

Child Trafficking

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ABSTRACT

Child trafficking is viewed as a serious violation of children's rights and a major form of exploitation that affects children in various countries and communities across the world. This entails the recruitment, transportation, transfer, harboring or receipt of children for the purpose of exploitation. It does not require the proof of force, coercion or deception as in the case of trafficking in adults due to the fact that children are inherently vulnerable and require special protection. The exploited children may be subjected to forced labor, domestic servitude, sexual exploitation, forced criminal activities, forced marriage, begging, and in some circumstances, recruitment by armed groups. Girls were particularly represented among victims trafficked for sexual exploitation, while the boys were more frequently detected in forced labor and other forms of exploitation. Some of the drivers of child trafficking include poverty, lack of educational opportunities, weak child-protection systems, armed conflict, harmful social norms, gender discrimination, unsafe migration and increasing technology-facilitated exploitation. Child trafficking has severe physical, psychological, social, and educational consequences. Addressing it will require identifying the immediate criminal networks that are responsible for exploitation and the underlying social and economic vulnerabilities which make children susceptible to trafficking. The paper delves into the causes, prevention, and possible solutions to eradicating this menace.

KEYWORDS: *Child trafficking, human trafficking, child protection, sexual exploitation, vulnerable children, child exploitation, forced labour, Sustainable Development Goal 8.7.*

INTRODUCTION

Child trafficking is a major and serious violation of children's/human rights abuse and as well as a major form of exploitation that affects an estimated 1.2 million children in many parts of the world each year, as shown in Figure 1. This involves the recruitment, transportation, transfer, harboring or receipt of a person below 18 years for the purpose of exploitation. International law does not require proof that force, deception, coercion or any improper means was used when the victim is a child. The recruitment or movement of a child for exploitation is sufficient to constitute trafficking. From the legal point: for children, "means" such as force, fraud, or coercion do NOT need to be proven. As any recruitment of a child for exploitation = trafficking. The consent of the child or parent is irrelevant. Report by the United Nations Office on Drugs and Crime (UNODC) says that

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children represented 38% of detected trafficking victims globally in 2022, while the number of detected child victims increased by approximately 31% compared with 2019.

Furthermore, child trafficking can occur within a country or across international borders. A child can be trafficked from one community, state or region to another within the same country, which the ILO identifies as one of the Worst Forms of Child Labour (WFCL) and links it to practices resembling slavery [1, 2, 3], as shown in Figure 2.

HISTORICAL BACKGROUND

Child trafficking is not new; it has existed in different forms across centuries. What has changed is how it is defined, organized, and criminalized.

1. Pre-colonial & Ancient Era: Slavery and Bonded Labour

- A. **Ancient civilizations:** in this case, children were trafficked as slaves, servants, and concubines in Rome, Greece, Africa, Asia and the Middle East.
- B. **Africa:** The trans-Saharan and trans-Atlantic slave trades included thousands of children. These children were taken for labour, domestic work, and military service.
- C. **Purpose:** The purpose was for economic gain, war captives, and ritual use [4].

2. 19th-Early 20th Century: “White Slave Trade” Era

- A. **1800s Europe & Americas:** This centered on young girls trafficked for prostitution. Called “white slave trade”.
- B. **1904:** International Agreement for the Suppression of White Slave Traffic – First multilateral treaty (League of Nations).
- C. **1910:** International Convention for the Suppression of the White Slave Traffic.
- D. **1921 & 1933:** League of Nations conventions expanded protection to women and children of all races.

The limitation was that focus was only on sexual exploitation of girls, as shown in Figure 3. Boys, labor, and internal trafficking were ignored [5].

3. Post-WWII to 1989: Human Rights Framework

- A. **1948:** Universal Declaration of Human Rights – Article 4 bans slavery.
- B. **1956:** UN Supplementary Convention on the Abolition of slavery – Specifically mentions child servitude and forced marriage.
- C. **1973:** ILO Convention 138 – Minimum Age for Employment.
- D. **1979:** CEDAW – Addressed trafficking of women.

Child trafficking was still treated as part of “slavery” or “women’s issues”, not as its own crime [6].

4. 1989-2000: Child Rights Era

- A. **1989:** UN Convention on the Rights of the Child (CRC) – Article 35: “States shall prevent abduction, sale of, or the traffic in children for any purpose” (UN).
- B. **1999:** ILO Convention 182 – Listed “trafficking of children” as one of the “Worst Forms of Child Labour” (ILO). (1989) (1999).

This shifted focus: children are rights holders, not just victims [7].

