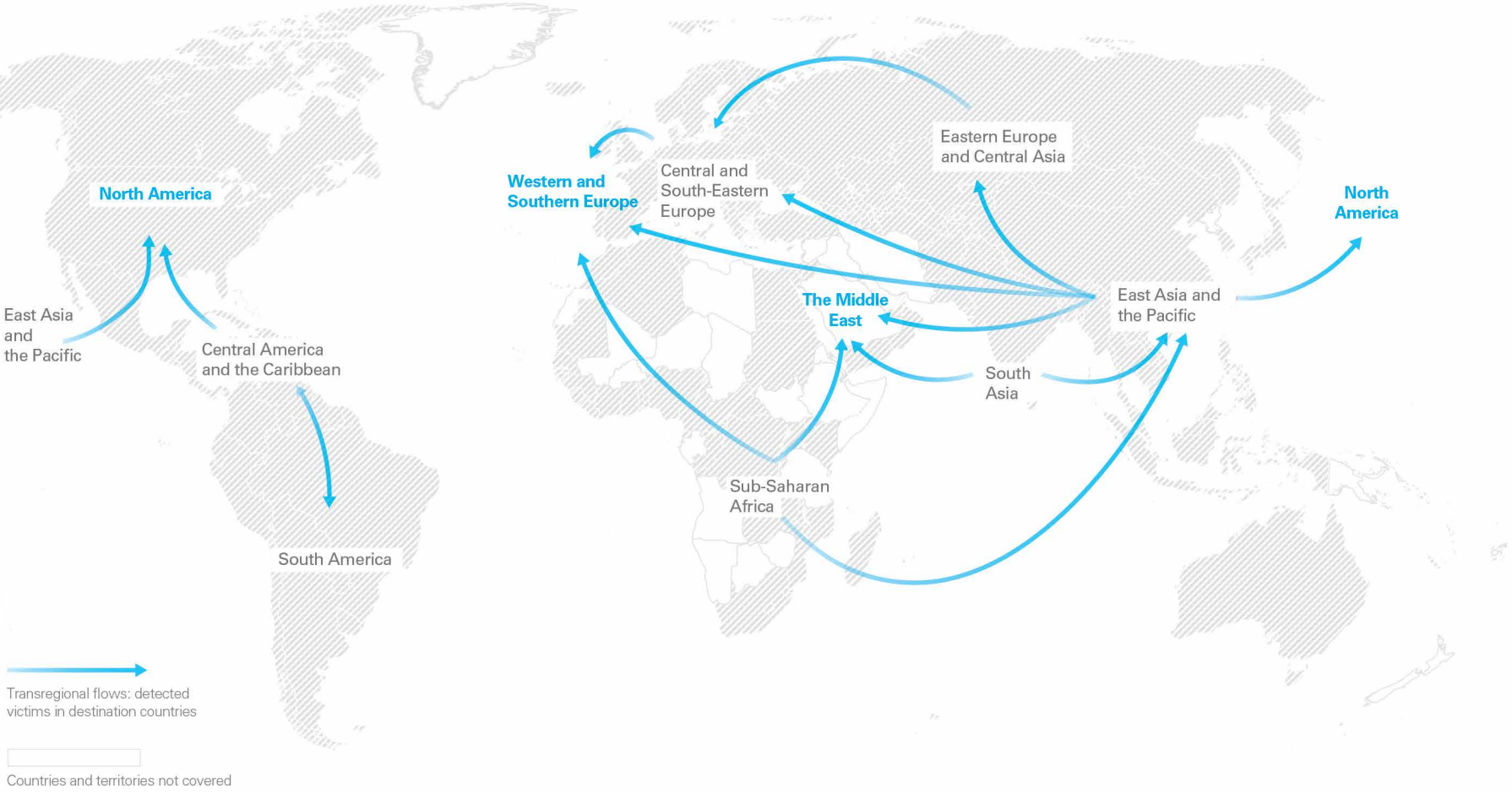
Fig. 11: Definitions of human trafficking, forced labour and slavery



1 Annex of the United Nations Revised Guidelines regarding Initial Reports to Be Submitted by States Parties under Article 12, Paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child pornography, CRC/C/OPSC/2, 3 November 2006.
2 Slavery Convention, 1926
3 United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, art. 1, 1956 (entered into force 1957).
4 United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime, art. 3, 2000.
5 UNODC, *Global Report on Trafficking in Persons* 2016, Vienna 2016, pp. 14–15.

Human trafficking is a global problem

Fig. 12: Main regions of destination (blue), transit and origin (grey) of transregional flows of trafficking victims, 2012–2014



This map is for illustrative purposes only.
This map does not reflect a position by UNICEF on the legal status of any country or territory or the delimitation of any frontiers. The dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. The final boundary between the Sudan and South Sudan has not yet been determined. The final status of the Abyei area has not yet been determined.

Source: Adapted from United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons*, UNODC, 2016, p.9.

