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VIENNA INTERNATIONAL MODEL UNITED NATIONS
08 - 12 August 2004

ACADEMIC FORUM FOR FOREIGN AFFAIRS - AUSTRIA

UNITED NATIONS YOUTH AND STUDENT ASSOCIATION OF AUSTRIA

GRAZ - INNSBRUCK - KLAGENFURT - LINZ - SALZBURG - VIENNA

Commission Crime Prevention and Criminal Justice (CCPCJ)

**"Trafficking in Children:
Slave Trade in the 21st Century."**

Dear Participant,

Welcome to the 10th Vienna International Model United Nations and more precisely to the Commission on Crime Prevention and Criminal Justice. We regard and treat your interest in the topic “trafficking in children” with great enthusiasm.

At first we would like to introduce ourselves briefly. We are **Katja GASPERIC**, student of Political Science and English at the University of Vienna, and **Eric M. ACHA**, student of Economics and Computer Sciences at the Vienna University of Technology, also taking a course in Criminal Law by correspondence. We will be chairing the Commission on Crime Prevention and Criminal Justice (CCPCJ) at VIMUN, the coming August.

The essential and exciting aspect regarding the Commission you have chosen is that it will be simulating a topic making headlines in every nation in our world today. It is a topic linked to other Committees at VIMUN 2004, which will be simulating various topical subjects as well.

The alarming rate at which this crime (trafficking in children) is growing, makes it a matter of concern to every single nation and organization. According to recent estimates, it is confirmed that at least 800,000 - 900,000 children and adults are being trafficked across international borders every year – either having been bought, sold, transported or held in slavery-like conditions for sex and labour exploitation.

Yours sincerely,

Katja Gasperic

Eric M. Acha

Introduction to the Committee

The Commission on Crime Prevention and Criminal Justice (CCPCJ)

The Commission is part of the United Nations Organization, to be precise it forms a subsidiary body of the Economic and Social Council. It was founded in 1992 and replaced the former Committee on Crime Prevention and Control, which had existed since 1971, but had had a more technical scope.

CCPCJ which is based at the United Nations Headquarters in Vienna goes into session each year. The Commission comprises 40 member states, which rotate yearly. Its primary obligation is to initiate international action to combat national and international crime, such as terrorism, illicit trafficking in human beings, money laundering, corruption and similar. Furthermore, the Commission works to improve the efficiency and fairness of the criminal justice system, both on national and international levels. Aspects of these principal themes are selected for discussion at each of the Commission's annual sessions.

The Commission's main task is also to formulate draft resolutions for action by the Economic and Social Council. Eventually, these resolutions direct the work of the Centre for International Crime Prevention (CICP).

The Centre for International Crime Prevention (CICP)

This is the UN Office responsible for crime prevention, criminal justice and criminal law reform. It pays special attention to combating transnational organized crime, corruption and illicit trafficking in human beings.

The centre cooperates with a network of international and regional institutions and further works with member states in order to strengthen the rule of law, promote stable and viable criminal justice systems and combat the growing threat of transnational organized crime through better cooperation. It helps countries in the elaboration, ratification and implementation of international criminal law conventions and protocols. More than 100 countries have relied on its criminal justice standards and norms for the elaboration of national legislation and policies in matters of crime prevention and criminal justice, leading to a common foundation in the fight against international crime that respects human rights.

Introduction to the Issue

Human trafficking

Human trafficking, which engulfs the trafficking in adults and children, is a global human rights violation that constitutes a contemporary form of slavery. It is a growing phenomenon with at least 800,000 - 900,000 people trafficked across international borders yearly. It might be interesting to note, that this transnationally organized crime is the third largest criminal organization in the world after arms and drug trafficking. It is further the fastest growing criminal industry and hence poses a significant threat to global peace and development.

Despite this staggering reality, the issue of trafficking in human beings has only become a priority of international foreign policy in the last years. Governments around the world are only beginning to address this problem and introduce measures to reduce this crime. The willingness and the determination to combat illicit trafficking as well as the actual implementation of counter-measures varies from country to country. Unfortunately, in most countries traffickers can still get away with impunity, even in the most severe cases. Inaction on the part of the authority is compounded by lack of some comprehensive countermeasures to combat this crime. For this reason, every nation is called upon to strengthen its trafficking criminal code through legislative reforms as well as through national and international cooperation.

