

CHILD TRAFFICKING – AN INTERNATIONAL PERSPECTIVE

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Abstract: Child trafficking is an issue that needs greater concern not because of the nature of harm but because of the nature of victim being affected in the present situation. According to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), child trafficking is the recruitment, transportation, transfer, harbouring or receipt of children for the purpose of exploitation. It is a violation of their rights, their well-being and denies them the opportunity to reach their full potential. The International Labour Organization's estimation of 1.2 million children being trafficked each year remains the reference. UNICEF works with development partners, governments and non-governmental organizations on all aspects of anti-trafficking responses – prevention, protection and prosecution – and supports evidence-based research to strengthen interventions. To reduce vulnerabilities that make children susceptible to trafficking, UNICEF assists governments in strengthening laws, policies and services including legislative review and reforms, establishing minimum labour standards, and supporting access to education. UNICEF also works with communities to change norms and practices that exacerbate children's vulnerabilities to trafficking. Protecting trafficked children requires timely victim identification, placing them in safe environment, providing them with social services, health care, psychosocial support, and reintegration with family and community, if it is proven to be in their best interest. This paper discusses the reasons for child trafficking, international mechanism to prevent child trafficking and the role of international organizations regarding this issue.

Keywords: Child Trafficking, Child Protection, Human Rights, ILO, UNICEF.

Introduction: Human trafficking is the second fastest growing criminal industry in the world today. The illegal trade of humans is often misunderstood and misrepresented as just an international issue, often overlooking that human trafficking happens throughout the United States. Human trafficking is a multifaceted issue that includes fraud, force, coercion, and exploitation for sexual purposes as well as for purposes of forced labor. Human trafficking is not an issue exclusively related to children; however children are the most vulnerable to these forms of exploitation and shall be the focus of this paper.⁽¹⁾

Child trafficking is an issue that needs greater concern not because of the nature of harm but because of the nature of victim being affected in the present situation. One of the definition of the trafficking in human being definitional of the words that speaks as: "The recruitment, transportation, transfer, harboring 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 can 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. This definition is traceable in the Council of Europe Convention on Action against Trafficking in Human Beings that considered trafficking as human rights violation and hence made provisions to

end the problem of trafficking vis-à-vis maintaining gender equality in the system.⁽²⁾

The commercial sexual exploitation of children (CSEC) is the agreed upon term for child victims of human trafficking for sexual purposes. CSEC as defined by the anti-trafficking advocacy group The Sold Project (in the US) is something that arises through a commercial transaction or exchange in which one or more parties gain a benefit – cash, goods or kind – from the exploitation for sexual purposes of someone aged below 18. CSEC includes child prostitution, child pornography, and other forms of transactional sex where a child engages in sexual activities to have key needs fulfilled, such as food, shelter or access to education. (The Sold Project)

This provides a shared definition to officials and advocates who come in contact with sexually exploited children including law enforcement, medical care providers, social service agencies, and lawyers.⁽³⁾

ILO on Child Trafficking: Child trafficking is about taking children out of their protective environment and preying on their vulnerability for the purpose of exploitation. Although no precise figures exist, the ILO (in 2005) estimated that 980,000 to 1,225,000 children - both males and females - are in a forced labour situation as a result of trafficking.

ILO Convention No. 182 (1999) on the Worst Forms of Child Labour (WFCL) classifies trafficking among "forms of slavery or practices similar to slavery" and thereby a WFCL to be eliminated as a matter of

urgency, irrespective of the country's level of development.

The trafficking in children - internally in countries, across national borders and across continents - is closely interlinked with the demand for cheap malleable and docile labour in sectors and among employers where the working conditions and the treatment grossly violates the human rights of the children. These are characterized by environments that are unacceptable (the unconditional worst forms) as well as dangerous to the health and the development of the child (hazardous worst forms). These forms range from bonded labour, camel jockeying, child domestic labour, commercial sexual exploitation and prostitution, drug couriership, and child soldiering to exploitative or slavery-like practices in the informal industrial sector.