Traffickers exploit children or deliver them into situations in which they are exploited. They coerce, threaten and abduct; defraud and deceive; and abuse their power and their victims' vulnerability for their own gain. Trafficked children may be forced to work, often in hazardous or abusive conditions, or they may be engaged in begging or petty crime. They may be forced into sexual exploitation or marriage, sold, or recruited as child soldiers. Some who are trafficked have organs removed[14] (see *Figure 11)*.

Where migrants are stuck, temporarily or for longer periods – in refugee camps or in 'hubs' en route – traffickers prey on potential victims.[15] Reports document traffickers taking people from camps in Ethiopia to others in the Sudan, and enticing children aged 13–14 years – demanding no money up front, but extorting the families once the children arrive in the Sudan.[16] Unaccompanied and separated children have also reported being threatened with kidnapping in the Sudan, and forcibly conscripted by an Eritrean opposition movement in northern Ethiopia.[17]

The risk of trafficking and other forms of exploitation increases with the length of the journey. Migrants on the Eastern Mediterranean route who had been on the move for more than a year were three times as likely to report such experiences (48 per cent) than the overall migrant population on this route.[18] While evidence is scarce, it is likely that growing desperation to end the uncertainty of being stuck in transit motivates migrants to move on by any means they can find or raise money to pay their way out.

Resorting to child labour

Drawn-out crises, protracted transit and long periods spent in limbo deplete children's resources. When they are out of school for long periods, undernourished and without health care, impoverished and beset by mounting anxieties as uncertainty drags on, children become increasingly vulnerable and desperate and may turn to activities that are exploitative, even without the involvement of traffickers.

Children develop a variety of coping mechanisms to deal with their vulnerability and the stresses and depredations of their journeys. While some of these coping mechanisms can reduce their vulnerability, others can put them at greater risk of violence, abuse and exploitation. Some refugee children in Athens reportedly turn to theft and prostitution. For some living on the street, it is a means of survival; for others, a way to earn money to continue their journeys. But that dream can slip away as children become addicted to drugs and experience serious mental health problems.[19]

Children entrapped by smuggling or trafficking networks may become engaged in the trade themselves. Many victims, especially of sexual exploitation, are put to work recruiting new victims. This may enable them to reduce their debts to traffickers or end their own exploitation.[20]

While organized criminal networks commit severe forms of exploitation and trafficking, exploitation of children on the move also occurs on a much smaller and more intimate scale – involving parents, husbands, extended family, acquaintances or neighbours.

Desperate families, displaced or on the move, may send their children to work to help provide for basic needs such as rent, food and clothing – especially where parents cannot legally work or simply cannot find work, legal or illegal. In Jordan, Lebanon and Turkey, shopkeepers, farmers and manufacturers hire Syrian refugee children, in some cases because they can pay them a lower wage. Children, especially girls, are seen as less likely to be targeted by police or prosecuted for illegal work than adults, so families are more likely to send them to work.[23]

Not all children who work are exploited or trafficked. Many children on the move want to work and earn money – some to support families left back home,[24] others to repay debts to family or to smugglers. Others still need the money to continue their journeys. But their bargaining position is inherently weak, both as children vis-à-vis adults and as migrants or refugees, often in irregular or precarious status. The work they find is often exploitative and harmful to their physical and mental health and development.

Paying his way

Karim, 16, from Maidan Wardak, Afghanistan, ran out of money while on his way to Europe. To support himself and fund his journey, he spent eight months making t-shirts and pants for a textile manufacturer in Istanbul, Turkey. A friend, also a working child, referred him to the company. It was backbreaking work, requiring him to lift crates weighing 40-50 kg. For about 30-40 lira a day, he worked 14- to 15-hour days, six days a week, until he earned the 3,000 euros he needed to move on.[25]

Protected on paper, but not in practice

The way children on the move are treated does not measure up to the standards that countries have set for themselves. States often deprive children of rights and services to which they are entitled – and thereby heighten their vulnerability.

All children have rights under the Convention on the Rights of the Child (CRC) and other international treaties – no matter where they are from, why they left or how they got there; regardless of whether they are nationals of the State or whether their presence on its territory is legal.

The CRC obliges States Parties to take the best interests of the child as a primary consideration in all actions concerning children,[26] to protect and care for them as necessary for their well-being,[27] and to ensure their right to express their views and be heard in matters that affect them.[28] States are also obligated to take all appropriate measures to protect children on the move – along with all other children – from all forms of violence, abuse and exploitation.[29]

In practice, the protection, services and care children on the move receive often depend much less on their needs than on where they happen to land and whether they qualify for international protection as refugees – under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, or under regional refugee protection frameworks.[30]

The 1951 Convention grants legal protection to people fleeing persecution "for reasons of race, religion, nationality, membership of a particular social group or political opinion."[31] This means they

cannot be sent back to their country of origin if it would expose them to serious harm. This principle of non-refoulement is part of customary international law and is binding on all States. In the case of children, the CRC further prohibits returning children to a transit country.[32]

Not all children who apply for asylum are granted refugee protection. Out of 1,637 unaccompanied children arriving in the United States from Central America between July and October 2014, for instance, only 179 were granted permission to stay.[33] Very different standards apply across countries, as States that ratified the 1951 Convention can exercise discretion as to how they handle asylum procedures and determine refugee status. A child from a particular country of origin may stand a good chance of being accepted as a refugee in one country, but have few prospects in another.[34]

When numbers surge, people fleeing acute humanitarian crises like armed conflict are often granted protection prima facie – on the basis of the situation in their country of origin, rather than on an assessment of their individual reasons for fleeing. But they tend to be granted less than full refugee protection.

