

**CHILD TRAFFICKING
in Austria**

**REPORT BY THE WORKING GROUP ON
CHILD TRAFFICKING
UNDER THE TASK FORCE ON HUMAN
TRAFFICKING**

**Prevention of trafficking in children
and protection of victims of child trafficking**

Prepared under the aegis of the Federal Ministry of Economy, Family and Youth
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REPORT

BY THE WORKING GROUP ON CHILD TRAFFICKING (WG-CT) UNDER THE TASK FORCE ON HUMAN TRAFFICKING (TF-HT)

“Prevention of trafficking in children and protection of victims of child trafficking”

1. Introduction

According to estimates by the United Nation’s Children’s Fund (UNICEF) 1.2 million children are victims of trafficking in children¹ worldwide. Austria is affected by child trafficking both as a transit and a destination country. Because of its clandestine nature it is very difficult to determine exact figures on the actual scope of child trafficking. Moreover, it is sometimes impossible to differentiate clearly between unaccompanied refugee minors (URMs) and/or unaccompanied alien minors, minors who entered a country illegally (with human smugglers) and victims of child trafficking.

Cases in which children are clearly identified as victims of trafficking usually involve children from South East Europe (*inter alia* from Bulgaria and Romania) but also from Asian and African countries who are sold by their parents – mostly under false pretences – to human traffickers. These abuse and exploit underage minors/children (the age of criminal responsibility in Austria is 14 years) and young persons/ children of age (14 to 18 years) and force them to engage in various activities in Austria, including begging, theft and

¹ In accordance with the UN Convention on the Rights of the Child the term *child* means every human being under eighteen years of age.

Note on terminology: For the purposes of the present text, the term “*victim of trafficking in children*” shall mean young persons who are victims in a concrete context, without denying their self competence and resources. The term “*Betroffene von Kinderhandel*” (*affected by trafficking in children*) frequently used in German is too vague in this context, since it includes all those involved.

pickpocketing, prostitution and other types of forced labour, or they make a profit in adoption trafficking or marriage brokerage of minors².

Poverty is considered the major root cause of trafficking in children. Children are particularly at risk of being sold or exploited when the level of formal education is low, and violence as well as addictive behaviour in the family add to the lack of prospects offered by the social environment.

In order to be able to give more detailed consideration to the complex topic of child trafficking, the Task Force on Human Trafficking suggested that a separate working group on child trafficking be established. Under the “National Action Plan Against Human Trafficking (NAP-HT)” (item 1.5.) it was subsequently decided to set up relevant working groups on demand, such as the Working Group on Child Trafficking.

As child trafficking is only a facet of human trafficking, the other relevant measures included in the National Action Plan Against Human Trafficking (NAP-HT) are also important for combating trafficking in children. An overview of the measures taken and activities to be launched by Austria in the fight against human trafficking is provided by the First Austrian Report on Combating Human Trafficking (First Austrian Report covering the period from March 2007 to February 2009), which was prepared by the Austrian Federal Ministry for European and International Affairs in accordance with item 7.1 of the National Action Plan Against Human Trafficking (NAP-HT).

Mandate of the Working Group

In line with the National Action Plan Against Human Trafficking (NAP-HT) the mandate of the Working Group on Child Trafficking covers the following tasks: discussing developments, elaborating and preparing solutions, and engaging in monitoring activities in order to make sure that the planned activities are implemented in a results-oriented and sustainable manner.

Prevention and protection of victims represent central topics for which proposals for concrete actions had to be prepared. Under the NAP-HT the following items represented aspects for consideration within this context:

1. Prevention: Awareness building and sensitising of law enforcement and border management officers in the field of human trafficking (item 2.5)
2. Protection of victims: Reviewing the existing witness protection programmes of the Federal Ministry of the Interior with a particular view to the topic of human trafficking and reviewing the implementation and enforcement of specific measures relating to trafficking in children (item 3.5)
3. Reviewing the need to establish a nationwide victim protection centre for unaccompanied minors/young persons (item 3.7)

² According to a report by the United Nations Office on Drugs and Crime (UNDOC/UN-GIFT) 79 per cent of the victims of human trafficking are exploited sexually. The vast majority of these victims of sexual exploitation are women and girls. Almost twenty per cent of all victims of human trafficking worldwide are children; in some parts of West Africa or South East Asia, however, children account for almost 100 per cent (Global Report on Trafficking in Persons, 2009).

4. Preparation of a coordinated support programme for victims of human trafficking and child trafficking in particular (item 3.10)
5. Specific data collection (item 7.2)

Participants:

Representatives of the following institutions participate in the Working Group:

Federal Ministry of Economy, Family and Youth (leader of the Working Group), Federal Ministry for European and International Affairs, Federal Ministry of the Interior, Federal Ministry of Justice and the governments of all nine Austrian Federal Provinces.

The Austrian National Action Plan Against Human Trafficking welcomes the involvement and promotion of civil-society organisations and appreciates their inclusion in connection with the implementation of individual measures set out in the Action Plan. Hence representatives of ECPAT-AUSTRIA (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes), LEFÖ-IBF (Intervention Centre for Migrant Women Affected by Human Trafficking) and the BIM (Ludwig Boltzmann Institute of Human Rights) participate in the Working Group on Child Trafficking. UNICEF and IOM Austria (International Organization for Migration) joined the WG-CT in 2008. The “Recommendations for the Treatment of Trafficked and Unaccompanied Children“ (*Empfehlungen im Umgang mit Opfern des Kinderhandels und unbegleiteten Kindern*) prepared jointly by these NGOs were adopted as a discussion paper by the Working Group.

1.1 Legal Basis

Austria is a state party to all relevant legal instruments against human trafficking. Obligations to protect children arise in particular from the Convention on the Rights of the Child (1989)³ and the Optional Protocol on the Rights of the Child on the sale of children, child prostitution and child pornography (2000)⁴, the United Nations Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against Transnational Organized Crime (2000)⁵, the Council of Europe Convention on Action against Trafficking in Human Beings (2005)⁶, and of the relevant EU instruments in the fields of human trafficking and sexual exploitation of children.

³ Federal Law Gazette No. 7/1993, entry into force in Austria: 5 September 1992.

⁴ Federal Law Gazette III No. 93/2004, entry into force in Austria: 6 June 2004.

⁵ Federal Law Gazette III No. 220/2005, entry into force in Austria: 15 October 2005.

⁶ Federal Law Gazette III No. 10/208, entry into force in Austria: 1 February 2008.

On 4 December 2001 Austria ratified the Convention (no. 182) prepared by the International Labour Organization (ILO) concerning the “Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour”, which also comprises trafficking of children (art.3). Austria reports regularly to the International Labour Organization regarding the implementation of the Convention.

The Criminal Law Amendment Act 2004 (*Strafrechtsänderungsgesetz* 2004) implemented the obligations on the prevention of and fight against human trafficking including the measures for the protection of victims under the agreements and conventions at the level of the United Nations, the European Union and the Council of Europe (in particular Criminal Code par. 104a).

The Austrian legislation is in principle suited to protect children from the multi-faceted phenomena of child trafficking. Currently, however, there is no uniform nationwide approach applicable on the entire Austrian territory regarding a national coordination or care and support concept for victims of child trafficking in accordance with international standards (see *NRM - National Referral Mechanisms, cf. OSCE/ODIHR, National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons, A Practical Handbook, 2004*).

1.2 Definition of trafficking in children

The definition of trafficking in human beings as set out in the *UN Protocol to prevent, suppress and punish trafficking in persons* from the year 2000 has become largely recognised. Within the meaning of this Protocol (also known as the Palermo Protocol, art. 3)

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

This definition is complemented by the Optional Protocol (also from the year 2000) on the UN Convention on the Rights of the Child on the sale of children, child prostitution and child

pornography (art. 2 a): Within the meaning of this Protocol "*Sale of children means any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration*; and art. 3, par. 1 sets out that "*each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether such offences are committed domestically or transnationally or on an individual or organized basis*:"

- (a) *In the context of sale of children as defined in article 2:*
 - (i) *Offering, delivering or accepting, by whatever means, a child for the purpose of:*
 - a. *Sexual exploitation of the child;*
 - b. *Transfer of organs of the child for profit;*
 - c. *Engagement of the child in forced labour;*
 - (ii) *Improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption;*
- (b) *Offering, obtaining, procuring or providing a child for child prostitution, as defined in article 2;*
- (c) *Producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes child pornography as defined in article 2.*

The Council of Europe Convention and the relevant EU legislation (for instance the EU Council Framework Decision on combating trafficking in human beings of 2002) refer to these standards as well.

Moreover, the Working Group on Child Trafficking also considers the characteristics and indicators set out in the *Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking*, a manual prepared by the Federal Ministry of the Interior and IOM, to offer viable approaches for the work of law enforcement officers and youth welfare services. This manual also refers to a number of definitions that are used in several national and international contexts (UN Convention on the Rights of the Child, UNHCR, EU, Palermo Protocol).

Consequently, the term "victims of child trafficking" covers all those minors who are exploited through: work under slave-like conditions, forced labour, domestic servitude, begging, sexual exploitation (including pornography and cyber pornography), theft and petty crimes, drug trafficking, trafficking in organs, illegal adoption and marriage brokering.

1.3 International events supportive of national policies

Consideration of reports submitted by State parties: On 15 September 2008, the UN Committee on the Rights of the Child discussed with a government delegation the initial Austrian national report on the implementation of the Optional Protocol on the Rights of the Child on the sale of children, child prostitution and child pornography.

