



INNOCENTI INSIGHT

**SOUTH ASIA IN ACTION: PREVENTING  
AND RESPONDING TO CHILD TRAFFICKING  
CHILD RIGHTS-BASED PROGRAMME PRACTICES**

ADVANCE VERSION



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AND RESPONDING TO CHILD TRAFFICKING  
CHILD RIGHTS-BASED PROGRAMME PRACTICES**

**UNICEF  
Innocenti Research Centre**

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August 2008

ISBN: 978-88-89129-77-7

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None of the photographs used in this publication are of children or adolescents who are known to have been trafficked. Rather, many of the photos selected are meant to depict the vulnerability of children and adolescents, some of the root causes of trafficking, and the various types of exploitative purposes for which children are trafficked. Other photos show more positive and concrete developments with regards to the protection of children, for example, the para-legal committees in Nepal (*see pages 6-7*), and various national plans of action for children (*see page 33*).

Correspondence should be addressed to:  
UNICEF Innocenti Research Centre  
Piazza SS. Annunziata, 12  
50122 Florence, Italy  
Tel: (39) 055 20 330  
Fax: (39) 055 2033 220  
[florence@unicef.org](mailto:florence@unicef.org)  
[florenceorders@unicef.org](mailto:florenceorders@unicef.org) (email publications orders)  
[www.unicef-irc.org](http://www.unicef-irc.org)

## **ACKNOWLEDGEMENTS**

This study was developed through a wide process of consultation. It benefits from the support, counsel and expertise provided by a range of experts at a strategic moment: a June 2006 expert consultation entitled 'South Asia in Action to Prevent Child Trafficking' organized by the UNICEF Innocenti Research Centre. Participants included government representatives from South Asia, UNICEF child protection specialists from the UNICEF Regional Office for South Asia and Country Offices in the region.

The study could not have been undertaken without the partnership of the UNICEF Regional and Country Offices in South Asia. In addition, a range of child rights experts and writers made important contributions, including John Frederick, Rachel Kabir, Ratna Kapur, Ayesha Mago and Jyoti Sanghera.

At the UNICEF Innocenti Research Centre, data analysis was conducted under the Implementation of International Standards Unit, overseen by Susan Bissell with the overall guidance of the IRC Director, Marta Santos Pais. The study was initiated in close cooperation between UNICEF IRC and the UNICEF Regional Office for South Asia and was concluded at the UNICEF IRC by Lena Karlsson, with the support of Camilla Ida Ravnbøl and Daja Wenke. Research assistance on data collection and database management were provided by Beniamino Cislighi, Daria Davitti and Flora Joossens. Sarah Simonsen provided administrative support.

The study was edited by Catharine Way. Allyson Alert-Atterbury of the Innocenti Research Centre Communication and Partnership Unit provided additional editing support, guided by the Chief, Salvador Herencia, and supported by Glyn Hopkins. The Communication and Partnership Unit also oversaw the production process.

UNICEF IRC benefits from the generous support of the Governments of Italy and Sweden for all its research on child trafficking. In addition, the Japan Committee for UNICEF is a major contributor to investigations related to the protection of children from all forms of abuse, neglect and exploitation. To these three partners, UNICEF IRC expresses its gratitude, sharing the aspiration that the findings of UNICEF research will ultimately lead to better outcomes for the world's children.

# CONTENTS

<b>1</b>	<b>INTRODUCTION</b> .....	<b>2</b>
	<b>Trafficking in children in South Asia</b> .....	<b>3</b>
<b>2</b>	<b>CASE STUDY: PARA-LEGAL COMMITTEES IN NEPAL</b> .....	<b>6</b>
	<b>Context</b> .....	<b>6</b>
	<b>Key components of the project</b> .....	<b>7</b>
	Formation of para-legal committees .....	7
	Main activities of para-legal committees .....	7
	Capacity-building .....	9
	Sustainability and monitoring .....	10
	<b>Achievements, challenges and emerging issues</b> .....	<b>10</b>
	Key achievements .....	10
	Factors promoting success .....	10
	Challenges and emerging issues .....	11
	<i>Box 2.1 Life skills training for successful reintegration</i> .....	8
	<i>Table 2.1 Cases of abuse and exploitation in four districts of Nepal, 2003–2006</i> .....	11
<b>3</b>	<b>CASE STUDY: REGIONAL ANTI-TRAFFICKING NETWORK IN THREE DISTRICTS OF INDIA</b> .....	<b>12</b>
	<b>Context</b> .....	<b>12</b>
	<b>Key components of the project</b> .....	<b>13</b>
	Prevention activities .....	14
	Social mobilization .....	15
	Convergence of services .....	15
	Sustainability and monitoring .....	15
	<b>Achievements, challenges and emerging issues</b> .....	<b>15</b>
	Key achievements .....	15
	Factors promoting success .....	16
	Challenges and emerging issues .....	16
	<i>Box 3.1 Protection of trafficked children</i> .....	17
	<i>Box 3.2 The debate on residential care</i> .....	18
<b>4</b>	<b>CASE STUDY: REINTEGRATING BANGLADESHI CHILDREN TRAFFICKED FOR CAMEL RACING</b> .....	<b>20</b>
	<b>Context</b> .....	<b>20</b>
	<b>Key components of the project</b> .....	<b>21</b>
	Main actors .....	21
	Repatriation .....	21
	Prevention, tracing and reintegration .....	22
	Prosecution, compensation and livelihoods .....	28
	Sustainability, replicability and monitoring .....	29
	<b>Achievements, challenges and emerging issues</b> .....	<b>29</b>
	Key achievements and lessons learned .....	29
	Factors promoting success .....	30
	Challenges and emerging issues .....	30
	<i>Box 4.1 Safeguarding the best interests of the child in rescue and rehabilitation</i> .....	24
	<i>Box 4.2 Activating the Convention through minimum standards</i> .....	26

