
Child Trafficking

[Problems and
Solutions]

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Child Trafficking: Problems and Solutions

Introduction

Trafficking in general refers to the passage of goods and commodities from one person to another for an equivalent in goods or money. It also refers to buying and selling, especially illicit trade. Today the scenario is such that there is not only trafficking in goods and commodities but also in human beings especially of children and women. Trafficking in women and children has become a serious national and international concern. There are attempts being taken at all levels (legislative, judicial, executive and social) to combat this trade. Trafficking violates a child's right to grow up in a family environment and thus, exposes him/her to a lot of danger including violence and abuse. Children and their families are often lured by the false promise of a lucrative employment and prosperous life while others are kidnapped and sold. Over the last few decades India has witnessed an alarming rise in human trafficking and is considered to be one of the most criminal trades next to arms and drug smuggling. There is a need to mobilize the public opinion in order to create awareness among the mass about the atrocities of human trafficking, especially the trafficking of women and children. Laws need to be designed and implemented effectively and a constant monitoring of the situation is required in order to prevent trafficking, especially child trafficking.

Migration and **trafficking** for work overlap with each other. Migration for better option is subject to human rights and should not be violated, whereas trafficking is a completely different phenomenon. It is based on deceit, coercion, etc. resulting in exploitation causing mental and physical torture. The only thing

synonymous in both the cases is the displacement from one's native village or country and this common factor can not be ignored. However, women workers have often been subjected to violence and exploitation if some issues are not properly taken care of. Mostly, in South Asia, where the trend of migration for work is very high and people's movement in all parts of the world in the form of cheap labour is also in an increasing trend, a clear-cut vision needs to be developed about trafficking and migration for work.

The Meaning of Trafficking

The Oxford English Dictionary defines **traffic** as, trade, especially illegal as in drugs. It has also been defined as the transportation of goods, the going and coming of people or goods by road, rail, air and sea.

The Meaning of Human Trafficking

The definition of trafficking in the *UN Protocol to Prevent, Suppress and Punish Trafficking in persons, especially Women and Children*, is the first international definition of trafficking. It states that **Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or, receipt of persons by means of threat or use of force or other forms of coercion, fraud, abduction or deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.** Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. However, the term trafficking does not have an easy definition because of the very complex nature of the problem. The *U.N. General Assembly* has defined trafficking as **"the illicit and clandestine movements of persons across national borders, largely**

from developing countries, and some countries with economies in transition, with the end goal of forcing women and girls into sexually or economically oppressive and exploitative situations for profit of recruiters, traffickers and crime syndicates and other activities, for example, for forced domestic labour, false marriages, clandestine employment and false adoption.”

The Meaning of Child Trafficking

Under international law, child trafficking is a crime involving the movement of children for the purpose of their exploitation. The concept of child trafficking can be segmented into the following elements:

A child - A person under the age of 18.

Traffic - Recruitment, transfer, transportation, receipt or harbouring, whether by force or not, by a third person or a group. Trafficking implies that someone has organized the movement of a child with the immediate or ultimate aim of the child’s exploitation. This could involve a transaction where someone receives payment or a benefit to agree to a child being exploited. An element of movement within a country or across borders is needed in order to distinguish trafficking from other forms of slavery and slave like practices.

Traffickers - All those who have contributed to the movement of the child and knew that what they did was likely to lead to the exploitation of the child. Recruiters, intermediaries, document providers, corrupt officials, employers, exploiters and transporters are traffickers.

Forms of Exploitation

As already mentioned above, trafficking does lead to the exploitation of the child in various different ways. Some of the different forms of exploitation have been listed below.

- a) All forms of slavery or practices similar to slavery, debt bondage, serfdom and forced or compulsory labour including forced or compulsory recruitment of children for use in armed conflict.
- b) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.
- c) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties.
- d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.
- e) Work done by children below the minimum age for admission to employment.

Motives behind the trafficking of children

The different forms of exploitation of the children who fall prey to trafficking are guided by a wide range of motives of the traffickers as well as others who play a part in this enterprise. The motives behind the trafficking of children are as follows,

- Bonded labour, agricultural labour, domestic work, construction work, carpet industry, garment industry, fish or shrimp export as well as other sites of work in the formal and informal economy.
- Begging, drug peddling, smuggling and organ trade.

- Forced prostitution, socially and religiously sanctified forms of prostitution, sex tourism and pornography.
- Circus, beer bars, dance troupes and camel jockeys.
- As child soldiers or combatants in armed conflicts, for marriage and adoption.

Factors affecting the trafficking of children

There are several factors which lead to the trafficking of children. *Poverty* is one of the reasons which make the majority of children vulnerable to trafficking. There are many cases where children are being sold in exchange for a sum of money. However, it should be mentioned that poverty is not the only reason for trafficking. **Main cities** provide the infrastructure to the traffickers to sell minors for commercial sexual exploitation. There are numerous brothels and red light areas in these cities which help the traffickers to buy or sell children. **Riots, calamities or political disturbance** makes children more vulnerable than they usually are. During the time of unrest, if the men are away from home, it's the women and children who suffer due to the lack of security. The traffickers take advantage of this vulnerability and may induce a woman or a desperate child into commercial sexual exploitation. **Child Marriage** and **dowry** still exists in the country. Any man who does not claim a dowry at the time of marriage is considered as the perfect groom and the daughter is 'disposed in marriage'. The girls are then trafficked in the name of marriage. The groom may be no less than a pimp looking for a new victim. **Female infanticide and feticide**, which is increasing day by day, is creating disparity in the male to female ratio. As a result of this often the regions which have a low female count take girls from the neighbouring regions in the name of marriage for commercial sexual exploitation. **Unsafe migration** also affects trafficking. There is a demand for sex

for the migrated labour and there are brothels in the city which meets this demand for cheap sexual gratification. The cities have large brothel areas and the demand for children is very high in these cities. One of the major reasons for the prevalence and increase in trafficking is **traditional customs and socio-cultural norms**. There are many regions where traditional forms of prostitution are practiced. When children get into prostitution or are affected by trafficking, it has been found that many come from homes where they have had to face abuse or where there has been violence and tension. **Low levels of education, lack of employment opportunities, gender and minority discrimination** will push children into vulnerable situations.

