

Submission to the UN Special Rapporteur on trafficking in persons

Submitted by **Kids in Need of Defense (KIND)** and **eLiberare Association**

Introduction

Kids in Need of Defense (KIND) and **eLiberare Association** welcome the opportunity to contribute to the UN Special Rapporteur’s forthcoming report on the rights of migrant, refugee, asylum-seeking and stateless children who are victims of trafficking or at risk of trafficking in persons. This submission focuses on the situation of unaccompanied and separated children (UASC) on the move¹ and is structured around key issues outlined in the call for inputs.²

Context

Globally, children are on the move in unprecedented numbers. In 2020, there were an estimated 35.5 million children on the move globally, the largest number ever recorded.³ This corresponds to around 1 in 66 children worldwide living outside their country of birth, or around 13 per cent of all international migrants. By the end of 2024, the United Nations High Commissioner for Refugees (UNHCR) reported that children accounted for 40 per cent of the world’s forcibly displaced people, including an estimated 19.1 million refugee and asylum-seeking children.⁴

The individual motivations driving children to migrate are complex and often overlapping. Some flee conflict, persecution, environmental degradation, extreme poverty, or a lack of access to fundamental human rights such as education, health and decent work. Others travel to reunite with family members or because they face violence and discrimination at home. Many move due to a multitude of these factors. Regardless of their

¹ For the purposes of this submission, “children on the move” is understood as children who have moved internationally across borders, including child migrants; children in need of international protection, such as refugees and asylum-seekers; stateless children; and child victims of cross-border trafficking. See, UN DESA, [Recommendations on Statistics of International Migration](#), Revision 1 (1998) para. 32.

² Special Rapporteur on trafficking in persons, especially women and children, “[Call for input for the report of the Special Rapporteur on trafficking on the rights of migrant, refugee, asylum-seeking and stateless children who are victims of trafficking or at risk of trafficking in persons](#)”.

³ IDAC, [9 Facts About Children on the Move: 2024 Update](#), 2024.

⁴ UNHCR, [Refugee Data Finder](#), 2025.

reasons for migrating, all children on the move can be vulnerable to human trafficking, exploitation, violence and severe abuse.

Unaccompanied and separated children are recognized globally as being at heightened risk of victimization by human trafficking because they lack the protection of parents or guardians and often move along precarious and irregular migration routes.⁵ When children are separated from caregivers—whether fleeing conflict or other adverse drivers, during the course of precarious transit, or upon arrival in a host country—they become vulnerable targets for criminal traffickers and others who would exploit them. They are also more likely to suffer significant physical and mental health issues, including nutritional deficiencies, trauma-related symptoms, anxiety and depression.⁶

Under international, regional and domestic law, **all States have obligations to ensure the protection of unaccompanied and separated children on the move**, regardless of status, through concrete measures, such as prioritizing their identification and registration; avoiding the use of detention and the penalization of irregular entry; non-punishment of victims of trafficking for illegal acts committed as a direct consequence of their situation as trafficked persons; tracing family members; appointing a guardian; ensuring access to free legal counselling, legal assistance and legal representation by a specialized lawyer; providing appropriate care and accommodation; and ensuring their access to health, education and other services.⁷ Yet current State practices continue to fall short, leaving unaccompanied and separated children exposed, exploited and alone.

Of particular concern is **the use of anti-trafficking rhetoric to justify harsh immigration enforcement tactics** that are harming unaccompanied and separated children on the move and paradoxically increasing the risk of child trafficking. For example, in the United States the federal government's articulated commitment to combatting child trafficking is being used to justify widespread enforcement and policy reforms that target unaccompanied and separated children, and that strip away longstanding child welfare and anti-trafficking safeguards designed to protect them.⁸ Similarly, in the United Kingdom, the government's stated commitment to combatting child trafficking has been invoked to justify immigration policies that increase risks to unaccompanied and separated children. The Nationality and Borders Act 2022, while ostensibly aimed at protecting trafficking victims, introduced measures that experts, including the UN Special Rapporteur on Trafficking, warned would "seriously undermine the protection of the human rights of trafficked persons, including children, increase risks of exploitation faced by all migrants and asylum seekers, and lead to serious human rights violations."⁹

Current Trends

While efforts have been made to estimate the prevalence of unaccompanied and separated children in the past several decades, current national and global estimates of children on the move currently fail to capture accurately the number of children unaccompanied or separated from their caregivers.¹⁰ Nevertheless, available data point to a deeply concerning trend in which **children are increasingly undertaking dangerous journeys alone**.¹¹

For example, from 2014–2024 European countries received 379,000 new asylum applications from unaccompanied children, representing 15% of the 2.6 million child asylum applicants and 4% of all new

⁵ UN Human Rights Council, Panel discussion on unaccompanied migrant children and adolescents and human rights, A/HRC/36/21, 2 August 2017; see also, UN Committee on the Rights of the Child (CRC), General comment No. 6 (2005) on [Treatment of Unaccompanied and Separated Children Outside their Country of Origin](#), CRC/GC/2005/6, 1 September 2005.

