

# Child Trafficking:

## Global Perspectives and Best Practices



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# International and Regional Legal Framework

- ∞ **International:** UN Convention against Transnational Organized Crime (2000):
  - Protocol to Prevent, Suppress and Punish **Trafficking** in Persons, Especially Women and Children
  - Protocol against the **Smuggling** of Migrants by Land, Sea and Air
  - Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition
  
- ∞ **Regional:** Convention of the Council of Europe on Action Against Trafficking in Human Beings (2005); European Convention on Human Rights (1950); American Convention on Human Rights (1969), etc.
  
- ∞ **Of importance to child labour and trafficking:** ILO 138 Minimum Age Convention (1973); ILO 182 Worst Forms of Child Labour Convention (1999) and UN Convention on the Rights of the Child (1989).

# Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

## INTERNATIONAL LEGAL FRAMEWORK

(a) ‘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;

(b) The *consent of a victim* of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be *irrelevant* where any of the means set forth in subparagraph (a) have been used;

**(c) 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 set forth in subparagraph (a) of this article;**

(d) ‘*Child*’ shall mean any person under eighteen years of age.”

**ACT – MEANS – PURPOSE**

# Child Trafficking Dynamics

- ∞ ILO (2012): 21 million people are victims of forced labour across the world, trapped in jobs which they were coerced or deceived into and which they cannot leave, including human trafficking. **5.5 million (26 %) are below 18 years.**
- ∞ UNICEF: 1.2 million worldwide trafficked children remains the reference (ILO's data from 2002)
- ∞ UNODC (2012): an estimated 27% of all trafficking victims detected globally are children.

Commercial or non-commercial sexual exploitation, child pornography and pedophilia

