2024:14

# Best Practices for Combating Trafficking in Children and Young People and for Identifying and Supporting Victims

Report on countries in the Baltic Sea region



Publications of the Ministry of Justice, Reports and guidelines 2024:14

## Best Practices for Combating Trafficking in Children and Young People and for Identifying and Supporting Victims

Report on countries in the Baltic Sea region

Saara Pihlaja

Ministry of Justice, Finland Helsinki 2024

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ISBN pdf: 978-952-400-871-6 ISSN pdf: 2490-0990

Layout: Government Administration Department, Publications

Helsinki 2024 Finland

### Best Practices for Combating Trafficking in Children and Young People and for Identifying and Supporting Victims

Report on countries in the Baltic Sea region

Publications of t 2024:14	he Ministry of Justice, Reports and guidelines	Subject	Reports and guidelines
Publisher	Ministry of Justice, Finland		-
Author(s)	Saara Pihlaja		
Language	English	Pages	81
Abstract			
	This report examines trafficking in children and y purpose of the report is to support the work of p to provide up-to-date information that can serve concrete action plans.	rofessionals encount	ering them and
	According to the report, the data on how and to what extent trafficking affects children is inadequate. Based on the report, it appears that the actual number of victims is larger and the range of exploitation is wider than the actual number of cases identified or progressed in the criminal proceedings. According to the report, it is probable that the child or young person has likely been subjected to some other ill-treatment even before becoming a victim to trafficking.		
	The identification of human trafficking should be where it is likely that the child or young person h suspected of having committed crimes themselv of combating human trafficking and assisting vio necessary to 1) develop the collection of reliable and characteristics of trafficking in children and o 2) improve the monitoring and assessment of the measures and victim support.	as been the victim o ves. In order to develo tims and to identify and comparable dat on the needs of the v	f abuse or is op effective means best practices, it is a on the volumes ictims, and
Keywords	trafficking in children and young people, identification of exploitation, support for victims, trafficking in human beings, exploitation, rights of the child, victims of crime		
ISBN PDF	978-952-400-871-6	ISSN PDF	2490-0990
URN address	https://urn.fi/URN:ISBN:978-952-400-871-6		

### Parhaat käytännöt lapsiin ja nuoriin kohdistuvan ihmiskaupan torjumiseksi sekä uhrien tunnistamiseksi ja auttamiseksi

Selvitys Itämeren alueen maista

Oikeusministeriör	n julkaisuja, Selvityksiä ja ohjeita 2024:14	Teema	Selvityksiä ja ohjeita	
Julkaisija	Oikeusministeriö			
Tekijä/t Kieli	Saara Pihlaja englanti	Sivumäärä	81	
		Sivamaara		
Tiivistelmä				
	Selvityksessä tarkastellaan alle 18-vuotiaisiin lapsiin ja nuoriin kohdistuvaa ihmiskauppaa ja siihen liittyviä käytäntöjä Itämeren alueen maissa. Selvitys on tarkoitettu työn tueksi alaikäisiä kohtaaville ammattilaisille, ja se tarjoaa ajantasaista tietoa päätöksenteon ja konkreettisten toimenpidesuunnitelmien pohjaksi.			
	Selvityksen mukaan tilannekuva siitä, miten ja missä laajuudessa alaikäisiin kohdistuva ihmiskauppa ilmenee, on puutteellinen. Selvityksen perusteella näyttää siltä, että uhrien todellinen määrä on suurempi ja hyväksikäytön kirjo laajempi kuin mitä varsinaisesti tunnistettujen tai rikosprosessiin edenneiden tapausten määrä on. Selvityksen mukaan näyttää siltä, että lapseen tai nuoreen on todennäköisesti kohdistettu jotakin muuta kaltoinkohtelua jo ennen kuin hän on joutunut ihmiskaupan uhriksi. Ihmiskaupan tunnistamista tulisi parantaa erityisesti tilanteissa, joissa lapsen tai nuoren arvioidaan joutuneen jonkin hyväksikäyttörikoksen uhriksi tai hänen epäillään itse tehneen rikoksia. Tehokkaiden ihmiskaupan torjunnan ja uhrien auttamisen keinojen kehittämiseksi ja parhaiden käytäntöjen tunnistamiseksi on välttämätöntä kehittää 1) luotettavan ja vertailukelpoisen tiedon keräämistä alaikäisiin kohdistuvan ihmiskaupan määrästä, piirteistä ja uhrien tarpeista sekä parantaa 2) ihmiskaupan vastaisten ja uhreja tukevien toimien vaikuttavuuden seurantaa ja arviointia.			
Asiasanat	lapsiin ja nuoriin kohdistuva ihmiskauppa, hyväksikäytön tunnistaminen, uhrien tukeminen, ihmiskauppa, hyväksikäyttö, lapsen oikeudet, rikoksen uhrit			
ISBN PDF	978-952-400-871-6	ISSN PDF	2490-0990	
Julkaisun osoite	https://urn.fi/URN:ISBN:978-952-400-871-6			

### Bästa praxis för att bekämpa människohandel mot barn och unga samt för att identifiera och hjälpa offren

Utredning om länderna i Östersjöområdet

Justitieminister 2024:14	iets publikationer, Utredningar och anvisningar	Tema	Utredningar och anvisningar	
Utgivare	Justitieministeriet		_	
Författare	Saara Pihlaja			
Språk	engelska	Sidantal	81	
Referat				
	l utredningen granskas människohandel mot barn och unga under 18 år och praxis i anslutning till den i Östersjöländerna. Utredningen är avsedd att stödja arbetet för de yrkespersoner som möter minderåriga och den erbjuder aktuell information till grund för beslutsfattandet och utarbetandet av konkreta åtgärdsplaner.			
	Utifrån utredningen är lägesbilden av i vilken form och omfattning människohandel mot minderåriga förekommer bristfällig. Enligt utredningen ser det som om det faktiska antalet offer är större och spektret av utnyttjande mer omfattande än det antal fall som identifierats eller utmynnat i en straffprocess. Utredningen tyder på att barnen eller de unga personerna sannolikt har blivit utsatta för någon annan form av kränkande behandling redan innan de blivit offer för människohandel.			
	Identifieringen av människohandel måste förbätt ett barn eller en ung person antas ha blivit utsatt han eller hon själv misstänks ha begått ett brott. I metoder för att bekämpa människohandel och hj för att identifiera bästa praxis i anslutning till dett insamlingen av tillförlitlig och jämförbar informat kännetecknen för människohandel med minderå förbättra uppföljningen och utvärderingen av eff människohandel och som stöder offren.	för ett utnyttjandeb För att kunna utveck älpa offer för männi a är det nödvändigt ion om omfattninge riga och om offrens	rott eller där la effektiva skohandel och att 1) utveckla en av och behov och 2)	
Nyckelord	människohandel mot barn och unga, identifiering av utnyttjande, stöd till offer, människohandel, utnyttjande, barnets rättigheter, brottsoffer			
ISBN PDF	978-952-400-871-6	ISSN PDF	2490-0990	

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### 1 Background and purpose of the report

Finland held a presidency of the Council of the Baltic Sea States (CBSS) from 1 July 2023 to 30 June 2024. One of the priorities of the term of the presidency was to combat and prevent trafficking in children and to strengthen cooperation between experts in the Baltic Sea region. This lead to carrying out the project on the best practices to prevent child trafficking and violence against children in the CBSS countries. The project was managed by the Ministry of Justice, where the coordination for Government anti-trafficking work has been centred, and it was carried out in cooperation with the Ministry of Social Affairs and Health and the Ministry of Economic Affairs and Employment. The project was funded by Finland's Ministry for Foreign Affairs. Two CBSS expert working groups, the Task Force against Trafficking in Human Beings (TF-THB) and Children at Risk (CAR), played a key role in the implementation of the project.<sup>1</sup> The working groups were used in particular to collect and share information.

The objectives of the project were: 1) in order to prevent and reduce child trafficking and violence against children, cooperation between the Baltic Sea countries has intensified, competence has strengthened, and the practical activities of parties involved in action against child trafficking have developed; 2) new information on best practices against child trafficking and violence against children has been provided to expert working groups and thus to Baltic Sea countries as a basis for decision-making and concrete action plans; and 3) as a result of sharing

<sup>1</sup> The CAR and TF-THB expert working groups consist of representatives of the CBSS member states who mainly work in ministries or agencies responsible for the themes. During Finland's CBSS presidency, the CAR expert working group was chaired by Marjo Malja, Senior Ministerial Advisor from the Ministry of Social Affairs and Health, and the TF-THB expert working group was chaired by Venla Roth, Government Anti-Trafficking Coordinator of Finland. The expert groups meet regularly to exchange information and to implement practical cooperation and plans in the Baltic Sea region. The project strengthened practical cooperation between the CAR and TF-THB expert groups.

experiences and best practices, the know-how in Baltic Sea countries has also increased in regard to receiving families and children who have fled Ukraine and supporting integration and their connection to the prevention of human trafficking.

This report was carried out as one of the measures of the project.<sup>2</sup>

### 1.1 Subject and limitations of the report

The report concerns trafficking and related practices in Baltic Sea countries in children and young people under the age of 18. Its aim is to provide essential, up-to-date information on the forms of trafficking in children and young people and the identified best practices.

The main question of the report is: what are the best practices for preventing trafficking of children and young people and for identifying and assisting victims in the Baltic Sea countries?

The main question is approached through three sub-questions:

- 1. How can trafficking in children and young people be prevented and what factors should be taken into account in the prevention efforts?
- 2. How could the up-to-date identification and reporting of trafficking in children and young people be improved by professionals encountering children and young people, as well as in cases when children and young people disclose the issue themselves?
- 3. How could a child or young person be best supported after the trafficking situation has been identified?

<sup>2</sup> The following experts commented on the report: Noora Halmeenlaakso, Detective Senior Sergeant, Trafficking in Human Beings and Illegal Immigration Intelligence, Finnish National Bureau of Investigation; Miia Lehtinen, Chief Superintendent, Barnahus Specialist, National Police Board of Finland; Anna Nuotio, Project Manager, Strengthening the anti-trafficking response (Tehoa ihmiskaupan vastaiseen työhön) project, Ministry of Justice; Venla Roth, Government Anti-Trafficking Coordinator of Finland; Minna Willman-Koistinen, Detective Chief Inspector, Eastern Finland Police Department.

The report is intended to support professionals who, in their work, may encounter children and young people who have been victims of human trafficking. It provides practical instructions and advice on what to do when concern about a child or young person arises. Instructions and advice are a part of the report, alongside the information obtained from the data.

The report also provides up-to-date information for decision-making and concrete action plans. The report has been published in both Finnish and English.

The report does not provide statistics on human trafficking targeting children and young people, an accurate overview or a comprehensive background analysis of the phenomenon or the related legal frameworks in the Baltic Sea countries.

### 1.1.1 Key definitions used in the report

The definitions of children and young people vary depending on the context. Under Article 1 of the UN Convention on the Rights of the Child, all persons under 18 years of age are classified as children. According to the UN definition, a young person refers to persons aged 15 to 24.<sup>3</sup> To be clear, in this report, "child" refers to children under the age of 15 and "young person" refers to people under the age of 18.

Each member of the Council of the Baltic Sea States has its own criminal code, which states that human trafficking is a punishable act. The penal provisions of the Criminal Code are affected by international agreements and EU legislation. Under the Council of Europe's Convention on Action against Trafficking in Human Beings, trafficking in human beings is defined as follows:

a. "Trafficking in human beings" 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;

<sup>3</sup> Report of the Secretary General. A/36/215 19.6.1981.

- b. The consent of a victim of "trafficking in human beings" 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 human beings" 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;
- e. "Victim" shall mean any natural person who is subject to trafficking in human beings as defined in this article."

In this report, the aim is to define human trafficking as a phenomenon that goes beyond the penal provisions of the Criminal Code. The aim is to support the identification of human trafficking in practical situations where potential victims of human trafficking are encountered. Consequently, the report utilises international agreements, EU legislation, the Finnish Criminal Code, information obtained from the data contained in this report and other literature on human trafficking and work against it<sup>4</sup>, in which case human trafficking is understood as follows:

Trafficking in human beings refers to a serious crime that violates fundamental and human rights and to process-like exploitation, in which the victim is usually taken under control gradually. The forms of human trafficking may include for example human trafficking for the purpose of sexual exploitation, human trafficking for criminal exploitation or forced criminality, labour exploitation and forced marriage.

A person may be subjected to human trafficking due to e.g. the exploitation of their challenging life situation or vulnerable position, a young age, a relationship of trust with the exploiter, extortion or threatening them or their family members, exploiting their substance addiction or physical or mental illness, or threatening with, for example, the dissemination of material violating a person's privacy, indebtedness, loss of benefit or deportation. In other words, the victim is not necessarily dependent on the exploiter, but the exploiter can take advantage of something that places the victim in a dependent position. The use of different

See UN, 2000.; Council of Europe, 2005.; European Union (2011/36/EU); European Commission, 2021.; Europol, 2016.; ILO – European Commission 2009, p. 1-2.; Halmeenlaakso 2023; Pihlaja – Piipponen, 2023.

digital devices and networks in connection with human trafficking offences seems to be becoming more common. Human trafficking situation may also begin or take place online.

The victim may become dependent or particularly vulnerable also only as the exploitation progresses. The consent of the victim is irrelevant in human trafficking. The perpetrator strives to use their dominant position in relation to the victim and to control the victim so that they cannot leave the situation safely by themselves. The control may be physical or invisible, in which case it may be a case of so-called psychological control.

In a report on the cases and situations of victims of human trafficking who have experienced sexual violence in Finland, psychological control is described as follows: it may seem from the outside that the victim of human trafficking has free mobility and ability to leave the situation, as the victim's actions have not been physically controlled or the victim has not been physically isolated. In the report, psychological control had been a significant means of making exploitation possible and preventing seeking help in almost all cases exceeding the threshold for human trafficking. In creating the situation, the exploiter may have exploited the victim's vulnerabilities or the fact that the victim has become used to how they are treated over the years as well as the relationship of trust between the perpetrator and the victim.<sup>5</sup>

The exploiter can also utilise positive interaction, in which case the bond between the victim and the perpetrator can be stronger than what would be created only in interaction based on fear. The victim may become attached to the perpetrator and also start to feel feelings of affection, compassion and solidarity towards them.<sup>6</sup> These are likely to increase the difficulty of identifying the situation and detecting human trafficking.