⁶ Susanna Corona Maioli and Kol Wickramage, [Unaccompanied or Separated Children Face Increased Health Risks During Migration](#), Migration Data Portal, February 17, 2022.

⁷ UN Committee on the Rights of the Child (CRC), General comment No. 6 (2005) on [Treatment of Unaccompanied and Separated Children Outside their Country of Origin](#), CRC/GC/2005/6, 1 September 2005.

⁸ See, KIND, [How the Administration's Enforcement Policies Are Separating Families and Harming Unaccompanied Children](#), January 2026; and KIND, [A Timeline: Tracking How the Second Trump Administration Is Rolling Back Protections for Unaccompanied Children](#), October 2025.

⁹ OHCHR, ["United Kingdom Nationality and Borders Bill undermines rights of victims of trafficking and modern slavery, UN experts say"](#), 14 January 2022.

¹⁰ IDAC, [Alone, on the Move and Unseen](#), November 2025.

¹¹ IDAC, [9 Facts About Children on the Move: 2024 Update](#), 2024.

asylum applicants in Europe.¹² The European Commission noted that “between 2018 and 2022, the number of unaccompanied minors arriving in Europe has increased significantly each year.”¹³ Similarly, from 2019–2024 there were 660,000 registered encounters with unaccompanied children at the United States’ southern border with Mexico, representing 6% of all U.S. southern border encounters,¹⁴ and a 2024 U.S. Congressional report noted that the number of unaccompanied children attempting to enter the United States without authorization “increased substantially” from 2014-2024.¹⁵

According to available research, **some forms of child trafficking appear to be correlated with increased numbers of unaccompanied and separated children on the move.** For example, the United Nations Office on Drugs and Crime (UNODC) has noted that increasing numbers of unaccompanied and separated children detected at the borders of Europe and North America since the Covid-19 pandemic may be linked to the increasing prevalence of trafficked boys along these same routes.¹⁶

In **Europe** we have witnessed an increase in reported cases of trafficking of children on the move since 2020, including increasing numbers of non-EU nationals being identified as victims of trafficking.¹⁷ Similarly, in **the Americas**, children on the move continue to face heightened risks of human trafficking. According to the 2025 Global Crime Index Mexico ranks first among all countries in the illegal smuggling of migrants and trafficking in persons.¹⁸ From January to November 2025, Mexican authorities identified 278 children and adolescents as victims of trafficking.¹⁹ However, the actual number of victims across all countries and regions is almost certainly significantly higher than reported, since the data reflect only those cases that come to the attention of registering bodies, while many victims remain hidden.

Indeed, due to the complexity of identifying children on the move, there are **persistent gaps in evidence.** Specific and reliable statistics on unaccompanied or separated children on the move who are trafficked or exploited remain sparse and under-reported in most global datasets, highlighting a critical need for improved data collection, disaggregation and monitoring to ensure effective, rights-based responses.

Trafficking of unaccompanied and separated children **remains highly gendered, with trafficking experiences and risks varying depending on a child’s gender and location.** While female victims continue to significantly outnumber male victims, in some regions the ratio of male victims has more than doubled in recent years.²⁰ Girls are more often trafficked for sexual exploitation, whereas boys are more frequently trafficked for forced labor and other forms of exploitation, including forced criminality and begging.²¹ Along some migration routes, boys are also noted to be at heightened risk of sexual violence, including forced prostitution.²² These differences reinforce the need for age- and gender-responsive and trauma informed services for survivors, including emergency medical services and immediate and ongoing mental health services. There is also a need for culturally responsive and linguistically appropriate services, particularly for **indigenous children** on the move, who are less likely to report violence and when they do, often don't have access to interpretation or receive services that are not culturally appropriate.²³

¹² Eurostat, [Asylum Applicants Considered to Be Unaccompanied Minors by Citizenship, Age and Sex – Annual data](#), accessed 29 January 2026.

¹³ European Commission, [Report on the progress made in the European Union in combating trafficking in human beings \(Fifth Report\)](#), COM/2025/8 final, 20 January 2025.

¹⁴ U.S. Customs and Border Protection, [Southwest Land Border Encounters](#), accessed 29 January 2026.

¹⁵ Library of Congress, [Unaccompanied Alien Children: An Overview](#), 5 September, 2024.

¹⁶ UNODC, [Global Report on Trafficking in Persons](#), 2024.

¹⁷ European Commission, [Report on the progress made in the European Union in combating trafficking in human beings \(Fifth Report\)](#), COM/2025/8 final, 20 January 2025.

¹⁸ Global Initiative Against Transnational Organized Crime, [Global Organized Crime Index 2025](#), 2025.

