

Module 3 - What can be done against trafficking?

Number	Text	Resources
1	<p>Commitments and promises have been made by many states to uphold the important right of the child to be protected from trafficking. There has been progress in many areas of the world, but significant efforts are still desperately required to protect children from being victims of trade.</p> <p>The states of the world owe the best possible level of protection to the children living in it. A specific monitoring of progress is crucial in order to ensure that the promises made are transformed into actual, concrete changes for child victims of trafficking, and that the states that has yet to give the relevant promises get the incentive and/or aid to do so.</p>	
2	<p>Trafficking protocol and anti-trafficking legislation</p> <p>The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children¹ entered into force in December 2003 and has since had a positive impact on the strengthening of national legal frameworks against human trafficking.</p> <p>The majority of current laws criminalising this offence were established after 2003. This goes specifically in East Asia and the Pacific, Central America and the Caribbean, and West Africa.</p>	
3	<p>The percentage of countries without a specific human trafficking offence has decreased drastically in the last few years, from 65% in 2003 to 20% in November 2008². But the</p>	

¹ The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children
<http://www2.ohchr.org/english/law/protocoltraffic.htm>

² The report Global Child Trafficking for Sexual Purposes, made by ECPAT 2009

	<p>new legislations aren't consistently harmonised with the international standards, which can result in legal gaps. It can also result in challenges that hinder the effective prosecution of traffickers and the protection of victims, in particular in cases of transnational crime.</p> <p>The Trafficking Protocol has had the biggest impact on the wording of national laws that make it an offence to traffic children, which is one of the many reason to why it needs to continue getting acknowledged.</p>	
4	<p>The status of anti-trafficking legislation around the world³</p> <p>Countries with specific and comprehensive legislation against trafficking – 63 %</p> <p>Countries with legislation punishing only some forms of trafficking or without a clear definition of the offence – 17 %</p> <p>Countries without specific legislation on trafficking – 20 %</p>	
5	<p>Shortcomings and challenges in the implementation of international legal standards</p> <p>Shortcomings in various states ways of dealing with trafficking should as soon as possible be reviewed in order to increase the protection of children. The main loopholes of legal nature are that some countries do not clearly define trafficking in their legislation in line with the Trafficking Protocol and limit their jurisdiction to cover only a part of the problem.</p>	
6	<p>Any intention to traffic children should be constituted as a criminal offence, even if the exploitation that is intended doesn't take place. This would allow the punishment of all actors in a chain of trafficking as accessories to the crime. A</p>	

³ UNODC. Global Report on Trafficking in Persons. 2009. P. 22.5.

	<p>comparison between national legislations and international legal standards shows that this is not yet the case. Instead, only a few countries' national law reflects this important principle.</p> <p>In many states, legal provisions on human trafficking doesn't cover all forms of exploitation to which children are subjected, sexual exploitation included. Even though the Trafficking Protocol clearly states that the consent of a child or the means used to obtain consent is irrelevant when children are involved, some countries do not adequately reflect the difference between the trafficking of adults and the trafficking of children. This is also something that needs to be changed.</p>	
7	<p>The demand, and ways to prevent it from being met</p> <p>In order to prevent trafficking, the demand has to be curbed. Without people wanting to buy other people no one will be sold. This requires major social and political changes, but it is not impossible, and even the smaller changes are important.</p> <p>To complicate payment routes is another important step toward stopping trafficking. Payment options are essential for the trading to work. For example, encouraging banks to work against the potential trafficking related payments is an important part of the work against the business.</p>	
8	<p>Training of professionals who are close to potential victims of trafficking is another crucial part of making it harder for traffickers to work. Customs officers, staff in the travel industry, staff at the Immigration Service, police, lawyers and so on, are all professionals who need to be fully trained in how to recognize a potential trafficking case and how to</p>	

	<p>intervene with it.</p> <p>The protection of potential trafficking victims is also very significant. By finding risk groups for the trafficking these groups can be addressed with information and security. For example, it is very important that children in refugee camps are registered and properly cared for.</p>	
<p>9</p>	<p>More research is needed</p> <p>Considering that child trafficking is a very particular kind of trafficking of human beings (which requires tailored measures in terms of prevention, assistance and protection to the child victims) the development and implementation of databases within the justice system able to capture information on this specific crime remains a high priority. The more we know about the heinous phenomenon that is child trafficking, the better we can fight it. This is one of the reasons to filing reports of suspected cases of trafficking is so important.</p> <p>Not only is it important to study the methods and patterns behind trafficking of children, but it is also important that the discoveries from those studies are spread. Both the professional and the civil community need to be educated in how to identify and prevent cases of trafficking.</p>	
<p>10</p>	<p>Know what the perpetrators know</p> <p>In order to stop perpetrators and potential perpetrators in trafficking of children, the legal community has to know how they communicate, how they make payments, how they travel, which digital techniques they are using and so on. The Internet is a good example of a fairly new way for trafficking perpetrators to communicate, pay, schedule and make bookings. To stop these actions, the law and the organizations against trafficking have to be where the</p>	

	perpetrators are and know what the perpetrators know.	
11	<p>Raising awareness</p> <p>Raising awareness of trafficking among politicians, potential victims, the general public and professional groups (such as social welfare workers, judges, immigration officers, police, customs staff, the tourism business, and so on) is obviously very relevant. But how is it actually done?</p> <p>Raising attention of a global and acute problem like this can be done in various ways, depending on which message you want to give to which receiver. However, regardless which method you will be using, it generally requires money. The states and/or money holders therefore needs to make the stand of putting of a large enough budget on the awareness raising. That choice is something that the public can demand, in media, through organizations, demonstrations, open letters to government and so on.</p>	
12	<p>These are some of the ways to raise awareness:</p> <ul style="list-style-type: none"> - Information campaigns - a good way for a state or an organization to reach out to the public, e.g via films, radio messages and/or posters. Whatever forum is used, the problem with trafficking can be described there and warnings could reach the public. - Education about the shapes of trafficking in schools, where potential victims are - Education about how trafficking is prevented, at the working places of staff close to possible victims of trafficking. - Promotion of the United Nations Convention on the Rights of the Child or the Trafficking Protocol in general, both in adult's and children's daily environment. This can be done by any member of society. 	

