

BACKGROUND PAPER

Child Trafficking

Definitions · Legal Framework · Trends · Prevention

ECPAT Austria | Astrid Winkler

EMPOWERING FUTURES 2024 - 2026 - Funded by Austrian Federal Ministry for Labour, Social Affairs, Health, Care and Consumer Protection



Federal Ministry
Labour, Social Affairs, Health,
Care and Consumer Protection
Republic of Austria



01 Definition of Trafficking in Human Beings (THB) — the “Palermo Protocol”

The **UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children**, supplementing the United Nations Convention against Transnational Organized Crime (2000), signed in Palermo, Italy, is the main international legal instrument for defining and combatting THB.¹

Over 185 countries have ratified, accepted, approved or acceded to it.² It has become the baseline for national legal frameworks on THB.

Definition: Trafficking in Human Beings — Article 3, Palermo Protocol

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. *Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.*

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) shall be irrelevant where any of the means set forth in subparagraph (a) have been used.

Definition: Child Trafficking — Article 3, Palermo Protocol

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a).

(d) “Child” shall mean any person under 18 years of age.

	ADULTS · Art. 3(a)	CHILDREN · Art. 3(c)
ACTS	recruitment, transportation, transfer, harbouring or receipt of persons	recruitment, transportation, transfer, harbouring or receipt of persons
MEANS	threat or use of force, coercion, abduction, fraud, deception, abuse of power	<i>not required for children</i>
PURPOSE	sexual exploitation, forced labour, slavery, servitude, begging, removal of organs	sexual exploitation, forced labour, slavery, servitude, begging, removal of organs

¹THB = Trafficking in Human Beings.

²UN Treaty Collection. https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtsg_no=XVIII-12-a&chapter=18

02 Relevant Binding International Legal Instruments

- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention against Transnational Organized Crime (Palermo Protocol), 2000
- Convention on the Rights of the Child and its Optional Protocols, 1989, ratified by almost all states
 - Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, 2000
 - Optional Protocol on the Involvement of Children in Armed Conflict
 - Optional Protocol on a Communication Procedure
- ILO Convention on the Worst Forms of Child Labour (No. 182)
- The Hague Convention on Inter-country Adoption
- Council of Europe Convention on Action against Trafficking in Human Beings, 2005
- EU Directive 2011/36 against Trafficking in Human Beings; revised version from 14.07.2024

03 New EU Anti-Trafficking Directive

The EU Anti-Trafficking Directive is binding for EU Member States (MS)³ and EU-accession countries. The revised EU Anti-trafficking Directive (on 13 June 2024) provides **stronger tools for law enforcement and judicial authorities to investigate and prosecute new forms of exploitation**, including those that take place online, and ensures a higher level of assistance and support to victims.

- Adding the **exploitation of forced marriage, of surrogacy and of illegal adoption** among the forms of exploitation explicitly covered by the Anti-trafficking Directive
- Referring explicitly to trafficking offences committed or facilitated by **means of information and communication technologies** in relation to sexual exploitation
- Requiring the formal establishment of **National Referral Mechanisms**
- Criminalising the knowing use of services obtained from victims of trafficking in order to reduce the demand that fosters THB and all forms of exploitation
- **Extending trainings** to more professionals likely to encounter potential victims of trafficking in human beings and ensuring that technological capabilities are deployed
- **Improving coordination** between the Formal Referral Mechanisms and the asylum authorities
- **Formalising an annual EU-wide data collection on trafficking in human beings**, conducted / published by Eurostat.⁴

04 Relevant Facts and New Trends — International and EU⁵

61% of detected victims worldwide are women and girls	38% of victims detected globally are children	+47% increase in forced-labour detection vs. pre-Covid	+40% more boys detected in Western/Southern Europe
--	--	---	---

Internationally, according to the UNODC Global Report 2024, **women and girls remain the most detected victims**. However, a shift in the prevalent forms of exploitation is observed: since 2019, the detection of trafficking for forced labour has increased more sharply (per 100,000 population) than trafficking for sexual exploitation or other purposes — rising by 47 % globally compared with the period before the Covid-19 pandemic.

Children are exploited in diverse forms. Girls (22 % of total victims) were trafficked mainly for sexual exploitation, and to a lesser extent for forced labour and other forms of exploitation such as forced marriage. Boys (16 %) were trafficked mainly for forced labour and other forms of exploitation, typically forced criminality.

³MS = Member States.