<sup>5</sup> Pihlaja – Piipponen 2023, p. 20 and 78.

<sup>6</sup> Korkman 2023, p. 1.

### **1.2** Material for the report

The report utilises:

- Related studies, reports and other publications
- Online survey for experts from the Baltic Sea countries
- Conclusions of the international expert workshop organised as a basis for the report
- Working group of experts on trafficking in children in Finland
- Complementary expert consultations and discussions

As trafficking in human beings is a process-like offence that includes different forms of exploitation, studies, reports and other publications concerning the prevention of other kind of exploitation associated with child trafficking as well as concerning victim support for children and young people were also used as a source for the report. Such themes included sexual violence against children and young people and other ill-treatment as well as supporting the victimised children and young people from different perspectives.

In order to gather the most up-to-date information possible, an effort was made to gather the views of professionals and experts:

- In the international "Best practices to prevent and identify child trafficking and violence against children" expert workshop held in Rovaniemi on 30 November 2023.<sup>7</sup> A total of 45 people took part in the workshop. They represented the CBSS TF-THB and CAR working groups, experts who introduced the topic, and 3 other invited experts. The participants represented ten different countries. The conclusions utilised both discussions based on the introductions and the responses of group work that focused on questions presented in the workshop agenda. The questions had been sent to the workshop participants in advance to prepare for group work. Pre-agreed facilitators of groups collected the responses using the Mentimeter online tool. The number of responses per group was not limited, but the instructions encouraged to leave as many responses as were needed.
- 2. A multidisciplinary working group of experts on trafficking in children in Finland. Approximately 15 professionals participate actively in the working group. The working group includes representatives from social

<sup>7</sup> See Appendix 1, workshop agenda, including questions related to group work.

services, child welfare, after-care services, youth work, specialised support services for victims of crime, the police (preventive activities and an investigation team specialising in human trafficking) and pupil welfare. The working group was established in 2022, when the need to increase understanding of trafficking in children and youth and to develop multidisciplinary cooperation was identified.<sup>8</sup> The working group has strived to define issues and good practices related to, for example, the prevention of exploitation, identification and assistance to child and youth victims. The author of this report was originally the convener of the working group and is still a member of it. Due to this, with the consent of the working group members, the report has been able to utilise the experiences and views of good practices recorded in the minutes of the meetings. The members of the working group have also been asked to answer the same questions that were asked in the online survey targeted at experts (below). The author of the report has compiled these replies in writing. The material has been collected with the consent of the working group members.

3. Through an online survey targeted at<sup>9</sup> experts. The survey was carried out by sending questions to the members of the CBSS TF-THB and CAR working groups in ten Member States in November 2023<sup>10</sup> to forward the survey to experts on trafficking in children in the country they represent. The survey was conducted using the Webropol online survey tool.

Respondents were allowed to respond to the survey in its entirety or only to the extent that they had knowledge or experience of the topic. It was possible to respond anonymously, but the respondents were able to add their contact details for any further questions. The responses were anonymised and processed confidentially by the author of the report, who works as a Senior Specialist at the Ministry of Justice at the time of drafting the report. The answers were destroyed after the report was completed.

<sup>8</sup> The working group was established in the SEIVE project implemented by Victim Support Finland to combat sexual violence and human trafficking. The project was implemented as part of the National Action Plan against Trafficking in Human Beings in Finland (2021–2023) in accordance with measure 42.

<sup>9</sup> See Appendix 2, online questionnaire.

<sup>10</sup> The member states of the Council of the Baltic Sea States are Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Norway, Poland and Sweden.

The survey examined the respondent's perspective (strategic and/or practical work), in addition to which the survey included multiple choice and openended questions. The survey was tested in advance by three experts in trafficking in children. A total of 40 responses from nine different countries were received: Denmark (n=3), Estonia (n=1), Finland (n=17), Germany (n=5), Iceland (n=3), Lithuania (n=4), Norway (n=1), Poland (n=3) and Sweden (n=3). Some of the responses indicated that the response had been submitted jointly by two or three persons. It was asked that the survey would be widely shared with experts in the work against human trafficking in the member states of the CBSS, so it is not possible to estimate the overall response rate. However, based on the distribution of the countries represented by the respondents, it is likely that the survey was most widely disseminated in Finland where the report was prepared.

A total of 60.5% of the experts who responded to the survey reported that they worked at the strategic level and 52.6% reported that they worked in practical work. Therefore, the work of some respondents combines both levels. A total of 55.3% of the respondents reported that they had possibly encountered victims of human trafficking in their work, and 34.2% reported that they had possibly encountered victims of human trafficking in their work who were under 18 years of age. Two of these respondents had encountered victims of child trafficking under the age of 10, ten had encountered 10-14-year-olds, and 17 had encountered youth aged 15-17.

4. Through expert consultations. A total of seven experts were consulted. In particular, the consultations concerned the following themes: identifying and improving the identification of victims of human trafficking, supporting child victims of human trafficking, the Barnahus model and phenomenon of child trafficking. Questions concerning their work and specific expertise were asked and opportunity to give other relevant considerations was given. The aim of the consultations was to supplement other research material, to deepen knowledge of the above themes and to utilise the special expertise of the consulted experts, which they have accumulated e.g. through practical work on the topic. The issues raised by the consulted experts have been utilised in addition to and as support for other material in the report.

The scope of the data used in the study is rather limited, as it seems that the professionals who believe that they have encountered child or youth victims of trafficking in their work, or who recognise themselves as child trafficking experts

still seem to be rather few in the Baltic Sea region. Similarly, relatively limited research, reports, other publications or accurate statistical data on the topic of the report are also available in the Baltic Sea countries.

Consequently, only few specific best practices have so far been identified in the Baltic Sea countries to combat trafficking in children and young people and to identify and assist victims. However, by gathering information from publications and experiences of professionals who have encountered victims, it is possible to identify promising practices that can be used when concerns arise about the situation of a child or young person.

# 1.3 Trafficking in children and young people as a phenomenon in the member states of the Council of the Baltic Sea States

Trafficking in human beings and assisting victims of human trafficking appears partly differently in the member states of the Council of the Baltic Sea States. The identification of victims of human trafficking, coordination of work against human trafficking, the National Referral Mechanism (NRM), support services for victims of human trafficking and the collection of statistical data related to victims of human trafficking have been organised in different ways in different Member States. Legislation related to human trafficking is also partly different. What form of human trafficking is identified most in each country and whether the country is seen primarily as a country of origin, transit or destination of human trafficking also varies.<sup>11</sup> All member states of the Council of the Baltic Sea States have ratified the Council of Europe Convention against Trafficking in Human Beings.<sup>12</sup>

Regardless of the context, the awareness and discussions about the phenomenon and cases of human trafficking targeting children and young people have increasingly risen in recent years. However, trafficking in human beings against children and young people is not a new phenomenon. Although the number of known cases and case laws still seems to be relatively low, there are several cases in just Finland in which children who have been victims of human trafficking have only told about their situation after turning eighteen to an adult outside of the

<sup>11</sup> Mujaj – Mäkelä 2022; see e.g. Together against Trafficking in Human Beings – EU countries. https://home-affairs.ec.europa.eu/policies/internal-security/organised-crime-and-human-trafficking/together-against-trafficking-human-beings/eu-countries\_en; See Harmonised Operational Framework in the Baltic Sea Region website, Countries tab: https://bsr-trm.com/country-list/

<sup>12</sup> See Chart of signatures and ratifications of Treaty 197, https://www.coe.int/en/web/ conventions/full-list?module=signatures-by-treaty&treatynum=197

situation who the victim considers to be reliable.<sup>13</sup> The question of how children and youth can be supported in providing up-to-date information on abuse against them is discussed in sections 3.1.3 and 3.1.4. of the report.

An online survey sent to experts examined with a multiple choice question what types of human trafficking targeted at children or young people had been encountered by the respondents. Clearly more than half of the respondents had encountered human trafficking in a purpose of sexual exploitation in the following forms:

- Commercial sexual exploitation, such as forcing into selling sex (64%).
- Sexual exploitation in a relationship (49%).
- Online sexual abuse (36%).

Slightly more than one third of the respondents had encountered labour exploitation, particularly in the following sectors:

- Restaurant sector or kitchen work (24%).
- Cleaning (15%).
- Construction (6%)
- Other labour exploitation (15%), such as berry picking or beauty services, domestic work or voluntary work.

One quarter of the respondents had encountered forced marriages of children. In some known cases, the child or young person was:

- Forced to marry in their home country and then moved to a country in the Baltic Sea region, for example on the basis of family ties (30%).
- Sent to a forced marriage to their parents' country of origin if the parents' country of origin was other than where the child or young person lived (21%).
- Forced to marry in a (religious) ceremony in the Baltic Sea region without the marriage being officially registered (18%).
- Other forms of forced marriage (9%), such as sending a child to another country in the Baltic Sea region to marry a citizen of a country in the Baltic Sea region, or a situation where a child in a country in the Baltic Sea region has been told that they must marry a certain person after turning 18.

<sup>13</sup> Pihlaja – Piipponen 2023, p.67.; Kervinen – Ollus 2019, p.88.

Slightly more than half of the respondents had encountered exploitation of children or young people in criminal activities. In these cases, the child or young person was forced to commit some of the following offences:

- Theft (49%).
- Drug related crime (46%).
- Bringing in other children to be exploited in the same human trafficking case as they themselves were being exploited (21%).
- Violence related to street or gang violence (18%).
- Other violence (18%).
- Burglary (18%).

One fifth of the respondents had also encountered other forms of trafficking in children and young people: living in other conditions that violate human dignity, selling for illegal adoption, forcing into becoming a child soldier outside Europe and forcing to beg.

The respondents were asked whether they had observed rising trends in human trafficking against children or young people. The following themes were highlighted in the responses:

- Trafficking in increasingly younger children, such as children under 14 years of age.
- Coercing or luring into committing crimes sometimes as part of organised or gang crime, so that children and young people have been systematically sought and recruited.
- The role of the Internet, in particular social media, as a platform for sexual violence against children and young people online and as an enabler of the connection and communication of the perpetrator and the victim.

Some of the respondents were aware of cases that had not progressed to police investigation. The reasons for this varied. In some cases, there was no longer sufficient evidence available when the situation had come to the attention of the authorities. In some cases, the child or young person had not wished to cooperate with the pre-trial investigation authorities, the child or young person had protected the perpetrator, or the child or young person had not dared or wanted to tell the authorities that they had been forced to commit the offences they had committed. One of the issues that emerged in the international expert workshop was that children and young people who were victims of human trafficking may have very different social backgrounds. In discussions, trafficking in human beings is often linked to children and young people who have arrived in the Baltic Sea countries alone or in groups, for example as asylum seekers, because of demographic and economic factors or because of environmental reasons. During the workshop, the experts pointed out that there are also many cases where a child or young person travelling with their guardian has ended up as a victim of human trafficking.

However, the traditional idea that migration is always linked to human trafficking should be expanded. Among the identified cases described in the data are also those in which the child or young person who has been victimised is a native in the majority population of the country in which the exploitation takes place. Based on the data, it can be estimated that some children and young people belonging to the majority population can be considered to have been at least victims of human trafficking in a purpose of sexual exploitation or exploited in criminal activities.

However, on the basis of the data collected for the report, it appears that many cases do not come to the attention of the authorities or at least do not progress in the criminal process, especially with the title of human trafficking or aggravated human trafficking. Although no statistics are available on the topic, it appears that the number of human trafficking cases identified or processed in the criminal procedure does not allow for far-reaching conclusions on the extent or forms of the phenomenon. This conclusion is also supported by, for example, a report by Koivukari and others on the application of human trafficking and related offences in Finland. The report states that there are deficiencies in the ability of criminal justice authorities to identify victims of human trafficking and to assess criminal cases as human trafficking.<sup>14</sup>

The responses to the survey sent to experts and other data of the report support previous information on how human trafficking in children and young people in the European area appears. The following forms of human trafficking have typically been listed among the most common ones:<sup>15</sup>

<sup>14</sup> Koivukari et al. 2022, p. 306.

<sup>15</sup> European Commission 2022.; FRA, European Union Agency for Fundamental Rights 2019, p. 3.; GRETA, The Group of Experts on Action against Trafficking in Human Beings 2018, p. 5 and p. 10.

- Trafficking in human beings related to sexual violence, such as commercial sexual abuse or other coercion into sexual acts face-to-face or online.
- Labour exploitation, for example, in the cleaning, restaurant, warehouse or construction sector.
- In criminal activities, exploitation such as coercion into committing drug related crimes, robbery or violent crimes - or bringing in other children to be exploited in the same trafficking case as the victim.
- Forcing into marriage and staying in conditions that violate human dignity.
- Forcing into begging.

#### **Conclusion 1. Avoiding stereotypes to improve identification**

Trafficking in children and young people can appear as many types of exploitation. Cases are not always limited to one form of exploitation; one case may involve several different forms of abuse. There are shortcomings in the identification of human trafficking that targets children and young people and in understanding the diversity.

Understanding the phenomenon and the underlying dynamics is important for its identification.

It is possible to identify certain factors related to the child's or young person's background, life situation or health that expose them to exploitation. At best, these identified issues guide the identification of exploitation and contribute to early intervention. However, it is important to avoid reinforcing stereotypes related to these vulnerabilities so that human trafficking and related crimes can also be identified when they are not easily detected.

## 2 Risk factors that expose children and young people to human trafficking and influencing these factors

Practical experience of professionals who have encountered children and young people subjected to exploitation, as well as research data, show that children and young people who face challenges in their lives face a particular risk of exploitation. Such challenges include difficult home conditions, neglect, lack of a trusted adult, previous experiences of exploitation or violence, mental health disorders, learning difficulties, their or their parent's substance abuse, lack or shortcomings of necessary support services, marginalisation, difficulty to set personal, mental or physical boundaries and tendency for risk behaviour, unauthorised absences from home or a place of substitute care, and travelling as an unaccompanied immigrant. Research literature shows that in cases of forced marriage, the young age together with the role of honour-related control and violence, the determining role of family and community in life choices, and unawareness of their rights expose them to exploitation.<sup>16</sup>

Many of these risk factors are the same as Adverse Childhood Experiences (ACE)<sup>17</sup> or their potential consequences. The consequences of adverse childhood experiences and methods of preventing them have been studied from many perspectives worldwide. However, research on ACEs and trafficking in human beings has mainly been carried out in North America for trafficking related to sexual violence.