As part of larger initiatives to combat the worst forms of child labour, the ILO's International Programme on the Elimination of Child Labour (IPEC) works with governments, workers and employers' organizations and NGOs to fight child trafficking. It works with them to offer broad protection to children at risk and victims, prevent the crime of trafficking, enforce laws and prosecute traffickers, and assist victims in need. Where appropriate, services are offered at source, in transit and at destination. The Programme takes into account the national, sub-regional and regional specificities of the root causes of children's vulnerability, mechanisms and routes used by traffickers, and the nature of exploitation that takes place, as well as the legal and cultural contexts.⁽⁴⁾

Un Global Initiative To Fight Human Trafficking (UN.GIFT)⁽⁵⁾: International Programme on the Elimination of Child Labour (IPEC) together with the Special Action Programme to combat Forced Labour (SAP-FL) represents ILO in the Steering Committee of the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT). Other members of this global inter-agency initiative are the International Organization for Migration (IOM), the Office of the High Commissioner on Human Rights (OHCHR), the Organization for Security and Co-operation in Europe (OSCE), the United Nations Children's Fund (UNICEF) and the United Nations Office on Drugs and Crime (UNODC).

The mission of UN.GIFT, to mobilize State and non-state actors to eradicate human trafficking through a global multi-stakeholder partnership, by (i) reducing both the vulnerability of potential victims and the demand for exploitation in all its forms; (ii) ensuring adequate protection and support to those who do fall victim, and (iii) supporting the efficient prosecution of the criminals involved, while respecting the fundamental human rights of all persons.

Protecting Children From Violence, Exploitation And Abuse⁽⁶⁾: All children have the right to be protected against all kinds of violence, exploitation and abuse. Yet, millions of children worldwide from all socio-economic backgrounds, across all ages, religions and cultures suffer violence, exploitation and abuse every day. Millions more are at risk.

Some children are particularly vulnerable because of gender, race, ethnic origin or socio-economic status. Higher levels of vulnerability are often associated with children with disabilities, who are orphaned, indigenous, from ethnic minorities and other marginalised groups. More risks are associated with those children living and working on the streets, living in institutions and detention, and living in communities where inequality, unemployment and poverty are highly concentrated. Natural disasters, armed conflict, and displacement may expose children to additional risks. Child refugees, internally displaced children and unaccompanied migrant children are also populations of concern. Vulnerability is also associated with age; younger children are at greater risk of certain types of violence and the risks differ as they get older.

Violence, exploitation and abuse are often practiced by someone known to the child, including parents, other family members, caretakers, teachers, employers, and law enforcement authorities, State and non-state actors and other children. Only a small proportion of acts of violence, exploitation and abuse are reported and investigated and few perpetrators are held accountable. Violence, exploitation and abuse occur in the homes, families, schools, care and justice systems, workplaces and communities across all contexts, including as a result of conflict and natural disasters. Many children are exposed to various forms of violence, exploitation and abuse, including sexual abuse and exploitation, armed violence, trafficking, child labour, gender-based violence, bullying cyber-bullying, gang violence, female genital mutilation/cutting, child marriage, physically and emotionally violent child discipline, and other harmful practices.

There is significant evidence that violence, exploitation and abuse can affect the child's physical and mental health in the short and longer term, impairing their ability to learn and socialize, and impacting their transition to adulthood with adverse consequences later in life.

Conclusion: Child Trafficking happens to be one of the foremost concerns of the present society. The developing countries are some of the major regions wherein the menace of child trafficking is on rise. The governments in these countries need to take necessary steps to crack down upon such illicit and

inhuman activities through alert and comprehensive strategy oriented action plans.

The issue needs to be handled with utmost sincerity by those who are in charge of execution and fair implementation of plans and policies made by the government in this regard. Awareness must be created amidst the society to fight against evils like child trafficking and its devastating effects on the

societal growth. For a prosperous and healthy growth of the society, the adequate growth of the children is of utmost importance and hence swift action to inculcate a sense of social and sexual security amongst the masses of children is the need of the hour and therefore requires full contribution of the government as well as that of the civil society.

References:

1. Professionals and anti trafficking advocates agree that human trafficking victims, whether victims of sexual or labor exploitation, are both victims of modern day slavery and thus can be talked about separately while understood that one is deeply related to the other.
2. Avinash Singh, "Child Trafficking – A Socio – Legal Perspective" retrieved on 18th May, 2017
3. CSEC is appropriate to use interchangeably with human trafficking unless distinguished otherwise because of the agreement that most instances of human trafficking involve this kind of exploitation.
4. Trafficking in Children, <http://www.ilo.org/ipecc/areas/Traffickingofchildren/lang-en/index.htm> retrieved on 21st May, 2017
5. Trafficking of Children, www.ungift.org/knowledgehub/en/about/trafficking-of-children.html retrieved on 21st May, 2017
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