Many international organizations and NGOs have launched campaigns and initiatives to combat this international problem. However, there is still a long way to the establishment of an applicable international programme to reduce, and consecutively eliminate this organized crime. The first step into this direction is certainly, that countries as well as international organizations, regional organizations and NGOs strengthen their cooperation with each other. Furthermore, it is important to bring the status of global trafficking to the attention of the international community.

Human trafficking vs. smuggling

To be able to understand and combat this crime, it is also of significant importance to define the difference between trafficking in person and smuggling of migrants, which are similar, but not equal crimes.

The smuggling of migrants, while often undertaken in dangerous or degrading conditions, involves migrants, who have consented to smuggling. Trafficked victims, on the other hand, have either never consented or, if they initially consented, that consent has been rendered meaningless by the coercive, deceptive or abusive action of the traffickers. Another major difference is, that smuggling ends with the smuggled migrants at their desired destinations, whereas in the case of a trafficked victim, there is always the continuous exploitation of the victim who might never even reach a final destination if there is any. The various forms of exploitation of the victim always end up with some profit being generated for the traffickers. In actual circumstances, smuggling is always considered transnational, whereas trafficking may not be. Trafficking can occur regardless of whether victims are taken to another country or only moved from one place to another within the same country.

Still, the definition of “trafficking in person” is so broad, that it widens the scope of trafficking for sexual exploitation to other forms of trafficking, including forced labour and domestic servitude. In real sense, the term “trafficking” as defined in the Protocol to prevent, suppress and punish Trafficking in Person, especially Children, supplementing the United Nations Convention against Transnational Organized Crime (Article (3a)), means “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat, or use of force or other coercion, of abduction, of fraud, of deception, of abuse, of power or of a position of vulnerability, or of the giving or receiving of payments or the benefits to achieve the consent of a person, for the purpose of exploitation. Exploitation as used in the text, at a minimum, the exploitation of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

Trafficking in children

“in their little world in which children have their existence, there is nothing so finely perceived and so finely felt as injustice” Charles Dickens.

According to the International Labour Organization (ILO), the trafficking in children is not a new phenomenon. It has existed for decades and continues to grow in all nations and cultures. However, a new strong determination to combat trafficking in children and bring it to a rush end is beginning to rise worldwide. In order to combat this evil crime, trafficking in children should be regarded upon as a cross-cutting protection issue, that requires an integrated strategy and a cross-border cooperation.

Under international law trafficking is a crime involving the movement of children and their exploitation. The movement may be voluntary or coerced. It is important to note, that according to the UN children under 18 cannot give valid consent to trafficking. On the basis of that, it can be concluded that any recruitment, transportation, transfer, harbouring or receipt of the children for the purpose of exploitation is a form of trafficking, regardless of the means used. Trafficking in children might take place within a country or across the borders. According to recent UNICEF reports, it is confirmed that trafficked victims are frequently moved to more than one country. Some countries even confirm to have received trafficked children from more than nine other countries and the main countries of origin have seen their children trafficked to more than nine different destination countries. Trafficking can take place in several different forms, such as trafficking for prostitution, forced labour, drug trafficking, domestic servitude, forced beggary, illegal adoption, forced marriage, or they are trafficked to become soldiers, camel jockeys, et cetera. Those who contribute to the process of trafficking, such as recruiters (people who specialize in identifying likely victims in their village or friends and family members), middlemen, employers, corrupt officials, transporters, exploiters, document providers and service providers are all considered traffickers.

Children victims of traffickers are mostly separated from their families and trafficked out of their areas on false pretence, by using false promises such as the opportunity for a well-paid job and prosperous life in another city or country. Furthermore, parents are often involved in the process of trafficking themselves since the traffickers attract them with down-payments or the promise of some good economic return from the job their child would get. It is to be noted, that despite the awareness of the problem being raised in the international community, the traffickers still operate virtually unimpeded since they have links with middlemen in the cities of destination through brokers.

Children, who are often illiterate and come from large, poor, agricultural families, are mostly unaware of where they are taken to until they come to the grim realization, that the people who have trafficked them have slipped away leaving them in the cold hands of strangers. Many means of force, such as rape, physical maltreatment, as well as threat are used to make children obedient to their new masters. Moreover, they are forced to swear secrecy and sometimes even given detailed accounts of how they are going to be tortured if they break the promise.

Moreover, children mostly experience more than just one form of abuse, and this accumulation of denied rights makes them traumatized and results in them leading a life in constant fear. Apart from psychological devastation due to isolated confinement, torture and lack of basic sanitation, nutrition and personal care such trafficked children are soon affected by harmful diseases, especially sexually transmitted diseases (STDs), and since they are not provided with health treatment, are likely to die. If they do survive, their years in captivity under these harsh circumstances and even manage to break free, only few ever speak out. Therefore, the international community has raised the issue of improving the victim protection and assistance programmes all around the world.