Pihlaja – Piipponen 2023, p.67.; Kervinen – Ollus 2019, p. 85.; ICAT Issue Brief 12 2022, p. 2-4.; Clawson et al. 2009, p. 8 ; Middleton et al. 2022.; Middleton – Edwards 2021.; Döcker – Ingo 2015, p. 4.; Chang et al. 2022.

<sup>17</sup> Fellitti et al. 1998.

Human trafficking related to sexual violence, such as commercial sexual exploitation of young people, and ACEs have been found to have a link.<sup>18</sup> According to studies, ACEs are known to expose people to exploitation and to later violent and criminal behaviour.<sup>19</sup>

In the responses to the survey sent to experts, in the expert working group and in the international expert workshop, several respondents pointed out that the child or young person has in most cases experienced abuse and exploitation for a long time before the situation meets the definition of human trafficking as a criminal offence. The responses emphasised the view that trafficking in human beings is effectively prevented by preventing factors that expose the victim to exploitation and investing in early intervention when concerns arise about the child's or young person's situation. Some of the responses also highlighted the importance of up-todate identification and disclosure from the perspective of other exploitation and human trafficking. This was related to both helping victims of exploitation and human trafficking and preventing re-victimisation and human trafficking.

Recruiting and luring in children and young people to gang crime has raised concerns, especially in Sweden.<sup>20</sup> According to the Swedish police, there are several advantages in recruiting and luring children and young people to criminal activities from the perspective of criminals. The police do not supervise children and young people in the same way as adults, and children under the age of criminal responsibility cannot be sentenced for crimes. Children and young people may also be easier to influence and exploit than adults. An amendment to the law entered into force in Sweden on 1 July 2023, according to which engaging children and young people in criminal activities is a criminal offence.<sup>21</sup>

Forced criminal activity is a form of human trafficking, which must be taken into account when investigating crimes committed by children and young people. According to the experts who responded to the survey, there are cases where a child or young person has been used as a means of committing a crime as a result of pressure or luring. However, from the perspective of the authorities, these children and young people are often seen as offenders rather than

<sup>18</sup> Middleton et al. 2022.; Middleton et al. 2018.; Reid et al. 2017.; Reid et al. 2019.

<sup>19</sup> Hughes et al. 2017.; Peltonen et al. 2020.; Bellis et al. 2015.

<sup>20</sup> Länsstyrelserna – Polismyndigheten 2023.; See the news release of the Swedish Police on 12 September 2023 on violence in Uppsala (in Swedish): https://polisen.se/aktuellt/ nyheter/2023/september/sarskild-handelse-i-uppsala-efter-de-senaste-valdsdad/

<sup>21</sup> Polismyndigheten 2023.

victims of exploitation.<sup>22</sup> It is noteworthy that the same child or young person may have committed some of the offences on their own initiative and in some cases, may have been forced or lured into it. This should be taken into account when investigating crimes committed by children and young people, in which case potential cases of exploitation and human trafficking may be detected in connection with the investigation. If the characteristics of human trafficking can be identified, the non-punishment principle can be applied if necessary<sup>23</sup>, support measures can be tailored to help the child or young person leave the situation in the best possible way, and persons behind the coercion or luring can be detected.

In Finland, the police have implemented a special Anchor work aimed at crime prevention and promotion of the well-being of youth. At present, efforts are being made to intervene in situations of concern in early-stage multidisciplinary cooperation. The young person is encountered individually and comprehensively so that their strengths are taken into account and supported. The aim of the work is to prevent the accumulation and difficulty of problems and to find appropriate help and support. According to a study assessing the effectiveness of Anchor work, "young people who were reached with anchor work had a significantly lower risk of re-offending during the following year compared to references".<sup>24</sup> This report raises the question of whether Anchor work could also be used more systematically in situations where the young person is at risk of committing or has committed crimes under pressure or coercion.

It has been noted that children and young people who leave substitute care without permission are one of the groups with a high risk of different types of exploitation and a high or medium risk of being trafficked.<sup>25</sup> The Runaway experiences: An analysis of a survey of runaways from substitute care provided by child welfare, carried out in Finland, states that preventing unauthorised absences from substitute care reduces the violence and other crimes committed and experienced by children and prevents the abuse and risk of human trafficking in children.<sup>26</sup>

<sup>22</sup> Czarnecki 2018.

<sup>23</sup> Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims. Article 8.

<sup>24</sup> Kaakinen et al. 2022.

<sup>25</sup> Kekkonen – Pekkarinen 2024, p. 36.; Kervinen – Ollus 2019, p. 43.

<sup>26</sup> Kekkonen – Pekkarinen 2024, p. 34.

Conclusion 2. Preventing risk factors of abuse and exploitation against children and strengthening factors protecting children also prevent trafficking in children and youth

Understanding the variety of forms of human trafficking helps in the planning of measures against human trafficking. Taking this into account, trafficking in children and youth must be prevented at multiple levels:

Addressing root causes at a broader societal level: In most cases, a child or young person has experienced abuse and exploitation for a long time before the situation meets the definition of human trafficking as a criminal offence. Trafficking in human beings is effectively prevented by preventing factors that put victims at risk of exploitation and investing in early intervention when concerns arise about the situation of a child or young person. For children and youth, strengthening the experience of inclusion and early support also prevent committing crimes.

At the individual level, on a case-by-case basis: Trafficking in human beings must be exposed and identified in a timely manner when it occurs. The reported cases must be effectively addressed in order to support victims and enforce their rights, prevent re-victimisation and ensure criminal liability.

For example, with regard to the Anchor work of the Police in Finland, it should be examined whether it could also be used more extensively to identify and assist victims of human trafficking and to target criminal liability correctly.

# 3 Detecting and identifying trafficking in children and young people

A survey sent to experts examined the situations in which the child and youth victims of human trafficking had been at the time of identification. The time of identification was divided in the responses as follows:

- Trafficking in human beings had been identified while the abuse was still ongoing (61%).
- Trafficking in human beings had been identified while the child was still under the age of 18 (58%).
- Trafficking in human beings had only been identified after the end of the exploitation situation when the child was already an adult (52%).

The following persons or parties had addressed the situations that the respondents had become aware of:

- Human trafficking had been detected in an investigation of a crime other than human trafficking during the criminal process (52%).
- A social worker was concerned about the child's situation and intervened in it (45%).
- The child's parent was concerned about the child's behaviour and sought help (23%).
- A health care employee was concerned about the child's situation and intervened in it (23%).
- The child had been missing from a substitute care and their situation caused concern (19%).
- The teacher or other member of school staff was concerned about the child's absence and intervened in the situation (16%)

Almost half of the respondents also described other situations in the open response field. Several responses described that the situation was identified during the asylum process, such as at the reception centre, during the asylum interview, or by a legal guardian of the child or young person. In some cases, the child or young person had talked about their situation to representatives of low-threshold organisation services or youth workers, and the professional who encountered them had identified characteristics of human trafficking in the situation. In some cases, the child or young person had told their friend about their situation or their friends were concerned and informed a trusted adult about their concern on their own initiative. In some cases, the police had received an outside tip on the situation, met the child or young person and identified human trafficking.

The responses of the participants in the international expert workshop also highlighted cases identified in connection with the asylum process. Several cases were also known in which the border guard authorities had intervened in a situation that seemed to be worrying: the person or persons who had travelled with the children or youth were not their relatives or acquaintances, but the authorities had suspected that they were being exploited or being transported to be exploited. Trafficking in human beings had also been detected when an unaccompanied young person had attempted to cross the border illegally. In addition, situations that were highlighted included situations identified in health care, human trafficking identified in connection with the Barnahus model<sup>27</sup> and situations in which the police was investigating an offence that the child or young person had committed but which they had been forced or pressured to commit.

Although trafficking in human beings is a hidden crime, child and youth victims of human trafficking are rarely hidden. In a report on the situations of victims of human trafficking who had been subjected to sexual violence in Finland, almost all child and youth victims had been in the scope of compulsory education and child welfare services during the period of exploitation. Some had lived in a substitute care organized by child welfare services and some had had a health contact in health care services. However, the majority of the human trafficking situations had not been identified at the time of their occurrence, but the events had only emerged after the child or young person had brought them to the attention of a trusted adult on their own initiative years after coming of age.<sup>28</sup> According to this report, any professional encountering children or youth in their work can play a key role in identifying exploitation and human trafficking. The same is also stated in the German guide on identifying trafficking in children and helping victims.<sup>29</sup>

<sup>27</sup> See section 4.1.1 of this report for more information on the Barnahus model.

<sup>28</sup> Pihlaja – Piipponen 2023, p. 69.

<sup>29</sup> See also Czarnecki 2019.

## Conclusion 3. Children and young people who have subjected to human trafficking are rarely hidden

In many cases, children and youth who have been victims of human trafficking have been in the scope of compulsory education, clients of child welfare or other social welfare services, have lived in a reception centre or substitute care, used health care services, met youth workers or visited services provided by low-threshold organisations. However, the situation has often not been identified while it was happening.

The range of professional groups that have identified cases of child or youth trafficking is wide. It seems that any professional who encounters children or youth in their work may potentially encounter a child or a young person who has been subjected to exploitation or human trafficking. This should be taken into account when planning the target groups of education and training related to trafficking and when drawing up action plans for situations where there is concern about the child or a young person.

## 3.1 Issues affecting the identification of trafficking in children and youth

Identifying human trafficking in children and youth is often challenging. According to a report on the situations and cases of victims of human trafficking who have experienced sexual violence, the detection and identification of the human trafficking situation is partly hampered by the fact that many children and youth subjected to trafficking do not recognise that they are victims of serious exploitation. In addition to the challenges of setting personal boundaries and unawareness of one's rights, this may be due to the fact that the exploitation has started gradually, and the exploiter is often someone who the child or young person considers trustworthy, such as a boyfriend, an adult pretending to be reliable or a group of friends. In some cases, the child or young person has felt that they were under the full control, manipulation and subjugation of the abuser during the situation. The exploiter may have forbidden the victim to tell anyone about the situation or instructed them about how the situation should

be described to outsiders.<sup>30</sup> Issues that allow exploitation are often not possible for outsiders to notice. It may also be challenging for the victim to understand at what stage they agreed to the exploiter's will and when the action was no longer voluntary. The victim often does not think that they are in a position to negotiate with the exploiter about the situation.<sup>31</sup>

Even if a child or young person is aware that they have been subjected to exploitation, they do not necessarily tell others about what they have experienced. This has been shown in studies on experiences of child sexual abuse (CSA) and child physical abuse (CPA) that the child themselves has revealed. Regardless of the form of exploitation, research suggests that many children do not tell anyone about what has been done to them or what they have experienced, even if the information is essential for getting help and ending the exploitation.<sup>32</sup> Few children share their experiences with adults and only a very small part with the authorities. At the same time, some of the older children in particular share their experiences with their friends first.<sup>33</sup> In addition that the child might not be aware of having experienced abuse, the reason that the child might not tell about it could be that the child does not believe that the act against them was sufficiently serious. A Finnish study found that children and young people who had not been using alcohol or drugs at the time of exploitation and who had not experienced violence in the past seemed to tell adults more often than those who had used intoxicants at the time of exploitation or who had previous experiences of violence.<sup>34</sup>

Children and young people who have become victims to human trafficking do not necessarily want to tell outsiders about the situation also because of fear of consequences. These fears include fear of violence against oneself or a family member, fear of being taken into custody or restrictive measures taken by a child welfare institution, solidarity with the exploiter or a group of exploitative friends, and shame for being in the situation.<sup>35</sup>

<sup>30</sup> Pihlaja – Piipponen 2023, p. 67-69.; Middleton et al. 2018.; Döcker – Ingo, 2015.; Peck et al. 2019.

<sup>31</sup> Kansallinen ihmiskaupparaportoija 2014, p. 101.

<sup>32</sup> Bottoms et al. 2016.

<sup>33</sup> Manay et al. 2022.; Lahtinen et al. 2018.; Lahtinen et al. 2022.; Jernbo et al. 2017.

<sup>34</sup> Lahtinen et al. 2022

<sup>35</sup> Pihlaja – Piipponen 2023. p. 69.

Some professionals in the expert working group said that they had encountered young people who would have liked to discuss their situation in an anonymous manner with a trusted professional or a police officer so that the professional would have had the chance not to submit a child welfare notification based on a statutory obligation to intervene in a suspected abuse case (laid down in Chapter 4, section 25 of the Finnish Child Welfare Act). This would have allowed them to ask about the situation, how they could be helped and what the consequences would be if the situation was detected. However, this was not possible due to the duty to notify. For the sake of the protection of privacy, the situations are not described in more detail in this report.

As stated in section 1.1.1 of the report, human trafficking is a process-like crime that may involve different types of exploitation and various offences. However, in many situations, outsiders may see only an individual violation of rights, such as an assault or rape that has left physical injuries, but not the whole underlying situation. This has also been observed in the decision of the Deputy Chancellor of Justice of Finland concerning the conduct of the police and prosecutors and the investigation of human trafficking. Investigation into human trafficking cases has often been opened under a title other than human trafficking. However, according to the decision, investigating these actions as human trafficking offences would be important. Even if an offence with another title had later also begun to be investigated under the title of human trafficking, the offences which were first introduced in the court were the most successful as the pre-trial investigation of these offences could begin in a more up-to-date manner.<sup>36</sup>

If only the need for support is identified in the situation but not the underlying human trafficking, exploitation may continue and the risk of re-victimisation and the multiplier effects of the consequences may increase. Based on a report on the situations and cases of victims of human trafficking in Finland, it was not possible to provide comprehensive help for victims to leave the human trafficking situation, recovering from it and stabilising their everyday lives before the whole human trafficking entity underlying the exploitation was taken into account and addressed.<sup>37</sup> Only in identified cases can the necessary and adequate child-friendly support measures be organised for the child and the young person.<sup>38</sup>

<sup>36</sup> OKV/1233/70/2021.

