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**Casa dei Diritti Sociali (CDS):** Antonella Inverno, Legal Coordinator Area Minors, Giancarlo Spagnoletto, Social Coordinator Area Minors, Ciprian Arsene, Street Unit Coordinator, Susanna Matonti, Street Team Lawyer, Paulica Ivan, Cultural Mediator, Rodolfo Mesaroli, Street Team Psychologist,

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**This study is integrated in the Terre des Hommes' International Campaign Against Child Trafficking”.**

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*Vorrei... ...  
Vorrei gridare al mondo la rabbia  
dei bambini in catene  
Vorrei gridare al mondo il dolore  
delle bambine sfruttate  
Vorrei gridare al mondo la tristezza  
dei bambini abbandonati  
Vorrei gridare al mondo la paura  
dei bambini maltrattati  
Vorrei gridare tutto questo al mondo  
Ma chi grida con me?*

*Michele, 12 anni*

*(Children's Solidarity Concert –8 Giugno 2005, Roma)*

*I would like... ...  
I would like to shout to the world the anger  
of the children kept under chains  
I would like to shout to the world the pain  
of the exploited little girls  
I would like to shout to the world the sadness  
of the abandoned children  
I would like to shout to the world the fear  
of the maltreated children  
I would like to shout all of this to the world  
But who is shouting with me?*

*Michele, 12 years old*

*(Children's Solidarity Concert –8<sup>th</sup> June 2005, Roma)*

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## ACRONYMS AND INITIALS USED IN THE TEXT

ANCI	National Association of Italian Municipalities
ANDPC	National Authority for the Protection of Child's Rights
CDS	Casa dei Diritti Sociali
CFM	Committee for Foreign Minors
CPIM	Centre of First Intervention for Minors
CRC	Convention of the Rights of the Child
DGASPC	General Direction of Social Assistance for Child Protection
FRCCF	The Romanian Foundation for Children, Community and Family
GIATMS	Group of Reception and Help of Foreign Children
IOM	International Organization for Migration
NGO	Non- governmental organization
TACT	Transnational Action against Child Trafficking
TDH	Terre des hommes
UFMs	Unaccompanied Foreign Minors
UMs	Unaccompanied Minors

## Warning

### Male and female prostitution networks in Rome: a majority of Romanian children !

Today, Romanian girls aged between 14 to 17, walk along the main boulevards of Rome suburbs. These groups of sex workers, all Romanian, are comprised of 3 to 5 minors, accompanied by an adult woman. Only a few hundred meters away, the pimps observe their activities, contacting the girls by mobile phone at any moment.

Romanian boys, aged between 16 to 18, are waiting for their clients in the heart of Rome. The average Italian citizens and the tourists would not notice them. The boys are well dressed; they just wait in this square, staring at the cars of their usual customers, hoping they will offer them money or a hot meal, or even only a place to sleep for the night.

How many boys and girls are there? It is impossible to evaluate the size of these underground businesses. However experienced street workers agree on one fact - the turnover is high and the minors move from one place to another every day as the client looks for new faces...

The municipality of Rome is reacting to this problem but the flux still increases. During the first six months of 2005 only, the number of Romanian unaccompanied minors registered by the public services almost reached the total of the year 2004. The social workers and legal advisors are overloaded with new cases.

*“Every things start in Romania, if we do nothing over there, the Romanian children will continue to come and fall into these networks!”*, a Romanian social worker, states in exasperation. After four years of street work in the capital city, he keeps seeing new minors in the streets. He is a member of the Italian organization Casa Dei Diritti Sociali (CDS), one of the rare NGO providing specific outreach services targeting the foreign children exploited in the streets of Rome.

***“A specific bilateral agreement is going to be signed soon.”***

What's happening in Romania? For those who walked the streets of Bucharest ten years ago, the changes are astonishing. You hardly see a child alone on the pavement. The beggars have disappeared and the institutions are closing one after the other. The young sex workers have been pushed away from the business centres of the capital to the suburbs. The streets appear to be clean...

The entrance ticket to the European Union is in the mind of every Romanian citizen. Many efforts have been produced to reach the standards imposed by Brussels, the laws have been changed and hundreds of new regulations are in place to reform the Romanian reality. The deadline is January 2007.

One of the heads of the National Agency for Child Protection (ANDPC) confirms: *“the Romanian government is very concerned about the migration of minors towards Italy. It is a priority for us! A specific bilateral agreement is going to be signed soon.”*

Furthermore, several Romanian organizations have been active for many years in the fight against the trafficking of human beings. Few of them focus specifically on child trafficking and now only one is starting transnational activities between Romania and Italy.

A young social worker from the Romanian NGO FRCCF has just completed a three-month field mission in Rome working together with CDS team. She actively participated in the street works of their Italian partner, who offer psychosocial and legal support to Romanian minors, involve in the sex market. “Romanian boys are involved in male prostitution, and this is totally ignored in Romania! She continues: When you approach the girls, they don’t want to talk a lot, they are under pressure. This is trafficking!”

She continues saying: “Now I know the main cities they are coming from: Iasi, Galati, Calarasi, Craiova... Activities should take place exactly there, to protect them from the risks of migration...”

She is now more informed than any other social worker that is in Romania. This young activist knows the whole path of the migrant minors, “*the more you are informed, the better you can prevent*”.

Back home in Romania, the struggle to obtain funding to support such activities continues. This is one of the multiple paradoxes of a transition towards EU. The needed budget lines for humanitarian purposes are disappearing from Romania. In fact, FRCCF is spending inordinate amount of time and energy in trying to cover its basic core expenses, which takes away their focus to concentrate on the needs of the beneficiaries.

### Ultimate need of transnational cooperation

Today, CDS and FRCCF are together presenting an updated “Situation analysis of the Romanian children in Rome”. This short-term research, supported by the National Office of Terre des hommes in Romania, intends to distinguish the immediate priorities to tackle child trafficking between both countries.

Due to the contribution of the concerned authorities in Bucharest and in Rome, and with the active participation of both NGO teams, this research shows the high flexibility of the migration fluxes of minors, the complexity of the responses and highlighting the ultimate need for transnational cooperation.

After reviewing these unbearable facts, the findings show an apparent passivity from some duty bearers and an inefficiency by most of the stakeholders.

The preventive and protective solutions to be found in Romania must originate from Romania. In the same way, the social protection and support for the networks of Romanian child victims of sexual exploitation needs to be organized and controlled by both the Italian public services and the civil society in Rome.

In each country, the activities lack basic coordination, while the blatant exploitation of human beings is still continuing with the movements of young Romanian migrants increasing every day. Unilateral programs have been written, discussed and approved. However in reality, the foresight in looking for reliable partners in the other country and establishing sustainable and concrete collaboration agreements are often starting only at the day-one of the implementation.

Romanian and Italian solutions need to be combined, focusing on the principle of the best interest of the child and based on trust between partners. The solution must be a European one.

## **Terminology**

### **Child, Minor, Youngster, Girl, Boy**

These terms are used in the text almost as synonymous for all females and males under the age of 18. The terms sometimes overlap in the authors' attempt to preserve the clarity and simplicity of the language.

Generally the terms youngsters and minors are used to distinguish children around 15, 16 and 17 years old, from the younger ones, since in Italy the term child ("bambino") is used to refer to persons under 11-12 years old.

However International law designates persons under the age of 18 as "children", for most informants the term child meant a pre-pubescent or recently pubescent female or male.

### **Unaccompanied Foreign Minor**

In the text this term is used according to the Italian law that refers to unaccompanied foreign minor as to a minor having no Italian or European Union citizenship, and staying for any reason on the State's territory, without asylum application lodged and without assistance or legal representation of parents or other adults in charge of them under Italian legislation in force.

### **Child at risk of being trafficked**

The child at risk is the one that lives in conditions that are likely to endanger his/her health, safety, morality, education or his/her integrity, but who has not been approached by a trafficker yet.

### **Prostitution**

The term is used for persons under the age of 18, and for adults who offer sexual services in exchange of money. At the same time, it is not intended that the term should be invariably equated with the terms trafficking or coercion. It is also used to refer to persons who are engaged in this activity with full knowledge and consent.

