

## WHAT IS CHILD TRAFFICKING?

A 'child victim of trafficking' is any person under the age of 18 who is recruited, transported, transferred, harboured or received for the purpose of exploitation, either within or outside a country.

Child trafficking affects children throughout the world, in both industrialized and developing countries. Trafficked children are often subjected to prostitution, forced into marriage or illegally adopted; they provide cheap or unpaid labour, work as house servants or beggars, are recruited into armed groups and are used for sports. Trafficking exposes children to violence, sexual abuse and HIV infection and violates their rights to be protected, grow up in a family environment and have access to education.

The invisible and clandestine nature of trafficking and the lack of strong data collection make it difficult to know the global number of child victims. However, it is estimated that some 1.2 million children are trafficked worldwide every year.<sup>1</sup> At the global level, human trafficking for sexual exploitation is reported more frequently than other forms such as trafficking for forced labour, and remains the third most profitable illicit trade, after that of arms and drugs.

In East Asia and the Pacific, most trafficking is for the purposes of child prostitution, though some children are also recruited for agricultural and industrial work. Ending trafficking requires international, regional and national cooperation.

The UN Convention on the Rights of the Child outlines the fundamental rights of children to be protected from economic exploitation and harmful work, from all forms of sexual exploitation and abuse, and from physical or mental violence, as well as ensuring that children will not be separated from their family against their will. These rights are further refined by the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

Achieving MDG 1 – to eradicate extreme poverty and hunger – will eliminate the conditions that are a root cause of trafficking. Because this dangerous human rights violation prevents a child from going to school and can lead to infection with sexually transmitted diseases, protecting children from trafficking will support universal primary education (MDG 2) and help halt and reverse the spread of AIDS (MDG 6).

## THE SITUATION IN INDONESIA

Indonesia is not only a major source of human capital for trafficking but also a destination and transit country for foreign victims from neighbouring countries. Internal trafficking across and between provinces and from rural to urban areas is equally pervasive. More than two-thirds of the provinces in Indonesia are destinations for internal trafficking.<sup>2</sup>

West Java and West Kalimantan are the two key provinces of origin for trafficking in Indonesia while Riau Islands and Jakarta are main destinations and transit zones. Children are trafficked for the purposes of commercial sexual exploitation, as domestic workers, child brides, and child labourers, often sent to work in hazardous environments such as on plantations and fishing platforms, while babies are trafficked for illegal adoption and organs. Another concern includes the children of illegal migrants; one study has found that when illegal migrants bring children with them, their children are at risk of abandonment, neglect, and abuse as well as trafficking.<sup>3</sup>

Poverty, social acceptance of child labour, lack of birth registration, traditional practices such as early marriage and low education for girls are among the root causes of human trafficking which need to be addressed. Evidence from a recent study however, shows that there are many families who, despite

<sup>1</sup> IPEC: *Every child counts: New global estimates on child labour*, Geneva, ILO, April 2002.

<sup>2</sup> Analysis of "Trafficked Persons Assisted by IOM Indonesia March 2005-March 2010/27042010". Also Arna, Antarini and Mattias Bryneson. *Report on Laws and Legal Procedures Concerning the Commercial Sexual Exploitation of Children in Indonesia*. ECPAT International and Plan International. Unpublished document (December 2004)

<sup>3</sup> Briant, 2005, in Silva-Leander, Annika, *Report on Children and Migration for UNICEF Indonesia*. UNICEF Indonesia, 2009, unpublished document.

facing similar hardships and tempted by financial gain to sell their children, manage to protect their children and reject the traffickers<sup>4</sup>

Data on sexual exploitation and trafficking are limited, due to sensitivity, stigma and criminality associated with these issues and the fluidity and dynamism in patterns of trafficking. However, nevertheless some statistics show that:

- Out of the 3,735 victims of trafficking assisted by the International Office for Migration in Indonesia between March 2005 and March 2009, almost 890 – nearly one quarter – were children and out of these, 741 were girls.<sup>5</sup>
- It is estimated that 30 per cent of the women in prostitution in Indonesia are below the age of 18, with 40,000-70,000 Indonesian children being victims of sexual exploitation.<sup>6</sup>

The Government of Indonesia has made significant progress in the last few years to combat trafficking through introduction of new laws, and policy reform, with a growing recognition that much more attention and energy needs to be given to leveraging anti-trafficking initiatives that address the root causes of human trafficking and other child rights violations.