<sup>37</sup> Pihlaja – Piipponen 2023, p. 75.

<sup>38</sup> Czarnecki 2019.

On the basis of the above-mentioned studies, child's disclosure to friends and understanding or accepting the exploitation situation play an important role in detecting exploitation. Thus it is important to talk to children at an age-appropriate way about setting one's own boundaries, exploitation and human trafficking. Educating and increasing awareness of the professionals as well as children and youth is discussed in section 3.1.2.

The responses to the survey emphasised that the identification of abuse and human trafficking is not the responsibility of the child or their friends, but of the authorities and other persons working with children and young people. Getting help should not depend on whether the victim is able to seek help or not. It is important for professionals who encounter children and youth to respond to the child's and young people's needs while identifying vulnerabilities and concerning situations. As a matter of priority, it is not necessary to know whether the concerning situation is precisely human trafficking. However, it is important to identify the indications of trafficking in human beings and to intervene in the situation so that its continuation is not made possible, the child can be referred to additional assistance if necessary, and criminals can be made liable for their actions.

## Conclusion 4. The authorities are responsible for identifying abuse and human trafficking

Getting help should not depend on whether the child or young person is able to seek help or not. It is important for professionals who encounter children or youth to respond to the needs of the child or young person while identifying vulnerabilities and concerning situations. As a matter of priority, it is not necessary to know whether the concerning situation is precisely human trafficking. However, it is important to identify the indications of trafficking in human beings and exploitation and to intervene in the situation so that its continuation is not made possible, the child or young person can be referred to additional assistance if necessary, and criminals can be made liable for their actions.

### 3.1.1 Identification tools

Some of the responses to the expert survey emphasised that different identification tools, such as lists of indicator and support questions, can at best guide the identification of human trafficking and support talking about the situation, but at worst narrows the perspective so that cases outside the indicators are not noticed. On the other hand, not all the cases described by the indicators are necessarily about exploitation or human trafficking.

Based on the responses, the factors behind the situation should be carefully investigated and examined, as the child or young person may not want or be able to tell about their situation or acknowledge being a victim of exploitation, even if they are asked about it. The child or young person may not have the vocabulary to describe what has happened, or the child or young person may feel that they are consenting to the activities and are attached to their exploiter.

The experts consulted on the report considered it important to intervene in and to encourage a victim to speak up in worrying situations, but at the same time emphasised that it is good to carry out a thorough investigation of the situation by a professional specialising in hearing children who are victims of exploitation. The same instructions are also given in the guide published by the Finnish Barnahus model.<sup>39</sup>

According to a consultant who is an expert in the investigation of human trafficking offences, when investigating human trafficking, not only the current situation and events should be investigated with open questions but also the factors behind the worrying situation that led to the exploitation, as well as the wider range of living environments, relationships between persons and exiting the situation. This report does not provide concrete examples of these types of questions, as while they can be useful in identifying the human trafficking situation and finding evidence, they can at worst guide the perpetrator in their actions or in how they guide the victim to act.<sup>40</sup>

Awareness of the vulnerability factors mentioned in section 2 of the report that put children and young people at risk of human trafficking may help to identify concerning situations, exploitation and human trafficking. A wide range of indicator lists, support questions and high-risk observation tools have also been developed

<sup>39</sup> Vehkaoja et al. 2022.

<sup>40</sup> Conversation with an expert on 8 February 2024.

to promote the identification of children and young people who have been victims of exploitation. Reliable tools have been developed and published, for example, in Barnahus work in different countries.

Different identification tools and indicator lists traditionally focus on identifying a specific form of exploitation or victim profile. Due to the different forms of exploitation, the wide range of children and young people who have been victims and their very different contexts, it is probably impossible to make a single comprehensive list for identifying human trafficking. However, tools for identifying certain forms of exploitation or violence may support the identification of human trafficking.

In many countries in the Baltic Sea region, the authorities responsible for work against human trafficking and assisting victims of human trafficking have produced lists of indicator and support questions that are suitable for their own context.

If indicator lists or support questions are to be used to support the identification of the situation, it seems that investigating the child's situation is best supported by applying a tool suitable for each context, suspected form of exploitation and need.<sup>41</sup>

The responses of the participants in the survey and the international expert workshop as well as the discussions of the expert working group on trafficking in children highlight three themes that have contributed to the detection of cases of trafficking in children and youth. These are examined in the following sub-sections: 3.1.2 Awareness of the phenomenon, 3.1.3 Confidential relationship with the child and the young person as well as appropriate encounters and discussions with the child and the young person, and 3.1.4 How to support a child or young person in accepting help when the child or young person feels that they benefit from the abusive situation themselves.

<sup>41</sup> See e.g. UNCIEF publication on children fleeing Ukraine: Identification of Victims/ Persons 'At-Risk' of Trafficking in Human Beings – Practical guide for frontline respondents, UNIFEC 2023, p. 19-25. https://www.unicef.org/eca/reports/practicalguide-identification-victims-and-persons-risk-trafficking-human-beings and Operational indicators of trafficking in human beings published by the International Labour Organisation (ILO) and the European Commission. ILO – European Commission 2009, p. 6-7.

### 3.1.2 Awareness of the phenomenon

In order to identify exploitation and trafficking in human beings, there must be sufficient understanding of when concern must arise and the situation must be addressed. Based on the responses, the identification of cases of human trafficking targeted at children and young people had been promoted by the following means in connection with the theme of the title:

- The professional who intervened in the situation had received training related to identifying human trafficking and encouraging a victim to speak up about exploitation.
- The young person or their friend had realised the situation and asked for help from an adult, as the child or young person had learned more about exploitation or human trafficking at school or elsewhere.
- The child or young person had realised the situation and asked for help from an adult, as the child or young person had learned more about online abuse.

In fact, almost every expert who responded to the survey named training related to human trafficking and victim identification targeted at professionals who potentially encounter victims of human trafficking in their work as an important measure that promotes prevention and victim support. In each country represented by the respondents, training related to human trafficking was organised, but in only few the training was part of the structures of the work against human trafficking, obligatory for the professionals or focused specifically on human trafficking targeting children and young people. An exception to this were the annual training courses organised for school and pupil welfare staff in some countries, in which the educator is an expert on the topic, and the special training courses for school staff, which enabled trained persons to increase the awareness of human trafficking of pupils in an age-appropriate manner and to identify cases.

According to the survey, most commonly the training was organised by NGOs within the limits of the resources available at the time. In some countries, training was also organised by the police or other authorities specialising in human trafficking. In addition to seminar-type training tailored to each target group, participatory workshops were found useful.

In addition, training aimed at a multidisciplinary target group and taking into account not only phenomenon-level information but also how the participants of the training can network and cooperate in the identification and support of victims was considered a particularly good practice.

Based on the survey responses, the following parties showed to be the most important target groups of training:

- Police, prosecutor and courts
- Legal counsels and lawyers (including defence lawyers representing children who commit crimes)
- Social welfare actors
- Health care actors
- Border control authorities
- Immigration authorities and actors in the asylum process, including legal guardians
- Youth workers
- Professionals whose work involves encountering children and youth who use intoxicants
- Child welfare authorities and staff of child welfare institutions
- Teaching and pupil welfare personnel
- Parents and legal guardians of children and young people

During the training, it is important to discuss legislation and practices related to trafficking in children and young people in each country, how to raise concerns and encourage a victim to speak up, safe referral pathways and actors providing support for children and young people. The information provided in the training session should be based on experience and evidence. For this reason, more evaluation and research would be needed on the effectiveness of various measures promoting identification and support measures for children and young people.

In addition, parents of children and young people should be provided with information on the prevention of abuse and human trafficking as well as phenomena related to children's everyday lives, for example in cooperation between the school and the home.

Attached to the report is a compact information package on human trafficking and related exploitation aimed at school and pupil welfare staff to support related teaching. The information package was prepared as part of Finland's National Action Plan against Trafficking in Human Beings (2021–2023).<sup>42</sup>

<sup>42</sup> See Appendix 3.

### Conclusion 5. Targeted and multidisciplinary training related to human trafficking in children and young people should be increased

According to conclusion 3, it would seem that any professional who comes into contact with children and young people in their work may potentially encounter children and youth who have been subjected to exploitation or human trafficking. Typically, the training is tailored to one target group, which may be appropriate when the training is for example specifically focused on investigating human trafficking offences.

Training aimed at a multidisciplinary target group, which takes into account how participants can cooperate in practice in identifying and supporting victims and during a possible criminal process, could be a worthwhile way to increase cooperation that benefits the victim and saves the resources of different actors.

In addition, special attention should be paid to trafficking in children and youth and its forms in education and training related to human trafficking. The training should be obligatory to professionals and regular due to the development of the phenomenon and the turnover of employees.

Based on the responses to the survey, information on exploitation and human trafficking should also be provided to children and young people in an ageappropriate manner. This perspective is also supported by the fact that children often share their experiences of exploitation with their friends, as stated in section 3.1 of the report. However, experiences and views on how information should be provided vary. Typically, trafficking in human beings has been discussed with children and young people in schools in connection with lessons related to sexual education. However, due to the wide range of exploitation and forms of human trafficking, this is not sufficient. Many of the respondents suggest that children should be age-appropriately:

 Supported in setting personal boundaries and acknowledging their rights, self-determination and obligations in different areas of life. This is important in relation to touch, bodily embodiment and sexuality, but also in other areas, such as when a child or young person is asked or persuaded to do something that they do not want to do or that is harmful to them.

- Supported in inclusion and finding an interest, hobby and future perspective. Experiences of inclusion can prevent exploitation and committing unwanted or illegal activities. It may also help to recover in situations where the child or young person has already experienced exploitation.
- Taught cyber security skills.
- Supported and it should be ensured that every child and young person has a safe and trusted adult in their life. Each child and young person should know who they can turn to in matters that concern them and who they can talk to about their experiences. Children and young people should be able to share their experiences without fear of punishment, guilt, embarrassment or the feeling that adults cannot handle hearing what they have to say.
- Provide appropriate substance abuse education and rehabilitation, as it is known that substance abuse may put the child at risk of exploitation and unwanted or illegal activities.
- Provided information on exploitation and trafficking in human beings in understandable terms honestly but not through intimidation.
- Provided information on the low-threshold organisation services available and other actors that the child or young person can contact, especially in situations where they have no trusted, safe adults with whom they would dare to discuss the matter.
- Provided information on the employee's rights and obligations, especially to young people who are currently looking for a job.

Based on the survey, different types of gamification, group work, group discussion, the use of experiential experts and peer discussions can be utilised in raising awareness in addition to traditional lessons.

Several countries represented by the respondents had produced material related to exploitation, grooming or human trafficking targeted at children and young people both online and in the form of information leaflets.

In addition, the respondents told about different applications aimed at young people in which the young person can assess whether their online discussions involve elements of exploitation or if they are likely to be subjected to human trafficking when looking for work.

No information was received through the survey responses on the extent or effectiveness of the campaigns or applications.

Many respondents also named awareness-raising campaigns related to human trafficking carried out by authorities or NGOs as one prevention measure.

According to the study, campaigns targeted particularly at a specific target group may be useful, but they may also increase confusion and strengthen stereotypes by drawing attention to such things as a woman's subordinate position, bruises, or bars as a means of control. In addition, there is often no assessment of effectiveness available for the campaigns.<sup>43</sup> Possible campaigns should therefore be planned and implemented carefully, weighing the benefits and disadvantages and without reinforcing stereotypes.

Information and service brochures in different languages targeting vulnerable target groups have been found to work well by several respondents. In the survey, the experts brought up known cases in which the police, occupational safety and health authorities or health care workers have shared brochures, for example in connection with an inspections, and the victim has later sought help on their own initiative on the basis of the brochure.

Conclusion 6. More important than talking specifically about human trafficking to children and young people is to increase their awareness of the factors that can expose them to exploitation and thus prevent the risk of exploitation

Increasing awareness directed at children and young people must be done in an age-appropriate and competent manner. It consists of many thematic areas and should not be considered "over and done with" in one lesson related to human trafficking or only under the subject of sexual education.

From the perspective of raising awareness among children and young people, it seems most useful that professionals encountering children and young people in their work, such as the staff and representatives of schools, youth work and child welfare institutions, have been trained to inform children about the topic in an age-appropriate and diverse manner and to intervene in concerning situations.

<sup>43</sup> Peck et al. 2019.

# 3.1.3 Confidential relationship with the child and the young person as well as appropriate encounters and discussions with the child and the young person

Intervening in a concerning situation is easier if a confidential relationship has been established between the child or young person and the adult encountering them and if the child or young person is encountered appropriately. Based on the responses, the identification of cases of human trafficking had been supported by the following means in connection with the theme of the title:

- Repeated meetings with the same child or young person.
- Taking time to observe the child or young person's situation while discussing how they are feeling in a safe space.
- An open, encouraging and non-judgemental attitude of a professional in encountering a child or young person.
- Age-appropriate and clear communication.
- Use of a reliable transaltor if necessary.
- Courage to raise concerns with the child or young person.
- Where possible, progressing at the child's or young person's own pace and taking the child's or young person's own will and wishes into account in offering help.
- Stop to ask and hear how the child or young person is doing. You can start a discussion by asking how they are, whether they have something they would like to tell an adult about or are concerned about, or whether they have had to do something that they did not want to do.
- The fact that, after raising the issue, it has been possible to offer the child or young person some practical support or help, even if the situation has not yet been fully processed.
- Telling the young person about the non-punishment principle.
- The fact that the adult has tried to be aware of their own reactions and has not been horrified or blamed the victim.

Both the responses to the survey and the expert working group highlighted how building a confidential relationship can take a long time, but sometimes a professional encounters the child or young person in a worrying situation only once. When a concern arises about the child's or young person's situation, the professional must have the courage to intervene in the situation and raise the concern even if the relationship of trust has not yet been established. Some of the respondents pointed out that before bringing up a worrying situation, a professional should consider how their previous experiences or prejudices affect the encounter of a child or young person who has been subjected to exploitation. There are plenty of tips, instructions and example questions related to raising concerns that have been produced in different countries e.g. by Barnahus or different organisations. They can therefore be applied depending on the situation.