In its Concluding Observations the Committee noted with appreciation the establishment of the Working Group on Child Trafficking, "which prepares concrete, demands-oriented

measures for victims of child trafficking” and the awareness-raising measures. While remaining concerned about the absence of a comprehensive plan to address sale of children, the report recommends the allocation of sufficient resources to preventive actions against the sale and trafficking of children and that these measures be carried out in collaboration with relevant international and civil-society organisations (par. 16-17).

Moreover, the Committee noted the extensive efforts made by Austria to systematically criminalize the sale of children, but expressed its concern “that irregular intercountry adoption may not be criminalized as an act of sale of children”. The Committee therefore recommended “that the State party take all necessary measures to ensure that the national legislation complies with articles 2 and 3 of the Optional Protocol, and in particular, that the definition of sale (article 2 (a)) and improperly inducing consent in cases of adoption (article 3, para. 1 (a) (ii)), as stipulated in the Optional Protocol, are incorporated into the legislation” (par. 22, 23)

National Preparatory Conference “Children are Not a Commodity” – Joining Forces Against the Sexual Exploitation of Children, 2 October 2008, Diplomatic Academy of Vienna

In cooperation with the Federal Ministry for European and International Affairs, the Federal Ministry of Health, Family and Youth, the Federal Ministry of the Interior, the Federal Ministry of Labour, Social Affairs and Consumer Protection, ECPAT and UNICEF Austria organised an Austrian preparatory conference for the Third World Congress against Sexual Exploitation of Children and Adolescents at the Diplomatic Academy of Vienna. One of the three Working Groups dealt with the topic of child trafficking. The preparatory conference, which was attended by some 80 experts from ministries, public institutions and authorities, law enforcement authorities and NGOs as well as fifteen young people between the ages of 17 and 24, pursued the following goals:

- promoting the exchange of experiences among experts concerned with the topics of child trafficking, child prostitution and child pornography;
- identifying deficits and shortcomings as well as elaboration of potential solutions with a view to the situation in Austria;
- ensuring the active involvement and contribution of adolescents; and
- summarising the results in an official report which is to serve as the basis for the Austrian contribution to the World Congress.

Third World Congress against Sexual Exploitation of Children and Adolescents held in Rio de Janeiro, Brazil from 25 to 28 November 2008

Since not all trafficked children fall victim to sexual exploitation and since not all children who are exploited sexually have been trafficked, the topic of child trafficking was not the focus of the Rio event.

Participants defined dealing with the current forms of exploitation in the field of communication technologies to be a major substantive challenge with a view to sexual exploitation of children and adolescents.

The most important result of the congress was the adoption of the – legally non-binding – “Rio de Janeiro Pact to Prevent and Stop Sexual Exploitation of Children and Adolescents“

(see www.kinderrechte.gv.at). At the Austrian national level the implementation of the recommendations made at the congress is being followed-up by the Task Force on Human Trafficking and/or the Working Group on Child Trafficking.

2. Prevention

A high level of awareness and basic knowledge among the competent authorities, the public at large and the media in the countries of both origin, transit and destination are indispensable in preventing child trafficking on the one hand and protecting its victims on the other.

Knowledge and awareness of the phenomenon is necessary in order to be able to recognise and identify potential victims. To this end the syllabus of the training and further training seminars attended by the competent institutions' staffs has to focus on sharing specific information about typical features and behaviour patterns of both victims and perpetrators. In this context staff is also to be familiarised with the specific types of exploitation of children (see definition) in the assessment of which it is irrelevant whether the child consented or was merely accompanied by an adult. In connection with an intervention or action by the competent authorities the following aspects are particularly important:

- protection of the child against further exploitation and safeguarding the child's best interests and well-being,
- identification and legal authority of the respective accompanying person, and
- criminal prosecution of the responsible offenders, who often have a background in organised crime.

2.1 Awareness-raising: training and further education

In order to be able to protect victims of trafficking in children it is necessary to be able to identify them as such. The authorities' representatives within the Working Group stated that it is often difficult to differentiate between unaccompanied refugee minors (applicants for asylum and refugees within the meaning of the Geneva Refugee Convention), unaccompanied children who entered a country with human smugglers and victims of trafficking in children.

In this spirit the primary task in terms of training and further education seminars consists in communicating a uniform definition. In its seminars the Federal Ministry of the Interior thus uses the manual entitled *Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking*, which it prepared jointly with the IOM.

In order to raise awareness among law enforcement officers (and particularly border management officers), the topic of trafficking in human beings was included in the mandatory basic training seminars for all police officers. The following in-service training seminars for multipliers were held by the Federal Ministry of the Interior and by ECPAT:

- During Austria's Presidency of the EU Council the Federal Ministry of the Interior and IOM held a three-day training workshop under an AGIS project (European Commission

project to prevent violence) in March 2006 in which some 70 experts from 20 countries participated. The workshop's agenda focused on risk analysis, investigative methods, age determination and assistance to victims.

- The Federal Security Academy organises additional in-service training seminars to raise and promote awareness of law enforcement officers and multipliers using the manual as the basic training material.
- Police instructors who have specific training in combating human trafficking teach the topic of human trafficking as part of criminalistics in the basic training syllabus at all Austrian police training centres.
- In cooperation with the Ministry of the Interior, ECPAT Austria conducted multi-stakeholder training seminars for practitioners. The two training seminars held to date (in December 2007/January 2008) focused mainly on law enforcement staff, employees at youth welfare organisations, women's shelters, refugee organisations, and similar bodies.
- Members of the Task Force on Human Trafficking and the Working Group on Child Trafficking promoted participation in this training seminar among their colleagues.
- The Federal Ministry of Defence's Centre for Operations Preparation conducted a seminar on human trafficking (26 to 30 May 2008) and also dealt with the topic of trafficking in children in a number of other seminars and awareness-raising events. Additional training seminars and events, which will be conducted in cooperation with various NGOs, are planned for 2009. The folder on "Child Trafficking in Austria" is used as teaching material at these seminars and training events.

The concerns and topics dealt with by the Working Group on Child Trafficking were presented to the federal provinces' leading division executives concerned with youth welfare at an annual round-table discussion of the Working Group on Youth Welfare. The topics discussed included awareness-building, the data of youth welfare statistics, opinion shaping on the potential need for a nationwide victim protection centre (Federal Ministry of Health, Family and Youth, 7 May 2008).

In their meeting on 28 April, the Chairman of the Governors' Conference handed over to his fellow governors a letter on trafficking in children prepared by UNICEF⁷ and asked them to "pay special attention to this sometimes neglected problem". The political awareness of the Province Governors to this problem contributes substantially to sensitising the public at large and drawing attentions to the relevant PR activities.

Information folder on "Child Trafficking in Austria": Based on the comprehensive written material on the topic of trafficking in children (manuals, training material, etc.) the Working Group on Child Trafficking prepared a concise information folder, which is available at the relevant agencies and offices and aims at facilitating identification and assisting staff in taking the first essential steps.

The folder entitled "Child Trafficking in Austria. Background Information and Checklist to Assist Youth Welfare Authorities, Police Forces, Aliens' Authorities and Embassies/Consular

⁷ The letter prepared by the participants of the Round Table on Trafficking in Children (Federal Ministry of the Interior, ECPAT, FICE, ICMPD, IOM, LEFÖ_IBF, UNICEF and UNDOC) launched by UNICEF in 2007, outlines that trafficking in children is a nationwide problem in Austria and therefore requires a nationwide, coordinated response involving a nationwide care and support concept and further outlines that the relevant authorities often lack awareness and the necessary knowledge that would enable identification of children affected by trafficking

Offices in Identifying Victims of Child Trafficking” (Federal Ministry of Health, Family and Youth, September 2008) was made available to ministries, province governments and civil-society institutions for use in training and further training activities as well as in the context of raising general awareness of the issue of child trafficking (the text of this folder is included as an annex to this report).

2.1.1 The following implementation steps are recommended:

- a) All relevant players (including, for instance, law enforcement authorities, public prosecutors, justice authorities, public and private youth welfare organisations, alien and asylum authorities, the health care sector, educational authorities, personnel seconded and serving abroad, NGOs) are sensitised in basic training and further training seminars on the topic of trafficking in human beings, particularly children.
- b) In all federal provinces an increasing number of staff employed by youth welfare authorities will receive specific training on the topic of trafficking in children thus increasing the level of information and knowledge on this issue among the relevant staff in order to raise awareness of this problem and prepare adequate means of responses and solutions.

2.2 **Awareness-raising among the general public/PR activities**

Awareness-raising is the primary task in combating child trafficking. *“Our key partner in this endeavour is the media. We can improve outreach not by pressure and power, but through education and the promotion of human rights values and principles in all social strata.* (Eva Biaudet, OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, press release of 26 October 2007).

A educational toolkit on the topic of “Human Rights and Trafficking in Women and Young People – the European dimension of a human rights violation“/ *Der Handel mit Frauen und jungen Menschen – Europäische Dimensionen einer Menschenrechtsverletzung* prepared by the Ludwig Boltzmann Institute of Human Rights, La Strada, the University of Padua and other partner organisations as a EU-DAPHNE project is offered and made available to schools by the Federal Ministry of Education, Art and Culture and retrievable at the website on children’s rights in Austria at www.kinderrechte.gv.at or at La Strada’s website <http://www.lastradainternational.org/?main=documentation&document=1654> (“Human Rights and Trafficking in Women and Young People. An Educational Toolkit for Teachers and Students“.)

The Federal Ministry of the Interior – Federal Criminal Intelligence Service (*BMI – Bundeskriminalamt*) has launched an information campaign on the topic of human smuggling to raise the general public’s awareness of the topic of smuggling of children.