<b>5</b>	<b>KEY FINDINGS OF THE CASE STUDIES</b> .....	<b>32</b>
	Awareness-raising and community mobilization .....	32
	Government involvement .....	32
	Networking and cooperation .....	32
	Data collection .....	33
	Sustainability .....	33
	Holistic approach .....	34
	Victim support .....	34
	Care, protection and reintegration .....	34
	Child participation .....	34
	Non-discrimination .....	34
	Child poverty .....	35
	Best interests of the child .....	35
	National child protection systems .....	35
	Political support .....	35
	Further research.....	35
	<b>NOTES</b> .....	<b>36</b>

# 1 INTRODUCTION

In collaboration with the UNICEF Regional Office for South Asia, the UNICEF Innocenti Research Centre has, since 2005, been studying trafficking of children in South Asia. The results of this study are being presented in three publications, of which this is the second. The first publication, *South Asia in Action: Preventing and responding to child trafficking: Analysis of anti-trafficking initiatives in Afghanistan, Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan and Sri Lanka*, presents a regional analysis of anti-trafficking measures relevant to children in the South Asian countries. It assesses

national legal and policy frameworks of implementation and provides a list of recommended actions for strengthening a rights-based approach to child trafficking. This publication, *South Asia in Action: Preventing and responding to child trafficking: Child rights-based programme practices*, complements the first publication by presenting regional experiences of rights-based programming on child trafficking. The third publication is a summary report of the main findings and recommendations from the overall South Asia research.





## Trafficking in children in South Asia

Unknown numbers of children are trafficked within and across the borders of South Asia. They are trafficked into situations of exploitation and abuse such as hazardous labour, commercial sexual exploitation, domestic servitude, begging and criminal activities. Trafficking represents a failure to protect the rights of the most vulnerable children. Until recently, few people in affected communities spoke of trafficking, and efforts to fight it emphasized criminal responses rather than protection and reintegration of trafficked children.



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**The first publication in this series** assesses country legislation and policy responses to fight child trafficking from a child rights perspective, presenting the findings as a regional overview. It highlights a number of concrete measures taken by governments to address child trafficking, including legislation, policies and the development of implementation frameworks.

This publication acknowledges the adoption of many international standards and the promotion of regional agreements. At the same time, legislation against trafficking is often considered within the broader context of criminalizing prostitution, addressing organized crime and controlling migration. Although these are important issues, a focus only on these perspectives fails to adequately address the full complexity and dynamics of human trafficking, and fails to give distinct consideration to child trafficking. Existing laws therefore need to be amended and new laws enacted to fully conform with international standards.

Moreover, insufficient measures have been adopted to strengthen victim protection, ensure child-friendly judicial proceedings and provide legal, medical, psychosocial and other kinds of assistance to the child. It is important to ensure that the trafficked child is never criminalized and that national laws regulating movement and migration do not increase the risk of exploitation for adults and children who are seeking to migrate. A clear distinction between trafficking in children and trafficking in adults also needs to be made within the law.

In regard to policy development, most countries in South Asia approach child trafficking either in the form of national action plans specifically on child trafficking, or as an issue integrated within other plans on human trafficking or children's rights. Stronger coordination of these different planning processes is necessary, as is active political support to mobilize resources and ensure effective implementation of programmes and interventions.

A number of actors – governments, United Nations agencies, non-governmental organizations and community-based organizations – are working on anti-trafficking initiatives in the region, using various approaches and methodologies. The components of anti-trafficking programmes include prevention, protection (including victim identification, rehabilitation and reintegration) and empowerment and participation. Some of these programmes are envisaged within national plans of action, while others are implemented outside this framework.

Despite the existence of a number of national and regional coordinating mechanisms, effective coordination between the various actors remains a challenge.

Reliable quantitative and qualitative data and information regarding child trafficking in South Asia are scarce. This is partly due to the lack of a mechanism for systematic, harmonized and disaggregated data collection, analysis and dissemination.

Investment in prevention has been limited due to lack of analysis of root causes, limited information about child vulnerability, and difficulties in focusing on the social groups and individuals most at risk. To ensure effective intervention it is crucial to evaluate the impact of preventive awareness-raising and community mobilization programmes and to scale up good practices. Another factor needing more attention and preventive action is the 'demand side' – including the demand for children from clients, brothel owners, factory owners and households in need of domestic servants.