A child has been trafficked if he/she has been moved within a country or across borders, whether by force or not, with the purpose of exploiting the child.

The above definition has been drawn from two international instruments:

- The concept is defined in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, of 2000 known as the **Trafficking Protocol**. It supplements the UN Convention against Transnational Organized Crime.
- The International Labour Organization's **Worst forms Of Child Labour Convention**, of 1999 classifies trafficking among "forms of slavery or practices similar to slavery" and hence a worst form of child labour to be eliminated at the earliest.

The Trafficking Protocol provides that exploitation includes the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. Child trafficking occurs whether the child was moved voluntarily or by force, provided the other elements of the definition are met. If during or soon after the child's movement there are elements of force, violence, unreasonable restriction of the

child's movements from their place of work or other harmful effects of the work on them, it would be an indication of trafficking.

The Impact of Trafficking

The impact of trafficking on the individual, most importantly the child is a largely neglected area. The impact of trafficking and sexual exploitation is compounded by the life stage of adolescence. Adolescence is a unique stage of development and transition into adulthood, characterized by significant psychological, hormonal and emotional changes. Trafficking has **psychological, physiological, emotional and other traumatic consequences**. However, the most alarming cause and consequence of trafficking in children is that of **HIV and AIDS**. On the one side, HIV and AIDS increases the number of children trafficked because there is an increased demand for sex with young girls, since they are perceived to be HIV negative (despite the fact that they are more vulnerable to HIV and AIDS, both biologically and because of their lack of power to negotiate the use of condoms). On the other side this type of trafficking increases the number of HIV positive persons and this is so because, besides the fact that women and girls are more vulnerable to this infection, victims of trafficking are unable to assure condom use for their protection; they may be forced to engage in sexual practices most associated with HIV transmission; they are forced to have sex with multiple partners; they are victims of injuries (caused by violence during sex against their will) which increase their vulnerability to and risk of infection; their young and immature bodies are extremely fragile and vulnerable to such injuries; they often suffer from other sexually transmitted diseases due to their forced and unsafe sexual practices.

The National and International Scenario

The Global Scenario

The globalization of economic activities has been closely matched with the globalization of organized crime. The development in the areas of transportation and communication has created enormous opportunities for human communication and economic development which have in turn created new opportunities for organized crime. Criminal groups across the world can unite and coordinate their activities in innovative ways which makes the efforts of the law enforcement agencies, to intercept and control them, go in vain. Increases in the flow of information and commodities have created new opportunities for theft, smuggling and other crimes and provided opportunities to gain enormous profit from the smuggling of migrants and trafficking in persons.

The existing infrastructure of international cooperation is no longer adequate to respond to these challenges. The high cost of complexities of conducting multinational investigations and prosecutions aggravate this situation. In response to this challenge the international community decided to negotiate on the international convention against transnationally organized crime and the protocols against trafficking in persons especially in women and children, smuggling of migrants and illicit manufacturing of and trafficking in

firearms, their parts and components. Trafficking in women and girls, primarily for the purpose of prostitution, is today a phenomenon of global magnitude that violates the human rights of millions of women and girls all over the world.

Magnitude

Statistics on trafficking are difficult to collect and governments and I/N NGOs have produced only broad estimates. This is apparent in countries where the government does not involve itself with the research and the collection of data on trafficking. Despite a paucity of accurate data, UN figures suggest that approximately **3 million** people are trafficked across international borders each year and that trafficking in persons is one of the fastest growing and the most lucrative areas of global criminal activity. In 1997 the UN estimated that procurers, smugglers and corrupt officials, engaged in international trafficking in persons, extracted US **\$7 billion** in profits from their activities. If these calculations are accurate, then trafficking in human beings is more lucrative than the international trade in illicit weapons.

The following estimates illustrate the potential severity of human trafficking as well as the difficulty in determining the magnitude of trafficking.

- **UN Economic and Social Council (UNESCO)**, 2004, stated that over **1.2 million** children are trafficked globally every year.
- **International Labour Organization (ILO)**, 2003, stated that approximately **27 million** people are held in some form of bonded labour world wide at any given time. Of this figure approximately **8 million** are minors forced into prostitution.

Geographical Routes

Women and children constitute the majority of trafficked persons. Approximately 80% of persons trafficked annually across international borders are women and as many as half of those are minors. Many of these children come from **West Africa, Eastern Europe and Asia**, often lured away by promises of jobs and no idea what awaits them. Trafficking affects almost all countries though not equally. Traffickers often exploit existing or emerging migration routes. Traffickers transport the victims from the **source country** (country from which people are trafficked, e.g., **Nepal, Guatemala, Nigeria** and more) through the **transit countries** (a country which is a temporary stop on the trafficked victims' journey to the country where they will be enslaved, e.g., **Mexico or Israel**) and finally to the **destination country** (country where trafficked persons end up, e.g., **Japan, India, much of Western Europe and the US**).

Trafficking occurs from poor countries and countries in economic, social, and political crisis, for instance, **Asia, Africa and Latin America**, and new market economies, for instance, **Russia, Ukraine and other former Soviet countries**, to the wealthier and politically and socially more stable countries of **Western Europe, Australia, Japan, the US and Canada**. It also occurs domestically within a country, often from poverty stricken rural villages and towns to the major cities. **Eastern Europe** has been identified as the largest source country for trafficking with an estimated **1, 40,000** young women brought to the **UK** each year, mostly from **Albania, Latvia** and the **Ukraine. Thailand and Brazil** are said to have the worst child sex trafficking records.