Of the four neighbouring states that host the bulk of Syrian refugees – Iraq, Jordan, Lebanon and Turkey – none applies the 1951 Convention definition of a refugee to those fleeing the war in Syria.[35] A number of European countries also grant temporary or subsidiary forms of protection that allow people to stay, but often with limited rights. The duration of residency may be limited, or they may face restrictions in acquiring nationality in the country, having their family members join them, working or receiving social welfare services.[36]

In cases where protection under the 1951 Convention is not granted, children who arrive without a visa usually have few avenues to claim a right or need to stay. Some States provide a temporary or permanent right to stay for confirmed victims of human trafficking or other crimes.[37] Others refrain from returning children under 18, but do not offer them the prospect of staying beyond that age.[38]

Long delays in the process of determining a child's legal status or facilitating reunification with family members elsewhere put many children's lives on hold.[39] When claims for asylum are denied but children cannot be deported, or when orders to leave a country are neither enforced nor withdrawn, children are often left in a state of legal limbo or in irregular status. This makes planning for the future difficult and renders them acutely vulnerable to exclusion, marginalization and exploitation.

Children who find themselves in States that are not parties to the 1951 Refugee Convention also face limits on the protections and services they can receive. Malaysia, for example, does not recognize refugees and only grants limited services, such as access to treatment at government hospitals, to those who have been able to register with UNHCR.[40]

While the CRC obligates States to treat all children as children first and foremost, in practice children's legal status greatly affects the care and protection they receive. Asylum-seeking children get different services than those recognized as refugees or those with irregular status. Children living side by side in the same shelter or camp may have different standards of living. Where the protection and care of unaccompanied and separated children differs from that

of the rest of the refugee community, tensions may result due to the perception that children on their own unfairly receive more services than other refugee children.[41]

In Slovenia, for example, arrangements for guardianship and legal representation differ based on a child's legal status, and financial support is also tiered. Unaccompanied and separated children who have applied for international protection are entitled to a monthly allowance, but they do not receive the same level of support as those recognized as refugees.[42]

States around the world routinely exclude migrants in irregular status – including children – from enjoying rights like due process or access to essential services. Some EU member States exclude undocumented migrant children from schooling.[43] Others restrict undocumented children's access to health care, limiting it to emergency care only.[44] In some countries, service providers are obliged to report migrants with irregular status, including children, which deters undocumented migrants from seeking out services.[45] The Czech Republic and Italy are the only European countries with policies in place to explicitly address this problem.[46]

Even where States allow access to education under national law, refugee children often face practical barriers – such as language, costs or the poor quality of available schooling – that preclude or complicate their integration in local schools. According to UNHCR, as of 2016, more than half of the 6 million school-aged children under its mandate were out of school. This includes some 1.75 million refugee children not in primary school, and 1.95 million refugee adolescents not in secondary school.[47]

In Jordan, Syrian refugee children report that schools are overcrowded and transportation is costly, while their current situation puts schooling lower on their list of immediate priorities. Tensions between local and refugee children in schools can also deter refugee children from attending.[48]

No safety net for children on the move

Children become increasingly vulnerable to exploitation and abuse when they are left unprotected. Many States' child protection systems face serious challenges in providing children on the move with the services they need. Too often, border officials and law enforcement are the only state authorities children encounter during their journeys – with jail cells considered the only 'safe place' available to keep them when they are intercepted, especially in remote areas.[49]

Across the world, in high- and low-income countries alike, it is ministries of interior or home affairs that deal with immigration matters, including children on the move. That means agencies ill-equipped to determine children's best interests are often responsible – at least in the first instance – for making decisions regarding their protection.

As children arrive on a State's territory, treating them as children first – as the CRC demands – requires a much more prominent role for child protection services. But mainstream child protection services are often fragmented – divided up among different sectors, like health and education, and anchored in a multiplicity of laws, policies and budget lines under different ministries and agencies.[50] There may be no overarching framework or strategy, and no single body in charge of child protection per se.

