

Child Trafficking In India: Aftermath Effects and Challenges

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ABSTRACT: Trafficking of children is one of the gravest offensive crimes worldwide. Child trafficking is rapidly expanding in several forms of exploitation. United Nations statistics demonstrates that ‘every year more than millions people are traded and trafficked against their wish or forced to work into slavery, and majority of victims are counted as children’. On other side, amongst all South Asian countries, India is rated as one of the fastest growing countries in the trafficking for modern sex slavery, where nearly 90 percent trafficking in human beings, specifically children and women for commercial sex tourism that happens within state boundaries. At the same time, trafficking in children occurs cross border also specifically from Nepal, Pakistan and Bangladesh. In India, countless number of children are trafficked not only for sex slave or prostitution but also for other forms of humiliation namely; agricultural activities, debt bondage, domestic service, forced and compulsory labor, begging, organ donate and false marriages etc. Child trafficking can be seen as violation of basic human rights, dignity and respect.

This article highlights the major aftermath effects of the child trafficking. These effects include, physical, and mental health of the children and this paper describes challenges that constraint to prohibit the child trafficking in its all forms. This paper concludes with the necessity of social work implications to combat the modern slavery of the child trafficking.

Date of Submission: 05-03-2018

Date of acceptance: 23-03-2018

I. INTRODUCTION

Trafficking in human beings considers as criminal and exploiting practices among persons specifically children and women. Trafficking constitutes multidimensional form of exploitation and violence. It is a greatly horrifying offence against humanness that violates human esteem and liberties. ILO (2000) defines the trafficking as “it can easily be expanded, limited or shifted to accommodate institutional objectives and context.” In addition, The Council of Europe defines child trafficking as the recruitment, transportation, transfer, harboring, or receipt of a child for the purpose of exploitation shall be considered trafficking in human beings (Council of Europe Convention on Action against Trafficking in Human Beings, 2008).

Similarly, The International Covenant on Civil and Political Rights (ICCPR) forbids a number of procuring practices that are directly associated with trafficking, including slavery, sex trade, domestic servitude and forced labor. In contrary, UN Convention on Child Rights constitutes article 32 which was ratified by India mentions that ‘the state parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to interfere with the child’s education and to be harmful to the child’s health or physical, mental, spiritual and social development’. Keeping in view of this serious issue, Minimum Age Convention (1973) was also organized and focused on the prohibition of child labor and restrict the engagement of children in hazardous work. Furthermore, ILO International Programme on the Elimination of Child Labor examines trafficking of human beings as “trafficking is unacceptable under any circumstances, but the trafficking of vulnerable children and young people is a violation of their rights to protection from exploitation, to play, to an education, and to health, and to family life.”

Child trafficking is a high-risk organized crime worldwide. Reviewed studies indicates that boys and girls are coerced into forced labor, and being trafficked or exploited for sex trade and pornography, domestic labor, illegal & forced marriages, mines or factories illegal activities, and plantations or industries hazardous work. Shameless or unscrupulous traffickers and procurer take benefit from the innocence of the vulnerable and marginalized people and exploit them endlessly. As results, trafficked victims feel shameful and disgrace and very much stigmatized. Therefore, boys are more vulnerable to become victims of trafficking in the agricultural sector and bonded labor in the hazardous industries, whereas, girls are prone to trafficked victims for domestic service, prostitution, and false marriages.

Children are trafficked within their countries states for various reasons but the most vulnerable reason is poverty. The existence of lower socio-economic status, lack of financial resources, higher rate of illiteracy and unemployment, rural-urban migration, less employment opportunities, and lack of knowledge and

awareness all are the major prevailing factors that are increasing trafficking incidents all over world. Likewise, they are trafficked and procured across countries border through pimps' networks and links.

EPIDEMIOLOGY OF THE CHILD TRAFFICKING

The prevalence of child trafficking takes place worldwide. Apart from global, Asia alone amounts more than 30 million people are trafficked for sex tourism only. In addition, ILO (2002) published report on the children engagement in the various worst forms of labor exploitation worldwide as: trafficking (1.2 million), armed conflict (0.3 million), prostitution and pornography (1.8 million), illicit activities (0.6 million) and highest number of forced and bonded labor (5.7 million). According to report, Asia has highest number of Child labor. Similarly, United Nations demonstrate that approximately 4 million people trafficked annually in which nearly 1.2 million children become victims of trafficking.

On the other side, latest United Nations report shows that more than millions of children are subjected to physical, mental, and sexual health harassment from high profit sex tourism at the international level. Likewise, UNICEF study analyze that out of the total trafficked victims, approximately 40 percent of the children enter into commercial sexual exploitation below 18 years of age.

In the same way, in India, 3 to 5 lakh children enter into sex slavery or prostitution yearly, where majority of the trafficking in children originates from Chhattisgarh, Jharkhand, Bihar, Orissa, Andhra Pradesh, and Tamil Nadu.