Global Report on Child Trafficking

Africa:

Ghana- It is reported that Ghana is a sender, receiver and transit country with regard to trafficking of children for sexual purposes. Ghana's soaring number of street children who are the major victims facilitates this purpose.

Central African Republic- Trafficking is mostly confined to children who are brought in by the foreign Muslim community to Nigeria, Sudan and Chad to be used as domestic servants, shop helpers and agricultural workers.

Nigeria- A study has shown that children are trafficked from Togo to Nigeria for use as domestic servants, market traders, child beggars and prostitutes. The ILO reported that, based on a nation-wide survey of child trafficking, approximately 19% of school children and 40% of street children have been trafficked for forced labour.

North America:

Mexico- The United Nations now lists Mexico as the number one centre for the supply of young children to North America. Most are sold to rich, childless couples unwilling to wait for bona fide adoption agencies to provide them with a child. Often the children are snatched while on errands for their parents. Many a times they are drugged and raped. Most of the children over 12 years end up as prostitutes. Honduran girls, 13 and 14 years old, were trafficked by organized crime groups in Central America from the cities of Tegucigalpa, San Pedro Sula and El Progreso under false pretences, such as job offerings and scholarships and sold to brothels in Guatemala, El Salvador and Mexico.

Canada- About 12, 16-30 years old, Asian girls and women are trafficked into Canada each week on visitor's permits and sold into prostitution. There are

isolated cases of Canadian minors trafficked by pimps to the United States for the purpose of sexual exploitation.

United States- Out of the 45,000 to 50,000 children that are brought to the US, 30,000 came from Asia, 10,000 from Latin America 5,000 from other regions, for instance, the former Soviet Union. The primary Asian source countries to the US are China, Thailand and Vietnam. Traffickers in Miami were receiving Asian children who were being trafficked through Europe by Japanese and Chinese criminal gangs. In one month at least 15 children were smuggled into the US for prostitution. Girls from Costa Rica have been transported through Central America and Mexico to work in sex trade in the US, Canada and Europe. The Organization for Security and Cooperation in Europe (OSCE) issued a report on trafficking and stated that girls from Columbia are trafficked to North America and Western Europe. The Associated Press reported on interviews conducted in California and Egypt that trafficking of children for domestic labour in the US is an extension of an illegal but common practice in Africa. Within the US, Atlanta and Georgia have been identified as currently having the highest rate of child sex trafficking, with 200-300 exploited for the commercial sex industry every month.

South America:

Brazil- Brazil is a source country for victims of both domestic and international trafficking. The majority of Brazilian trafficking victims are girls who are trafficked for the purpose of sexual exploitation to Europe, Japan, Israel and the US.

Colombia- Colombia is a source country for trafficked persons, especially women and children, to Asia (Japan, Singapore, and Hong Kong), Western

Europe (the Netherlands and Spain) and the US. Most of the victims are trafficked for purposes of sexual exploitation.

Europe:

Russian Federation- Reportedly 15,000 women and children were trafficked into 'sex slavery' in China. There is some evidence of trafficking for organs and body parts. In a case near Moscow, police set up an undercover operation which resulted in the arrest of a grandmother and uncle of an 8 year old boy, who had sold the child for \$90,000 to persons who admitted that they wanted the boy for the sale of his body parts. There are reports of children being kidnapped or purchased from orphanages for sexual abuse, child pornography and body parts.

Ukraine- Turkey is a major destination and transit country for trafficking in girls for the purpose of forced prostitution. More than 100,000 Ukrainian women, many of them minors, have been trapped and enslaved as prostitutes in the West. Ukraine is a major source and transit country for women and girls trafficked abroad for the purpose of sexual exploitation.

Belgium- Nearly 2,000 unaccompanied minors requested asylum in 1999, most of them from former Yugoslavia and Central Africa. Because of the difficulties involved in travelling to Belgium from those areas, the International Organization for Migration believes that many of these unaccompanied minors were brought in by traffickers or assisted by professional smugglers. 45 children from 26 countries were trafficked during 1998. The highest number of children, that is, 8 was from Macedonia. Belgium is both a transit point and a destination for trafficking in children.

Germany- At least 200 women, including girls under the age of 16 years, were trafficked by one Polish man to Germany and the Netherlands between 1993-

1996. Germany is a destination and transit country for trafficked women. Estimates vary considerably on the number of women and girls trafficked to and through the country, ranging between 2,000 and 20,000 per year. Homeless children in Romania have increasingly been trafficked under false pretenses and forced into prostitution in Berlin and Hamburg, Germany, Amsterdam and Holland.

Greece- An academic observer estimated that approximately 40,000 women, most between the ages of 12 and 25 years respectively, are trafficked to the country each year for prostitution. Currently more than 40% of the minors in prostitution are from neighboring or regional countries including Uzbekistan, Kazakhstan, Armenia and Iraq.

United Kingdom- A government sponsored report estimates that up to 1,500 women and girls are trafficked into the UK annually for purposes of sexual exploitation from Eastern Europe and the Balkans, South America, Nigeria, Thailand and Vietnam. Although there are no reliable data as to the number of victims, men, women and children from the Indian sub-continent, Sri-Lanka, Turkey, the former Yugoslavia, Romania, China, Congo, Angola, Colombia and Ecuador are trafficked to the UK.

Eastern Asia:

China- Alien smuggling organizations use Suriname as an intermediate destination to smuggle Chinese nationals, including women and girls, to the UN where frequently they are forced into bonded labour situations. Thai officials estimate that 5,000 women and girls are trafficked from China into Thai brothels. Thousands of women and children, most between the ages of 13 and 24 years respectively are abducted each year and forced into prostitution or marriage. More than 250,000 women and children are thought to have been the victims of

trafficking within China alone. Since 1998, Chinese authorities have reported an increase in the number of children being trafficked to other countries for purposes of forced prostitution.