The rehabilitation and reintegration process faces challenges such as establishing national minimum standards, guidelines and protocols of care, protection and reintegration. It is also important to identify national human resource needs and to support capacity-building of professionals, particularly in the field of social work. Professionals working with children need further skills development on child rights, including child protection and child participation. Monitoring and evaluation are key in ensuring that children's rights are safeguarded by existing services and in preventing secondary victimization.

On this basis, and given that in South Asia child trafficking is increasingly addressed through adoption of a children's rights approach, there is an urgent need to develop comprehensive national child protection systems in the region. These have to operate at national and community levels to prevent child trafficking, investigate and prosecute perpetrators and assist trafficked children. Child-friendly legal, medical and psychosocial services, community mobilization for child protection, training of service providers, development of child-friendly reporting mechanisms, good data collection and analysis, and monitoring and evaluation are all key components of a national child protection system. Such a system needs to be inclusive to cater for the diversity of children (for example, in terms of age, gender, ability status and ethnicity) and to address the root causes of this phenomenon, such as discrimination and poverty. Involving children and adolescents in the development and evaluation of such systems is also crucial.

**The present study** addresses programme practices that aim to combat child trafficking. It presents three case studies of child rights-based initiatives, with a strong focus on prevention, along with other components of rights-based programming. These initiatives have been developed by a number of stakeholders, including non-governmental organizations and governments, with support from UNICEF.

The first case study, on **para-legal committees in Nepal**, describes a community-based programme to strengthen child protection mechanisms supported by UNICEF and other agencies. Initially, these committees addressed only trafficking, mainly of girls and women who were trafficked to India for sexual exploitation. Later their work expanded to address all forms of violence, abuse and exploitation of children and women. The para-legal committees work on prevention, early detection, case follow-up, monitoring and reporting. The committees have become an integral part of Nepal's district protection system, linking members of vulnerable communities with providers of support services, government agencies and non-governmental organizations at the district level.

The second case study is about a **regional anti-trafficking network in the Indian State of Andhra Pradesh**, which covers three districts. Using social mobilization tools, the network aims to increase community knowledge about trafficking, exploitation, gender discrimination and related issues, especially among young people. It also addresses law enforcement, convergence of services, livelihood and income-generation options, rehabilitation and vulnerability mapping. UNICEF, the state government and the district administration provide leadership to the network, which has strong linkages with community-based anti-trafficking committees.

The third case study involves **Bangladeshi children previously involved in camel racing in the United Arab Emirates**. It describes the repatriation of boys who had been trafficked to work as camel jockeys. A case-by-case approach was adopted by UNICEF and the governments in the two countries, and a plan of action was developed to repatriate, rehabilitate and reintegrate the boys into their communities. Community care committees were established in Bangladesh to ensure a supportive social environment for reintegrated

boys and their families, including efforts to promote livelihoods in the community and to monitor the repatriated children.

Participants in the committees include family and community members, as well as representatives of local government, non-governmental organizations and teachers.

This report also discusses emerging trends in child rights-based programming for children who have been trafficked. The focus is on life skills education; protection during the process of rescue, recovery, repatriation and reintegration, particularly with a view to safeguarding

the best interests of the child; and the importance of developing guidelines for decision-making, case management and internationally accepted minimum standards of care.

The case studies may not be universally representative or replicable, and the findings are based on assessments by those involved in implementation, rather than on evaluations or broader impact assessments. They have been identified by UNICEF country offices to provide lessons that can be considered by other countries in the region or beyond in developing programmes to combat child trafficking.



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# 2 CASE STUDY PARA-LEGAL COMMITTEES IN NEPAL

## Context

In Nepal, as in other countries throughout South Asia, children and women face the threat of violence, abuse and exploitation, and child trafficking is an acknowledged problem.<sup>1</sup> The formal system for supporting victims faces serious challenges, especially in rural areas. In the past such issues were rarely discussed in public, but in recent years people have shown more willingness to confront them in the context of developing alternatives to prevent trafficking and help children who have been trafficked.

Para-legal committees – community-based mechanisms established since 1999 to protect children and women – represent one such initiative in Nepal. These committees, primarily composed of women, are supported by UNICEF and other United Nations agencies.<sup>2</sup> Initially these committees addressed only trafficking, but in 2002 they expanded to work on all forms of violence, abuse and exploitation of children and women. They have become an integral part of Nepal’s district protection system and have links with support service providers, government agencies and non-governmental organizations. The committees also mediate disputes.



## Key components of the project

### Formation of para-legal committees

Para-legal committees are formed in three steps:

#### 1 Establishment of district resource groups

Members of district resource groups are selected through consultations with local government agencies and non-governmental organizations. They consist of between 10 to 15 lawyers and social mobilizers who are advocates for protection of the rights of women and children. The district resource groups support the establishment and work of the para-legal committees. They also organize regular mobile legal clinics to advise para-legal committees on difficult cases.

