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Giulia from the Middle East**

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## **Smuggling, Trafficking, and Exploitation among Unaccompanied Minors Arriving in Friuli Venezia Giulia from the Middle East**

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**Abstract:** In 2019, an important amount of unaccompanied minors arrived in the Italian region of Friuli Venezia Giulia, most of them claiming to have reached Italy through the Eastern Mediterranean migration route and having being exploited along the way by the same smugglers who turned out to be traffickers and exploiters. The situation represented an emergency so the NGOs involved in their assistance sent a Submission of Information to Special Procedures Report of the OHCHR. This contribution focuses on trafficking and severe forms of exploitation faced by the unaccompanied minors coming from Middle Eastern countries willing to reach Europe. It draws from data collected during a fieldwork conducted in 2019 - 2020 in Greece and Italy and it sheds light on the phenomenon of unaccompanied minors (UAMs) exploited in the two countries, by contributing to explain which public policies adopted to protect minors and govern the policy problem are and where they may have failed. The scarcity of studies and research on the condition of UAM in Greece and along the Eastern Mediterranean and Balkan route, on the forms of exploitation and other violation of human rights, accounts for the need of this article.

**Keywords:** *Male Unaccompanied Minors victims of trafficking and severe forms of exploitation, Greece, Italy, Balkan route.*

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## Introduction

During the last years the Italian region Friuli Venezia Giulia has been one of the regions that received and hosted more UAMs in Italy, according to the Italian Ministry of work and social policies<sup>1</sup>. As of September 2019, 956 Unaccompanied Minors (UAMs) were registered in Friuli Venezia Giulia; in 2018, they were 1440<sup>2</sup>. The region Friuli Venezia Giulia is at the Italian border with Slovenia and Austria, and it is the access point for all migrants travelling along the Balkan route toward Europe.

In 2019 and 2020, the regional anti-trafficking staff, under the request of the Territorial Asylum Commission, interviewed several unaccompanied minors suspected of being victims or previously being victims of trafficking and severe forms of exploitation. The number of minors with similar stories of violence and exploitation along the route made clear that the dynamics of the phenomenon were new and changed, compared to the earlier cases. If, traditionally, the region was a land of immigration for UAMs coming from the Balkans, since 2018 the number of minors from the Middle East arriving in Friuli Venezia Giulia increased, and the trend is still valid in 2020<sup>3</sup>. The minors seemed to having been smuggled, trafficked and exploited until Greece, and smuggled again to reach Italy.

The situation represented an emergency and a novelty so that the NGOs involved in the UAMs' assistance sent a Submission of Information to Special Procedures Report of the OHCHR.

As already underlined by many authors studying the mixed migration flows of the last years, the social, legal and political categories used until recently to describe the different kind of migrants on the move seems not to be exhaustive and appropriate for the complexity of the actual situation along the Eastern Mediterranean and Balkan route (Boucher and Gest 2015; Droesbeke 2017; Castles 2003; Tryandafyllidou 2016). Migrants travelling in the recent and increasingly complex mixed flows do not follow a linear path, but are often obliged by the conditions to change their route, to pay more the smugglers, to find new smugglers, and so on. As Droesbeke noticed, migrants in mixed migration flows 'not only move between places, they can

<sup>1</sup> Ministero del Lavoro e delle Politiche Sociali, *Minori Stranieri non Accompagnati- dati*, retrieved 20 November 2020, <https://www.lavoro.gov.it/temi-e-priorita/immigrazione/focus-on/minori-stranieri/Pagine/Dati-minori-stranieri-non-accompagnati.aspx>.

<sup>2</sup> Regione Autonoma Friuli Venezia Giulia, *I dati sulla presenza di stranieri in FVG*, retrieved 7 May 2020, <https://www.regione.fvg.it/rafv/cms/RAFVG/cultura-sport/immigrazione/FOGLIA14/>.

<sup>3</sup> *Ibidem*.

also 'migrate' between migration categories and change status' (Droesbeke 2017, p 13).

According to the interviews conducted, Greece is one of the countries where minors interviewed by the anti-trafficking staff are exploited. However, the studies and research on the condition of UAMs in Greece and along the Eastern Mediterranean and Balkan route on the forms of exploitation, trafficking and smuggling they face, account for the need of this article (Mishra et al. 2020; Antonopoulou 2018; Fili and Xythali 2017; Human Rights Watch 2008).

Trafficking and smuggling are defined in the international legal framework as two different and separate phenomena by the relative 2000 UN Protocols supplementing the United Nations Convention against Transnational Organized Crime. The Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children defines trafficking in persons as 'the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs' (UN GA 2000, art 3a).

The Protocol against the smuggling of migrants by land, sea and air defines the smuggling of migrants as 'the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident' (UN GA, art 3a).

After a brief description of the methods used, the article describes how Greece is facing this humanitarian crisis, especially regarding the necessity to assure protection for UAM. Then it takes into consideration the narratives of the children interviewed by the regional anti-trafficking staff of Friuli Venezia Giulia (Italy) to outline the features of the new phenomenon. Finally, after a short introduction of the Italian legal and policy frameworks on trafficking in human beings and UAM protection, the article describes how the Friuli Venezia Giulia regional anti-trafficking referral mechanism reacted to the new challenge.

