



**Statement for the Record by Kids in Need of Defense (KIND)
Protecting Ukrainian Refugees from Human Trafficking
The Commission on Security and Cooperation in Europe
April 7, 2022**

Kids in Need of Defense (KIND) is the leading national organization working to ensure that no child faces immigration court alone. KIND was founded by the Microsoft Corporation and the United Nations Refugee Agency (UNHCR) Special Envoy Angelina Jolie. We have served more than 20,000 unaccompanied children in removal proceedings, trained over 57,000 attendees in pro bono representation of these children, and formed pro bono partnerships with over 700 corporations, law firms, law schools, and bar associations. KIND's social services program facilitates the coordinated provision to unaccompanied children of counseling, educational support, medical care, and other services. KIND's programs in Mexico and Central America work to address the root causes of forced migration and help protect the safety and well-being of migrant children at every phase of their migration journey.

KIND Europe helps unaccompanied children in Europe access free legal assistance with our partners in France, Greece, Ireland, Italy, and the United Kingdom. KIND also works closely with Child Circle, a non-profit center of expertise and public engagement based in Brussels, to promote the safety and protection of unaccompanied children across Europe, in particular, by strengthening procedural safeguards for unaccompanied children and promoting the development of transnational procedures for family reunification and relocation to protection in other countries through coordinated and child-centered mechanisms.

KIND applauds the Commission on Security and Cooperation in Europe's decision to highlight the risks of trafficking to Ukrainian refugees, particularly with respect to the dangers faced by unaccompanied and separated children. We offer this short statement for the record to contribute to this dialogue.

Unaccompanied and Separated Children Fleeing Ukraine are at Risk of Trafficking

KIND's work with unaccompanied children in the United States and abroad frequently means that our staff and partners work with children who have been trafficked or are at risk of trafficking. The extreme vulnerability of separated and unaccompanied children creates the opportunity for predators and traffickers to exploit and harm them, preying upon their youth, their desperation, and their invisibility to further criminal ends. Trafficking in all its forms may occur along any stage of an unaccompanied or separated child's journey, but when this journey is precipitated by war, family separation and mass displacement, as in Ukraine, the likelihood of exploitation dramatically increases. Not only are there reports of traffickers lurking at train stations and along the borders, falsely offering children transportation and safety, but there are also significant concerns that the sheer volume of displaced people in need of immediate shelter and assistance may inadvertently lead to the placement of children with individuals who have not been properly vetted and who could subject them to abuse, exploitation or trafficking.

In partnership with Child Circle, KIND has recently published a [Note on Unaccompanied Children Fleeing the Ukraine](#) which addresses the full range of protection concerns facing unaccompanied and separated Ukrainian children. Key points with respect to trafficking are highlighted below, but the full

report is appended to our statement. Additionally, members of KIND's U.S. team returned just last week from visits to Poland, Slovakia, Romania, and Moldova, where they witnessed firsthand the extraordinary challenges facing receiving countries, the uneven application of child protection principles-- often brought on by a lack of knowledge, training, or experience of volunteers working with unaccompanied children--the need for increased resources to support child protection efforts, and the gaps in protection, which will continue to make unaccompanied and separated children vulnerable to trafficking and other forms of abuse.

KIND and Child Circle have reached one inescapable conclusion: The unique vulnerabilities of unaccompanied and separated children ¹are too often overlooked during crises; and the vital need to identify, register, and provide independent support and assistance to children must be fulfilled, even in situations where meeting the needs for transport away from the border and immediate shelter appears paramount.

More Can Be Done to Protect Children from Traffickers During this Refugee Crisis

The European Union (EU) has already adopted general legal and policy frameworks for the protection of children, including guidance on guardianship for those deprived of parental care and at risk of trafficking and guidance on best interest assessments in relocation cases. However, the application of anti-trafficking measures has proven challenging in this unique situation, despite the welcome first-time triggering of EU law designed to give access to automatic temporary protection and the right to move within the EU. Moreover, awareness, coordination, and practical tools to prevent and respond to trafficking are often lacking. The situation may be further complicated because there is a history of criminal trafficking enterprises operating within Ukraine and around its borders. Consequently, the Child Circle/KIND report includes recommendations for the general system to protect children fleeing Ukraine, including the following specific recommendations for addressing risks of trafficking involving children fleeing Ukraine:

- The EU, international organizations and civil society organizations should work together to promote child safeguarding actions and awareness of the risks of trafficking, exploitation, and abuse of unaccompanied and separated children. For example, information on trafficking trends should be compiled and shared, including through the involvement of Europol, to promote awareness and up-to-date risk indicators, based on the diverse ways in which criminals are responding to the situation.
- Regional information sessions and training on child safeguarding should be conducted urgently starting with border guards but going across the range of actors involved in responding to the situation of these children.
- The EU should also promote resources on safeguarding processes, such as guidance for, and vetting of, volunteers as well as training, supervision, and support for foster families.

Protecting Refugee Children from Trafficking Requires a Long-Term Commitment to Protecting Children Throughout Their Migration Journey

¹ By referring to both unaccompanied and separated children, we are recognizing the high likelihood that many children who have been separated from their parent or other primary caregiver may be traveling in the company of other adults. As the Note explains, children are departing Ukraine under many different scenarios; they frequently are not arriving alone, and thus appear accompanied, but the relationship of the adult to the child and their ability to care for that child must be carefully assessed.

The sheer volume of unaccompanied and separated children who have fled Ukraine has brought stark attention to the risks refugee children face on their own, but the dangers unaccompanied and separated children encounter are not limited to this refugee crisis. Child migrants are vulnerable to trafficking whenever the frameworks for ensuring their safety are weak. As our report notes, governments must invest in the people and technology necessary to ensure that systems are in place to identify, register, track and monitor the progress of unaccompanied and separated children. Access to legal counsel and necessary guardianship and social services, clear and transparent information, and enhanced education and training for professionals working with children, are all necessary to reinforce a commitment to the protection of unaccompanied and separated children, no matter how their migration journey begins.