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Child Trafficking: The Construction of a Social Problem

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Abstract

Child trafficking is a public health problem and a serious violation of human rights. However, it is not a product of modern times; rather, it is a phenomenon observed across history. Nevertheless, it is not viewed as a social problem because it only affects a limited number of individuals, and these individuals are children. In fact, the social status of children and the importance attached to their difficulties, the social exclusion of problem children (the children of others), and the double negativity attributed to child victims might explain why this crime is not generally recognized as a problem that must be addressed. As a topic of *high consensus and low intensity*, its increasing presence in the political discourse and in child protection practices is not accompanied by the active involvement of the general population in its prevention or combat. In this chapter, we discuss the ambivalent presence of child trafficking in Portugal and within Europe, considering the official data on the phenomenon with regard to the aspects of crime and victimization.

Keywords: child trafficking, social problem, victims, child protection, trafficking in human beings

1. Is child trafficking perceived as a social problem in Portugal?

We live in a time in which claims proliferate about a multitude of issues regarding social reality and people's lives. Because some of these issues are understood as adversely affecting a significant part of the population, they create a collective discourse and demands for action. When important societal groups (e.g. politicians, social change groups, the news media and numerous citizens) recognize these claims as legitimate and valid, they become social problems. As such, from a social constructionist perspective, the emergence and recognition of social problems are based on both the empirical evidence of their existence and impact as well as on the perceptions of their implications and need to be solved [1].

As Best [2] mentioned, social progress paradoxically creates social problems for different reasons. On the one hand, it generates a general expectation of perfectibility, which fosters a growing intolerance towards social difficulties and shortcomings. On the other hand, as the biggest challenges of humanity are within our reach (e.g. increased life expectancy, control of diseases), those that once were considered small now seem bigger and more serious (e.g. quality of life, lifelong learning). Moreover, the growing exigence of societies, together with the multiplication of relationships and communication networks, lowers the tolerance threshold of the population. Finally, because social progress improves life expectancy and standards of living, it fosters fears of loss as well as inflates perceived risks and defensive postures [2].

At given times and in relation to certain phenomena, a discrepancy exists not only between social perceptions and the available data on the issues but also among the perceptions of different social groups. For instance, policymakers might be attentive to a certain subject based on their knowledge, and this view might not be shared or valued in the same way by society as a whole. We believe that child trafficking meets this standard worldwide and, specifically, in Portugal.

Regarding Portugal, the following reasons (some general, others country-specific) are put forward to contend that child trafficking is not perceived as a social problem as previously defined: (i) it is relatively unknown among most of the population, (ii) it involves children as victims, (iii) it involves children who are often from disadvantaged backgrounds and/or foreign origins, (iv) it is a police matter and (v) it involves a small group of the population.

Let us discuss each aspect briefly.

2. A strange social phenomenon: the role of media and research

Research on the public awareness of trafficking in human beings (THB) is scarce. However, as Sharapov [3] asserts, it is a distant subject for most of the population. Various European countries (e.g. Scotland, Belgium, Czech Republic, Finland and Romania) generally view it as having little relevance to their daily lives. This sense of detachment is not so much due to the lack of information on the subject, as to how this information is framed (i.e. primarily as a legal and criminal issue on the margins of normal everyday life) [4]. Portuguese reports on people's awareness of human trafficking are in line with this general tendency. In a study conducted by Sani, Nunes and Caridade [5], the authors used a convenience sample to find that most respondents showed a poor understanding of THB and recognized the lack of information concerning this phenomenon in Portugal. Most participants viewed THB as the exploitation of immigrants and socially disadvantaged people in search of work. More than half (58.5%) had not heard any information about it over the last 2 years. Among those who had heard information, social media stood out as the privileged method of communication regarding this phenomenon.

Although the relationships among public opinion, the media and public policies are complex and controversial, the available evidence shows that political and media discourses on human trafficking significantly influence public opinion, and (conversely) public opinion affects media and policymaking [3, 4].