### **Child Trafficking - Child Exploitation**

The distinction here is clarified since in the text reference is done to children that are trafficked from Romania to Italy, without exactly knowing what they will go to do; and children that are migrating to Italy and get exploited in illegal activities while there.

According to the legal approach, child trafficking occurs when a child is moved from one place to another, legally or illegally, within his or her country or across borders and then subjected to exploitation.

At his or her destination, the child is exploited through work, sexual exploitation or involved in unlawful or illicit activities. The child may also be sold for adoption. The principal aim of child trafficking is profit. In most cases, child trafficking involves additional criminal activities. Among other things, the reasons for trafficking children involve:

- Exploitation through work, including begging, slavery and forced labour,
- Sexual exploitation, including prostitution and pornography,
- Illegal activities, theft, drug trafficking, etc...,
- Commercially motivated adoption schemes,
- Traffic in organs.

.....

## 1. KEY FINDINGS

- Roma, today appears to be the main area in Italy with the major concentration of Romanian unaccompanied children.
- Although the number of the ones who are trafficked from Romania to Italy is a reality, the number of children, from 14 to 18 years old, who migrate from their country and get involved or fall victims of exploitation once they are already in Italy seems increasingly high.
- Boys and Girls are mainly inside the sex market, while the younger ones between 11 and 13 are in the market of petty crimes like robbery and extortion.
- Unfortunately it is impossible to evaluate the size of the sexual business, although street workers agree on the fact that the turnover is high and the children move from one place to another every day as the clients look for new faces.
- The main areas where these minors come from in Romania are Bucharest, Calarasi, Craiova, Galati and Iasi.
- In both countries Italy and Romania, the activities lack basic coordination, while the blatant exploitation of human beings is still continuing with the movements of young Romanian migrants increasing every day. Unilateral programs have been written, discussed and approved. However in reality, the foresight in looking for reliable partners in the other country and establishing sustainable and concrete collaboration agreements are often starting only at the day-one of the implementation.
- Romanian and Italian solutions need to be combined, focusing on the principle of the best interest of the child and based on trust between partners. The solution must be a European one.

## 2. THE STUDY

### 2.1 Methodology

This research tries to give a general qualitative and quantitative overview of the situation of unaccompanied Romanian children that are in Rome.

It was divided into 3 different phases:

- **First phase**

Background information was collected and analyzed, in order to have a general view of the situation.

It included:

- publications and reports
- consultation with Institutions, NGOs, local and public authorities and social workers dealing with child trafficking and migration of unaccompanied minors.
- information on the legal status of unaccompanied minors and children victims of trafficking in Italy (especially Rome) and in Romania.

- **Second phase**

An analysis of the situation of the unaccompanied Romanian children present in Rome was made through direct interventions on the field.

A team of Romanian and Italian street workers was organized and when possible children were also interviewed. However it was not possible to cross-check the information provided by these children with other sources.

- Third phase

In order to verify and better understand the exact areas where the children found in Rome were coming from a direct assessment of the different contexts in Romania was made through participant observation. This was focused on a wide range of aspects and aimed to reflect the point of view of the different people interviewed<sup>1</sup>.

The tools chosen during the research were: participant observation, interviews and some informal discussions<sup>2</sup>.

This stage served the collection of basic information about every community and understanding the environmental and cultural context they are living in.

## 2.2 Protection and Confidentiality

The sensitive topic of the conducted research made indispensable to guarantee the confidentiality of the information collected, and to ensure that the presence of the field researchers did not impact the activities of organizations working in those environments.

## 2.3 Limitations of the Research

Given the complexity of this topic it is possible to list some of the limitations encountered during the three months of investigation:

- The primary limitation of the study was time. To build the trust among street workers and the children found in the street needs repeat meetings and regular dialogues for a longer period than three months. Ice-breaking was possible after few meetings but in-depth interviews were possible to be conducted only with 3 children.
- Not all the children found had the same attitude towards the street workers. Some felt more in danger or more embarrassed than others in sharing their experience. Some appeared very afraid to talk, while some others appeared quite open.
- It was not always easy to get in contact and speak with the children, especially the younger ones. They were often in the streets accompanied or watched out from some adults.
- Data provided by the public institutions in charge were fragmented and not inclusive. No government institution has clear-cut information on internal and external unaccompanied minor's movement.
- Generally persons involved in the exploitation of the children do not see it as a real issue. Some parents of children who were involved into begging, labour or theft did not see that as exploitation because they said "*children were under their constant "care" and supervision*".

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<sup>1</sup> It was very important to understand the nature and practice of supporting relationships in the different communities; the integration of the people at different levels and the community appartenance feeling at their society.

<sup>2</sup> Although the period of the investigation was quite limited, meeting with Romanian people in different contexts (outside the formal interviews), helped to have a general comprehension of the environment through the spontaneous narratives and responses of the people.

## 3. CRISIS OF ROMANIAN CHILDREN IN ROME.

The presence on Unaccompanied Foreign Minors (UFMs) is not a new phenomenon in Italy. It dates back to the post second world war period, but over the past fifteen/twenty years it has undergone a drastic transformation<sup>3</sup>.

Throughout the '90s, the Romanian children did not constitute the majority of unaccompanied children found in Italy. The situation changed slightly when in 2002 Romanian citizens did not anymore need a visa for all Schengen countries.

It is mainly starting from 2003 that the phenomenon of unaccompanied minors, present in Italy, started to be characterized by a strong prevalence of Romanian minors over the others.

<b>COUNTRY OF ORIGIN OF UNACCOMPANIED FOREIGN MINORS 2003</b> <i>(only minors that have been signaled)</i>		
<b>Nationality</b>	<b>Total</b>	<b>Percentage %</b>
<b>Romania</b>	<b>2391</b>	<b>47%</b>
Albania	1177	23%
Morocco	949	19%
Area Ex Yugoslavia*	262	5%
Moldavia	61	1%
Bangladesh	57	1%
Poland	32	1%
Iraq	22	0%
Others	150	3%
<b>Total</b>	<b>5101</b>	<b>100%</b>

\* Croatia, Kosovo, Macedonia, Slovenia, Bosnia, Serbia  
(Anci - Dipartimento immigrazione e politiche sociali)<sup>4</sup>

Roma, today appears to be the main area in Italy with the major concentration of Romanian unaccompanied children.

<b>Town Halls with the majority of UMs from Romania in 2003</b>		
<b>Town Hall</b>	<b>Nr.</b>	<b>% on Total</b>
<b>Roma</b>	<b>556*</b>	<b>21%</b>
Milano	304	13%
Trieste	399	17%
Bologna	141	6%
Firenze	223	9%
Torino	140	6%
Udine	123	5%

(Anci - Dipartimento immigrazione e politiche sociali)

\*Precise data received from the Municipality of Rome – V Department,  
GIATMS Gruppo Integrato Accoglienza e Tutela Minori Stranieri.

<sup>3</sup> IOM, "Trafficking in Unaccompanied Minors in the European Union – Italy", December 2004

*"Up to the end of the 1980s, it was linked to movements of minors fleeing conflict situations in and around their countries of origin. ...In the second half of the 1980s, the phenomenon took a new dimension: it was during these years that young adolescents started arriving in Italy from the Maghreb, (mainly Morocco and Tunisia), in a migratory flux almost identical to the influx of adult migrants from the same countries."*

<sup>4</sup> In 2004 a survey over 346 Italian municipalities was made on the situation of unaccompanied foreign minors over the whole Italian territory, "Minori stranieri non accompagnati, un'indagine territoriale"

## Romanian Minors in Rome – 3 month study CDS - FRCCF

Although these data are referring to the year 2003, even during the research, the street workers engaged in Rome noticed that a large number of unaccompanied children that are in the city today, are mainly coming from Romania.

*“The number of Romanian children that are in Rome today seems very high compared to the other foreign children”<sup>5</sup>.*

Looking also at some data collected from the municipality of Rome it is clear that Romanian children are in strong prevalence over the others.