China, Hong Kong SAR (Special Administrative Region) - Around 40 Indonesian girls are sent to Taiwan and Hong Kong every month. Malaysian girls are trafficked for sexual purposes mostly to Singapore, Macao, Hong Kong and Taiwan.

China, Macao SAR- Vietnamese traffickers sell hundreds of children in Europe, China, Cambodia and Macao, for prostitution and arrange marriages.

China, Taiwan- Taiwan is a destination point for internationally trafficked persons. Some young women from Southeast Asia, primarily China and Thailand, are trafficked for the purpose of sexual exploitation.

Japan- While the trafficking of women is known to occur; there is no information about child trafficking.

Western Asia:

Armenia- In Greece, more than 40% of the minors in prostitution are from neighbouring or regional countries, including Uzbekistan, Kazakhstan, Armenia, Albania and Iraq. Trafficking in girls is a problem. In December 1997, a group of Armenians was caught in Belarus, trafficking children to Brest under false pretences; their destination was Poland.

Iraq- According to estimates around 50,000 Iraqi refugee girls are trafficked to Syria for prostitution. Cheap Iraqi prostitutes have helped to make Syria a popular destination for sex tourists. The clients come from the wealthier countries in the Middle East.

Israel- Trafficked women and children are predominantly from the former Soviet Union. It is estimated that 70% of all prostitutes are from this region. The Public Inquiry Committee concedes that the imports to Israel include 16-17 year old adolescent girls. A report for the Israel Women's Network has noted that there are instances of girls as young as 12 years being trafficked.

Qatar- Qatar is a destination country for trafficked persons. Boys are trafficked from Pakistan and Bangladesh to Qatar to work as camel jockeys.

Saudi Arabia- Criminal rings, consisting almost exclusively of foreigners, bought and imported South Asian children for the purpose of forced begging. It is estimated that 1000-1500 Indian children are smuggled out every year to Saudi Arabia for begging during the Haj season. From Murshidabad alone, some 400 children accompanied by their chachas leave every year, and not all of them return home again.

Turkey- Turkey is a destination and transit country for trafficking of persons. There were no reports of trafficking in children for the purpose of forced labour; legislation in this area addresses the issue. There is a growing problem with trafficking in women and girls from Kyrgyzstan, mostly to Turkey and the United Arab Emirates, for the purpose of forced prostitution.

United Arab Emirates (UAE) - 19,000 Pakistani children have been trafficked to the UAE. Boys are trafficked from Pakistan and Bangladesh for use as camel jockeys in UAE's camel racing industry. For many years, boys from the age of 6 years and sometimes younger have been trafficked from countries in South Asia to the Gulf to supply the demand for camel jockeys.

Central Asia:

Kyrgyzstan- According to the International Office of Migration (IOM), approximately 4000 women and 7 boys were trafficked abroad in 1999. No estimates were available for subsequent years. Kyrgyzstan is a country of origin and transit for trafficking in persons. Kyrgyz men, women and children are trafficked to Russia, Turkey, Germany and the UAE, mostly for prostitution.

Uzbekistan- Trafficking in women and girls for the purpose of prostitution occurs, particularly to the Persian Gulf and Turkey. In Greece more than 40% of the minors in prostitution are from neighbouring or regional countries, including Uzbekistan, Kazakhstan, Armenia, Albania and Iraq.

Southeastern Asia:

Burma (Myanmar) - In 1996 there were almost 200,000 foreign children, mostly boys from Burma, Laos and Cambodia, who had been trafficked to Thailand for prostitution and work at construction sites and sweetshops. Burma is a source country for thousands of women and young girls who are trafficked into the commercial sex industries of neighbouring countries. Increasing number of children, who have been found begging, have come to Thailand from countries like Cambodia, Burma and Bangladesh. These children are usually between 6-10 years of age, who either travelled to Thailand on their own or with their relatives, or were brought by beggar gangs and agents. They are placed in areas where many people pass, such as tourists spots, bus terminals, shopping centre and are forced to beg. Burma is a country of origin for trafficking of persons, primarily of women and girls, to Thailand and other countries as factory workers, household servants and sexual exploitation.

Cambodia- Cambodian men, women and children are trafficked internationally, principally to Thailand for various forms of bonded labour, including street

begging. Cambodia is an important source, transit and destination country of child victims. Cambodian children are trafficked to Southeast Asian countries. It is estimated that about 10,000-15,000 women and girls are trafficked for the purpose for commercial sexual exploitation.

Indonesia- Indonesia is a source country for domestic and internationally trafficked persons, primarily young women and girls. Indonesians are trafficked to Hong Kong, Singapore, Taiwan, Malaysia, Brunei, the Persian Gulf countries, Australia, Korea and Japan; and there are reports that they are trafficked to the United States.

Thailand- According to domestic NGOs, girls between the ages of 12 and 18 **years** are trafficked from Burma, southern China and Laos to work in the commercial sex industry. There are at least 50, 000 Burmese girls and women working in Thailand as prostitutes at any one time.

Vietnam- Many of the estimated 15,000-20,000 prostitutes in Phnom Penh are believed to be Vietnamese girls and women. 500 Vietnamese girls were trafficked to Cambodia for prostitution. Other children are trafficked domestically, as well as to foreign destinations for the purpose of forced prostitution. Although statistics are not reliable, children are trafficked from southern delta and highland provinces to Cambodia and from Northern provinces to China. One third of 55,000 prostitutes in Cambodia are under 18 years of age and most are Vietnamese.

Southern Asia:

Bangladesh- It is known that 168 children have been trafficked, 369 children have been missing and 295 children have been kidnapped during the year 2001. It is estimated that there are from anywhere a 100 to over 1000 underage South Asian

camel jockeys currently working in the UAE alone. While many come from India and Pakistan, a growing number come from Bangladesh. An increasing number of children found begging have come to Thailand from Bangladesh. These children are usually between 6-10 years of age. A joint report prepared by the Ministers of Home and Social Welfare and Women's Affairs, shows that over the last five years at least 13,220 children have been smuggled out of the country, of which only 4,700 have been rescued.