Some reasons behind trafficking

As mentioned above trafficking in human beings is taking an alarming extent. There are many diverse factors in the society, that contribute to human trafficking. The proliferation of the problem can be directly linked to immigration policies and to the economic and social crises in certain regions of the world. It is also to be noted, that despite of the important international conventions and protocols that have been signed in the last years in the majority of countries, it remains easy for traffickers to go on with their criminal practice and get away with it without being prosecuted and punished. This can be linked to the complications of the international judicial and police cooperation.

Many children, who fall victim to trafficking have little or no education and come from regions where the majority of people has to live on an existential minimum. That is why the traffickers often have an easy job to lure them and their parents with false promise of well-paid jobs, good education and better lives elsewhere. Furthermore, in regions of conflict and post conflict, children are very vulnerable to trafficking since they are in many cases displaced from their parents in the course of taking refuge. In most cases, the children might have lost both parents and therefore become helpless when they are confronted by these traffickers.

It is also worth mentioning, that due to the current socio-economic development where money has become the centre of all transactions, the problem of trafficking and sexual exploitation has become ever more proliferating in most regions. Today's sophisticated communication technology makes trafficking even easier than it would be, since traffickers find it easy to communicate by using the internet and other forms of virtual communication.

Although awareness of the problem is being raised internationally, there remains a knowledge gap in both the analysis of the problem and in finding effective responses to the many challenges that trafficking poses, from prevention of the crime, withdrawal and protection of the victims, to dealing with those who profit from and exploit children's vulnerability.

Different forms of trafficking in children

- 1.) *Trafficking for sex work*: this is the most widespread and cruel form of trafficking. Children, especially young girls are often trafficked from one country or city to another through deceit or force, and they end up in sex industries, against their will. On getting to their destinations, they experience withholding of their travel documents and wages, beatings, sexual harassment, confinement and psychological abuse as well as debt bondage of up to about \$40,000. In real terms, they become slaves to their traffickers. Very often murder or being set up for police arrest and eventual deportation are the sad result of hesitation. In some cases, they are even threatened with the elimination of their family back in their home of origin.
- 2.) *Trafficking for forced labour*: this is another popular and cruel form of trafficking, which does not discriminate gender. Children are trafficked in this case to work domestically or in factories, such as sweatshops and agricultural plantations under very poor conditions. They receive little or no wages. Many fall into debt bondage by borrowing from their masters at exorbitant interest rates. To repay the debts, they are forced to work long hours, each day of the year. They do receive some basic food and shelter, but these conditions are often quite inhuman. The majority may never repay their debt, which consequently passes on through generations.

- 3.) *Trafficking for the drug industry*: drug dealers and organizations are making use of children in their illicit production and trafficking of drugs. Children are bought, sold and trained on how to transport and sell drugs in the streets. They are often being threatened with death, not to reveal the names of their masters in case they are caught by police or any other law enforcement officer.
- 4.) *Trafficking for stealing*: this is a similar case to the trafficking for the drug industry. The children are trained to steal from the streets, shop-lift and snatch wallets.
- 5.) *Trafficking for begging*: this phenomenon is common among children, who have been trafficked from remote villages and brought to big cities or countries where they cannot speak the local language, and do not know their way around. They are subjected to heavy surveillance by agents who collect their money once the pans are full. The fear of being arrested by the police and the likelihood of being brutalized preclude them from making attempts to escape.
- 6.) *Trafficking for forced marriage*: traffickers may present themselves as marriage brokers and promise young girls, that they will be introduced to successful future husbands. In other cases, some foreigners may even come and take them away as young wives. Instead of leading a happily married life, they are forced into lives of servitude, often accompanied by physical violence.
- 7.) *Trafficking for illegal adoption*: as in any other form of trafficking, children are either kidnapped, sold by their parents or lured on false promises. In this case they are usually taken at an early age, when they are still not educated and unable to care for themselves. They are then brought to another city or country to a new family. This crime is for instance very common in China, where young boys are trafficked to be “adopted” by heirless families.

Protection against trafficking

In the last years some important international steps have been taken to combat this well-organized crime – especially in the forms of passing treaties, conventions and protocols.