Country of origin of Unaccompanied Foreign Minors in Rome			
Nationality	2003	2004	2005*
Afghanistan	25	27	39
Albania	114	66	43
Area Ex-Yugoslavia (Croatia, Kosovo, Macedonia, Slovenia, Bosnia, Serbia)	81	75	57
Ethiopia	24	20	22
Morocco	84	39	46
Moldova	61	103	98
<b>Romania</b>	<b>556</b>	<b>539</b>	<b>487</b>
No identified	64	206	35
Others	119	53	112
Total	1128	1075	939

(Municipality of Rome – V Department,  
GIATMS Gruppo Integrato Accoglienza e Tutela Minori Stranieri)

\* First semester of 2005 (01/01/2005-30/06/2005)

Today the number of Romanian unaccompanied minors arriving in the city is still increasing. During the first six months of 2005 only, the public services registered 487 unaccompanied Romanian minors, almost the total of the number reached in 2004.

The information was also confirmed from some social workers that are working directly with unaccompanied foreign minors.

*“In 2004 over a total of 636<sup>6</sup> unaccompanied foreign minors that were received in Caritas, 364 were Romanian, while only in the first six months of 2005 over a total of 500 unaccompanied foreign children that were received in Caritas, 314 were Romanian”<sup>7</sup>.*

<sup>5</sup> Information received from the street workers.

<sup>6</sup> This number represents the total number of all the entrances. The minors that entered more than once have been counted different times.

<sup>7</sup> In Rome there are 114 centres of reception for unaccompanied minors.

There are two centres of first intervention (CPIM – Centro Pronto Intervento Minori) in Rome, managed from Caritas and Sacra Famiglia (with about 33 places).

- Information received from the social workers of Caritas.

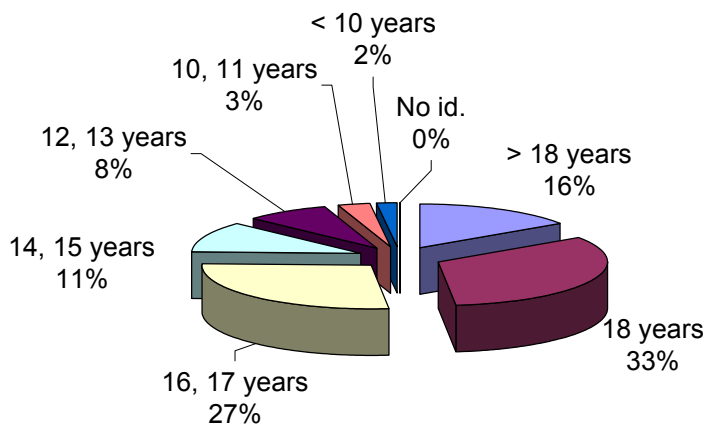
## 3.1 General information of Romanian Unaccompanied Minors in Rome

### The age of the children

Even if there are also younger children<sup>8</sup>; most of the Romanian children found in the streets of Rome are mainly teenagers, boys and girls, between 16 and 17 years old, who decide to migrate to Italy legally or illegally after they have finished the compulsory school.

*“The age of Romanian minors is increasing and teenagers between 16 and 17 years are covering always a bigger portion over the whole number of Romanian that are present in Rome”<sup>9</sup>.*

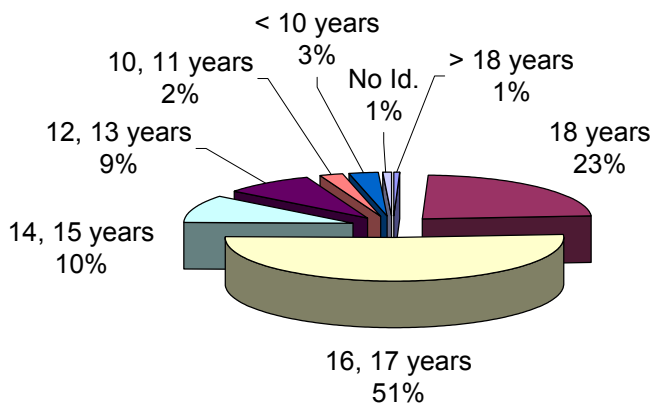
**Age of Unaccompanied Romanian Minors in Rome - 2004**



They find themselves alone, without any surveillance. They have few means of survival and they get influenced from the elder ones, that are in Italy since longer time and they earn easily lots of money.

These Romanian youngsters generally become easily subjected to the risk of exploitation after few days. “Although the number of the ones who are trafficked from Romania to Italy is a reality, the number of children who migrate to Italy and fall victim of exploitation once they are already in the country seems increasing enormously” .

**Age of Unaccompanied Romanian Minors in Rome First semester 2005**



The illegal activities in which they can easily get involved are several: robbery, extortion, drug dealing, begging, but the main business in which the majority of Romanian among other unaccompanied foreign minors gets involved in Rome is prostitution.

(Municipality of Rome – V Department – GIATMS Gruppo Integrato Accoglienza e Tutela Minori Stranieri)

<sup>8</sup> According to the information collected, these children are often Roma.

<sup>9</sup> Information received from an assistant social of the municipality of Rome.

## 3.2 Three main profiles

In order to have a better understanding of the situation of the Romanian unaccompanied minors that are present in Rome, it is possible to have 3 main profiles that approximately describe them:

- Minors not involved into illegal activities and that live inside the Italian centres of reception;
- Minors that are stealing or that are involved in other petty crimes;
- Child sex workers.

### 3.2.1 Minors not involved into illegal activities and who live inside the Italian centres of reception

The Romanian minors who want to enter in the Italian centres of reception usually enter Italy legally. Very often they appear to be well aware of the laws and instruments of protection available to them.

*“Many of the children that are now living into the centers of reception already knew about their existence before leaving from Romania. Their parents have usually consented to their travel, and may have paid their trip”<sup>10</sup>.*

These minors are usually well-informed about the procedures they will encounter on their arrival.

Some social workers tell of minors arriving at social service centers or police stations with a “full list” of demands: residence permits, protection, admission into reception centers, insertion into the labour market, etc... Some of these minors are even equipped with addresses of emergency child protection centers or the relevant police offices as well as birth certificate, attesting to their status as minors.

The Romanian minors that are better informed on all the Italian procedures prefer to reach the north of Italy (Udine), where they know that *“the bureaucracy it is not as slow as in Rome and it is quicker to get a stay of permit for minors”<sup>11</sup>.*

Usually they have been informed from some friends or relatives that have already been to Italy. Sometimes the same people, helped also them to enter inside a centre of reception. Some minors consider these centres like schools, since they tell to their parents that they are learning here the Italian language.<sup>12</sup>

Permanence	N. of minors
From 1 to 5 days	772
From 6 days to 1 month	53
From 1 month to 1 year	218
> 1 year	142
Total	1185

(Municipality of Rome – V Department,  
GIATMS Gruppo Integrato Accoglienza e Tutela Minori Stranieri)

**Unfortunately the unaccompanied foreign minors who decide to stay inside the centre of reception are in great minority** <sup>QuoteA</sup>.

*“The majority of them are generally leaving after few days. They are staying to get some basic needs assistance and once they have recovered themselves they leave to go back on the street”* <sup>QuoteB</sup>.

Since the number of children that do not want to live inside the centres is increasing every day the other two profiles below describe the most common and in the mean time, dangerous situations in which they are generally involved.

<sup>10</sup> An interview with a social worker in one of the centre for first intervention in Rome

<sup>11</sup> An informal interview with a boy of 19 years old from Satu Mare, that left Romania when he was a minor.

<sup>12</sup> The aim of these centers is to help the minors to insert into the local society. There are usually organizing some activities aimed at educational projects. They generally include: Italian language courses, training courses and work scholarships.

<sup>Quote A</sup> There are some evidence that prove that even the children, that decide to stay and leave inside the centres, get often involved in illegal activities during their spare time. – Information received from CDS

<sup>Quote B</sup> Information received from a social worker of the municipality of Rome.

## 3.2.2. Minors that are stealing or are involved in other petty crimes.

Young Romanian minors aged between 10, 11 and 12 years old are considering stealing “*the main activity to practice in Rome*”.

The street workers noticed that they are often in some groups of 4-5 and it is very difficult to try to get in contact with them.

“They are continuously watched out from some adults.

They are usually stealing bags and wallets and very seldom they are begging accompanied by some adults inside the metro.

They are usually “working” in the main stations and around there”<sup>13</sup>.

