

[JUST CHILD

FOR A JUSTICE SYSTEM ADAPTED TO
UNACCOMPANIED MINORS CONFRONTED
BY CRIMINAL NETWORKS



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PROJECT PRESENTATION

Born out of the need to guarantee appropriate and coordinated care for unaccompanied minors who are victims of human trafficking, the Just Child project – Better Protection for Unaccompanied Minors who are Victims of Organised Crime Networks aims to train European professionals and equip them with tools to identify, support and protect these highly vulnerable minors.

Coordinated by the French National School for the Judiciary (ENM), the project forms part of the European Union's strategy on children's rights, and involves a consortium of 11 partner institutions from 10 European countries, representing professions that play a key role in support for unaccompanied minors: judges,

The seminars organised as part of the project were held in:

- Roubaix, ENPJJ, June 2024
- Naples, SSM, in November 2024

The participants built on the work carried out collectively within the consortium and enriched by the sharing of experience on the obstacles encountered and the means of action identified for the provision of care for these unaccompanied minors.

The Just Child consortium consists of the following institutions:

- French National School for the Judiciary – France
- Romanian School for the Judiciary – Romania
- Bar Professional Training School – France
- National Institute of Justice – Bulgaria
- Italian School for the Judiciary – Italy
- Centre for legal Studies – Spain
- Training and Study Centre for the Judiciary – Netherlands
- Judicial Training Institute – Belgium
- Judicial School – Kosovo
- Institut de formation judiciaire – Belgique
- School for the Judiciary – Albania
- Judicial and Prosecutorial Training Centres of the Federation – Bosnia and Herzegovina

prosecutors, lawyers, specialised educators and investigators.

This guide is the fruit of inter-institutional and transnational activities carried out during two technical seminars attended by representatives of a wide range of different legal systems and professional approaches. All of this work was grounded in the realities facing each participant in the field, with the common aim of strengthening European cooperation. These efforts led to the identification of inspiring practices to improve the detection of trafficking situations and ensure closer links between child protection and the fight against organised crime.



ENPJJ, Roubaix, June 2024

METHODOLOGY

Professionals in contact with unaccompanied minors, especially victims of organised crime networks, face complex situations that require a specific approach, based on knowledge, coordination and awareness of child protection issues.

The Just Child project aims to provide judges, prosecutors, lawyers, investigators and educators with food for thought and practical tools to improve identification, protection and support for these unaccompanied minors.

These tools (technical fact sheets and educational audiovisual resources) have been designed to help professionals build a lasting, trust-based relationship with minors, encourage them to speak out and take effective legal action against exploitative networks.



SSM, Naples, November 2024

These resources are not intended to impose a uniform course of action. Individual professionals, according to their roles and fields of intervention, and the legislation in force in their country, are free to use them as they see fit in view of the realities encountered in the field. These resources complement the existing legal, social and judicial systems in the Member States, and form part of an overall approach to justice for children.

Finally, they constitute a living corpus that is intended to evolve in line with practices, feedback, changes in trafficking phenomena and the needs expressed by the professionals themselves. The aim is to incorporate these tools into a long-term process of adaptation, exchange between professionals and capacity building to protect child victims of organised crime networks on a European scale.

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[SETTING UP INTEGRATION WORKSHOPS FOR DETAINED MINORS

EUROPEAN REGULATORY FRAMEWORK

In a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, the European Parliament called on Member States “to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children” and “recalls that specific safeguards should be put in place for children who come into contact with

any judicial or related proceedings and stresses the need to train specialised staff” (paragraph 20).

Article 20 of Directive 2016/800/EU¹ further provides that children deprived of their liberty should receive appropriate education, guidance and training

CHALLENGES

The educational relationship with a minor who is a victim of a criminal network is difficult to build, particularly because of the distrust he or she may show towards institutions.

It is essential for detained minors to have human contact and to develop skills that will help them reintegrate into society.

It is vital that they have the opportunity to follow a school curriculum and training courses during their detention and that they receive personalised support.

¹ Directive 2016/800/UE



“LABORATORIES” OR INTEGRATION WORKSHOPS IN DETENTION

NISIDA JUVENILE DETENTION CENTRE –
NAPLES, ITALY

The detention centre has 70 places reserved for minors who have committed acts of delinquency against persons or property.

The team at the Nisida detention centre has developed an educational programme based on three key areas, aimed at developing personal and professional skills:

- academic and cultural learning;
- the development of various skills relating to different trades;
- managing emotions and addictions.

Several “laboratories”, or workshops, are offered to the minors detained at Nisida.

Occupational Therapy: Through the upkeep of green spaces, this workshop aims to help minors become autonomous and independent in their personal and working lives. Between 6 and 8 young people take part in this workshop.

Social Rehabilitation Activities: These mainly involve cleaning the various communal areas of the establishment. There are 15 young people responsible for these tasks.

Pizza Academy: Offers minors an apprenticeship in pizza-making. There are 6 young people taking this course.

Frying and Roasting Laboratory: Teaches practical techniques for preparing Neapolitan Street food. Between 4 and 8 young people can register for this course.

Green Spaces Laboratory: Provides training in the upkeep of green spaces (shrubby, flowerbeds, parks, trees) in both public and private gardens. 10 young people learn how to use the tools and machines needed to maintain green spaces.

Ceramics Laboratory: 10 young people learn how to work with clay and fire the creations they make under the guidance of master craftsmen (workshop method – metodo della bottega).

Pastry Laboratory: 10 young people are trained in how to make traditional pastries and confectionery.

Creche Craft Workshop: Aims to teach an age-old craft while working as part of a team. Developing a sense of napoletanità positiva (or putting a positive twist on the feeling of belonging to Neapolitan culture) is encouraged among the 6 to 8 young people who attend this workshop.

Metalwork and Construction Workshops: 10 young people attend each workshop.

[IDENTIFYING AND PUBLICISING HUMAN TRAFFICKING INDICATORS

EUROPEAN REGULATORY FRAMEWORK

Articles 13 to 16 of Directive 2011/36/EU² on preventing and combating trafficking in human beings provide several child-specific provisions regarding the assistance and support to be provided to child victims of trafficking in human beings, as well as their protection in criminal investigations and proceedings.

In a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, the European Parliament called on Member States “to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children” and “recalls that specific safeguards should be put in place for children who come into contact with any judicial or related proceedings and stresses the need to train specialised staff” (paragraph 20).

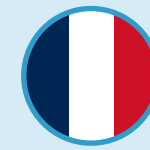
CHALLENGES

Some very vulnerable minors do not seek protection.

The social workers who try to support them feel powerless and at a loss to understand some situations. The obstacles and stumbling blocks experienced when providing support to them may be the result of a situation of control and/or human trafficking.

Although these groups are visible in public spaces, the human trafficking and exploitation by criminal networks of which they are victims are rarely noticed. Identifying and understanding the mechanisms of exploitation is an essential requirement for providing appropriate support.

² Directive 2011/36/UE



THE DEVELOPMENT OF A GUIDE FOR PROFESSIONALS

ASSOCIATION TRAJECTOIRES – FRANCE

A guide³ has been produced for supporting workers in this field, to help them identify and support people who may be victims of human trafficking. It describes the different forms of trafficking and suggests ways of providing better protection and support for victims.

Among the various forms of exploitation, unaccompanied minors are often forced to commit crimes. These minors, who are particularly vulnerable, have often been the victims of threats and/or physical, psychological and sexual violence. Chemical dependency can also be used to exploit minors.

These minors are generally highly visible in public spaces. While they are regularly arrested by the police, they are rarely identified as victims of human trafficking.

A non-exhaustive list of indicators that could indicate that a minor is a victim of human trafficking has been drawn up based on the work done by street support workers:

- The same young person is spotted every day working under adult supervision, in all weathers, always in the same place;
- The multiplication of aliases makes it difficult for the courts to identify them;
- The minor receives calls and messages all the time;

- An increasing number of people are being held in police custody for similar offences in the same locations;
- Homelessness: the minor lives in a squat, his physical appearance and health have deteriorated, and he is thin;
- The minor deliberately looks younger to avoid prosecution and detention;
- The minor has little time to talk to support workers;
- Physical injuries or marks are noted;
- The minor is under the influence of psychoactive drugs;
- The minor is evasive or adopts a stereotyped attitude;
- The minor mentions that they move around a lot in Europe;
- The minor has been sexually assaulted, raped or sometimes blackmailed with videos of these assaults to their family.

As part of its field research, the association has identified a number of good practices for identifying new indicators of trafficking and providing better care for victims. These best practices include training initiatives for support workers and multi-stakeholder coordination bodies.

³ https://www.trajectoires-asso.fr/media/pages/ressources/publications/f4c432c0bf-1727181171/guide-traite_a5_web_planche.pdf

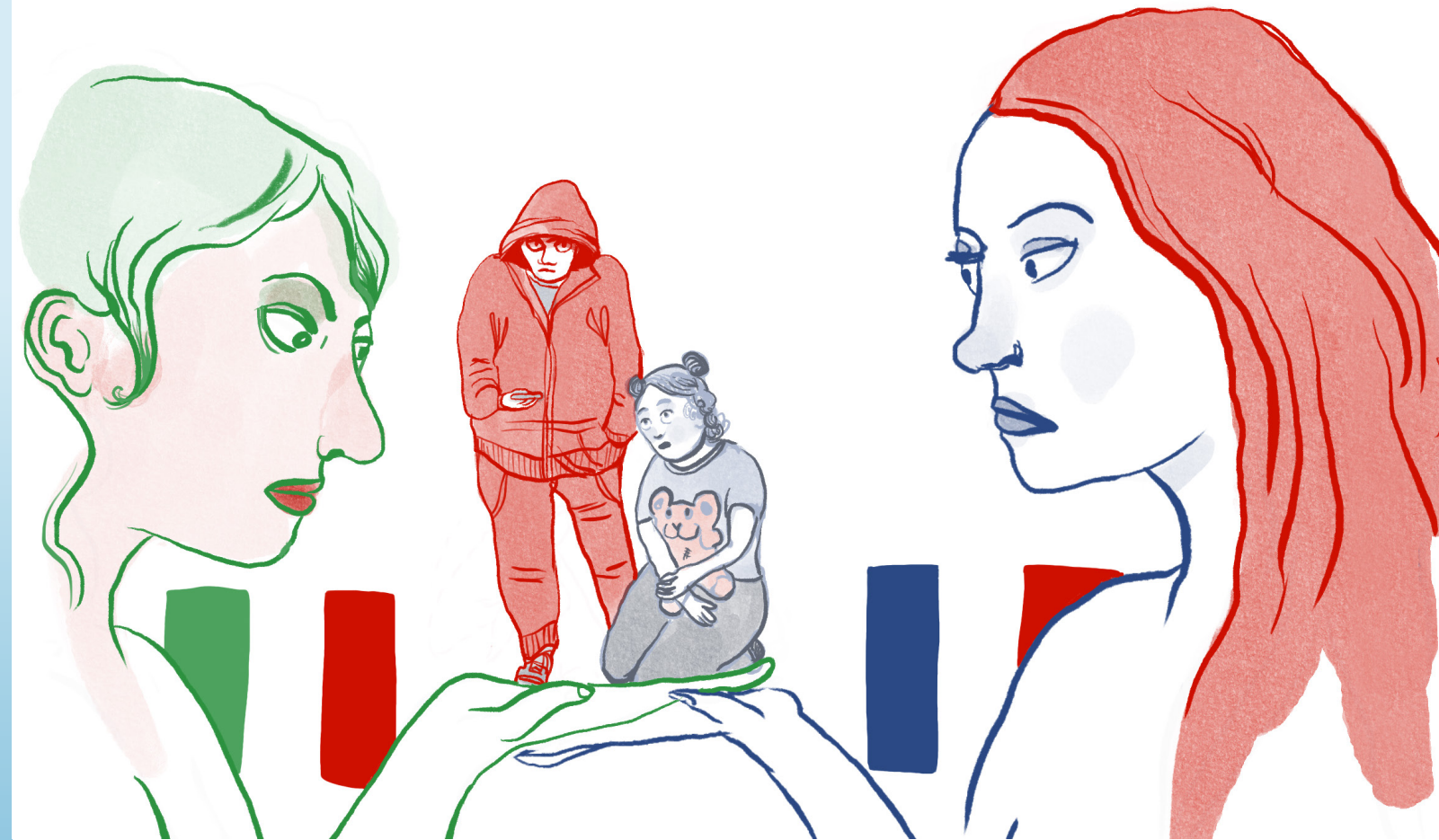


INDICATORS THAT COULD INDICATE THAT A MINOR IS A VICTIM OF HUMAN TRAFFICKING

BULGARIA

Red flags indicating that a child may be a victim of trafficking include:

- Begging, prostitution, pornography distribution, forced labour;
- Reports from domestic or foreign authorities indicating the child was trafficked or exploited;
- Abandonment abroad (including newborns or minors left without guardianship);
- Behavioural and psychological indicators such as trauma, fear, or withdrawal;
- Lack of valid identity documents or possession of falsified ones.