5. 2000-Present: Palermo Protocol Era

The turning points are:

- A. **15 November 2000: Palermo Protocol** adopted under UNTOC. First global definition of trafficking (UNODC).
 - For the first time: defined trafficking to include labour, organs, slavery.
 - For children: consent irrelevant.
- B. **2003:** Protocol enters into force. Nigeria ratifies 28 June 2001.
- C. **2003:** Nigeria created NAPTIP to domesticate Palermo obligations (NAPTIP).
- D. **2000s-2020s:** Rise of technology-facilitated trafficking. Social media, online recruitment.
- E. **2015:** UN Sustainable Development Goal 8.7 calls for ending child trafficking by 2030 (UN). (2000).

Current trend: Internal trafficking now exceeds cross-border in many countries. In Nigeria, most child trafficking is internal: rural ‘n urban for domestic work (UNICEF). (2021, 2023) [2-10].

6. Nigeria/West Africa Context

Period	Pattern
Pre-1960	Domestic slavery, pawning of children for debt
1980s-1990s	Trafficking of girls from Edo State to Europe for sexual exploitation
2000s	Trafficking to Gabon, Cameroon for cocoa farms. “Baby factories” emerged
2010s - Now	Internal trafficking for hawking, almajiri system, IDP camps. Online

NAPTIP data revealed that 21,270 victims were rescued from 2003-2023, where 59% were children [9].

NAPTIP – THE LEAD AGENCY (IN NIGERIA) – SECTION 31

National Agency for the Prohibition of Trafficking in Persons was established in 2003 and strengthened by TIPPEA 2015, as shown in Figure 4.

Powers: It has power to investigate, arrest, prosecute, rescue victims, seize assets, run shelters, and do awareness (Sec 35-40).

Some its results 2003-2023:

- 21,270 victims rescued
- 621 convictions
- 59% of victims were children [8].

Child Trafficking Under TIPPEA: Section 17 makes child trafficking a distinct offense with life imprisonment.

Why stricter for Children: Per Section 13(4)(c), the prosecution does not need to prove “force or fraud”. The law recognizes children cannot consent [9]. The Act implements 3 main treaties which are:

- A. Palermo Protocol 2000 - Definition + 4Ps: Prevention, Protection, Prosecution, and Partnership.
- B. UNCRC 1989 – Child rights protection.
- C. ILO Convention 182 – Worst forms of child labour [10].

From the Palermo Protocol Article 3 and as adopted word-for-word:

“Trafficking in Persons” = Act + Means + Purpose

Act: recruitment, transportation, transfer, harboring, receipt

Means: threat, force, coercion, fraud, abuse of power

Purpose: exploitation – sexual, labor, slavery, organ removal

For Children less than 18: “Means” is NOT required. Any recruitment for exploitation = trafficking [3, 9].

The TIPPEA Act 2015 is known as the strongest anti-trafficking law in Nigeria and mirrors international standards, giving NAPTIP enforcement power, putting the victim protection at the center or forefront. It imposes life sentences for child trafficking due to the fact that children cannot legally consent.

GLOBAL SCOPE

Child trafficking is considered as a global crisis and the violation of child rights. It is being looked at from the following perspectives:

- A. **Worldwide:** 1 in every 4 victims of detected trafficking is a child
- B. **Gender:** 46% of trafficked children are girls, and while 34% are boys
- C. **Region:** Sub-Saharan Africa has the highest proportion of child victims globally at 64% of all detected victims
- D. **Scale:** An estimated 1.2 million children are trafficked each year [11, 12].

Common Forms of Child Trafficking

Children are trafficked for multiple forms of exploitation which include:

Form	Description
Sexual Exploitation	Prostitution, pornography, sex tourism, forced marriage
Forced Labour	Domestic work, agriculture, mining, street hawking, begging
Child soldiers	Recruitment into armed groups and conflict

Illegal Adoption

Sale of children through fake orphanages

Ritual/Begging

Trafficking for harmful traditional practices or organized ritual [9].

Causes of child trafficking:

The root causes and drivers of child trafficking do not occur or happen in isolation, and which include:

1. **Conflict and displacement:** This is where IDP camps and refugee settings increase vulnerability.
2. **Weak legal systems:** Due to poor birth registration, corruption, and porous borders.
3. **Poverty:** As families send their children away due to economic hardship.
4. **Demand:** For cheap labour and commercial sex. As stated by UNODC, “Trafficking exists because there is a market. Without demand for cheap goods, services, and sex, traffickers would not have incentive to supply victims”.
5. **Social norms:** This is as a result of cultural acceptance of “fostering” or sending children to relatives [9, 10], as shown in Figure 5.

Impact on Children

Trafficking has a lifelong effect on victims, some of which are:

1. **Physical:** Causes injuries, malnutrition, STIs, death
2. **Psychological:** Leading to PTSD, depression, trauma, stigma
3. **Educational:** School dropout and illiteracy
4. **Social:** Leading to family breakdown, community rejection, and early pregnancy [11].