Nepal- A survey sponsored by the Central Social Welfare Board indicated that the population of Nepalese women and child victims for commercial sexual exploitation in Indian brothels would be about 70,000 to 100,000, out of which 30% were 18 years and 40% were induced when they were below 18 years of age. The study findings estimated that 12,000 children are trafficked every year from Nepal. While accurate numbers are not available, it is estimated that 5,000 to 7,000 Nepalese girls are annually trafficked out of Nepal to India and increasingly to the Gulf States for prostitution purposes. Every year around 10,000 Nepalese girls, most of them between the age of 9 and 16 years, are sold to brothels in India.

Pakistan- In Pakistan where most of the trafficked Bengali women are sold, there are about 1,500 Bengali women in jail and about 200,000 women and children in the slave trade. Lawyers for Human Rights and Legal Aid (LHRLA) of Pakistan have reported that, more than 19,000 boys from the region, ranging in age from 2-11 years old, have been trafficked as camel jockeys to the Middle East, a trade that can cost them their lives.

Sri Lanka- 10,000 to 12,000 children from rural areas are trafficked for prostitution. Ethnic conflicts have left many children displaced and abandoned and

consequently easy prey for 'job placement agents' who pick them up on the streets in villages or even from within the refugee camps and then sell them into employment, most commonly for domestic work.

Global Case Studies

1. ***Cote d'Ivoire***: Ibrahim, **11years**, dreamed of buying a bicycle. When a man he had known for sometime told him that he could work on a cocoa farm and make enough money for a bicycle, radio, clothes and more, Ibrahim did not suspect the man to be a trafficker. The man took Ibrahim to Cote d'Ivoire and sold him to a cocoa farmer. Ibrahim and other trafficked boys worked long hours doing back-breaking and dangerous work while farming cocoa and bananas. The farmer gave them little to eat, beat them severely and forbade them from leaving the farm. Ibrahim suffered in forced labour for two years before he escaped and returned to Mali.
2. ***The Balkans***: When Julia was **8years** a man took her and her sisters to a neighbouring country and forced them to beg on the streets until their early teens, when he sold them into prostitution. Julia's traffickers expected her to bring in a certain amount of money each day or face beatings. At 14, Julia ran away, eventually coming under the supervision of local authorities. They placed her in an orphanage where she was not allowed to go to school due to her undocumented status. After a few weeks, Julia ran away from the orphanage and became involved with a pimp who prostituted her to local men and tourists. Recently Julia was arrested on narcotics charges. She is likely to spend the next two years in a juvenile prison, where she will learn to read and write.
3. ***Democratic Republic of the Congo***: Lucien was studying in a school when the members of a militia group abducted him and 11 other boys from his

- secondary school. The soldiers drove them to a training camp and put them in a pit in the ground. Those who resisted were beaten. Lucien was stabbed in the stomach and tied up until he submitted to the training. Lucien endured difficult training with some 60 other children, including a number of girls. They were fed one plate of maize meal a day to share among 12 people. Lucien watched people die from starvation and illness. When the soldiers killed those who tried to escape, they forced Lucien and other children to bury the bodies. Lucien later managed to escape and now lives with a host family.
4. **Guinea:** After her mother and brother died, Jeannette's father gave her away at age 8 to work as a domestic servant. Jeannette did house work for 18 hours a day, but she was never paid. She slept on the verandah and ate leftovers. Sometimes, she was denied food altogether. Jeannette was beaten frequently, particularly when she tried to rest. When his wife left the house, the male guardian raped Jeannette. She was not allowed to leave, but even if she was, she would not know where to go. She did not know if her father was still alive. Jeannette later received assistance from a local NGO.
 5. **Romania-Italy-UK:** Crina, a 16 year old girl, was trafficked from Romania through Italy to the UK. She was groomed to go abroad with the promise of getting married. Crina was initially taken to Italy and later to the UK being forced into prostitution in both countries. In the UK, Crina managed to run away and was rescued by the police. The police referred her to children's services and she was placed in foster care. She told children's services that she wishes to return to her mother in Romania. Crina was able to provide an address of her mother but did not have a phone number since the pimp had taken away her mobile. The return was arranged with assistance from the Romanian ISS correspondent, who came to pick her up from the airport with her mother. Now Crina has

been accommodated in a reception centre for victims of human trafficking in Romania and is attending an educational training.

The National Scenario **Child Trafficking In India**

In India over the last decade, the volume of trafficking has increased. Though the exact numbers are not known, yet it is the most lucrative criminal trades, next to arms and drug smuggling undertaken by highly organized criminals. India is a source, transit and destination country for women and children trafficked for the purpose of sexual exploitation. Trafficking is quite often equated with sexual exploitation, but it is important to acknowledge that not all trafficking results in sexual exploitation of women and children. Trafficking takes place for a range of exploitative purposes, including labour or fraudulent adoption. In India a large number of children are trafficked not only for the purpose of sexual exploitation but also for other forms of exploitation that includes servitude of various kinds, such as, domestic labour, industrial labour, agricultural labour, begging, organ trade and false marriage.