On the occasion of the EU Anti-Trafficking Day on 18 October 2007, the Federal Ministry for European and International Affairs organised and hosted an event on “Joining Forces

Against Human Trafficking” (*Gemeinsam gegen Menschenhandel*) during which the competent departments drew public attention to this particularly grave violation of human rights.

On the www.kinderrechte.gv.at webpage a special section will be dedicated to trafficking in children, thus making available information on this issue to the public at large. This information platform aims to raise awareness of the fact that child trafficking is a relevant issue for Austria as well.

The following implementation steps are recommended:

All forms of trafficking in children have to be addressed within the framework of the relevant PR activities. It is therefore necessary to raise public awareness of the topics of child prostitution and begging children but also on exploitive labour, illegal activities, trafficking in organs, and illegal marriage brokering by organising *inter alia*:

- a) information events directed at representatives of the media,
- b) information campaigns to raise awareness among the public at large,
- c) information events at schools and extra-curricula information events (in cooperation with children and youth organisations),
- d) awareness-raising directed specifically at the relevant target-group in order to reduce demand for victims of child trafficking (i.e., child labour, forced sexual services, adoption).

2.3 Prevention by information and strengthening awareness of children’s rights

Strengthening the child’s/young person’s individual competence is a very important objective in the context of preventing sexual exploitation.

This is specifically supported by the ability to relate and communicate, which is taught in the subject of sexual education at schools. To this end a large amount of relevant information is already being made available including teaching material and brochures, which also inform of counselling, support and assistance facilities.

Moreover, all children will continue to be informed of their statutory right to protection from violence and exploitation. Information on and knowledge of the Convention on the Rights of the Child is to strengthen the position of children and enable them to exercise their rights. Activities and measures aimed at strengthening children’s awareness of their rights include competitions at school, dissemination of information material, and advertising the existence of the children’s rights portal.

2.4 Prevention by assistance and support in the countries of origin

Combating human trafficking is a top priority on the agenda of Austrian Development Cooperation. Alongside protection of victims and prosecution of offenders the Austrian Development Agency (ADA) focuses in its relevant activities on prevention. Under the international cooperation mechanism a number of projects (all based on the human rights approach) launched in South East Europe have been co-funded. These projects aim to combat both human trafficking in general as well as trafficking in women /girls and children.

- Terre des Hommes “Transnational Action against Child Trafficking“ (TACT III) (EUR 350,000; 2006 – 31 May 2009): project aimed at combating the exploitation and abuse of children in Albania and protecting these children as well as reintegrating trafficked children. The interventions take place at community level in order to build up a functioning and sustainable child protection programme.
- Catholic Relief Services (EUR 378,984; 2006 – 31 March 2009): project aimed at offering training and income perspectives/opportunities to girls and young women in Bosnia & Herzegovina and Moldova and strengthening them to decide in favour of a life in safety and security.
- UNICEF (EUR 350,000; 2006 – 30 April 2008): project aimed at combating trafficking in women and girls in Albania. The project’s goal is to guarantee the rights of trafficked women and girls as well as of groups that are specifically vulnerable to human trafficking (e.g. orphans) and to offer them access to prevention and protection facilities in Albania including the prospect of reintegration. These measures also contribute to establishing appropriate strategies within the child and family protection system in Albania.
- CARE (EUR 400,000; 2006 – 31 August 2008): strengthening of anti-human-trafficking networks in the Western Balkans. Women’s organisations that are actively involved in women’s networks are supported to enable them to focus greater attention on the issue of human trafficking in their communities. Under this project women will participate in awareness-raising and empowerment campaigns.
- OSCE (EUR 163,192; 2006 – 30 June 2009): support to the Albanian government in implementing a national strategy to fight human trafficking: a) as part of the training programme for law enforcement authorities in order to guarantee the building of capacities in the field of victim protection, b) by improving the economic situation of trafficked girls and women by offering vocational training and c) making microcredits available to women.
- OSCE (EUR 380,700; 2007 – 30 June 2011): supporting the professional capacities of the judicial and police authorities in the Republic of Serbia so that they can react more effectively to the challenges posed by human trafficking.
- Within the framework of EU-funded projects (AGIS, CARDS) the Ludwig Boltzmann Institute of Human Rights conducts projects in South East Europe (for instance in Croatia and Romania), which aim at strengthening national capabilities in fighting human trafficking and protecting victims including offering social support to children who have fallen victim to human trafficking.

Child protection projects launched by the Austrian Development Agency (ADA) also contribute to enhancing prevention:

- Caritas (EUR 65,000; 2007 – 31 December 2008): centre for children in crisis situations in Ukraine. In close cooperation with the municipal youth and social authority street children are offered basic care and support, medical care, legal assistance and vocational training programmes in a “low-threshold” (i.e., unbureaucratic and easy access) crisis centre for social orphans to provide them with an alternative to living in the streets and make the necessary preparation for their subsequent accommodation or the children’s return to their families.
- Adventist Development and Relief Agency (ADRA) (EUR 60,000; 2004 – 30 September 2008): project for street children in Kiev, Ukraine. Establishment of a youth centre with soup kitchen and clothes bank, family-crisis consulting by trained social workers, training programmes, recreation offers, medical and psychological support, particularly for individuals who are withdrawing from drugs. This project aims to enable the re-integration into society of street children and families with social difficulties and promote lasting change in the children’s lives.
- World Vision (EUR 60,000; 2007 – 31 December 2009): better opportunities for adolescents in Georgia. Establishment of care and support centres for adolescents: re-integration of migrants who return home, vocational training, granting of microcredits, placement services for job-seekers, training of social workers, teachers, information events, information on safe and legal opportunities to work or study abroad.
- Institute of Cooperation on Development Projects/ICEP (EUR 50,000; 2006 – 31 December 2008): training programmes for underprivileged adolescents in Kazakhstan. The project aims to build the necessary capacities and competences among youth institutions to enable them to efficiently prepare particularly marginalised adolescents for professional life and offer relevant advice and consulting. The two-fold aim of the project is to implement awareness-raising and training activities for teachers and headmasters while at the same time intensively and specifically strengthening marginalised adolescents and offering them focus and guidance. The project’s results and findings are then presented to the competent public authorities in order to sensitise them to the relevance of this issue.

The following implementation steps are considered useful:

- a) Continued funding of awareness-raising campaigns in the countries of origin by the Federal Government’s Development Cooperation Programme with the support of the international community.
- b) Planning and implementing training seminars on measures to prevent trafficking in children directed at authorities and other persons involved in the countries of origin.
- c) Organisation of awareness-raising campaigns in the countries of origin and specifically directed at particularly vulnerable groups, such as Roma and Sinti, by using and involving several media including, for instance, Roma radio broadcasting stations.

3. Victim protection in the context of law enforcement and criminal prosecution: Review of the existing victim protection programme of the Federal Ministry of the Interior with a particular view to the topic of human trafficking and review of the implementation of specific measures relating to trafficking in children (item 3.5)

The implementation of the witness protection programme in force was evaluated by the Task Force on Human Trafficking. The report prepared by this Task Force (Chapter 3.5) states that “taking into account the specific problem of human trafficking, the current set of laws and legal provisions are deemed to be sufficient in order to guarantee the protection of witnesses who are eligible for inclusion in the witness protection programme. In addition, it is considered necessary that the Task Force on Human Trafficking concerns itself with the protection of victims who do not fulfil the necessary prerequisites for inclusion in the witness protection system or do not want to be included in it”.

Since it is impossible to draw a clear line between victim protection and witness protection where children are concerned, optimal cooperation between judicial authorities, police forces and youth welfare authorities is of the utmost importance. If a specific witness protection programme for children is prepared, youth welfare authorities will be involved.

4. Victim protection centres

Review of the need to establish a nationwide victim protection centre for unaccompanied minors (item 3.7)

4.1 Analysis of the current situation

In order to be able to determine how many children in Austria have fallen victim to child trafficking; how they are being identified; how the individual authorities deal with the trafficked children; what care/support and assistance measures are applied; in which programmes they are included and by whom the relevant measures are funded; where problems lie and what is needed and required, all the federal provinces were asked to submit the relevant information. To date, the provinces of Lower Austria, Upper Austria, Salzburg,

Styria, Tyrol, Vienna and Vorarlberg have submitted (written) statements that convey the following picture of the Austrian situation with respect to child trafficking:

4.1.1 Cases

Vienna: The number of unaccompanied underage minors/children without fixed abode who were used for criminal activities in Vienna (mainly theft but also prostitution) before being apprehended by the police and subsequently harboured by *Drehscheibe* (a centre operated and specifically established by the City of Vienna/Vienna youth welfare authority for accommodating victims of child trafficking) amounted to 315 in 2004, 701 in 2005, 319 in 2006, 72 in 2007 and 88 in 2008. Some children were even admitted several times – usually under new names and with altered appearance.

Thanks to a smoothly functioning system of cooperation between *Drehscheibe* and the Bulgarian and Romanian authorities, the number of victims of child trafficking started to decline in Vienna in 2006. Moreover, the age structure of the children accommodated at *Drehscheibe* has also changed because authorities are now focussing specifically on younger children who cross the border into Austria. While in 2005 almost 90 per cent of the children were younger than 14, in 2008 the share of those older than 15 was 20 per cent, 65 per cent were between 13 and 15 years old and only 15 per cent were between the ages of eight and twelve. Among the children⁸ accommodated at *Drehscheibe* there are almost as many boys as girls.