	<ul style="list-style-type: none"> - Turning attention to legal cases of trafficking and the outcome of those. This too, can be done by pretty much any member of the public, with the help of e.g public legal documents and media. 	
13	<p>Trafficking with children for sexual purposes</p> <p>The report “Global Child Trafficking for Sexual Purposes” made by ECPAT International 2009 claims that in order to successfully address child trafficking for sexual purposes, it is of major importance that countries both implement and adopt comprehensive and standard legislation. These must enable sanctioning and prosecution of traffickers and those who facilitate their criminal activities, while also ensuring protection of the child victims.</p>	
14	<p>OPSC</p> <p>The Trafficking Protocol is an important legal tool when combating commercial sexual exploitation of children, and another one is the Optional Protocol on the sale of children, child prostitution and child pornography (OPSC)⁴. The adoption and enforcement of it is necessary in the fight against sex traffickers of children.</p> <p>The OPSC has been in force since January 2002 and demands from State parties to prohibit forms of abuse related to the sale of children and ensure that activities within it are fully covered under criminal law. Also, it mustn’t matter whether the crime is committed domestically or internationally, or whether on an individual or an organised basis. Today the OPSC has been ratified by 131 states⁵.</p>	

⁴ http://www.ecpat.net/ei/printout.asp?c=includes/languages/en/Programmes_legalReform.asp

⁵ http://www.unog.ch/80256EDD006B9C2E/%28httpNewsByYear_en%29/C6DA638F52C5F142C12576A400334D88?OpenDocument

<p>15</p>	<p>The work of organizations</p> <p>Today, there are many organizations committed to stop trafficking. UNICEF and ECPAT are two of the biggest actors.</p> <p><u>UNICEF</u></p> <p>The United Nations Children’s Fund’s commitment to protecting children from trafficking is underlined in their Medium Term Strategic Plan and Child Protection Strategy. They draw on their Core Corporate Commitments, the CRC, the Millennium Declaration, and several international human rights agreements as the basis for their response. UNICEF advocates and supports the fight against trafficking with children in partnership with governments, national and international partners, including the private sector and the civil society. UNICEF promotes that national child protection systems, protective social practices and children’s own empowerment, together with oversight and monitoring, are key elements of a protective and trafficking free environment.⁶</p>	
<p>16</p>	<p><u>ECPAT</u></p> <p>ECPAT works for the adoption of anti trafficking legislation that criminalises the traffickers (as opposed to the victims). Funded on a children’s rights approach, the organization supports programmes that address the causes of trafficking with children, develop measures for improved implementation of laws against trafficking with children, and provide assistance to child victims.</p> <p>ECPAT additionally works with law enforcement on training activities for staff at various levels and they coordinates the information from their global network to help identify</p>	

⁶ <http://www.unicef.org/protection/index.html>

	<p>traffickers.</p> <p>They also offer linkages to ensure the support and assistance for child victims. ECPAT's projects to stop trafficking include awareness-raising campaigns targeting communities, possible victims and the public to address overall demand. This includes education for children and vocational training as well as income generating possibilities for vulnerable adolescents or trafficking victims.</p>	
17	<p>ECPAT is involved in the establishment of children support groups and other children or youth led awareness- and advocacy initiatives. ECPAT has played a big role in the fight against trafficking by arranging the three World Congresses that focus on the fight against commercial sexual exploitation of children.</p> <p>They also create help lines that give information to potential migrants (both adults and children) about the risks connected with migration, and much more. ⁷</p> <p>Other important instances working against trafficking are IOM⁸ (International Organization for Migration), UNODC⁹ (United Nations Office on Drugs and Crime), Amnesty¹⁰, The Red Cross, Save The Children and UNCJIN¹¹ (United Nations Criminal Justice Information Network).</p>	
18	<p>What you can do as a civilian</p> <p>There are several things that you can do, or encourage others to do, as a private individual to join the fight against trafficking:</p>	

⁷ http://ecpat.net/EI/Programmes_trafficking.asp

⁸ <http://www.iom.int/jahia/Jahia/counter-trafficking/lang/en>

⁹ <http://www.unodc.org/unodc/en/human-trafficking/index.html?ref=menuseide>

¹⁰ <http://www.amnesty.org/en/campaigns/stop-violence-against-women/issues/implementation-existing-laws/trafficking>

¹¹ <http://www.uncjin.org/>

	<ul style="list-style-type: none">- Keep your eyes open while travelling and ask the staff what they are doing to prevent trafficking (tourist agencies, guides, receptionists, etc)- Be alert as a bank customer; ask your bank what they do to prevent online purchases that has the potential of being related to trafficking- Educate yourself with ECPATs material online and the books that they have published- Ask your regional and/or local politicians how they contribute to the fight against trafficking- Talk to friends, class mates, colleagues and neighbors, in order to create awareness about the problem- Write letters to newspapers or make posts online in order to put pressure on decision makers.- Don't hesitate to file a report to the police if you suspect a case of trafficking.	
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