¹⁹ REDIM, [Tráfico de niñas, niños y adolescentes en México](#), 20 January 2026.

²⁰ European Commission, [“Together Against Trafficking in Human Beings”](#), 2 December 2025.

²¹ UNODC, [Global Report on Trafficking in Persons](#), 2024.

²² For example, the European Commission has noted that North African and Afghan smuggling and trafficking networks exploit young Afghan, Moroccan, Algerian or Tunisian boys, forcing them into prostitution or sexual violence along their migratory route to the EU. European Commission, [Report on the progress made in the European Union in combating trafficking in human beings \(Fifth Report\)](#), COM/2025/8 final, 20 January 2025.

²³ KIND, [“Preventing Gender-Based Violence Against Girls on the Move in Central America”](#), December 8, 2025.

A concerning trend has been the role of **new or emerging digital technologies in facilitating trafficking in persons**.²⁴ For example, there are reports of children being recruited via different online platforms, including social media and dating websites, for both sexual and labor exploitation, as well as the exploitation of children via webcam and social media.²⁵

Another trend impacting unaccompanied and separated children on the move is **an increase in the prevalence of forced criminality**. For example, there have been reports of forced recruitment by organized criminal networks targeting unaccompanied and separated children from North Africa and Afghanistan. Such cases have been reported in Belgium, the Netherlands, the United Kingdom, Spain and Italy.²⁶

Finally, **unaccompanied and separated children from Ukraine**, under the special regime of the EU Temporary Protection Directive (2001/55/EC) represent an emerging vulnerable category of children on the move, with the government of Ukraine estimating in 2024 the number of children without parental care who were evacuated from alternative care arrangements to be over 6,000.²⁷

Key Issues

The following are key areas of focus, based on our direct services and work with thousands of unaccompanied and separated children across Europe, East Africa, North and Central America:

1. Prevention and awareness interventions

Many unaccompanied and separated children on the move are unaware of the risks of trafficking, including emerging forms such as online exploitation, which significantly increases their vulnerability during migration, transit, or displacement.²⁸ Children may also face heightened risks in private hosting arrangements or informal placements, including with relatives, where oversight is limited. To address this, States should implement comprehensive prevention programs that provide culturally and age-appropriate education, awareness-raising, and outreach on trafficking risks, safe migration practices, and digital safety. These programs should be delivered through interactive workshops, community campaigns, and accessible digital tools tailored to the linguistic, cultural, and developmental needs of children. Implementation requires coordinated efforts across multiple actors: schools and community centers can serve as primary delivery points for educational workshops; reception facilities and transit hubs can host targeted outreach and digital awareness campaigns; and local authorities, child protection services, and civil society organizations can jointly manage program content, training of facilitators, and monitoring of outcomes to ensure that children are effectively informed, empowered, and able to seek protection when needed.

2. Screening, identification, vulnerability assessment and referral

Screening procedures at international borders should operate in order to proactively identify unaccompanied and separated children, trafficking victims, and other children at risk, and rapidly refer them to appropriate accommodation, care, protection services and support. However, unaccompanied and separated children often fear presenting themselves to State authorities due to the threat of detention, deportation or other adverse immigration enforcement actions, particularly when they are in an irregular situation. This fear significantly undermines identification efforts and may lead children to remain hidden or rely on informal

²⁴ Save the Children, [Safeguarding migrant and displaced children in a digital world](#), 30 November 2020; See also, European Commission, ["Anti-Trafficking networks address the role of modern technology"](#), 19 December 2025.

²⁵ Council of Europe, Group of Experts on Action against Trafficking in Human Beings, [Online and technology-facilitated trafficking in human beings](#), April 2022.

²⁶ Global Initiative Against Transnational Organized Crime, ["Child soldiers of Europe: Why is organized crime increasingly recruiting minors?"](#), 26 June 2025.

²⁷ Council of Europe, Consultation Group on the Children of Ukraine, [Special hearing report on understanding the risks of trafficking of children of Ukraine, including for the purposes of sexual and labour exploitation](#), October 2024; and UNICEF, [Legal Research Key Findings Brief: Considerations for children without parental care displaced from Ukraine](#), February 2024.

²⁸ eLiberare Association, [Compass Impact Report](#), June 2025; and eLiberare Association, [Compass Impact Report](#), April 2023. See also Kompass, [Project Overview](#).

networks. When children are not identified, they may face pushbacks, refoulement, inadequate support, detention, removal, and are at greater risk of falling into the hands of traffickers, being re-trafficked or becoming victims of crime or exploitation. In emergency situations and humanitarian contexts, there can be additional challenges or delays in identifying vulnerable children on the move. Emergency circumstances can, for example, lead to inadequate coordination among agencies, contribute to confusion, exacerbate trauma, and delay access to documentation or legal aid that are critical for a child's ability to access protection.²⁹

These factors collectively hinder timely identification and referral, underscoring the critical need for strengthened, child-centered screening mechanisms, training frontline staff and volunteers on trafficking indicators, and establishing clear referral pathways that function effectively even in crisis contexts. Effective strategies include outreach in reception centers, temporary shelters, and informal settlements to detect unaccompanied and separated children early, provide them with immediate information and support, and link them to protective services. Such approaches also require coordination among local authorities, humanitarian actors, and civil society organizations to ensure timely referral.³⁰ Moreover, in the context of child trafficking transnational referral mechanisms (TNRMs) become essential and should be upheld in all situations by the State authorities.