[ENABLING CIVIL SOCIETY TO REPORT SITUATIONS OF HUMAN TRAFFICKING

EUROPEAN REGULATORY FRAMEWORK

Directive 2011/36/EU⁴ of 5 April 2011 on preventing and combating trafficking in human beings requires Member States to implement assistance, support and protection measures for all child victims of human trafficking.

CHALLENGES

Identifying situations of exploitation of unaccompanied minors can be complex for the authorities due to the volatility of potential victims.

The psychological hold of criminal networks and addiction to drugs and narcotics make it difficult for unaccompanied minors who are victims of human trafficking to report their situation.

Although these groups are visible in public spaces, the human trafficking and exploitation by criminal networks of which they are victims are rarely noticed. However, reporting these situations to the judicial authorities is vital if criminal investigations are to be launched and support put in place.

⁴ Directive 2011/36/EU



BELGIAN CONTACT POINT FOR VICTIMS OF HUMAN TRAFFICKING

MINISTRY OF JUSTICE – BELGIUM

Since 2022, the Belgian Ministry of Justice has been funding a website that also serves as a point of contact, also known as a “stop human trafficking”⁵ contact point through the funding of specialised reception centres for victims of human trafficking.

The development of this contact point is the result of close collaboration between the Belgian Federal Public Service Justice and specialised centres.

Victims of trafficking or people who are aware of a trafficking situation can obtain further information or report the situation. This is a free and confidential service, with the option of remaining anonymous.

This method tends to be more accessible to the public than reporting to the police.

The site explains in clear language what human trafficking is and describes the forms it can take. As some situations may be complex, a list of indicators helps victims or witnesses to determine whether trafficking is involved.

An escape button is built into the website to be used by victims who are being threatened or are under strict surveillance by traffickers. They can exit the web page with a single click.

In 2023, a dedicated phone number was introduced to strengthen the system. It is available on a 24/7 basis to help and guide victims. It complements the hotlines that already exist at the reception centres.

The on-call services at the support centres deal with reports and put victims in contact with the police and the public prosecutor’s office for any statements they may need to make.

Since 2024, the site features a new section focused on prevention and awareness (in the form of brochures and videos). These resources are available to everyone free of charge.

⁵ <https://www.stophumantrafficking.be/what-human-trafficking>

ESTABLISHING A RELATIONSHIP OF TRUST WITH UNACCOMPANIED MINORS LIVING ROUGH

EUROPEAN REGULATORY FRAMEWORK

The European Parliament, in a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, calls on Member States “to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children” and “recalls that specific safeguards should be put in place for children who come into contact with any judicial or related proceedings and stresses the need to train specialised staff” (paragraph 20).

Directive 2011/36/EU⁶ of 5 April 2011 on preventing and combating trafficking in human beings requires Member States to implement assistance, support and protection measures for all child victims of human trafficking.

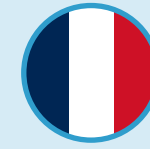
CHALLENGES

Unaccompanied minors who commit criminal offences are sometimes influenced by their environment and exposed to violence. Their living conditions are dangerous and precarious, and they may suffer from multiple addictions (drugs, narcotics).

The educational relationship is difficult to build because of the mistrust shown towards institutions, failure to attend police, court or educational summonses, and episodes of running away.

The fact that these minors live rough and their volatility make providing them with support particularly complex, as they need care adapted to their deteriorating social and health situations, and require specialised professionals.

⁶ Directive 2011/36/EU



THE “HORS LA RUE” ASSOCIATION’S GUIDE AND STREET OUTREACH WORK TO CONNECT WITH MINORS LIVING ROUGH

PARIS – FRANCE

Hors la Rue is an association whose aim is to support foreign at-risk minors.

A guide to help unaccompanied minors who could fall victim to criminal networks.

Based on experience in the field, it provides practical advice on how to spot and identify child victims and then support them.

This guide recommends that professionals adopt a patient, persistent, inventive and consistent approach to forging links with these minors. Encounters can be frustrating because the minors do not want to open up, but repeated, regular visits help support workers gradually gain the trust of minors.

It is always advisable to respect the minor’s time scale and avoid talking about the exploitation situation during initial meetings. Responding to minors’ requests while observing and proposing concrete solutions to their specific needs (food, health, clothing) helps to create a bond of trust.

Street outreach work and a night shelter to help unaccompanied minors who are living rough and who may be forced to commit offences (in partnership with the Aurore association).

The aim of the street outreach teams is to identify, connect with and provide guidance to the minors they meet on the street so they can be taken into long-term care within a mainstream system.

The team acts as a contact point for the minor. The most common response is a request for physical care.

Minors identified as living rough can be offered a place in a night shelter. The facility has 12 places, including a room for girls. Admission is not conditional on a court order.

Daytime activities are offered outside the facility, as it is only a night shelter. The facility is staffed by a multi-disciplinary team: support workers, a healthcare mediator, a nurse and an art therapist. The aim is to enable the minors being monitored to keep their appointments, particularly medical appointments and court summonses, and to gradually work towards integration.

A similar street outreach scheme has been set up by the Lyon Metropolitan Authority, called Ligne 37.

[NETWORK OF RECEPTION FACILITIES FOR UNACCOMPANIED MINORS WHO ARE VICTIMS OF HUMAN TRAFFICKING

EUROPEAN REGULATORY FRAMEWORK

In a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, the European Parliament called on Member States “to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children” and “recalls that specific safeguards should be put in place for children who come into contact with any judicial or related proceedings and stresses the need to train specialised staff” (paragraph 20).

Directive 2012/29/EU on victims⁷ rights applies to minors and provides for the establishment of specialised care adapted to the needs of each of the minors concerned.

CHALLENGES

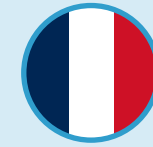
The challenge is to support minors involved in organised crime networks, whether they are perpetrators of criminal offences or victims of human trafficking.

Removing them from the environment of exploitation and criminal networks is essential. However, it is rare for minors who have been exploited as part of a network to seek protection

and removal from that environment.

In addition, some countries have expressed the need to consider placements abroad due to their size and the location of organised crime networks.

⁷ Directive 2011/36/EU



THE SATOUK NETWORK BELGIUM & FRANCE

Given the inadequacy of the system for protecting young victims of human trafficking in France, the Koutcha association looked to other European countries for innovative solutions.

In partnership with the Esperanto association (Belgium) and ECPAT, the Koutcha project aims to provide accommodation facilities in Europe dedicated to caring for minors and young adults who are victims of human trafficking. The project is supported by the European Commission's Asylum Migration Integration Fund (AMIF) programme.

A secure centre⁸ with a capacity of six places has opened in France, modelled on the one in Belgium. However, once the young people have been cared for at the centre, the goal is to refer them to more traditional services.

The Satouk National Network, coordinated by three professionals, was set up in 2022. It brings together shelters offering protection for minors and young adults who are victims of human trafficking, whatever the form of exploitation. The network is organised around a number of principles:

- Geographical remoteness and the implementation of tailored, individualised protection measures: accommodation, appropriate safety protocols, specific support, etc.;
- Training for reception centres that have volunteered to join the network;

- Support for the network's staff in welcoming and supporting young people, and in their relations with legal and child protection authorities;

- Regular meetings between partners to develop the partnership and build skills in this area.

Each member of the network has access to theory-based resources on human trafficking and to practical tools for supporting young people.

There are currently 25 facilities in the Satouk Network across 12 French departments and in Belgium: two safe and secure centres, 17 living and reception facilities, a maternity care centre, a therapy centre, two children's social homes and one foster family.

⁸ Refer to sheet on “Safe and Secure Centre”

[A SAFE AND SECURE CENTRE TO CARE FOR UNACCOMPANIED MINORS WHO ARE VICTIMS OF HUMAN TRAFFICKING

EUROPEAN REGULATORY FRAMEWORK

In a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, the European Parliament called on Member States “to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children” and “recalls that specific safeguards should be put in place for children who come into contact with any judicial or related proceedings and stresses the need to train specialised staff” (paragraph 20).

Directive 2011/36/EU⁹ of 5 April 2011 on preventing and combating trafficking in human beings

requires Member States to implement assistance, support and protection measures for all child victims of human trafficking.

Articles 20, 23 and 24 of Directive 2012/29/EU¹⁰ of the European Parliament recognise the right of victims to protection during criminal investigations.

CHALLENGES

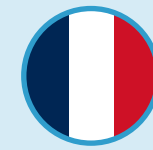
The challenge is to support minors involved in organised crime networks, whether they are perpetrators of criminal offences or victims of human trafficking.

Firstly, it is vital to remove minors from the environment of exploitation and criminal networks. However, it is rare for minors who have been exploited as part of a network to seek protection and removal from that environment.

Secondly, it is necessary to establish a relationship of trust with minors and put in place the necessary monitoring, particularly in terms of health, within a reassuring environment.

⁹ Directive 2011/36/UE

¹⁰ Directive 2012/29/UE



KOUTCHA CENTRE
FRANCE

The centre is open all year round and currently has six group accommodation places for young girls and boys aged between 13 and 18 who are victims or presumed victims of human trafficking. An on-call number for the centre's staff is available Monday to Sunday from 8 am to 8 pm.

The aim of the centre is to take in and stabilise these minors with a view to supporting and guiding them in their life plans, in a comprehensive and individualised way, in order to keep them away from the risk of being exploited again and to support them in achieving lasting social integration.

The multi-disciplinary team currently consists of a director, a head of educational services, a schoolteacher, 10 teachers, two-night supervisors, a housekeeper, an administrative/accounting officer, a nurse, a criminal lawyer and a psychologist.

The educational approach is based on safe and reassuring support.

Safe support:

- The establishment's address is confidential (a post office box has been set up);
- Specific safety rules have been implemented: mobile phones, internet access and social networking sites are prohibited throughout the reception period;
- An individual safety plan is put in place for each young person: for example, going out alone is not permitted for the first month;
- The site is located in a rural area to keep minors well away from the environment of exploitation and away from major cities and built-up urban areas, which are the main areas where exploitation takes place;
- A special surveillance system is installed inside and outside the centre (motion detectors, central alarm, video surveillance at the entrance) and two staff members are permanently on site with the minors.

Reassuring support:

Support is comprehensive and personalised for each minor, covering all areas: somatic and psychological health, legal and judicial matters, schooling, educational and family.

The approach to support and guidance is cross-disciplinary and its professionals are always on hand to help.

Lastly, a great deal of work is carried out on restoring a positive identity. The aim is to identify the young person's skills and to build on these to create added value for their future.



CRISIS CENTRE BULGARIA

Child victims of trafficking are placed, based on a court decision, in specialized crisis centres for up to six months. In certain cases, they may be temporarily housed (for up to 15 days) in facilities operated by the Ministry of Interior, upon authorization by the prosecutor. The centres implement a Methodological Guide for the Provision of Social Services in crisis centres, which ensures:

- Access to healthcare, psychological assistance, and trauma-informed care;
- Availability of legal representation and support;
- Multidisciplinary case assessment and monitoring through individual support plans;
- Close cooperation with local Child Protection Departments, which continue to monitor each case for a full year after the child's return.

The centres, operated under public service agreements, are part of a broader system that includes monitoring and support mechanisms.



NICHD PROTOCOL FOR POLICE INTERVIEWS OF MINORS

EUROPEAN REGULATORY FRAMEWORK

Directive (EU) 2024/1712¹¹ of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims requires Member States to promote or offer regular and specialized training for professionals likely to come into contact with victims or potential victims of trafficking in human beings, including police officers.

Article 6 of the ECHR sets out specific requirements to ensure the effective participation of children in criminal proceedings, including ensuring that the child's age, level of maturity, and emotional capacity are taken into account during proceedings.

CHALLENGES

Establishing a relationship of trust with exploited minors that allows to gather information about the networks and helps to combat human trafficking. The child's words are often an important part of the investigation.