## 1. Methods

This paper addresses the issue of migrant UAM who experienced trafficking and exploitative situations travelling from the Middle East to Italy along the Eastern Mediterranean and the Balkan routes.

The research question guiding this paper is: what are the dynamics the UAMs experience during their migration journey and what are the public policies affecting and informing the journey? The paper relies on data collected in 2019 and 2020 in Italy from UAMs who arrived in Trieste, in the Friuli Venezia Giulia Italian region. It mainly counts upon thirty-four interviews with UAMs as well as an interview with a staff member of the anti-trafficking regional referral mechanism of the Italian region Friuli Venezia Giulia.

The anti-trafficking staff was called by the Territorial Asylum Commission to attest the presence of indicators in the memories of the asylum seekers which could be linked to trafficking or exploitation experiences.

All the UAMs interviewed by the anti-trafficking staff (and whose interviews were used for the present study) were males, most of them Sunni Pakistani, around 17 years old at the moment of the interview, generally 12-13 years old when they left their country of origin. All the interviews with UAMs took place in the Italian cities of Trieste and Udine in the native languages of the children (Farsi, Urdu or Punjabi), with the presence of a cultural mediator. Generally, the anti-trafficking staff conducted several meetings with the children before being able to rebuild the story accurately and to discern aspects relating to trafficking and exploitation.

In addition, two interviews with Greek staff members of organisations involved both in the anti-trafficking national system and in the protection of UAM enriched the study. The Greek staff members were part of governmental or non-governmental organisations, all involved in the anti-trafficking system and referral mechanisms. Fifteen interviews were conducted in person in Athens, while two of them were done through Skype.

Data were collected with the participants' consent (if above 18 years old) or legal guardians (if minors), after having also explained and verbally asked permission to the child. The names of the participants in the paper have been changed in order to preserve anonymity.

One of the first requirements of the interviews with UAMs was to build a relationship of trust between interviewer and the supposed victims so that they would feel safe and comfortable to talk freely. The relationship was based on allowing the interviewee enough time and space to recount his experiences at his own pace. The main questions focused on the detailed description of the journey, the debt and the payment made by the families, the characteristics of the jobs they did while travelling, the requests made by the smugglers, and the decisions made throughout the journey. Whenever

the experienced anti-trafficking staff members felt that a question could be particularly inconvenient and create discomfort or incur embarrassment, the topic was approached from a different perspective to avoid re-victimisation of the minor.

## **2. The Challenging Life of Unaccompanied Minors in Greece: between Vulnerability and Protection**

Protecting children against any kind of abuse and any form of violence and trafficking is a clear obligation of the European Union (EU) and the EU Member States, as foreseen by the UN Convention on the Rights of the Child (UN 1990, articles 19 and 35). However, the number of children who slipped outside the National Protection System (NPS)<sup>4</sup> and went missing during recent years is relevant, especially in entry-countries like Italy and Greece (EMN 2018). UAMs are considered migrants in vulnerable conditions, as clearly stated in the 2013 Directive on the reception of asylum-seekers<sup>5</sup>: in fact, on Article 21 the Directive lists who, according to the EU, the vulnerable asylum-seekers are. Both the Greek and the Italian law transposed the Directive, in 2018<sup>6</sup> and 2015<sup>7</sup> respectively. The denomination of the UAMs as part of a vulnerable group provides some protection measures for them.

Although the binding international legislation safeguards the best interest of the child by protecting unaccompanied minors until adulthood, this group of migrants is still considered at high risk of being trafficked and exploited when migrating (Europol 2018). The massive migratory flows that Greece received in 2015 and the following years generated a humanitarian crisis: Greece became the entry point to Europe of thousands of refugees fleeing armed conflicts, violence and persecutions in the Middle East upsetting the refugees' reception system in Greece (Dimitriadi 2016; Blitz et al. 2017; Kreichauf 2018; Gkionakis 2016; Dimitriadi and Sarantaki 2019).

<sup>4</sup> In this article we called NPS all the measures, programs and projects that Greece put in place aimed at implementing the EU and International law about the protection of children in the EU.

<sup>5</sup> European Union, Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast), 26 June 2013, OJ L. 180/96.

<sup>6</sup> Νόμος 4540/2018: Προσαρμογή της ελληνικής νομοθεσίας προς τις διατάξεις της Οδηγίας 2013/33/ΕΕ του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 26ης Ιουνίου 2013.

<sup>7</sup> Decreto Legislativo 18 agosto 2015, n. 142 'Attuazione della direttiva 2013/33/UE recante norme relative all'accoglienza dei richiedenti protezione internazionale, nonche' della direttiva 2013/32/UE, recante procedure comuni ai fini del riconoscimento e della revoca dello status di protezione internazionale. (15G00158) (GU n.214 del 15-9-2015).

In this framework, the conditions of UAMs became more and more precarious and the work of those working in the NPS for children every day more difficult. According to Eurostat, between 2015 and 2019, 226,810 unaccompanied children applied for asylum in the EU, of which 11,195 in Greece and 25,640 in Italy (Eurostat 2020).