In 2008 twenty-eight children came from Bulgaria, ten from Romania, eight from the Russian Federation, seven each from Chechnya and Hungary, five from Slovakia, three from Bosnia, two from Poland, and one each from Serbia and Croatia while sixteen children came from Asian and African countries. Roma children account for 95 per cent of those from Bulgaria, 70 per cent of those from Romania, and 100 per cent of the children from Hungary, Slovakia, Kosovo and Bosnia.

Of the 88 children accommodated in 2008, 25 were returned (six to Bulgaria, four each to Romania, Hungary, Chechnya, three to Russia, two to Poland and one each to Serbia and China). However, 36 children ran away from *Drehscheibe* and went into hiding (including 22 Bulgarians and five Romanians). At the end of the year *Drehscheibe* was still looking after nine children, while 36 were accommodated in facilities operated by care service providers, including *Caritas*, Peoples' Aid Austria (*Volkshilfe Österreich*), the Fund for Social Affairs in Vienna (*Fonds Soziales Wien*), and the Integration House (*Integrationshaus*). Two children were staying with relatives and three were in prison.

Lower Austria: Because of specific conduct and behaviour patterns displayed by minors accommodated at special refugee institutions (Care Centre East/Traiskirchen; *Betreuungsstelle Ost/Traiskirchen*), it is assumed that child trafficking could be involved in a number of cases in Lower Austria. To date, however, there has not been a single case in which it was possible to clearly determine that the child had been a victim of trafficking.

⁸ According to information from the Federal Ministry of the Interior, Romanian children who beg in the streets are mainly Sinti/Roma between 5 and 17 years of age but usually between 12 and 17, equally divided between male and female. Romanian children who are used for pickpocketing are between 13 and 18 years old, twice as many males (2/3) as females (1/3). Bulgarian children used for pickpocketing are usually ten years and older and almost exclusively female, the Moldovan children apprehended as burglars are exclusively male and 15 or older.

Upper Austria: The number of identified cases of unaccompanied refugee minors is on the decline in Upper Austria. It is assumed that minors avoid staying at refugee accommodations.

Styria: Not a single case of child trafficking has been reported to the Regional Police Command of Styria. The department for refugee matters at the Styrian Province Government is, however, aware of several cases every year in which forced marriage of female Islamic minors, particularly Chechen girls, might be involved. The number of unreported cases, however, is assumed to be higher, but as these cases occur within the immediate family and are not reported to the police, no further information is available.

Salzburg: There was one identified case of child trafficking in the Province of Salzburg in 2006.

Tyrol: The province reported cases of unaccompanied minors from North Africa, India, Romania and China, among other countries, where the involvement of child trafficking was suspected.

Vorarlberg: There was no case of child trafficking detected in Vorarlberg.

The provinces of Burgenland and Carinthia did not submit reports.

4.1.2 Identification

It is difficult to identify cases of child trafficking. As outlined above, it is not always possible to differentiate clearly between victims of child trafficking, unaccompanied minors seeking asylum and minors who entered the country illegally (with human smugglers).

One of the reasons is that these children and young persons are rarely willing to make more detailed statements about possible relationships of dependence or the specific circumstances of their presence. Fear of immediate reprisals directed against themselves or their family members at home as well as general distrust of public bodies/authorities are among the main underlying causes of their refusal to accept measures aimed at victim protection and to give evidence against child traffickers.

Moreover, police officers frequently detect victims of child trafficking initially as “offenders” of some kind. They are apprehended when stealing, pickpocketing or committing some other petty crime and usually do not act in a manner that one would typically associate with “victims”. In such cases authorities should not rely on first impressions but give these cases deeper consideration to determine the underlying reasons for such behaviour and activities (coercive context).

Analyses in the federal provinces have shown that numerous⁹ minors who have applied for asylum and whose relevant procedures are still pending engage in contacts that are indicative of a relationship of dependence. Often bound in some kind of a “modern” form of

⁹ According to experts dealing with asylum issues (Asylum Coordination Austria, *Asylkoordination Österreich*), the number of unaccompanied alien minors (UAMs) admitted to asylum procedures in Austria and covered by the basic welfare support system could also include victims of child trafficking. Moreover, it is difficult to identify victims of child trafficking among those UAMs who have applied for asylum and whose procedures are still pending because it is not easy to draw a clear line between human trafficking and high smuggling costs that have to be worked off. Thus it remains to be defined whether this constitutes human trafficking or rather forced labour, particularly when the change of location is voluntary, when victims are exploited within one and the same country, or when UAMs are hired in Austria to perform illegal activities rather than in their home country in an organised manner.

servitude/bonded child labour, they are exploited in a wide variety of ways (begging, prostitution, labour [selling flowers and the like, domestic work ...], crime [theft, drug trafficking]). Such relationships of dependence are reported mainly by the Federal Provinces of Lower Austria and Upper Austria, where refugee care and support institutions have identified cases that might involve child trafficking.

In addition, mostly girls from the former Yugoslavia (in the majority of cases from the Bosnian region) and from Chechnya come to Austria to be married to men who are usually from ethnic Roma groups (Lower Austria and Styria).

One unclear case of adoption that suggested child trafficking was also reported (from Lower Austria).

Metropolitan Vienna is particularly familiar with trafficked children who are sent in an organised manner into the streets to steal, beg and prostitute themselves. NGOs have reported such cases in other province capitals as well.

Tyrol does not consider identification to be the primary issue but rather first providing appropriate accommodation, support and care in the interests of child welfare. Employing the services provided by the Clearing House of *SOS Kinderdorf* (SOS Children's Villages) has proved very beneficial in providing primary care. Unaccompanied alien minors are accommodated there for up to two months. During this period questions relating to their status are clarified and it is determined what kind of support is needed. Then children are transferred to the institution in Tyrol that best meets their specific requirements. This procedure could in principle also be applied to victims of child trafficking, the only open issue being the funding – since the children affected do not (always) represent the target group for the provision of basic welfare support.

Upper Austria cooperates with the Care Centre East (*Betreuungsstelle Ost*) and the police forces; an institutionalised system of networking has already been launched.

The reports by the members of the Working Group on Child Trafficking have shown that the situation varies from federal province to federal province. The provinces are confronted with varying problems and must meet differing demands because the children's situation and/or the strategies applied by the persons and organisations behind their trafficking may differ depending on the child's country of origin and because children from certain countries of origin may predominate at specific care and support institutions.

Alongside detecting children as victims of child trafficking, the competent authorities attribute importance to identifying the individual. In this context the determination of the child's age is important for the purpose of protection, because child traffickers pretend that the trafficked children are either younger than they actually are to make it easier to use them for illegal activities (like theft and pickpocketing) or older than they are in order to be able to exploit them for the purposes of prostitution.

4.1.3 Example cases

The following cases from the federal provinces of Tyrol, Lower Austria and Vienna describe various situations of children and adolescents who are probably victims of child trafficking. These cases demonstrate how difficult it can be to identify such victims in practice.

Case No. 1

An unaccompanied minor boy from Moldova is apprehended by police authorities in Austria and subsequently files an application for asylum. Under the admission procedure he is taken to the Initial Reception Centre East/Traiskirchen (*Erstaufnahmestelle Ost/Traiskirchen*). Shortly after having been admitted to the asylum procedure and before being transferred to an appropriate housing facility in a federal province, the boy disappears. A missing person report is made. Some weeks later the boy is found in a western province, where he is sleeping in a car with adult Moldavians at a motorway parking place. He is placed at an institution operated by the youth welfare authorities but disappears the next day. This procedure is repeated several times; the boy is apprehended at locations that are far apart from each other and is thus placed at various youth welfare institutions. In one instance he is apprehended by police authorities as he is riding a stolen bicycle on the motorway, apparently on his way to a specific destination. The boy never provides any information on the reason for or background of his stay in Austria and makes no hints in this respect either. Because he is repeatedly apprehended and accommodated for only short times at various youth welfare institutions, it is never suspected that he may be a victim of child trafficking. The length of his stay at these institutions is obviously too short to establish a relationship of trust with the boy.

As the boy is apprehended by the police at different locations, the various authorities dealing with his case are not aware of his background. Such knowledge, however, would be vital in order to make the appropriate intervention and ensure the provision of the necessary care and support. Given the facts known about the boy all his actions suggest that he has been brought to Austria – presumably by adults who have hired (incited/instructed) him – to commit criminal acts for which he receives food, lodging and/or remuneration.

Given the circumstances outlined above, specifically trained experts do not become involved, and it is never suspected that the boy may be a victim of child trafficking (incitement to commit criminal acts).

Case No. 2

An unaccompanied Mongolian girl is apprehended by the police in Austria and subsequently files an application for asylum. Under the admission procedure she is taken to the Initial Reception Centre East/Traiskirchen (*Erstaufnahmestelle Ost/Traiskirchen*), where she soon attracts attention because of her extremely revealing clothes. Following admission to the asylum procedure she is quickly placed at a home for girls. A short time later she tries to ignore the home's rules (regarding curfew) and the constraining care and support structure. When these efforts are unsuccessful, she claims to have attained her majority and asks to move in with a female Mongolian acquaintance in another federal province, but refuses to disclose the exact name and address of this acquaintance. The Intervention Centre for Migrant Women Affected by Human Trafficking is called in and discusses with the girl opportunities of freeing herself from a possible child trafficking relationship. The girl continues to claim that she is of age and presents a document to that effect. However, before the girl was placed at the home, experts estimated her age to be between 14 and 16. She has to be transferred to an institution for adults and the suspicion of child trafficking (encouragement of prostitution, forced labour) could not be further investigated.