The guide published by the Finnish Barnahus stipulates that even if an adult must bring up the situation when they are worried, the child or young person should not be pressured, forced or guided to tell about their situation or repeatedly ask them to continue talking about it. When a child or young person has reported a situation that raises concerns, a professional specialising in hearing children who have been subjected to exploitation should be given the responsibility for investigating the events thoroughly. Vehkaoja et al. (2022)<sup>44</sup> provide the following instructions in a Barnahus publication:

"We know from studies that reporting experiences of violence is very often delayed, and children and young people do not like to share their experiences, especially on their own initiative. It is therefore important that adults dare to bring up the subject. By offering and enabling the child to share their experiences, the adult does not risk the reliability of the child's or young person's story. From the perspective of leading the victim to talk, it is essential that the detailed investigation of possible events is left to experts, such as the pre-trial investigation authorities. However, it is possible to openly discuss with the child or young person about what they have experienced. It is very important to write down the words of the child or young person verbatim and also the questions that you have asked. This is important because afterwards, it is rather difficult to remember the courses of discussions and who was the first person to bring something up. What the child or young person has originally said about what happened in their own words is important for assessing the reliability of the report, and this information is also carefully discussed in a possible legal process."

The same point was also emphasised in the responses of the consulted experts, as stated in section 3.1.1 of the report.

Particularly the actors who responded to the survey stressed that even if raising concerns seems difficult or if a suitable situation had not come up, it is important that the professional does not ignore the concern. In worrying situations, it is a good idea to consult an expert party at a low threshold, anonymously if necessary, who can help progress in the situation.

<sup>44</sup> Vehkaoja et al. 2022. See https://barnahus.fi/ tyokalu-keskusteluun-lapsen-tai-nuoren-kanssa-vakivaltaepailysta/

In addition, it was pointed out in the discussions of the expert working group that if a professional does not presumably meet a child or young person in a situation of concern for a second time, the child or young person can be provided with information about whom or who they can contact if they feel they need help. However, information must be provided in a concise and careful manner without endangering the safety of the child or young person.

#### 3.1.4 How to support a child or young person in accepting help when the child or young person feels that they benefit from the situation themselves

As stated in section 3.1 of the report, children and young people who have been trafficked are not always aware of being victims of exploitation or may feel that they also benefit from the situation themselves. Professionals who have encountered victims of human trafficking in their work are concerned about how to intervene in the situation and support children and young people in receiving help when the child or young person does not find it necessary. The child may feel attachment or solidarity with the exploiter or commit the acts demanded of them in exchange for money or goods. Leaving the situation would also mean the end of a relationship or benefit experienced by the person.

The experts who responded to the survey and the participants of the international expert workshop were asked how best to support the child or young person in receiving help when they feel that they benefit from the exploitation situation. The responses highlighted the same themes as when supporting children and young people to talk about the situation: building trust, progressing at the pace of the child or young person, creating a safe space and showing that they believe what the child or young person says about the situation regardless of how unlikely or incredible the story sounds.

In addition, the following themes and views also emerged:

- At the beginning of the work, professionals must describe the limits of their professional relationship and matters related to confidentiality and the obligation to notify. A top-down, all-knowing and patronising attitude rarely works, but attention should be paid to respect and transparency on both sides.
- A child or young person should not be blamed or held responsible for the abuse that has taken place.

- The child or young person should be told age-appropriately why the adult is concerned about the situation and why the abuser, not the child or young person, is responsible for what has happened.
  Some respondents found it useful that the child or young person had discussed their thoughts with an experiential expert.
- It is important to try to describe the benefits of possible help in a timely manner and in concrete terms. A child or young person is rarely able to perceive the long-term and abstract benefits of a support measure for themselves.
- The professional must hear what kind of help a child or young person would like in their situation. Even if the child's or young person's wishes could not be fulfilled in their entirety, it is important to have a joint discussion and to justify the way to progress that is decided on. Although the planning of support should aim at long-term impacts, it is possible to start with small steps from what the child or young person needs at the time.
- The progress of support measures and the situation is sometimes quite unpredictable, and the child or young person should not be promised anything that cannot be kept. However, it is a good idea to go through the main ideas of what the support measures include.
- A child or young person may find it easier to accept help if it is provided in a place or within the framework of services where the child already is. These parties can include school and youth work. A child or young person may find it easier to accept official help if, for example, a familiar youth worker or other support person can attend the meetings.
- If the child or young person has a good relationship with their parents and the parents are not the perpetrators of the offence nor have contributed to the crime, cooperation with the family may support the child or young person in accepting help.
- Even if a child or young person does not want to accept the help immediately, a professional can continue offering it in a sensitive manner. It is also a good idea to tell the child or young person who they can turn to either face-to-face or online if they change their mind.
- Close cooperation between youth work and the police can make it easier to understand the situation and receive help. When youth work and preventive police work reach out to the child or a young person, it is easier to build a relationship of trust.

The responses pointed out the concern that society still does not have sufficient means to intervene in situations where the young person has been pressured into committing crimes but feels that they also benefit from them in the form of goods or respect. In these situations, it must be ensured that the young person is able to contact safe and reliable adults both face-to-face and online.

The responses also stressed that if the situation threatens the life and health of the child or young person, different restrictive measures should be taken to intervene in the situation.

A child or young person may mistrust the authorities or other parties providing assistance and behave distantly or hostilely due to a stress reaction caused by the situation. Establishing cooperation can also be hampered if the victim has experienced strong disappointments in previous experiences of attachment. It is important that the child or young person can be seen and encountered calmly in the situation. The child's or young person's right to self-determination must be respected, but at the same time they must be sensitively motivated to accept help. It is not necessary to discuss events related to the situation before the child or young person is ready for it. This information may make it easier for the child.<sup>45</sup>

<sup>45</sup> Kannisto et al. 2023, p. 14.

### 4 After identification: supporting a child and young person who is a victim of human trafficking

According to studies, the survey and the responses of the consulted experts and the expert working group it can be concluded that the needs of children and youth who have been trafficked are very diverse. The needs are influenced by factors such as the age, personality, background, cultural background, physical and mental health, previous and current experiences of abuse and exploitation, the child's or young person's family situation and possible existence of a safe support network, the child's or young person's experience of trust in the authorities, possible substance abuse, the abuser's relationship with the child or young person, and whether the child or young person is still in a situation of abuse or has already left it.<sup>46</sup>

If the child or young person is still under the control of the exploiter, safe accommodation must be provided as soon as possible as well as support in getting away from the situation.<sup>47</sup> Due to the dynamics behind trafficking in human beings, leaving the situation is extremely challenging for exploited persons. It is important to note that physical separation does not necessarily mean that the situation has ended. Often, stalking and threats against the victim continue after the acute exploitation situation has ended.<sup>48</sup> The respondents were aware of cases in which a child who had been trafficked had returned to their abuser, as they had not felt that they had received sufficient support for leaving and recovering from the situation.

Several experts who responded to the questionnaire emphasised in their responses that the child's best interests should always be the starting point for supporting the child and the young person. In practice, the responses show that this means that professionals must hear the child or young person when planning measures directed at them and carefully consider how the decisions will affect the child's or young person's situation in the future. The child or young person must also be informed understandably and as proactively as possible about the future stages of

<sup>46</sup> Martinho et al. 2020; Clawson et al. 2009.

<sup>47</sup> Clawson et al. 2009; UNDOC 2008, p. 404.

<sup>48</sup> Pihlaja – Piipponen 2023, p. 76.

assistance and if/when a professional has a statutory obligation to intervene in a suspected abuse or human trafficking situation and report it to the authorities. The above-mentioned issues raised in the responses to the survey are also supported by the information package aimed at professionals who may encounter child victims of trafficking.<sup>49</sup>

The child's individual needs must be at the core of the support, taking into account their age and situation. Due to diverse needs, one model cannot be applied to all children and young people who have been victims of human trafficking.<sup>50</sup>

The responses to the survey also pointed out that assistance must be victimcentred and victim-oriented, as the boundaries and right of self-determination of a child or young person who has been trafficked have been violated. Based on the responses, the child or young person must be supported in setting their boundaries and independent decision-making where possible in a way that takes their age into account. In addition, support must be sensitive and appropriate, and re-traumatisation must be prevented at all stages of assistance and in the criminal process.

# 4.1 Ready-made operating models for early intervention and helping the children and youth

Intervening in a concerning situation and planning help is facilitated by the fact that different actors at their workplaces have ready-made operating models for early intervention and help. Based on the responses, the following factors had influenced the identification of cases of trafficking in children and youth:

- A clear operating model at the workplace to help a child or young person and to support the work of a professional helped to raise concerns with the child or young person.
- Established multidisciplinary cooperation and information on experts who could be consulted lowered the threshold for raising concerns, notifying the necessary authorities and referring the child or young person to other services as well.
- The existence of an established multidisciplinary operating model made it possible to inform the child or young person about support services so that it was possible to anticipate future measures.

<sup>49</sup> Unicef 2023.

<sup>50</sup> Unicef 2023.

Indeed, most countries in the Baltic Sea region have or are preparing a National Referral Mechanism (NRM), the details of which vary from country to country. The identification and guidance mechanism should be widely used by different actors and respond to the needs of children and young people who have been victims. In addition, the Council of the Baltic Sea States (CBSS) has developed a Transnational Referral Mechanism (TRM) for possible cross-border situations.

Comprehensive response to the diverse and changing needs of a child or young person usually requires multidisciplinary cooperation and assessment. Cooperation should be initiated in a coordinated manner as early as possible. At the beginning of the cooperation, it is a good idea to agree on the main responsible party and explain to the child or young person, their guardian or representative and other actors what are the roles and responsibilities of each party. Kannisto et al. provides the following guidance on investigating suspected sexual violence:<sup>51</sup>

Despite the difficult and sensitive topic, it is essential to act as inclusively and transparently as possible. On the other hand, joint information formation between different actors and the party concerned also enables the transfer of information in a legally sustainable manner. In a joint discussion (call on speaker, remote reception, network meeting or other), it is possible for the young person below and above 18 years old and their guardian to consent to the disclosure of essential information to another actor and, on the other hand, for other actors to collect relevant information on their own process at the same time.

Situations of sexual violence and exploitation can thus be assessed through different operating models. As human trafficking involves sexual violence or other ill-treatment, the same operating models could also be used to assess and identify situations of human trafficking against children and young people where applicable. At best, effective cross-sectoral cooperation speeds up receiving support and recovery, supports the criminal process and saves resources, as different actors do not unknowingly do the same work twice.<sup>52</sup> The actors involved may agree on meetings with the child or young person and their guardian, and not all actors need to be involved in all meetings. The progress of the matter and the preparation of joint plans may motivate the child or young person and increase resources to safeguard the pre-trial investigation, health, support and protection.<sup>53</sup>

<sup>51</sup> Kannisto et al. 2023, p. 9.

<sup>52</sup> Czarnecki 2019.; Pihlaja – Piipponen 2023, p.76.; Döcker – Ingo 2015.; Ladd – Neufeld Weaver 2018.

<sup>53</sup> Kannisto et al. 2023, p. 9.

If a child or young person already is a client and has a confidential relationship with an adult in some support service, it would be a good idea to find out whether an existing, familiar service provider can continue to bear the main responsibility for support. If, for justified reasons, they are directed to a new actor or they do not have an up-to-date support services, the cooperation and exchange of information between different actors should be so organized that the child or young person would not have to repeat the story of their experiences.<sup>54</sup>

Depending on the needs and situation, the actors involved may include a guardian, a child welfare social worker, a youth worker familiar to the child or young person, a professional specialising in assisting victims of human trafficking or supporting a victim of crime, a psychologist, school social worker, a substance abuse worker, a legal counsellor, a lawyer, the police, an employee of a substitute care or reception centre, and an official translator if necessary. Some actors may also be involved only for the purpose of consultation.<sup>55</sup>

The service needs of a child or young person must be assessed by the professional who has an obligation to do so in each country.

An information package on supporting young people aged 12 to 19 who have experienced sexual violence, published in Finland within the framework of the Barnahus model, stipulates<sup>56</sup> that at least the following areas should be taken into account in the comprehensive assessment: 1) current trauma symptoms and, if necessary, other psychological symptoms 2) coping methods 3) support of the close ones 3) functional capacity and 4) personal motivation and ability to understand one's own situation. The same guidelines could also be applied to the assessment of situations of young people who have not experienced sexual violence but other exploitation.

According to the information package, the main objectives of initial psychosocial support include increasing the sense of security and restoring trust in other people.<sup>57</sup> According to a report on the cases and situations of victims of human trafficking who have encountered sexual violence, the possibility to anticipate the future increased sense of control of their own lives, and the sense of security increases as the sense of control increases. In practice, this has been promoted, for

<sup>54</sup> Kannisto et al. 2023, p. 26.

<sup>55</sup> Czarnecki 2018.; Clawson et al. 2009.; Villacampa 2023.

<sup>56</sup> Kannisto et al. 2023, p. 26.

<sup>57</sup> Kannisto et al. 2023, p. 13.

example, by ensuring that a person who has been a victim of human trafficking has had intensive support for everyday life, a safety plan and a plan for who to contact in different situations and trust that they will reach key actors when concerns or questions arise. The best way to achieve this goal is through multidisciplinary cooperation.<sup>58</sup>

Both some of the respondents to the survey and the members of the expert working group pointed out that after initial support, a child or young person who has been the victim of human trafficking is likely to need support in starting or continuing school attendance, stabilising everyday life, orientation to the future and possible long-lasting criminal proceedings. The support measures may continue for years, even if some of the actors around the child or young person may not be needed all the time. Sometimes, for example when the criminal process continues, the need for support may also be arise again.

