



Information for Humanitarian frontline workers in Hungary

- Overview of referrals for children that have been trafficked or are at risk of human trafficking -

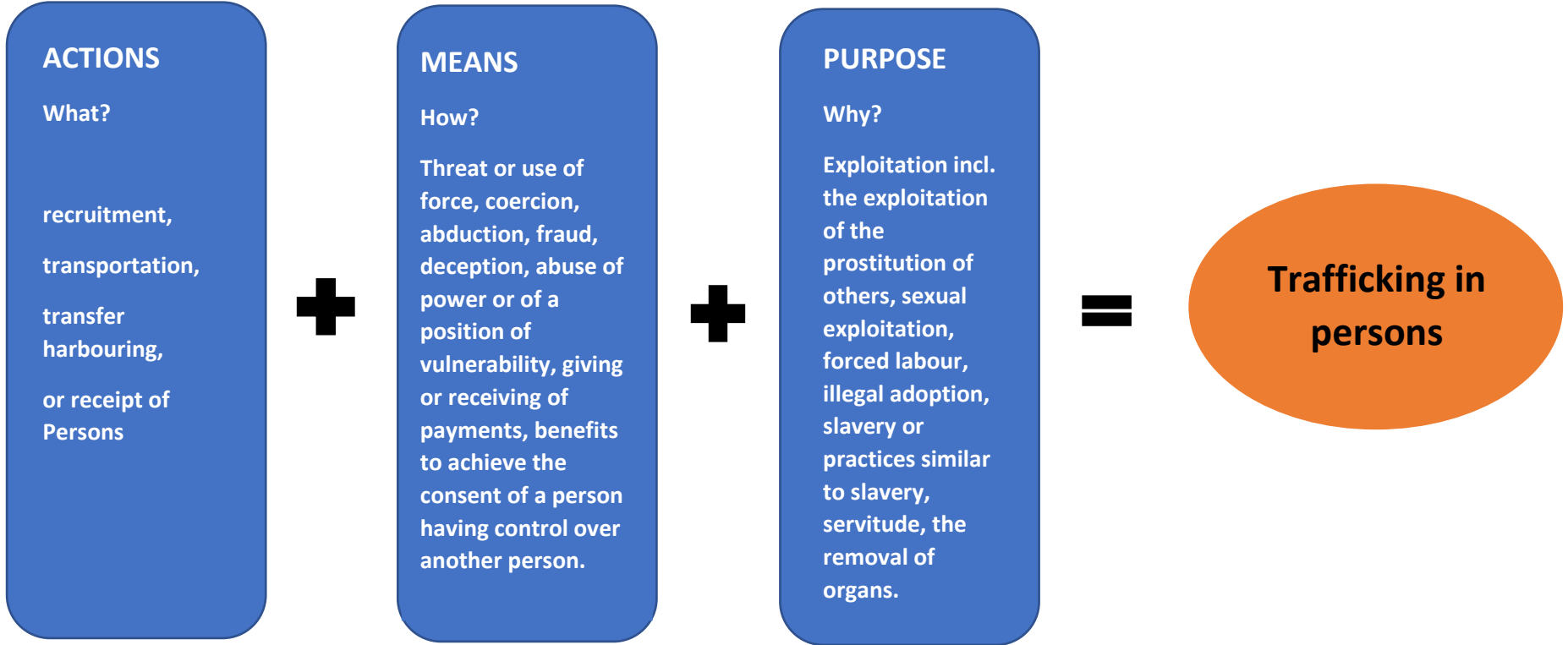
This document aims to capture the discussion between the participants during the UNHCR/IOM organized workshop on the risks of trafficking among children in the context of the Ukrainian conflict that took place on 26 October 2022 in Budapest. This document is not a comprehensive referral pathway for all child victims of trafficking or all children at risk of trafficking, nor for all victims of trafficking.

The aim of the document is to put on paper a referral pathway of children that are victims of trafficking or are at risk of human trafficking which is coordinated between the Hungarian authorities and the humanitarian service providers who are in close contact with refugee children in the context of the Ukrainian crisis.