FORMS OF CHILD TRAFFICKING

The trafficking of the children involves multiple forms of physical, emotional, and sexual violence, abuses and neglect. Children are being trafficked for various purposes such as begging, domestic service, agriculture, hazardous factories and mines, construction work, compulsory labor, restaurants and bars, armed force and most particularly, girls are sold for high profit sex business.

Child Trafficking for Sexual Exploitation

Trafficking of millions of children across the globe for commercial sexual exploitation is one the biggest challenges in contemporary lives. Child sex slavery has been found as international crime against humanity. Annually, millions of children are being trafficked, procured, sold, transported, and enslaved into forceful sexual tourism. Lack of employment opportunities, illiteracy, economic hardship or shortage of financial resources all are the risk factors of being trafficked for sexual exploitation.

Child Trafficking for Forced labor

ILO estimates that minimum 12 million children become victims of forced labor or labor exploitation worldwide. In addition to, United Nations Office for Drugs and Crime identifies every year 18 percent of children suffer humiliation because of forced labor exploitation. Lack of money support and employment resources are the major risk factors of being trafficked for forced labor. This paper examines most common forms of forced labor trafficking are begging, debt bondage, domestic servitude, household caretakers, restaurant work, construction work, entertainment work, forced marriage. Furthermore, the Organization for Security and Co-operation in Europe (OSCE) has demonstrated child trafficking for labor exploitation particularly within agriculture, domestic work and illegal & hazardous factories and industries. At national level, Article 23 of Indian Constitution specifies that 'traffic in human beings and beggar and other similar forms of forced labor be prohibited'. The ratios of boys are more in the trafficking for forced and bonded labor in comparison to girls.

Child Trafficking for Organ Trade

Apart from the trafficking in children for sexual and labor exploitation, child trafficking is uprising its incidence in illegal organ trade as well. It is an organized criminal activity. WHO estimates that nearly 6000 thousands international kidney transactions in a year. Under this crime, traffickers and procurer coerce or harass the children for giving an internal organs of the body such as Kidneys and liver. The children whose are mainly migrants, drug abusers, street children, and homeless children become victims of this heinous crime. The persons who involve in illegal organ transplantation are the recruiter, transporter, and medical professionals etc. As consequences, Illegal organ trade initiates serious health issues among the children.

World Health Organization (WHO) states that the commercialization of human organs is 'a violation of human rights and human dignity' under the guiding principles on Human Organ Transplantation (1991).

MAJOR AFTERMATH EFFECTS OF CHILD TRAFFICKING

The trafficking of the children for sexual exploitation and forced labor involves the adverse effects on the physical and mental health and overall well-being of the children. Trafficked children have found high psychological problems including low self-esteem, lack of self-confidence, morale and self-control (UNDP, 2002). Children whose experience exploitation are more prone to physical and mental disability, homelessness,

depression and suicide. Besides it, Trafficking in children are more commonly observed traumatize by their experiences and painful and stressful situations.

This paper observed several mental distress symptoms among slaved survivors includes mark of hopelessness, helplessness, homelessness, social withdrawal, and feeling of stigmatization, and high emotional vulnerability due to acute anxiety, anger, depression, abusive behavior, poor self-competence, sadness feelings, social isolation, suicide, and psychosomatic illness such as chronic body ache, headache, insomnia and poor digestive problems. Trafficked children for prostitution are in danger of serious illness like HIV/AIDS and other sexually transmitted infections due to unsafe and unprotected sexual intercourse.

MAJOR CHALLENGES OF COMBAT CHILD TRAFFICKING

Major challenges to combat or prohibit child trafficking are very significant and immense. Despite, several laws and conventions, this offensive crime is continual increasing in the whole world. This paper addresses some challenges that are becoming hindrance to combat from this social evil such as inadequacy of information and awareness towards trafficking related issues. Other challenges are lack of co-ordination and collaboration between government and non-government organizations and lack of effective implementation of legislations that are made on the prohibition of the human trafficking.

Similarly, restricted social service assistance and inadequate resources to the trafficked survivors for their protection and welfare. Furthermore, lack of support and co-operation at the international level is another big challenge in eradication of this problem. At the same time, limited facilities of stringent punishment for the traffickers, pimps or brothel-keepers. Lack of actions by the officials to punish the traffickers. These are all the challenges that are creating hindrance in combating child trafficking problem.

II. CONSTITUTIONAL LEGAL SECTIONS AND ACTS ON THE PROHIBITION OF CHILD TRAFFICKING

There are many Indian Penal Code sections and several legislations on the eradication of trafficking in persons are followed:

1. Procurement of minor girls (Section 366-A IPC)
2. Importation of girls from foreign country (Section 366-B IPC)
3. Selling of girls for prostitution (Section 372 IPC)
4. Immoral Trafficking (Prevention) Act, 1956
5. Juvenile Justice (Care and Protection) Act, 2000
6. Child Labor (Prohibition and Regulation) Act, 1986
7. Transplantation of Human Organs Act, 1994

III. INTERNATIONAL CONVENTIONS ON THE CHILD TRAFFICKING

➤ **The Convention on the Rights of the Child, 1989.**

This convention objective is to combat trafficking in children for any cause, including commercial sexual exploitation and forced and bonded labor. Article 39 of this convention give attention on the prevention measures and states that “to take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of any form of neglect, violence or abuse” whereas, article 28 and 24 emphasizes on the right of each and every child to education and provide facilities for the safe treatment of illness and rehabilitation of health respectively.