The family of a child or young person or the persons responsible for substitute care must also be taken into account when planning initial support measures. This increases the understanding of the child's or young person's situation, reactions and changes in interactive relationships, and they can also be offered support at home or at a substitute care place. At the same time, it is possible to offer support to the family of the child or young person, building methods for coping with a stressful situation.<sup>59</sup> Discussions with parents or substitute care should be discussed with the child or young person in advance.<sup>60</sup>

In some of the responses to the survey, it was emphasised that communication with the child or the young person's parents should be carried out carefully and sensitively if there is a suspicion that the parent is the perpetrator or contributed to the human trafficking situation. This was found to be essential especially in forced marriage situations. If the parents are involved in deciding about the marriage, the child or young person is usually subjected to honour-related control or violence. According to the responses to the survey, violence and control directed at a child or young person may increase when the parents find out that the child or young person would like to refuse or divorce from the marriage and have told someone about the situation.

<sup>58</sup> Pihlaja – Piipponen 2023, p. 79.

<sup>59</sup> Kannisto et al. 2023, p. 17.

<sup>60</sup> Clawson et al. 2009.

According to the study, control and violence can appear in many ways and have a key impact on the victim's life.<sup>61</sup> In addition to physical and psychological control, the use of digital devices as a means of control is also quite common.<sup>62</sup>

Some of the survey respondents highlighted as an important point that if a child or young person has challenging home conditions and is returning home after being placed, it must be ensured that they do not return home to the same situation as where they were placed. Based on the responses to the survey, the family should be supported so that the return of the child or young person is as smooth and safe as possible.

One respondent brought up a specific challenge related to supporting children and young people. It is known that the reasons behind "running away" from a substitute care place and possibly also exploitation in criminal activities may be related to the child or young person's desire to strengthen their agency and take responsibility for their life. At the same time, measures that protect children and young people are such that their agency and freedom are restricted. Indeed, receiving support and trusting adults may seem difficult and contradictory for a child or young person, especially if they are placed and would be subject to restrictive measures, or if they were placed in a closed institution for children who committed crimes in a context in which these institutions are in use.

# 4.1.1 Barnahus model and trafficking in children and young people

The survey aimed at experts examined whether the respondents had experience of using the Barnahus model in cases of trafficking in children and how the model could be better utilised in such cases. 73% of the respondents had no experience and 27% had experience of using the Barnahus model in cases of trafficking in children. The cases referred to the Barnahus model had mainly concerned human trafficking related to sexual violence. At the same time, some respondents said that the Barnahus model was also used in interviews with unaccompanied asylum seekers.

In the majority of the cases known to those who responded to the survey, the children or young people had not personally encountered Barnahus experts, but the actors supporting the child or young person had consulted them when necessary, for example, in connection with how to speak to a child about a traumatic experience.

<sup>61</sup> Björktomta 2019.

<sup>62</sup> Pihlaja – Piipponen 2023, p.65.

As stated in the previous section, children and youth who have become victims of human trafficking can be most comprehensively supported in leaving the situation and recovering, as well as coping with the criminal process, through multidisciplinary cooperation. However, the impression of experts working with human trafficking in children and young people is that the Barnahus model has hardly been used to investigate human trafficking and to support recovery of trafficking victims.

Respondents were asked how the Barnahus model could be developed to meet the needs of children who have become victims of human trafficking and to investigate child trafficking cases. The following themes were highlighted in the responses:

- **Referral to the Barnahus model.** Several respondents from different countries found the referral to the Barnahus model to be a challenging process. In Finland, for example, only the police can refer the child to the Barnahus model. However, it could be useful for the child to be heard within the framework of the Barnahus model even before a possible criminal investigation begins, for example referred by child welfare services, schools or support services for victims of crime. It would also potentially be possible to direct the victim to the Barnahus model in more cases where there is a suspicion of human trafficking other than that related to sexual violence.
- **Development of identification.** The responses highlighted the need to develop expertise related to human trafficking and its identification among Barnahus experts. The respondents pointed out that more cases of human trafficking than those related to sexual violence could possibly be identified within the scope of Barnahus.

When a suspected offence against a child or a young person becomes known to a professional, the police must be notified of this due to the duty to submit a child welfare notification. The task of the police is to refer the case to Barnahus when appropriate. When Barnahus work is linked to criminal investigations, particular challenges arise in cases where criminal investigations are not initiated or the investigation ends due to e.g. lack of evidence. In this case, the question may arise as to how the child or young person's comprehensive aftercare and support will be secured when it can no longer be arranged within the framework of the Barnahus model.<sup>63</sup>

<sup>63</sup> Exchange of views with Chief Superintendent Miia Lehtinen from the National Police Board, Finnish Barnahus project police expert, on 31 January 2024.

Based on the responses of the survey and consultations with experts, the Barnahus model could be utilised more in trafficking cases. The purpose of the model is to intensify the investigation processes of suspected violence as well as to strengthen the support and treatment of children and young people who have experienced violence<sup>64</sup>,

According to the survey, it can be recommended that experiences of using the Barnahus model in cases of trafficking could be looked in to more in detail, and the trafficking related training needs of professionals working with the Barnahus model could be mapped.

The Barnahus model is based on European quality standards, the purpose of which is to establish a common operational and organisational framework to prevent the re-traumatisation of the child, to ensure the rights of the child and to achieve a smooth and reliable criminal process.<sup>65</sup> Each country that uses the Barnahus model applies it their own system and context.

Barnahus standards include different principles, actions and arrangements that enable child-friendly, effective and coordinated interventions. The standards cover the following areas and are divided as follows: 1.1 The best interests of the child, 1.2 The child's right to be heard and to receive information, 1.3 Avoiding unnecessary delays, 2. Organisation of multidisciplinary cooperation between authorities, 3. Target group, 4. Child-friendly environment, 5. Planning and service guidance carried out in cooperation with the authorities, 6. Hearing the child, 7. Medical examination, 8. Therapy services, 9. Competence development and 10. Prevention: sharing information and external competence development. Detailed information on the standards, their application and evaluation can be found in the Barnahus Quality Standards - Guidance for Multidisciplinary and Interagency Response to Child Victims and Witnesses of Violence, published in 22 languages.<sup>66</sup>

<sup>64</sup> See THL 2019. The Barnahus model enhances the investigation processes of suspected cases of violence against children and the support and treatment of children who have experienced violence (in Finnish) https://thl.fi/documents/155392151/190159819/THL\_Barnahus\_fi\_web.pdf/7373e0b3-10b6-1b12-73ea-99d495c35eeb/THL\_Barnahus\_fi\_web.pdf?t=1692624828535

<sup>65</sup> Lind Haldorsson – Child Circle 2017 p. 22.

<sup>66</sup> Lind Haldorsson – Child Circle 2017 p. 21-107. See https://www.barnahus.eu/en/ the-barnahus-quality-standards/

### Conclusion 7. The Barnahus model could be used more in cases of human trafficking

The multidisciplinary and structured Barnahus model could be used more in cases of all forms of human trafficking, including those that do not involve sexual violence.

Even if a child or young person is not directly referred to the Barnahus model, the model should be kept in mind so that an investigator in a suspected abuse or human trafficking case could easily consult a professional working in the Barnahus model.

According to the experience of experts in trafficking in children, cases of human trafficking do not always proceed to a criminal investigation or the investigation is restricted due to lack of evidence. However, regardless of the offence or the progress of the criminal procedure, the child and their family must be guaranteed comprehensive and multidisciplinary support as long as there is a need for it.

# 4.1.2 Supporting a trafficked child or young person in a criminal process

The survey for the professionals looked into what should be taken into account in supporting the trafficked child or young person in the criminal process. Some of the responses emphasised that becoming a victim of a crime or taking part in a criminal process should not define the whole life of the child or young person. Therefore the support should focus on safety, recovery and orientating to the future.

This is especially important because criminal processes may last years. However, it is significant for the criminal liability and crime prevention that the investigation of the offence would be successful. According to a report on the situations and cases of victims of human trafficking who have experienced sexual violence, appropriate support services are important for the timely initiation of criminal proceedings and the success of the process.<sup>67</sup> The importance of support services and recovery from the situation alongside the criminal process was emphasised in the survey responses.

<sup>67</sup> Pihlaja – Piipponen 2023, p. 81.

In relation to the criminal process and support for children and young people, the following issues were highlighted in the responses:

- The child should only be heard by a person specialising in hearing children. It is important to involve an expert in the investigation of human trafficking offences or an opportunity to consult the expert whenever necessary.
- Recording the hearing on video is recommended, for example, for the following reasons: the video recording can also be used in the court, and if an interpreter has been involved in the hearing, the quality of the interpretation can also be checked afterwards if necessary.
- If a child or young person has been subjected to commercial sexual exploitation, the persons suspected of the offence - persons who have purchased sex from the child or young person - should be identified and held criminally liable.
- The child or young person must have a free-of-charge lawyer, experienced in trafficking, from the beginning of the pre-trial investigation. If the child or young person is undergoing an asylum process in addition to the criminal procedure, it may be useful that the same counsel assists them in both processes.
- The number of persons involved in the hearing should be limited. However, the child or young person should have the opportunity to bring a trusted adult as a support person for the hearing, especially if the guardian is not present. The same support person should be involved throughout the criminal proceedings. Regular, mutually agreed communication with the support person builds a relationship of trust and cooperation as well as gives the child or young person a feeling that the adult is interested in their matters and well-being.
- It should be avoided that the child or young person has to share the actions committed against them repeatedly. The support person only needs to know what the child or young person says in connection with the hearing.
- Unawareness of one's own situation and its progress may put a strain on the child or young person. It is a good idea to share realistic and correct information about what is happening as the criminal process progresses. This gives the victim a sense of control over their life. At the same time, it is important to support the continuation of everyday life and normal matters: school attendance, hobbies and the building and maintenance of safe friendships and other relationships. Supporting the child's agency is important in order to increase their resources and a sense of control.

• The child or young person's need for support must be assessed during and after the process. The support received by the child or young person must not depend on the offence; the necessary support must be available regardless of the offence or the success of the criminal process.

Criminal investigations are organised in partly different ways in the Baltic Sea countries. A large number of useful investigation guides and other material have been published in the ELECT THB project carried out by the European Institute for Crime Prevention and Control (HEUNI) between 2021 and 2023, in which the project partners were the Ministry of the Interior of Latvia and the University of Tartu.<sup>68</sup> In addition, context-related information and guides have been produced in different countries for investigating abuse and human trafficking offences in children and young people.

As mentioned in section 1.3 of the report and in the responses of experts, a child or young person who has been trafficked may also become identified in the criminal process in connection with the investigation of another offence or when investigating an offence committed by the child or young person. Children or young people who have committed crimes also need support in criminal proceedings. This can also help to detect possible human trafficking offences. The investigation should thus examine whether the child or young person has been groomed, pressured or forced to commit a crime and, if so, by whom. A child or young person suspected of committing crimes should have a lawyer who understands the phenomenon and power dynamics of coercion in criminal activities.

<sup>68</sup> See publications of the ELECT THB project: https://heuni.fi/-/elect\_thb#5495d1ea

#### Conclusion 8. Children and young people should be offered well-timed and appropriate support during and after the criminal proceedings, regardless of their status in the process.

Becoming a victim of a crime should not define the whole life of the child or young person, but focus should be on safety, recovery and orientation to the future.

The child or young person's need for support must be assessed during and after the process. The support received by the child or young person must not depend on the offence; the necessary support must be available regardless of the offence or the success of the criminal process.

Children who have committed crimes also need support in criminal proceedings. This can also help to detect possible human trafficking offences.

### 5 Conclusion

The main conclusion of this report is that we are not up to date on how and to what extent human trafficking against children and young people actually occurs in the Baltic Sea countries.

Based on the data collected for the report, it can be estimated that the actual number of child and youth victims of human trafficking and the range of forms of exploitation is wider than the number of officially identified cases or the cases that have progressed to the criminal procedure.

It is worrying that the situation concerning the identification of trafficking in human beings does not seem to have changed in more than ten years, at least in the child and youth trafficking cases. Roth's doctoral dissertation published in 2010<sup>69</sup> states that the most serious challenge for the strategies and activities against human trafficking is the major difference between the number of assessed, reported and actual victims of human trafficking. Even though some of the difference could be explained by exaggerated estimates based on the need to attract political attention to the issue of trafficking, research indicates that there is reason to believe that the majority of potential victims are not identified.

Despite the current high number of anti-trafficking measures and research related to human trafficking worldwide, there is not yet sufficiently comparable statistical data or evidence-based research related to child and youth trafficking, especially in the Baltic Sea countries. More statistical data and evidence based research is needed about the forms of trafficking in children and youth as well as the best practices on prevention and support.

At the same time, it appears that the available material often lacks concrete measures and usability from the perspective of professionals encountering the target group as well as the direct usability for the preparation of action plans against human trafficking.

<sup>69</sup> Roth, 2010.

There seems to be relatively few people in the Baltic Sea countries who identify themselves as child and youth trafficking experts or believe that they have encountered a trafficked child or youth.

Based on the data collected for the report, it appears that in many of the Baltic Sea countries the anti-trafficking work, especially in children, is lagging behind other anti-trafficking work in many ways.

In a survey sent to experts and in the discussion of the expert working group, examples were requested of the types of measures that had been used in the well progressed cases from identification to assistance and criminal proceedings. The cases were asked to be described considering the protection of privacy. However, the responses did not reveal such well-progressed cases. The report shows that the authorities' ability to identify should be improved, as it seems that trafficking in children is not a hidden phenomenon in the way that it is generally assumed to be. Children and young people who have been victims of exploitation are often within the scope of services, but their victimisation is not recognised.

By gathering information from different publications and experiences of professionals who have encountered victims, this report could identify promising practices that can be used when concerns arise about the situation of a child or young person.

At best, the shortcomings identified in the report and the information collected for it can serve as a starting point for developing anti-trafficking measures more extensively and systematically throughout the Baltic Sea countries. This would be important in order to safeguard the rights of child victims, to improve the implementation of criminal liability and to better prevent trafficking and all forms of exploitation in the future. The key recommendation of the report is therefore the following:

In order to develop effective measures for combating human trafficking and assisting the victims and to identify best practices in this area, it is necessary 1) to develop the collection of reliable and comparable data on the volumes and characteristics of trafficking in children as well as on the needs of the victims, and 2) to improve the monitoring and assessment of the effectiveness of the anti-trafficking measures and victim support. Based on the information provided in the report, it can be stated that before a child and a young person becomes a victim of human trafficking, they have likely already been subjected to some other form of exploitation, violence or abuse. Consequently, the prevention of trafficking in human beings is linked to the prevention of a wide range of other forms of abuse against children and youth.