3. Safeguards during age assessment

When arriving at international borders or identified on the territory of a State, unaccompanied and separated children often do not possess the necessary documentation to prove their identity, age, or nationality, complicating States' ability to properly identify them as children. At other times, traffickers may instruct or force a child to travel using fraudulent documents that identify them as an adult in order to avoid detection, which can cause problems with the proper assessment of the age or identity of the child. Where substantial doubts arise as to an individual's claimed age, the fundamental purpose of the age assessment is to ensure the access to and enjoyment of all rights and safeguards to which children are entitled as of right.³¹ In such cases, it must be ensured that children be granted the benefit of the doubt and are presumptively treated as children unless and until proven otherwise, and that any age assessment procedure be carried out speedily and in a dignified manner. Age assessments should take place within a multidisciplinary procedure with robust safeguards including a temporary guardian and access to legal aid. Age assessment methods must be the least invasive possible, respectful of the child's dignity, conducted by experienced professionals, and undertaken with the informed consent of the individual concerned or their guardian, in a child-friendly and age-appropriate manner.³²

4. Access to specialized care and protection

Under international law, unaccompanied and separated children are entitled to special protection and assistance provided by the State, acting in accordance with the best interests of the child.³³ However, increasingly we are witnessing harmful and deterrence-based border policies that restrict access to asylum or other legal protections, externalize migration governance, and prioritize enforcement over the best interests of the child. Such policies and actions are exacerbating trauma, resulting in family separation and putting children at greater risk of trafficking, exploitation and abuse.³⁴ In recent years, several countries have also entered or are seeking to enter into bilateral agreements to transfer asylum seekers to third countries for the purpose of adjudicating their claims for international protection. These agreements, which are often referred to

²⁹ KIND, [Note on Unaccompanied Children Fleeing from Ukraine](#), March 23, 2022.

³⁰ eLiberare Association, [Kompass Impact Report](#), June 2025; and eLiberare Association, [Kompass Impact Report](#), April 2023. See also Kompass, [Project Overview](#).

³¹ ICJ, Save the Children, and KIND, [Legal Considerations Around the Application of the Asylum Border Procedure to Unaccompanied Children](#), December 2025.

³² Quan, G. M., & Skelton, A. (2025). [Age determination of unaccompanied migrant children: An appraisal of the jurisprudence of the Committee on the Rights of the Child](#). *Nordic Journal of Human Rights*, 43(1), 59–81.

³³ Convention on the Rights of the Child, art. 3 (best interests) and art. 20 (special protection and assistance).

³⁴ See, e.g. KIND, [Unlawful Removals of Unaccompanied Children](#), 27 January 2026.

as “Asylum Cooperative Agreements” or “Safe Third Country Agreements,” pose critical implications for the safety, well-being, and best interests of unaccompanied and separated children as well as countries’ compliance with international, regional, and domestic law.³⁵

Regardless of whether they are seeking asylum, all unaccompanied and separated children must be allowed access to the territory, as this is a prerequisite to assessing the child’s best interests,³⁶ as well as the ability of the child to access mechanisms and procedures for protection, remedy or redress.³⁷ All unaccompanied or separated children must also be provided promptly with a competent guardian who acts in their best interests and is empowered to represent the child’s best interests in all administrative and judicial proceedings. Guardianship must be established as soon as the child is identified and must continue until a comprehensive, secure and sustainable solution—such as family reunification when in the best interests of the child local integration, or resettlement in a third country—is achieved. Guardians must be independent of immigration authorities and should be adequately trained in child protection, asylum, trafficking indicators, reporting and referral mechanisms, and trauma-informed practice.

When considering the right of child victims of trafficking—as well as children identified as being at risk of trafficking—to specialized care and protection, international human rights and anti-trafficking standards recognize, as a priority, their right to a reflection and recovery period during which they can stabilize, recover, and make informed decisions about their future free from pressure, coercion, or fear of immigration enforcement.³⁸ During this period, children should not be removed from the territory and must not be required to cooperate with law enforcement or other authorities as a condition for receiving protection or assistance.³⁹ For children on the move, the reflection period must include access to immediate, child-appropriate legal information and legal assistance, safe and non-custodial accommodation, health care, psychosocial support, education, and protection from detention or penalization for immigration-related or other offenses committed as a direct consequence of trafficking.⁴⁰ The reflection period should allow for a full, child-sensitive assessment of trafficking indicators, international protection needs, family links, and sustainable solutions, while ensuring the child’s right to be heard and to participate meaningfully in decisions affecting their life.⁴¹ Failure to provide an effective reflection period, particularly where children are incorrectly treated as adults, denied the benefit of the doubt in age assessment procedures, or excluded due to their migration status, significantly increases the risk of re-trafficking, disappearance, and serious harm.