For this reason, the interview must be objective. When the victim is an unaccompanied minor, the language barrier can be an obstacle, which is why an interpreter trained in the protocol is needed.

There are several ways in which investigators can ensure that the interview is conducted effectively:

- The use of an interview technique specific for interviewing minors (NICHD protocol);
- The use of interview rooms suitable for minors and equipped with audio-visual recording equipment;
- Staff training.

These interview techniques are mainly used when the minor being interviewed is the victim of one or more criminal offences. However, they could also be used for unaccompanied minors who have committed offenses, who are particularly vulnerable when caught up in organised crime networks.

¹¹ Directive (UE) 2024/1712

NICHD PROTOCOL

The NICHD protocol is an interview technique developed in 2008 by the University of Cambridge.

It has two main objectives based on two observations:

1. The emotions of the person listening to the child may result in influencing their answers;
2. Open-ended questions allow more information to be gathered.

Therefore, the fundamental objectives of the protocol are to avoid influencing the child's words and to obtain as much detail as possible by focusing on the facts. There are several parts to the interview:

- **Introduction:** The interviewer introduces themselves, explains their work and the environment in which the interview will be conducted.
- **Developing the working relationship:** Get to know the child by asking them to talk about themselves, in order to assess the child's language level, comprehension and ability to concentrate. Establish the rules of communication by explaining that they will be asked questions and encouraging them to state that they do not know if they do not have the answer, or that they do not understand if this is the case, and go over the notion of truth.
- **Episodic memory training:** The idea is to use a happy event in the child's life or a trivial moment to train them in time segmentation and cues. The aim of time segmentation is to ask the child "everything that happened from the beginning to the end". It is then a case of going through each of the stages again and going back over them "from the beginning

to the end", until the child has nothing more to say, until the segment of time has been "purged". Cues are elements unrelated to the actions – a person, a place, an object – giving the child the opportunity to provide us with information about these cues through prompts such as "tell me more about..."

- **Declarative part:** This is about getting to the facts. To do this, the interviewer asks the question.

If the child does not react or say anything, the interviewer will ask question 2 and so on until question 10.

1. "Now that I know you a little better, I want to talk about why you're here today."
2. "I understand that something may have happened to you. Tell me everything that happened from the beginning to the end."
3. "As I've already told you, my job is to talk to children (teenagers) about things that may have happened to them. It's very important that you tell me why you think we brought you here today."
4. "I heard you spoke to... Tell me what you talked about."
5. "I see, I heard that you have/had... Tell me all about it."
6. "<First name>, did something happen to you at <place>?"
7. "<First name>, has anyone done anything you didn't like?"
8. "Has anyone done anything to you that you think was wrong?"
9. "<First name>, has anyone done anything that made you feel uncomfortable/strange?"
10. "<First name>, I understand that you said (...). I want to know if something has happened to you."

Once the child has responded, the next step is to use time segments ("tell me everything from the beginning to the end about...", "and after...") and cues ("tell me more about that").

The time segmentation is the chronological account of the facts and should be the end goal of the interview.

The cues are key concepts that need to be explored in greater depth with the child: the person involved, the place, the time, but also certain words that the child uses.

Even with this questioning, if the interviewer finds that some elements are missing or ambiguous, the use of interrogative words can be considered, but should then be followed up with broader questions: How? When? Where? Who? What? Which one? How many? What did you want to say?

The interview continues with a more detailed exploration of certain points:

- What the child or the aggressor said, the exchanges that took place;
- Possible witnesses;
- Other possible victims;
- Allow the child to confide in you about something else, to add something else, to ask questions.

If the child does not mention the expected information, the interviewer can try an approach with this type of question:

"I've heard that you spoke to such and such a person at such and such a time and in such and such a place. Tell me what you talked about" and then "Tell me more about that".

"I heard that you told ... that (summary of allegation)."

As the interview progresses, it is important to reassure, encourage and praise the minor, taking care to refer to their attitude, not their statements.

- At the beginning, for example: "I'm pleased to meet you"; "My job is to listen to children, so I'm here to listen to you".
- During the interview: "I understand that it's difficult for you"; "you're really helping me to understand"; "I'm sure you can manage"; "you should be proud of yourself, you're helping me a lot to understand what happened" but not: "you told me that, that's good".
- End of interview: "I want to thank you for your help."

If the child does not say anything, you have to accept that they are not ready to do so and reassure them that they can come back when they are ready or if they remember anything else. Conclude the interview by steering the conversation towards a neutral subject.



NATIONAL CARE PLAN FOR HUMAN TRAFFICKING VICTIMS EXPLOITED BY CRIMINAL NETWORKS

EUROPEAN REGULATORY FRAMEWORK

In a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, the European Parliament called on Member States “to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children” and “recalls that specific safeguards should be put in place for children who come into contact with any judicial or related proceedings and stresses the need to train specialised staff” (paragraph 20).

Directive 2011/36/EU¹² of 5 April 2011 on preventing and combating trafficking in human beings requires Member States to implement assistance, support and protection measures for all child victims of human trafficking.

Directive 2012/29/EU¹³ of the European Parliament and of the Council of 25 October 2012 establishes minimum standards on the rights, support and protection of victims of crime.

CHALLENGES

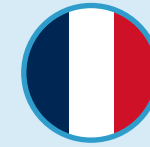
According to the UN and the Council of Europe, as of 2022, 50 million people had been recruited and exploited worldwide, and trafficking was estimated to generate profits of up to \$150 billion a year.

In 2022, the French police and gendarmerie recorded 2,027 victims of human exploitation or trafficking in France (up 12% on 2021).

Defining public policies to combat human trafficking at a national level improves coordination between the various stakeholders and helps identify victims with a view to protecting them.

¹² Directive 2011/36/EU

¹³ Directive 2012/29/UE



NATIONAL PLAN TO COMBAT THE EXPLOITATION AND TRAFFICKING OF HUMAN BEINGS 2024–2027

MIPROF: INTERMINISTERIAL MISSION FOR THE PROTECTION OF WOMEN AGAINST VIOLENCE AND THE FIGHT AGAINST HUMAN TRAFFICKING

This plan¹⁴ was drawn up by the Interministerial Mission for the Protection of Women against Violence and the Fight against Human Trafficking (MIPROF), as part of a consultation process involving more than 30 civil society associations, government departments and an independent national rapporteur (from the French Consultative Commission on Human Rights). It incorporates the recommendations of international bodies such as the European Union, the Council of Europe, the United Nations (UN) and the Organisation for Security and Cooperation in Europe (OSCE).

The plan has a dual purpose:

- To provide better protection for citizens, both minors and adults, against the attacks on human dignity caused by the various forms of trafficking and exploitation;
- To strengthen the effectiveness of criminal policy in dismantling and convict criminal networks, particularly transnational networks, and their exploiters.

Concrete actions have been taken:

- Partnerships have been formed with property rental platforms;
- Prevention videos were produced and shown in airports and French consulates abroad during the Paris 2024 Olympic Games.

- Day-long training sessions on human trafficking are organised in the courts for those involved in the judicial system, in partnership with the French National School for the Judiciary (ENM). These flash training sessions have already taken place in Paris, Marseille and Bordeaux and are open to judges, lawyers, police officers, gendarmes, labour inspectors, educators, social workers, healthcare professionals and members of the voluntary sector.
- They provide an opportunity to discuss sexual and labour exploitation with central offices (police) and field experts within the court's jurisdiction.
- The plan provides for the creation of a national mechanism for identifying, referring and protecting human trafficking victims, with the aim of providing support for them before they cooperate with the judicial authorities.

¹⁴ <https://www.egalite-femmes-hommes.gouv.fr/sites/efh/files/2024-04/Plan-de-lutte-contre-l'exploitation-accessible-EN.pdf>

[MULTIPARTY AGREEMENT

EUROPEAN REGULATORY FRAMEWORK

In a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, the European Parliament called on Member States “to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children” and “recalls that specific safeguards should be put in place for children who come into contact with any judicial or related proceedings and stresses the need to train specialised staff” (paragraph 20).

Directive 2011/36/EU¹⁵ of 5 April 2011 on preventing and combating trafficking in human beings requires Member States to implement assistance, support and protection measures for all child victims of human trafficking.

Directive 2012/29/EU¹⁶ of the European Parliament, and in particular Articles 8 and 26, requires Member States to ensure that access to victim support services is facilitated and that coordination and cooperation between services are facilitated.

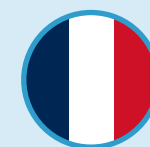
CHALLENGES

Professionals responsible for the protection of unaccompanied minors who fall victim to criminal networks often feel powerless to deal with the complexity of the problem and the difficulty of building relationships. The need to provide specific training to the professionals who deal with unaccompanied minors is vital if they are to detect situations of human trafficking and provide them with appropriate protection.

To provide comprehensive protection and appropriate care for the various problems faced by these minors (complex legal histories, drug and alcohol abuse, psychiatric disorders, traumatic experiences), multidisciplinary support is essential.

¹⁵ [Directive 2011/36/EU](#)

¹⁶ [Directive 2012/29/UE](#)



PARIS MULTIPARTY AGREEMENT FRANCE

A multiparty agreement has been signed in Paris between the city council, the prefecture, the departmental council, the youth judicial protection service and a number of associations, to provide specific care for minors who are victims of human trafficking, with the support of local stakeholders.

The aim is to encourage the placement of minors in suitable facilities, keeping them away from active networks and offering them comprehensive medical assistance and administrative support, provided by specially trained staff.

Reports must be sent to the public prosecutor by any entity faced with a situation of trafficking to the detriment of a minor (investigation services, child welfare services, particularly when assessing whether a person claiming to be a minor and unaccompanied is a minor and living alone, youth judicial protection service, juvenile court judges or associations). If the system is to be effective, information must flow in real time between the various parties to the agreement. The extension of this system to the whole of France is encouraged, so that minors can be placed under safe conditions.

A dispatch from the Ministry of Justice dated 8 February 2021 encourages the courts to extend the system for dealing with minors who are victims of human trafficking or any form of exploitation to the whole of France.

The system focuses on detecting and reporting child victims, and on linking the criminal investigation with protective measures (giving priority to educational measures rather than criminal penalties).

In particular, the dispatch recommends:

- the use of a standard reporting form for those likely to identify situations of human trafficking (in particular the youth judicial protection teams present at the time of referrals);
- placement in a centre that is aware of human trafficking and whose location is kept secret;
- the systematic appointment of an ad hoc administrator;
- a reminder that a minor who has committed an offence under duress must be considered a victim;
- specialisation and training of stakeholders.



THE COORDINATION MECHANISM FOR REFERRAL AND CARE OF CHILD VICTIMS OF TRAFFICKING

BULGARIA

The Coordination Mechanism for Referral and Care of Unaccompanied Bulgarian Children and Child Victims of Trafficking Returning from Abroad functions as an institutional framework for coordinated response across central and local levels.

It sets out responsibilities for cooperation between all involved stakeholders, ensuring effective inter-institutional and interdisciplinary case management. The Mechanism facilitates identification, protection, referral, repatriation, and long-term monitoring of trafficked children.

Under the Mechanism, the State Agency for Child Protection (SACP) coordinates the repatriation of child victims of trafficking in close cooperation with the Social Assistance Agency (SAA), the Ministry of Interior, the Ministry of Foreign Affairs, and Bulgaria's diplomatic and consular missions. The entire process—from deployment of social workers abroad to the safe return of the child and their placement into specialized services—is centrally coordinated. Financial arrangements, such as airfare and accommodation for professionals escorting the child, are also managed jointly.

The SACP worked on 26 cases involving 32 child victims of trafficking during 2024. These children, all Bulgarian nationals, were subject to sexual and labour exploitation, abandonment, or criminal involvement abroad. Cases originated in the United Kingdom, Germany, France, Greece, Denmark, Austria, Cyprus, and other countries.

Effective coordination across institutions, robust placement procedures, and strengthened practices within crisis centres have significantly contributed to the reduction of trafficking cases involving children in Bulgaria.

Exchange of information between States and multi-partner work, guaranteeing better adapted care for unaccompanied minors who are victims of organized crime networks.



[A MINORS' UNIT WITHIN A LEGAL BAR ENABLING LAWYERS TO SPECIALISE

EUROPEAN REGULATORY FRAMEWORK

In a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, the European Parliament called on Member States “to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children” and “recalls that specific safeguards should be put in place for children who come into contact with any judicial or related proceedings and stresses the need to train specialised staff” (paragraph 20).