Case No. 3

In 2002, at the age of about eleven, the Romanian minor Anne* (name changed for data protection reasons) is taken abroad by her own father (together with four other children of about the same age). There she is handed over to a variety of people who look after the girl but also exercise control over her. Initially she “only“ has to beg and make music in the streets of Poland, Germany, France, Italy and Austria. From the age of thirteen she occasionally has to engage also in pickpocketing together with other girls. When she turns 16 the girl is “leased“ as table hostess to Turkish bars and restaurants and subsequently also has to fulfil the guests’ sexual desires. In October 2008 she starts to show signs of mental illness. The owners of the bar where the minor has most recently been forced to work as a table hostess throw her out and abandon her to her fate. Scantily dressed and confused, she goes to a Vienna police station, and given the state of her health, she is immediately sent to a psychiatric hospital. Doctors discover that the girl is suffering from pneumonia, hand-size bruises on her entire lower abdomen, tearing and inflammation in the vaginal area, cigarette burns on her upper arm and serious psychosis. The girl spends 3.5 months at the psychiatric hospital before being transferred to *Drehscheibe*, which is operated by Vienna’s Municipal Department 11 (*MAG ELF*, Vienna Youth and Family Offices) on 20 January 2009.

Case No. 4

In a day care facility operated by *Obdachlosenhilfe* (institution offering assistance to the homeless), social workers became aware of a very young foreign boy (M). The youth welfare authorities are called in and the boy tells the competent officer that he comes from Morocco and is ten years old. He says he grew up in Casablanca with a family that was not his own family and left Morocco because they did not treat him well. He wants to be with his older brother, who has been living in Austria for two years. The brother lives in Innsbruck, has received a negative final decision on his application for asylum, and has no legal residence status. M. is sent to a facility operated by the youth welfare authorities but leaves after 10 days. No asylum application has been filed nor a custodian appointed. The boy goes into hiding, presumably staying with his brother and friends. He becomes involved in drug dealing and shuttles between Italy and Austria. It is later discovered that the boy has voluntarily returned to the initial reception centre and applied for asylum but under a different name than before. He leaves the centre before he can be referred to a federal province for basic welfare support.

Youth welfare authorities have heard nothing about the boy since autumn and believe that he is staying in Italy, but it cannot be ruled out that he will return to Innsbruck.

Youth welfare authorities do not believe that M. is ten years old, but he is likely younger than fourteen. They also do not believe that this “brother” is his real brother. M. is being used by a group that sells drugs in Innsbruck.

The following implementation steps are recommended:

a) In order to determine the concrete need for a nationwide victim protection institution, it is necessary to gather and analyse additional information on the relevant situation in the federal provinces (problem awareness, structures, etc.).

- b) See considerations on item 7.2 (National Action Plan Against Human Trafficking)

4.2 Protection/shelter and care facilities

Under Austrian legislation the youth welfare authority has to undertake to provide the necessary protective measures, specifically including legal representation, provision of accommodation and food even if a minor is not habitually resident in a federal province.

The basic welfare support system provides for a regulated, nationwide care scheme in Austria for unaccompanied refugee aliens, which might include victims of child trafficking. Unaccompanied minor aliens who are accommodated in facilities operated by the youth welfare authorities are provided with care and support in line with the specific standards applicable in the respective province.

The costs for the care and support of minors under the basic welfare support system are born jointly by the Federal Government and the individual province (6:4). The costs for unaccompanied alien minors that are not covered by the basic welfare support system are in general borne by the youth welfare authority, the federal province (co-funded by the municipalities) and/or the social welfare associations (Upper Austria).

Depending on the level to which they are affected and the perception of the problem, the federal provinces adopt different approaches towards dealing with the target group:

In the Federal Provinces of Lower Austria, Salzburg, Tyrol and Vienna, care and support of unaccompanied alien minors who are not covered by the basic welfare support system is provided in youth welfare facilities.

Lower Austria tries to differentiate according to the children's age and offer specific age-related care and support to unaccompanied alien minors. Alien minors of age are usually sent to special care facilities, established by the youth welfare authorities for this specific target group. The costs incurred are largely reimbursed by the basic welfare support system for aliens requiring assistance, shelter and protection.

Support and care to under age alien minors is usually provided for in youth welfare institutions where they are together with Austrian children. If the relevant costs exceed those for the provision of the basic welfare support system these will be borne by the Lower Austrian youth welfare authority. If the Lower Austrian youth welfare authority is of the opinion that unaccompanied alien minors require support and care and they are not entitled to basic welfare support, the costs incurred for care and support are fully borne by the Lower Austrian youth welfare authority.

In Upper Austria support and care to unaccompanied alien minors is provided by special institutions under the refugee support system.

In Tyrol support and care is provided to unaccompanied alien minors either provided under the basic welfare support system or by the youth welfare authority. Following the establishment of a special “Counselling and Coordination Unit for Unaccompanied Alien Minors” (“*Beratung und Koordination für unbegleitete minderjährige Fremde*”) at the youth welfare department, all relevant information is bundled there and interventions are channelled through this unit. In this context, the reason why the child was admitted to youth welfare is irrelevant; precedence is given to safeguarding the child’s best interests and welfare. However, the problem this position entails is that it is impossible to detect perpetrators without police intervention and that children continue to remain caught in this vicious circle of crime if they run away from these institutions.

In Vienna, minors who are not resident in Vienna and are apprehended by the police because of stealing, pickpocketing or begging etc., are sent to *Drehscheibe*, a socio-pedagogic institution established in 2001. *Drehscheibe* provides these children with accommodation, shelter, food and protection and tries to determine their identity and learn more about each child’s individual personal story. If possible, they are returned to their country of origin, the focus being on safeguarding the best interests of the child.

4.2.1 Discussion: Is there a need for a nationwide victim protection centre?

The importance of this topic was explicitly stressed in the relevant discussion.

Vienna and Lower Austria voiced the following arguments in favour of establishing a nationwide “victim protection/competence centre“ for victims of child trafficking:

A nationwide victim protection centre would enable efficient handling of all cases in Austria, saving resources by bundling competencies, reducing interpreting costs, and the like. Moreover, accommodation in regular youth welfare facilities is costly and funds could be used more efficiently and target-oriented instead. (Victims of child trafficking require specific care and support).

The guiding principle of youth welfare, according to which care and support should be provided as close as possible to the child’s place of residence, does not apply to victims of child trafficking, since children often come to a place by chance and since contact with their reference person (child traffickers, human smugglers) is not in the best interest of the child. The affected children’s safety could be safeguarded more effectively if they were accommodated outside of the immediate vicinity of child traffickers in order to disrupt the vicious circle of crime.

The Federal Ministry of the Interior (department of asylum and care/support affairs – coordination of provision of basic welfare support) considers the establishment of a nationwide victim protection centre to be of advantage in so far as this would solve current accommodation problems and bring about co-funding by all stakeholders involved.

The establishment of points of first contact (*Erstanlaufstellen*) in every or at least in some federal provinces (regional competence centres) is considered an alternative to a specialised central support and care facility (victim protection centre).

However, even if the regional competence centre approach is adopted, it is considered necessary to establish a specialised supra-regional facility to which victims can be referred for the purpose of voluntary return.

This model attaches importance to the establishment of clear competences and responsibilities in the federal provinces and a uniform approach by all federal provinces (trafficking in children is a supra-regional problem) as well as to good networking among all federal provinces. It is necessary for the staff at such support and care facilities to acquire specialised knowledge in the field of child trafficking. As regards funding, models involving statements on coverage of costs (*Kostenübernahmeerklärungen*) applied in youth welfare or funding models applied to refugees are suggested as good approaches.

Moreover it is necessary to establish clear rules and regulations for the cooperation between police and youth welfare in order to be able to safeguard the child's best interests and welfare and at the same time disrupt the vicious circle of crime.

4.2.2 Issues/problems arising in connection with safeguarding the child's needs within the framework of victim protection:

The following fundamental issues arose during the discussions held to date and require further clarification:

- What can be done to make sure that a minor's identity is more clearly determined? (They often alter their statements regarding their name, age and country of origin as well as their appearance)
- What can be done to determine a child's age more precisely?
- What can be done to get minors out of this system of violence?
- What can be done to adequately determine the desires and needs of the affected minor (particularly as regards the system of care and accommodation) – case studies, interviews, anonymous feedback, etc.
- What can be done to prevent the “disappearance” of affected minors from youth welfare institutions?
- Should this be prevented? What is the alternative?
- The question of whether a continued stay in Austria or an orderly return is more appropriate to safeguard the child's welfare and best interests has to be decided on a case by case basis. The fundamentals required for the adequate determination of this issue have to be created. In this connection account has to be taken of issues relating to a continued stay in Austria and the associated possibilities.
- The persons accompanying the child (child traffickers) are usually in possession of a written document enabling them to legally enter Austria with the minors. This document which only covers crossing the border into Austria is in some cases misinterpreted by the youth welfare institutions as a document through which child custody has been transferred to this person by the child's parents. What can be done to determine the accompanying person's legitimacy in a legally tenable manner?
- What can be done to identify illegal adoptions and produce evidence?

The following implementation steps are recommended:

- Continuation of the Working Group’s relevant discussion with the aim of developing a concept for the systematic provision of care and support of children and adolescents who are victims of child trafficking in Austria. This involves a clear assignment of tasks and mechanisms for cooperation between government bodies and NGOs (the basis being the National Referral Mechanism, mentioned above) by including all relevant players’ expertise.