#### 2 Orientation meeting

District resource groups, non-governmental organizations and other community committees organize meetings with government officials, community workers and volunteers, community leaders and civil society representatives to mobilize them to form para-legal committees. The poorest communities are prioritized. Initial discussions focus on the rights of children and women, the problems they face and how these issues can be addressed by the community. Only then is the concept of para-legal committees introduced. Resource people explain what they are, what they do and how they can help people in the community, especially children and women.

#### 3 Establishment of para-legal committees

The third step is to form the para-legal committee. It frequently consists of 12 women who are selected by the community or are self-selected. Men are usually organized in advisory committees and do not participate in formal decision-making. However, in some communities, women have decided to include men in the committees. A few para-legal committees also include young people.

### Main activities of para-legal committees

The committees' community-based interventions consist of the following main activities:

#### Prevention

Para-legal committees carry out awareness-raising activities such as information campaigns and community discussions to sensitize community members on issues around trafficking and other forms of exploitation, violence and abuse. These activities also cover reporting and support structures. Many protection abuses have their roots in, or are reinforced by, social attitudes and traditions. For this reason, the direct involvement of families and other community members is vital to bring about societal behaviour change. Committee members also participate in campaigns to promote birth registration, citizenship certification and school enrolment, which are organized by service providers and other organizations.

#### Early detection

Para-legal committees collect information about children and women at risk, through networking with other community workers such as health workers, teachers and village facilitators. Community members are asked to be watchful for incidents of violence, abuse and exploitation and to approach para-legal committees if they witness such incidents. One warning sign is when a child drops out of school. In such cases, the committee takes action, for instance by visiting the home to find out the reasons behind the child's absence.



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## BOX 2.1

### LIFE SKILLS TRAINING FOR SUCCESSFUL REINTEGRATION

Reintegration is one of the greatest challenges facing those working with children who have been trafficked in South Asia.<sup>1</sup> As is also the case in other regions of the world, little reliable quantitative and qualitative information exists on the number of children who have been successfully reintegrated into society after their return.

*“States Parties agree that the education of the child shall be directed to:*

*(a) The development of the child’s personality, talents and mental and physical abilities to their fullest potential; ...*

*(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin.”*

– Article 29, para. 1 of the Convention on the Rights of the Child

‘Reintegration’ is perceived in different ways. One view is that a child can be considered reintegrated if, after a few years, it is confirmed that the child lives in harmony with his or her caregivers and community, is adequately provided with basic needs and protection, and is pursuing a dignified and secure life of his or her own choosing. The number of rescued children that reach such levels of reintegration remains unknown, since few non-governmental organizations, community-based organizations or government agencies in South Asia have the opportunity or capacity to follow up and support a child until reintegration is affirmed, let alone document the successes and failures of reintegration.

The definitions used and the common understanding of reintegration also rarely take into account the dynamics of a child’s development or the child’s family and community, including issues such as mobility or migration. These issues may make it a challenge to assess reintegration over a prolonged period of time.

The challenges facing a child’s successful reintegration can be divided into four areas or factors:

**Economic challenges** can be addressed through providing quality education and vocational training for the child or family members, combined with other livelihood options; such training will be followed by work placement and/or provision of business skills, as well as monitoring support. While these pose financial

challenges for the impoverished households to which many children return, the many community-based self-help groups and poverty alleviation programmes in South Asia often support organizations responsible for children’s economic reintegration.

**Physical health challenges** can be serious, as many children rescued from sexual exploitation are HIV-positive. They may return to situations lacking adequate medical support, including access to antiretroviral medicines. Rescued children may have inadequate knowledge of personal health, including self-care, nutrition and hygiene. Coupled with the debilitation suffered in the trafficking situation, this lack of knowledge can leave them highly vulnerable to illness.

In terms of **mental health and social factors**, many trafficked children have dealt with, and perhaps not fully recovered from, trauma caused by the trafficking experience. Rescued children often experience feelings of guilt, low self-esteem and depression.

Sexual exploitation and other situations of exploitation and abuse can prevent a child from learning the skills needed for social interaction. This can lead the child to exhibit either reclusive behaviour or anger and aggression. The child may feel alienated from his or her peers and lack the ability to make friends and seek support.

These factors can be exacerbated by stigma, discrimination and stereotyping in the family or community. Stigma is most commonly experienced as family exclusion, refusal of services or harassment by community members. Increased community awareness-raising and mobilization on trafficking, abuse and exploitation of children are needed to address and reduce stigma and exclusion.

Thus, beyond economic empowerment, education and vocational training, the child also needs life skills in order to reintegrate into society. Life skills education has been conducted in South Asia for a number of years, primarily in programmes for street children, teenagers at risk of HIV infection, and rural adolescent girls and women.<sup>2</sup>

In 2006, the non-governmental organization Sanlaap, which operates shelters for rescued girls in West Bengal, India, took over a comprehensive life skills programme established by the Asia Foundation.<sup>3</sup> The programme, called Power Girls, helps girls develop skills for personal strength and social confidence. Like other life skills curricula, it addresses topics such as communication, decision-making, peer pressure, gender concerns, anger management and dealing with negative emotions.