Forced begging

Removal of organs

Armed conflict

Marriage

Labour exploitation

Domestic servitude

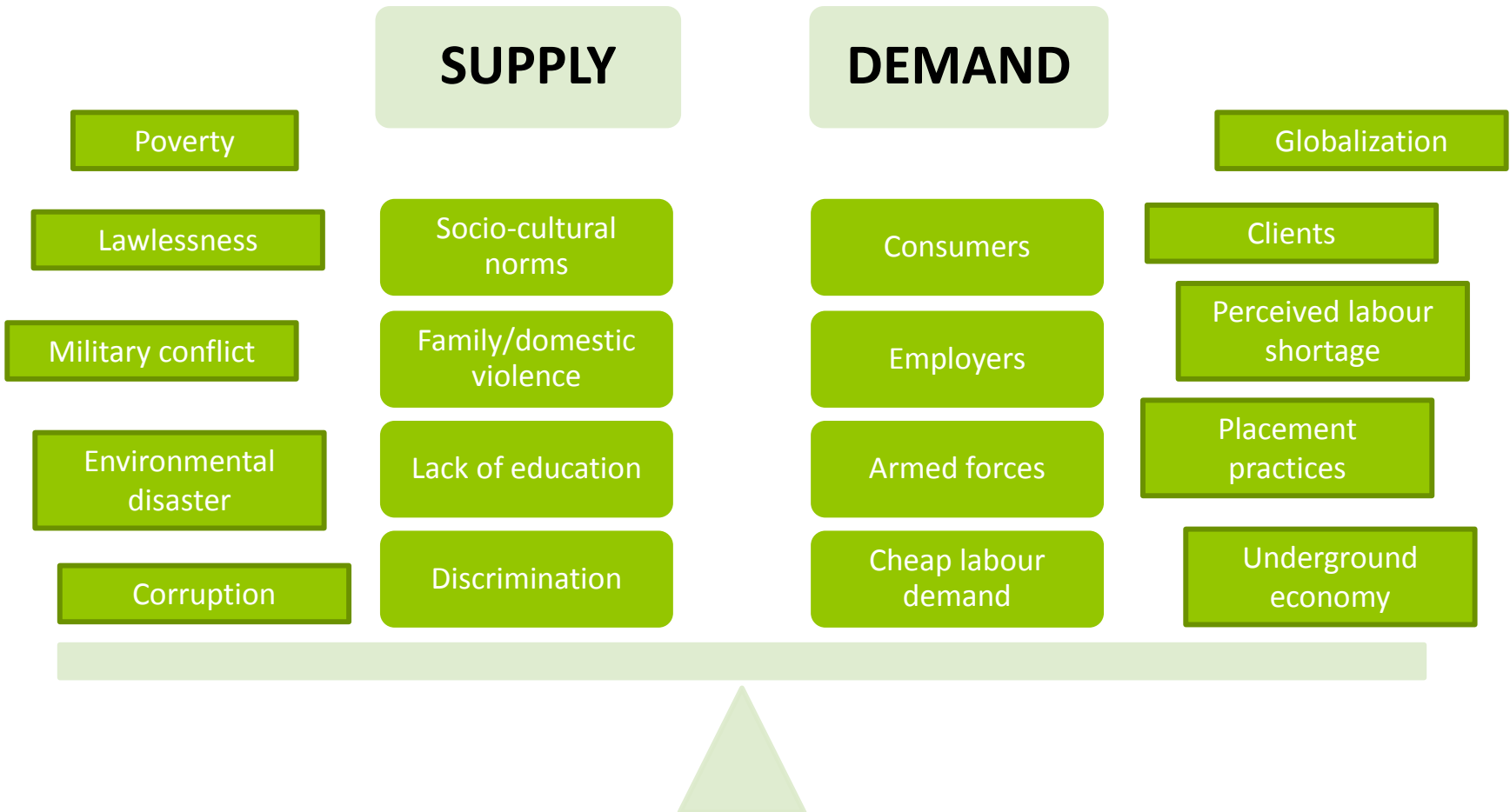
Illicit activities, drug distribution

Adoption

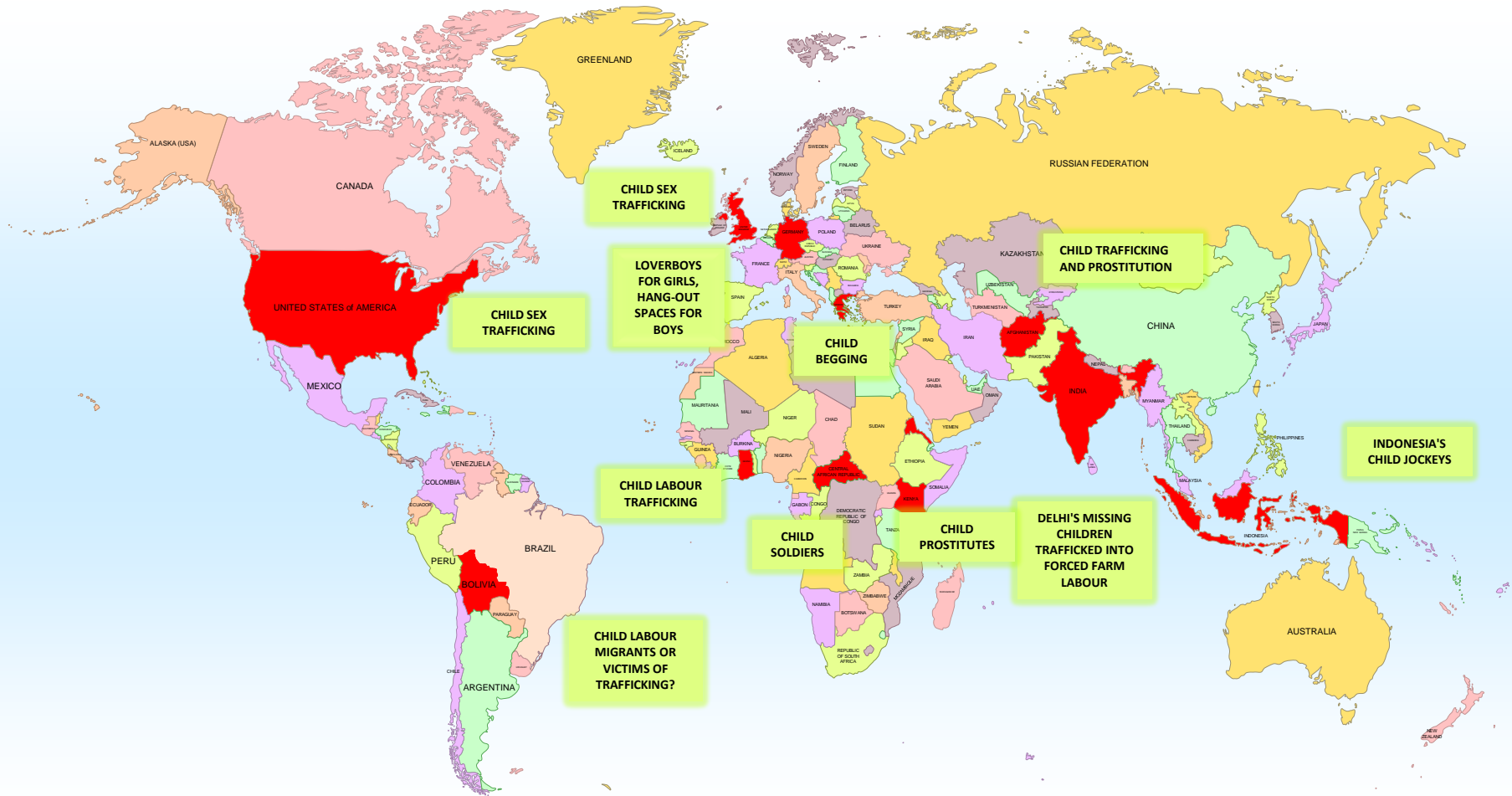
∞ *Risk factors*: poverty + (orphans; socio-economic factors; children victims of family violence; discrimination; unaccompanied minors as migrants; children working as domestic servants, etc.), risks during transit and at the destination.