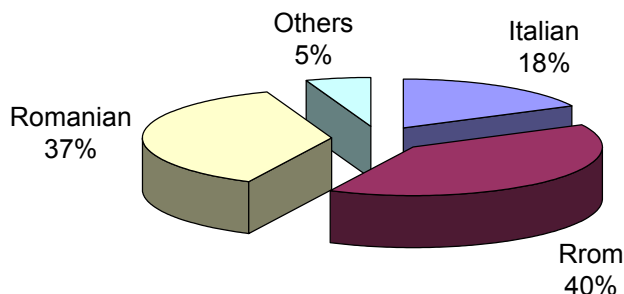
Robbery	278	84,70%
Extortion	3	0,90%
Receiving of stolen goods	7	2,10%
Attempted murder	9	2,70%
Murder	4	1,20%
Rape	4	1,20%
Other crimes against people	5	1,50%
Drogue	9	2,70%
Other crimes	9	2,70%

Looking in some data received from the Centre of Justice for Minors it appears that the majority of minors, that were stopped or arrested in 2004 for crimes or petty crimes, were mainly accused of robbery.

(Penal Institute for Minors -Rome-)

Among these minors the Roma<sup>14</sup> are definitely occupying the first place, followed by the Romanian and the Italians. Unfortunately there is no clear evidence of the origin country of the Roma minority, even if working in the streets of Rome, the street workers identified several Roma minors coming from Romania.

## Origin of UMs into CPA – Rome 2004



(Centre of Justice for Minors in Rome)

<sup>13</sup> Stazione Termini, Stazione Tiburtina and P.za della Repubblica, but also in the centre of Rome. – Information received from NGO social workers.

<sup>14</sup>They are mainly coming from Romania, Albania, Serbia and Macedonia.

## 3.2.3. Child sex workers

Street workers agree on the fact that the number of minors that are involved in the sexual business around the streets of Rome is increasing everyday.

*“Unfortunately there are no reliable information and data regarding the phenomenon of minors sexually exploited. They are girls and boys, but the numbers are impossible to estimate”<sup>15</sup>.*

### Girls

Today the sexual business in the main boulevards of Rome suburbs<sup>16</sup> is covered in great majority by Romanian girls between 14 and 17 years old.

They are usually in little groups of 3-5 minors and they are generally accompanied by an adult woman, who seems responsible for them.

Not too far away the pimps are observing them, sometime they drive around stopping once in a while, otherwise they contact them by mobile phones.

*“While some of these girls are really afraid to talk, it is usually not difficult to stop and spend some time with some of them, but not more than 5-10 minutes, since they “have work to do”.*

*Sometimes they are afraid of their exploiters, but the majority of the times they see their pimps like someone that is really helping them. They trust them and see them like real protectors.*

*During the first weeks the pimps leave the girls all the salary, so that they can buy new cloths, make up and the last model of mobile phones. It is only after some time that the pimps take from the girls half of their salary, promising more help and protection, so that girls feel safe, and they are convinced nobody can hurt them”<sup>17</sup>.*

They are smiling when they recognize our street workers and the most courageous ones dare to give further information about their activities, without stopping to check around to see if someone is looking:

*“We usually pay between 200 and 300 euro for a place where to stay during the day, the “luckiest ones” can reach to pay from 70 to 80 euro”.*

Teenagers are also working during the night together with the adults.

Working during the night it is a bit harder; it seems that during this time there is a more assiduous control by pimps.

## Is there begging of Romanian children in Rome?

Walking and using the public means of transportations around Rome today, it is possible to notice that there are only few children begging.

*“Begging is not considered any more one of their first activities especially by Romanian minors”<sup>18</sup>.*

They usually leave that to elderly people or young mothers with little children (2, 3 years old and even younger), or to some minors coming from other countries.

A Romanian “little men” of about 11 years old affirmed: *“You do not get much money by begging in Italy”.*

## 3.3 Trafficked from Romania or exploited once in Italy?

Different are the lives and ways that took these young women working in the streets of Rome.

- Some of them came by themselves. They wanted to make money. Sometimes they even knew or imagine before their arrival they would entered inside the prostitution market.

They heard other girls of the same age coming back from Italy with a lot of money and they wanted to try as well; they are willing to build their future and they think this is the quickest way.

<sup>15</sup> Information received by the street workers of CDS street unit.

<sup>16</sup> Mainly the area of Cristoforo Colombo and Salaria.

<sup>17</sup> Information received from one of the social worker of the street unit of CDS.

<sup>18</sup> Information received from an interview with the street workers in Rome.

Monica<sup>19</sup> is a nice girl of about 16 years old. She is from Iasi and she is quite new on the streets of Rome: *“I was alone when I left home. I took a bus from Romania and I paid everything with the money I earned doing some cleaning in private houses and saving the money I received from a school grant. My parents signed me the paper to allow me to go out from my country, even if at the beginning they were not agreeing. They trust me and know I am stubborn so that once I decide to do something I usually manage to succeed”*.

She has no difficulty to admit: *“I came here just to make money, this is what I have chosen and what I want to do now. I do not know how long I need to stay, at the beginning I thought just three months but now... I am not sure, maybe more, maybe less! My parents do not know what I am doing here, they think I am working as a cleaner in a private house”*.

She seems strong and self confident: *“When I arrived here I was completely alone, but now I have a friend, a good one. I met her in the station of Termini. She is also from Romania and she is 17 years old; she arrived here a couple of months ago and knows, more than me, how things work here in Rome. She has already been caught by the police but she left the centre where they took her after few days.*

*We work together now on the Cristoforo Colombo. We help each other: when one of us is out with some clients the other one keeps all the money. We share everything and trust each other very much. During some good nights we manage to earn from 700 to 800 euro; the other nights only 100 or 200 euro”*.

Monica is not afraid of the street and knows how to protect herself: *“I know the men and if I think they can hurt me I do not enter inside their car. My friend helps me writing always the number of the cars where I enter, so that if something happens they know they can get in troubles. She adds: “I use always condoms and I never work with my ass and my mouth. I try to protect myself from infections and also from the other girls. We all agreed to use condoms. The other girls can be very nasty with me if they discover I do not use condoms; they can think I want to cheat, steal their clients and earn more money”*.

When the street workers ask her if she has ever been approached by some one who offered her protection or asked her money for the place she was occupying she becomes very pale and gives a quick answer: *“Once some Romanian men came and few days later some Albanians. They wanted to offer us some help but we said we were not interested and they left us in peace. I think that they probably leave us in peace because we are not in a “good place”*.

- Other girls came to Italy with someone they trust. Traffickers are usually friends, neighbors or relatives.

This is the case of Clarissa: *“I was alone, my mum died and my father left to go to live with another woman. When I was 15 years old I decided to leave to Rome with my aunt that was already leaving there and that came to Romania during the holiday time. She told me she would help me to find a job and she paid my journey to Italy.*

*Once arrived here my aunt found me a job as a cleaner in a private house. She was taking all my money, telling me she had to pay the rent of the house and buying me food. After two months she told me that the money I was earning it was not enough and that I had to leave her house. She took me in a house where there were other two Romanian girls and one boy. She left me there and disappeared. I never thought she could leave me alone”*.

Clarissa becomes very serious and her eyes are fixed in front of her without looking anywhere. She continues: *“...the girls in the house were sleeping always with different men. They made me to do the same thing in order to pay me the rent and food. I stayed there for about 4 months then, one of my friend helped me to escape. He was also Romanian and helped me to go to the police and denounce them”*. Clarissa is now in Italy since 2 years. She speaks very well Italian and she is under the Italian protection. She is happy now and doesn't think to go back to Romania: *“My life changed, and I know that it will continue to change only for good now”*.

It seems that young girls are usually more and more chosen by the traffickers, since it is possible to earn more money with them than with the adult women.

They are usually recruited in similar ways as older young women. This is through direct contact. Women and girls, or their families, are approached by traffickers, who are often people they know and can trust.

<sup>19</sup> All identities have been changed.

*“Sometimes they are also recruited through press advertisements offering jobs abroad as waitresses and domestic help, or through tourist agencies. It is important to underline that usually the majority of these teenagers, victims of trafficking are perceived as women, and the primary reason for their trafficking is that they are female rather than children”<sup>20</sup>.*

### Boys

The girls are not the only one affected by prostitution. While it seems quite evident that Romanian girls are sexually exploited, whether they are approached once they are in Italy or they are trafficked from Romania; the situation of the teenager **boys** is slightly different.