### **An example of the impact of training children on child rights is seen in comments from an 11-year-old girl in rural Nepal**

*"I approached the para-legal committee in my village to convince my father about the hazards of marrying my sister at such a young age. They...talked about the human rights of children and the legal procedure of marriage. They said that he would be responsible for the impacts on my sister if she was married at such a young age. After much consideration, my father understood the risks of child marriage and promised that he would not marry her off before she passes 18 years."*

But the programme differs from these other curricula in the comprehensiveness of its training. For example, children are trained in the techniques of active listening over long periods. Stress reduction techniques, through yogic breathing, muscle relaxation and visualization, start on the first day and continue over more than 40 classes. Future planning, an activity lasting only a few days in many life skills courses, is conducted for several weeks. Much of the learning is acquired through role playing, which is followed by group discussions that frequently continue beyond the classroom.<sup>4</sup>

Power Girls is unique for its emphasis on having children **learn** life skills – rather than just be introduced to them – and its belief that the children must carry these skills far beyond life in the shelter into the difficult environment outside into which they will reintegrate. Plans call for follow-up classes for reintegrated children. The course is comprehensive and intensive, and trainers participate in an exhaustive apprenticeship under the guidance of senior teachers.

Although the first pilot phase of Power Girls was only completed in late 2007, significant positive changes have already been seen in the girls who have participated. Life skills teachers work closely with vocational trainers, counsellors and academic teachers, focusing on the needs of individual girls, who are also involved in evaluating the classes. While the girls will continue to need careful support and guidance, their new feelings of confidence and inner strength, and their ability to communicate, be assertive and make decisions are a big step on the road to successful reintegration. As one girl remarked, "We don't need counsellors any more. Now we can solve our problems by ourselves."<sup>5</sup>

*See Notes, page 36.*

### *Case follow-up*

Because of weak legal structures to address exploitation and abuse, the para-legal committees respond to individual children and women. In many cases, the victims themselves approach the committees. When an incident is reported, members go into the community to determine the facts. They often provide the individuals concerned with counselling and mediation. In serious cases, the committees bring the issue to the district level through district resource groups, development officers or relevant non-governmental organizations. On average, 75 per cent of reported cases are solved at the community level. The committees also lobby for justice and facilitate access to medical, legal and other support services and livelihood programmes in the district.

Following a court verdict, the para-legal committee plays a vital role in facilitating the healing and reconciliation process of survivors of abuse and exploitation. The period of healing is often the most difficult time for those who have experienced exploitation or abuse; the committee provides the moral support that can help them fully reintegrate into the community.

### *Monitoring and reporting*

Para-legal committees maintain records and closely monitor children and women who may be subject to violence, abuse and exploitation. They regularly share information with district resource groups and other organizations that can provide support. The committees also alert human rights organizations to incidents of violence, abuse and exploitation.

### **Capacity-building**

It usually takes four to six months for a para-legal committee to become functional, during which time district resource groups provide training and coaching. The two-step training is as follows: first professionals with legal and child rights backgrounds train the district resource groups (these groups are comprised of lawyers and social mobilizers – the lawyers do not necessarily have a child rights background, and the social mobilizers may not have a legal or a child rights background). The district resource groups in turn train the para-legal committee members. The 'training of trainers' for the district resource groups lasts 15 days, and the training for the para-legal committees lasts 18 days.

The district resource groups continue to provide extensive coaching and supervision to the para-level committees after the conclusion of the formal training. Topics include the rights of children and women, child protection concerns, domestic and international laws concerning women and children, effective communication, active listening and negotiation and mediation skills. Members are also trained to assess and analyse risk factors in their communities; to identify, analyse and document cases; and to respond to practical questions, such as how to complete application forms and access support.

The training is flexible, recognizing the diversity of the communities. It also includes field visits by committee members to observe and learn from what other para-legal committees are doing and to enhance the capacity of their members. Manuals are also available to provide additional guidance.

### **Sustainability and monitoring**

The activities of the para-legal committees are all carried out on a voluntary basis. Yet strong community commitment and ownership have made the programme sustainable. Communities that do not yet have a committee have started to demand similar support. In some communities, to ensure the sustainability of these interventions, political support from local governments, along with a commitment to protect children's rights, needs to be enhanced.

District resource groups, local non-governmental organizations and women's development officers regularly monitor the para-legal committees. They provide advice and technical support and intervene when necessary. Through agreements with the district resource groups in most communities, and in some communities through agreements with the government, UNICEF facilitates meetings, and provides capacity-building and technical advice. UNICEF also organizes annual regional review meetings, inviting representatives from all the para-legal committees.

*"In the past, women came to the court to settle cases without reliable proof. It was known that they were victims in the case, but they did not get remedies. But now there are para-legal committees in the community to support such innocent victims, and para-legal committees can help them to document the case and submit the case with strong proof."*

– A judge in Tanahun, Nepal

Other United Nations agencies, including the United Nations Development Programme, as well as organizations in Afghanistan and Bangladesh, have expressed their desire to replicate the programme in other communities.