The division of labour between central and local levels of government adds to the challenge, often leading to unequal standards of care across a State's territory. An assessment of the child protection system in Kaduna State, Nigeria, found the coverage and quality of child protection services to be highly uneven from one locality to the next. Most services were in the state capital, leaving children in poor or isolated communities at greater risk of violence, exploitation, abuse and abandonment.[51] Local programmes and services for the most part depended on international aid funding, with 90 per cent owned and operated by civil society and NGOs. With no minimum standards for service delivery set by the State, oversight of the quality of interventions fell short.[52]

Fragmented protection services are far from a low-income country problem. The recent refugee response in Germany has exposed the difficulties of providing safe and adequate accommodation for children across all of the country's territory.[53] Few of the children who arrived in Europe in 2015–2016 without their families had guardians appointed right away to look after their best interests and help them navigate their new environment,[54] and few had the benefit of being cared for by adult relatives or foster families. Most were placed in overcrowded shelters, in some cases alongside adults not related to them,[55] watched over by inadequately trained staff.[56]

Because children tend to arrive in or aim for certain areas of a country, particular regions and municipalities often bear the brunt of the responsibility for providing protection and services. But they do not necessarily get enough financial support from central budgets. Strategies to disperse asylum seekers across a country's territory may help authorities distribute responsibilities more evenly, but they can backfire for children – interrupting social ties and relationships of trust that they may have established in one place, for example with a guardian, or trapping them among communities hostile to their presence or in localities devoid of economic opportunity.

When child protection systems fall short, the consequences for children can be grave. In Calais, France, a 2016 UNICEF report pointed to serious gaps in the child protection system, resulting in a mismatch between the safety nets in place and what was needed on the ground.[57] Unaccompanied children were left to squat for months in unsanitary makeshift camps, exposed to the risk of sexual violence and exploitation.[58]

The fact that large numbers of refugees and migrants arrive, cannot excuse such failures. States can and must do better.

CHAPTER 4 A PATHWAY TO PROTECTION

Children, first and foremost

The CRC guarantees the rights of every child – regardless of nationality, legal status or statelessness. Article 2 of the CRC makes clear that States have a responsibility to protect the rights of all children within their jurisdiction, including their territorial waters – without discrimination.

Every child should be treated as a child, first and foremost. Yet as things stand, the treatment of children on the move is often not in line with the CRC, and almost always depends on their immigration status. Different groups of children on the move within the same jurisdiction enjoy different rights and entitlements. The way they are treated also varies across different parts of the same country and across different countries and regions.

No discrimination or exclusion based on legal status

Children on the move should not be discriminated against or excluded based on their legal status. In reality, however, they often face structural and institutional barriers that prevent them from enjoying their rights, such as lack of interpretation services or language learning opportunities tailored to their needs.

Refugee and migrant children are entitled to their rights regardless of the level of care and services available in the country where they find themselves. A small number of States bear a disproportionate share of the responsibility to care for and protect the world's child refugees and migrants, whether they are passing through or settling. [1] Many of these States are ill-equipped to meet the needs of children on the move; many struggle to provide even for their own citizens.

Invest in protection of refugee and migrant children

Significant investments are needed to protect the rights of children on the move – to strengthen child protection services and provide services such as education and social protection, reducing the barriers that stand in the way of children's access.

Failing to invest in the protection of refugee and migrant children has its own costs. Refugees and migrants unable to move on from countries that do not provide for their protection fill the coffers of smugglers and traffickers. This feeds transnational organized crime and raises the costs of deterrence and border reinforcements, straining countries' budgets and their relations with their neighbours.

Rising inequality and pockets of marginalization in societies that receive refugees and migrants heighten social tensions. Children with no place to stay or no school to attend are more likely to end up on the streets, engage in informal and often hazardous work for low wages, or come into conflict with the law – whether of their own volition or as a result of pressure. This both undermines their health and life chances, and hurts local societies.

Children cannot wait

The deprivations and harm children experience during dangerous journeys shake the foundations of their physical, emotional and intellectual development. As borders close and children get stuck in limbo, their plans and hopes are overtaken by a reality shaped by violence, exploitation and desperate coping measures such as drug abuse.

Young people who lose years of schooling due to displacement often face slim prospects of obtaining decent jobs in adulthood.[2] Children who have been abused and exploited may struggle to recover a sense of self-worth and build relationships of trust. They have a harder time finding a place in society – whether at their desired destination, in transit, or upon return to their countries of origin.

Like all children, children on the move have no time to lose. They need safe passage not just as they move, but also as they transition from childhood into adulthood – so that what happens to them today does not erase their chances for tomorrow.

Protection, not detention

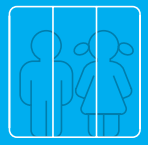
The findings of this report speak to all six of UNICEF's policy asks for children on the move, as articulated in the organization's 2016 report *Uprooted: The growing crisis for refugee and migrant children* (see page 48). But the recommendations here focus on the call for better protection and for an end to immigration detention for children.

AGENDA FOR ACTION

UNICEF is calling for a six-point plan to keep refugee and migrant children safe

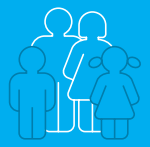
PROTECT UPROOTED CHILDREN FROM EXPLOITATION AND VIOLENCE

Refugee and migrant children are extremely vulnerable to violence and abuse, and to being preyed upon by smugglers and even enslaved by traffickers. UNICEF calls for increasing safe and legal channels for children to migrate and to seek refuge. Cracking down on trafficking, strengthening child protection systems and expanding access to information and assistance can help keep children safe. Children and families should never be returned to face persecution or life-threatening danger in their countries of origin.