5. Access to quality, specialized legal counselling, legal assistance and legal representation

When available at the earliest moment, quality legal aid enhances the ability to assess vulnerabilities, identify the right procedural pathway, and ensures that the child’s case is considered properly.⁴² According to UNHCR, the participation of legal aid providers from the onset of an asylum procedure can also make the procedure

³⁵ KIND, [Ensuring the protection of unaccompanied and separated children in the context of return or transfer to “safe third countries”](#), December 2025.

³⁶ UN Committee on the Rights of the Child (CRC), General comment No. 6 (2005) on [Treatment of Unaccompanied and Separated Children Outside their Country of Origin](#), CRC/GC/2005/6, para. 20, 1 September 2005.

³⁷ UN Committee on the Rights of the Child (CRC), General comment No. 14 (2013) on [The right of the child to have his or her best interests taken as a primary consideration \(art. 3, para. 1\)](#), CRC /C/GC/14, para. 15(c), 29 May 2013.

³⁸ Convention on the Rights of the Child, arts. 3, 22, 39; UN Committee on the Rights of the Child (CRC), General comment No. 6 (2005) on [Treatment of Unaccompanied and Separated Children Outside their Country of Origin](#), CRC/GC/2005/6, paras. 36–38, 1 September 2005; Council of Europe, Convention on Action against Trafficking in Human Beings, art. 13.

³⁹ Council of Europe, Convention on Action against Trafficking in Human Beings, art. 13; GRETA, 10th General Report, paras. 96–102; OSCE/ODIHR, Child-Sensitive Justice and Combating Trafficking in Human Beings, 2018.

⁴⁰ Convention on the Rights of the Child, arts. 2, 22, 28, 37, 39; See also, UNICEF, [Guidelines on the Protection of Child Victims of Trafficking](#), 2006.

⁴¹ Convention on the Rights of the Child, art. 12; UN Committee on the Rights of the Child (CRC), General Comment No. 12 (2009) on [The right of the child to be heard](#), CRC/C/GC/12, 20 July 2009; and UN Committee on the Rights of the Child (CRC), General comment No. 6 (2005) on [Treatment of Unaccompanied and Separated Children Outside their Country of Origin](#), CRC/GC/2005/6, paras. 25–26, 1 September 2005.

⁴² Council of Bars and Law Societies in Europe (CBBE), [CCBE recommendations on a framework on legal aid in the field of migration and international protection](#), 25 November 2022.

faster and fairer.⁴³ There is a substantial, and growing, body of evidence that access to legal aid is critical to children's ability to access justice and effective remedies. For example, in the United States, according to a 2021 Congressional Research Service report, immigration judges are 100 times more likely to grant legal relief to unaccompanied children with counsel than to those without.⁴⁴

Universal legal aid is the idea that everyone has a right to legal assistance, regardless of income, whenever they have a legal need. This includes the right to legal advice, assistance and representation, as well as access to legal education, legal information and other services.⁴⁵ While the right to universal legal aid for children in criminal cases is widely recognized as a fundamental right and "an essential element of a functioning criminal justice system"⁴⁶ this right is less clearly understood by States as applying to administrative procedures such as those relating to migration and asylum, including procedures concerning age assessment, identification procedures, access to appropriate accommodation and support, family reunification, immigration pathways, or their status as a potential child victim of trafficking in persons. As a result, alarming gaps remain in access to legal representation for children on the move. For example, in 2023, only 56% of unaccompanied children in U.S. immigration courts were represented by a lawyer.⁴⁷ Similarly, across England and Wales, 65% of the population has no access to a legal aid provider in their migration or asylum procedures.⁴⁸

Due to their unique vulnerability and the potential complexity of their cases, in General Comment No. 6, the UN Committee on the Rights of the Child made clear that in cases where unaccompanied or separated children are referred to asylum procedures or other administrative or judicial proceedings, in addition to a guardian they should also be provided with legal aid and the assistance of a specialized lawyer at no cost to the child.⁴⁹ Moreover, the right to universal legal aid should be understood as extending to all children, whether accompanied or unaccompanied, in order to safeguard against potential family separation and ensure children's expressed wishes are upheld irrespective of whether their parents or guardians are entitled to legal aid or can afford legal representation. For example, the Committee has noted that the right to qualified and independent legal representation at no cost to the child is a prerequisite to upholding children's rights under Article 3⁵⁰ and Article 12⁵¹ of the Convention.