I. Human Trafficking – Definitions

- **“Trafficking in persons”** shall mean 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. ([Art. 3 of the UN Trafficking Protocol](#))
- It is possible to identify a case or incident of human trafficking by establishing if three key elements of the definition (in Article 3 of the Trafficking Protocol and from the national legal framework) are present. The three elements are, **The Act** – what is done, **The Means** – how it is done, and **The Purpose** – why it is done. One of these three elements is sufficient to identify a potential case of Human Trafficking.
- **Trafficking of children** - The UN Trafficking Protocol states that, “The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means” [Article 3 (c)]. This is due to the particular vulnerability of children.

- A **child** is a person under the age of 18 years.



ACTIONS
What?

recruitment,
transportation,
transfer
harbouring,
or receipt of
Persons



PURPOSE
Why?

Exploitation incl.
the exploitation
of the
prostitution of
others, sexual
exploitation,
forced labour,
illegal adoption,
slavery or
practices similar
to slavery,
servitude, the
removal of
organs.



**Trafficking in
children**



II. Special indicators for relevant stakeholders that a child may have been trafficked/'at risk' of being trafficked

Source: UNICEF, [Practical Guide on identification of victims and persons at-risk of trafficking in human beings](#)

- The child does not appear to be the age given in the passport (i.e., appears older or younger);
- The child says she or he has a different name or other personal details to those in the passport;
- A child is unaccompanied and is not participating in a group visit organized by a recognized school, church or sporting organization;
- When asked whether she or he is being met on arrival, the child says she or he has to make a telephone call;
- A child is unable to produce their passport;
- The child is 'unaccompanied'
- The child looks intimidated and behaves in a way that does not correspond with behaviour typical of children their age;
- Claim made by an adult that he or she has "found" an unaccompanied child;
- Child presenting the accompanying adult as a relative different than his/her parents (uncle, cousin, etc.);
- Infants found with people of other nationalities indicating illegal adoptions/ trafficking.

UNICEF, [Practical Guide on identification of victims and persons at-risk of trafficking in human beings](#) provides some guiding questions for all frontline responders.

Reporting and referrals should always be done with the informed consent of the victims. Victims of human trafficking often worry about reporting and referrals to the police due to their immigration status, fear of deportation and fear from real and credible reprisals from the traffickers.

However, when it comes to **children**, frontline responders have an obligation and a unique position to observe and report signs of human trafficking encountered in their daily work. Their role is not to formally identify victims of trafficking but to recognize or spot certain signs that may indicate a potential case and **refer/report the case to the relevant authorities**.



III. One of the groups of children who are at risk of trafficking: Unaccompanied children

Who is an unaccompanied child?

- **According to European Law: Art. 2 f 2001/55/EC** (Temporary Protection Directive) *‘unaccompanied minors’ means third-country nationals or stateless persons **below the age of eighteen**, who arrive on the territory of the Member States **unaccompanied by an adult responsible for them whether by law or custom**, and for as long as they are **not effectively taken into the care of such a person**, or minors who are left unaccompanied after they have entered the territory of the Member States.*
- **According to Hungarian law¹ the term “unaccompanied minor” is defined similarly, namely as follows: “unaccompanied minors: citizens of a third country below the age of **18 years** who have entered the territory of Hungary **without the company of a person of adult age** responsible for their supervision **under law or custom**, or who remained without supervision following entry; as long as they are not effectively taken into the care of such a person.”**
- This includes the following situations:
 - **a child is completely alone**
 - **a child is travelling with related adult(s), but not with the parent/legal guardian (e.g. a child with a grandmother, uncle, cousin, etc.)** – these children are also considered ‘separated’²: A ‘separated child’ is a child who has been separated from both parents, or from their previous legal or customary primary care-givers, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.³
 - **a child is travelling with non-related adult(s), without the parent/legal guardian** – a child might be travelling with a neighbor or with friends of the parents, they are considered unaccompanied irrespectively whether the adults have been provided by the **parent(s) an authorization** to travel with the child and/or provide temporary care.
 - **a child is travelling with peers but without the parent/legal guardian**

¹ Section 2(b) of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals (hereinafter “Third Country Nationals Act”) and Section 2(f) of Act LXXX of 2007 on Asylum.

² [FAQs UAMs and separated children TPD_en_1.pdf \(europa.eu\)](#)

³ General Comment No. 6 from the Committee on the Rights of the Child, Treatment of unaccompanied and separated children outside their country of origin, 2005 ([here](#)).