### **Achievements, challenges and emerging issues**

#### **Key achievements**

Sensitization programmes conducted by the para-legal committees have raised awareness about risks, human rights and support structures among children and women. Communities with committees report that many women have become more confident after taking

part in the training and other aspects of the programme. They can better assert the rights of children and women and assist others in the community on legal matters.

Societal attitudes and traditions often lie at the root of child abuse and exploitation. In many of the targeted communities, para-legal committees successfully create pressure from inside to challenge social norms that compromise children's rights, such as child marriage and domestic violence.

*"I was devastated when my seven-year-old daughter was raped. But the para-legal committee not only helped to take the case to court but also continued to support us by providing social security and counselling. They have always been there when we needed them."*

– A mother in Udaypur District, Nepal

Community members have become more attentive to the issue of trafficking. For instance, if people in the community suspect or witness traffickers operating, they are increasingly aware that they can report this to the para-legal committee. The committees are widely known (including by potential perpetrators) for their effective investigation of reported abuses. In this way, they have helped to challenge the prevailing impunity with regards to violence and exploitation against women and children. In 2006 alone, 8,000 cases of abuse and exploitation were reported to para-legal committees in the 23 districts where the programme is ongoing. Table 2.1 (page 11) shows the number of cases reported and solved in selected districts of Nepal from 2003 to 2006.

The committees have also been successful in supporting victims, both children and adults. In addition, para-legal committees have made concrete contributions to the development of national policy and legislation for children and women. Committee members communicate regularly with district lawyers on how the policies and laws are – or are not – implemented.

Child rights and human rights advocates have also represented the committees' views and concerns in the national arena. Recognition of para-legal committees and their activities by community and other stakeholders has significantly increased. In many cases, the committees also contribute to monitoring human rights violations. They function as an important point of information and contact for human rights activists.

#### **Factors promoting success**

Important success factors include the strong network of para-legal committees and cooperation between actors at



village, district and national levels. Compatible mandates and the division of roles among various organizations have also helped the programme to succeed. These accomplishments have been helped by the participation of teachers, elected officials and children's clubs – groups having close interaction with, or influence on children.

UNICEF Nepal's 2006 annual review revealed that continuing training and recognition from the community were the strongest incentives for members of the para-legal committees to continue their volunteer work.

### Challenges and emerging issues

Some para-legal committee members reported that initially they faced pressure from their husbands or other men in the community when undertaking untraditional gender roles. But with the increasing recognition of the benefits of the work of para-legals in the community these issues started to be resolved.

The work of the para-legal committees is sometimes limited by gaps in national legislation on the rights of children and women. By identifying gaps in national law, the committees are well positioned to inform the process of national law reform and support the implementation of international standards within the national legal framework. Para-legal committees promote dialogue and awareness on law and policy; at the same time, in taking on these tasks, it is important to clarify their distinct role vis-à-vis government's responsibility to ensure the implementation of laws and policies and to fill existing gaps.

Continuing capacity-building and support for para-legal committees is another area of concern. It is challenging for the district resource groups to offer ongoing support given the growing number of committees and the fact

that some districts are isolated and thus difficult to reach. Their regular training of para-legal committees serves to link people at the grass-roots level with policy-making at the national level.

Although some communities have attempted to involve children and youth in para-legal committees, their participation in general has been weak (as it has been in other decision-making structures). Children's clubs are part of the informal structure in some communities, but more effort is needed to ensure that the clubs' views are reflected in the committees. Child participation is an area expected to be given much more attention in the years to come, and more child-friendly information will become available.

Male involvement in preventive actions has been rather weak, with some men retaining negative views of the programme. Discussions have been initiated on how men and boys can be encouraged to take a more active role in reducing abuse and exploitation.

Domestic violence has been identified as a common form of violence in the communities where para-legal committees are active, and has been flagged as an area in need of further attention. Discrimination is another area that needs to be addressed. For example, few Dalits (members of the lowest caste) are selected as members of the para-legal committees. Violence in schools is another area of concern.

As poverty is one of the root causes of exploitation, the committees aim to create future linkages with agencies that provide livelihood support. A database of case records has been created and will be further developed to facilitate systematic registration of cases of violence, abuse and exploitation, and for follow-up and monitoring.

**Table 2.1 Cases of abuse and exploitation in four districts of Nepal, 2003-2006**

District	Reported cases				Solved cases			
	2003	2004	2005	2006	2003	2004	2005	2006
Kaski	0	0	0	202	0	0	0	195
K'bastu	48	110	132	133	37	97	124	106
N'parasi	33	203	338	380	27	190	324	365
Tanahu	0	0	62	49	0	0	59	34
<b>Total</b>	<b>81</b>	<b>313</b>	<b>532</b>	<b>764</b>	<b>64</b>	<b>287</b>	<b>507</b>	<b>700</b>

Source: UNICEF Nepal, 2007.