⁴https://home-affairs.ec.europa.eu/policies/internal-security/organised-crime/together-against-trafficking-human-beings/legal-and-policy-framework_en

⁵<https://www.unodc.org/unodc/data-and-analysis/glotip.html> UNODC Global Report on Trafficking in Persons, 2024 (data basis: 2022).

In the same period, more boys were detected in Western and Southern Europe (+40 %), mainly trafficked for forced labour and other forms of exploitation — a trend that may be linked **to rising numbers of unaccompanied migrant children in Western countries**. An increased share of girls was also recorded in Central and South-Eastern Europe (from 27 to 33 % of total victims).⁶

On EU level, the latest trends are slightly different.

While **internationally the share of child victims still increases, on EU level it decreased** in 2021–2022 by 3% compared with the share in 2019–2020. Some MS report a very low number of child victims. The decrease of registered child victims may be linked to increased online sexual exploitation, where many victims remain hidden.

In some Member States, **child victims are not registered as such**, so they can access broader child-support services — meaning the **real number of child victims likely remains underreported**. Victims often come from unstable social and family backgrounds, suffering from low self-esteem, psychological problems, substance use, and profound short- and long-term developmental harm. Children in residential or institutional care are particularly vulnerable. **Children in EU-MS are trafficked mainly for sexual exploitation, but also forced criminality, forced begging, forced marriage and labour exploitation.**

Digitalization has led to a worrying rise in underage prostitution linked to trafficking, often involving young children who are highly active on social networks and gaming sites and thereby attract traffickers' attention. **"Pocket money" exploitation** emerged during the Covid-19 pandemic, when traffickers convinced young girls online to top up their pocket money through prostitution, leading them into sexual exploitation. The phenomenon became so widespread in Germany that law enforcement gave it a special name.⁷

05 Special Situation in Eastern & South-Eastern Europe

Special vulnerabilities for exploitation and trafficking, especially of children, in some EU countries and other European countries continue to derive from **lack of birth registration, "legal invisibility" and statelessness**.

- **Barriers to birth registration** in Europe primarily affects marginalised minorities, undocumented migrants, and children of same-sex couples, leaving them legally "invisible", unable to access school, healthcare, or employment.⁸
- **"Legal invisibility"** means a person is not recorded in official government birth books — no birth certificate, no passport, no proof of identity.⁹

The impact is most severe, where poverty and discrimination overlap, particularly for Roma communities. Registration is the baseline for entering and claiming support from social service systems; for being admitted to hospital and receiving medical treatment; for enrolling children into school; for obtaining citizenship or residence documents. The UN Convention on the Rights of the Child obliges all states to register each child after birth.

The **European Roma Rights Centre (ERRC)**¹⁰, the most relevant European-wide civil society organisation advocating for Roma and Sinti people since 1996, has initiated many discrimination court cases — at country level as well as before the Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECHR) — reports on landmark rulings and legal developments concerning discriminatory practices against Rom

REGIONAL FOCUS — NORTH MACEDONIA

Relevant judicial and other decisions have been made since 2021 on discrimination of Roma within the health system, on statelessness (linked to non-registration and the lack of a permanent address), and on the segregation of Roma children in schools, including denial of enrolment.

Children who are not registered at birth — so-called **"phantom children"** — without legal documents are particularly exposed. They are more likely to disappear from families or schools, and are highly vulnerable to exploitation and trafficking for forced begging, forced criminality and sexual exploitation.

⁶UNODC, GLOTIP 2024, Chapter 1, p. 44. https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_Chapter_1.pdf

⁷Fifth Report of the European Commission on THB (2025). <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52025DC0008>

⁸<https://www.ohchr.org/en/press-releases/2025/02/albania-violated-roma-childrens-rights-denying-birth-registration-un-human>

⁹<https://www.statelessness.eu/updates/blog/birth-registration-roma-children-becoming-more-difficult-case-study-serbia>

¹⁰<https://www.errc.org/>

Among the root causes behind birth registration gaps, legal invisibility and their impact on Roma communities lie in long standing discrimination **poverty, degrading living conditions, and limited access to education**, which results in unemployment and few prospects for young people. Criminal networks consistently exploit such vulnerabilities — migration, natural or other disasters, or conditions of unemployment, poverty, homelessness and statelessness.

This calls for a **coherent approach at European and national level**: continuous awareness-raising on discrimination against minorities, especially Roma communities; a strategy to improve living conditions across social, education and employment systems; and coordinated, intensified anti-trafficking measures through updated National Action Plans. Above all, the necessary resources for implementation must be secured in national budgets.