END THE DETENTION OF REFUGEE AND MIGRANT CHILDREN BY CREATING PRACTICAL ALTERNATIVES

Detention is harmful to children's health and well-being – and can undermine their development. UNICEF calls for practical alternatives to detention for all children. Unaccompanied and separated children should be placed in foster care, supervised independent living, or other family- or community-based living arrangements. Children should not be detained in adult facilities.



KEEP FAMILIES TOGETHER AND GIVE CHILDREN LEGAL STATUS

Children who are travelling alone or who have been separated from their families are more easily preyed upon and more vulnerable to violence and abuse. UNICEF calls for stronger policies to prevent children from being separated from their parents and other family members in transit; and faster procedures to reunite children with their families, including in destination countries. All children need a legal identity and should be registered at birth.

HELP UPROOTED CHILDREN TO STAY IN SCHOOL AND STAY HEALTHY

Many refugee and migrant children miss out on an education – and many lack access to health care and other essential services. UNICEF calls for increased collective effort by governments, communities and the private sector to provide uprooted children with access to an education and health services, and to shelter, nutrition, water and sanitation. A child's migration status should never be a barrier to accessing basic services.

PRESS FOR ACTION ON THE CAUSES THAT UPROOT CHILDREN FROM THEIR HOMES

Protracted conflicts, persistent violence and extreme poverty and disadvantage drive millions of children from their homes. UNICEF calls for greater effort to protect children from conflict and to address the root causes of violence and poverty, including by increasing access to education, strengthening health and child protection systems and social safety nets, expanding opportunities for family income and youth employment, and facilitating peaceful conflict resolution and tolerance.

COMBAT XENOPHOBIA AND DISCRIMINATION

Uprooted children are often victimized by discrimination, xenophobia and stigma – both on their journeys and in their final destinations. Everyone has a part to play in welcoming uprooted children into our cities and communities. UNICEF calls on local leaders, religious groups, NGOs, the media and the private sector to help combat xenophobia and facilitate greater understanding between uprooted children and families with host communities. Governments should also set up stronger measures to combat discrimination and marginalization in countries of transit and destination.

States need to work much harder to protect child refugees and migrants, particularly unaccompanied children, from exploitation and violence, and to provide alternatives to detention that are in line with children´s best interests while their immigration status is being resolved.

Child-friendly outreach and reception

When children arrive on a State's territory – whether they intend to stay or move on – child-friendly procedures should be in place to register them and meet their immediate and longer-term needs, including for safe accommodation, mental and physical health care and access to education and recreation. Guardians must be appointed for unaccompanied children at once, to safeguard their best interests and develop care plans tailored to their specific family situations and needs. All procedures should be based on an assessment of the individual child's best interests, and should take her views duly into account. They should be explained in an age-appropriate manner and in a language the child can understand.

Resource centres, safe spaces and outreach services operated in partnership with local, non-governmental and international organizations can help reach children on the move in border areas, transportation hubs and urban centres. They give children on the move a place to rest and recharge, connect with peers, and seek help, such as psycho-social support to deal with traumatic experiences and regain some sense of normality. Such facilities need to provide children with accurate information and advice, so as not to leave them at the mercy of misinformation spread by smugglers and traffickers.[3] Personnel should be trained to identify and respond to children's protection needs, and to refer them to specialized child protection services, such as those related to gender-based violence, for example.

Identify and protect child victims of trafficking

Identifying child victims of trafficking will take special efforts, given the gravity of the violation and the specific protection needs these children have. Frontline workers who come into contact with children on the move – police officers, health and social workers, caseworkers, professionals in the asylum system, labour inspectors, and consular officials – will need special training, while the general public also needs to be made more aware.[4]

What should happen next for a particular child who has been a victim of trafficking should depend on a best interests assessment. Some children may want to be returned to their home countries, while others should be referred to the asylum process or granted a temporary or permanent right to stay as victims of trafficking, in order to get the help they need.[5]

States should target those who recruit or employ exploited children or consume their products and services – rather than punishing child victims who may have come into conflict with the law.[6] Children should not be threatened with sanctions, such as removal, if they do not cooperate with authorities in investigating and prosecuting their traffickers. Neither should they be criminalized for offences they were forced to commit. Stigmatization and fear of reprisals against themselves or their families can weigh heavily on children, and should be addressed when seeking their cooperation.[7]

Work together within countries to provide care and protection
Children on the move require a continuum of care and protection in the countries they pass through and arrive in – as they move across different parts of a given country and through the hands of various actors.

Referral mechanisms that connect designated first-responder organizations with trained decision-makers at a central authority help rapidly assess children's protection needs and link them to support, like shelter, health and psychosocial services.