According to Stathopoulou (2019), UAMs flee their countries of origin because of on-going conflicts such as the Syrian war, to escape any sort of family vendetta, and in order to claim for family reunification. Fleeing from family vendetta was one of the most reported motivations by the minors interviewed for the study illustrated in this article. Stathopoulou's study also identifies traumatic events in the life of the UAMs: the death of close relatives (parents, uncle); a suicide bomb blast; being beaten during their travel by soldiers and the journey by rubber boat to Greece.

Greece is generally considered a transit country by migrants arriving with the mixed migration flows from 2010 onward, but the public policies adopted to manage the migratory flows started in 2015 by the EU and the Member States had consequences on the freedom of movement of the migrants and the UAMs. The exacerbation of border controls to avoid irregular crossing along the Balkan route in 2016 (DW Group 2020) rendered the journey of the migrants toward their destination countries more difficult and dangerous. Moreover, the 2016 EU- Turkey statement and the geographical restriction imposed by the Hellenic Police and the Greek Asylum Service to every newly arrived person on the Greek islands left many migrants stranded in the Reception and Identification Centres (RIC, the Greek name for the hotspots) of the Aegean islands (Lesvos, Chios, Kos, Leros, Samos) (Greek Council for Refugees 2020). Moreover, these restrictions highlighted the inadequacy of the Greek NPS and the systemic failures to protect UAMs in Greece, because UAMs remained stuck in Greece and all the violation of children rights emerged (Fili and Xythali 2017).

Evros river is at the border between Turkey and Greece and, together with the Aegean islands, is one of the main entry-points from Turkey to Greece. However, with poor basic services and a high number of pushbacks (GCR 2020 p 27), it is more challenging to register UAMs and activate the NPS. D.L., a staff member of METAdrasi,<sup>8</sup> points out: 'Through Evros we have many stories of children that end in the city centre of Thessaloniki or Athens without to be registered and identified in Evros RIC. This creates the trafficking risk<sup>9</sup>.

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<sup>8</sup> METAdrasi is a Greek NGO founded in 2010 which focuses mainly in interpretation services and the protection of UAM.

<sup>9</sup> Interview with D.L., Metadrasi staff member, Athens, 13 August 2019.

The interchangeable role of the smuggler and the trafficker, typical of the Eastern Mediterranean route, deceives many UAMs into the criminal networks managing labour and sexual exploitation of human beings. G.P., a staff member of a Greek NGO assisting victims of human trafficking explained that the price for crossing the Evros river has dropped since 2015, because on several occasions the smugglers

give free rides because they will actually sell these persons or the information about these persons to someone in the island, so they will approach the people or they will change the price while they're crossing the land. We heard a lot of stories like that in Evros, especially women and unaccompanied minors.<sup>10</sup>

According to the data released by the National Centre for Social Solidarity (EKKA) and published by UNHCR, as of July 2020, there were 4558 UAMs on Greek soil but only 2602 places reserved for minors in RIC's safe zones, shelters, and apartments (UNHCR 2020). Moreover, UNHCR reports 1105 UAM as living in informal/insecure housing conditions, such as living temporarily in squats, apartments with others, being homeless and frequently moving between different types of accommodation.

Trafficking and exploitation of UAMs in Greece are manifold. Some of them were already exploited in Turkey as workers. In 2016 the UN Committee on the Protection of the Rights of all Migrant Workers and Members of their Families noted that in this transit country 'many migrant children, be they unaccompanied or with their families, are involved in informal labour, mostly in the agricultural sector where they work long hours under harsh conditions without legal protection' (UN 2016). The Temiz Giysi Kampanyası (Clean Clothes Campaign Turkey) highlighted the ongoing exploitation of Syrian refugees in the garment industry in 2020 (Temiz Giysi Kampanyasi 2020). D.L., talking about the guardianship program of METAdrasi, says: 'Also, many of the children that the METAdrasi guardianship programme covered described to their guardian that they had to work in Turkey in factories of textiles and clothes so they could earn money to cover their living expenses and to continue their travel to Europe'.

Once a migrant child has arrived in Greece, he or she is supposed to be taken care of by the NPS. The first step to access the system is to be recognised as minor and then as a migrant in a vulnerable condition. However, the NGO HumanRights360 reported that during 2018 in Fylakio RIC close to Evros river, almost all the cases of age assessment were doubted to be minors and referred for X-ray before any contact with the minor. The report states that

<sup>10</sup> Interview with G.P., Anti-trafficking NGO staff member, Athens, 24 April 2019.



there is typically a 'large margin of doubt, and in the majority of the cases (more than 50%), the individual was not assessed to be a child' (Lucas et al. 2019).