# 3

## CASE STUDY

# REGIONAL ANTI-TRAFFICKING NETWORK IN THREE DISTRICTS OF INDIA

### Context

In India's Andhra Pradesh State, 17 of 23 districts are reported to be affected by trafficking, whether as source, transit or destination areas.<sup>3</sup> The districts of Kadapa, Anantapur and Chittoor are major source areas from which girls and women are trafficked. Interstate and interdistrict trafficking of children for labour and sexual exploitation are reported to be widespread.

The region is home to large populations of socially and economically excluded caste groups known as Scheduled Castes and Scheduled Tribes, along with a substantial population of Muslims. These groups are among the

most marginalized in the region. Most of the families are marginal farmers, with access to less than five acres of cultivable land, or persons who work as agricultural labourers. Droughts are regular, resulting in long and widespread periods of unemployment.

The region is also subject to political violence, including physical threats, kidnappings and murders of people involved in politics. The status of women and children is low; they have little access to education and few opportunities. Until the late 1990s, there was limited awareness about the issue of trafficking of children and women.



Discussion of these issues began in 1997, when a local non-governmental organization working with children and young people expressed concern about the number of girls and young women who were sent to or sought employment in cities like Mumbai and Pune in Maharashtra State. Many of them were reported to have ended up in brothels, although they had expected to find different, and legitimate, work opportunities.

To better understand the extent of these dynamics and explore possible actions, beginning in 1999, UNICEF supported a three-year pilot project with Shree, a

non-governmental organization, and the administration of Anantapur District. Data from this research revealed that most of these girls and women belonged to the Lambada (Roma) community, and some girls were as young as 14. It was verified that these children were being trafficked for sexual exploitation. It was later observed that the phenomenon was not confined to Anantapur but was prevalent across 24 areas in three districts, including Chittoor and Kadapa. A network of traffickers was operating within and across these three districts as well as at the destination points. A large majority of traffickers were relatives or other people known to the girls and women.

### Key components of the project

In July 2001, based on findings of the research, UNICEF supported a meeting of the administration, police and other high-level government officials of all three districts. This led to the launching of the Regional Anti-Trafficking Network. It represented the first time that the administrative and law enforcement heads from the three districts had come together to discuss trafficking of children and women and to express their political will to address it. This intersectoral commitment across districts attracted a lot of attention in the media and in the surrounding villages. Convergence of diverse sectors (revenue, police, education, women and child development) was still very new at that time. Key actors in the network included the district collectors (administrators), superintendents of police departments in the three districts, local police, the Women Development and Child Welfare Department, district rural development authorities, non-governmental organizations, community and youth groups and UNICEF.

Prevention of trafficking is the key aim of the Regional Anti-Trafficking Network. Prevention is promoted through a series of actions: the first is to identify the key vulnerabilities of families and communities that lead to trafficking. Next comes support for community-based activities to sensitize family members to the realities of trafficking and sexual exploitation, with an emphasis on community surveillance and support by youth. Creating awareness of the risk of HIV infection is also important. Sensitizing police and judicial officials is another key component. This includes helping police develop the skills to participate in rescuing trafficked children in a more child-friendly way. Given that poverty is one of the root causes of trafficking, efforts are also aimed at helping communities become more financially self-sufficient, including through microcredit schemes linking vulnerable communities to livelihood programmes established by governments and non-governmental organizations.



©UNICEF/HQ94-1393/Shehzad Noorani. These children are not victims of trafficking.

## Prevention activities

Widespread evidence suggests that preventing trafficking requires an integrated approach. The network has therefore developed strategies and activities focused on the entire region. Raising awareness of trafficking, especially among young people, and mobilizing the community to take action against abuse, exploitation and trafficking are important components of this process. A key message is that vulnerable communities have the right to social safety nets provided by the government. The network has used the following processes to disseminate key messages:

- **Anti-trafficking committees/community vigilance groups** have been established with representatives from women's and youth groups and community leaders. The groups are first sensitized about gender issues, the impact of trafficking and the driving forces behind it, as well as about relevant legislation and the importance of the convergence of services. The groups later participate in monitoring and surveillance of trafficking.
- **School campaigns** are part of awareness-raising and mobilization to inform young people on how to protect themselves against exploitation. These campaigns help children and youth become aware of the risks of trafficking and of where to report it if they are approached by a potential trafficker.
- **Balika Sanghas** (girls' collectives) is an initiative focusing on out-of-school girls and those from vulnerable families. Guided by vulnerability mapping, a village worker attached to the Women Development and Child Welfare Department works with girls at risk. Using a peer-to-peer approach, the initiative promotes solidarity among the girls and informs them about issues such as education, health, nutrition and domestic violence, while helping them plan activities and enjoy games. During workshops that use participatory approaches the girls are also encouraged to discuss sensitive issues. The initiative also informs the girls about how to protect themselves from abuse and trafficking and provides them with the telephone numbers of people who can help them. Over 500 girls have participated, some also joining the community vigilance groups.
- **Street theatre** has proved to be an effective method for empowering community members to take actions that promote child rights. Girls are now able to talk about promoting education for girls and preventing child marriage.