6. Family unity and family reunification

Family unity is a fundamental human right and a precondition to the protection of other child rights, including the child's life, survival and development.⁵² States have an obligation to avoid any separation of children from their parents or primary caregivers unless an individualized assessment and objective criteria indicate that such separation is necessary to protect the child's best interests.⁵³ However, globally we are witnessing

⁴³ UNHCR, [Advocacy Brief: Legal counselling, legal assistance, and representation under the European Union Pact on Migration and Asylum](#), September 2025; UNHCR, [Effective processing of asylum applications: Practical considerations and practices](#), March 2022.

⁴⁴ Romero, Laura. "[Unaccompanied minors are representing themselves in immigration court, alarming advocates](#)," ABC News, June 3, 2024.

⁴⁵ UN General Assembly, UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, para. 8, A/RES/67/187, 28 March 2013.

⁴⁶ *Ibid.*

⁴⁷ Romero, Laura. "[Unaccompanied minors are representing themselves in immigration court, alarming advocates](#)," ABC News, June 3, 2024.

⁴⁸ The Law Society, "[Immigration and asylum – legal aid deserts](#)", 21 February 2024.

⁴⁹ UN Committee on the Rights of the Child (CRC), General Comment No. 6 (2005) on [Treatment of Unaccompanied and Separated Children Outside their Country of Origin](#), CRC/GC/2005/6, para. 21, 1 September 2005.

⁵⁰ UN Committee on the Rights of the Child (CRC), General Comment No. 14 (2013) on [the right of the child to have his or her best interests taken as a primary consideration \(art. 3, para. 1\)](#), CRC/C/GC/14, para. 96, 29 May 2013.

⁵¹ Joint General Comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) and No. 22 (2017) of the Committee on the Rights of the Child (CRC) on [General principles regarding the human rights of children in the context of international migration](#), CMW/C/GC/3-CRC/C/GC/22, para. 36, 16 November 2017.

⁵² Universal Declaration on Human Rights, art. 16 (3); International Covenant on Civil and Political Rights, arts. 17 and 23; Convention on the Rights of the Child, preamble and art. 16; and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, art. 44.

⁵³ UN Committee on the Rights of the Child (CRC), General Comment No. 6 (2005) on [Treatment of Unaccompanied and Separated Children Outside their Country of Origin](#), CRC/GC/2005/6, para. 81, 1 September 2005; Joint General Comment No. 4 (2017) of the

significant backsliding on commitments to resettlement and complementary pathways, including family reunification,⁵⁴ which will likely cause more families to rely on irregular methods to reunify and thus increase the risk of trafficking, exploitation and abuse.

Children and their caregivers may be targeted by civil immigration enforcement practices that wholly or inadequately consider children's particular vulnerabilities, rights, and best interests and without safeguards designed to support family unity and the rights of parents and legal guardians to make decisions about their children's care. Consequently, children could face separation from their parents or family members, be left without appropriate caregivers, or be subject to removal or indefinite detention, notwithstanding significant protection concerns. Such circumstances often exacerbate prior trauma and only deepen children's vulnerability to harm and exploitation.⁵⁵

7. Comprehensive, secure and sustainable solutions

States have an obligation to identify comprehensive, secure and sustainable solutions for children. Such solutions are those that ensure the child's long-term best interests and welfare, and ensure that the child is able to develop into adulthood, in an environment that will meet his or her needs and fulfil his or her rights as defined by the UN Convention on the Rights of the Child.⁵⁶ For victims of trafficking, this may require local integration in the country of residence with the possibility of the child and their families gaining access to secure residence status—either temporarily or permanently—while the child awaits the outcome of procedures for complaints, remedy or redress.⁵⁷ In other cases, the best interests of the child may be to return and reintegrate in their country of origin. The UN Committee on the Rights of the Child has emphasized that return is only one of the available sustainable solutions for children and that return to the country of origin should only be carried out when genuinely in the best interests of the child, following a comprehensive risk and security assessment to ensure safe return has been conducted, and when long-term reintegration support is available in the country of return.⁵⁸ Such risk assessments, typically conducted by child protection or social welfare authorities, must evaluate whether it would be appropriate and safe for a child to return to their family or community, assessing the circumstances that may place the child at risk of re-trafficking or further exploitation.

The Best Interests Procedure (BIP), consisting of a Best Interests Assessment (BIA) and Best Interests Determination (BID), provides the standard framework for assessing sustainable solutions for children on the move. Throughout the BIP, the views of the child must be sought and given due weight according to their age and maturity, and the child's expressed wishes should be represented through the assistance of a specialized lawyer, irrespective of the independent role of the guardian.

Where return is determined appropriate, reintegration is not a single event but rather a longer process requiring extensive preparation and follow-up support. Planning should commence in the host country

Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) and No. 23 (2017) of the Committee on the Rights of the Child (CRC) on [State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return](#), CMW/C/GC/4-CRC/C/GC/23, para. 27, 16 November 2017.