No evidence of real trafficking was found among them but it seems quite clear that these minors once entering in Italy they ask for help to the ones that already know how to survive and make money.

Romanian boys, aged between 16 to 18 years old, are generally waiting for their clients in the heart of Rome<sup>21</sup>.

*“Unless you know that, it is not easy to notice them; they are well dressed and standing in one of the main square of Rome during the evening time, they are staring at the cars , trying to see if they recognize their usual customers. They are hoping to get some money, a hot meal or even a place to sleep during the night”<sup>22</sup>.*

They usually leave from Romania to Italy with the intention to find a job and make money, without preparing the journey.

The major reason for departures is the search for money.

*“You cannot stay in Romania when you know how much money you can make in Italy”<sup>23</sup>.*

They find themselves alone or without surveillance. In this case, the quicker they run out of means of subsistence, the weaker and more vulnerable they become.

Once in Italy, they get strongly influenced by the new environment and adopt the consumer’s approach, typical of Italy. *“They want to own fashionable cloths and new mobile phones, just like the Italian teenagers”<sup>24</sup>.*

Depending from the contacts they get, they can easily enter in the prostitution market being “exploited” from some others that are in Italy since longer time.

These others are usually the same age or slightly older and so they feel more connection between each other.

They feel they are receiving help to earn money and survive.

In any case, once they spend some time in Italy, they become very diffident and do not trust anyone, *“when I am in Italy I just work and do not trust anyone, because everyone is just thinking to him/herself, the most important thing is money and friends do not exist; I cannot even trust the people of my own country”<sup>25</sup>.*

### 3.4 Where they come from in Romania

Based on some data received for the Municipality of Rome, it appears that the main areas where these minors come from are Bucharest, Calarasi, Craiova, Galati and Iasi. Comparing data of 2004 with the first six months of 2005 it seems that the number of minors coming from Bucharest, Galati and Iasi are increasing compared to the others. Craiova still remains the area with the highest number.

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<sup>20</sup> Information received from a social worker of Salvati Copiii in Galati.

<sup>21</sup> Mainly Valle Giulia, P.za della Repubblica and Villa Borghese.

<sup>22</sup> Information received from the street workers

<sup>23</sup> Testimony of a minor interviewed in Rome.

<sup>24</sup> Information received from the social worker of CDS.

<sup>25</sup> An interview with a Romanian youngster in Iasi.

# Romanian Minors in Rome – 3 month study CDS - FRCCF

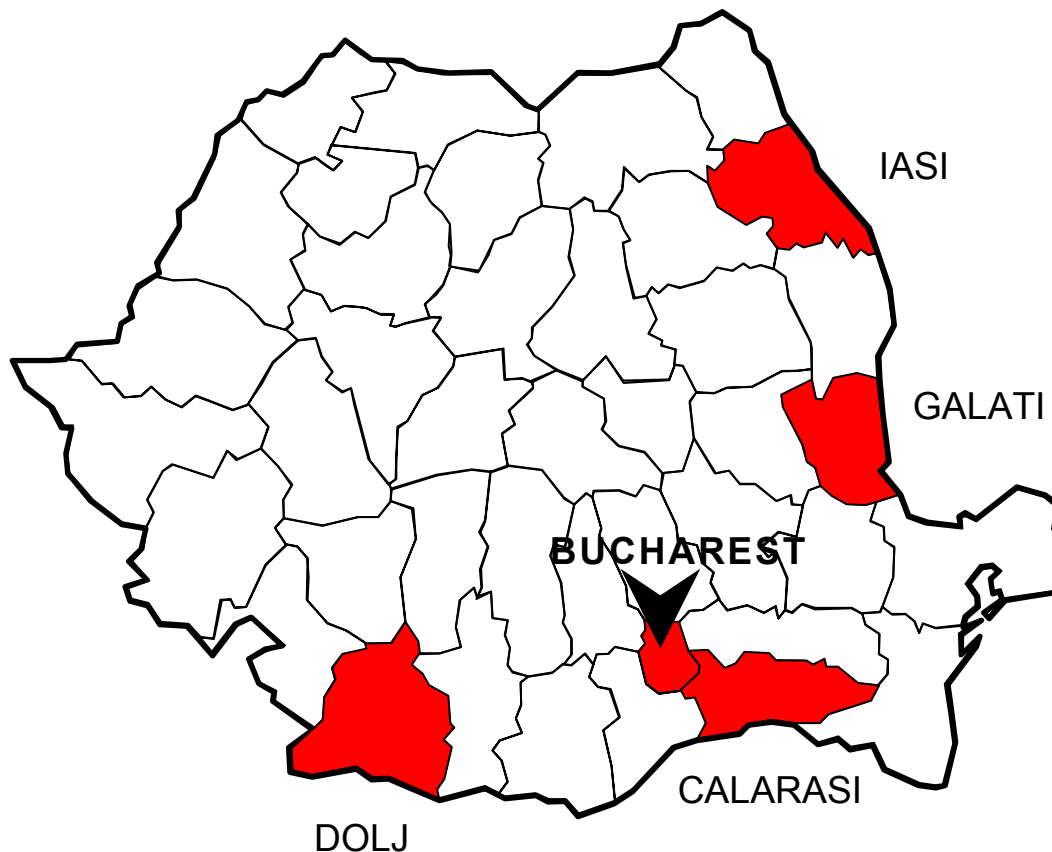
## Unaccompanied Romanian Minors registered from the Municipality of Rome

County	2004	2005*
Alba	1	2
Arad	0	1
Arges	2	0
Bacau	13	5
Bihor	2	0
Botosani	3	1
Braila	5	4
Brasov	10	3
<b>Bucharest</b>	<b>15</b>	<b>10</b>
Buzau	2	2
<b>Calarasi</b>	<b>32</b>	<b>10</b>
Caras Severin	1	1
Cluj	1	2
Constanta	8	6
Dambovita	2	2
Dolj	0	2
<b>Dolj - Craiova</b>	<b>74</b>	<b>35</b>
<b>Galati</b>	<b>15</b>	<b>11</b>
Giurgiu	2	1

County	2004	2005*
Gorj	4	3
Hunedoara	2	0
<b>Iasi</b>	<b>11</b>	<b>8</b>
Maramures	6	1
Mehedinti	6	1
Mures	1	3
Neamt	8	3
Olt	3	1
Prahova	2	3
Salaj	1	0
Satu Mare	4	4
Sibiu	1	1
Suceava	7	3
Timis	6	3
Tulcea	3	0
Valcea	2	0
Vaslui	3	6
Vrancea	11	5
No identified	335	298
<b>TOTAL</b>	<b>604</b>	<b>441</b>

\* The data of the year 2005 are refereed just to the first six months 01/01/2005 – 30/06/2005 Municipality of Rome

Looking into the map it appears that the main areas where these children are coming from are situated in the east part (Galati and Iasi) on the Moldova Region just on the border with the Republic of Moldova; on the south (Calarasi and Dolj) on the Muntenia Region, at the border with Bulgaria and on the capital Bucharest.



## 4. SOME LACKS TO CONSIDER

Although important progress has been achieved, Italy and Romania still do not have a coherent and unified method by which to estimate the numbers of trafficked children, nor a dedicated national data system on repatriated victims.

As concerns trafficking in children and youth, the public social services are not ready yet to assist such cases for financial reasons, but also because of the lack of specialized personnel. Thus, in certain regions there are no services available, although the law prescribes in clear duty in this regard to social services. Unequal development of the social infrastructures in Romania makes prevention and reintegration efforts to go very slowly and increasingly difficult to be implemented.

It is also very clear that there is no real methodology to estimate the number of children that are trafficked or that are at risk of danger, at the National level.

According to the information deriving from Romania, it seems that the primary purpose for trafficking in children is sexual exploitation and labour exploitation.

There are few differences between trafficking in girls and trafficking in boys from the purpose perspective. The majority of trafficked girls that returned in Romania were trafficked for sexual exploitation, and boys mainly for labour exploitation. However cases of boys who are getting from the labour exploitation network to sexual network is increasing.

*“Romanian boys are involved in male prostitution, and this is totally ignored in Romania”.*

Added to the problem of trafficked children there is the situation of children that migrate to Italy and get involved consciously or unconsciously into the sexual market.