With regard to Portugal, the role the media plays in framing the public discourse on human trafficking has received specific attention. Research examining the written press between 2001 and 2004 [6] substantiated the media representation of human trafficking as infrequent, superficial and stereotyped. News on this topic was poor, barely visible and associated with criminal activity and deviant people from other countries and minorities. In a second study focusing on the news published in a tabloid newspaper in 2008, despite the increased visibility of the phenomenon, Couto, Machado, Martins, and Gonçalves [7] identified similar trends in the coverage: it was framed as a criminal problem, essentially involving deviant groups, and is generally related to illegal immigration. This representation facilitates the adoption of a passive and moralizing attitude of devaluation regarding the phenomena and depreciates the people involved. As has been indicated with regard to child trafficking in other European countries [8], a cross-border problem that affects almost only asylum seekers and immigrants or particular cases is unlikely to affect the general community. This assumption leads to the underestimation of the risks of child trafficking and to the weakening of the social relevance of prevention and protection strategies.

Research on human trafficking and, in particular, child trafficking, is critical. Producing and disseminating knowledge helps sensitize people in general. Moreover, it substantiates more effective processes of identification, prevention, and protection, as well as helps support victims and prosecute criminals [9].

As Clemente [10] stated, the Portuguese investigation concerning human trafficking has developed more slowly and inconsistently than that in other countries (the first publications date back to 2000) [11]. Driven by the increasing attention of the national authorities to the phenomenon, within the framework of international agreements, the academic research made its greatest development beginning in 2007 onwards. As in other European countries, where the empirical literature on child trafficking is scarce [12], the scientific approach to this problem in Portugal since the beginning consisted primarily of secondary research articles on the sexual exploitation of women based on official statistics. For various reasons, this research appears to report only one-third of the referrals per year [11]. Reports on the prevalence of the phenomenon to monitor and evaluate prevention, protection and rehabilitation programmes have been more systematic and frequent than that regarding trafficked victims, the circumstances of their victimization or the trafficking process, its rationale, dynamics and other people involved. Nevertheless, the study of the social representations of human trafficking, in particular those of specific groups including practitioners, has been a significant part of the investigation undertaken in Portugal in this field, yet with sampling limitations. In these types of scholarly papers, child trafficking is often referred to in connection with the characterization of the age of the victims. However, research specifically focusing on child trafficking is scarcer. In this regard, the RCAAP¹ portal is a privileged source of access to Portuguese academic production. From 2006 to 2016, 12 papers on human trafficking were registered from Portuguese repositories [13]. However, only eight titles include the keywords “child trafficking” as of 2019: a working paper and seven master’s theses.

In short, the still incipient scientific production and media coverage focusing on criminal cases reinforce the lack of information associated with public opinion and, to that extent, create a distance with regard to this phenomenon.

3. The status of victims: children

As has been elaborated elsewhere [14], a widespread social consensus exists regarding child welfare matters. Although these matters are frequently used by politicians and the media as rhetorical devices and emotional assets [15], this discursive intensity is not always consistently translated into policies or practices. On the other hand, this unanimity, even if it arouses ethical shock and emotional indignation, does not induce social pressure or collectively persistent action in relation to children’s issues.

If children whose parents fail to protect their best interest are socially vulnerable, relatively invisible and voiceless, child victims are viewed even as more helpless. This issue is especially relevant because, as Gearon [16] argued, child trafficking narratives are pervaded by the notion of victimhood, conveying representations of helplessness, vulnerability and lack of agency. This convergent negativity (those of children and victims) [14] easily evokes empathic social responses but does not necessarily make the victim a priority.

¹ RCAAP is a Portuguese digital platform that aggregates the open access scientific production registered in the national institutional repositories and, since 2010, also the scientific production of Brazil available from the Brazilian Institute of Information Science and Technology (IBICT).

Furthermore, the formal requirements for eligibility to the protection system, which are understood in light of the social representations of victimhood, create a paradox. On the one hand, the confirmation of the status of a victim is a mandatory requirement for accessing assistance. On the other hand, when victims do not comply with the social expectations of powerlessness and passivity, the question of their responsibility often arises regarding the situation in which they find themselves. Although they are children, if their participation in trafficking is understood as active and voluntary, then their status as child victims gives way to that of the criminal children: those who should be blamed, convicted and punished, rather than protected [16]. Although the victim is viewed as an object of behaviors and situations beyond their control or ability to self-determine, the circumstances of children allegedly involved in criminal activities are dimmed, and their behaviors and condition tend to be abstracted and decontextualized [14]. In short, whether they match the stereotype of a victim or not, children who are victims of trafficking have no voice or do not deserve to be heard. Either case applies to what Clemente [10] called “the deafening silence of trafficked people” (p. 663).