The general conditions of UAMs hosted in shelters or dedicated apartments under the NPS is good, as showed by a study of 2017: the children are generally very compliant with the school duties, satisfied about how the shelter staff treats them, and, most important, they feel safe (Mixed Migration Platform 2017). Moreover, in 2014, the Greek NGO METAdrasi created the first structured network of specially trained guardians that allowed many UAMs to benefit from the NPS and escape the high-risk situation of trafficking and exploitation. However, a recent study (Mishra et al. 2020) showed how the UAMs understand the difficult bureaucratic system operating to protect UAMs through their interactions with individual non-governmental organization (NGO) staff members. Minors believing that NGO staff were supportive and invested in their futures typically had plans to settle in Greece. Those who perceived staff to be unsupportive typically had intentions to leave Greece, even if it meant giving up their rights as asylees to be irregular migrants in another country.

Although the critical steps forward taken to protect UAMs in Greece, those who are not recognised and registered at the entry-points as minors are likely to fall into the criminal networks of smugglers and traffickers. These UAMs, with those who fail to access the NPS, are more at risk of trafficking and exploitation. D.L. (METAdrasi) explains why in his opinion, most victims of trafficking are not identified: 'They do not share their story, even if it is a reason to gain refugee status. It is a story that many times just do not mention. They are instructed to do so by the smugglers and traffickers... because they are afraid'.<sup>11</sup>

Boys comprise a substantial majority of the UAMs in Greece, but they are rarely at the centre of policy discussion, and research about the forms of gender-based violence they suffer is scarce (Freccer et al. 2017). The exploitation of UAMs for prostitution has increased significantly since 2015, and often the minors explain that to engage in prostitution is a mean of survival (ECPAT international 2019). Others report being lured into prostitution attracted by the high profits promised by the exploiters, where transactions rarely exceed 15 euros (Digidiki and Bhabha 2020).

Physical, psychological and sexual violence against children and UAM provides the fertile ground where the exploitative criminal networks take advantage and recruit vulnerable migrant children.

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<sup>11</sup> Interview with D.L. Metadrasi staff member, Athens, 13 August 2019.

### 3. Violence and Exploitation among Unaccompanied Minors along the Eastern Mediterranean and Balkan Route

In the framework of the anti-trafficking regional project of the Italian Friuli Venezia Giulia region, the professionals of the anti-trafficking team had been involved as experts in the identification of the victims of trafficking for the Territorial Asylum Commission for the recognition of International Protection. The collaboration is foreseen by the memorandum of understanding between the region and the Territorial Asylum Commission,<sup>12</sup> which draws from the 2017 UNHCR guidelines on the identification of victims of trafficking among asylum seekers (UNHCR 2017). Besides, the regional office supported the regional UAM sheltering system as referral service.

In 2019 and 2020 the anti-trafficking regional office of the Italian region Friuli Venezia Giulia interviewed thirty-four unaccompanied minors coming through the Balkan Route from Pakistan, Afghanistan and Bangladesh. To support the identification of the victims, the Regional Migration office trained eighty cultural mediators and the staff of fifteen shelters on the main topics of trafficking in human beings and severe forms of labour exploitation.<sup>13</sup>

The narratives collected introduced the anti-trafficking staff to a dynamic and new dimension of the migration experience of UAMs coming from the Middle East to Europe using the Eastern Mediterranean and the Balkan route.

#### 3.1 The Decision to Leave and the First Part of the Journey

The interviewed minors reported that they left their homes at the age of about 12-13 years, generally due to a dramatic and dangerous situation related to ethnic origin, cultural background, class and gender issues. In some cases, they are the last or the youngest male of the family, potential victims of *Izzat* (honour-related) killing, the homicide of a member of a family due to the belief the victim has brought dishonour upon the family or community. In other cases, they are potential victims of revenge killing inside the local community because of their family's religious identity. In one case, the 'death threat' originated inside the family group, and the older brother was in charge of the killing of the youngest accused of sodomy. In

<sup>12</sup> Cooperation agreement among Region Friuli Venezia Giulia and Territorial Commission of Trieste, Territorial Commission of Udine. Signed in Prefettura [Government Office] of Trieste on April, 4th 2019.

<sup>13</sup> Training financed by Friuli Venezia Giulia region <https://www.regione.fvg.it/rafvfg/cms/RAFVG/formazione-lavoro/formazione/FOGLIA5/>.

these circumstances, leaving is often the only way to save the life of the child.

The first part of the journey is from Pakistan to Iran. Through the interviews, different kinds of payment methods were reported, with two common points. The first is that, if the family can pay a smuggler for the transit in Iran, the journey is faster, around one or two weeks. The second element that emerged during the interviews was that if the minor comes from a situation of vulnerability (poverty, local sexual abuse, or others) he gets involved in a mechanism of real slavery and the transit through Iran lasts 8-15 months. Locked inside the smugglers' houses, the minor undergoes sexual, psychological, physical abuse, forced labour and forced domestic labour in order to pay the fee for the journey.

N.R., a 17-year-old boy arrived in Italy in 2019, says:

When I arrived in Iran, [at 14 years old] these persons threatened me and told me that I have to do several works; washing dishes, cooking etc.; these persons told me that my father did not send money... This man only gives me something to eat and I sleep on the floor... I was required to do everything he wanted.<sup>14</sup>

According to the stories of the UAM, they cannot leave these houses, not even for a walk. When the smuggler has the confirmation of the payment's arrival, he explains to them how to proceed with the journey toward Turkey. They travel on motorcycles, in trucks or are locked in the luggage compartment of buses.