This situation is explained by the combination of several factors, in particular:

- their difficult conditions in Romania,
- the local success stories that they have heard from those who migrated abroad,
- the low level or complete lack of information on foreign countries that create illusions about their life in Italy,
- and finally but mainly the value of making money in their new environment in Italy.

It is evident that there is not enough information about the magnitude and the characteristics of this problem, nor a comprehensive assessment of the local efforts to deal with this phenomenon.

At this regard it is obvious that a direct contact between Romania (the origin country) and Italy (the destination country) is missing. A lack of communication is very obvious not only between the two Governments, but also among specific authorities, institutions, local and also international NGOs.

## 5. CONCLUSIONS

The problem of children who migrate from Romania and fall victims of exploitation once they arrive in Italy is increasing. There are many factors supporting the argument that a significant number of minors found in the streets of Rome are either trafficked from Romania to Italy or become exploited during the first days of their stay in Italy.

The situation is grave and needs urgent actions to be addressed. Most of these children seem to be mainly involved in the sexual market. They are between 14 and 18 years old and they are hoping to build their future in a quick way. Unfortunately it is impossible to evaluate the size of the prostitution business even though street workers point out to the high turnover.

The first step to be taken in addressing the situation is seeking to really evaluate its size. There is a need for more investment in social outreach work; establishing the link with these children, understanding their real situation, needs and wishes. The response then will be easier to be developed within the existing legal framework.

Although in both countries, Italy and Romania some activities have been implemented, they lack of basic coordination. There have been initiatives in seeking for reliable partners in the other country and establishing sustainable and concrete collaboration, but unfortunately not yet really implemented. The authorities in both countries should enhance the bilateral interactions serving the implementation of the various agreements they have signed and most of all, the best interest of the children.

It is at this regard that there is an urgent need to combine Romanian and Italian solutions, focusing on the principle of the best interest of the child and based on trust between partners.

## 6. RECOMMENDATIONS

### 6.1 Main activities

*It is definitely necessary to consider the proper conditions that correspond to the best interest of each child.*

- To focus in Romania and in Rome on the thematic of child trafficking for illegal activities (prostitution, stealing, black labor, begging...), with a special regard on sexual exploitation on minors (boys and girls).
- A direct contact between Romania (the origin country) and Italy (the destination country) is needed, since a lack of communication is very obvious not only between the two Governments, but also among Authorities, Institutions, Local and also International NGOs. It is important to facilitate this contact, to reinforce or build communication links and collaboration between the two countries. To give reliable information on the situation from both side and also facilitate partnerships with the different actors involved in this phenomenon.
- To create a link of partnership among the Romanian NGOs that are working on the phenomenon of trafficking (children or human beings), and the local NGOs in Rome, in order to start or to accelerate and improve an exchange of information and experience. At this regard it is also important to identify local NGOs that work in Romania on trafficking and child protection issues mainly in the identified areas: Craiova, Iasi, Galati and Calarasi.
- There is a clear need to train the actors involved in assisting children at risk of trafficking. An exchange of experience between the local organizations is required.
- Set up a clear common mechanism in Romania and in Italy to detect children at risk or high risk of trafficking. For this purpose it is important a constant supervision from a common partner able to facilitate communication and the management.

## 6.2 Few inputs to work in Prevention and Protection

- To create an efficient system of monitoring and evaluation.
- To settle services able to follow the family life constantly.
- To make the services a concrete reference point for the families, promoting the knowledge of them among the population and improving the relationships of trust among social workers and beneficiaries (augmenting the visits from the social workers to the families).
- To promote cross-cultural contacts among Italian and Romanian schools (ex: children could exchange information about their own countries and become pen friends).
- To organize projections-debates within the schools, based on confessions of other children that have gone through difficult situation abroad.
- Development of educational activities for young people (sportive activities, psychosocial activities, etc).
- Caring and supportive relationships within and outside the family, able to provide role models, and to offer encouragement and reassurance.
- Social follow-up of the families in Romania whose children are in situation of danger in Italy. This follow-up process will be accomplished in collaboration with the organizations in liaison with the children in Italy in order to warn the families about their child's situation.

## Annexes

### LEGAL PROCEDURES AND SYSTEM FOR PROTECTION OF UFM<sub>s</sub> AND TRAFFICKED CHILDREN

#### Italy

The situation of unaccompanied foreign minors is regulated partly by laws governing immigration in general, partly by the regulations regarding children, partly through ministerial memorandums and internal guidelines of the Committee for Foreign Minors<sup>26</sup>, and finally by the discretion of individual District Police Immigration Departments (Questure) and Courts involved.

Once the unaccompanied minors manage to enter legally or illegally the State of Italy, they are immediately under the protection of the relevant institutions. After the moment of entry they acquire all the sanctioned rights from the Convention of the Rights of the Child (CRC) New York 1989, which was ratified by Italy and entered into force with the law n.176/91.

Respecting the principles laid down in the CRC, the Italian legal system extends a wide range of rights and protection to foreign children. It is important to underline that the protective instruments provided for under Italian law are always temporary. They apply up to the moment the child reaches the age of adulthood, which according to Italian legislation is 18 years old.

While before their 18<sup>th</sup> birthday every unaccompanied foreign minor is considered by the law fully on a par with Italian minors, (this is official on the paper but not in practice: for example they cannot work with the permit of stay for minors)<sup>27</sup>, after the minor becomes adult, the situation changes and the minor might be immediately classified as an illegal immigrant<sup>28</sup>. In such cases, schooling, training and integration they have undergone during their stay as minors in Italy, suddenly become irrelevant<sup>29</sup>.

Starting from the year 2000, with the following of several circulations (the last one law 189/2002), the possibility to convert the permit of residence has been significantly reduced. Children can apply for legal residence permit<sup>30</sup> based on study or work, but they must have been in Italy for at least three years by then, and they must have been admitted for at least two years in a social reintegration project run by a registered organization<sup>31</sup>.

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<sup>26</sup> It is an administrative institution set up in 1994 within the Department for Social Affairs at the behest of the Italian Prime Minister's Office. The tasks of the Committee are laid down in detail in the Italian decree n. 535/99.

<sup>27</sup> Information received from the team of CDS.

<sup>28</sup> Starting from 2000 with the following of several circulations (last one law 189/2002), the possibility to convert the permit of residence has been significantly reduced.

<sup>29</sup> This is not applicable to the victims or author of crimes committed when minors, for whom caring measures and reintegration are far more consistent. These minors have already received the status of not subjected to repatriation ("non a luogo a provvedere al rimpatrio") from the Committee for Foreign Minors and under the law 184/83, before their 18<sup>th</sup> birthday, A residence permit is issued "for judicial purposes".

<sup>30</sup> There are several permit for residence to which the child can have access, depending on his/her situation:

- Permit of residence for family reasons
- Permit of residence for minor age
- Permit of residence for integration
- Permit for asylum - Permit of residence for social protection
- Permit of residence for guardianship

With the new rules in act in 2004, the permit for integration of the minor can be converted in a permit for major age with the approval of the Committee for Foreign unaccompanied Minors.

<sup>31</sup> These conditions, however, cannot be easily proved, and the risk of deportation when coming the major age remains high.

## What is happening when UFM's enter Italy

Once UFM's enter Italy they cannot be subjected to deportation. This is banned by legislation<sup>32</sup>. Only the Tribunal for minors at the express request of the relevant chief of police may order deportation "in the interest of public order". However children, upon their wish, may follow the parents or legal guardian who has been expelled<sup>33</sup>.

Unaccompanied foreign children who are in Italy must be reported from the police or other law enforcement agencies to the CFM, as well as removed to a safe place until final measures are taken for their protection<sup>34</sup>.

The CFM undertakes the procedure for an investigation of the child in the origin country and it decides then whether to repatriate the child or not<sup>35</sup>.

Investigations should generally start within 60 days from report, but no term is set for the conclusion of the proceedings.

The CFM inform the Consulate of Romania on the unaccompanied children found in Italy and it is this last one that starts to take all the contacts in Romania in order to identify the data of the child.

Investigations take generally a long time, due to practical difficulties and inadequate resources for launching investigations in the child's origin country. It is obvious that the waiting and uncertainty about their future can have a negative impact on children.

The law requires also that the social services of the municipality where these children are living, must seek the child's own views on their situation<sup>36</sup>.