In 2005, a study was conducted by the National Human Rights Commission (NHRC) after they received an alarming number of reports from the press, police and NGOs about the rise of human trafficking in India. They found that India was fast becoming a source, transit point and destination for the trafficking of women and children for sexual and non-sexual purposes. The areas where trafficking mostly occurred were the poverty stricken areas such as *Andhra Pradesh, Bihar, Karnataka, Uttar Pradesh, Maharashtra, Madhya Pradesh, Rajasthan, Orissa and West Bengal.*

National Statistics

A study conducted in 1992 estimates that at any one time, 20,000 girls are being transported from one part of the country to the other. In 1998, between 5000 and 7000 Nepalese girls, some barely 9-10years old, were trafficked into the red light districts in Indian cities. 200,000 to over 250,000 Nepalese women and girls were already in Indian brothels. Only 10% of human trafficking in India is international, while almost 90% is interstate. Nearly 40,000 children are abducted each year of which 11,000 remain untraced according to a report by the NHRC. Trafficking in children is on the rise and nearly 60% of the victims of trafficking are below 18years of age. According to the *NHRC Report on Trafficking in Women and Children*, the population of women and children in sex work in India is stated to be between 70,000 and 1 million, out of which 30% are 20years of age, 15% began sex work when they were below 15years and 25% entered between 15 and 18 years of age. According to figures provided by the *National Crime Records Bureau (NCRB)*, in 2004, as many as 2,265 cases of kidnapping and abduction of children were qualified as forms of trafficking and were reported to the police. Of these 1,593 cases were of kidnapping for marriage, 414 were for illicit sex, 92 for unlawful activity, and 101 for prostitution and the rest for various other activities like slavery, beggary and even selling of body parts. Most of these children (72%) were between 16 and 18years of age and 25% were children aged 11-15years.

Andhra Pradesh, Karnataka, West Bengal and Tamil Nadu are the states from where the maximum numbers of children are trafficked to other states.

Intra state/inter district trafficking is high in the states of **Rajasthan, Assam, Meghalaya, Bihar, Uttar Pradesh, Andhra Pradesh, Karnataka, Tamil Nadu and Maharashtra**, while states like **Delhi** and **Goa** are receiver states. Trafficking of children from the **North-Eastern** states of India and the bordering countries in the north east is a serious issue but has not drawn public attention so far. Children from Bangladesh and Nepal are trafficked into and through India to Pakistan and the Middle East.

Half of 100,000 girl prostitutes between 10-14 years in Mumbai are from Nepal and are kept in brothels against their will. (Penelope Saunders, "Sexual Trafficking and Forced Prostitution of Children", 29 October 1998)

There are 5 child trading rings in and around Murshidabad in West Bengal, who operate by trafficking children to Mecca, says local police. (Swati Bhattacharjee, "New Measures Needed to Tackle Child Trafficking", Child Newslines, May 1997)

10,000 Bangladeshi children are in brothels in Mumbai and Goa, India. (CATW Fact Book, citing "Human smuggling from Bangladesh at alarming level", Reuters, 26 May 1997, citing Trafficking watch Bangladesh)

In Kolkata, various studies conducted by the All India Institute of Hygiene and Public Health, in 1993, estimated that 20% of the 5000 sex workers in the Sonagachi red light area are Nepalese. (Human Rights Watch/Asia, Rape and Profit, June 1995)

The number of Nepalese girls and women engaged in prostitution in Kolkata exceeds 27,000, in Delhi it is more than 21,000, in Gorakhpur it is 4,700 and in Banaras it is 3,480. (ILO-IPEC, Usha D. Acharya, Country Report: Nepal, October 1998)

Among the states in the country, **Andhra Pradesh** unfortunately supplies a large number of women and girls for sexual exploitation. *Visac, Vijayawada,*

Hyderabad and Tirupathi are the most common areas of child trafficking. In raids conducted across the country in recent years, a large number of Telugu girls have been rescued from brothels in Delhi, Mumbai and Goa (HELP-Network Against Trafficking and Sexual Exploitation in Andhra Pradesh, NATSAP). According to **Mr. Ramamohan. NVS, Convener of NATSAP and Secretary of the NGO HELP**, the magnitude of boys trafficked in Andhra Pradesh is about 1% and their approximate age is 7 years. Girls are more prone to trafficking and they are usually trafficked from the age of 12 years. While boys are mostly trafficked for the purposes of begging and labour services, girls are trafficked for sexual exploitation.

National Case Studies

Varanasi: 17 years old Rani from Majhasaur village in the Mirzapur district of Varanasi was married off to a 40 year old man after the demise of her mother. In reality she was sold to him for Rs.10, 000. When Rani went to the police to complain about her land being taken over by the villagers, the police sexually abused her. She was given Rs.1000 by the police stating that they would help her. Rani was introduced to people who pulled her into the racket of child trafficking. She was sent to various places such as Banaras, Azamgarh, Ambedkar Nagar, Allahabad, etc. Rani was sent to Raja Talab to meet a prospective client, but when he did not turn up till 10pm in the night, she had to return to Varanasi. While waiting in the bus stand she was found by the RPF. Rani handed over the sim card containing all the information to the team. Childline Varanasi received a call from RPF Inspector informing about having found a 17 years old girl at the Varanasi Cantonment railway station. The girl was brought to the Childline office by one of the team members. After rescue Rani was temporarily kept at a Girl's home in Lucknow and subsequently rehabilitated with her elder sister.

West Bengal: Following an email about sexual exploitation from an organization in Cooch Behar, West Bengal, CIF's (Childline India Foundation) North Regional Resource Centre, Delhi, began this intervention. Two girls had been lured to Delhi on the pretext of a job and were being kept in Yamuna Nagar. Fortunately, one of the girls escaped and returned home where she alerted the local NGO about the other girl. CIF officials in Delhi were unable to locate the place and contacted the CIF Gurgaon team that began its investigation and found that there was more than one victim. Once the girl was found the rescue was initiated. On the basis of the statements of the victims and information given by CIF, an FIR was registered against the five agents under section 3, 4, 5 of the Immoral Traffic Prevention Act (ITPA). After a lot of paper work, the girl from Cooch Behar was allowed to return home with her father on 8th November, 2008.

Maharashtra: 23 children, including 6 girls from Rajmahal circus in Akola were rescued by the collaboration of CIF, the Esther Benjamin Trust (EBT) and the Esther Benjamin Memorial Foundation (EBMF), Nepal. Conducted on June 13th, 2008, the rescue was also supported by the CIF teams based in Amravati, Gorakhpur, Guwahati, Jalpaiguri, Kolkata, Murshidabad, Nadia and Nagpur. CIF members were present throughout the process of recording statements of children, to ensure that all critical facts were included. The children were sent to shelter homes for the time being.