B.S., a 17-year-old boy, arrived in Italy in 2020, explained the details of the journey from that moment on:

He [the smuggler] closed me in the luggage boxes of a bus, there were other men with me. On the border with Turkey they took out us from the bus and we walked for 5-6 hours to arrive on the limit. During this journey we had nothing to eat and nothing to drink. We drunk the raining water, or other dirty water, I found inside the forest. The *Passeur* gave us to eat a sandwich every two days, but no water.<sup>15</sup>

Each stop means a payment, and if a person cannot pay, he stays in this sort of domestic slavery for a long time.

The harsh conditions of the journey also continue in Turkey, as N.R. explained:

Here also I was locked in a house, together with adult persons in promiscuous situations where the physical and psychological violence

<sup>14</sup> Interview with N.R., Trieste (Italy), 20 October, 2019.

<sup>15</sup> Interview with B.S., Trieste (Italy), 29 January 2020.

were perpetrated and where we were locked for a long time (7 months)  
... there were 8-9 persons in this house, I was the only minor there, I  
was 14 years old.

The sooner the UAM's family of origin pays off the smugglers, the sooner the minor will move on and will wait less in the houses. It depends on the economic condition of the family, and if the payment is in the form of a ransom or the form of a verbal contract with a consequent debt incurred by the family.

Part of the crossing of the border between Turkey and Greece takes place by foot or confined in the luggage box of a motor vehicle, and sometimes by boat.

### **3.2 The Debt's Load Emerges in Greece**

The arrival in Greece does not improve the conditions for UAM: the narratives gathered by the staff of the anti-trafficking regional task force of the Italian region Friuli Venezia Giulia regard situations of serious and severe forms of exploitation, both sexual and labour-related.

UAMs reported that they did not access the NPS in Greece, often because they did not know there was this kind of protection system operating and because the smugglers told them to escape any formal registration as migrant or asylum seekers once in Greece. Instead, the smugglers usually offered them a room to sleep for around six months at 100 euros per month. In Greece, the boys enjoy the freedom of going out as they are not obliged to stay inside anymore like they were in Iran and Turkey.

The involvement of the children in criminal exploitation networks is often unavoidable for minors if they do not manage to access the NPS. The arrival across the Evros river, in the north of Greece at the border with Turkey, is the preamble to various situations of sexual and labour exploitation.

As understood from their stories, there is a precise moment when the role of the smuggler and trafficker seems to merge. When the child leaves the smuggler's house, he finds himself alone without the means to provide for himself and without any documentation. The stories show how, in this challenging situation which is also marked by the need to repay the debt, the trafficker/smuggler suggests finding work in agriculture for 'the Greeks', although the children explained that they never had any actual contacts with Greeks. It is usually the trafficker who pays the journey to reach the job that is often in some rural area. Once at their destination, minors report someone waiting for them and having started a job with better conditions than those in Iran or Turkey.

### 3.3 Types of Exploitation Endured by the UAMs

S.C.,<sup>16</sup> a member staff of the Regional anti-trafficking referral mechanism, explained how the children interviewed seemed to be completely unaware of the complex criminal network capable of moving the boys from ‘*Turkish and Iranian bad people*’ to the ‘good Greeks’.

According to the children interviewed, a powerful connection seems to exist between the traffickers/smugglers and the local harvesting market, which needs a low-cost workforce.

Different narratives describe the island of Crete as the leading destination of most minor workers, especially the villages of Tympaki, Moires, Matala. B.S. revealed: ‘My landlord [my passeur] in Athens suggested me to go in Meres to work. He paid me the boat ticket, and I arrived there to work. In Crete, waiting for me there was an Afghan man’.

UAMs are reasonably not aware of what ‘employment contract’ and ‘exploitation’ means. Besides, they do not know that Greece and the EU consider them children to be protected until they are 18, which would imply that they will not be able to provide for their family back in the country of origin for a few years. However, they want and need to be providers for the rest of the family who remained in their country of origin. Therefore, if they see the possibility of earning some money, they will most likely take it. N.R. remembers his experience:

This person (Pakistani) who hosted us, a good man, had several Pakistanis who worked for him by harvesting oranges. Children received 15 euros a day if they collected at least 50 orange baskets (40 kilos each), while adults gained 30 euros if they picked up to 100 baskets. Everyone worked minimum from early morning to evening, every day and in all seasons.

Other minors declared that they were involved in harvesting oranges, tomatoes, and peppers.

The minors work no less than 10 hours a day. Usually, they do not receive a payment for their work. They refer to have no work contract, no training on safety norms, no safety work material, and that they must pay their work tools and accommodation services. These conditions are clearly out of the rules in force in the EU, although extremely common in exploitative situations all around the EU.

As reported by S.C., there is a clear hierarchical organisation of the exploitation/employment services: the *Ostad* (local illegal brokers) organises the accommodation and the transit from the house to the work, he selects

<sup>16</sup> Interview with N.R., Trieste (Italy), 20 February 2020.

and picks the workers every day on the street, and decides the procedure for the payment. Often, the labour exploitation is paired with forms of violence, as B.S. declared:

I had two employers: a Pakistani and an Afghan. The employers decided how much to pay minors because they thought minors didn't need much money. He beat us and tortured us. He tied us with a rope and put a noose around our neck. On other situations, he locked us in a room for two days. He often used bad words to insult us.