4. The status of victims: poor, deviant and from abroad

Public opinion is an indication of societal attitudes towards certain phenomena. With regard to human trafficking, if public opinion expresses the culture of society, then it might reflect the social discrimination of women and children as well as a social tolerance towards violence and exploitation [8], which would enable an understanding of the symbolic construction of this phenomenon. On the other hand, because public opinion influences policymaking, if well-formed and informed, it can also help reduce the structural factors that underlie trafficking [3].

Victims of child trafficking and exploitation often come from abroad and the margins of society. According to the final report of the study of groups at high risk for human trafficking in the European Union [8], the risk of child trafficking is significantly higher for children with disabilities or who engage in risky behaviors, from dysfunctional, disadvantaged and/or social excluded families, communities or neighborhoods in areas of conflict or crisis. Generally, they might be viewed as *problem children*. This label reinforces their inherent negativity [14], social invisibility and exclusion [17]; they are *the children of others*. As such, instead of a positive approach to the phenomenon based on a human rights perspective, they might evoke attitudes of socially organized denial [18], rejection, disinterest or criticism.

5. Framing the phenomenon: a justice system problem

Thus, the genesis of trafficking is essentially sociopolitical, culminating in a legal phenomenon. Experts [16] have criticized the criminal perspective that has dominated child trafficking “as immigration-led and prosecution-focused” (p. 497) and as a threat to human and state security [19]. This simplistic view overshadows the broader dimension of the phenomenon, which as Gearon [16] asserted is not limited to international movements (legal or illegal) or migrant children. In fact, as Palmer [20] claimed, child trafficking is a complex, multidimensional and dynamic process; it is a shape-shifting phenomenon characterized by different patterns across countries. It involves national citizens, migrants (i.e. other EU citizens), immigrants from third world countries, children with their families and unaccompanied asylum-seeking children. It might begin long before it is detected, with or without family involvement, for a variety of purposes, and as part of more or less

sophisticated networks. However, according to Crawley's research in the UK [21], even the intervention of health and welfare professionals is permeated by the logic of immigration control [22], where the concern with the protection of the territory overrides that of children. In the same vein, Clemente [10] characterized the Portuguese support system for victims of trafficking as victim-oriented in theory but as focused on internal security objectives in practice. This feature corresponds to the current trend of protection systems, which are increasingly focused on control rather than care [23].

This partial viewpoint hinders interventions focused on the rights and needs of children and their protection [16]. As experts have argued, the majority of children who eventually become victims of exploitation and/or trafficking have previously been deprived of their rights [24]. In this sense, they contend that the criminal matrix of the definition of child trafficking frequently overshadows its true nature and origin: child trafficking is primarily a matter of rights and protection, and, as such, it reveals the shortcomings of protection and welfare systems [24, 25]. Therefore, the priority or almost exclusive emphasis on legal and procedural aspects and the subsequent production of penal legislation, national action plans and support measures for victims at the expense of action towards the structural conditions that underlie trafficking are criticized. Enforcing the United Nations Convention on the Rights of the Child is the most effective way to prevent the exploitation and trafficking of children and youth as well as safeguard their rights and respond to their needs.

6. The extent of the problem: statistics and relevance

Data available on human trafficking and, specifically, child trafficking provide only an approximation of the reality. In addition to being a hidden phenomenon [19], illegal and clandestine [26], concepts of trafficking differ across countries as various reports have highlighted. Because trafficking is usually closely connected to crimes such as illegal immigration, aid to illegal immigration, forgery and criminal association, the distinction among these phenomena is not clear [24]. Consequently, defining these terms involves a wide range of legislation [27] and a variety of mechanisms to identify phenomena. Furthermore, even at the national level, experts have identified many discrepancies in the data reported across different sources, as in the case of Portugal [11]. These findings support the idea of numerous unreported cases (the dark figures of trafficking). Therefore the low numbers of child trafficking represent the tip of the iceberg [19, 28].

Additionally, the eligibility criteria for acquiring the status of trafficking victim and receiving assistance significantly modify the available data on this phenomenon.

Especially with regard to child trafficking, the criterion used to set the age of the victim, whether at the time of referral or at the beginning of trafficking, remains a sensitive issue. Neves and Pedra [11] drew attention to the fact that many victims have been subjected to exploitation for several years, even though their identification in the system occurred during adulthood. This consideration provides a different basis for calculating the number of child trafficking victims as well as targets and adjusts the interventions made available to people in these conditions within the legal and protection systems. In fact, according to Catch and Sustain [29], trafficked children (especially those with a long history of being exploited) tend to be treated by the legal and the protection systems according to their immigration status or the crimes in which they might have been involved, rather than the crimes that they have suffered along the way. This procedure is contrary to Directive

2011/36/EU, which recommends the development of comprehensive child-sensitive protection systems and the mobilization of recovery processes as soon as children are identified as victims of trafficking.