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons (2002) specifically calls upon all nations to address protection of human rights of victims and to provide measures for physical, psychological and social recovery of the victims of trafficking. Some nations have already addressed this issue and have come to some harmonious consensus, that will respect, protect and help to re-integrate victims of trafficking.

Although trafficking is a complex issue involving many different events and processes, legislation is often slow to keep pace. Most countries have laws against exploitative child labour, but it is important that they also have legislation specifically against trafficking, otherwise the victims are punished along with the criminals. Namely trafficked victims are even more vulnerable as they are often being stripped of their documents and faced with threat from their host as well as humiliated by law enforcement agencies when they are classified “criminals” or violators of migrants’ laws. As illegal immigrants, trafficked victims are detained or deported.

As a result governments determined to crack down trafficking organizations have to win the trust and confidence of the trafficked victims, who are often the best informants as to the details of trafficking operations. Laws and procedures that protect victims will encourage them to come forward and testify against traffickers and their network. Therefore, it is important to protect the privacy and identity of individuals freed from traffickers especially during and following the process of prosecution of their traffickers. Victims also require appropriate housing, counselling, medical and material assistance, employment training and opportunities to facilitate transition and reintegration.

Protection is also an important part of the process of rehabilitation and re-integration of victims. There is a need to support the work of both national and international non-governmental organizations that are working to provide shelters and rehabilitation services to victims of trafficking. Government agencies alone cannot fulfill the protection needs of all trafficked victims.

“the children of any nation are it's future. A country , a movement, a person that does not value it's youth and children does not deserve its future” Oliver Tambo

United Nations and the issue of illicit child trafficking

The Convention of the Rights of the Child

On 20 November 1989, the General Assembly of the UN passed the United Nations Convention on the Rights of the Child, the most popular resolution ever, which entered into force on the 2 September 1990 and has now been adopted by 192 countries. Only two countries have not ratified it – the United States and Somalia, but have expressed their intention to ratify by formally signing the Convention.

The Convention of the Rights of the Child is a universally agreed set of non-negotiable standards and obligations. It is declaring that all children throughout the world must be protected from all forms of abuse and that they have the right to survival, to develop to the fullest, to protection from harmful influences, abuse and exploitation and to participate fully in family, cultural and social life. Specific mention is also made of sexual abuse and that all nations should take all appropriate measures to prevent the use of children in prostitution and the production of pornography. States that are party to the Convention have committed themselves to protect and ensure children's rights and have agreed to hold themselves accountable for this commitment before the international community.

Two Optional Protocols, on Involvement of Children in Armed Conflict and on The Sale of Children, Child Prostitution and Child Pornography have been adopted by the General Assembly in May 2000 in order to strengthen the provisions of the Convention. The Optional Protocol on The Sale of Children, Child Prostitution and Child Pornography, which is more relevant to the subject under discussion, gives special emphasis to the criminalization of serious violations of children's rights, such as sale of children, illegal adoption, child prostitution and pornography. The Optional Protocol entered into force on 18 January 2002, to date, 108 countries have signed and 65 have ratified it.

The Committee on the Rights of the Child is the UN body that monitors how well the states are meeting their obligations under the Convention on the Rights of the Child.

"Children are neither the property of their parents nor are they helpless objects of charity. They are human beings and are the subject of their own rights."

The Convention of the Rights of the Child

UNICEF

The United Nations Children's Fund (UNICEF) has been founded in the aftermath of the Second World War. Its fundamental purpose is the pursuit of the rights of children and women and its primary guidelines are the non-discrimination, the best interest of the child, child survival and development and the participation of children. Following the adoption of the Convention on the Rights of the Child the Fund has become an essential actor in the field of human rights, incorporating the principles of the Convention as well as of other human rights treaties into its programme.

UNICEF has also been active in combating the exploitation of children. In the last years it has started various campaigns in different countries to end child exploitation.

UN Global Programme against Trafficking in Human Beings (GPAT)

The Global Programme against trafficking in Human Beings, designed by the UN Office on Drugs and Crime (UNODC) in cooperation with the United Nations Interregional Crime and Justice Institute (UNICRI) was launched in March 1999. Its primary aim is to bring to the foreground the involvement of organized criminal groups in human trafficking and to promote the development of effective criminal justice-related responses. At national level the GPAT works to promote awareness-raising, train law enforcement judiciary, advise on drafting and revising relevant legislation, strengthen anti-trafficking elements in the country and strengthen the victim and witness support. At the international level it aims to provide assistance to agencies, institutions and governments in relation to combating illicit trafficking in persons.