The children cannot go out except for work. B.S. remarks:

I slept in an apartment rented together with three other guys. We paid 200.00 both for the rent and for all expenses. All minors slept in the same room. I could only go out to work and I never met the locals.

S.C. refers that most of the boys describe the lodging as homes without electricity and water, with camping gas instead of kitchens.

After one or two years of labour exploitation in Greece, the children are advised to come to Italy with the promise of quickly obtaining regular documentation. So the entire family collects a new debt in addition to the first one.

S.C. recounts that at the explicit request about the salary, most of the minors reply that they did not know how much they earned, but that money had been used to pay the first debt and continue the journey to Trieste.

Although most of the minors interviewed said that their destination country was Greece because the smugglers deceived them into promising jobs or easy regularisation procedure, they decided to continue their journey to Italy. The possibility of taking this choice depends on the level and ability of the child to improve his or her economic situation to pay the smugglers. According to the accounts, the entire journey from Pakistan to Italy costs 10,000€.

### 3.4 A Violent 'Game'

The journey through the Balkan route is, in fact, a long journey of several months walking along mountains paths. *Lifti* is the nickname given to drivers of the vans on the Balkan route.

Each border comes with violence, and the children interviewed underlined the specific violence and inhuman behaviour of the police forces between Croatia and Bosnia, to the point that the boys gave a name to the crossing of that border: 'The Game'. B.Z. describes it:

Upon arrival, (to Bihac, Bosnia Herzegovina) I supposed I was in a forest. There was a refugee camp where people were coming to eat. I

could, finally, eat three times a day. I stayed in this camp for 4 months. I stayed there for a long time because of the difficulty in continuing the journey. I tried crossing the border from Bosnia five times to go to Croatia. I was stopped by the police twice. When the police stopped me, they beat me so hard that I lost my strength to walk. Usually, the police (Croatian) break the bones of those who try to cross the border. Near the border there was a large wall. The Croatian police beat and pushback the people over the wall without worrying about the height of the wall. Once, I fell into the barbed wire and was unable to get back on my feet. In addition to the barbed wire the ground is slippery. It is impossible to stand up just for one minute. During the day the Croatian police does nothing but when it gets dark it beats the people who cross the border. I still have the scars of the points where my skin has torn off. I had to wait for 10/12 days before starting my journey again. During this time, the boys helped me to get food. There were boys from Bangladesh and Pakistan who stole. I always slept with my bag with me, but something was missing every morning. They always squabbled and there were those who showed a knife or others who always stole. I tried to cross five times. The 6th time I crossed the Croatian border and arrived in Italy.

S.C. reported that until June 2019, the main entrance in Italy was via the Austrian border of Coccau while, from that month on, the entry-point became through Croatia-Slovenia-Italy (Trieste).

The debt is a real loan. The boys describe both a verbal contract and signed agreements. Traffickers are smart in finding a solution in order to receive the entire amount of the loan. Once in Italy, the UAMs must improve their language and work skills before starting to work and get a regular residence permit. However, the criminal network has already found a solution to solve this problem: migrants can repay the loan after two years from their arrival in Italy, but if they do not, they must pay interest on the loan of 200 euros each 1000 euros per month. Of course, the main guarantor of the debt remains the family in the country of origin, so in the case of non-payment, death threats persist.

#### **4. Protecting Vulnerable Minors: the Response of the Friuli Venezia Giulia Referral Mechanism in the Italian Legal and Policy Framework**

The Italian policy and legal framework for combatting the trafficking of human beings has a considerable background. With the Immigration Law

N. 286 of 1998<sup>17</sup> a national network with a strategic partnership between governmental and civil society organisations was implemented, in order to respond to the new needs of the migrants involved in sexual exploitation and violent networks (Mannu 2002). The victims of trafficking have the right to receive a special short-term residence permit of six months<sup>18</sup> to implement the personal migration project of social and economic inclusion and receive, at the end of the program, a regular long-term residence permit. They are beneficiaries of an inclusion programme known as ‘Single programme for the emergence, assistance and social integration of victims of trafficking and exploitation’<sup>19</sup>. The innovation of this provision was the protection of the victim’s human rights not subject to his or her cooperation for the prosecution of the exploiters through the so called ‘social path’. Many authors recognised the article 18 as an innovative provision, that was issued before the 2000 UN Palermo Protocol and that is a guarantee of the protection of the victim’s rights (Palazzi 2006, Fachile et al. 2007, Degani and Della Rocca 2014). It is worth saying that, although it is an innovative law and brought important improvements to the protection of the victims’ rights, it still has some weakness in its application related to the implementation of the ‘social path’ and the identification of the victims (Palumbo 2015).

Since 2000 the national Department for Equal Opportunities of the Presidency of the Council of Ministers (DPO) has funded the implementation of local projects to offer specialised services dedicated to three essential areas: victims’ identification victims’ sheltering, training of the personnel involved, with a multiagency approach.