ECPAT AUSTRIA & JOURNALISTS FOR HUMAN RIGHTS — NORTH MACEDONIA

Since 2022, ECPAT Austria and Journalists for Human Rights North Macedonia (JHR) - supported by the means of Austrian Ministry of Labour, Social Affairs, Health, Care and Consumer Protection - have cooperated on raising awareness and improving the situation of vulnerable children in North Macedonia. Phase one, the pilot project “Early Warning for Missing Children in North Macedonia”, a system for reporting and following up cases of children at risk of disappearing, launched successfully in 2024. Phase two, “Empowering Futures”, has established a day care centre for children and their families, affected by poverty in Skopje.

06 Old Persisting & New Phenomena Related to THB

Online dimension of trafficking

The internet has become the main place for recruiting new victims, and is also widely used by criminal networks for online-related exploitation for forced criminality. Across the world, transnational organised crime groups traffic and exploit thousands of people, forcing them into industrial-scale financial fraud operations — a growing form of forced criminality closely intertwined with cybercrime, money-laundering and corruption.

Exploitation for forced criminality

Europol launched a report (2024) on the increasing recruitment of young perpetrators for criminal networks. Recent data contributed to Europol shows that **minors are involved in over 70% of criminal markets**, including cybercrime and online fraud, drug trafficking and related violence, migrant smuggling, and property crime.¹¹

CASE STUDY 01 — FORCED CRIMINALITY (FRANCE)

The Trocadero case in France is an example where forced criminality was recognised by the Tribunal in the first instance as a purpose of trafficking in human beings. Seven Algerian traffickers created a drug addiction/dependency in 17 unaccompanied minors and forced them to commit crime, including stealing, on the famous Trocadero square in Paris.¹²

CASE STUDY 02 — NON-PUNISHMENT PRINCIPLE (UK / ECtHR)

In February 2021, the European Court of Human Rights (ECtHR) ruled that the UK Government failed to protect victims of child trafficking and breached two articles of the European Convention on Human Rights relating to the prohibition of forced labour and the right to a fair trial. The Court ordered the UK Government to pay €90,000 in compensation to two Vietnamese young people who had been convicted of crimes as children despite signs that they had been trafficked and exploited on cannabis farms.¹³

Vulnerability of children in migration and asylum-seeking children

¹¹https://www.europol.europa.eu/cms/sites/default/files/documents/IN_The-recruitment-of-young-perpetrators-for-criminal-networks.pdf

¹²Fifth Report on the progress made in the EU in combating THB. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52025DC0008>

¹³<https://www.ecpat.org.uk/news/landmark-victory-european-court-human-rights-child-trafficking>

The special vulnerability of children in migration or seeking asylum — voluntarily, initiated by parents or relatives, or lured by smugglers or trafficking recruiters — is expected to continue. Most states have not yet addressed the high number of missing children in this group. According to *Missing Children Europe*¹⁴, children often leave shelters because of gaps in care and protection frameworks for migrant or asylum-seeking children. There is ample evidence of **trafficking networks recruiting children from shelters and other temporary accommodation** for various forms of exploitation.

Forced marriage, exploitative surrogacy, illegal adoption¹⁵

Several EU Member States reported cases of trafficking for forced and sham marriages, affecting children and families living in poverty, from minority and migration backgrounds, including Roma communities. **Forced marriage is often also linked to multiple forms of exploitation**, such as sexual exploitation, labour exploitation or forced begging.

CASE STUDY 03 — FORCED MARRIAGE (SERBIA)

In October 2023, Europol supported the Serbian Police in dismantling a criminal network involved in child trafficking for the purposes of forced marriage, forced begging and forced criminality. The family-based criminals and victims were between 5 and 17 years old. Austria, France and Germany were involved in the investigation.¹⁶

Exploitative surrogacy is an emerging form of trafficking within EU/European countries, where criminals exploit vulnerable women through surrogacy arrangements with intermediaries, such as reproductive clinics, engage in organised, cross-border crime for very large profits. The Hellenic Police dismantled an organised criminal group exploiting women from Eastern European countries for the removal of ova and surrogacy services.¹⁷

Forced begging (2% EU-wide)

Forced begging remains present in several EU Member States as a form of exploitation. In Portugal it represented the third main form of exploitation, with victims mainly underage nationals of Romania, Bulgaria, Slovakia and Hungary — including minorities, such as Roma.