Andhra Pradesh: SD (name not revealed) was the daughter of a victim of CSE (Commercial Sexual Exploitation) in the suburbs of Rajahmundry. She was studying in a boarding school in the town, which is about 20Km away and was staying in a hostel for scheduled caste students. Her schoolmates were studying in class X, and were all children of CSE victims. They were natives of Dowalaiswaram. When the school closed for Dussehra, the three boys suggested to SD that they visit the temple at Annavaram. The girl readily accepted the proposal. The boys had struck a deal with a broker in Dowalaiswaram, to sell the girl for Rs.3000. They drugged SD and by the time she regained consciousness,

she found herself sitting beside the broker in a Mumbai bound train. The broker informed SD that they were going home and that it would take a day to reach. However, they reached Mumbai the next day. The broker took her to a *seth* and told SD to stay there for sometime. The *seth's* wife told SD that she had been sold to them as domestic help for Rs.5000. She had to serve a family of 8 and do all the chores. On attaining puberty about six months later, she was raped by the master of the house. She was later taken to Goa and sold to a brothel for Rs.15, 000. She spent about a year in Goa when she was joined by a few girls who were also trafficked from Andhra Pradesh. They summoned enough courage to run away and reached Rajahmundry via Hyderabad. On reaching Dowalaiswaram, she discovered that her mother had expired and her father had remarried. Her father had no interest in her and asked her to leave as she had become a liability for him. Realizing that she had no other means of earning a living, she went back to the brothel in suburban Rajahmundry where she had spent her childhood with her mother. She joined the same brothel. Today at 15years, she is a mother and the mistress of a local police officer.

The Legal Frameworks

There are various legal frameworks that have been laid down both nationally and internationally, in order to curb child trafficking. It is interesting to look at the different laws in this regard.

The International Laws

The international laws lay down norms and standards that are accepted and agreed upon by all countries in the world. In fact attempts have been made by different countries to even implement the laws laid down internationally. Some of the international laws regarding child trafficking are as follows;

1. *The Convention on the Elimination of All forms of Discrimination against Women, (CEDAW), 1979* – The convention provides the basis for realizing equality between women and men through ensuring women’s equal access to, and equal opportunities in, political and public life. By accepting the Convention, States agree to take appropriate measures against all forms of traffic in women and exploitation of women.
2. *Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption, Nationally and Internationally, 3 December, 1986* – According to the declaration policies should be established and laws enacted, where necessary for the prohibition of abduction and of any other act for illicit placement of children.
3. *The Convention on the Rights of the Child, 12 December, 1989* – Reaffirms that children’s rights require special protection and calls for continuous improvement of the situation of children all over the world, as well as for their development and education in conditions of peace and security.
4. *The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, 18th January, 2002* – Believes that the elimination of sale of children, child prostitution and child pornography will be facilitated by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparity, inequitable socio-economic structure, dysfunctioning families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking in children.
5. *The Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children* – Declares that effective action to prevent and combat trafficking in persons, especially women and children,

requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights.

6. *SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution* - Recognizes the importance of establishing effective regional cooperation for preventing trafficking for prostitution and for investigation, detection, interdiction, prosecution and punishment for those responsible for such trafficking. It also emphasizes the need to strengthen cooperation in providing assistance, rehabilitation and repatriation to victims of trafficking for prostitution.

The National Laws

There are various laws that have been laid down in the Indian context in order to curb the menace of child trafficking. On the one hand, while India tries to implement the international laws on child trafficking, on the other hand there are also the national laws that must be taken into consideration.

1. *Article 23 of the Constitution* - Guarantees right against exploitation; prohibits traffic in human beings and forced labour and makes their practice punishable under law.
2. *Article 24 of the Constitution* - Prohibits employment of children below 14 years of age in factories, mines or other hazardous employment.
3. *Indian Penal Code, 1860* - Some of the significant provisions related to trafficking are; procurement of a minor girl (below 18years of age) from one part of the country to the other is punishable, importation of a girl below 21years of age is punishable and punishment for compelling any person to labour against his will.

4. *Immoral Traffic Prevention Act (ITPA), 1956* – Deals exclusively with trafficking; objective is to inhibit/abolish trafficking in women and girls for the purpose of prostitution as an organized means of living.
5. *Child Labour (Prohibition and Regulation) Act, 1986* – prohibits employment of children in certain specified occupation and also lays down conditions of work for children.
6. *Juvenile Justice (Care and Protection of Children) Act, 2000* – The Act was passed in consonance with the Convention on the Rights of the Child. It attempts to consolidate and amend the rules dealing with juveniles in conflict with the law and other children. The law is especially relevant to children who are vulnerable and are therefore likely to be inducted into trafficking.
7. *Andhra Pradesh Devadasi (Prohibiting Dedication) Act, 1989* – the Act states that whosoever performs, promotes, abets or takes part in a dedication ceremony is liable to punishment with imprisonment for three years and fine.
8. *Karnataka Devadasi (Prohibition of Dedication) Act, 1982* – The Act declares as unlawful the very act of dedication, whether the dedication is done with or without the consent of the dedicated woman.
9. *Goa Children's Act, 2003* – it provides for strong action against making children available for commercial exploitation including posing obscenely, selling or abetting sale of children even under the garb of adoption or the dedication of a girl child as a devadasi.
10. *The Prevention of Immoral Trafficking and the Rehabilitation of Prostituted Person's Bill, 1993* – A bill that recognizes the rights of prostitutes and initiates the investigation in these matters.
11. The Government of India has formulated a *National Plan of Action* to combat trafficking and the commercial sexual exploitation of children and minors, in 1998. This committee has been formed to look into

problems of trafficking and forced prostitution and has brought together NGOs and other organizations, who work on the issues of trafficking.