⁵⁴ See, e.g. European Parliamentary Research Service, [Family reunification rights: Refugees and beneficiaries of subsidiary protection](#), April 2025.

⁵⁵ See, e.g. KIND, [How the Administration's Enforcement Policies Are Separating Families and Harming Unaccompanied Children](#), 13 January 2026.

⁵⁶ Joint General Comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) and No. 22 (2017) of the Committee on the Rights of the Child (CRC) on [General principles regarding the human rights of children in the context of international migration](#), CMW/C/GC/3-CRC/C/GC/22, para. 32(j), 16 November 2017.

⁵⁷ UN Committee on the Rights of the Child (CRC), General Comment No. 6 (2005) on [Treatment of Unaccompanied and Separated Children Outside their Country of Origin](#), CRC/GC/2005/6, para. 88, 1 September 2005; and Joint General Comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) and No. 22 (2017) of the Committee on the Rights of the Child (CRC) on [General principles regarding the human rights of children in the context of international migration](#), CMW/C/GC/3-CRC/C/GC/22, para. 32(j), 16 November 2017.

⁵⁸ Joint General Comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) and No. 22 (2017) of the Committee on the Rights of the Child (CRC) on [General principles regarding the human rights of children in the context of international migration](#), CMW/C/GC/3-CRC/C/GC/22, paras. 32-33, 16 November 2017.

wherever possible, with detailed reintegration plans developed in coordination with the child, their family, and child protection actors in the country of origin. Post-return assistance should include physical and psychological support, access to protection, healthcare, education and/or vocational training, as well as measures to prevent discrimination and re-trafficking. The journey itself must be conducted safely, with appropriate escort arrangements and avoiding any detention or criminalization of the child.

8. Transition to adulthood

Legal and administrative proceedings involving children on the move can take months or even years to complete, during which time some unaccompanied and separated children transition into adulthood.⁵⁹ This can cause them to be denied access protection, particularly in cases where they are not provided with a secure residence status in the country of residence and they may be subject to removal upon reaching the age of 18.⁶⁰

Because of this, children transitioning to adulthood may not be offered stable housing solutions, or access to education and employment, which adds to their vulnerability. Young people find themselves isolated, feeling marginalized, and they may be targeted by individuals who would exploit this vulnerable situation to their advantage. States should introduce measures to facilitate continued access to protection and assistance during children's transition from adolescence to adulthood, including by implementing sustainable solutions to ensure the child's durable legal status, access to legal aid and other supports.⁶¹

Promising Practices

Despite the many challenges faced by unaccompanied and separated children in the context of trafficking in persons, there are several promising practices, which could be scaled and replicated:

- The [CARE Intervention Toolkit](#) is a resource designed for professionals who work with unaccompanied and separated children facing exploitative labor situations. Developed by KIND, the CARE framework encompasses four key components: Connect, Assess, Respond, and Educate. It is grounded in the principles of Psychological First Aid (PFA), an evidence-based intervention widely utilized by professionals to assist individuals who have experienced trauma.
- [Project Suzir'ya](#) is a regional initiative led by KIND together with national partners, eLiberare in Romania, SIMI in Czechia, Human Rights League in Slovakia, and the Rule of Law Institute in Poland, as well of a wide network of international, regional and national civil society, State and academic organizations across Ukraine and the European Union. An example of successful multidisciplinary collaboration between CSO's, criminal justice actors, law enforcement and national and regional government agencies, the project involves providing direct legal and case management support to children displaced from Ukraine and strengthening national child protection systems to ensure these children are protected from trafficking, abuse and other serious harm, and can access their rights to protection and justice.⁶²
- The [Know Your Rights](#) guides developed by KIND for Displaced Ukrainian Children and their caregivers is a tool that was built with local partners and children from Ukraine, to focus on the areas of interest. Using child-friendly vocabulary, this tool aims to provide clear and accessible information, in languages that the children may understand (Ukrainian, Polish and English).

⁵⁹ See PICUM, [Turning 18 and undocumented: ensuring a safe transition into adulthood](#), 2022.

⁶⁰ See PICUM, [Guidance for policy makers and practitioners on regularization mechanisms for people transitioning into adulthood](#), 2024.

⁶¹ Consistent with UN Committee on the Rights of the Child (CRC), General Comment No. 20 (2016) on [The Implementation of the Rights of the Child During Adolescence](#), CRC/C/GC/20, 6 December 2016.

⁶² See, Council of Europe, Group of Experts on Action against Trafficking in Human Beings, [Evaluation Report: Slovak Republic](#), 26 March 2025.