Directive 2013/48/EU¹⁷ on the right of access to a lawyer includes direct references to children in recitals 52 and 55 of its preamble and in Article 5(2) to (4) and (5). This text applies from the moment a person is suspected of having committed an act until the end of the proceedings.

Article 6 of Directive 2016/800/EU¹⁸ requires the presence of a lawyer when a minor is involved in criminal proceedings.

CHALLENGES

The challenge is to protect and assist minors who commit offences, to enable them to escape the downward spiral of delinquency and the clutches of criminal networks.

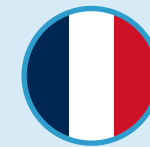
It is rare for unaccompanied minors who have committed offences under the influence of an organised crime network to come forward and report it.

As they show a great deal of mistrust of the institutions and face numerous problems, the appointment of a single specialist lawyer to represent them in all legal proceedings involving them seems necessary.

Furthermore, appointing a single lawyer to represent the minor means that any proceedings and investigations relating to that minor can be coordinated. This means that the same lawyer can be appointed to represent the minor as the perpetrator in one set of proceedings and as the victim in another.

¹⁷ Directive 2013/48/U

¹⁸ Directive (UE) 2016/800



MINORS' UNIT PARIS BAR

The Minors' Unit is responsible, on behalf of the President of the Bar, for assigning lawyers who defend minors on a court-appointed basis in all proceedings, whether they are perpetrators or victims. To this end, it manages the duty rota at the juvenile court and before the juvenile investigating judges.

Its lawyers provide legal services two mornings a week for unaccompanied minors and every afternoon for all minors, either at the court premises or by telephone.

Lawyers provide free consultations at a centre providing access to the law and a centre offering multidisciplinary care for teenagers.

Lastly, the Minors' Unit organises prevention initiatives in schools.

The Unit's lawyers also routinely defend minors who are victims of human trafficking.

To be included on the list of lawyers for the Minors' Unit, lawyers must undergo specific training consisting of a theory part organised by the unit managers, involving the completion of a multiple-choice questionnaire, and a practical part in the form of tutoring.

The practical training includes the tutored lawyer's attendance, alongside tutors, at a total of eight hearings and duty sessions:

- At civil proceedings: a hearing led by a family affairs judge, an “unaccompanied minor” educational assistance hearing, and a standard educational assistance hearing;
- At criminal proceedings: one hearing before a juvenile court judge and two hearings before the juvenile court;
- As part of access to the law: a dedicated consultation service for unaccompanied minors.

[DETECTING HUMAN TRAFFICKING IN UNACCOMPANIED MINORS SEEKING INTERNATIONAL PROTECTION

EUROPEAN REGULATORY FRAMEWORK

Article 24 of Directive 2012/29/EU¹⁹ on victims' rights contains a provision on the right of child victims to protection during criminal proceedings, and the Directive also includes several provisions relating to the protection of victims in general.

In a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, the European Parliament called on Member States "to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children" and "recalls that specific safeguards should be put in place for children who come into contact with any judicial or related proceedings and stresses the need to train specialised staff" (paragraph 20).

Council Directive 2004/81/EC²⁰ on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities, provides that the nationals concerned are to be granted a reflection period in which to decide whether to cooperate with the competent authorities. On expiry of this period, the Member States shall consider whether to authorise the national to reside on their territory.

CHALLENGES

For unaccompanied minors caught up in organised crime networks, cooperation with the authorities and access to residence are major issues.

Unaccompanied minors who are or have been victims of criminal networks are likely to apply for international protection. It is essential for the staff who work with them and can detect exploitative situations to be trained in the indicators and procedures that can lead to the protection of these minors.

¹⁹ Directive 2012/29/UE

²⁰ Directive 2004/81/CE



GUIDE TO THE EARLY IDENTIFICATION OF VICTIMS OF TRAFFICKING AMONG ASYLUM SEEKERS

ITALY

In 2015, the Italian authorities, together with the Office of the United Nations High Commissioner for Refugees and the European Union, published guidelines for identifying victims of trafficking among asylum seekers²¹. It is a practical tool for the effective protection and assistance of victims of human trafficking.

This guide also establishes Standard Operating Procedures (SOPs) to promote the referral of potential victims, identified during the administrative asylum procedure (more specifically during the interview), to the organisations responsible for combating human trafficking.

The indicators differ from those developed by international organisations. They are based on symptoms that recur in many asylum procedures in the following areas:

- the asylum seeker's personal and psychological profile (place of origin, age, family, education);
- their background and experience in transit countries (traffickers' recruitment strategies, routes, debts);
- their current situation in Italy (lack of social integration, having a partner with whom the relationship is unclear, for example);
- their general attitude during the interview (contradictory or partial statements, behaviour during the interview, reluctance to divulge information).

The guide contains a set of specific provisions for minors who are victims of human trafficking. In addition, Italian law (Legislative Decree 286/1998, Article 18) provides that victims of exploitation or trafficking, including minors, are entitled to special protection and have access to a specially designed assistance and integration programme. They are granted a special residence permit on humanitarian grounds.

The programme includes social, health, psychological and legal assistance, safe accommodation and measures to make it easier for victims to find work.

Lastly, victims of human trafficking are not required to cooperate in criminal proceedings, as a residence permit may be granted regardless of whether the victim cooperates with the authorities.

²¹ ENGLISH_GUIDELINES_UNHCR_NAC_2023.pdf

LANGUAGE MEDIATORS FOR UNACCOMPANIED MINORS

EUROPEAN REGULATORY FRAMEWORK

In a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, the European Parliament called on Member States “to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children” and “recalls that specific safeguards should be put in place for children who come into contact with any judicial or related proceedings and stresses the need to train specialised staff” (paragraph 20).

Article 6, paragraph 3, of the European Convention on Human Rights provides, in particular, that everyone accused of an offence has the right to be informed promptly, in a language they understand, of the charge against them.

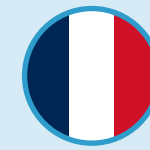
Similarly, Article 31 of the Lanzarote Convention specifies that information provided to a minor must be in a language they are able to understand.

CHALLENGES

The educational relationship with an unaccompanied minor who is the victim of a criminal network is difficult to build, particularly because of the mistrust they may show towards institutions.

One of the major challenges identified in dealing with these minors is the language barrier. This makes it difficult not only for minors to understand legal proceedings, but also to provide support for them and develop a plan for the future.

In some countries, identified as “transit countries”, minors are not able to learn the language. However, they may be the subject of legal proceedings, requiring the services of interpreters trained in human trafficking and the care of minors.



PRESENCE OF A LANGUAGE MEDIATOR IN DETENTION

**FLEURY-MÉROGIS JUVENILE DETENTION CENTRE – ESSONNE
REGIONAL DIRECTORATE - ILE-DE-FRANCE OVERSEAS
INTERREGIONAL DIRECTORATE, FRANCE**

In response to the obstacle of the language barrier in providing effective educational support, the youth judicial protection service decided to employ a language mediator at Fleury-Mérogis juvenile detention centre.

The aim of setting up language mediation was to facilitate communication, provide linguistic analysis, and support the development of an educational relationship between unaccompanied minors in prison and the educational team.

The mediator takes part in discussions between unaccompanied minors and support workers, and in interviews and other activities. The mediator provides a sociolinguistic analysis by helping to assess the young person's situation. Their knowledge of the language and culture helps to build trust more quickly, as they are recognised by, and known to the minors.

The mediator is also able to explain the proceedings underway to detained minors, and the role of each of the parties they come into contact with during their legal journey (educators, prison guards, judges and prosecutors, medical teams, etc.).

The mediator is present every working day, from Monday to Friday, which means that they can be called on at any time, particularly in an emergency situation or when a young person expresses a feeling of unease that requires the immediate involvement of the educational team working in the juvenile section.

An agreement setting out the terms of engagement, timetable, equipment provided, safety and security instructions applicable to detention, and an obligation of secrecy has been signed between the youth judicial protection service and the language mediator.

This arrangement has been extended to all prisons in the Ile-de-France region that are likely to take in unaccompanied minors.

[PSYCHOLOGIST-LED INTERVIEWS OF UNACCOMPANIED MINORS WHO ARE VICTIMS OF HUMAN TRAFFICKING

EUROPEAN REGULATORY FRAMEWORK

The Council of Europe Guidelines on Child-Friendly Justice, which are not legally binding, set out the right to child-sensitive interviews and hearings.

Similarly, Article 24 of Directive 2012/29/EU²² on Victims' Rights provides for the possibility of audiovisual recording of child victim hearings and their use as evidence during criminal proceedings.

In a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, the European Parliament called on Member States “to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children” and “recalls that specific safeguards should be put in place for children who come into contact with any judicial or related proceedings and stresses the need to train specialised staff” (paragraph 20).

CHALLENGES

Establishing a relationship of trust with exploited minors provides information about the networks and helps to combat human trafficking. The child's words are often an important part of the investigation.

In order to gather evidence as part of a criminal investigation, it is possible to use interview techniques specially developed for minors (use of dedicated rooms, a specific protocol, trained staff).

These interview techniques are mainly used when the minor being interviewed is the victim of one or more criminal offences. However, they could also be used for unaccompanied minors who committed offenses, who are particularly vulnerable when caught up in organised crime networks.

²² Directive 2012/29/UE



INTERVIEWING CHILD VICTIMS, BASED ON ARNOLD GESELL'S THEORY OF DEVELOPMENT

SPAIN

The Spanish judicial system uses an interview method specially adapted for child victims. A specialised psychologist and, in some cases, a social worker first meet the minor in a room set up for children (with toys, light colours and windows).

They explain to the child what is going to happen and what the rules are (they have to tell the truth and if they do not know something they must say “I don't know”). In this first room, the child is accompanied by someone they trust.

The person conducting the interview (the psychologist) has information about the pending criminal proceedings. The judge, prosecutor and lawyers have previously provided the psychologist with their questions and key points. When the first interview is over, the minor and psychologist go to a second room, again set up for children.

This second room has a glass wall that allows the judge, prosecutor, lawyers and other parties to the proceedings in the adjoining room to see and hear what is happening.

The room is equipped with microphones and cameras to record the interview. The psychologist asks the minor questions, without being too direct, trying to let the minor tell their story in their own way, without pressure.

[ADAPTING WORKING METHODS TO UNACCOMPANIED MINORS COMING INTO CONTACT WITH THE JUSTICE SYSTEM

EUROPEAN REGULATORY FRAMEWORK

In a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, the European Parliament called on Member States “to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children” and “recalls that specific safeguards should be put in place for children who come into contact with any judicial or related proceedings and stresses the need to train specialised staff” (paragraph 20).

Directive 2011/36/EU²³ of 5 April 2011 on preventing and combating trafficking in human beings requires Member States to implement assistance, support and protection measures for all child victims of human trafficking.

Furthermore, Directive 2016/800/EU²⁴ on the establishment of procedural safeguards for children who are suspects or accused persons in criminal proceedings establishes specific measures, applicable to minors in conflict with the law, which are more restrictive than those provided for adults.

CHALLENGES

The challenge is to support minors involved in organised crime networks, whether they are perpetrators, witnesses of criminal offences and/or victims of human trafficking.

Unaccompanied minors can be distrustful of institutions, and the language barrier is often an additional difficulty in building a relationship of trust with them.

This barrier makes it difficult for minors to understand legal proceedings.

At the custody and trial stages, the main challenge for those involved in the justice system is to establish a relationship of trust with the minors brought before them. To achieve this, it is essential to develop effective, appropriate tools.

²³ Directive 2011/36/EU

²⁴ Directive (UE) 2016/800



THE WORK OF THE YOPE (YOUNG PERSPECTIVES) ASSOCIATION

AMSTERDAM – NETHERLANDS

The YOPE association trains legal professionals and tries to adapt juvenile justice through a creative and positive approach.

The association has several departments:

- YOPE FACILITATES runs street art and sports workshops;
- YOPE SUPPORTS puts volunteer tutors in touch with minors as part of a mentoring scheme;
- YOPE TRAINING and CONSULTANCY is responsible for international projects and provides training for those involved in the justice system.

Since 2017, the “YOPE EXPERTS” project has been involved in putting together a team of minors who have had a brush with the law and are aged between 19 and 26. They are appointed as experts for a period of two to three years.

They have experience of custody and can share this during training courses or presentations for legal professionals (judges and prosecutors, probation services, support workers). They receive remuneration for this.

These meetings with legal professionals, using a variety of creative methods, create a safe space for sharing.