The emersion area (crisis intervention) generally foresees outreach services, a street unit, and a national assistance hotline working 24h seven days a week.

The shelter programmes include counselling programmes, health care, psychological assistance, legal assistance, work orientation, educational and vocational training, support in dealing with public services, employment services, social housing.

The multiagency training approach, according to the EU Directive 36/2011 (Trafficking Directive)<sup>20</sup> supports local entities, public and private services

<sup>17</sup> Legislative Decree No. 286 of 1998, Testo Unico sull’Immigrazione, 25 July 1998.

<sup>18</sup> It can be extended till 18 months or with the evidence that employment is being undertaken.

<sup>19</sup> DPCM 16 maggio 2016 recante *Definizione del Programma unico di emersione, assistenza ed integrazione sociale a favore degli stranieri e dei cittadini di cui al comma 6 bis dell’art. 18 del decreto legislativo 25 luglio 1998, n. 286, vittime dei reati previsti dagli articoli 600 e 601 del codice penale, o che versano nelle ipotesi di cui al comma 1 dello stesso articolo 18.*

<sup>20</sup> Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and



dealing with trafficking in human beings victims with a program of long-life learning and with a program of training for the personnel involved in sheltering minors and refugees.

In 2003 the act n 228/2003<sup>21</sup> 'Measures against Trafficking in Human Beings' introduced measures implementing the 2000 UN Palermo Protocol and a special programme of temporary assistance called 'Article 13'.

The legislative decree 142/2015<sup>22</sup> confirmed that the asylum seekers recognised as victims of trafficking could benefit of the 'Single programme for the emergence, assistance and social integration of victims of trafficking and exploitation'<sup>23</sup> and therefore being assisted by the actions of the plans.

Specific protection for trafficked children is provided by Law No. 47/2017<sup>24</sup> (Zampa Law) on the protection of unaccompanied children: Article 17 is dedicated to child victims of THB and includes the provision for specific long-term programmes of sheltering and assistance. However, UAMs were already included as beneficiaries of the 'Single programme for the emergence, assistance and social integration of victims of trafficking and exploitation' since the 2016 'National Action Plan against trafficking and the serious exploitation of human beings'<sup>25</sup>. During the same year, the Italian President of the ministries' council issued a Decree<sup>26</sup> about mechanisms to determine the age of the trafficked and exploited UAMs. The Decree foresees the employment of qualified personnel organised in a multidisciplinary team to assess the age of the child. The protection of the minor has to be assured during the whole procedure, also considering the sex, culture, and religion of the person of concern. Moyersoen (2017) observed that the Decree envisages

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replacing Council Framework Decision 2002/629/JHA, 2011.

<sup>21</sup> Legge 11 agosto 2003, n. 228. Misure contro la tratta di persone. GU n. 195, 23.08.2003.

<sup>22</sup> Decreto Legislativo 18 agosto 2015, n. 142 *Attuazione della direttiva 2013/33/UE recante norme relative all'accoglienza dei richiedenti protezione internazionale, nonché della direttiva 2013/32/UE, recante procedure comuni ai fini del riconoscimento e della revoca dello status di protezione internazionale. (15G00158) (GU Serie Generale n.214 del 15-09-2015)*

<sup>23</sup> Decreto del Presidente del Consiglio dei Ministri 28 giugno 2016. Definizione del Programma unico di emersione, assistenza ed integrazione sociale a favore degli stranieri e dei cittadini di cui al comma 6 bis dell'art. 18 del decreto legislativo 25 luglio 1998, n. 286, vittime dei reati previsti dagli articoli 600 e 601 del codice penale, o che versano nelle ipotesi di cui al comma 1 dello stesso articolo 18.

<sup>24</sup> Legge 7 aprile 2017, n. 47 Disposizioni in materia di misure di protezione dei minori stranieri non accompagnati.

<sup>25</sup> Consiglio dei Ministri, Dipartimento per le Pari Opportunità (2016) Piano d'azione contro la tratta e il grave sfruttamento, retrieved from: <http://www.pariopportunita.gov.it/materiale/piano-dazione-contro-la-trattae-il-grave-sfruttamento/>.

<sup>26</sup> Decreto del Presidente del Consiglio dei Ministri 10 Novembre 2016, n. 234 'Regolamento recante definizione dei meccanismi per la determinazione dell'età dei minori non accompagnati vittime di tratta, in attuazione dell'articolo 4, comma 2, del decreto legislativo 4 marzo 2014, n. 24'. GU 22 Dicembre 2016.

the presence of a cultural mediator during the process only if necessary, while it would have been better to have such a professional figure always included in the evaluator team.

Although the national legislation defined the reception system of the UAMs, Giovannetti (2017) showed that '[t]aking custody of unaccompanied minors in Italy is still defined by the strong heterogeneity of social and socio-educational policies, by the absence of a unified social reference model and by fallback on various different local structures' (p 17).