Measures such as centralizing and strengthening the institution of guardianship and establishing standard operating procedures that specify who does what, and when, can improve the protection of children and make national systems more responsive and cost-effective.[8]

Volunteers and local communities often play a major role in protecting children. They should be supported in their efforts, including by building networks and sharing lessons. All services, whether provided by the State, non-governmental and international organizations, or volunteers should be governed by common standards and accountability mechanisms. This helps ensure that there are no gaps and that resources are deployed in a complementary manner.

A durable solution for every child
All children arriving in a country other than their own deserve a durable solution that is in line with their best interests. For all children, whether migrating with their families or unaccompanied, the decision as to whether they are to stay in a country, return to their country of origin, or find a solution in a third country should be made in a timely manner and based on a formal determination of their best interests.

The decision needs to take into account how the child's best interests may evolve over time, including beyond age 18. This may mean allowing the child to complete education or vocational training to support transition into adulthood and self-reliance. For unaccompanied and separated children, finding a durable solution entails pursuing all practical measures to reunify children with their families – immediate or extended – including in their countries of residence.

Community-based alternatives to detention
The New York Declaration for Refugees and Migrants includes a commitment to work towards ending the detention of children for migration-related reasons.[9] A number of States have already outlawed the practice.[10] Others are detaining fewer asylum-seeking and refugee children. They may put unaccompanied children in family-based foster care, or require families to stay in a certain residence or to deposit or surrender documentation.[11] Yet such alternatives are underused – despite evidence that they can ensure compliance and can be less costly.[12]

When children moving on their own are intercepted on a State's territory, they should be referred to family or community-based care or shelters for children while their immigration status is being resolved.[13]

Care and protection across borders

Children's rights are not confined by national borders. Where conflict or disaster, neglect, abuse or marginalization drive children to move, their rights move with them. Children on the move require a continuum of care and protection to safeguard these rights when they cross international borders and move between jurisdictions – as much as they need protection within a given country.

Cross-border cooperation for child protection

Countries need to work together across borders to better coordinate the various authorities – local and central, in countries of origin, transit, and destination – who contribute to protecting children on the move, especially those moving without their families.[14] The way countries have pulled together to fight human trafficking shows that this is possible.

Formal and informal networks for cooperation to protect children on the move need strengthening, for instance through designated liaison officers and tools to better share information, such as joint case management systems to document decisions taken on behalf of a child and recommendations for the child's future.[15] Existing guidance for determining children's best interests, such as the UNHCR-UNICEF "Safe and Sound" guidelines for Europe, could be replicated or adapted for other regions of the world. More harmonized approaches are needed in areas such as legal definitions, asylum procedures, sharing of country of origin information, 'safe country' designations, and reception practices, including guardianship, age assessment, and family tracing and reunification.

Global agreement on how to protect children on the move

In adopting the New York Declaration for Refugees and Migrants, world leaders recognized the need to clarify their responsibilities towards vulnerable child migrants – especially unaccompanied and separated children – who do not qualify for international protection as refugees and who may need assistance.[16]

Drawing on existing guidelines and agreements from different regions, States should develop a common understanding of how to discharge their protection obligations towards children as they move, and how they can support each other in doing so.

Responsibilities for the protection of children on the move need to be shared, not shifted. Leadership is urgently required to forge global agreement on how to protect and guarantee the rights of children as they move, no matter who or where they are.

UNICEF in action to protect children on the move

Around the world, UNICEF country offices, national committees and regional offices work to advance the rights and meet the needs of refugee and migrant children.

Through its initiatives – many undertaken with Governments and other partners – UNICEF delivers critical services to children and families, provides technical support, collects data and conducts research, advocates with policy-makers and raises awareness among the public.

The Americas

Region: Encouraged the Regional Conference on Migration, a forum for technical exchange and political agreements involving 11 Governments, to focus on child protection and gender.

Helped build capacity among consular officials to better protect children on the move and respect their rights, including through country-specific protocols.

El Salvador and Honduras: Supporting child protection systems to address gang violence as one of the main drivers of irregular migration and responding to the needs of children deported back to their home countries, including through case management, alternative care arrangements and education.

Mexico: Working with shelters for child migrants to provide psychosocial support, organize recreational activities, help reduce discrimination and stigma, and develop alternatives to detention, such as small-scale residential homes or foster care.

Guatemala: Strengthening government protocols for reception of deported children and their families, and working at community level to address the drivers of migration, including gang violence.

Canada: Advocating with policy stakeholders and engaging with civil society partnership networks to support the rights of children on the move, domestically and globally.

United States: Supporting the 'End Trafficking' campaign to protect children from sexual exploitation and forced labour, reaching more than 57,000 constituents through events in 20 states.

Western and Central Africa

Region: Collaborating with IOM to identify, care for and protect vulnerable children on the move, and repatriate and reintegrate them where appropriate.

In partnership with ECOWAS and ECCAS, UNHCR and IOM, and NGOs, supporting children on the move as part of a regional strategy aimed to better connect work in areas of origin, transit and destination.

Nigeria, Niger, Chad and Cameroon: Strengthened cross-border interventions across countries affected by the Lake Chad Basin Crisis, leading to the identification and follow-up of some 22,200 unaccompanied and separated children by the end of 2016.