The feedback has been very positive, with both legal professionals and young people feeling that everyone involved has changed their perspective.

As part of this initiative, a video²⁵ has been produced to explain the legal process to juvenile offenders.

²⁵ vimeo.com

[A CONTACT POINT ON MATTERS RELATING TO CHILD TRAFFICKING

EUROPEAN REGULATORY FRAMEWORK

Article 18b of Directive (EU) 2024/1712²⁶ states that Member States should encourage both general and specialised training for judges and prosecutors involved in criminal proceedings, in particular to enable them to detect, identify, assist, support and protect the victims.

CHALLENGES

Prosecutors and judges require specific training in the particularities of the fight against human trafficking in order to keep their knowledge up to date, in particular on criminal networks whose activities evolve with changes in society and new technologies. Their training must also focus on understanding the needs of children who fall victim to trafficking and exploitation.

In addition to this training, which is essential to the exercise of their functions, the question of sharing information between prosecutors and judges, and between different judges who have jurisdiction and are likely to address the situation of the same children, for example as victims of the criminal procedure and as children to be protected under child protection laws, is crucial.

Functioning in silos and limited sharing of information between professionals are likely to hinder or, at the very least, slow down the treatment of child victims in a manner that is appropriate and comprehensive while providing for their security. It is therefore vital, in addition to implementing a space for dialogue that respects professional secrecy between prosecutors, judges, lawyers, the police, social workers and any other professional involved, to set up points of contact.

²⁶ Directive (UE) 2024/1712



APPOINTMENT OF A CONTACT POINT ON MATTERS RELATING TO CHILD TRAFFICKING AND EXPLOITATION AMONG JUDGES FOR JUVENILES AND RELEVANT PROSECUTORS

FRANCE

The appointment of points of contact within prosecution services and courts, specialising in child trafficking and matters relating to unaccompanied minors, provides all the professionals involved, whether lawyers, police officers, educators, social workers or healthcare professionals, with an identified contact person with appropriate training.

As an example, the Judicial Courts of Bobigny and Paris each have 16 judges for juveniles with responsibility for both the protection of minors at risk and the criminal justice of minors. Among these 16 judges, a point of contact has been appointed within each court for matters relating to trafficking in human beings.

At Bobigny Juvenile Court, this specialist is in direct contact with the Hors La Rue association which aims to identify and support foreign children and teenagers at risk, and ensure their rights are respected. The association provides the point of contact on a quarterly basis with a list of minors identified as being at risk or who are clearly victims of trafficking.

This list is then sent to the fifteen other juvenile court judges to ensure they are aware of this information if these minors should be the subject of criminal proceedings. Furthermore, the judge for juveniles who is the contact point is also in touch with their counterpart in the Prosecutor's Office, who is the point of contact specialising in matters relating to human trafficking, exploitation and procuring.

In Paris, a judge for juveniles is appointed as the point of contact, in particular to enforce the Multiparty Agreement of 1 June 2016 aimed at setting up experimental measures to protect minors who are victims of human trafficking. Among other measures, this protocol ensures that, when a child trafficking victim is identified, the Prosecutor's Office is immediately informed so that protection measures can be taken (temporary placement order). Within the Prosecutor's Office, several prosecutors are appointed as points of contact for such matters, particularly in the juvenile section.

EDUCATIONAL SERVICE FOR THE CARE OF UNACCOMPANIED MINORS WITHIN THE COURT

EUROPEAN REGULATORY FRAMEWORK

Directive 2012/29/EU²⁷ on victims' rights applies to minors and provides for the provision of specialized care tailored to the needs of each minor concerned.

Furthermore, Article 7 of Directive 2016/800/EU requires that minors in conflict with the law receive a personalized assessment of their situation.

The European Parliament, in a resolution of 11 March 2021 adopted in view of the EU Strategy on the rights of the child, calls on Member States “to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children” and “recalls that specific safeguards should be put in place for children who come into contact with any judicial or related proceedings and stresses the need to train specialised staff” (paragraph 20).

CHALLENGES

The challenge is to protect and assist minors who commit offences, to enable them to escape the downward spiral of delinquency and the clutches of criminal networks.

It is rare for unaccompanied minors who have committed offences under the influence of an organised crime network to come forward and report it.

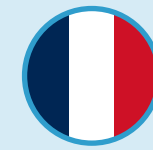
Their support is complex due to a number of issues faced by educators, in particular:

- minors who are victims of human trafficking;
- traumatic experiences;
- abuse of medicines, drugs and alcohol;
- psychiatric disorders;
- difficulties in restoring their identity, which hinders educational follow-up on account of the use of numerous aliases.

Furthermore, these minors have serious criminal records. They may be known to several courts, are often tried in their absence and accumulate custodial sentences. Finally, they display a great deal of mistrust towards institutions.

²⁷ Directive 2012/29/UE

²⁸ Directive (UE) 2016/800



COMMUNITY-BASED EDUCATIONAL SERVICE FOR UNACCOMPANIED MINORS

(STEMO MNA) – PARIS REGIONAL DIRECTORATE - ILE-DE-FRANCE OVERSEAS INTERREGIONAL DIRECTORATE, FRANCE

The Paris Judicial Court has a Youth Judicial Protection service dedicated to monitoring unaccompanied minors aged between 13 and 21. This department is responsible for legal measures relating to investigation, education, security measures, sentencing and alternatives to prosecution.

The creation of this department has led to a reduction in the length and number of prison sentences for unaccompanied minors who have committed criminal offences.

Specific care for unaccompanied minors is provided in relation to the problems associated with migration and its traumas. The Community-Based Educational Service for Unaccompanied Minors (STEMO MNA) has set up a care support service focusing on health and addictions alongside administrative support and access to the law.

It is staffed by a multidisciplinary, multilingual team trained in the specific characteristics and needs of this group. For example, they receive training on migration routes and undergo first aid training (PSCI).

The STEMO develops integration activities in collaboration with other Youth Judicial Protection services and associations, in particular French as a foreign language classes and day centres. It also works with minors on risk behaviour and drug use.

To meet the specific needs of unaccompanied minors, a major partnership effort is underway. A number of partnerships have been set up with child welfare services, several associations (Hors la Rue, Aurore and France Terre d'Asile), the city and health services (Robert Debré Hospital and the Charonne and Pierre Nicole Centres for Addiction Care, Support and Prevention). Regular meetings are held with these partners.

As part of this, the STEMO took part in the “Minors on the Streets” project run by the City of Paris and made an educator available to carry out outreach work.

To connect with these minors, who are often living rough, the educators give them a snack, lunch vouchers, a personal hygiene kit and clothes, if necessary. They also help them access social security benefits.

Since 2022, the Public Prosecutor's Office of the Paris Judicial Court has been calling for international cooperation to confirm the identities of minors being monitored.

[PRINCIPLES OF NON-PROSECUTION AND/OR NON-APPLICATION OF PENALTIES

EUROPEAN REGULATORY FRAMEWORK

Article 8 of Directive 2011/36/EU²⁹ states that Member States must take the necessary measures to ensure that competent authorities are entitled not to prosecute or impose penalties on victims of trafficking in human beings for their involvement in criminal or other illegal activities which they have been compelled to commit.

CHALLENGES

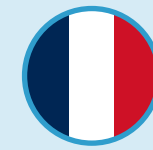
It is rare for unaccompanied minors who have committed offences under the coercion of an organised crime network to come forward. This makes it difficult to identify the circumstances that led to the offences being committed. In some cases, unaccompanied minors are tried as perpetrators without this issue being addressed.

It is essential to encourage minors to report criminal acts and to consider whether coercion was involved at the accusation stage, or alternatively when determining the sentence, in order to ensure an appropriate criminal justice response.

Once coercion has been established, or there are reasonable grounds to believe that the minor is a victim of trafficking, it is essential to ensure that the minor is not prosecuted or punished. If the minor is to be prosecuted, educational support must be provided, in particular to protect them from the criminal group behind the alleged offences.

Lastly, if the minor is found guilty, educational measures must be put in place to avoid them being subject to criminal penalties.

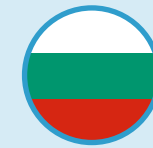
²⁹ Directive 2011/36/UE



LEGISLATION FRANCE

The law provides for coercion as a cause of exemption from criminal responsibility. Article 122 of the French Criminal Code states that “Any person who has acted under the influence of force or coercion which they could not resist is not criminally liable”.

A dispatch dated 8 February 2021, signed by the French Directorate of Criminal Affairs and Pardons and the French Directorate of Judicial Youth Protection, states that when the legal conditions set out in Article 122-2 of the French Criminal Code are met, the minor is not criminally liable and legal proceedings should be dropped. It specifies that, in any event, the minor’s status as a victim must be taken into account and that priority must be given to the implementation of appropriate educational measures rather than criminal penalties.



LEGISLATION BULGARIA

Since 2013, the Bulgarian Criminal Code has expressly provided that the perpetrator of a criminal offence cannot be convicted and punished if they are also a victim of human trafficking. Criminal Code – Article 16.a. “An act shall not be considered culpably committed if performed by a person who is a victim of human trafficking and was forced to perform such act in direct relation to being such victim”.

Furthermore, The Criminal Code contains special provisions relating to the criminal liability of minors aged between 14 and 18. Young children are not criminally liable.

In general, minors are not liable if they were unable to fully understand their actions or if they were influenced by an adult. There is a special system of criminal penalties for minors and the law provides for a reduced sentence. The law also allows the courts to impose correctional measures that are not considered to be penalties.



LEGISLATION ROMANIA

A juvenile offender under the age of 14 cannot be held criminally liable, whereas a juvenile offender aged between 14 and 16 can only be held criminally liable if it is proven that they were mentally competent at the time the offence was committed. To this end, a forensic psychiatric examination is mandatory and the minor’s prior written consent is required.

ESTABLISHMENT OF SPECIAL GUARDIANSHIP FOR UNACCOMPANIED MINORS

EUROPEAN REGULATORY FRAMEWORK

The Directives require Member States to take prompt action to ensure that unaccompanied minors are represented, assisted, aware of their rights and comply with their obligations (Article 6 of Regulation (EU) no. 604/2013)³⁰.

Furthermore, Article 14, paragraph 2 of Directive 2011/36/EU provides that States must appoint a guardian representing the best interests of the child.

On 11 December 2019, the Committee of Ministers of the Council of Europe published a recommendation on the implementation of an effective guardianship regime for unaccompanied children. The Committee of Ministers noted that unaccompanied minors are a particularly vulnerable group and are exposed to an increased risk of violations of their fundamental rights and freedoms.

Member States are encouraged to put in place a comprehensive framework of guardianship measures.

CHALLENGES

Most unaccompanied minors who are victims of human trafficking are living rough. Establishing a relationship of trust and informing young people of their rights is essential in preparing the ground for educational support.

They may be extremely distrustful of the authorities. However, because they are minors, they are entitled to care, accommodation and access to healthcare. Given their vulnerability and the absence of anyone with parental authority, the appointment of a legal guardian is a priority.

³⁰ Règlement (UE) 2024/1351



GUARDIANSHIP SERVICE MINISTRY OF JUSTICE – BELGIUM

Since 2003, a Guardianship Service, operating under the Ministry of Justice, has had jurisdiction throughout Belgium.

Unaccompanied minors are generally reported to the Guardianship Service by the police or by the Immigration Office, operating under the Ministry of the Interior. Most of them arrive in Belgium without any identity or residence documents.

The Guardianship Service is responsible for identifying minors and appointing a guardian in the weeks following the young person's arrival. The guardian has parental authority regardless of where the young person is placed. There are around 700 guardians in Belgium, and around a hundred of them are paid professionals. There are three types of guardians: volunteer, private and salaried.

Upon arrival, minors are placed in an orientation centre. It is at this stage that a guardian is assigned to them. After an observation period and depending on the availability of places, minors are transferred to a provincial location. The guardian is responsible for representing and supporting the minor, which involves:

- Representing the minor in all legal proceedings;
- Appointing a lawyer at the start of the minor's care;
- Preparing and helping minors at every stage of their asylum application;
- Proposing a long-term solution to the minor and explaining all the decisions taken by the Belgian authorities on their behalf.

In cases where the minor has committed an offence, guardians are often the ones who can end their police custody, as minors cannot leave a police station alone if they have nowhere to stay.

Guardians apply for social services and assistance and can decide where to place minors. Because most unaccompanied minors who are victims of human trafficking and living rough are often runaways and addicted to drugs, guardians work closely with local associations.