# Push and Pull Factors

ECONOMIC DIMENSION



# Child Trafficking: Global Perspectives



# 10. Regional Cooperation

## BEST PRACTICES

- ☞ **The Austrian-Bulgarian Model:** In 2005, the number of trafficked Bulgarian (Roma) children to Vienna, Austria, rose significantly. The two countries acted immediately and signed a bilateral agreement of cooperation. The Bulgarian Ministry of Interior took the initiative and created a multidisciplinary team with members of the Combating Organized Crime Directorate, the Border Police, the National Police, the Consular Directorate of the Ministry of Foreign Affairs, the Ministry of Labour and Social Policy, the State Agency for Child Protection and the National Commission for Combating Trafficking in Human Beings, thereby creating a National Referral Mechanism. An Austrian liaison officer was appointed in Bulgaria, and the exchange of information tripled.
- ☞ **The Bali Process – Asia Pacific:** multilateral initiative co-chaired by the governments of Indonesia and Australia. Members include 45 states throughout the broader Asia-Pacific region as well as the UNHCR and the IOM in addition to a number of observers. One of its programs is “Mapping and Analyzing the Protection Situation of Unaccompanied and Separated Children in South East Asia.”
- ☞ **The project Mario** was created in response to a growing need for the protection of migrant children in Central and South East Europe. Nationally operating in Albania, Kosovo, Bulgaria and Poland, and transnationally coordinating between the Netherlands, Spain, Italy, Greece, Macedonia, Belarus, and Ukraine, the project Mario aims to better protect migrant children by strengthening national and transnational capacities to respond to child trafficking and exploitation.

- ☞ **Visayan Forum Foundation**, a Philippine-based NGO: serves at the frontline and develops partnerships with government and civil society stakeholders, as well as builds anti-trafficking task forces. Its Center of Hope offers comprehensive psychological and social services. It also partners with local entrepreneurs to explore economic opportunities for survivors within their communities. Survivors, their families, and their communities are organized into self-help groups to enhance their own capacity for recovery.

## 8. Empowering Child Victims of Trafficking through Education and Job Training

### BEST PRACTICES

- ✎ **Made by Survivors** (MBS) is an international NGO (US/India): MSB creates jobs for trafficking victims enabling them to become survivors, rebuilding their self-esteem and breaking cycles of gender inequality through metalsmithing and jewelry design. All profits go to rescue support, education, and employment opportunities for survivors. In India, they have trained 70 survivors as artisan goldsmiths. Since 2005, it has trained over 350 survivors. Survivors are offered education, healthcare, and special programs specifically for children and families of trafficking victims. Through the Education Fund, over 250 child victims have been sent to school, providing them the tools to transform their lives and break the chains of poverty.
- ✎ **ARZ India** is a social organization dedicated to combating trafficking in persons for the purpose of sexual exploitation in Goa, India. Working with victims to identify possible business trades, ARZ opened the doors of Swift Wash, a fully mechanized laundry unit which provides employment for sexual exploitation survivors.