Pending the Committee decision, minors are given a residence permit for "minors", that doesn't allow them to work, and cannot be converted into a working permit or an education permit as they reach the adult age<sup>37</sup>.

Unaccompanied children once enter Italy receive automatically the right to have access to all provisions for urgent assistance, essential outpatient and hospital care, even over long periods of time, for disease and/or accident situations, in accredited private or public institutions<sup>38</sup>.

This limited guaranty for children that are not regularly registered is in contrast with the CRC, which establish that every child, without any kind of discrimination, must have access to health assistance.

Generally only after the decision of the CFM that the minor shall remain in Italy further steps can be taken in order to assist the child during the stay in Italy.

Whenever the child is considered unaccompanied the Guardian judge orders to proceed on the guardianship. This measure is formally adopted only after the Guardian judge reports on the existence on one of the conditions stipulated in article 343 of the Italian Civil Code<sup>39</sup>.

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<sup>32</sup> Italian Law 286/98

<sup>33</sup> Expulsion in the interest of public order is usually an exceptional measure often replaced by assisted repatriation.

<sup>34</sup> The Italian system provides for "first, second and even third" stage reception centers (Italian Civil Code – art. 403. The aim of these centers is to help the minors to insert into the local society and assist them in the labour market. There is also the possibility for the minors to be placed in foster care, but this is not so common. In Rome 99% of unaccompanied foreign minors are placed in the Centre for Reception.

<sup>35</sup> Consolidated Act (Testo Unico) 286/98, art. 33, DPCM 535/99.

<sup>36</sup> Memorandum of the ministry of Internal Affairs 9.4.2001

<sup>37</sup> This is happening only in the case in which, the temporal requirements introduced from law 189/2002, are not established.

<sup>38</sup> Consolidated Act 286/98, art. 35

<sup>39</sup> Italian Civil code, art. 343 – segg.; Law 184/83, art.3

## Repatriation<sup>40</sup>

The criteria, based on which the CFM decides whether to repatriate the minor or to leave him/her in Italy, are not clearly established neither by the law nor elaborated by the CFM.

Up to now it is sure that repatriation cannot be effected in case of serious risks for the minor: if the parents or the guardian have not been reached, if the parents have abused their child, or if the child comes from a country affected by serious calamities, such as a situation of war.

The present policy of the Committee tends to consider repatriation as the most appropriate solution to meet the child's interests. However, it is often applied without reference to the views of the child or his or her family, and without assessing the economic and social conditions, or whether opportunities exist for study, training, work and support in their country of origin<sup>41</sup>.

A repatriation order means that the child is informed to be illegally in Italy and asked to return voluntary<sup>42</sup>. There is no agency responsible for enforcing repatriation. The child has the right to reject repatriation order and the following of specific social and economic reintegration in his/her own country<sup>43</sup>. He or she might appeal the order of repatriation to the Magistrate<sup>44</sup>. In the appeal procedure, the role and support by the legal guardian is crucial.

As result also of this, what occur often in practice is that instead of appealing the order of repatriation, children simply escape. In such cases, the child's subsequent status is not at all clear. During the whole procedure the police should never be involved. If the minor does not want to go back, no forced repatriation should be made<sup>45</sup>. However, in reality, because of the lack of clear guidelines for repatriation and reintegration, the involvement and use of the police is not clearly and explicitly forbidden. In the past, even though within the same framework, forced repatriations have been carried out by the police, so that we cannot be completely sure that this will not happen again in the future.

*"If the minor does not want to go back, no forced repatriation should be made"*<sup>46</sup>.

Difficulties faced during the repatriation have underlined a great mistrust of the persons concerned against the reintegration process. In particular minors are so biased against chances upon return, and this feeling has led them to see return simply as an imposition.

They are mistrustful with regard to their own country: the idea of a profitable return into their country is not understood by the children. Therefore the reaction to the repatriation is usually refusal and escape.

## Special measures regarding Child Trafficking

***The first centre specifically for minor victims of traffic "casa di fuga" has been open by the municipality of Rome during the summer 2005. It provides a centre for first intervention (4-6 places) and a centre for second intervention (8-10 places). The centre is managed by the Association "Virtus Ponte Mammolo"***<sup>47</sup>.

Although the issue of child trafficking has recently received in Italy a lot of attention within public opinion and mass media, the degree of public's awareness on this phenomenon is still not high.

It is common to identify trafficking with adult women without paying too much attention or forgetting the trafficking in children. In Italy child trafficking is strongly connected to sexual exploitation.

<sup>40</sup> Unaccompanied foreign minors, who might be subject of persecution upon return in their own country, for reasons of religion, nationality, race, membership to a specific social group or for their own political opinion, are considered under asylum legislation in Italy. In this case the minor is assisted through another regime and is not even signalized to the CFM.

<sup>41</sup>The Rights of Children in Italy – Perspectives in the Third Sector. Supplementary Report to the United Nations.

<sup>42</sup> Differently from expulsion-deportation, repatriation does not involve a re-entry ban of 10 years.

<sup>43</sup> Quite often the minor prefers staying in Italy as an irregular person and living underground instead of being a subject of a reintegration program.

<sup>44</sup> There are evidences of cases in which after the child's appeal, the repatriation order was revoked.

<sup>45</sup> Interview with the lawyer from CDS team

<sup>46</sup> Interview with the lawyer from CDS team

<sup>47</sup> It is a free alliance of citizens which operates with full autonomy, based on democratic participation. The Association manages also: - 3 welcoming centers for adult male non-Europeans asylum seekers and refugees; - 1 multinational centre for integration; - 5 day centers for refugee children.

*“... during the last decade a number of other forms of exploitation and abuse have clearly emerged in direct connection with child trafficking, such as illegal labour exploitation, begging, international adoption, and in a few instances the sale of organs. However, there are no official data available on these types of exploitation.”<sup>48</sup>*

When children are recognized as victims of exploitation their situation is considered under the Italian law no. 269/98 **“Provisions against the exploitation of prostitution, pornography and sexual tourism involving minors, as new forms of enslavement”**.

This law provides for specific instruments of protection for minors forced into prostitution and other forms of enslavements. Judicial authorities<sup>49</sup> must take immediate protective action, including placement of the minor under guardianship, if necessary. The Tribunal for Minors shall order any and all assistance (including psychological counselling) required for the recovery and rehabilitation of the minor in question. In the case of exploitation of foreign children, the authorities of the country of origin of the children involved must be contacted.

Trafficked children also benefit from the right to residence permit provided under art.18 of the law 286/98. This article deals with immigration in general. It provides for granting of a special permit to foreigners who have suffered abuse or severe exploitation. This permit allows a victim to remain in Italy and to work, study and access social and health services, and ultimately to gain a regular work permit.

*“The right prescribed in art.18<sup>50</sup> is unconditional upon the victim’s testimony against her/his traffickers. However the norm requires clear evidences of serious exploitation of the victim or violence used against her/him. It should also be evident the presence of real dangers for the victim, consequences of his/her efforts to try to escape from the conditionings of his/her trafficker. .This norm applies to both foreign adults and children.*

*There are different interpretations of the law and the Police Department in Rome (Questura), in particular demands as praxis the victim’s denunciation. This is intended as a declaration that should provide useful information in order to proceed with the investigations, made necessarily by the Police enforcements. This article in any case gives the victim the opportunity of a real reintegration into society through the possibility of working, and it protects him/her from being repatriated once attaining the major age. In any case minors, usually, prefers to benefit from a stay permit granted to unaccompanied minors in general<sup>51</sup>.*

The permit for social protection and the possibility to participate in a social care and integration program *“is nearly always only applied in cases of exploitation for prostitution. This measure should also be applied to cases of abuse and danger, which are not necessarily linked to prostitution only, but to other activities (begging, labour exploitation, drug selling, etc...)”<sup>52</sup>.*

*Moreover, in Italy there is an inclination to tackle the issue of trafficking with repressive measures, as just a matter of security and crime control, while the issue does entail violation of a wide range of fundamental rights.*

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<sup>48</sup> Enact/ Save the Children: Italy - In *A Report on Child Trafficking*, March 2004.