As soon as an unaccompanied minor arrives on Albanian territory, the police or the organisations responsible for refugees inform the child protection services.

An initial assessment of the minor's situation is carried out within 48 hours. This consists of checking their background, nationality, status and their reasons for entering the country. The decision on whether or not to return the minor is made within seven days of receiving the recommendation from the child protection services.

ASSESSMENT PROCEDURE

The border police are responsible for registering any person claiming to be an unaccompanied minor based on the identity documents presented. This person is considered to be a minor until their age has been accurately determined.

Their age is determined following an assessment of the identity documents, any medical or school records, and statements made during an interview.

If the minor remains in Albania and there are reasonable grounds for believing that they are a victim of human trafficking, they may be granted a temporary residence permit for a period of three months or one year, depending on their situation. In principle, this residence permit is not renewable, except in special cases provided for by law.

The minor will only be considered a permanent resident after they have registered with the civil registry services in their place of residence.

If there is any uncertainty about the person's age, the asylum authorities may request a medical examination. The person is informed, in a language they understand, of what the examinations will involve and the consequences for their application for international protection.

Any refusal of such protection by the authorities cannot be based solely on a person's refusal to undergo a medical examination. If any uncertainty remains, the person will be considered a minor.

KEY FIGURES

In 2023, the Albanian authorities registered 46 unaccompanied minors.

JUDICIAL TREATMENT OF JUVENILE OFFENDERS

The treatment of juvenile offenders is governed by the Juvenile Criminal Justice Code. A number of special provisions apply to juvenile offenders:

- Minors in conflict with the law are tried by the juvenile divisions set up in each court. The judges assigned to these courts are trained in juvenile criminal justice;
- Minors in conflict with the law are entitled to free legal and psychological assistance. They must be represented by a lawyer at every stage of the proceedings;
- Before making a decision concerning a minor, the judge or prosecutor calls in experts to assess the child's individual, health, family, social and environmental situation, with a view to understanding their personality and the extent of their responsibility. The judge or prosecutor must ensure that the time taken to draw up the expert report does not affect the time limits set for the criminal proceedings;
- Where minors are involved, either as perpetrators or victims, the court proceedings are held in camera;
- The publication of photographs of minors who are defendants, victims or witnesses in a criminal offence is prohibited. The court may authorise such publication only where it is in the interests of the minor or where the minor is 16 years old or over;
- Priority is given to out-of-court measures for juvenile offenders. The arrest and detention of a minor may only be used as a last resort and for a short period of time. The measure is subject to periodic review by the court.



Under Belgian law, an unaccompanied foreign minor (UFM) must meet the following criteria:

- Be from a foreign country and under 18 years of age;
- Be in Belgium without a legal representative (parent or guardian);

The person may also be:

- a national of a country that is not a member of the European Economic Area (EEA), who has applied for refugee status or does not meet the conditions determined by law for access to the territory and residence;

- a national of a Member State of the EEA or Switzerland who has applied for a temporary residence permit because of human trafficking or is in a vulnerable situation. In this case, it is up to the Guardianship Service to assess possible vulnerability on a case-by-case basis.

MINORITY AND ISOLATION ASSESSMENT

It is the Guardianship Service that is responsible for identifying UFM. Any authority or individual can report the whereabouts of a minor to this Service using a report form. The Guardianship Service is available seven days a week and can be contacted 24 hours a day by calling an emergency number.

Individuals are accommodated in an observation and orientation centre while awaiting assessment. Young people who are particularly vulnerable (girls, those with medical problems, and victims of human trafficking in particular) will be referred directly to a centre that specialises in their issues.

Within one to two months, the Guardianship Service will verify the young person's identity, checking whether they are actually a minor, a foreign national and unaccompanied. This is done by means of official documents in the minor's possession or information provided by them during an interview.

If the Guardianship Department or another authority (e.g., police, Immigration Office) has doubts about the young person's age after checking the documents provided, or if the young person has no documents, the Guardianship Department will arrange for a medical test to determine their age. If the person is considered to be a minor, a guardian is appointed immediately³¹.

KEY FIGURES

In 2021, there were 3,000 ongoing guardianships.

³¹ See sheet on the Guardianship Service

EXISTING RESIDENCE PROCEDURES FOR UNACCOMPANIED MINORS WHO ARE VICTIMS OF HUMAN TRAFFICKING

A number of residence options are available to persons recognised as unaccompanied minors (asylum application, residence permit on humanitarian or medical grounds, permission as a victim of trafficking). The guardian and the minor choose the most appropriate procedure for the young person's situation.

APPLYING FOR A RESIDENCE PERMIT AS A VICTIM OF HUMAN TRAFFICKING

Minors may apply for a residence permit on these grounds. Under Belgian law, human trafficking is defined as "the recruitment, transportation, harbouring or receipt of a person, by means of the transfer of control over that person, for the purpose of exploitation".

Minors who are victims of any form of exploitation may be issued with a residence permit, subject to certain strict conditions. The police are involved in this procedure, working alongside the Immigration Office.

This procedure also requires minors to cooperate with the legal system and be removed from the network that exploited them

[BOSNIA-HERZEGOVINA

Two criteria must be met to be recognised as an unaccompanied minor:

- The individual must be under 18 years of age;
- There must be no adult legally responsible for the minor in the territory of Bosnia and Herzegovina.

The law guarantees unaccompanied or separated minors the same rights and protection as any other minor in the country.

MINORITY AND ISOLATION ASSESSMENT

There is no official procedure, protocol, guide or recommendation put in place by the competent authorities to assess the age of persons claiming to be unaccompanied minors. However, the following tools are used to assess whether the person is a minor:

- Analysis of documents in the person's possession or obtained during the assessment;
- An estimate of age based on a person's physical appearance;
- An age assessment interview;
- An interview with social services;
- A psychological assessment.

PROCEDURE IN TEMPORARY RECEPTION CENTRES

On their arrival in Bosnia-Herzegovina, unaccompanied minors are taken to one of two temporary reception centres. A social welfare centre is immediately appointed as temporary guardian. The person is then referred to the Service for Foreign Affairs for registration, accompanied by their temporary guardian. The Service for Foreign Affairs assesses the person's minority and isolation status and, depending on their situation, may:

- Issue them a certificate stating that they wish to apply for asylum;
- Refer them to a medical facility for an examination, accompanied by their guardian;
- Issue them with an identity card after the medical examination;
- Place them within the area reserved for minors in a temporary reception centre.

If the Service for Foreign Affairs has any doubts about the person's age, the person's guardian is informed and must assemble a multidisciplinary team to conduct an interview. Following this interview, the multidisciplinary team will prepare an assessment report and send it to the Service for Foreign Affairs, which will proceed according to the procedure described above.

Psychological support (either in a group or one-on-one) is offered at each temporary accommodation centre.

The minor is then placed in a home. Guardianship is transferred to the social welfare centre of the municipality where the home is located.

KEY FIGURES

More than 9,040 individuals were identified in Bosnia and Herzegovina between 2018 and June 2024, and around 1,142 in 2024. They were mainly boys aged between 15 and 17, but they often claim to be older to avoid being separated from the group they are travelling with.





Under Bulgarian law, an unaccompanied minor is a foreign national under the age of 18 who is in Bulgaria and is not accompanied by a parent or other responsible adult.

REGISTRATION AND ASSESSMENT OF MINORITY STATUS

The law does not provide for a special procedure for registering asylum applications from unaccompanied minors.

On arrival, the young person will meet with a social worker who informs them of the measures that will be taken to identify them and of the possibility of applying for international protection. The social worker will draw up a social report on the minor's situation and chair a multidisciplinary team meeting to identify the actions to be taken in the minor's best interests.

The applicant's age is assessed using a combination of medical and non-medical methods. In most cases, the name and age shown on the documents provided are used.

In rare cases and as a last resort, a medical examination may be carried out to determine the minor's age. The minor's consent must be obtained and they must be informed, in a language they understand, of their right to refuse.

CARE

Unaccompanied minors are placed with a relative, in a foster family, or in a social institution suitable for minors.

The minor's opinion is taken into account when determining where to place them. Siblings are placed together wherever possible.

A guardian must be appointed for each unaccompanied minor. They have the following prerogatives until the young person reaches the age of majority:

- Ensure that the procedure for obtaining international protection runs smoothly until a final decision is reached;
- Represent them before all administrative bodies, including social, health and educational institutions, ensuring that their interests are respected;
- Ensure that assistance is available to them before the courts.

KEY FIGURES

According to data provided by the Bulgarian Refugee Agency, 2,601 unaccompanied minors were registered in the country in 2024.

JUDICIAL TREATMENT OF UNACCOMPANIED MINORS WHO COMMIT CRIMINAL OFFENCES

The Bulgarian legal system has civil, criminal and administrative courts. There is no family court or juvenile court.

The civil courts have jurisdiction over all matters relating to the protection, care and guardianship of unaccompanied minors. The administrative courts have jurisdiction over matters relating to their residence and asylum application. The criminal courts, whose judges are trained in children's rights, have jurisdiction over matters relating to delinquent behaviour.

The Bulgarian Code of Criminal Procedure provides for a special procedure for minors:

- Medical assistance is provided by order of the court or at the request of the minor, their guardian or their lawyer;
- If there is any uncertainty over the minor's age, the court may order a medical or psychological assessment;
- During the proceedings, the court will order the preparation of a social report on the minor's situation.
- Minors may only be detained in exceptional circumstances and for short periods;
- When a minor is prosecuted, their guardian and a social worker are summoned for the proceedings. A lawyer and a translator are made available. A psychologist may be appointed if necessary;



When a person declares themselves to be a minor and unaccompanied to a departmental council, they are sheltered for a period of five days by child welfare services. During this phase, an assessment of the situation is carried out. Two criteria must be met for a person to be considered an unaccompanied minor:

- Be under 18 years of age;
- Not have a legal representative in the country.

MINORITY AND ISOLATION ASSESSMENT

The departmental council or an approved association carries out this assessment. This assessment is conducted according to a set of guidelines³² and is essentially based on a face-to-face interview conducted in a language understood by the person concerned.

If the person submits documents, a document assessment procedure may be carried

out. If there are any doubts about age, the departmental council may ask the judicial authorities to order a bone X-ray examination, with the consent of the person concerned.

During this phase, the president of the departmental council will arrange for an initial assessment of healthcare needs.

DECISION OF THE JUDICIAL AUTHORITY AND ALLOCATION AT NATIONAL LEVEL

Once minority and isolation have been established by the departmental council and confirmed by the public prosecutor or juvenile court judge, the National Mission for Unaccompanied Minors is asked to propose a transfer to a specific French department. The unaccompanied foreign minor either remains in the department of arrival or is transferred to another department. The transfer proposal is based on an allocation key* calculated each year.

The law then guarantees unaccompanied foreign minors the same rights as nationals.

In 2024, 13,554 judicial placement decisions were recorded by the French Ministry of Justice.

³² Order of 20 November 2019 taken in application of Article R. 221-11 of the Social Action and Families Code relating to the procedures for assessing persons presenting themselves as minors and temporarily or permanently deprived of the protection of their family - Légifrance

CARE

The placement decision entrusts the minor to child protection services. The minor is then placed in a collective foster home, a foster family, or a flat. A social worker is appointed to monitor the minor, meet with them on a regular basis, work on their integration, and ensure all their needs are taken into account, specifically regarding healthcare.

Unaccompanied minors also receive the support of child protection services to obtain a residence permit when they come of age or to apply for asylum. A meeting must take place at age 17 to prepare the upcoming majority.

The Ministry of Interior has set up information tools to help unaccompanied minors access the asylum process (posters and leaflets translated into 10 languages). Training courses on access to asylum are also provided to professionals. The French Office for the Protection of Refugees and Stateless Persons pays particular attention to the examination of asylum applications from unaccompanied minors, with measures including training for protection officers, specific guidelines, and the publication of an Asylum Guide for Unaccompanied Minors.

When the minor turns 18, the department council offers to extend protection and support up until the age of 21. It allows the young person to keep benefiting from social support and aims to avoid any disruption in their life.

JUDICIAL TREATMENT OF JUVENILE OFFENDERS

The French Juvenile Criminal Justice Code establishes a simple presumption of responsibility from the age of 13 and a presumption of non-discernment below the age of 13.

From a criminal point of view, the prosecutor can decide to dismiss the case, to prosecute the offender in a court of law, or to implement an alternative to prosecution (reminder to obey the law, reparation measure, mediation, referral to a health or social structure, etc.).

