

**9th ASEM Conference of the Directors-General of Immigration  
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**Detection of unaccompanied minors**

Unaccompanied minors are since decades a group of concern because of the bigger risk to become victims of human trafficking and smuggling for different purposes. Also on international level this concern already got the attention of the United Nations where the "Convention of the Rights of the Child" was the first legally binding instrument for the protection of the rights of the children in which also provisions are included on the protection of unaccompanied children.

The problem of these unaccompanied children is that in all circumstances they are at risk when they are travelling on their own or in a group without parents or legal guardians, whatever status they have in the country of origin, transit or destination. Therefore, it is imperative that transparent procedures are put in place to prevent that these children become victims of trafficking or smuggling.

We have to be aware that child trafficking and smuggling is a international phenomenon which is taking place within countries, between countries and between continents and which is a lucrative business in the hands of criminal organisations. Worldwide 215 million children<sup>1</sup> are trafficked for child labour and sexual exploitation. In this context it is necessary to have transparent and efficient procedures inside and between countries and regions to counter this degrading form of crime.

In theory, there are three groups of unaccompanied children that are travelling. First of all, children that are travelling totally alone, where for travelling by plane, there are the IATA-rules that from 5 to 12 years, the child has to be registered and taken care of by the flight company. Secondly, children from 12 to 18 are always travelling alone without protective measures. And then there is the third group where a child is travelling accompanied by a third person who is not the parent or guardian.

The detection of unaccompanied minors who are or will be possibly in a dangerous situation is one of the prerequisites to undertake action. This detection is not limited to the hazardous situation itself but should also be

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<sup>1</sup> [www.savethechildren.org](http://www.savethechildren.org)

included in procedures that authorities have to put in place and where attention should be paid to the different levels of the travelling: before the start of the travel, during transit and off course once the destination has been reached. **Harmonised procedures** in the countries of origin, transit and destination facilitate off course the detection of possible risk situations and improves the possibilities for cooperation. In these procedures, the disappearance of the unaccompanied minors should also get special attention since the children, after detection by the authorities, often disappear. Registration of the minors (including pictures and other data) and safe reception facilities are two main conditions to counter the problem of the disappearances.

Next to this, there should be also very strict regulations concerning the deliverance of **identity documents** for children. A child should only get a passport when the official can verify that the picture of the child on the passport is the same as the applicant. Embassies, flight companies, police authorities, etc. should pay attention to the documents presented and verify the authenticity of the documents, if necessary they should ask supplementary documents or interview the child and/or parents.

Therefore, national and foreign **partners** have to be identified per country and a cooperation between these partners should be put in place, both nationally as well as internationally. In first instance, the partners that could come into contact with possible unaccompanied minors are embassies, police authorities, immigration authorities, reception facilities, transport organisations, lawyers, NGO's and international organisations. The exact role of all these partners also has to be identified clearly. One focal point with the local authorities per country, where information about (possible) victims or organisers can be gathered and where action can be taken, could already be a first step in the building up of a partnership. In this way analyses and risk assessments can be made also more efficiently in cooperation with other countries where child smuggling and trafficking organisations are active.

The partners that are involved should off course have enough knowledge on the risks and profiles of the children and should have access to updated **information** about how the criminal organisations are functioning and what the best strategies are to prevent and tackle this problem. In this aspect, the exchange of information between the national and international partners is crucial and migration authorities could play a prominent role in this. Information should also be distributed and admissible for the people, especially in the countries of origin, so that parents or family members don't naively let their children in the hands of others, thinking that they are acting in the interest of their child. In countries where child trafficking and smuggling is very prominent, information campaigns could be organised where information about the risks is distributed to the population on grass root level.

Another aspect is the **training** of the different partners in dealing with the detection of unaccompanied minors and taking the appropriate action for the best protection possible for the minors and against the traffickers. Child smuggling and trafficking is a very mobile business and countries most of the time are suddenly faced with this issue. In this regard more experienced countries could train the authorities of the other country in dealing with this issue.

In the countries of origin, transit and destination, there should be also a strict **follow-up** of the well-being of the child by the authorities after the child has been detected. Authorities should take measures in the best interest of the child and in accordance to the national and international laws and regulations. In most circumstances, the best solution for the child is the return to the parents or legal guardian. To avoid that children will be trafficked or smuggled again, the competent authorities should monitor the best interests of the child and take appropriate action when the child is or could be endangered again.

Detection, identification and follow-up of the minor (possible) victims of child smuggling and/or trafficking can only be dealt with efficiently if all the actors involved are well informed and trained. When all parties concerned, nationally and internationally, are cooperating in this matter, the smuggling and trafficking of children would get more difficult. The best interest of the child should prevail, both in the countries of origin, transit and destination. Wherever possible, the child should be reunited with his parents or family members.

#### Questions

- Can your country be considered as a country of origin, transit or destination where unaccompanied minors are regularly detected?
- Does your country allow the deliverance/application of passports without the presence of the child?
- Did your country already organise information campaigns about the risks for unaccompanied minors during their travelling?
- What happens if an unaccompanied minor in a risk situation is detected in your country?