<sup>49</sup> *“The Public Official or person in charge of public services, shall, upon learning that a minor under 18 years of age is engaged in prostitution, give immediate notice thereof to the Public Prosecutor’s Office at the Tribunal for Minors”.*

<sup>50</sup> Art. 18 foresees that the victim accepts a project of reintegration into the Italian society.

<sup>51</sup> Information received from the lawyer of CDS team.

<sup>52</sup> Enact/ Save the children: Italy - In *A Report on Child Trafficking*, March 2004.

## Romania

*“The national legislation on human trafficking is rather new in Romania, the legislative acts have been adopted in 2001. Although the existing legislation refers to human trafficking, there are some specific provisions regarding child trafficking, defined as “trafficking in minors”. Regarding international treaties and conventions, Romania has signed or ratified the most important documents relevant to human or child trafficking”<sup>53</sup>.*

In November 2002, Romania ratified the United Nations Convention against Trans-National Organized Crime, and the associated Protocols to Prevent, Suppress and Punish Trafficking in Persons.

The Romanian Government signed cooperation protocols for combating crime, especially cross border crime with most of the countries in the region.

A memorandum of agreements referring to the protection of the unaccompanied minors has also been signed in Bucharest in 2003 with the Italian Turin Province, due to the great number of unaccompanied Romanian minors that are at risk of exploitation, found in Torino during 2002 and 2003.

The protocol was signed between the Government of Romania and the Local Counsel of the III District in Bucharest, and the Prefecture and Town Hall of Torino.

The protocol's main objectives are:

- Facilitating the information's exchange between the signatory parts regarding the Romanian minors found in difficulty in Italy;
- Collaboration between the signatory parts in order to identify the Romanian minors and ensure the voluntary assisted return of the unaccompanied Romanian children found in Italy;
- Collaboration between the signatory parts for the reintegration of the Romanian minors to their families, for the counselling and monitoring of the different cases;
- Collaboration between the signatory parts in order to take responsibility over the repatriated Romanian minors, take care of them and counsel them under the system of child protection in case the family reintegration is not immediately possible.

## Procedures for Romanian Unaccompanied Children's Return

The diplomatic missions, that is the Consulates of Romania in other states, as soon as they get any information regarding unaccompanied children found in the country of residence, should ask the local competent foreign authorities to provide the children's personal data, especially if the child owns a passport or other identification document or any other information that could ease the identification of the child and its protection, as well as other relevant information on their return, if the return day is established, and if yes, when and how he/she will return;.

In order to identify the children and their families, the diplomatic missions, that is the Consulates of Romania in other states, shall send the identification data of the child and any other useful information for the return to the General Department for Passports within the Ministry of Internal Affairs and Administration, through the General Department for Consular Affairs within the Ministry of Foreign Affairs.

Once the identification data and the agreement regarding the return to the General Department for Consular Affairs are sent, the General Department for Passports will pass the information to the ANDPC, so that the internal procedures regarding the assessment of the family's social situation should begin.

The Authority will ask the DGASPC from the region where the child and his/her family live to start urgently a social enquiry and to prepare an individual plan for the child's social reintegration.

<sup>53</sup> Salvati Copiii “Joint East West Research on Trafficking in Children for Sexual Purposes in Europe: the sending countries – Romania”, October 2003.

After issuing the transportation and travel documents, the diplomatic missions and the Romanian consulates communicate through the Ministry of Foreign Affairs, the Authority and the Board Police, the first and last name of the child and the series of the travel document, the transportation means, the board he/she will cross to enter the country, the data and hour of arrival at the Romanian board, as well as the identification data of the child's companion, if necessary.

The Board Police shall communicate data about the returned child, the board he/she will cross in order to ease the access of the child's legal guardian or that of the person who will welcome, take and accompany the child to his/her place of residence or specialized center for unaccompanied children or victims of trafficking, belonging to the General Department for Social Assistance and Child Protection, or to a private organization authorized by the law.

The General Department for Social Assistance and Child Protection (DGASPC) from the region where the returned child lives shall start all the necessary procedures for his/her reintegration to the family.

For what is concerning child trafficking, in order to ensure the welcoming, accompaniment, representation, protection and motoring of all cases regarding children victims of trafficking, the county counsels and the local counsels from Bucharest has organized specialized centres for them, that are under the subordination of the DGASPC.

*"The reality shows that usually these centres lack completely of children so that they usually try to offer different help to other children that are abused or present any other kind of mistreatments, in order to justify their expensive"<sup>54</sup>.*

Although ANDPC has made several efforts in order to create "Inter-sector teams at the local level" which include members of all institutions and organizations working in the field of child protection, and the law sets forth the right of the child victims of trafficking to social services, in certain regions there are no proper structures available.

It seems evident that the public social services appear not ready yet to assist properly these children for financial reasons, but also because of the lack of specialized personnel.

### The procedure for being recognized as victim of trafficking

In order to be recognized as victim of trafficking, the trafficker should have committed the criminal act stipulated in law no. 678/2001. Though the author of the criminal act is not immediately identified, the investigation is started upon declaration of the alleged victim. If signs or proof of the criminal act are found, the prosecution procedure is started. The person claiming to be a victim of trafficking has to declare everything he/she knows so that investigations can be made and the author of the criminal act be identified.

*"In reality it is very uncommon that children go to the police to denounce their traffickers. The procedure is usually the other way around: it is the police that once it has identified some traffickers try to find witnesses in order to have significant prove to accuse them"<sup>55</sup>.*

Although there is a law on witness' protection, it is very hard to convince minors to make an official declaration about their traffickers, since they are generally afraid of corruption and they do not feel safe.

It is essential also to consider that there is no real social work conducted with these children aiming at the identification of trafficking victims among them.

*"Thus, the Application Rules for Law 678/2001 contain provisions related to work procedures with trafficked victims. There are confusions regarding the capacity, quality and competences of the institutions authorized to work with the victims"<sup>56</sup>.*

*"Usually the child returning from EU countries is directly sent to his/her families, instead of passing through a specialized centre.*

*The general mentality in Romania considers that these children do not want to enter and receive assistance in a specialized centre for not being classified later on as "institutionalized children"<sup>57</sup>.*

These problems identified explain the present reality in Romania, where the majority of the centres for children victims of trafficking are empty or have just very few children inside.

<sup>54</sup> Information received from a Romanian lawyer on Juvenile Justice

<sup>55</sup> Information received from a Romanian lawyer on Juvenile Justice

<sup>56</sup> This point is previewed to be developed, en confirmation of the National Plan of action for the implementation of the law on child rights protection, approved and published in September 2005 on the Official Monitoring of Romania nr. 856.

<sup>57</sup> Information received from a Romanian lawyer on Juvenile Justice

# Romanian Minors in Rome – 3 month study CDS - FRCCF

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Registered in 1997 as a Romanian NGO, its **mission** is to protect children's rights focusing on the responsible and active role of the family, the community and the state.

All **FRCCF** projects promote the child's best interest, ensure the child's right to physical health and emotional and intellectual development, the right to grow up in a family environment, as well as all the other rights, as stipulated in the **United Nations Convention on the Rights of the Child**, ratified by Romania in 1990.

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It is an Italian NGO, based in Rome, that since 1985 is engaged on the promotion of human and social rights of the most vulnerable sectors of the society. In the field of child protection CDS works mainly with unaccompanied foreign minors through two main projects: "Solidea-idee e Solidarietà" and "Hora". Both Projects concern minors who are victims of exploitation and other forms of abuse.

CDS is also implementing field activities. A team of street workers is working especially during night time in some of the most vulnerable areas of Rome.

## TERRE DES HOMMES

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The Terre des hommes movement was founded in 1960 in Lausanne (Switzerland) by Edmond Kaiser. Other Terre des hommes groups were subsequently created in various countries. In 1966 they joined together to form the International Federation Terre des Hommes (IFTDH<sup>58</sup>).

Terre des hommes was created to provide direct support to underprivileged children who were not being helped by existing relief agencies. Today its mandate and activities have evolved, while its focus on improving the daily life of the most vulnerable groups of children has been maintained.

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<sup>58</sup> The IFTDH is a network of eleven national organizations with headquarters in Canada, Denmark, France, Germany, Italy, Luxembourg, the Netherlands, Spain, Switzerland (comprising two organizations, the Terre des Hommes Foundation in Lausanne and Terre des Hommes-Switzerland), and Syria.

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