To help the public prosecutor's office decide on the course of the proceedings and to individualize the prosecution, it may call on the services of an educational unit, part of the youth judicial protection services, which prepares a socio-educational information report containing all relevant information on the minor's situation and an educational proposal.

From a civil point of view, regardless of the course taken by the public Prosecutor's Office in the criminal proceedings, it assesses whether there

are grounds to refer the case to the authorities responsible for the administrative or judicial protection of children. In some cases, this referral may be considered a sufficient response.

Criminal and civil proceedings are independent of each other, even though sometimes the minor's situation may justify considering them as both a juvenile offender and an at-risk minor. With regard to the representation of minors, the French Juvenile Criminal Justice Code imposes three rules:

- A minor who is prosecuted or convicted is assisted by a lawyer;
- This differs from the case of child victims, who do not have to be represented except in the case of certain offences such as human trafficking;
- Minors are involved in choosing their lawyer;
- Where a lawyer has been appointed by the court, as far as possible the minor is represented by the same lawyer throughout the proceedings.



Under Italian law, to be recognised as an unaccompanied minor, the person must meet the following criteria:

- Be under 18 years of age;
 - Not be of Italian nationality;
 - Not have anyone with parental authority or a legal guardian on Italian territory.
- Unaccompanied foreign minors are minors that live with adults other than parents or relatives within the fourth degree, and who are not their guardians on the basis of a formal provision, since said minors lack legal representation under Italian law.

MINORITY AND ISOLATION ASSESSMENT

Persons claiming to be unaccompanied minors are identified by the police, who carry out an initial assessment and register them in a dedicated database within ten days of their arrival or the reporting of their presence on Italian territory, and once they have received humanitarian aid.

Identification is carried out for minors aged over 14 by means of photographic identification and fingerprinting.

As part of the identification process, the police examine the documents provided. This may involve contacting the diplomatic and consular authorities of the unaccompanied minors' countries of origin (except when the UFM expresses their willingness to seek international protection, if the procedure might entail a risk of prosecution, or if the minor refuses any involvement of the diplomatic-consular authority).

In the first instance, age screening is undertaken by the qualified staff of the first reception facility that interviews the minor, aimed at delving into their personal and family history. Minors are referred to initial reception centres run by municipalities.

Under art. 19 bis of Legislative Decree No. 142/2015, the age assessment is conducted with a multidisciplinary approach undertaken by

law enforcement and with the collaboration of the cultural mediator, in the presence of the UFM's temporary legal guardian or the legal representative of the reception facility.

In 2016, a specific provision for the age assessment of minors who are allegedly victims of trafficking (Decree No. 234/2016 of the President of the Council of Ministers) was approved. The Decree provides a procedure carried out by a multi-disciplinary team consisting of a social interview, including previous life experience relevant to the assessment, an auxological examination, and a psychological or neuropsychiatric assessment.

The health assessment is carried out according to criteria of progressive invasiveness. If there are reasonable doubts about the stated age and it has been impossible to determine it using a civil status document, the Public Prosecutor's Office of the Juvenile Court may order an assessment involving social and health examinations. The host municipality must complete this assessment within 48 hours. It consists of a face-to-face interview, followed by a psychological assessment.

If there are still doubts about the stated age, the Juvenile Court may order medical examinations upon the request of the Public Prosecutor. This decision may be appealed.

The person is presumed to be underage if doubts still remain after age assessment.

Once the social and health assessment has been carried out, the Juvenile Court adopts the age-assignment measure based on the results of the multidisciplinary procedure carried out and all the other data submitted.

Both the minor concerned and their provisional guardian are notified of this measure, which may be challenged before the Court of Appeal.

CARE

After the identification and age assessment phase, minors are taken into care in second-line reception centres run by municipal social services, depending on their age, specific needs and the number of places available. At these centres, they follow an individual integration programme based on their background.

The Italian UFM's reception system is regulated by Legislative Decree No. 142/2015, according to which children are hosted upon arrival in government reception facilities specifically designed for unaccompanied juveniles, where they are allowed to stay for the time strictly necessary for their identification, and in any case for a maximum of 30 days. During this period, minors have access to specific services such as psychological support and cultural mediation.

Subsequently, UFM's are hosted in 'second-level' facilities (so-called Sistema Accoglienza Integrazione – SAI), where they may have access to projects tailored specifically for minors. Their stay at the facility must be guaranteed until 6 months after attaining the age of majority.

The UFM's right to be sheltered in the aforementioned facilities is granted regardless of their willingness to seek international protection. However, a recent provision (Art. 19, para. 3 bis, Legislative Decree No. 142/2015, introduced by Law No. 176/23) allows that, in the event of recurring arrivals at short intervals, minors may be hosted in temporary facilities (so-called Centri di Accoglienza Straordinaria – CAS) where the number and type of services provided is unfortunately limited.

JUDICIAL TREATMENT OF UAM WHO COMMIT CRIMINAL OFFENCES

In the Italian juvenile system, jurisdiction lies with the Juvenile Court which has the power to dismiss the case, order alternative measures (such as probation), or proceed to trial. However, the aim is to re-educate the juvenile offender rather than punish them, and detention is generally considered a last resort.

The Public Prosecutor, meanwhile, has the power to initiate proceedings, but only for minors who are at least 14 years old, as Italian Law considers that younger subjects cannot be charged. If the offender is a foreigner, the Immigration Law (Legislative Decree No. 286/98) provides that they may be granted a special residence permit if they prove that they are following a social integration programme with good results.

Moreover, if there are reasonable grounds to believe that the minor is a victim of trafficking for the purpose of exploitation in illegal activities, they are entitled to a residence permit "for special cases" (Article 18 Legislative Decree No. 286/98).



The Department of Citizenship, Asylum and Migration of the Kosovo Interior Ministry is the body responsible for assessing the isolation and minority of people who declare themselves to be unaccompanied minors.

PROCEDURE FOR ASSESSING MINORITY AND ISOLATION

Each person claiming to be an unaccompanied minor must submit an application for international protection and, on arrival, will be assigned a representative to act on their behalf and assist them while their application is being reviewed. This representative is a social worker appointed by social services.

Efforts are made to find the parents or relatives of unaccompanied minors seeking asylum, in cooperation with the relevant organisations. Depending on their situation and after obtaining their consent, minors are placed with relatives, with a foster family, in a specialised centre or in accommodation suitable for children.

When a minor is granted international protection (i.e., asylum, subsidiary protection or temporary protection), social services will assign a legal guardian to them.

KEY FIGURES

In 2024, 14 unaccompanied minors were granted international protection in Kosovo and 15 were waiting for their applications to be reviewed.



[THE NETHERLANDS

Unaccompanied minors are young people who arrive in the Netherlands alone and apply for asylum.

To be considered an unaccompanied minor, the person must meet the following criteria:

- Be under 18 years of age on arrival in the Netherlands;
- Be from a country outside the European Union;

MINORITY ASSESSMENT:

If a person claiming to be an unaccompanied minor cannot prove their minority status with authentic identity documents, they will undergo an assessment.

This consists of:

- An interview with an official responsible for border control or the surveillance of foreign nationals, followed by an interview with two employees of the Dutch Immigration and Naturalisation Service, or;
- An interview with two officials responsible for border control or the surveillance of foreign nationals and an interview with one employee of the Dutch Immigration and Naturalisation Service.

- Have arrived in the Netherlands without a parent or guardian.

The Dutch Immigration Service is responsible for receiving unaccompanied minors. However, if the minor arrives at an airport, the military police will initially be responsible.

All persons claiming to be unaccompanied minors are recorded in a file dedicated to asylum seekers.

Following the interviews, the various officials who met with the person must reach a unanimous opinion regarding the person's minority status. The minority assessment covers the following points:

- Physical appearance;
- Behaviour;
- Statements made during the interviews;
- Any other relevant circumstances.

PROTECTION SYSTEM BASED ON ASYLUM APPLICATIONS

An unaccompanied minor for whom there is evidence of a need for protection is granted a residence permit. This is the same arrangement that applies to adult asylum seekers.

An independent institution provides guardianship for all unaccompanied minors until they reach the age of 18 or leave the Netherlands. The Dutch Immigration and Naturalisation Service has hearing rooms suitable for applicants under the age of 12, and staff are specially trained.

If the Immigration and Naturalisation Service considers that the minor is not in need of protection, their return to their country of origin will be considered based on how they will be treated when they arrive. The relevant departments will assess whether it is possible for the minor to be reunited with their parents or other family members. If the minor cannot be returned to their country of origin, they will be offered accommodation in a dedicated centre.

If the minor cannot be returned because they would be treated inappropriately in the country of origin, they may be granted a "no-fault" permit under certain conditions.

CARE

All unaccompanied minors who have applied for asylum have the right to shelter, education, access to healthcare and appropriate support. They are also required to attend school. Minors under the age of 15 are placed with host families. Minors aged between 15 and 18 are placed in small shelters separate from adults.

Finally, from the age of 18, people are placed in shelter for adults. If there is a high risk of human trafficking, the minor may be placed in a more closely supervised shelter where extra support is provided.

KEY FIGURES

In 2024, the Netherlands welcomed 4,771 unaccompanied minors.



In Romania, a minor is considered unaccompanied if they arrive in the country without a parent, legal guardian or responsible adult.

MINORITY ASSESSMENT

The age of an asylum seeker who is a minor is determined in accordance with the provisions of Romanian Law 122/2006 on asylum. If an asylum seeker declares that they are a minor and there is no significant reason to doubt this, they will be considered a minor.

If the person is unable to prove their age and there is significant uncertainty, the asylum services within the General Immigration Inspectorate will request an anthropological examination by a forensic institution. The person's prior written consent is required.

If the asylum seeker refuses to undergo this assessment and no proof of age is provided, they will be deemed to have reached the age of 18 on the date of their asylum application, except in cases where the refusal is based on legitimate grounds determined by a psychologist from the Inspectorate General of Immigration.

However, the refusal of an unaccompanied minor seeking asylum to undergo a forensic examination cannot be the sole reason for rejecting their asylum application, nor prevent the competent authorities from ruling on their application for international protection.

CARE

Unaccompanied minors who have applied for asylum and who have reached the age of 16 can be placed in reception centres run by the General Inspectorate of Immigration.

Those who have not reached the age of 16 are placed in centres specially designed for minors that fall under the responsibility of the Department of Social Welfare and Child Protection.

KEY FIGURES

In 2024, 51 unaccompanied minors applied for international protection. There were 163 in 2023.

JUDICIAL TREATMENT OF A MINOR WHO HAS COMMITTED CRIMINAL OFFENCES

A number of special provisions apply to minors who have committed criminal offenses:

- The appointment of a lawyer is mandatory;
- The parents, guardian, administrator, or any other person responsible for the minor, as well as the General Directorate of Social Assistance and Child Protection, are summoned by investigators when a minor is required to appear in court;
- Those in charge of the criminal investigation may request the probation service to assess the accused minor in order to determine the most appropriate educational measures. If this report has not been prepared at the investigation stage, the court hearing the case is required to request it;
- When the accused is under 18 years of age at the time of the hearing, it is held in camera and the trial is conducted by specialized judges. The probation service, parents, guardian, curator, or any other person responsible for the minor must be summoned;
- The hearing of a minor who has committed a criminal offense takes place only once, and the judge may only reexamine the minor's case in certain situations;
- The detention of a minor may only be ordered in exceptional circumstances and if the consequences of this deprivation of liberty are not disproportionate to the objective of the preventive measure.

When determining a sentence, the rule is to impose a non-custodial educational measure.

However, custodial educational measures (placement in an educational center or a detention center) may be ordered depending on the seriousness of the offense or if the minor has already been subject to a non-custodial educational measure that has not been complied with.



The Spanish National Police has sole jurisdiction over matters relating to foreigners and asylum, including the location, identification and protection of unaccompanied minors.

REGISTRATION OF UNACCOMPANIED MINORS

The Spanish National Police has exclusive jurisdiction over matters relating to foreign nationals and asylum, including the location, identification and protection of unaccompanied minors.

When a minor is identified by the police, they are added to the national register of unaccompanied minors. Their fingerprints are taken and stored in this database. The police carry out an initial assessment by authenticating the person's identity documents. If the person does not have any identity documents, appropriate steps are taken to identify them. The person is considered a minor for as long as their exact age remains undetermined. Minors are then referred to child protection services or initial reception centres.