Another eligibility criterion concerns the distinction between the child trafficking statistics and the risk of child trafficking (i.e. trafficked children and those vulnerable to exploitation and trafficking). In line with this view, researchers have claimed that the groups of children targeted to prevent and combat trafficking (currently unaccompanied asylum-seeking children, child victims of trafficking and child victims of sexual exploitation) should be revised to include accompanied child migrants, undocumented children and homeless children [24]. According to scholars and practitioners, within the logic of prevention and effective interventions, authorities should expand their focus to include children at risk of being trafficked, favoring more comprehensive interventions in addition to focused responses. This option would imply overcoming a segmented view of the intervention, based on children's status, to adopt an ecological, systemic, multidimensional and dynamic perspective of children's vulnerability [24].

For the reasons outlined above and given the absence of reliable and disaggregated data [29], comparisons of national data are far from linear [24].

Nevertheless, despite the scarcity of consistent data, according to the United Nations Office on Drugs and Crime [30], human trafficking could likely reach up to 4 million victims. Most are female (72%) and trafficked for sexual exploitation, although significant regional variations are observed [30]. The Organization for Security and Cooperation in Europe (OSCE) estimates that children account for over 30% of the world's human trafficking [31]. According to the 2018 Global Report on Trafficking in Persons, in 2016, 23% of these children were girls, which is more than double than that identified in 2004 [32]. As the International Labour Organization (ILO) specified, 26% of the 20.9 million people who were victims of forced labour between 2002 and 2011 were children [33].

As noted in the report of Catch and Sustain [29], child trafficking occurs in all European countries, without a clear division among countries of origin, destination or transit. In the European Union (EU) in 2015–2016, approximately 56% of the victims identified were from non-EU countries. The majority were female (68%), and the dominant forms of exploitation were for sexual and labour purposes (56 and 26%, respectively); relevant geographical variations were also observed. Children accounted for 23% of the victims detected and for 23% of all victims of trafficking for sexual exploitation [34]. However, considering the cases reported to/by NGOs and official agencies, experts in this field estimate that the dark figures might be five times higher than official statistics report [35].

The “official data on human trafficking (TSH) in Portugal indicate a residual phenomenon, with approximately 80 cases reported each year on average, with a total of 250 victims in 2009, 2010 and 2011. Of these cases, less than 25% were confirmed (58)” ([11], p. 23). Regarding child trafficking, prior to 2010, national data were subsumed under the general data of human trafficking. Nonetheless, since national data on human trafficking began being collected, reports indicate that few children were victims of this type of crime (e.g. in 2008, the minimum age of the reported cases was 1 year old; in 2009, the minimum age was 12 years old). In accordance with the Report of the Group of Experts on Action against Trafficking in Human Beings [35], between 2008 and 2011, 17 children met this condition, the majority of whom were female (median age = 14 years old). Sexual exploitation, labour exploitation (n = 3) and attempted adoption (n = 3) were the identified purposes of trafficking.

Table 1 details the number of child trafficking referrals considering the total number of human trafficking referrals in Portugal from 2010 to 2017. Data,

Year	2010	2011	2012	2013	2014	2015	2016	2017
No. of child trafficking referrals	7 ¹	10 ²	39 ³	49	27	18 ⁴	26	45 ⁵
Total no. of human trafficking referrals	86 ⁶	71 ⁷	125 ⁸	308	197	193 ⁹	261	175
% of child trafficking referrals	8.1%	14.1%	31.2%	15.9%	13.7%	9.3%	9.9%	25.7%

¹Ref. [36] (first report with disaggregated statistics for children).
²Ref. [37].
³Ref. [38].
⁴Ref. [39].
⁵Ref. [40].
⁶Ref. [36].
⁷Ref. [41].
⁸Ref. [38].
⁹Ref. [39].

Table 1.
Child trafficking referrals in Portugal (2010–2017).

compiled from different sources, represent cases reported before investigation and substantiation. Absolute figures are relatively low, both in relation to human trafficking in general and to child trafficking specifically; however, notable variations have been found over time. The percentage of child trafficking referrals varied from 8.1% in 2010 to 31.2% in 2012.