5. Support programme

Preparation of a coordinated support programme for victims of human trafficking and particularly child trafficking (item 3.10)

As soon as the provision of initial care (*Erstversorgung*) to the affected child has been ensured, it is necessary to develop longer-term future prospects by actively involving the child and by determining his or her best interests. These measures may include the continued stay and integration in the receiving country, an onward journey to a third country or the voluntary return to the country of origin. In the latter case the return has to be preceded by a comprehensive risk assessment process in order to guarantee the best-possible reception by the child’s family or the appropriate institutions and to ensure reintegration in the country of origin; the return has to be voluntary, documented, and coordinated between the relevant authorities, protecting the affected child’s data (IOM standards).

Approach taken by *Drehscheibe*

An effort is made to return the child to the country of origin and reintegrate him or her as soon as possible. In this context the focus is on placing the children in special facilities in their home country under the protection of the national youth welfare authority. The crisis centres set up in Romania and Bulgaria with the support of the EU Commission (twinning projects) and EU Member States (particularly Austria) provide children with care and support in line with international standards. In this connection contact between the children and their parents and, if possible, the children’s return to their families is promoted.

Cooperation agreements were concluded in Romania and Bulgaria with the competent child protection agencies, which are subordinate to the respective social ministries. In line with these agreements these agencies have to submit reports to *Drehscheibe* on the status of the “returned” child’s integration over a period of six months after return. Random checks can also be commissioned from independent NGOs. The embassies of the children’s countries of origin are involved in the return and reintegration processes and represent an important link to the social facilities of the relevant home country.

Drehscheibe undertook to assist Romania and Bulgaria in particular in reintegrating “returned” minors. Staff was specifically trained for this purpose, and thus far 16 crisis centres operated by regional authorities and eight crisis centres operated by municipalities have been established in Romania and five in Bulgaria. As a result of the excellent cooperation between *Drehscheibe* and the relevant ministries in Bulgaria and Romania the number of unaccompanied children who are cared for by *Drehscheibe* has declined substantially.

As an institution that is active on an international level, the International Organization for Migration (IOM) offers assistance in the field of identification of victims and voluntary return and re-integration in the interest of safeguarding the child's welfare and best interests. Because of the networks IOM has established (more than 400 offices in 125 member states), it can examine every case in each of these countries of origin. In countries where IOM is not represented with a regional office, it cooperates with UNHCHR and other institutions which provide this kind of assistance, thus avoiding duplicate structures. As IOM works on a contractual basis in these countries, the programme's sustainability is largely ensured.

The youth welfare authorities' attention is increasingly drawn to the fact that an institution like IOM exists and to the services (psycho-social counselling, medical checks, legal counselling, monitoring) it offers.

The following implementation steps are recommended:

- a) Subject-specific standards for youth welfare authorities as regards adequate return approaches and procedures.
- b) Clear agreements on monitoring following return to the country of origin.

6. Intercountry adoptions

Legal intercountry adoptions can, provided that they comply with the relevant technical standards and the principle of subsidiarity, represent a means of protecting children.

If the child's home country decides that an intercountry adoption represents an adequate opportunity to help a child then it is within the responsibility of the recipient/adoptive parents country's youth welfare authority to determine whether a family is eligible for an intercountry adoption and can offer the child optimal development opportunities.

Children have the right to a legal and transparent adoption procedure involving the highest level possible of documentation on their origin and background. This way the risk of children being abused for business interests and consequently falling victim to child trafficking is reduced.

In order to improve these procedures, standards for handling intercountry adoptions are currently being prepared by both the Contracting States and countries that are not parties to the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (The Hague Convention).

Regulations on more effective verification procedures to determine the authenticity of the child's documents from his/her country of origin by a structured cooperation procedure between the embassies and the Federal Ministry of the Interior are important for the recognition of adoptions in Austria.

One case of an intercountry adoption where circumstances were detected which require further clarification in the child's home country was reported from Lower Austria. In response to this event, the Federal Ministry of Justice convened a working group involving all relevant central authorities under The Hague Convention and charged it with preparing

binding nationwide standards for the handling of intercountry adoptions from Contracting States and countries that are not parties to the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (The Hague Convention).

Along with elaborating standards for adoption placement and the recognition of adoptions in Austria, particular attention is paid to assessing the process of the adoption procedure and the authenticity of documents (i.e., document security) in the children's home countries. Under no circumstances shall the purpose of intercountry adoption be to fulfil the desire of people from industrialised countries to adopt a child, nor does it represent an adequate means of combating global poverty.

The following implementation steps are being recommended:

- a) To specify in concrete terms the tasks to be assumed by the youth welfare authority in the field of intercountry adoptions in the Federal Youth Welfare Act (*Bundes-Jugendwohlfahrtsgesetz, Bundes-JWG*; i.e., the future Federal Act on Child and Youth Services, *Bundes-Kinder-und Jugendhilfegesetz, B-KJHG*).
- b) To effect cooperation among the competent ministries in order to screen intersecting issues and material relating to the Federal Ministry of Economy, Family and Youth, the Federal Ministry of Justice, the Federal Ministry of the Interior, the Federal Ministry for European and International Affairs (and the Federal Ministry of Labour, Social Affairs and Consumer Protection) and to elaborate measures aimed at the best-possible protection of children from child trafficking.
- c) To analyse the need for a specific law on adoptions of children from abroad, regulating placement and support by state-certified associations and banning Internet and third country placements of children.
- d) To maintain a uniform nationwide system of statistical registration of all intercountry adoptions.

These recommendations were discussed by the working groups established at the Federal Ministry of Economy, Family and Youth in order to draft the Federal Act on the Principles of Social Work with Families and Educational Support for Children and Adolescents (Federal Act on Child and Youth Services, *Bundes-Kinder-und Jugendhilfegesetz, B-KJHG 2009*) and were reflected in the draft bill. Parliament will deal with the draft legislation during the current legislative period.

7. Specific data collection, statistics

Little data is available on the topic of trafficking in children. Surveys by the Task Force on Human Trafficking and the Working Group on Child Trafficking reveal that, with the exception of Vienna, hardly any cases of child trafficking have been brought to the attention of authorities.

Data collection is difficult for a number of reasons: firstly, competencies differ greatly from province to province and responsibilities are shared among different authorities. Secondly,

the low level of awareness of the problem of child trafficking within each individual authority renders uniform communication and determination of facts difficult.

Potential victims of child trafficking are frequently treated as offenders (for instance by police forces when they apprehend minors for theft, drug trafficking or prostituting) or as illegal migrants and unaccompanied refugee minors. The measures taken depend on the individual approaches and the relevant resources.

The police authorities' current statistics do not identify victims of child trafficking clearly enough as such. Statistics on previous sentences take into account only the gravest offence for which a sentence was passed (thus far no sentence for human trafficking) and the records on regulatory offences describe these offences ("mother sitting with child begging") but do not give the relevant background information. Figures on illegal migration do not contain any information on the individual background. Moreover, data protection laws do not permit the correlation of existing person-related data from the districts'/provinces' youth welfare authorities and their integration in a national database. Even the data of the Vienna youth welfare authorities do not differentiate between victims of child trafficking and the exploitation of children by parents/relatives (i.e., mothers begging with children).

An external high-quality assessment of the situation is considered indispensable for the establishment of appropriate structures, and EU funding for such a project is being sought.

With a view to the collection of reliable and comparable data in all EU Member States, Austria supports all activities within the EU aimed at developing standards, guidelines and directives on data collection concerning human trafficking. To this end Austria coordinates a specific project ("Preparation of Guidelines for the Collection of Data on Trafficking in Human Beings, including Comparable Indicators") involving five other EU Member States, Europol, ICMPD and IOM. The relevant findings were presented at a conference held in Vienna on 22 and 23 February 2009.

The following implementation steps are recommended:

- a) Assessment: External high-quality assessment of the situation in order to gain information on the structures in place for victims of child trafficking in the federal provinces. EU funding (Daphne project) should be sought for this purpose.
- b) Monitoring: Regular monitoring of the development of the numbers of children affected and the situation of victims of child trafficking by improving data collection processes.
- c) Police statistics: The statistics prepared by the police forces should differentiate between victims of human trafficking and human smuggling whenever such cases are reported to the police.
- d) Conviction statistics: Key data contained in conviction statistics is to state that child trafficking was involved.
- e) A uniform nationwide system of statistical registration of all intercountry adoptions.
- f) "Victims of child trafficking" are to be included in the Austrian youth welfare statistics under the provisions relating to "reasons for upbringing/educational

support”. These provisions shall cover all offences referred to under the definition of child trafficking including “dependence because of smuggling”.

8. Catalogue of measures

The Working Group has suggested to the Federal Government that a systematic concept for the provision of adequate care and support of children and young persons as victims of child trafficking be prepared. What is important in this context is that cooperation systems between all relevant governmental and non-governmental players be established. A “National Referral Mechanism – NRM“ includes:

Sensitising/awareness-raising: education and further education

- a) All relevant players (for instance law enforcement officers, public prosecutors, judicial authorities, public and private youth welfare authorities, alien and asylum authorities, the health care sector, personnel on assignment abroad, NGOs) are to be sensitised in their basic training or in further education seminars on the phenomenon of human trafficking and child trafficking.
- b) A larger number of youth welfare staff are to acquire special training on the topic of child trafficking. These enhanced skills are considered a prerequisite for adequate problem awareness and the preparation of the relevant solutions and response strategies. The aspect of “voluntary return” (offered by IOM) is an integral element in this connection.