In 2007, the Government adopted Law no. 21 on the Eradication of Criminal Act of Trafficking in Persons that adopts a comprehensive approach to addressing human trafficking. The Government has also passed the Decree of the Coordinating Ministry of People's Welfare that legalizes the National Plan of Action on the Eradication of Trafficking in Persons and Sexual Exploitation of Children 2009 – 2014. Additionally local legislations and Plans of Action have been developed and adopted in several provinces and districts addressing sexual exploitation and trafficking of children. The NPA guides government Ministries and provincial/district departments, through Task Forces, to implement programmes to eradicate trafficking in persons and the sexual exploitation of children.

The Government ratified ILO Convention No. 182 on the Worst Form of Child Labour in 2000 and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children Supplementing the United Nations Convention Against Transnational Organized Crime in 2009. In 2001, the Government signed the Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography but has yet to ratify it.

A national task-force that works to coordinate prevention and response to combat trafficking was established in 2008, followed by several sub-national task forces. While implementation of the laws and action plans face major challenges, including coordination and proper resourcing, some notable achievements have been made. In 2008, the Ministry of Women's Empowerment conducted anti-trafficking outreach education in 33 provinces in 2008. Forty-one Integrated Service Centres or hospital-based service centres have been established to provide medical and psychosocial as well as legal and social services for victims of trafficking, and more than 300 help desks are operational in police stations to assist women and child victims of violence, including trafficking..

## UNICEF'S ROLE

UNICEF's work to protect Indonesian children from trafficking is linked to its wider efforts to address the issue of abuse, violence and exploitation against children. This includes a number of strategies:

### Legislation:

- Advocacy for the provision of technical and financial support for the adoption and implementation of Law no. 21 year 2007 and the NPA, as well as local regulations and sub-national plans of action
- Continued advocacy for the ratification of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography

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<sup>4</sup> Singhal, Arvind and Dura, Lucia. *Protecting Children from Exploitation and Trafficking: Using the Positive Deviance Approach in Uganda and Indonesia*. Save the Children Federation, Inc., 2009.

<sup>5</sup> International Organization on Migration. *Trafficked Persons Assisted by IOM Indonesia March 2005-March 2010/ 27042010*

<sup>6</sup> Irwanto, Muhammad Farid & Jeffry Anwar. *Children in Need of Special Protection in Indonesia: Situation Analysis*. Jakarta: PKPM Unika Atmajaya Jakarta, DEPSOS, UNICEF, 1999.

#### Social welfare:

- Supporting a new approach in social services for children to ensure suitable prevention mechanisms and a well equipped response.
- Supporting the Ministry of Social Affairs, the Ministry of Women Empowerment and Child Protection, the Ministry of Health, and the Indonesian police to strengthen the capacity of social workers, health workers, and police officers to better respond to victims of trafficking
- Strengthening the national and sub-national task force on trafficking
- Supporting the development of a data base system on abuse, violence, exploitation including trafficking

#### Behaviour:

- Working with the Ministry of Women Empowerment and Child Protection to develop awareness raising materials (including posters and booklets).
- Advocacy to involve the community in prevention and response initiatives; and changing attitudes and awareness about the perils of human trafficking through communication initiatives.

## **WHAT HAS STILL TO BE DONE?**

There is a need to continue strengthening social workers capacity to promote family and community care, promote positive child care practices, identify vulnerable households and children to provide pre-emptive services and provide case management for families and children in need.

Family preventive services must be strengthened, including through access to cash transfers to improve the household economic security of vulnerable families.

More work is need to enhance government capacity to enforce existing anti-trafficking laws.