According to Neves and Pedra [11], 82.4% of the trafficked children in Portugal are 15 years or older. In addition, those who began to be trafficked in childhood tend to be exploited for longer periods than those who start the process in adulthood. In fact, 44% of trafficked children have been exploited longer than 4 years. According to these authors, if the criterion used to set the age of the victim is the beginning of trafficking, then this number would be approximately 30% of all cases of trafficking.

7. An outline of the problem

As Clemente [10] asserted, the introduction of the issue of human trafficking in Portugal was prompted by the need to transpose the international directives issued by the United Nations and the European Commission into national law. When Portugal adopted the United Nations Convention against Transnational Organized Crime and the additional Protocol to Prevent, Suppress and Punish Human Trafficking (especially with regard to women and children) in 2004, all legislative changes that followed have given rise to the definition and development of specific policies and procedures. National Plans against Human Trafficking have played a decisive role in the adoption of an integrated intervention strategy, combining interventions at different levels and multiple actors.

In 2007, the Portuguese authorities developed the first National Plan against Human Trafficking (2007–2010) (I PNCTSH) [31], which had four strategic domains: (1) to understand the phenomenon and disseminate information; (2) to prevent, elucidate and train; (3) to protect, support and integrate; and (4) to conduct criminal investigation and prosecute traffickers [31]. With regard to children, (i) they are recognized as being among the most vulnerable populations to human

trafficking (along with women), particularly those living in poverty; (ii) trafficking is considered as a violation of their right to be free and protected; and (iii) victims trafficked for reasons of sexual and/or labour exploitation require special assistance and protection. Considering children's and youths' vulnerability, the I PNCTSH considers the following specific areas of intervention: (i) to educate children by promoting creative debates and activities in schools about human rights, children's rights and human trafficking and (ii) to support trafficked children by providing special measures to promote their rights and protection aiming at their global development.

This Plan led to the creation of the Observatory on Human Trafficking (OTSH) in 2008, which was established by Decree-law no. 229 on November 27, 2008. It is responsible for collecting, producing, processing and analyzing data on human trafficking, including child trafficking.

In 2009, two initiatives stood out in this domain [27]: (a) the certification of documents for foreign children attending Portuguese schools (Immigration and Borders Service [SEF] goes to school) and (b) the creation of the first temporary shelter for 6- to 18-year-old refugee children and (CACR). This centre is expected to provide specialized assistance to children and youth in the asylum process (i.e. legal, social and psychological support).

The second National Plan against Human Trafficking (2011–2013) (II PNCTSH) [42] defined the same areas of intervention as the I PNCTSH. Nonetheless, the special situation of children was not differentiated in this Plan, neither conceptually nor in terms of specific measures.

In 2013, Portugal joined (a) the “European Cross-Actors Exchange Platform for Trafficked Children on Methodology Building for Prevention and Sustainable Inclusion”, which aimed to develop an evidence-based intervention model targeting children who are vulnerable to trafficking and promote knowledge about criminal procedures concerning THB in the EU, and (b) the “Improving and Monitoring Protection Systems against Child Trafficking and Exploitation” (IMPACT) Project, which aimed to improve child protection and welfare policies to prevent and protect children, particularly those vulnerable to trafficking and exploitation [24].

The third National Plan (2014–2017) (III PNCTSH) [43] had five strategic areas: (1) prevent, inform, understand and investigate; (2) educate, train and capacitate; (3) protect, intervene and empower; (4) investigate criminality; and (5) cooperate. Regarding children, it included actions such as the development of education for children, adolescents and adults, as well as the development of protocols for the prevention, detection and protection of child victims of trafficking. The implementation of standardized care protocols for the identification, referral and intervention of victims of trafficking, among others, and for child victims of trafficking, in particular, by the National Health Service (NHS), was particularly important.

The fourth National Plan (2018–2021) (IV PNCTSH) [40] defined three strategic objectives: (i) to develop knowledge and raise awareness on THB, (ii) to improve the quality of interventions for trafficking victims, and (iii) to strengthen the fight against organized crime networks. With regard to children, an emphasis was put on the development of guidelines and protocols for intervening with children across different services as well as on reinforcing networking within different services, including the NHS and the National Network for the Support and Protection of Trafficking Victims.

As the four national plans against human trafficking show, children are included as victims of trafficking and are occasionally specifically targeted. However, none of the plans address the specificity of child trafficking.