Niger: Supported the Ministry of Child Protection in establishing transit and orientation centres for migrant children and partnered with IOM in handling complex child trafficking cases.

Eastern and Southern Africa

Region: Working with UNHCR to develop guidance to help national child protection systems address the needs of refugee children, based on analysis of entry points, opportunities and good practices.

With RMMS, researching the protection and care needs of children migrating towards South Africa.

Burundi: With IOM, working to prevent trafficking and support the tracking of new displacements across the country.

Rwanda: Working with IOM, UNFPA and UN-Women to improve the knowledge base on trafficking and build the capacity of law enforcement, civil servants and civil society partners to better implement counter-trafficking policies.

Ethiopia: Providing family tracing, medical care and psychosocial support for unaccompanied children at the IOM transit centre in Addis Ababa, and helping IOM train staff there on child protection principles.

Zambia: A rapid assessment conducted with United Nations partners examined the situation of vulnerable children on the move, including their routes, reasons for migration, how they are received at entry points, and the challenges in assisting them.

Europe

Region: Child and Family Protection Support Hubs ('Blue Dots'), a joint initiative with UNHCR and the International Committee of the Red Cross, provide easily accessible services to refugees and migrants.

Training some 2667 frontline workers on key child protection-related issues since 2015.

Advocating for and raising awareness on the rights of all refugee and migrant children under the CRC, and working towards more inclusive communities and societies amidst rising polarization.

Italy: Successfully advocated with civil society partners for comprehensive legislation to better protect unaccompanied children, regardless of migration status, including through improved guardianship services, accommodation standards and foster care.

Greece: Providing technical assistance to the Greek Ombudsperson for Children to better monitor child rights violations.

Supporting the National Centre for Social Solidarity in managing the caseload of approximately 2,000 unaccompanied and separated children.

UK and France: Conducted advocacy and published research on the situation of unaccompanied refugee and migrant children in northern France.

Helped establish temporary accommodation centres and supported the transfer of more than 750 children from France to the UK for family reunification and to address specific vulnerabilities.

East Asia and Pacific

Viet Nam: Helping to implement the National Plan of Action on Human Trafficking to identify and protect victims and improve their access to services.

The findings of a study highlighting the vulnerability of children of migrant workers in the footwear and apparel industry informed programmes to improve their health, development and well-being.

Malaysia: Work through the UNICEF Innovation Lab helped improve alternative learning standards and vocational training opportunities for refugee, undocumented and stateless children denied access to public schools in Sabah province.

Cambodia: A new study on the impact of migration within Cambodia and across borders documented negative and positive effects on children and their families.

Preventive child protection interventions targeted towards children on the move included support to outreach sessions on safe migration.

Australia: *At What Cost*, produced with Save the Children Australia in 2016, highlighted human, economic and strategic costs of Australia's asylum seeker framework and outlined a plan to better protect asylum seeking and refugee children.

Middle East and North Africa

Region: In partnership with the North Africa Mixed Migration Task Force, conducted three research initiatives on unaccompanied and separated children moving to, through and from North Africa.

Egypt, Iraq, Jordan, Lebanon and Turkey: Through the Regional Refugee and Resilience Plan (3RP) in response to the Syria crisis, working with national authorities to strengthen child protection systems and services for all vulnerable children, including refugee children.

Morocco: A juvenile justice assessment included migrant children and recommended measures to increase their access to appropriate and protective justice if they come in contact with the law.

Sudan: Supported family reunification and family-based alternative care for over 3,700 unaccompanied and separated children in nine states, including migrant children.

Jordan: Supported the Government in formalizing alternative care arrangements for unaccompanied and separated refugee children through the national court system.

South Asia

Afghanistan: Humanitarian response in 2016 covered about 250,000 people displaced by natural disasters and armed conflict as well as refugees returning from Pakistan and Iran, and included psycho-social support, referrals for follow up and case management, and safe and protective learning spaces for displaced and at-risk children.

Bangladesh: Provided technical support to develop child-friendly procedures for repatriation of Indian children following a 2015 agreement between Bangladesh and India to combat child trafficking.

Supported government anti-trafficking efforts that led to the identification of 1,635 trafficked children in 2016.

Nepal: Supported enhanced monitoring, schooling and services for children from poor families, to address their increased risk of trafficking following the 2015 earthquake.

Reached more than 26,000 adolescents and youth in 2016 with community-based communication and social mobilization to provide information on safe migration and the risks of trafficking.

DATA LIMITATIONS

Comparable, reliable, timely, disaggregated and accessible data are essential for understanding and addressing the implications of migration and displacement for children and their families. Data need to cover a range of key questions, including who migrants and displaced persons are, how old they are, where they come from, when they move, where they move, why they move and how they fare.

Data on international migration and displacement are incomplete, and policy-makers often rely on estimates to gauge the total number of international migrants and the number of migrant and displaced children.

Existing data on international refugees and migrants are derived from registers, censuses, administrative data and surveys. All too often, these data do not include information on the age, sex, origin or travel situation – making it impossible to estimate global numbers of children on the move, or to determine if they travel with their families or unaccompanied.