Prevention of Trafficking

In order to prevent the trafficking of humans especially that of children, awareness has to be created at all levels of the society and among different agents in the society. The **government, media, NGOs** as well as the **family** of a vulnerable child, all can play a very important role in trying to combat child trafficking. The prevention of trafficking must begin at the grass root level by the identification of the supply and demand areas of trafficking, the transit points and trafficking routes, which is an extremely difficult task. The best method to prevent trafficking is to integrate it with prosecution and protection. **Prosecution** involves identification of the traffickers, making them compensate for the damages they have caused and ensuring that they do not cause any further harm. **Protection** of the trafficked victim includes all steps towards the redressal of their grievances, rehabilitation and helping to establish her/him. Thus prosecution and protection contribute to prevention. According to **Mr. Ramamohan. NVS, Convener of NATSAP and Secretary of the NGO HELP**, the prevention of trafficking has to be a *multi-pronged* activity where there must be a *convergence* of the different agents that work towards curbing this menace, for instance, there must be a convergence of the Women and Child Welfare Department with the Participatory Rural Action groups. He also puts forward a few more points that can aid the prevention of child trafficking. He mentions that right from the *village level*, the traffickers and procurers should be punished, though the type of punishment for the traffickers depends upon the official perceptions, yet *punishment* must be made mandatory, especially *imprisonment*.

The local *panchayats* must be *sensitized*. There should be *micro-level identification* of vulnerable children, the *Juvenile Justice Act* which still has not been implemented properly must be implemented at the earliest and an Act by the name of *Trafficking Prevention Act* must be introduced.

However, according to **Mr. Ramamohan** the basic reasons behind the existence of trafficking are, lack of support services, situation analysis and follow ups by the agencies working to curb child trafficking, illiteracy of the family members, difficulty in identifying traffickers as they involve both the rich and the poor, the numbers of NGOs working for child trafficking are very few, measures to curb child trafficking are not taken at the grass root level and most of the time the family members of the trafficked children do not lodge FIR due to the fear of being socially stigmatized.

Role of M.V. Foundation in the prevention of Child Trafficking and thereby Child Labour

The Mamidipudi Venkatarangaiya Foundation (MVF), a registered trust, was established in 1981 in memory of educationist and historian **Prof. Mamidipudi Venkatarangaiya**. The Foundation works towards the **abolition of child labour by universalizing school education**. It also works towards **empowering women**. Based on the **non-negotiable principle** that **'no child works and every child attends full time formal school as a matter of right'**, MVF began its work from three villages in 1991. So far, 50, 000 children have been mainstreamed through MVF's **Bridge Course Camps** to formal schools, government social welfare hostels and residential schools. Currently MVF is working in 6 districts of **Andhra Pradesh** namely **Ranga Reddy, Nalgonda, Warangal, Hyderabad, Adilabad and Kurnool**. It also works directly in 3 other states of India, **Madhya Pradesh, Bihar and Tamil Nadu**. It is extending technical support to other NGOs in three other states of **West Bengal, New Delhi, and Chhattisgarh**. Currently it monitors the status of over 10, 00,000

children in and out of school. MVF's work not only covers the urban and rural areas but also tribal and forest regions, coastal belts, deserts and dry land farms among fisher folks, nomads, tribals, landless poor agricultural labourers and quarry workers.

The way in which MVF operates is unique in its own way. Its work consists of an **area based approach** which concentrates on protecting the rights of all children and ensuring that all of them attend full time formal schools. The area based approach enables the declaration of '**child labour free zones**' which would act as an inspiration for others to join the movement against child labour. According to the Foundation, any child out of school is a child labourer and all labour is hazardous and harms the overall growth of the child. MVF believes that if any child is not in school then she/he can be prone to any sort of activity that can adversely affect the child. Thus, in a school the child can be prevented from being lured and trafficked as she/he would be under the auspices of a formal institution. The Foundation operates by creating awareness, against child labour, at the **grass root levels**. Hence the volunteers of the Foundation first sensitize and motivate the family of the child labourers and then proceed to rescue those children from work. The task of motivating the families of such children, especially in the rural and tribal areas is indeed arduous as the parents refuse to believe what the volunteers have to say. There are quite a few numbers of children in MVF's bridge course camps who were victims of child trafficking. The volunteers have to face quite difficult situations in trying to rescue the children from work and also from the traffickers. It is known to all that children are trafficked not only for the purpose of sexual activities but also for labour related purposes. Since the major objective of MVF is to prevent child labour so, by rescuing trafficked children and providing them with education, MVF not only tries to curb the menace of child trafficking but also that of child labour. Their modus operandi differs from other programmes which revolve around

child labour, targeting only some children and relying on measures such as compensating parents for the loss of income from child labour.

Conclusion

In spite of the various legal frameworks that have been introduced both nationally and internationally, human trafficking, especially child trafficking, is very much prevalent across the globe.

Trafficking in children is a heinous crime which disgraces humanity. It not only violates human rights but also child rights and the dignity of the child at the same time. It is an extremely complex problem which requires very effective and stringent mechanisms to control it. The anti trafficking measures need to be spread throughout the globe especially in the trafficking prone areas, both rural and urban. Since poverty is one of the major factors behind the trafficking of children, hence, there is a need to introduce poverty alleviation measures. In the attempt to alleviate poverty and therefore trafficking, the government of every country needs to play a very important role. Only introducing various laws will not solve the problem, there has to be proper implementation of the laws as well. Moreover, the education of every child has to be made compulsory. There is also the need for strict surveillance and constant follow ups to check that no child is engaged in any sort of work whether domestic or others. There is an urgent need for a global response to this problem including structures for cooperation between authorities and within and between countries. Though it seems that human trafficking, especially those of children might continue to exist, yet one must not discontinue the endeavour to curb it.

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