8. The specificities of child trafficking

The Portuguese Penal Code (Law no. 59/2007) defines child trafficking as enticing, transporting, harboring or housing a child or transferring, offering or accepting the child for the purpose of sexual exploitation, labour exploitation, begging, slavery, the removal of organs or adoption, among other criminal activities (Article 160) [24]. In fact, research shows that, most of the time, children are trafficked for labour exploitation (e.g. domestic servitude, agricultural labour, car washing, factory labour), sexual exploitation (e.g. prostitution, pornography and forced marriage), illegal adoption and criminal exploitation (e.g. cannabis cultivation, robbery, begging) [44].

As detailed, this definition entails the intentional action of the offender to exploit a vulnerable person. In the case of children, the critical elements of the definition of human trafficking do not apply [34]: the means (coercion, fraud or deception, abuse of power or of a position of vulnerability) and the victim's consent. However, the issue of consent is not exempted from controversy because of the debate concerning the age of consent [19], an issue related to the criterion used to set the age of the victim, as previously discussed.

Associated with age and the corresponding development level are, among others, the issues of: a) capacity to consent to their involvement in certain activities or relationships, especially those that are deviant or criminal; b) the responsibility inherent to this (in)capacity; c) the different developmental needs that children might exhibit depending on their age; d) their plasticity and vulnerability to the external world and the consequent and serious implications of their involvement in harmful relationships and activities; e) longer periods of exploitation than those of trafficked adults; and f) more support needed, given the higher likelihood to develop trauma.

As Greenbaum, Yun and Todres ([45], p. 161) argued, "Given the often multiple vulnerabilities leading to trafficking, the complex trauma experienced during (and sometimes before) the trafficking period, and the myriad adverse effects of exploitation, the needs of the child victim may be extensive and multi-faceted". In fact, the exploitation and trafficking of children are often associated with adverse experiences of abuse, neglect and other forms of violence that harm their physical and mental health. Empirical evidence indicates that between approximately one-fourth and one-half of all trafficked children are victims of physical or sexual abuse [26, 46]. These forms of maltreatment are associated with psychological disorders such as posttraumatic stress disorder, substance abuse, self-harming behaviour, suicide ideation/attempts, depression and various affective disorders and behavioral difficulties [26].

Thus, interventions must be multidimensional and address different groups and levels of victims' needs, not only those that result from trafficking but also those that are at its origin. Child trafficking shares with the other forms of human trafficking multiple, complex and systemic causes, especially specific structural features of the life contexts. Family dynamics are especially relevant for children: dysfunctional families, family abuse/neglect and violence are key variables [24]. Social and political factors such as poverty, social and economic exclusion, limited opportunities to pursue education, scarce and precarious employment, gender-based violence and social inequalities between countries and regions are also important enabling factors. Likewise, more distal elements, such as exploitative relationships, organized crime, illegal migration, corruption and armed conflict play key roles in this phenomenon [43].

9. Child trafficking as a matter of child protection

Child protection systems are the fundamental framework for providing assistance to child victims or those vulnerable to trafficking [20]. In Portugal, a victim of child trafficking is considered as at risk, falling under Protection Law no. 23/2017 and subject to the same assistance as any national child, regardless of nationality or type of risk. Any person identified as a victim of child trafficking should be reported to a public prosecutor who activates a protection measure.

Based on a review of 20 multinational projects funded by the European Commission on child victims of trafficking, including Portugal, Palmer [20] concluded that “trafficked children across Europe are not receiving the state care and protection that they, as children, are entitled to” (p. 7). This study showed the structural flaws in child protection services at three levels: victim detection, support and service coordination. In short, services fail to adjust their level and type of support to the specific needs of these children and youth, either initially, when detecting and referring cases, or in the provision of appropriate assistance. If in some cases a dominant concern exists with the child’s immigration status that overrides the response to their needs, in others the response to these children’s needs is subsumed within the generic provision available to all children at risk. Solutions range from those that compromise children’s freedom to those that do not guarantee their protection or meet their needs, providing overly bureaucratic services. In these circumstances, child protection systems are more harmful than protective and can even facilitate the exploitation and trafficking of these children [47], actively compromising their rights.

Additionally, combating and preventing child trafficking requires a systemic approach in which communication among the health, education, welfare and justice systems is critical [20]. Regarding Portugal, international reports have mentioned the lack of standardized procedures and referral mechanisms [24].