∞ **European Roma Rights Centre – Hungary:**

The European Roma Rights Centre (ERRC) is an international public interest law organization working to fight anti-Roma racism and human rights abuse of Roma through strategic litigation, research and policy development, advocacy and human rights education. They conduct research, develops reports, and advocate on behalf of Roma children.

## 6. Providing Shelter, Rehabilitation, and Counseling Services to Child Sex Trafficking Victims

### BEST PRACTICES

- ∞ **The Somaly Mam Foundation and Acting for Women in Distressing Situations (AFESIP) – Cambodia:** through a partnership consisting of law enforcement officials, relevant legal organizations, courts, and judges, these two organizations rescue victims and help prosecute traffickers. The AFESIP Peer Education team, as part of its educational outreach program, trains social workers and works with women and girls in the sex industry, to educate them on public health risks, including HIV/AIDS, and to inform them on AFESIP's services. The AFESIP also runs numerous rehabilitation homes and shelters, has a trauma care specialist and offer other types of healing activities such as yoga, traditional dance, meditation, and art therapy.

## 5. Building Capacity of Child Survivors to Lead the Fight against Child Sexual Exploitation

### BEST PRACTICES

🌀 **The Youth Partnership Project (YPP)** for child survivors of commercial sexual exploitation in South Asia empowers youth survivors to take agency in their own fight against the commercial sexual exploitation of children. It assists in organizing peer support programs in schools located in high risk areas. The YPP trains youth in Bangladesh, India, and Nepal by implementing a set of guiding principles that reflect the 1998 UNICEF Principles of Psychosocial Interventions for Children.

## 4. Fighting Child Sex Tourism

### BEST PRACTICES

- ✎ **ECPAT International** was founded in Thailand in 1990 in response to an increasing practice of child prostitution in Asia. It is a global network of more than 80 organizations and individuals in more than 70 countries. The *Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (The Code)* is an industry-driven, multi-stakeholder initiative that aims to provide awareness, tools, and support to the tourism sector to combat child sexual exploitation in the context of travel and tourism.
- ✎ **Fundación Paniamor** is an NGO based in Costa Rica working to combat the commercial sexual exploitation of children and, in particular, trafficking in children and child sex tourism.

### 3. Providing a Brighter Future for Sex Trafficked and Sexually Exploited Adolescent Female Survivors

#### BEST PRACTICES

🌀 **StreetLightUSA – United States:** utilizes a three-tiered strategy by focusing on awareness, prevention, and direct care to develop a national model to serve as a paradigm for policy makers and invested stakeholders in eliminating child rape. Cultivating a multi-sectoral response team that includes government, key non-profit organizations, and interested academics, StreetLightUSA designs innovative policies and projects that can help eradicate this human rights injustice. Recent successes have included increasing the penalties for those soliciting sex with a child in the state of Arizona.

## 2. Assisting Children in Testifying against Traffickers and Abusers and Obtaining Necessary Documentation for Reintegration

### BEST PRACTICES

- ☞ **Casa Alianza (UK)**, an international NGO, is dedicated to the rehabilitation and defense of street children in Guatemala, Honduras, Mexico, and Nicaragua, and reaches out to homeless children in an effort to lead abandoned children from the streets into a productive and happy life. They provide legal services and prepare and accompany children through any necessary legal processes including family court hearings and criminal cases where children are required to present testimony against traffickers or abusers. Social workers and psychologists provide multidisciplinary support. They are currently working with more than 10,000 children annually.

# 1. You

BEST PRACTICES

 Canadian Best Practices

# The New York Times

## Africa's World of Forced Labor, in a 6-Year-Old's Eyes



Joao Silva for The New York Times

On Lake Volta in Ghana, Mark Kwadwo, 6, left, scoops water in the canoe of Kwadwo Takyi, rear. Kwabena Botwe, 11, paddles.

Published: October 29, 2006

# Lisa Ling in action



Photo: Joao Silva/The New York Times/Redux



# Pam from Missouri



# Thank You!

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