The Programme also includes the establishment of a comprehensive data-collection on trafficking trends, routes as well as information about victims and traffickers. Countries taking place in the GPAT are assessed according to smuggling routes and forms of exploitation of trafficked persons; cooperation among law enforcement, prosecution and judiciary; and government efforts to respond, including recent legislative reforms. At the time being seven countries are involved in technical cooperation projects.

The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children

In 1998, at the Seventh Session of the Commission on Crime Prevention and Criminal Justice Argentina proposed the drafting of a new Convention against Trafficking in Minors due to the growing evidence of crime in this field. This issue being raised, then led to a broader discussion and resulted in the proposal of the international community to expand the subject to trafficking in all persons, while at the same time noting the increased vulnerability of children and women and the strong need for the protection of their needs and rights. Member States of the CCPCJ then decided to start working on a Protocol to the UN Convention against Transnational Organized Crime.

The protocol was adopted together with the Convention at the fifty-fifth session of the General Assembly on the 15 November 2000. Its three main purposes are:

- to prevent and combat trafficking in persons, paying particular attention to women and children
- to protect and assist victims of trafficking, with full respect to their human rights
- to promote cooperation among States in order to meet these objectives

The Protocol is divided into three parts - the first three articles address the purpose, scope and criminal sanctions in relation to illicit trafficking in persons, the following three articles deal with the protection of trafficked persons and the last part, comprising 5 articles deals with prevention, cooperation and other measures.

Consequently, the Protocol defines trafficking as a crime against humanity, marked by the intent to deceive and exploit. It further expands the range of actions considered part of the trafficking process, mentions various purposes of trafficking, in addition to sexual exploitation and addresses a wide range of means used to achieve consent. Although it recognizes that men are also trafficked, it particularly emphasis on trafficking in women and children. The Protocol contains rights-based and protective social, economic, political and legal measures to prevent trafficking. Countries are required to implement security and border controls and to closely cooperate with other countries in order to identify offenders and trafficked persons.

The Protocol, which represents an integral part in locating trafficking within a legal rights framework, officially entered into force on 25 December 2003. Up to now there are 117 signatories and 46 parties.

Recent conferences on this issue

The most recent conference on the problem of human trafficking took place in Vienna on 15-16 December 2003, when officials from 13 South-East European countries and some international organizations gathered in Vienna to discuss the problem of human trafficking in the region, which is supposed to be a "high-transit" region. More specifically, the participants dealt with the anti-trafficking training strategy for the region developed by the United Nations Development Programme (UNDP) and the International Centre for Migration Policy Development (ICMPD), which is considered to be unique. According to the UN nowhere else in the world did countries jointly adopt such a sophisticated training program, nor harmonized their legislation in line with internationally recognized definitions, while at the same time tailoring laws to the needs and experiences of each country. The program provides a comprehensive outline for training at a basic level, which aims at raising awareness on the problem and at the specialist level, which targets the specialized police and investigators, who held specific responsibility to deal with this crime. It can be concluded, that this anti-trafficking training program offers a useful tool for the implementation of the UN Protocol on human trafficking and could be considered a role model for other regions of the world.

Other International Organizations dealing with the issue of trafficking in human beings

There are some international organizations and NGOs, that have fought for the elimination of trafficking for years. It is due to their involvement and determination, that major progress has been made in the process of combating illicit trafficking in human beings, especially in children and women, in the last years. Besides the above mentioned United Nations programmes, there are plenty more organizations addressing the issue of trafficking in human beings worldwide. Below you can find a brief introduction to four major international organizations, which are active in this field and which will also be observers in the CCPCJ Committee.

Anti-Slavery International

Anti-Slavery International is the world's oldest international organization dealing with the issue of slavery and related abuses. Furthermore, it is one of the oldest international human rights organizations since its roots can be traced back to 1787. It was officially founded as the British and Foreign Anti-Slavery Society in 1839 in Great Britain. In 1990 it changed its name from Society to Anti-Slavery International.

Its primary areas of work currently include forced and bounded labour, also child labour, trafficking in human beings as well as traditional or "chattel" slavery. The organization works at local, national and international levels "to eliminate slavery by urging governments of countries with slavery to develop and implement measures to end it; lobbying governments and inter-governmental agencies to make slavery a priority issue; supporting research to assess the scale of slavery in order to identify measures to end it; raising public awareness of slavery, educating the public about realities of slavery and campaigning for its end." Throughout the years the organization has been successfully involved in many campaigns combating the issue of children's slavery, illicit trafficking and related issues. The organization is also in cooperation with other similar organizations and works especially closely with local organizations.