The register of unaccompanied foreign minors (RUAM) contains information on unaccompanied minors on Spanish territory and is used solely to identify and locate them. Every ten days, the Spanish Autonomous Communities must send the list of missing minors so the register can be updated.

The register is managed by the General Department of the National Police and supervised by the Public Prosecutor. The latter ensures that all public and private bodies (mainly protection centres) required to include information comply with this obligation. The register is not public and is intended purely to provide information for ministries responsible for the protection of minors.

MINORITY ASSESSMENT

Age assessment is mainly carried out when people arrive without their documents or when the documents produced do not appear to be valid, or if there are reasonable doubts about their claimed age. The Public Prosecutor is responsible for investigating their age.

As part of this, a psychological assessment may be ordered, along with medical examinations (physical condition, height and weight, oral-dental development, sexual maturational development) to determine their age, with the person's consent. The Public Prosecutor's decision on age may be appealed.

CARE

Child protection services draw up an individual protection plan based on the needs of each minor. They decide whether to place the minor in a centre or with a foster family, and give them access to various resources, including education, healthcare and social welfare.

Reception facilities have been set up throughout the country to deal with the specific problems that some minors face, such as human trafficking or addiction.



[PRESENTATION OF THE VIDEO DELIVERABLES INTENDED FOR PROFESSIONALS AND USE STRATEGY

In the context of an increasingly digitalised justice system, this educational aid is a training and awareness tool that acts as a reminder of the good practices identified in discussions during the seminars, and aims to harmonise professional approaches at European level in order to ensure the rights of minors are respected.

Designed as an operational, cross-border tool, the video reflects the goals of the Just Child project: protection of minors, training of professionals, and harmonisation of practices.

CHALLENGES

BROAD AND ACCESSIBLE DISSEMINATION OF GOOD PRACTICES

The video makes it possible to share good practices and attitudes identified during the project seminars in a harmonised manner. It is based on feedback from partners and the work of the Scientific Committee.

EUROPEAN STANDARDISATION AND TRANSPOSABILITY

Intended for use across borders, the video is in English with subtitles in French and Italian, to reach a wide professional audience across Europe.

Special care has been taken to remove distinguishing features for the sake of cultural neutrality and relevance of the content in different EU nations and candidate countries.

POTENTIAL USES FOR THE VIDEO

This audiovisual resource is organised into four distinct modules corresponding to the four main professional categories targeted: police investigators, lawyers, judges and prosecutors, and social workers and educators.

Each sequence highlights the professional expectations, recommended attitudes and specific challenges of each category's work among minors involved in criminal networks. The format in modules means the video can be used in separate parts to adapt to a target audience, or shown in its entirety for joint or cross-disciplinary training purposes.

This video is a versatile educational tool, intended for use in different training and practice analysis formats, as it provides a means of:

- Backing up theoretical work with concrete illustrations;
- Kicking off workshops, role-play exercises, discussions about practices and group guidance sessions;
- Encouraging reflection among professionals, in teams or between institutions;
- Contributing to a common language and mutual understanding of the responsibilities and positions of each player;
- Supporting a process of reassessment of practices, feedback on experience, and continuous improvement of knowledge.

It encourages an empathic approach that focuses on the person and respects children's rights and vulnerabilities. It contributes to the evolution of professional cultures and practices by encouraging a break with approaches based on control or suspicion, in favour of a more caring and attentive stance.

The aim of disseminating these videos is to contribute to the collective development of new skills and help build a shared culture at European level that protects unaccompanied minors who fall victim to trafficking.

[PRESENTATION OF THE VIDEO DELIVERABLE INTENDED FOR UNACCOMPANIED MINORS AND USE STRATEGY

Whether accompanied or not, minors get most of their information from the internet, and in particular from social media which are the main information source for 16–30-year-olds in the European Union³³.

Digital means of communication therefore appear essential in raising awareness among young people, including unaccompanied minors, not only about the dangers of human exploitation and trafficking, whatever form they may take, but also about how to get out of them.

CHALLENGES

AN ACCESSIBLE TOOL DESPITE LANGUAGE BARRIERS

Unaccompanied minors form a diverse target audience with different cultures and languages and, in many cases, little schooling. They are rarely fluent in the official languages of the EU countries in which they live. In these circumstances, printed materials are often ineffective, even when translated. Nor do the minors always understand any language other than their native tongue.

An animated film overcomes such obstacles with the help of explicit images, suggestive visual situations, non-verbal language, and universal sound effects that allow an intuitive understanding of dangerous situations and warning signs of exploitation, even in the absence of any ability to read or understand the language.

A WAY OF IDENTIFYING EXPLOITATION SITUATIONS

Animation naturally captures the attention of juveniles, which adds to the emotional impact of the message and makes it easier for them to memorise the warning signs.

participated in the workshops organised during the project, the video enables unaccompanied minors to identify intuitively with what they are seeing, to gradually become aware that they are victims, and to speak out more easily.

Through various scenarios based on real-life experiences related by professionals who

³³ Youth Survey 2024 - February 2025 - - Eurobarometer survey

AN ANIMATED VIDEO INTENDED FOR UNACCOMPANIED MINORS

The animated video is a facilitation tool that opens the door to discussion and helps to initiate questions and invite the minor to react, tell their story, and talk about their doubts or experiences. It encourages them to express themselves by helping them to identify more easily with what they are seeing: behaviour, environments, gestures, expressions, and the stories being told. It allows sensitive topics to be addressed in a less direct manner and helps build a climate of trust. Its aim is to identify the signs of trafficking at an earlier stage, to intervene in a more appropriate manner, and to begin providing support at a pace that suits the minor.

For maximum impact, the video has been broken down into a set of short scenes, each illustrating a different situation or profile and inspired by the actual stories of young victims. This approach helps to convey the diverse forms of exploitation and trafficking channels, allowing all unaccompanied minors to recognise themselves or a loved one in the scenes presented. The short duration of the video means the discussion can focus on the essential elements, encouraging interaction, and that it can be watched several times.

It is a tool that is easy to share, can be shown during individual or group sessions, and helps to address a variety of situations depending on the experience of the professionals and the stages in the handling of the juvenile in question. For example, it may be used:

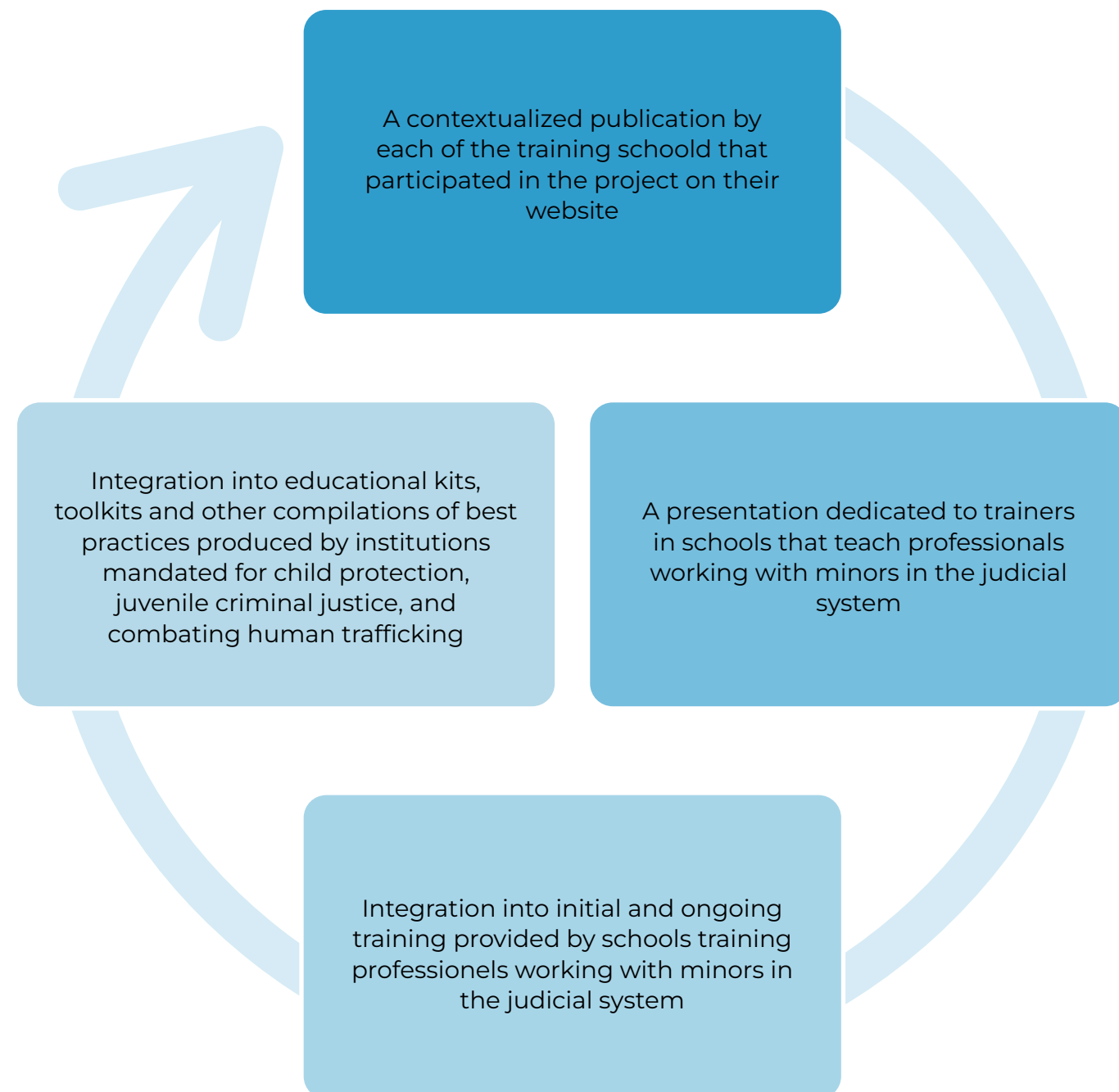
- In the context of day-to-day support, with an individual or a small group, as a lead-in to discussions about the risks, their past experiences or their doubts.
- During an awareness-raising workshop, to help the young participants react to a situation and ask questions.
- To explain the notion of human trafficking and help young people to recognise themselves as victims.
- For training purposes, to help trainees understand the dynamics of control and vulnerability.

It can open up a space for talking, in which the scenes that are viewed can be discussed, which can help the juvenile to put into words what they could not or dared not say. It offers a means of spotting indicators of trafficking in the minor's narratives or reactions, based on a common medium. It is also a way of informing young people about the institutional and/or community organisations to which they can turn for support and guidance towards rehabilitation.

This animated video is an educational tool that encourages minors to accept measures for their own protection.

DELIVERABLES DISSEMINATION STRATEGY

In order to ensure the dissemination of all deliverables produced as part of the Just Child project, the scientific committee recommends:



RECOMMENDATIONS

Based on the work of the scientific committee and the many fruitful discussions that took place throughout the project, particularly during the three events organised in Roubaix, Naples and Paris, it seemed appropriate to formulate a number of recommendations that could be implemented by the competent authorities, stakeholders and civil society, in order to improve the identification, care and protection of unaccompanied minors who are victims of organised crime networks.

These recommendations are guided by European provisions aimed at promoting child-friendly justice, in particular those laid down in Directive 2016/800/EU establishing procedural safeguards for children suspected or accused in criminal proceedings, and Directive 2012/29/EU establishing minimum standards on the rights, support, and protection of victims of crime.

The recommendations drawn from this work focus on three main objectives:

- Ensuring appropriate training for all professionals in contact with minors in the judicial system;
- Ensuring the reporting of at-risk situations;
- Ensuring appropriate care for unaccompanied minors who are victims of organised crime networks.

- Raising awareness about the challenges involved in combating trafficking and exploitation of minors
- Raising awareness about the specific vulnerabilities of unaccompanied minors
- Knowledge of the applicable legal framework
- Building trust
- Developing joint training programs at national and European level

Ensure appropriate training for all professionals in contact with minors in the judicial system



- Appointment of contact points within the judicial authorities and educational services
- Suitable, safe and secure places of care
- Mechanisms ensuring the secure exchange of information on the situation of unaccompanied minors who are victims of criminal networks
- Legal representatives appointed quickly and trained

Assurer la prise en charge adaptée des mineurs non accompagnés victimes de réseaux de criminalité organisée



- Raise awareness among civil society and the public
- Set up reporting tools available to the public

Ensure the reporting of at-risk situations





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The need for European cooperation to combat organised crime networks targeting unaccompanied minors