Public relations activities

All the phenomena of child trafficking have to be addressed in the public relations activities. Awareness has to be raised of child prostitutes and beggars as well as of other forms of labour exploitation, illegal activities, adoption trafficking, trafficking in organs and illegal marriage brokering.

- a) Information events for media representatives.
- b) Information campaigns to raise the general public’s awareness.
- c) Information events at school and extra-curriculum information events (in cooperation with child and youth organisations).
- d) Target-group specific awareness building, in order to discourage demand for victims of child trafficking (child labour, sexual exploitation, adoption).

Prevention by offering assistance in the countries of origin

- a) Continued funding of awareness-raising campaigns in the countries of origin through the Austrian Federal Government's Development Cooperation and supported by the international community.
- b) Planning and implementation of training and education seminars on measures to prevent trafficking in children to be organised for authorities and other involved persons in the countries of origin.
- c) Organisation of awareness-raising campaigns in the countries of origin for particularly vulnerable groups, such as Roma and Sinti, involving radio broadcasting stations in the Roma communities.

Assessment of the status quo

In order to determine the concrete need for a nationwide victim protection facility, it is necessary to collect data and additional information on the current situation (problem awareness, structures, ...) from the federal provinces (see section on awareness-raising/sensitising).

Intercountry adoptions

- a) Specifying the youth welfare authority's tasks in connection with intercountry adoptions in the Federal Youth Welfare Act (Bundes-JWG; i.e., the future Federal Act on Child and Youth Services, *Bundes-Kinder-und Jugendhilfegesetz, B-KJHG*).
- b) Cooperating with the competent ministries in order to screen intersecting issues and material relating to the Federal Ministry of Labour, Family and Youth, the Federal Ministry of Justice, the Federal Ministry of the Interior, Federal Ministry for European and International Affairs, (and the Federal Ministry of Labour, Social Affairs and Consumer Protection) and to elaborate measures aimed at the best-possible protection of children from child trafficking.
- c) Analysing the need for a specific law on adoptions of children from abroad, regulating placement and service by state-certified associations and banning Internet and third country placement of children.

Protection/shelter and care/support facilities

- a) Continuation of the Working Group's relevant discussion with the aim of developing a concept for the systematic provision of care and support of children and adolescents who are victims of child trafficking in Austria. This involves a clear assignment of tasks and mechanisms for cooperation between government bodies and NGOs (the basis being the National Referral Mechanism, mentioned above) by including all relevant players' expertise.

Support programme

- a) Subject-specific standards for youth welfare authorities on adequate approaches and procedures in connection with returns (including determination of the child's well-being and best interests, voluntary nature, company, support, etc.)
- b) Clear agreements on monitoring in the country of origin following the child's return.

Specific data collection

- a) External high-quality assessment of the situation in order to gain information on the structures in place for victims of child trafficking in the federal provinces. EU funding (Daphne project) should be sought.
- b) Regular monitoring of the development of the number of victims of child trafficking and their situation by improved data collection.
- c) Police statistics: Differentiation between victims of/people affected by human trafficking and victims of/people affected by human smuggling whenever such cases are reported to the police.
- d) Conviction statistics: Key data is to state that child trafficking was involved.
- e) A uniform nationwide system of statistical registration of all intercountry adoptions.
- f) "Victims of child trafficking" are to be included in the Austrian youth welfare statistics under the provisions relating to "reasons for upbringing/educational support". These provisions shall cover all offences referred to under the definition of child trafficking including "dependence because of smuggling".

9. Annex: Brochure on “Child Trafficking in Austria”

Definition of Child Trafficking

Child trafficking is human trafficking. Under the *UN Protocol to prevent, suppress and punish trafficking in persons* also known as the *Palermo Protocol* (United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000) Supplementing the United Nations Convention against Transnational Organized Crime in force in Austria since 15 October 2005) “*Trafficking in persons*” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons (...) for the purpose of exploitation”.

The means usually used to this end include “*the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of abuse of power or of a position of vulnerability*”. Frequently children are simply “bought” from their parents or persons having parental power.

Children are considered victims of trafficking in persons even if this does not involve any of the means of coercion set forth above. In this context any form of “consent” on the part of the child or his or her custodian shall be irrelevant.

Austria has adopted this definition in its national legislation (Austrian Criminal Code par. 104a).

Legal basis

Austria is a state party to all relevant legal instruments against human trafficking. Obligations to protect children arise in particular from the Convention on the Rights of the Child (1989) and the Optional Protocol on the Rights of the Child on the sale of children, child prostitution and child pornography (2000), the United Nations Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against Transnational Organized Crime (2000), the Council of Europe Convention on Action against Trafficking in Human Beings (2005), and of the relevant EU instruments in the fields of human trafficking and sexual exploitation of children.

The Criminal Law Amendment Act 2004 (*Strafrechtsänderungsgesetz 2004*) implemented the obligations on the prevention of and fight against human trafficking including the measures for the protection of victims under the agreements and conventions at the level of the United Nations, the European Union and the Council of Europe. Particularly relevant in this context is paragraph 104a of the Austrian Criminal Code (which entered into force on 1 May 2004). According to this paragraph human trafficking is defined as follows:

(1) Any person who by using dishonest means recruits, harbours or otherwise receives, transports, transfers, offers or hands over to another person a) an underage person or b) a person of age (para. 2) for the purpose of sexual exploitation, removal of organs, or exploitation of his/her labour shall be punished by imprisonment of up to three years.

(2) Such dishonest means include deception regarding the facts, abuse of power or of a position of authority, or of an individual’s plight, mental illness or a state that renders the

individual vulnerable, intimidation and the granting or acceptance of a benefit for taking control of this individual.

(3) Any person who commits such a criminal act using means of force or dangerous threat is to be punished by imprisonment from six months to up to five years.

(4) Any person who commits such an act against an underage individual as part of a criminal association, by using serious violence, or commits this act in such a manner that this individual's life is threatened intentionally or by gross negligence, or if such an act is particularly detrimental for this individual, shall be punished by imprisonment from one to ten years.

Thus the Austrian legislation is in principle suited to protect children from a wide range of child trafficking phenomena.

Forms of exploitation

Children who fall victim to human traffickers are exploited in a wide variety of ways, including prostitution, child pornography, illegal adoption, drug trafficking, begging, theft and petty crimes and selling of, for instance, flowers and newspapers. Children are also exploited as cheap labour, for instance, in households, agriculture and tourism or on construction sites. However, the majority of girls at the age of puberty are exploited sexually. It must be underlined in this context that any form of exploitation may eventually lead to sexual exploitation and that boys are also vulnerable to this form of abuse.

Human traffickers

Human traffickers are all those individuals who are involved in the process of human trafficking, beginning with the recruitment and/or sale of the child in his/her home country, who are involved in his/her transport to the country of destination, and who exploit or exercise control over the child in Austria. Frequently those persons are members of criminal organisations, but individuals such as the victim's friends or members of his/her family can also be guilty of the crime of human trafficking.

Identifying victims of child trafficking

Usually trafficked children do not come forward and may not even consider themselves to be "victims of child trafficking".

Children who have been sexually abused, raped and eventually exploited sexually usually provide very little information.

Trafficked children are subject to extreme psychological and/or de facto dependence on their traffickers who have also threatened them or their families in their home country. They may have taken the children's documents, intimidated and frightened them (which, depending on the child's cultural background, may involve the use of voodoo rituals). These boys and girls may have been exploited sexually by the traffickers, who have pounded into the children's heads that they must never trust, above all, the authorities, and who have threatened that "their debts will only rise" if the children do not "stick to their agreements".

Identification is often made more difficult by children's fear, shame and language problems.

Thus it is imperative that social workers, police officers and other individuals dealing with such children are aware and informed of these problems. Another factor that impacts the identification of victims of child trafficking is that the information provided by these children often seems implausible, contradictory or even unrealistic. This is particularly the case if translators/interpreters have been inadequately trained or are not called in at all.

The more the following indicators apply, the greater the suspicion of child trafficking:

You become aware of the child because

- He/she comes from abroad and speaks little or no German;
- He/she is alone or in the company of adults who claim to be his/her "parents" or "legal guardians". If, however, the child is visibly intimidated or seems to feel uneasy when touched by these adults, this may not be the case.

The child's behaviour

- He/she seems intimidated;
- He/she is uncooperative, dissocial or even aggressive

Documents required to enter Austria

- The child entered Austria illegally.
- The child does not have travel documents and/or uses forged documents.
- The trip and/or the visa were organised by somebody who does not have parental authority of the child in his/her home country.
- The person who exercises control over the child has filed visa applications for many individuals or serves as guarantor for other persons who have applied for visas. Youth welfare authorities may obtain the relevant information from the police forces.
- The person who acted as guarantor for the child's visa application has previously done so for several other individuals, who upon expiry of their visa did not return to their home country. Youth welfare authorities may obtain the relevant information from the police forces.
- The adults accompanying the child are usually in the possession of written documents – which may even be certified by a notary public – and claim that these documents entitle them to take the children abroad with them. However, usually such documents are only written confirmations that cover crossing the border into Austria. In no case should they be interpreted as legally valid documents by which parents have transferred "child custody" to these adults. These individuals are not entitled to care and custody of the child.

The child's situation in Austria

- The child has no social insurance.
- The child has no lodging.
- The child has been maltreated and abused and/or works under the threat of violence.
- The child is forced to engage in begging, prostitution and petty crime. Sometimes the child may even indicate that this is the case, but usually trafficked children give rise to the impression that such activities are being performed "voluntarily".

Control exercised over the child and the child's social environment

- The child's freedom of movement is restricted.
- The child's behaviour pattern indicates a strong dependence on another person.
- The child has a relationship to individuals convicted of similar previous offences.