IV. Referral: What to do if an unaccompanied child is identified?

If a child is travelling alone or with an adult that is not by law or custom responsible for the child, including a relative, either the

- Police
- Legal Guardianship Authority or
- National Directorate General for Alien's Policing (NDGAP)

need to be informed.

The **local county police** can be the first entry point to the child protection system. The police is available 24/7 and will refer cases at risk of trafficking, including unaccompanied and separated children, to the Legal Guardianship authority.

You can contact the police at the general emergency line wherever you are in the country: 112.

Alternatively, you can contact the **local county police**:

County police	Contact
Borsod-Abaúj-Zemplén	06-46/514-500, 06-46/514-506, borsodmrfk@borsod.police.hu
Szabolcs-Szatmár	06-42/524-600, szabolcsmrfk@szabolcs.police.hu
Hajdú-Bihar	06-52/516-400, hajdumrfk@hajdu.police.hu
Nógrád	06-32/411-255, nogradmrfk@nograd.police.hu
Heves	06-36/522-111, hevesmrfk@heves.police.hu
Jász-Nagykun-Szolnok	06-56/501-600, jaszmrfk@jasz.police.hu
Békés	06-66/523-700, bekesmrfk@bekes.police.hu
Budapest	06-1/443-5000, budapest@budapest.police.hu
Pest	06-1/443-5800, pestmrfk@pest.police.hu
Bács-Kiskun	06-76/513-300, bacsmrfk@bacs.police.hu
Csongrád-Csanád	06-62/562-400, ugyelet.csongradmrfk@csongrad.police.hu
Komárom-Esztergom	06-34/517-777, komarommrfk@komarom.police.hu
Fejér	06-22/541-600, fejermrfk@fejer.police.hu
Tolna	06-74/501-100, titk.tolnamrfk@tolna.police.hu

Baranya	06-72/504-400, ugyelet.baranyamrfk@baranya.police.hu
Somogy	06-82/502-700, somogytitk@somogy.police.hu
Veszprém	06-88/428-022, titk.veszpremmrfk@veszprem.police.hu
Győr-Moson-Sopron	06-96/520-000, gyormrfk@gyor.police.hu
Vas	06-94/521-011, vasmrfk@vas.police.hu
Zala	06-92/504-300, zalamrfk@zala.police.hu

You can also contact the Legal Guardianship authorities.

The Legal Guardianship authority will – in cases of children travelling with adults that are not their parents – assess the relationship between the child and the accompanying adult, or in cases of children travelling alone or with their peers place the child in suitable childcare facilities and appoint a legal guardian.

You can search for the territorial (járások) legal guardianship office at this website: <https://www.kormanyhivatal.hu/hu>
 You will need to select the county first on the left side of the page, then the relevant territorial office ('járási hivatal').

Otherwise, you can also contact the **Budapest Guardianship Office Guardianship Department** from anywhere in the country via **(1) 896-0468** or **(1) 896-0469** gyamugyi.fosztaly@bfkh.gov.hu

Alternatively – during office hours – the **regional directorates of the National Directorate General for Aliens Policing (NDGAP)** can be contacted.

Please see contact information below to the regional directorates of NDGAP:

Budapest and Pest County Regional Directorate	+36-1/463 9150, bpr@oif.gov.hu
Northern Great Plain Regional Directorate	+36-52/503 850, ear@oif.gov.hu
Northern Hungary Regional Directorate	+36-46/501 080, emr@oif.gov.hu
Southern Great Plain Regional Directorate	+36-62/549 140, dar@oif.gov.hu
South Transdanubian Regional Directorate	+36-72/518 720, ddr@oif.gov.hu
Central Transdanubian Regional Directorate	+36-22/510 750, kdr@oif.gov.hu
Western Transdanubian Regional Directorate	+36-96/510 701, ndr@oif.gov.hu

The authorities will then need to implement measures to protect trafficked children and children at risk of trafficking based on the **best interest of the child**.⁴

Inform the child of what is happening. Keep in mind not to do any harm while engaging with children, as it is our responsibility to prevent and to mitigate any negative impact of our actions on children.

⁴ Art. 3 of the Convention on the Rights of the Child (CRC).

Annex I. – Map for reference with counties of Hungary