Based on the data collected, the impression is that exploitation against children and youth, and thus also child trafficking, can be prevented by investing in the prevention of adverse childhood experiences, strengthening protective factors as well as supporting families and children in a timely manner. Preventing these can also help to prevent crimes committed by children.

Based on the report, more attention should also be paid to whether more cases of trafficking could be identified among other cases of abuse and violence against children and youth as well as within youth criminality.

Human trafficking offences must be identified for the sake of the criminal process, the implementation of criminal liability and for the appropriate and adequate victim support measures. At the same time, the understanding of the dynamics and features of human trafficking play a key role in identification. In this way, the victimised child or youth can be offered sufficient support for leaving the situation, recovering and for cooperating in the criminal process with all relevant stakeholders.

This report focuses particularly on preventing and intervening in trafficking in children through various measures related to the society and to children and youth themselves. However, human trafficking would not exist if persons committing the crime and benefiting from it did not exist. Trafficking in human beings should also be combated through work targeted at the perpetrators of crimes. However, this report did not provide sufficient information or good practices for the Baltic Sea countries in this particular topic.

# 5.1 Conclusions and recommendations presented in the chapters of the report

The following conclusions and recommendations have been highlighted in the chapters of the report:

#### Conclusion 1. Avoiding stereotypes to improve identification

Trafficking in children and young people can appear as many types of exploitation. Cases are not always limited to one form of exploitation; one case may involve several different forms of abuse. There are shortcomings in the identification of human trafficking that targets children and young people and in understanding the diversity.

Understanding the phenomenon and the underlying dynamics is important for its identification.

It is possible to identify certain factors related to the child's or young person's background, life situation or health that expose them to exploitation. At best, these identified issues guide the identification of exploitation and contribute to early intervention. However, it is important to avoid reinforcing stereotypes related to these vulnerabilities so that human trafficking and related crimes can also be identified when they are not easily detected.

#### Conclusion 2. Preventing risk factors of abuse and exploitation against children and strengthening factors protecting children also prevent trafficking in children and youth

Understanding the variety of forms of human trafficking helps in the planning of measures against human trafficking. Taking this into account, trafficking in children and youth must be prevented at multiple levels:

Addressing root causes at a broader societal level: In most cases, a child or young person has experienced abuse and exploitation for a long time before the situation meets the definition of human trafficking as a criminal offence. Trafficking in human beings is effectively prevented by preventing factors that put victims at risk of exploitation and investing in early intervention when concerns arise about the situation of a child or young person. For children and youth, strengthening the experience of inclusion and early support also prevent committing crimes. **At the individual level, on a case-by-case basis:** Trafficking in human beings must be exposed and identified in a timely manner when it occurs. The reported cases must be effectively addressed in order to support victims and enforce their rights, prevent re-victimisation and ensure criminal liability.

For example, with regard to the Anchor work of the Police in Finland, it should be examined whether it could also be used more extensively to identify and assist victims of human trafficking and to target criminal liability correctly.

## Conclusion 3. Children and young people who have subjected to human trafficking are rarely hidden

In many cases, children and youth who have been victims of human trafficking have been in the scope of compulsory education, clients of child welfare or other social welfare services, have lived in a reception centre or substitute care, used health care services, met youth workers or visited services provided by low-threshold organisations. However, the situation has often not been identified while it was happening.

The range of professional groups that have identified cases of child or youth trafficking is wide. It seems that any professional who encounters children or youth in their work may potentially encounter a child or a young person who has been subjected to exploitation or human trafficking. This should be taken into account when planning the target groups of education and training related to trafficking and when drawing up action plans for situations where there is concern about the child or a young person.

## Conclusion 4. The authorities are responsible for identifying abuse and human trafficking

Getting help should not depend on whether the child or young person is able to seek help or not. It is important for professionals who encounter children or young people to respond to the needs of the child or young person while identifying vulnerabilities and concerning situations. As a matter of priority, it is not necessary to know whether the concerning situation is precisely human trafficking. However, it is important to identify the indications of trafficking in human beings and exploitation and to intervene in the situation so that its continuation is not made possible, the child or young person can be referred to additional assistance if necessary, and criminals can be made liable for their actions.

## Conclusion 5. Targeted and multidisciplinary training related to human trafficking in children and young people should be increased

According to conclusion 3, it would seem that any professional who comes into contact with children and young people in their work may potentially encounter children and youth who have been subjected to exploitation or human trafficking. Typically, the training is tailored to one target group, which may be appropriate when the training is for example specifically focused on investigating human trafficking offences.

Training aimed at a multidisciplinary target group, which takes into account how participants can cooperate in practice in identifying and supporting victims and during a possible criminal process, could be a worthwhile way to increase cooperation that benefits the victim and saves the resources of different actors.

In addition, special attention should be paid to trafficking in children and youth and its forms in education and training related to human trafficking. The training should be obligatory to professionals and regular due to the development of the phenomenon and the turnover of employees.

# Conclusion 6. More important than talking specifically about human trafficking to children and young people is to increase their awareness of the factors that can expose them to exploitation and thus prevent the risk of exploitation

Increasing awareness directed at children and young people must be done in an age-appropriate and competent manner. It consists of many thematic areas and should not be considered "over and done with" in one lesson related to human trafficking or only under the subject of sexual education.

From the perspective of raising awareness among children and young people, it seems most useful that professionals encountering children and young people in their work, such as the staff and representatives of schools, youth work and child welfare institutions, have been trained to inform children about the topic in an age-appropriate and diverse manner and to intervene in concerning situations.

## Conclusion 7. The Barnahus model could be used more in cases of human trafficking

The multidisciplinary and structured Barnahus model could be used more in cases of all forms of human trafficking, including those that do not involve sexual violence.

Even if a child or young person is not directly referred to the Barnahus model, the model should be kept in mind so that an investigator in a suspected abuse or human trafficking case could easily consult a professional working in the Barnahus model.

According to the experience of experts in trafficking in children, cases of human trafficking do not always proceed to a criminal investigation or the investigation is restricted due to lack of evidence. However, regardless of the offence or the progress of the criminal procedure, the child and their family must be guaranteed comprehensive and multidisciplinary support as long as there is a need for it.

# Conclusion 8. Children and young people should be offered well-timed and appropriate support during and after the criminal proceedings, regardless of their status in the process.

Becoming a victim of a crime should not define the whole life of the child or young person, but focus should be on safety, recovery and orientation to the future.

The child or young person's need for support must be assessed during and after the process. The support received by the child or young person must not depend on the offence; the necessary support must be available regardless of the offence or the success of the criminal process.

Children who have committed crimes also need support in criminal proceedings. This can also help to detect possible human trafficking offences.

### **Appendix 1**

### Expert Workshop: Best practices to prevent and identify child trafficking and violence against children, Rovaniemi, Finland, 30 November 2023

9:00 – 9:15	Welcoming words
	Venla Roth, Government Anti-Trafficking Coordinator of Finland, Ministry of Justice
	Marjo Malja, Senior Ministerial Adviser, Ministry of Social Affairs and Health, Finland
9:15 – 12:00	Session 1: Best practices to prevent and identify child trafficking
	Moderator Saara Pihlaja, Senior Specialist, Ministry of Justice, Finland
	Perspective 1: Preventing and identifying child trafficking among children in vulnerable situations
	Sami Isoniemi, Senior Detective Superintendent, Helsinki Police Department - Trafficking in Human Beings -National Investigation Team.
	Perspective 2: Implementing the non-punishment principle to protect children who have committed crimes as a consequence of trafficking
	Maria von Bredow, Senior Analyst, The Swedish National Council for Crime Prevention
	Questions and discussion about the perspectives 1 and 2
	Coffee Break
10:45	Group Work
	Based on your experience:
	1. In what kind of situations have a child been identified as a victim of human trafficking? (A child was absent from school, parents were worried, etc.?)
	2. Which concrete actions contributed to identification?
	3. What are the best means to support a child to disclose the abusive situation?
11:30	Sharing the outcome

### Expert Workshop: Best practices to prevent and identify child trafficking and violence against children, Rovaniemi, Finland, 30 November 2023

11:40	Comment speech
	Miia Lehtinen, Superintendent, The National Police Board of Finland
12:00 – 13:00	Lunch
13:00 - 15:50	Session 2: Best practices to support a victim of child trafficking
	Moderator Olivia Lind Haldorsson, Senior Adviser, Head of the Children at Risk Unit, CBSS
	Perspective 3: Addressing concerns and hearing a child
	Julia Korkman, Senior Programme Officer, HEUNI; President, the European Association of Psychology and Law; Professor of Practice in Legal Psychology at the Faculty of Law, Åbo Akademi University.
	Perspective 4: How to support children to accept help when they feel they themselves benefit from the (abusive) situation
	Laura Niskala, Outreach Youth Work, The City of Rovaniemi
	Questions and discussion about the perspectives 3 and 4
	Afternoon coffee break
14:30	Group Work
	Based on your experience:
	4. What actors should be present when supporting an abused child in a multi-sectoral way?
	5. What are the best practices in supporting an abused child in a criminal procedure?
	6. What are the best means to support a child to accept help and benefit from it?
15:15	Sharing the outcome
15:30	Comment speech
	Sini Stolt, Leading Specialist, Barnahus, Finnish Institute for Health and Welfare
15:50	Closing remarks
	Saara Pihlaja, Senior Specialist, Ministry of Justice, Finland



### **Appendix 2**

Webropol online questionnaire

Welcome to answer the questionnaire regarding the best practices to prevent, identify and support child victims of trafficking in the CBSS member states.

This questionnaire aims to reach professionals who potentially come into contact with victims of child trafficking in their work or are otherwise experts in the subject area. You can answer the entire questionnaire or fill it in only to the extent that you have information or experience.

The answers serve as a basis for a report that will be published by the Finnish Ministry of Justice in the spring of 2024. The report compiles essential information and is intended to be a practical tool of best practices for the professionals working directly with possible victims, as well as provide information to support decisionmaking and concrete action plans and strategies for the authorities.

It is important that we receive as many responses as possible from all the CBSS member states. We would be grateful if you forward this e-mail and share the Webropol link for the questionnaire with other potential experts in your country in order to receive as broad perspective and as much information as possible. The number of responses per country is not limited.

Please submit your answers by 10 December 2023.

Your personal information will not be available or shared to anyone other than the persons compiling the report in the Finnish Ministry of Justice. The personal information and responses will be deleted when the report is completed.

If you have any questions please do not hesitate to contact saara.pihlaja@gov.fi

Thank you in advance!

Please answer the questions as concretely as possible. We hope especially for practical examples of successful cases and good practices. You can answer the entire questionnaire or fill it in only to the extent that you have information or experience. Responding anonymously is possible.

#### Thank you in advance!

#### 1. Information

- Name
- Title
- Organization
- E-mail address (if you agree that you can be contacted later for a possible interview.)
- Country\*
- I work at a strategic level
- I work on a practical level
- Do you encounter or have you encountered victims of trafficking in your work?
- Do you encounter or have you encountered child victims of trafficking in your work?
  - If yes, how old the victims were at the time of the abuse?
    - Under 10y
    - 10-14y
    - 15-17y

#### 2. Respondent's perspective (multiple choice)

- I work at a strategic level
- I work at a practical level
- I potentially encounter or have encountered child victims of trafficking in my work
  - If yes, how old they were at the time of the abuse?
    - Under 10y
    - 10-14y
    - 15-17y

- 3. What kind of successful preventative measures are implemented in your country? (multiple choice)
  - Training for professionals who potentially come into contact with child victims
    - Please describe: what, when, by whom, the target group, how this has been evaluated?
  - Campaigns (awareness raising or other)
    - Please describe: what, when, by whom, the target group, how this has been evaluated?
  - Within school or education
    - Please describe: learning material for children, material for teachers to support teaching, within which school subject, specific educational programs, etc.?
  - Within social and health care services
    - Please describe
  - Within law enforcement
    - Please describe: learning material for children, material for teachers to support teaching, within which school subject, specific educational programs, etc.?
  - Addressing demand
    - Please describe: what, when, by whom, the target group, how this has been evaluated?
  - Targeting online exploitation
    - Please describe: what, when, by whom, the target group, how this has been evaluated?
  - Other preventative measures?
    - Please describe
- 4. Based on your experience: what are the best practices to prevent:
  - Sexual exploitation of children
    - Please describe
  - Online exploitation of children
    - Please describe
  - Labour exploitation of children
    - Please describe
  - Child marriages and forced marriages of children
    - Please describe
  - Forced criminality of children
    - Please describe
    - Forced begging
      - Please describe

#### Identification

- 5. What type of exploitation/child trafficking have you encountered (multiple choice)
  - Sexual exploitation
    - Forcing to sell sex
    - Other sexual exploitation
    - Online exploitation
    - Other?
  - Labor exploitation
    - Restaurant or kitchen work
    - Cleaning work
    - Construction work
    - Other?
  - Forced marriage
    - Sent to be married in a parent's country of origin (if other than where the child lives)
    - Married in a country of origin and moved to the Baltic Sea country (for example based on family ties)
    - Married (for example in a religious ceremony) unregistered in the Baltic Sea area
    - Other
  - Forced criminality
    - Drug related crime
    - Violence (related to street/gang criminality)
    - Violence (other)
    - Bringing other children to be exploited in the same situation as themselves
    - Burglary
    - Theft
    - Other?
  - Something else?