Striking "working conditions"

- The child's "conditions of work" are extremely bad (overtime, around-the-clock household labour and the like).
- The child is forced to earn a certain minimum amount of money every day.
- The child has to pay back an exorbitant amount of debt (e.g., travel expenses) before he/she has access to the money earned.
- A certain percentage or a major part of the money earned by the child is handed over to another person.
- The child's "workplaces" vary.
- The child sleeps at his/her "workplace".
- The child does not know the address of his/her "workplace".

Special risk factors related to the child's country of origin

- The child is from a country considered to be a country of origin of victims of trafficking in persons and particularly children. This includes, for instance, the countries of the former Soviet Union, such as Moldova, Russia, Ukraine, Belarus, Georgia, etc., African countries, China, Afghanistan and the Western Balkan states, but also EU Member States like Bulgaria and Romania.
- The child's relatives in his/her home country are being blackmailed or otherwise threatened.
- The child's family is in a difficult economic situation and depends on the income earned by the child.

Moreover, it is important to be aware of the following:

The process of child trafficking may often be triggered by the child's wish to leave his/her home country. Older children in particular may wish to migrate because they either hope for a better future abroad or want to flee from violence and abuse at home. Their desire to leave their home country often drives them directly into the hands of human traffickers who exploit the children's plight.

If the following factors – in any combination – apply to children in their home country, they are particularly vulnerable to falling victim to human traffickers:

1. Family-related factors:

An adverse family situation, characterised *inter alia* by poverty, the parents' or custodians' lack of education, violence, any form of abuse, drug addiction and absence of parental care may fill the child with a desire to flee abroad and/or may bring the families in contact with human traffickers.

2. Social and economic factors:

In numerous Eastern and South East European countries, many successor states to the former Soviet Union, and a number of Central Asian and African countries the overall situation is very depressing. Life is characterised by poverty, high unemployment rates (particularly youth unemployment of up to 70%), lack of educational prospects for young people, bad school systems, lack of information and awareness of children's and labour rights, political instability and/or authoritarian regimes, high levels of migration (many parents, for instance, leave their children at home and go to work abroad to earn a better living for themselves and their children), hardly any information about "the West", etc. Often, these countries also lack the necessary preventive systems to protect their children.

Another widespread problem in many of these countries is that girls are systematically put at a disadvantage in education, training and in society at large. The community frequently considers girls a mere "commodity" whose purpose is to support their families.

Sometimes these countries have a tradition of cultural norms that require children to become "adults" at an early age (in the context of child labour and child marriage).

Members of minorities faced with marginalisation and social exclusion, like Roma, for example, who are at a disadvantage in their home countries, are more vulnerable to human trafficking, especially trafficking in children.

3. The child is faced with a difficult situation in his/her home country:

The child is affected, for instance, by neglect and drug and/or alcohol abuse; he/she has dropped out of school, is an orphan or refugee (because of war); the child belongs to a marginalised group or ethnic minority, is affected by crime, sexual abuse and/or exploitation; he/she has already been a victim of child trafficking and is vulnerable to being re-trafficked, etc.

What to do if child trafficking is suspected:

In Austria, victims of child trafficking are usually identified by the police forces. But social workers, advisors or staff of other authorities (for instance, the aliens' police or Austrian representations abroad) may also come into contact with trafficked children.

Irrespective of the situation in which the child is apprehended (in dire straits, on the street, while stealing or prostituting him/herself, etc.): he/she is apt to be traumatised. Because these children are intimidated and threatened by their tormentors and traffickers, they may well be uncooperative and not behave like "victims" but rather remain silent or even act aggressively.

The following information is directed specifically at social workers and police officers and should be consulted at the slightest suspicion of child trafficking:

Initial steps to be taken and general information:

What does the child need immediately following identification to ensure that his/her best interests and well-being are guaranteed?

- The child must be offered safe accommodation, medical and psychological care and support,
- A climate of trust must be established; the child must not be pressured, forced to make statements or respond to questions; he/she needs time;
- The child needs qualified interpreters (absolutely necessary).

What are the legal requirements to be fulfilled by social workers within the context of youth welfare?

- As child trafficking represents a substantial threat to the child's well-being and best interests, and as parents and other persons entitled to care and custody of the child are generally not in the country, the activities of social workers are specifically regulated by the relevant provisions under the Youth Welfare Act and the Austrian Civil Code relating to upbringing/educational support and supervision against the parent's will.

What to do if the child runs away from the youth welfare/support institution?

- Although the decision on how to best and most sustainably safeguard a child's well-being and best interests has to be taken on a case by case basis, for minors under age (below the age of 14) the focus will be on guaranteeing safe accommodation – even against the child's will. In the event that it is impossible to convince the child to stay at the institution by using the conventional pedagogic means of persuasion and he/she runs away again, the institution's authorities can only turn to the police for enquiries on the child's whereabouts (by reporting the child as missing).

Police officers:

- Try to protect the child as best as possible from the hands of human traffickers and/or their intermediaries, whose only goal is to use the child as swiftly as possible for their own gain.
- Under no circumstances should pressure be used to get a statement from the child.
- If possible, provide temporary accommodation suitable for children - until an appropriate accommodation has been made available by youth welfare authorities and specialists have been called in.
- Involve specialised officers when interviewing children. If a girl is questioned a female police officer must conduct the interview.
- In any event, the case must be reported to the Human Trafficking Department at the Federal Criminal Intelligence Service (Bundeskriminalamt, BKA) to enable data networking and have the case entered into the database (see list of contacts).
- A query must be addressed to the Federal Criminal Intelligence Service, the Province Police Directorates, and/or the youth welfare authorities in order to determine whether the authorities have already become aware of the child.
- Experts should be involved, such as youth welfare authorities' contact persons or the staff of specialised NGOs (see list of contacts).

Social workers:

- If the child wants to make a telephone call, ask for the number; but again, refrain from putting the child under pressure. It is highly unlikely that the child will be cooperative at the first meeting.
- Launch a threat and risk assessment process by informing and involving other experts:
 - o Contact a psychologist and/or another social worker who is experienced in dealing with trafficked children or whose name was given to you as a reference by your agency/office (e.g., from training seminars).
 - o If the child has been involved in a criminal offence, get in touch with a reference person at the police authorities or turn to one of the contacts given in this information folder.
- If the child has had repeated contact with the authorities, either your own or another agency/office, it should be assumed that he/she is a victim of child trafficking who is being exploited.

Steps to be taken in the medium term:

- Obtaining a court ruling on child custody if necessary.
- Organising accommodation, care, support and assistance (medical, psychological, legal).

- Performing a threat and risk assessment “in the best interests of the child”. This assessment should not be undertaken as a fast-track procedure but represent a well-considered process. It should be kept in mind in this context that in accordance with all applicable international agreements a minimum period of four to six weeks for reflection and recovery is to be guaranteed to victims of human trafficking.
- Clarification of the issue of the child’s return to his/her home country or his/her continued stay in Austria as part of the threat and risk assessment process. Please bear in mind in this context that the child’s best interests are paramount. It must be established with certainty that the conditions in the child’s home country rule out a continuation of violence that might result in him/her falling victim to human trafficking once again.
- Determination of the child’s status in Austria (i.e. residence title, granting of residence for humanitarian reasons).

Training and instruction programmes

Previous experience indicates that the provision of basic training and/or awareness-raising seminars to sensitise social workers and police officers to this complex area of child trafficking is necessary to enable identification of trafficked children.

If you are interested in information on the training programmes or wish to organise a training seminar on child trafficking in your federal province or for colleagues at your agency/office, please contact ECPAT-Austria (End Child Prostitution, Child Pornography and Trafficking in Children for Sexual Purposes) and/or LEFÖ-IBF (Intervention Centre for Migrant Women Affected by Human Trafficking). The (two-day) training seminars are held by trained instructors from the relevant organisations and involve specialised police trainers and experts in the field of the rights of the child and/or from the youth welfare authorities.

Contacts and further information:

Federal Ministry of the Interior/Federal Criminal Intelligence Service

Oberst (*Colonel*) Tatzgern

BK II/BK/3.6

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Drehscheibe Vienna (Municipal Department 11)

Norbert Ceipek

Tel: 0043 (0) 1 33134-20396

norbert.ceipek@wien.gv.at

Lower Austrian Youth Welfare Authority

Wolfgang Kienecker, DSA

Youth Welfare Department

Tel: 0043 (0) 2742 9005-16411

wolfgang.kienecker@noel.gv.at

Irene Vasik, DSA

Youth Welfare Department

Tel:0043 (0) 2742 9005-16371

irene.vasik@noel.gv.at

Tyrolean Youth Welfare Authority

Counselling and coordination for unaccompanied minor refugees

Christof Gstrein, DSA

Tel: 0043 (0) 512 508-2658

Cell: 0043 (0) 676 88 508 26 58

christof.gstrein@tirol.gv.at

ECPAT Austria

Alserstrasse 21

A-1080 Vienna

Cell: 0043 (0) 699 11200397

Email: info@ecpat.at

Web: www.ecpat.at

LEFÖ-IBF

Intervention Centre for Migrant Women Affected by Human Trafficking

Floragasse 7a/7

A-1040 Vienna

Tel: 0043 (0) 1 79 69-298

Email: ibf@lefoe.at

Web: www.lefoe.at

IOM Österreich

Counter-Trafficking Focal Point

IOM - International Organization for Migration in Austria

Special Liaison Mission to the OSCE, UN and International Organizations

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