➤ **The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, 2000.**

This convention is also known as sex trafficking protocol. Its aim is to increase the standards for preserving and securing child from all forms of sexual exploitation and abuse and strengthen safeguards to increase the standard of living and dignity of the trafficked survivors.

➤ **The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000.**

This Palermo protocol supplements the United Nations Convention against Transnational Organized Crime. The primary functions of this protocol are to assist the trafficked victims. This protocol provides preventive measures to the victims under article 9; compensation and privacy protection to the victim under article 6 and repatriation under article 8.

➤ **The ILO’s Worst Forms of Child Labor Convention, 1999.**

This convention has a provision to prevent and protect children below eighteen years from all forms of trafficking or slavery, debt bondage, forced labor and from pimps or perpetrators as well. Similarly, Article 7(2)(b) & (c) of the convention requires states to take effective measures to facilitate for the rehabilitation and

social integration of trafficked victims of the worst forms of child labor, and other forms and ensure their access to free basic education and appropriate vocational training.

➤ **Convention on Protection of Children and Co-operation in Respect of Inter-Country Adoption (Hague Convention 33).**

The convention aims to prevent the children from the abduction, the sale of or sex trade. The convention establishes a system of co-operation among inter-country states for adoption, provides safeguards to the child for the harmonious development, and grows in a safe and healthy family atmosphere.

➤ **Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, 1996 (Hague Convention 34)**

This convention refers to Hague Convention. This convention considers the importance and significance of international co-operation and co-ordination for the protection of children. This convention focuses on the right of custody of the child, child's place of residence, child's right to access of resources.

➤ **World Congress against the Commercial Sexual Exploitation of Children, 2001.**

World congress held to promote measures towards the exterminate the sex trafficking among children specifically girls and simultaneously emphasizes on the risk factors of sex trafficking such as low economic status, high rate of illiteracy, inequality, discrimination, armed conflict, HIV/AIDS, dysfunctional families functioning and family breakdown.

➤ **Convention on Regional Arrangement for the Promotion of Child Welfare, 2002.**

This convention solicits to formulate regional standardized groups among South Asian countries in order to support and promote the understanding and familiarity about the rights, duties, and responsibilities of the children and to develop the potential and ability of the south Asian child.

IV. SOCIAL WORK IMPLICATIONS IN THE CHILD TRAFFICKING

Social Work is a multidisciplinary field and serves as a key access point in facilitating needed services to the marginalized people in the health and social care systems. In addition, social worker needs to make appropriate referrals to social service assistance and initiate to make advocacy and promoting specialized groups in helping trafficked victims. Social worker should collaborate with the government and non-government organizations and provide essential social services to the trafficked survivors such as shelter home, food, medical care, safety and security.

Similar way, social worker also facilitates specialized counseling sessions to the victims and their families to improve physical and mental health conditions, so that they may be able to cope up with their terrible experiences. Social worker may put effort to reconnect the trafficked victims with their supportive and co-operative family members and reestablish good social skills. On the other hand, Social workers may educate to the people towards vulnerability of slavery or trafficking and upraise the risk factors of being trafficked or exploited.

In US, Trafficking Victims and Violence Protection Act (2000) states that government should represent or address the prosecution of traffickers and pimps, protection of human trafficking survivors and prevention of human trafficking or modern slavery. Likewise, Indian Government with the support of professional social workers and psychiatric should be explored more legislative acts, laws, and conventions that are connected with the children's development and emphasizes on the effective implementation of these legislations. Despite legislative framework on the trafficking, policy-making and awareness among people plays an important role to prevent from this organized crime.

V. CONCLUSION

Trafficking among children is a serious and heinous crime. It is persistently is an international issue. Eventually, different forms of trafficking influence every single country of this universe. It requires integrated and multidisciplinary techniques and strategies to address the complexity of the trafficking in persons.

International bodies such as UN agencies, ILO, UN-GIFT, national and state governments, non-government organizations, and civil society organizations have to play an important and significant role together to eradicate the most abusive and vulnerable form of trafficking exploitation. In fight against child trafficking, need of proper and timely monitoring and evaluation of policies & legislations to combat this offence. Other side, stringent punishment must be given to pimps and traffickers.

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Rashi "Child Trafficking In India: Aftermath Effects and Challenges." IOSR Journal Of Humanities And Social Science (IOSR-JHSS). vol. 23 no. 3, 2018, pp. 20-24.