In 2001 a sister-organization of the Anti-Slavery International was founded in the United States. Namely, the Free the Slaves organization, which works independently but has many parallels to the Anti-Slavery International. "Both organizations base their work on the fundamental principles that all people have the right to be free from any form of slavery and are able to assert this right."

Defence for Children International (DCI)

The non-governmental organization Defence for the Children International (DCI) was founded in 1971, the international year of children. It is active on all five continents and has 45 sections, which are responsible for the promotion of DCI's principles and aims at national levels, and 20 associate members, which are national and international non-governmental organizations. It is in close cooperation with the Council of Europe, the United Nations, especially the United Nations Social and Economic Council (ECOSOC), UNICEF, UNESCO and further cooperates with many NGOs all around the world.

The International General Assembly (IGA) of the organization takes place every three years and sets the policy, priorities and positions for the coming years. There is also the International Executive Council (IEC), which consists of 10 elected members and assembles at least once a year. Its primary responsibility is to monitor the work of the International Secretariat, recognize new sections and take action to develop and maintain the global movement.

The priority of the Alliance is to "foster awareness about, and solidarity around, children's rights situations, issues and initiatives around the world" as well as to "seek, promote and implement the most effective means of securing the protection of the rights in concrete situations, both from a preventative and curative standing-point." The key concerns of the organization are preventing child abuse, child labour, trafficking of children, illegal international adoption of children as well as protecting juvenile justice, children in armed conflicts, refugees and displaced children.

DCI was among those organizations that mobilized NGOs to take a greater interest in the drafting of the Convention of the Rights of the Child and contributed largely to the Convention's final text. Furthermore, the DCI is still actively involved in monitoring the actual implementation of the Convention by State parties.

International Organization for Migration (IOM)

IOM (The International Organization for Migration) is one of the leading international organizations dealing with the issue of migration. The organization was established in 1951 as an inter-governmental organization, aiming at resettling European displaced persons, refugees and migrants. It has played a significant part in many various migration management activities throughout the world.

The international organization is based on each of the five continents. There are 102 member states and 29 observers, which range from national states, international organizations to NGOs.

IOM closely cooperates with the United Nations Organization as well as with a wide range of other international and non-governmental organizations. Its primary aims are to assist in meeting the growing operational challenges of migration management, spread the understanding of migration issues, encourage social and economic development through migration as well as to provide for human dignity and well-being of the migrants. The organization is also actively involved in combating trafficking of human beings. IOM's activities in this field include carrying out information campaigns, such as seminars and forum activities to make people aware of the scope of the problem and the dangers of trafficking in human beings; providing

counselling services; conducting research; providing safe and dignified return and reintegration assistance to victims of trafficking; as well as assisting governments to improve their legal systems and technical measures to combat trafficking.

The Save the Children Alliance

The Save the Children Alliance is an independent global organization, which fights for children's rights. It has 29 member states, which are internationally active in implementing programmes to protect children in over 100 countries worldwide. The programs of the Alliance have been role models for many other international, national and UN organizations fighting the abuse of children's rights. Their goal is not only to protect children, but also to involve children in the process, to raise awareness that they have rights and that they are not to fall victim to abusers.

The Save the Children Alliance has divided its work into five major areas: education, HIV/AIDS, exploitation and abuse, conflict and disaster and The Rights of the Child.

In relation to the exploitation and abuse of the children, the Alliance distinguishes between three key approaches; working with employers and trade unions; working to prevent the trafficking of children and child exploitation and abuse; and working to prevent emotional abuse, maltreatment and violence against children. As to the issue of child trafficking the Alliance defines its standing-point as follows:

"Save the Children believes that protecting children from sexual abuse and trafficking requires more than establishing protection systems. It is equally important to understand and tackle the root causes behind such abuse. Systems also need to be put in place to help those who have been subject to abuse and help them recover from their ordeal and learn not only to be children again but that they have basic rights which prevent their exploitation by others."

Some highly affected countries

It can be claimed, that there is no country worldwide, that is not somehow involved in the process of trafficking in human beings – either as a country of origin, destination or transit. However, some countries are more affected than others. We have selected a few countries, which are also members in the CCPCJ this year and where trafficking in children poses a significant problem.