Giovannetti also underlined how the governance of the UAMs' reception paths and its models of intervention are very heterogeneous based on the local policies. In this sense, the Region Friuli Venezia Giulia has some peculiarities. It is an autonomous region with the special statute, located at the border with Slovenia and Austria. The city of Trieste is the main entrance in Italy from the Balkan Route, and it is 260 km from the Velika Kladusha Border between Bosnia and Croatia. The Regional migration office, with the programme on immigration, subsidises the sheltering cost of each UAM, including the cost of language education, professional and vocational training.

## Conclusions

The mixed migration flows along the eastern Mediterranean and the Balkan routes, as well as those on the central Mediterranean route, are considered mixed not only because of the different types of migrants travelling together but also, especially in recent years, for the many types of status that a migrant on the move can acquire while travelling. Related to trafficking of human beings, this migration through status means that exploitative and coercive dynamics and forms typical of the criminal networks of traffickers and exploiters are widespread and rooted along the Eastern Mediterranean route.

This article has confirmed what previous research and studies have already highlighted: the social, legal and political categories often used to describe migrants on the move are no longer appropriate in defining the complexity of the actual situation along the Eastern Mediterranean and Balkan route.

It also attempts to demonstrate the ineffectiveness of the categorisations for traffickers, smugglers, exploiters, and illegal brokers. These figures are all intertwined in the narratives of the children interviewed, and the same persons whom the classical frameworks define as 'smugglers' happen to be 'traffickers' or 'exploiters' later in the same account. The narratives of the

boys interviewed are relevant in at least three key areas to be taken into consideration.

The first is the question of the debt, which was unclear in all the interviews. The recruitment of the boys in the country of origin is not well described and often confused in the narratives. The interpretation of the descriptions seems to bring into question whether the child and the family made their decision to leave freely, or whether there was a coercive strategy adopted by the smugglers to convince people to leave and then to keep the journey ongoing in order to demand more and more money from the family. If this question might seem trivial and the answer obvious, the lack of awareness observed in the interviews may suggest that the dynamics are not entirely known. From the stories told, well-organised capillary criminal networks emerged, with the organisational capacity to persuade, move, decide and organise the entire migration experience of the migrant children while at the same time accumulating maximum profit through smuggling and exploiting.

Secondly, once the UAMs are in Italy, there appears to be a clear trend and desire by the UAMs to be formally recognised as such, but interviews showed that the situation in Greece is entirely different. Here the UAMs are often warned against being registered as minors, so they are not aware of the possibility of being assisted under the protection of the NPS project, and remain trapped in a vulnerable condition and dependant on the smuggler. However, some NGOs have raised doubts about the validity of the procedures for the formal recognition of a UAM, which might also impede this possibility.

Thirdly, sexual exploitation in Greece, especially in Athens and Thessaloniki, is documented by a few reports and academic studies. The figures are dramatic, and the phenomenon is underexplored, also considering the difficulties attached to carrying out this kind of studies. However, many of the minors interviewed talked about a period of six months in Athens, renting a room in the smugglers' house for a reasonable price. It was the opinion of the anti-trafficking staff that that period often included survival sex or sexual exploitation. The relationship with the smugglers/ traffickers is ambiguous and seems to reproduce the patterns observed in the female Nigerian trafficking along the Central Mediterranean route. Here, the madame is seen firstly as the person who saved the girls from the Libyan hell, and only after a period (if any) as an exploiter.

The EU migration policies have had a significant role in the creation of a situation where UAMs are left behind and at the mercy of the criminal networks managing the smuggling and trafficking business of the migrants. The attention given by the EU public policies to the protection measures dedicated to migrants in a vulnerable condition has shown to be ineffective

in protecting UAMs from any sort of violence and exploitation adequately. The resources put in place for the identification of vulnerable migrants are insufficient in order to face the amount of people arriving.

Programmed and organised migration flows, as researchers are frequently pointing out, could reduce the risk of UAMs being involved in these violent and exploitative migration experiences resulting in severe traumas which are challenging to recover from.

However, the situation for UAMs is even more complicated by the definition and implication of the EU of being a child. Whenever the UAM can access the NPS in an EU member state, he or she will not be asked to work, but to study and train for adult life. The discrepancy of the interpretations and implications of being a child between the EU policies and the UAMs themselves is enormous. It is often difficult for a migrant child to accept not to work until eighteen years and as a result not being able to fulfil the aim of the original migration project of providing for the family in the country of origin.

We could not close the article without mentioning how the pandemic of SARS-COVID-19 informed the phenomenon described. Migration flows arriving from the Balkan route did not stop, and from January 2020, the arrivals in the Friuli Venezia Giulia Region were constant with the same characteristics of the previous year, so that the local authorities rented hotels and other buildings to provide accommodation for everybody. The migrants arrived wearing facemasks, underlining the ability of the smugglers to adapt to any situation. They are perfectly aware of the safety measures necessary in Italy. The reduction in the seasonal agricultural workforce due to the difficulty for Eastern Europeans of reaching Italy was a warning signal if paired with the migrants smuggled into Italy during the first months of 2020. There is a real possibility that the desperate need for agricultural labourers translated into labour exploitation of human beings, despite the measures adopted by the Italian government against the exploitation of workers.

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