- 6. If you have encountered/have information of victims of child trafficking, were they identified (multiple choice)
  - While the abuse was still ongoing?
  - After the abuse had ended but the victim was still under 18y
  - After the abuse had ended and the victim was already over 18y

## In what kind of situations has a child been identified as a victim of human trafficking?

- A parent was worried about the child's behavior and sought help
- A child was absent from school and teacher/school personnel acted
- A social worker was worried about a child's situation
- A health care worker was worried about a child's situation
- A child had unauthorized absences from the child protection institution
- During the criminal process by the police (when the investigation involves a crime other than human trafficking)
- Other

#### Which concrete actions contributed to identification?

- A worried parent consulted an expert
- A worried professional referred a child to specialized services
- A child disclosed the situation
- Other
- 7. What are the best means to support a child to disclose the abusive situation? Please describe
- 8. Do you have experience or knowledge of a situation where the nonpunishment principle would have been applied to a crime committed by a child victim of trafficking? Please describe
- 9. Have you noticed new evolving trends in the field of child trafficking? Please describe
- 10. In your opinion what should be the role of the low threshold services (NGOs/civil society organizations) in identifying the possible child victim of trafficking? Please describe

#### Supporting a child

- 11. Based on your experience, what are the best means to support a child to accept help and benefit from it? What are the challenges you have faced related to this? Please describe
- 12. Do you have specialized services for victims of human trafficking in your country? Please describe
- 13. Based on your experience, which services play a significant role in helping a child victims of human trafficking? (multiple choice)
  - Social services
  - Health care services
  - Youth work
  - Child protection institutions
  - Specialized mental health services
  - School
  - Specialized victim support services
  - Family/parenting support services
  - Other
- 14. Do you have experience or knowledge of using the Barnahus model in supporting victims of child trafficking?
  - Yes
  - No
    - If yes, how the Barnahus-model could be developed to better meet the needs of victims of child trafficking?
- 15. How should the criminal investigation authorities and support services cooperate in cases of child trafficking? Please describe
- 16. What should be taken into account when supporting a child in criminal procedure? Please describe
- 17. If you want, please give an example of a successfully progressed case where the child has been identified and supported appropriately
- 18. If you know of any studies or reports related to the topic, please share
- 19. Do you have something else to add?

### **Appendix 3**

#### A compact information package on human trafficking and related exploitation aimed at school and pupil welfare staff to support related teaching

This information package on human trafficking and related exploitation has been prepared as part of the National Action Plan against Trafficking in Human Beings (2020–2023). The aim of the information package is to provide information and support that can be utilised in versatile ways from early childhood education and care to adult education, in an age-appropriate manner. The information package has been compiled on the basis of existing information under the coordination of the Government's anti-trafficking work in the Ministry of Justice, in cooperation with the Assistance system for victims of human trafficking, the Ministry of Education and Culture and the Finnish National Agency for Education.

The information package was originally written and published in Finnish in a Finnish context

Authors Aino Pennanen, Senior Adviser and Saara Pihlaja, Senior Adviser, Ministry of Justice

#### Why should human trafficking be discussed as part of teaching?

Trafficking in human beings may seem like a distant phenomenon, but unfortunately it is not. Trafficking in children and young people also occurs in Finland, but it often remains hidden. In known cases, the young person has been within the scope of compulsory education at the time of exploitation and in many cases has also been a child welfare client. However, the human trafficking situation had not been identified at the time of its occurrence, but the events have only emerged after the young person has brought them to the attention of a trusted adult on their own initiative years after coming of age.

School staff play an important role in the prevention and identification of abuse towards children and in intervening in concerning situations. If concern arises, there does not need to be certainty as to whether the situation relates specifically to trafficking in human beings or some other clear form of exploitation. The most important thing is to intervene in the situation to the extent that is necessary, such as by discussing it in a safe space in an age-appropriate manner and by seeking to provide the kind of help and support that a child needs and wants to accept.

It is important to remember that even a professional does not need to ponder their concerns alone. An actor specialising in assisting victims of exploitation can be consulted about worrying situations with a low threshold, anonymously if necessary.

Both human trafficking and other forms of exploitation should be discussed in a preventive manner with children and youth. It is a good idea to recognise that young people can often feel that they have been the one that took initiative and that they feel guilty or ashamed about their own actions. It is therefore important for adults to approach the issue sensitively, without intimidation, threats, judgment and blaming.

Attention should also be paid to the terminology used to talk to children and young people, as many words put responsibility onto children or young people themselves. Even if the child themselves uses the term "sugar dating" or talkes about selling sex, it would be better to talk about it as sexual abuse or sexual violence.

Exploitation of a child is always a crime, even if they feel that they have consented to the activities demanded of them. Exploitation is never and under no circumstances the victim's fault, and the responsibility always rests with the adult.

Children and young people need information on trafficking in human beings and other forms of exploitation, above all so that they would dare to raise the matter with an adult and seek help if something happens or if they are concerned about a friend. The prevention of abuse is not the child's or young person's responsibility, but information also often has a protective effect. It is important to intervene as early as possible in situations involving exploitation, as the risk of exacerbation may be significant.

#### What is human trafficking?

Trafficking in human beings is a serious crime and a term for a phenomenon that may involve many types of exploitation, such as work-related or sexual exploitation, forced criminality and forced marriage. The perpetrator exploits another person's vulnerability to gain financial or other benefits. It is not usually the case of buying or selling the person per se. Usually, the perpetrator controls the victim mentally or physically with the intention of exploiting them.

What many different situations have in common is that the victim is in a position where they feel that they cannot do otherwise without serious consequences. It is both about trapping the victim and preventing them from getting out. A victim of human trafficking often feels obliged to do something they do not want to do, such as selling sex to obtain money, intoxicants or accommodation, to commit crimes on behalf of another person, to work without compensation or marry against their will.

The abuser often does not control the victim by restricting their physical freedom or by violence. Once the victim has been trapped, the means of control can be much more invisible, in which case we call it psychological control:

The offender exploits the victim's vulnerability, trust, addiction or difficulties in setting their boundaries. For example, it may be that the perpetrator keeps the victim under control by using their status or debt bondage. Sometimes the exploiter uses the victim's difficult home conditions, previous experiences of exploitation or substance addiction, or threatens them, for example by spreading sexual material that violates the victim's dignity. The victim may know the perpetrator and sometimes has emotional ties with them. The exploiter can be a boyfriend, a person pretending to be a trustworthy adult or a group of friends. The exploiter can succeed in building a relationship of trust and dependency, which has felt natural and safe at the beginning, but which may gradually lead to exploitation that exceeds the threshold of human trafficking.

#### Vulnerability of children to human trafficking

Children who do not have a safe place of residence or a guardian, those at risk of social exclusion and those suffering from substance addiction or mental health challenges may be particularly vulnerable to exploitation. Previous experiences of exploitation or violence and challenges in setting boundaries also put children at risk of exploitation. For this reason, sexual education is also an important preventive measure.

The paragraphs below describe the most typical forms of human trafficking observed in Finland. The examples can help understand what the offence might be in regard to the child. However, the same human trafficking situation may involve characteristics of different forms of exploitation, such as selling sex and committing crimes to gain intoxicants or accommodation, or to pay off a real or made-up debt.

#### Sexual abuse

Children do not necessarily know that they are victims of serious exploitation during the human trafficking situation, as the exploiter is often someone they consider reliable, such as a guardian, relative, partner or other acquaintance. The more the victim trusts the perpetrator, the easier it is to get them to act as the exploiter wants.

For example, an employment relationship or hobby that has begun successfully may have escalated later. The employer or the instructor may have gradually lead an enthusiastic child into a dependent position, for example by acquiring material that violates their privacy that the exploiter uses to blackmail the child unless they submit to the exploiter's control and agree to act like the exploiter wants them to.

Similarly, a relationship or friendship that seemed equal at the beginning may lead to a situation of exploitation exceeding the threshold of human trafficking. An adult who seems caring may have appealed to a child from difficult home conditions, in which case a relationship of trust and a power dynamic has formed between the victim and the exploiter. For example, the abuser and the victim have, on the basis of seeming joint consent, recorded sexual acts for their own use, but the material has later been used as a tool for blackmailing and control, for example to force into the sale of sex, and the situation has led to human trafficking. A child may think they are in a relationship, feel infatuation or love for the perpetrator and not realise they are being exploited.

The situations are diverse: for example, the victim can feel that they benefit from selling sexual services. On the other hand, the victim may feel like they are under the full control of the exploiter and while being manipulated and subjugated, they may unconsciously become involved in pressuring other children to become involved in the exploitation situation.

#### Online trafficking in human beings

It is important to be aware that sexual abuse can also take place on the Internet. Online luring and grooming can target anyone via the Internet. According to the Assistance system for victims of human trafficking, the sexual exploitation of a child on the Internet may take place through ordinary forums or on the so-called dark web, i.e. encrypted websites. Children may be tricked or manipulated into agreeing to perform sexual acts in front of the web camera. A person subject to exploitation often does not know how many viewers will see or buy the images and videos. If someone has been able to record naked images of a child, they may be blackmailed to perform even more sexual acts or to meet the exploiter in real life.

In the case of sexually exploited child victims of human trafficking, leaving the situation may be hampered not only by the perpetrator's psychological control and threats and by the victim not recognising the situation, but also by solidarity with the abuser or a group of exploitative friends, shame for being in the situation or a fear of being placed into substitute care or custody and possible restrictive measures in the substitute care.

According to the experience of Victim Support Finland, the difficulty of leaving the situation when the person is being forced to sell sex or commit other sexual acts, especially as children, has in practice meant that the exploited person has started to question the events only years later after becoming adult when they have started to experience them as traumatic and seek help on their own initiative. If a person who has been subjected to exploitation has wanted to report the situation to the police years later, it has been very likely for the case to not progress in the pre-trial investigation as it has been challenging to find evidence afterwards.

#### **Exploitation in criminal activities**

Exploitation in criminal activities refers to a situation in which a person is pressured or forced to commit unlawful acts in such a way that another person benefits from them. Such acts may include for example pickpocketing, shoplifting, robbery, burglary or dealing drugs.

In some cases, the child has been pressured to use drugs and other intoxicants for the first time in their life, and in others, the victim has committed the action in order to receive intoxicants. Children suffering from substance addiction may be pressured to commit criminal acts to pay off the debts incurred from substance abuse or to obtain intoxicants for themselves and others. Under pressure and in fear of being caught, they have no longer dared to get out of the situation.

Children can also be forced to commit crimes if they are not held criminally liable due to their young age.

It is noteworthy that especially for children who react to challenging life situations by committing crimes, the same person may have both been a victim of human trafficking and committed crimes on their own initiative.

Identifying forced criminality and intervening in the situation is particularly important also because the so-called non-punishment principle can be applied in this case: acts committed under force can in some cases left unpunished, or forcing can lighten the possible sentence.

#### **Forced marriages**

Forced marriage means that one or both spouses have married against their will. Sometimes consent may have been apparent - a forced person may not have had a real chance to refuse or, because of their background, they did not know that a refusal could be an option at all.

Forced marriage is a form of gendered-based violence. In the majority of known cases, the party forced to marry is a girl or a woman, although it is worth remembering that any gender may be the victim of forced marriage.

In cases of forced marriage, defining the perpetrator may sometimes be challenging, but most typically the coercive party is the future spouse and/or the parents, relatives or community of one or both spouses. In most known situations of forced marriage, honour-related violence and control or its serious risk are also present.

According to a report on the cases and situations of victims of human trafficking who have experienced sexual violence and have been clients of Victim Support Finland, in cases of forced marriage, being under the age of adulthood together with the impact of honour-related control and violence, the role of family and community in determining life choices as well as their rights to ignorance put victims at risk of exploitation. In addition, in the case of children, serious honourrelated violence, dependence on a husband, one's own family and community as well as fear of bringing shame to their family were emphasised. The above factors made it impossible for a victim to leave the situation.

In most of the known cases of forced marriage, serious physical, mental and digital violence, control of behaviour and movement, isolation and financial exploitation, and prevention of divorce continued even after the wedding ceremony.

There are many types of cases in which a child has been forced to marry, such as:

- Children born in the Baltic Sea region or who have moved to the region in early childhood, have been sent to their parents' country of origin to marry a person considered suitable for them by family and relatives. In some cases, the new spouse of a child has arrived in the country of Baltic Sea region with a residence permit based on family ties. Such situations may have been detected, for example, as a result of long school absences or the child's pregnancy. In some cases, the situation has not been identified despite school absences and being a client in child welfare services. Instead, the person has later sought help for their situation after coming of age.
- 2. Persons with a foreign background who have lived in a country of Baltic Sea region for longer have gone to their home country to marry a child and have brought them to the Baltic Sea region with a residence permit based on family ties. There are cases where the age of the under-aged spouse brought to the Baltic Sea region has been forged in identity documents so that the child appear to be of age.
- 3. Among the persons who have arrived in the Baltic Sea region as asylum seekers are married couples, one of whom is a child who has been forced to marry.
- 4. Children have been forced to marry by their parents, for example as a result of dating that the parents consider unsuitable.

#### Labour exploitation

While labour exploitation is the most common of all forms of trafficking for example in Finland, only few of these cases involve an underage victim. However, situations have also been detected where a vulnerable child without other opportunities is forced to work without pay or in poor conditions.

For example, underaged asylum seekers arriving in the Baltic Sea region have been forced to work in the restaurant or cleaning sector for small compensation or accommodation. Sometimes the employer may have appeared as a benefactor who takes care of the child by offering them accommodation, food and work.

Victims of labour exploitation are rarely completely isolated in their place of work or accommodation, and may attend a language course or school alongside work, which may make it difficult to identify these situations. It should be remembered that for example in Finland, unpaid traineeships are only permitted in cooperation with educational institutions or through the employment services. Otherwise, when the situation meets the characteristics of the employment relationship, the work must be paid.

In order to prevent abuse, children can be advised to take care of the following matters in their job search:

- Request a written employment contract and review it with a trusted person
- Do not hand over important documents, such as the protocol or recording of the asylum interview to your employer, even if they so request. They have no right to see it.
- Record each working day, working time and location of the workplace/ site: E.g. Wed 23 January 2024 at 07-14, Market XX; Thu 24 January 2024 at 06-14, Market XX
- Take a photo of the work schedule made by the employer that shows your name.
- If possible, take a "selfie" at work.
- If you did not receive a payslip, ask your employer for it. Ensure that the work hours and the payslip match.

#### Helping children and young people

It is a good idea to consider in advance how the concerning situation should be brought up with the child or young person. It is also important to be aware of how a child or young person can be supported after the intervention and where they should be referred to if necessary. Support and instructions for this is available from the authorities responsible for assisting victims of human trafficking in each country or from reliable third-sector actors supporting victims of human trafficking.

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Ministry of Justice Finland PL 25 00023 Valtioneuvosto, Finland www.ministryofjustice.fi ISSN 2490-0990 (PDF) ISBN 978-952-400-871-6 (PDF)