The routes child migrants take, the legal statutes that apply to them, and the rights and entitlements they have vary from State to State. While unaccompanied and separated children are in some cases registered at entry points in destination countries, their total number and distribution is unknown. The lack of international standards for data collection, gaps and limitations in existing data, and varying definitions hamper comparisons between countries.

Data availability is even bleaker when it comes to mixed migration – which comprises refugees, asylum seekers, economic migrants and other migrants, traveling along the same routes and using the same means of transportation, often moving irregularly.

Data on the dangers refugees and migrants face during their journeys are also scarce. For instance, it is difficult to estimate the numbers of human trafficking victims among them. Data on migrant deaths, despite a praiseworthy collection effort by IOM's Missing Migrants Project, are also necessarily incomplete. When migrants die during clandestine journeys, many – possibly the majority – of their deaths remain undetected and unreported.

Similarly, crime statistics are based on reported or detected cases, leaving a 'hidden population' of uncounted victims, usually impossible to estimate. Not all crimes committed are discovered, identified or reported – especially when they are committed against people on the move, or against children. Children are often not aware of being victimized, and even if they are, fear of authorities may make them wary of reporting crimes.

Small steps have been made in recent years to improve data on mixed migrant flows and on the dangers refugees and migrants face during their journeys.

Since 2015, IOM has piloted surveys of refugees and migrants arriving in Europe, gathering information about their experiences of abuse, exploitation and trafficking. The Regional Mixed Migration Secretariat has similarly surveyed migrants from the Horn of Africa, and plans to expand its work to other regions.

Other sources – including border surveys, and administrative data that record first-time arrivals into a country, asylum seekers, and applications for residence and work permits – also help fill data gaps. Surveys offer more in-depth information about the impact of migration and displacement on children. New technologies and data sources – such as social media or metadata from mobile phone usage – have tremendous potential to boost current knowledge about migration.

Continued investment in data – from both new and traditional sources – will be critical in meeting the needs and realizing the rights of children and families on the move.

TERMINOLOGY

The following are based on legal definitions, but rendered in simplified language for non-specialist readers.

Asylum seekers: Individuals who seek safety from persecution or serious harm in a country other than their own and await a decision on their application for refugee status.[i]

Best interests determination: A formal process with strict procedural safeguards designed to determine an individual child's best interests for particularly important decisions affecting the child, such as finding a durable solution.[ii]

Child labour: Work that is unacceptable because the children involved are too young and should be in school, or because the work is by its nature or circumstances likely to jeopardize their health, safety or morals, even when they are of minimum working age (usually 15).[iii]

Children on the move: Children who move for a variety of reasons, voluntarily or involuntarily, within or between countries, with or without their parents or other primary caregivers.[iv]

Durable solution: A solution that enables unaccompanied and separated children to develop in a sustainable manner into adulthood, in an environment that will meet their needs and fulfil their rights.[v]

Human smuggling: Procuring the undocumented entry of a person into a State of which the person is not a national or permanent resident, in exchange for a direct or indirect financial or other material benefit.[vi]

Irregular migration: Movement that takes place outside the regulatory norms of the country of origin, transit and destination. There is no universally accepted definition.[vii]

Migrants: Individuals who move or have moved across an international border or away from their habitual place of residence within a State – regardless of their legal status, whether they move voluntary or involuntary, why they move, or how long they stay.[viii] Includes, among others, refugees and asylum seekers.

Mixed migration flows: Complex population movements that include many different types of migrants – such as refugees, asylum seekers, economic migrants and others – and are often irregular in nature.[ix]

Refugees: Individuals who have been granted protection in another country because of a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinions.[x]

Stateless person: A person not considered a national by any State, who as such lacks the rights that come from national diplomatic protection of a State, and may not be entitled to return in case he or she leaves.[xi]

Trafficking in human beings: Recruiting, transporting, transferring, harbouring or receiving people for the purpose of exploitation, by means such as coercion, deception, abuse of vulnerability, or payment to someone who has control of the intended victim.[xii] For children, the means do not matter, as long as the purpose is exploitation. Trafficking can take place within the borders of a State or across borders.[xiii]

Unaccompanied and separated children: Children who have been separated from their parents or primary caregivers. If they are accompanied by other adult relatives, they are considered separated; if no adult relative is with them, they are considered unaccompanied.[xiv]

ACRONYMS

CRC Convention on the Rights of the Child
ECCAS Economic Community of Central African States
ECOWAS Economic Community of West African States
EU European Union
IOM International Organization for Migration
NGO non-governmental organization
RMMS Regional Mixed Migration Secretariat of the Danish Refugee Council
UNHCR United Nations High Commissioner for Refugees
UNICEF United Nations Children's Fund
UNFPA United Nations Population Fund
UNODC United Nations Office on Drugs and Crime
UN-Women United Nations Entity for Gender Equality and the Empowerment of Women

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CHAPTER 4 A PATHWAY TO PROTECTION

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