Legal Framework

The main international law is the Palermo Protocol 2000 under UNTOC. Other frameworks include:

1. UN Convention on the Rights of the Child, 1989
2. ILO Convention 182 on Worst Forms of Child Labour, 1999
3. Nigeria: Child Rights Act 2003 + Trafficking in Persons Act 2015 - Enforcement by NAPTIP.

NAPTIP was known to rescue 21,270 victims between 2003-2023, and with 59% being children [11, 13].

Child trafficking is both a crime and a child rights violation. It usually gains ground where there is poverty, weak protection systems/institutions, and demand for exploitation. The global response is based on the “4Ps”: Prevention, Protection, Prosecution, and Partnership [3, 8, 9, 10-12].

CURBING AND ELIMINATION

The curbing and the elimination of child trafficking by 2030 under SDG 8.7 requires going beyond arrests. It must involve a holistic approach. We must reduce poverty, protect victims, and cut demand. The UNODC stated that: “Without demand, there is no market”. The strategies for curbing and the eventual elimination would entail the use of the Palermo Protocol 2000 of the “4Ps + D”, which are: prevention, protection, prosecution, partnership, and demand reduction (as the 5th pillar) since trafficking is market-driven.

Prevention: This will require poverty reduction + free education, nationwide awareness in schools/communities, and universal birth registration.

Protection: Fund shelters under Sec 53 TIPPEA, enforce victim compensation Sec 29, and vocational training for survivors.

Prosecution: Special fast-track courts, enforce Sec 41 corporate liability, and create NATPIP cyber unit.

Partnership: Inter-agency task force: HAPTIP, police, immigration; community engagement with traditional/religious leaders, and cross-border cooperation.

Demand Reduction: Prosecute buyers of child labour/sex, “No child house help” campaigns, and mandatory supply chain audits [2, 3, 7, 8-13, 24, 25], as shown in Figures 6 and 7.

CONCLUSION

Child trafficking cannot be eliminated through law enforcement alone but by a comprehensive and coordinated approach. This will require addressing the social and economic conditions that make children vulnerable while strengthening prevention, protection, prosecution, and partnership (international cooperation). Governments must strengthen anti-trafficking laws and their enforcement, improve border and migration controls, address corruption, as well as ensure that perpetrators are effectively prosecuted. Furthermore, there is need for sustained commitment by governments, families, communities, schools, international organizations, and civil society in the creation of an environment where every child can grow up safely, receive an education, and enjoy their fundamental rights. More information on child trafficking can be obtained in the books in [14-24] and the following related journals:

African Identities

Journal of Human Trafficking

Beijing Law Review

A Journal of Analysis of Exploitation and Violence

African Population Studies

International Journal of Research and Innovation in Social Science

The Nigerian Juridical Review

Journal of Contemporary International Relations and Diplomacy

Institutionalized Children Explorations and Beyond

International Journal of Migration, Health and Social Care

Journal of Criminological Research, Policy and Practice

International Journal on Child Maltreatment: Research, Policy and Practice

International Journal of Law, Crime and Justice

Journal of Refugee Studies

World Development

Children and Youth Services Review

Development Policy Review

Journal of African Law

African Human Rights Law Journal

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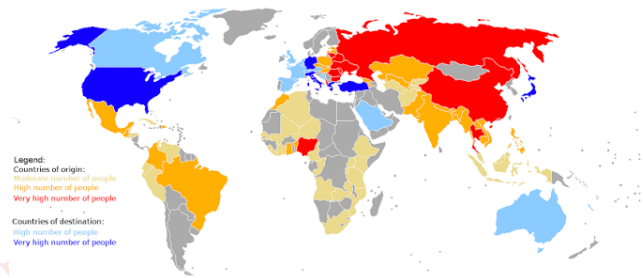


Figure 1. Trafficking of women, children and men
Source:

https://en.wikipedia.org/wiki/File:Trafficking_of_women,_children_and_men.png

Human trafficking in Nigeria

Nigeria is a source, transit, and destination country for women and children subjected to trafficking in persons including forced labour and forced prostitution.^[1] The U.S. State Department's Office to Monitor and Combat Trafficking in Persons placed the country in "Tier 2 Watchlist" in 2017.^[2]

Figure 2. Human trafficking in Nigeria



Figure 3. Rescuing children from sex trafficking



Figure 4. NAPTIP – National Agency for the Prohibition of Trafficking in Persons



Figure 5. What causes human trafficking



Figure 6. Justice for victims of trafficking



Figure 7. Child trafficking – Defense for children