China

The abduction and sale of children has become a big matter of concern to the government of China. It is a crime that has grown rapidly in the last five years, spreading from the south-western provinces to almost every province in China, with the most significant cases in the west of the country. Although children are mostly trafficked into neighbouring Thailand, China has also become the destination for criminals to sell children abducted or bought from neighbouring countries of Vietnam, Russia and the Democratic People's Republic of Korea.

The bulk trafficked out of China; especially girls, are forced into the flesh sex trade in Singapore and Malaysia. Others are sent far down to Australia, New Zealand, Japan, Taiwan, the United States of America and Europe, mainly to work as sex workers or indentured labourers. This threat has pulled China into establishing firm measures with other countries, such as Australia to combat this crime. A bold move in this direction is their willingness to share efforts to train Chinese policemen and women social workers to help in the fight against women and child trafficking. During a 6-month crackdown in 2000, 110,000 women and 13,000 children were freed from trafficked situations.

Indonesia

Reports on diverse forms of trafficking involving Indonesians as both victims and perpetrators continue to emerge across the country. The country is considered a source country for children trafficked both domestically and internationally. Due to the deteriorating economic situation of the country, this crime has been rising for the past few years. It has been confirmed, that children are trafficked from Indonesia to Hong Kong, Singapore, Taiwan, Malaysia, Brunei, Australia, Japan and even to Europe and the United States of America. UNICEF reports that about 70,000 Indonesian children are being sexually exploited commercially and bonded to child prostitution networks.

A major obstacle to combat this crime in Indonesia is the lack of adequate knowledge on the scope of this crime. The judiciary and the police have yet to understand the scope of trafficking and the resulting

consequences which victims must endure. In line with other efforts to combat the crime, the Indonesian authorities recently formed a task force charged with the writing of a separate law on trafficking, which will criminalize trafficking and assist Indonesia to implement the convention on Transnational Crime. However, corruption on the side of the officials just like the knowledge gap in the field of the crime, poses significant difficulties to combating trafficking in human beings.

Nigeria

It is estimated that about 12 million Nigerian Children are forced into labour and it could be roughly assumed that about 80% of the children in forced labour are victims of trafficking. Trafficked children, especially girls, fall victims to all forms of exploitation, including prostitution. Child trafficking in Nigeria is occurring on such a scale due to many factors – including the escalating level of poverty, lack of viable opportunities, fallen family values and the desire to get rich quick. Children are frequently transported from regions to big cities such as Lagos or to other countries with the false promises of getting good jobs and a better standard of living.

Many parents and guardians use any means to force their children into the trafficking net. They make sacrifices such as the sale of their properties to make \$200-\$400 deposits to traffickers on behalf of their children. The situation in Nigeria is complicated to analyse. Moreover, it is very difficult to bring traffickers to justice since many parents are themselves involved in the crime. It may be amazing to know that the traffickers of children for all forms of labour other than prostitution are not regarded as criminals. For this reason no case of arrest or prosecution of children traffickers has ever been reported.

Pakistan

Pakistan is a country of destination as well as a country of origin for trafficking in human beings – especially in children and women. Most of the trafficked persons arriving in Pakistan are from Bangladesh, followed by Russia, Tajikistan, Burma, Nepal and Thailand. On the one hand about 200,000 women (girls) aged 12 to 30 have been trafficked to Pakistan in the last decade – mainly for the purpose of sexual exploitation. On the other hand, Pakistani women and children are also trafficked for commercial sexual exploitation. Mostly young women and girls are trafficked to Kuwait.

However, child prostitution also poses a significant problem within the borders of Pakistan since about 20,000 children are thought to be involved in it. Another abuse of children's rights represents the trafficking of boys aged 4 to 5 years from Pakistan to the United Arab Emirates in order to serve as racing-camel jockeys. These children are either kidnapped, taken on false pretence or sold by their parents.

Ukraine

In the Ukraine trafficking in human beings, especially in women and young girls represents a rather serious problem. Especially due to low economic standards, women are tempted by the prospect of a better life in the more developed world. This is the main reason why they respond to advertisements for waitresses, dancers, or domestic workers abroad. Under such false pretences they end up in prostitution. Ukraine is one of the major countries of origin for women and young girls trafficked to North America, the Middle East and Eastern and Western Europe. It is estimated that around 400,000 women and young girls have been sold into prostitution in the last ten years. Prostitution in Ukraine is legal. However, trafficking in human beings is prohibited.

The Ukrainian government is supportive of anti-trafficking measures that attempt to decrease the trade of women and children, and has issued its own mandates against the practice via presidential decrees. In an attempt to protect the rights of women who have endured violence and sexual exploitation, a number of organizations, such as "La Strada" and "Dana," have been established in Ukraine. Several organizations such as these are assisting in anti-trafficking efforts by locating girls and women at the request of family members, rehabilitating victims, and maintaining victim hotlines.