Despite the recognition of the inclusive nature of health, education, welfare and justice sectoral policies, the status of children continues to determine the type of services and rights to which they have access. In accordance with experts, legislation is inclusive, but procedures are not, and the strategic planning and coordination of actions have flaws. However, others argue for the need for comprehensive laws to integrate the different policy domains, procedures and services [24].

Despite the centrality of the child protection system regarding child victims or those at risk of being trafficked, referrals in Portugal are made through two types of entities: criminal agencies (OPC) and NGOs and the Authority for Working Conditions (ACT). Regarding the OPC, the Immigration and Borders Service (SEF) is responsible for detecting unaccompanied asylum-seeking children and for referring them to the Portuguese Refugee Council (CPR) [24] because it is assumed that they are vulnerable to trafficking [19]. The identification of a case triggers its referral for criminal investigation and court proceedings [24]. After referral, the cases proceed through an assessment process during which they can be classified as confirmed, not confirmed or under investigation. This assessment is complex. Usually a panoply of related offenses exist whose legal distinction is challenging, such as aid to illegal immigration, recruitment of illegal labour, kidnapping, slavery, sham marriages/marriages of convenience, counterfeit and false documents, criminal association, domestic violence or violation [36] and smuggling [12]. This procedure confirms, once again, the police and security framing of an essentially sociopolitical phenomenon.

A common reference in the literature on this topic is the need for the specific training of practitioners who, at different levels, work with and for children, especially those with child victims or children at risk of being trafficked to identify and

provide the necessary and appropriate assistance. Immigration officers and other police forces are the frontline staff in most of the national referral mechanisms in Europe. Experts contend that the adequate training of these professionals is critical to ensure that victims are correctly identified and receive appropriate support [19], including cooperation with relevant agencies. In addition to these officials [24], from a comprehensive perspective, teachers [32] and healthcare professionals [48] would benefit from training to identify the signs of exploitation and effectively intervene.

10. Conclusion: what to do with a problem of human beings that is not perceived as a social problem?

Following Pinto et al. [13], child trafficking is not merely a “distant history” taught in school, but it is also geographically and sociologically distant, as portrayed by the media, and a distant interest for research. Law, politics/public administration, research and education are key instruments for fostering the social appreciation of this problem.

The law is a fundamental constituent of society; it is based on justice and is a driver of awareness. Retrospectively, it reflects social and cultural historicity. Looking forward, however, the law sets the standards for behaviour within a culture and promotes psychosocial adjustment. In this sense, legal changes, under international agreements, build an ethical mindset based on human rights that is progressively shared by populations. Education, training and social pedagogy for the community, their organizations and the media must be an ongoing and relentless social task to create a relational culture that is inclusive, rights-based and culturally sensitive.

Child trafficking results from the failure to protect children and safeguard their rights. It is thus a failure towards all children. Protection should be a systemic and ecological feature of the contexts of children’s lives. Additionally, the response to the various needs of each and every child should be the primary concern of children’s services and programmes. For this purpose, instead of a policymaking approach based on a *patchwork* of scattered and partial measures, we need effective and integrated public policies, particularly child and family policies, informed by rigorous and systematic research. Moreover, the proliferation of plans with goals insufficiently developed and evaluated should give way to a cohesive national anti-child trafficking approach.

The identification of the child victims of trafficking is a critical condition for the provision of the appropriate support. The gaps observed in most EU countries, including Portugal [20], led the experts to recommend the revision of the criteria and thresholds to be eligible for the child protection system. With respect to Portugal, the Protection Law, based on the distinction between risk and danger, excludes from the threshold for referral children in low-risk situations. In these conditions, the probability of not detecting potential victims of trafficking is not negligible [20]. Therefore, within a broader perspective of the concept of child protection, we endorse the revision of these thresholds and the consideration of different levels of intervention according to the level of risk identified.

Another crucial aspect of the intervention is the first service with which the child victims come into contact for the first time because it determines the subsequent provision made available to them. Regarding children at risk, the interaction among the services involved (e.g. health, education, Immigration and Borders Service, criminal justice, labour), should occur, in any situation, under the

coordination of the Child Protection System, regardless of the specific status of the child (e.g. immigration status).

These changes will lead to the cultural shift [16] necessary to assign importance to the big and small issues of our time, regardless of the condition of the people affected, their age or number, so that a problem that affects other people is, by definition, a social problem.

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Conflict of interest

The authors declare no conflict of interest.

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