- Formal interview settings and immigration courtrooms are often intimidating for children, and children may have limited opportunity to gain familiarity with these settings and relevant procedures before proceedings with significant impacts for their rights, safety, and wellbeing. In this respect, an innovative practice has been the establishment of [special children's dockets](#) or other adapted proceedings that ensure adjudications are tailored to children's developmental level. These frequently include training of all staff, including interpreters and adjudicators, on child-centered and trauma-informed practices; providing safe and child-friendly spaces; age-appropriate information; and ensuring universal access to legal aid for children are critical aspects of such proceedings.
- The [Barnahus model](#), which provides child-friendly, multidisciplinary and interagency services for child victims of sexual exploitation and sexual abuse, has been noted as a promising practice by the Council of Europe. Similarly, the European Commission has recommended the use of a "targeted, integrated multi-agency approach to support and protect child victims, with age-appropriate services", that takes into account the child's specific needs and vulnerabilities.⁶³
- The [Kompas](#) initiative, developed and implemented by eLiberare Association beginning in May 2022, is a critical anti-trafficking initiative designed specifically to reduce the risk of human trafficking and sexual exploitation among Ukrainian refugees. This intervention was unique as it was the first such model in Romania and included a specialized educational resource, "[The Kozak Family learn to keep safe](#)" guide, for children and adolescents. What was initially developed as an urgent, localized intervention delivered in collaboration with multiple local NGOs across Romania for refugees arriving in Romania, has since evolved into a globally relevant framework for protecting people on-the-move against trafficking and exploitation. Kompas has been deployed in the Republic of Moldova, Ukraine, Greece, and Uganda, providing an adaptable framework to protect displaced populations from trafficking and exploitation in conflict and crisis contexts.⁶⁴
- [Capacity strengthening programs](#) that build the capacity of a broad range of relevant stakeholders, including communities, schools, the social, health and legal sectors, police, and frontline services, to ensure the early identification of children at risk are widely noted as a promising practice. These can include training on proactive outreach and implementation of effective mitigation measures to address the risks of trafficking. An example of this is a training organized by eLiberare and KIND in December 2025, for Ukrainian and Romanian border guards, focused on early-identification of child trafficking.⁶⁵ The training provided participants practical information on cross-border child protection laws and referral pathways, as well as on the psychological impact of trafficking on children. Participants highlighted that this training gave them a clearer understanding of what trafficking could look like in children, what their responsibilities were, and how they could communicate with their colleagues across borders.
- In the United States, the U.S. Congress has directed the Department of Homeland Security (DHS) to hire [licensed child welfare professionals at land border facilities](#) to provide direct care and administer screenings to trafficking victims and other children; coordinate existing child welfare resources and processes across U.S. Customs and Border Protection (CBP) facilities to promote border operations efficiency; and recommend and help implement operationally feasible measures to improve child welfare in DHS custody. Similarly, [Blue Dot Hubs](#) have been established in several countries to respond to the needs of people displaced from Ukraine. Located at border crossings, transit points, and stations, they are safe-spaces and support centers offering free, multi-language, and immediate services, including protection for unaccompanied children, legal aid, psychosocial support, and information.

⁶³ Commission Recommendation (EU) 2024/1238 of 23 April 2024 on developing and strengthening integrated child protection systems in the best interests of the child, para. 16.

⁶⁴ eLiberare Association, [Kompas Impact Report. A Protection Model Mainstreaming Preventing and Combating Human Trafficking for People on the Move](#), June 2025.

⁶⁵ See, <https://tinyurl.com/y8t92ekr>.

Kids in Need of Defense (KIND) is the preeminent international nongovernmental organization devoted to the protection of unaccompanied and separated children. In 2008, KIND was founded by the Microsoft Corporation and Co-Founder and Patron Angelina Jolie to address the gap in legal services for unaccompanied children. Today, KIND has offices and staff across the United States, Mexico, Central America and Europe. Our team, and KIND's extensive network of private sector pro bono and nongovernmental partners, provide unaccompanied children with child-centered, trauma-informed holistic care that includes legal representation and psychosocial support. We are a trusted source of accurate and timely information as well as innovative solutions that protect the rights and well-being of unaccompanied children on the move. We partner with governments, international organizations, civil society, and the private sector to implement child-friendly solutions as well as to deliver targeted advocacy, training, technical assistance, and capacity strengthening to promote stronger child protection around the world.

For more information visit www.supportkind.org

Established in 2013, eLiberare Association is a Romanian non-governmental organization committed to preventing human trafficking and sexual exploitation. Its work is structured around four core pillars: prevention and education, proactive identification of victims, survivor engagement, and the strengthening of ecosystems to influence and improve policy and legal frameworks. eLiberare is accredited and licensed by the Romanian Government to provide specialized assistance to victims of human trafficking, including children. The organization also holds special consultative status with the United Nations Economic and Social Council (ECOSOC) and actively engages in multilateral advocacy. With nearly 13 years of experience, eLiberare has developed an extensive network of more than 4,600 partners at the national, regional, and international levels.

For more information visit www.eliberare.com