Exploitation for religious extremism

One form of exploitation still not addressed in the EU legal framework or the Palermo Protocol is the exploitation of children and young people for religious extremism. There is already substantial evidence of **online recruitment through social media and religious influencers**; Austria, for instance, has had severe cases in the past years, dealt with under different legislation.

Sexual exploitation and child trafficking in the context of tourism

Sexual exploitation of children in tourism, including child trafficking, has been recognised by the international community since the 1980s. Unrestrained tourism development — especially where there is a wide socio-economic gap between local populations and international tourists — puts local children and young people at **heightened risk of sexual** and other forms of exploitation.

07 Prevention – Protection – Prosecution

The complexity of trafficking in human beings continues to require a comprehensive response. A wide range of actors at national, European and international level demands **adequate capacity and resources, as well as a well-functioning coordination mechanism**.

PREVENTION

Experience from Austria (and other EU countries) shows that a robust National Action Plan (NAP) and National Referral Mechanism (NRM),

PROTECTION

Close cooperation, based on SOPs, between state actors (e.g. police) and specialised NGOs mandated by government to provide support and

PROSECUTION

The latest EU report reaches a more (self-)critical conclusion on prosecution — see below.

¹⁴<https://missingchildreneurope.eu/>

¹⁵ covered by the new EU Directive against THB

¹⁶<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52025DC0008>

¹⁷<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52025DC0008>

and a proper legal framework in place, are key elements for the prevention of THB.

shelter to victims of trafficking is an important milestone in anti-trafficking policy.

Fifth Report of the European Commission on THB (2025)

*“Despite progress in the legal, policy and operational framework, the **number of registered victims of trafficking has increased throughout the EU** and some of the known challenges persist, while new challenges emerge, including new forms of exploitation. Prosecutions and convictions remain low compared to the number of suspects, with often lenient sentences due to prosecution of offences other than trafficking. Collection of evidence is time- and resource-intensive and often based solely on victims’ testimonies. **The increasing shift to the online dimension continues to be a challenge, which could in future be aggravated by artificial intelligence.**”*

A1 Annex 1 — Data & Country Snapshot

GLOBAL OVERVIEW KEY FINDINGS FOR THE YEAR 2022

Trends compared to 2019 (pre-covid)



Main profile of victims detected (2022 or most recent)



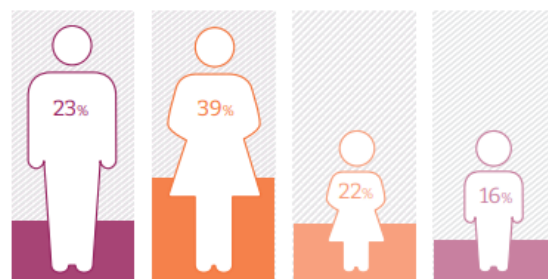
Emerging forms of exploitation



Global Overview — Key Findings 2022

Source: UNODC GLOTIP 2024, Ch. 1

Fig. 24 Share of detected victims of trafficking, by age group and sex, 2022 (or most recent)*



Source: UNODC elaboration of national data.

* Extrapolation based on a total of 68,090 victims detected in 135 countries in 2022 (or more recent), comprising 65 per cent of the world population, reporting on this indicator.

Fig. 24 — Victims by Age Group & Sex, 2022

Source: UNODC elaboration of national data

North Macedonia — Country Data

North Macedonia ratified the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* in 2005. Current legislation on trafficking in persons — Articles 418, 418a and 418d of the Criminal Code (2009) — covers all forms of trafficking indicated in the Protocol.¹⁸

Trafficking in Persons — Key Indicators, North Macedonia, 2019–2022

Indicator	2019	2020	2021	2022
Reported offences (cases)	<5	0	0	6
Brought into formal contact with police / CJS	8	0	22	19
Prosecuted	0	0	<5	21
Convicted — total	<5	9	<5	11
Convicted — men	NA	5	<5	8
Convicted — women	NA	<5	<5	<5
Convicted — boys	NA	0	0	0
Convicted — girls	NA	0	0	0

Source: National Commission for Combating Human Trafficking. Note: due to privacy concerns, figures below five are presented as “<5”.

¹⁸ https://www.unodc.org/documents/data-and-analysis/glotip/2024/Central_South-Eastern_Europe_GLOTIP2024.pdf