Thailand

Trafficking in children into and out of Thailand is as significant and threatening as in any other country of the region. Its strategic geographical position, coupled with its economic stand in the whole of the Mekong Basin explains why the rate of child trafficking is so alarming. The economic hardship of its neighbours encourages the already existing sophisticated network, which exploits the vulnerability of children into the commonly known "Thai sex trade", which is an infrastructure that operates in every province and district of the country. Many Thai Children, who have been lured into prostitution, end up in middle to high-

class brothels in central locations with a high tourist and Thai population density such as Bangkok, Chiang Mai, Pattaya and Phuket.

Trafficked victims in Thailand are not used in the sex industry only, but also fall victims to domestic labour service, mines and sweatshops, plantations, construction sites and begging. Thailand is further considered a country of destination, origin and transit for most of the victims trafficked from the Mekong region. However, despite the staggering situation in Thailand, many observers have realized the difficulties faced by the Thai authorities in the handling of this crime due to the contradictory Thai legal instrument.

Turkey

Turkey is a country of origin for women sent to the Middle East, especially to Saudi Arabia. Furthermore, it is often a transit or starting point for trafficking to Western Europe. On the one hand, an estimated 250,000 people have been trafficked from Turkey to Western Europe in the past four years. On the other hand, Turkey is also the country of destination, especially for women trafficked from Bulgaria, Iran, Iraq, Jordan, the Philippines, Romaine, Russia, Ukraine, etc. In Turkey prostitution is legal. However, the Criminal Code prohibits facilitating prostitution to a minor. The sentence depends on the age of the victim and on the relation of the accused person to the victim and ranges from 6 months to 3 years as well as a fine.

Turkey is member of almost all important International Conventions against trafficking in human beings and similar offences. It has also signed a bilateral agreement with Italy to combat this problem, namely the "Cooperation Agreement on the Fight Against Terrorism, Organized Crime, Laundering of Illicit Proceeds, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Human Beings".

Useful Links (in alphabetical order)

Anti-Slavery International
<http://www.antislavery.com>

Coalition against trafficking in women
<http://www.catwinternational.org>

Defence for Children International
<http://www.defence-for-children.org>

ELDIS, the Gateway to Development Information
<http://www.eldis.org/>

End Child Prostitution and Trafficking – Child Wise
<http://www.ecpat.net>

European Council on Refugees and Exiles
<http://www.ecre.org/research/smuggle.shtml>

European Law Enforcement Organisation (EUROPOL)
<http://www.europol.eu.int>

Human Trafficking.com, The Research and Activism Centre to combat Modern-Day Slavery
<http://www.humantrafficking.com>

International Criminal Organization (INTERPOL)
<http://www.interpol.com>

International Labour Organization (ILO)
<http://www.ilo.org>

International Organization for Migration (IOM)
<http://www.iom.int>

The Protection Project, John Hopkins University
<http://www.protectionproject.org/>

The Save the Children Alliance
<http://www.savethechildren.net>

United Nations Office of the High Commissioner for Human Rights
<http://www.unhchr.ch>

United Nations Development Programme (UNDP)
<http://www.undp.org>

United Nations International Child Development Centre (UNICEF)
<http://www.unicef.org>

World Health Organization (WHO)
<http://www.who.int>

Useful books on the issue

- Bales, Kevin 2000 *Disposable People: New Slavery in the Global Economy*, University of California Press
- Barnitz, Laura A. 1998 *Commercial Sexual Exploitation of Children: Youth involved in Prostitution, Pornography and Sex Trafficking*, Youth Advocate Programme International
- Campagna, Daniel S. and Poffenberger, Donald L. 1987 *The Sexual Trafficking in Children: An Investigation of the Child Sex Trade*, Auburn House

- International Organization for Migration 2003 *Is trafficking in Human Beings Demand Driven? A Multi-Country Pilot Study*, IOM Publications
- Masika, Rachel 2002 *Gender, trafficking and slavery (Oxfam focus on Gender Series)*, Oxfam Pubns.
- Kyle, David and Koslowski, Rey 2001 *Global Human Smuggling: Comparative perspective*, Johns Hopkins Univ. Press
- Kempado, Kampala and Dozema, Jo 1998 *Global Sex Workers: Rights, Resistance and Redefinition*, Routledge