## Entertainment and education in rural India

*Members of the community vigilance committees perform kalajathas (street plays) on exploitation in villages and schools, at bus stations and in other places where traffickers operate. The powerful dramas and poignant songs, based on real-life stories, capture the situation of girls and women in brothels, including being held captive by a pimp or madam and suffering the bad behaviour of customers. The audience participates in coming up with solutions. One play, A Beautiful Lie, traces the story of a young girl tricked into trafficking, and her eventual death in poverty after being thrown out of the brothel. These stories counter the messages of the brothel brokers, who say that the girls enjoy an easy life. To ensure maximum attendance, the plays are staged at night. So far, more than 700 have been performed.*

- **Law enforcement** is improved once the police have been sensitized and trained on trafficking as well as on India's relevant laws, including those on the rights of victims. Police officers have become more responsive when community groups approach them with information on trafficking, and they go on to arrest traffickers.
- **Community-based teams** composed of members from the police and a wide range of sectors, including children's development, education, women's development and livelihoods, have been formed to mobilize communities against trafficking. The teams also identify children who have dropped out of school or who are illiterate, as well as vulnerable adolescent girls. They are linked with self-help groups and skills development initiatives. The teams also assist in monitoring to prevent trafficking.

When the Regional Anti-Trafficking Network was established, some families tended to deny that exploitation of children was taking place, or to rationalize the exploitation as inevitable to pay for family needs, dowry or bridegroom price. However, growing pressure from law enforcement agencies and the evidence from community monitoring and surveillance groups has made it more difficult to traffic girls.

Early in the process it became evident that the traffickers had contacts and networks across the region, and were thus easily protected. Efforts to fight them were hampered by bureaucratic delays in exchanging information between districts. This called for simultaneous coordination of responses across all three districts. The

UNICEF-supported strategic framework of community mobilization, convergence of services, law enforcement and partnerships was used, in the overall context of efforts to promote social mobilization.

### **Social mobilization**

Social mobilization helps to promote changes in attitudes by providing opportunities for people to discuss and debate sensitive issues. In order to sustain the Anti-Trafficking Network's initiatives over time, activities have been developed with the help of community members. The government has played a coordinating role throughout the mobilization process, facilitating access to services (such as education, health and vocational training, especially for girls belonging to vulnerable groups) and tackling organized crime related to trafficking.

The new role of the police as 'mobilizers' and agents of change in the community has received much praise and support. The initial scepticism because of past police harassment gave way to enthusiasm, especially among young people. In two of the three districts, the police offer several youth activities, including sports events and job advice. The police superintendent in the Kadapa District, for example, encouraged police officers to participate in community teams to sensitize and mobilize the residents. A local female constable recounted how she had previously been viewed with suspicion when she visited villages and spoke of the right of all girls to be in school. As a result of the sensitization process, she was able to overcome resistance and build friendly ties with the community.

### **Convergence of services**

While UNICEF supports community-based action for children, the state ensures convergence of services through livelihood packages and rural development interventions for families in need. The Anti-Trafficking Network plays an important role in helping vulnerable families access their social entitlements. In all three districts, the network identifies the governmental and other initiatives available to help vulnerable people, including programmes that provide livelihood training to youth and women, and loans for establishing businesses and obtaining housing. Profiles of vulnerable people are included in a database in order to link families in need with income-generation schemes, facilitated by the provision of identity cards. The network also provides support to those who have escaped or were rescued from sexual exploitation but who do not want to return to their communities.

In addition to databases that include information on vulnerable families, trafficked children and rescued and

repatriated children, the district administrations also maintain databases on traffickers. These are shared among police agencies across the three districts to aid in monitoring the movement of traffickers and enhance coordinated and effective law enforcement.

Large numbers of young people participate in social mobilization campaigns. Adolescent girls and boys plan and organize events, conduct village meetings and campaigns and celebrate child rights-related events. They encourage young people to demand livelihoods and educational options.

### **Sustainability and monitoring**

The Anti-Trafficking Network has been in operation since 2001 and appears to be sustainable. It is managed and administered by district government officials and draws primarily upon local resources. UNICEF's role is limited to providing technical assistance and feedback and serving as a common reference point for all partners. In the future the government will be in charge of capacity-building and UNICEF will provide support in the areas of monitoring and follow-up.

The network's holistic approach has been accepted at the policy level, and eight districts in the state have now adopted the same community-based approach. The United Nations Development Programme and the development agency Plan are implementing the approach in other parts of the country.

All key participants, including UNICEF, attend the quarterly review meetings in each district. The programme is also monitored within the government. At the national level, the government and UNICEF provide quarterly updates to the Central Advisory Committee on Trafficking and Sexual Exploitation.

## **Achievements, challenges and emerging issues**

### **Key achievements**

Community-based anti-trafficking networks have been established in the three districts of Anantapur, Chittoor and Kadapa. They are all actively working to prevent trafficking of children and women. As a result of their efforts, the communities now accept that child trafficking and sexual exploitation exist and need to be addressed. Adolescent girls are increasingly aware of trafficking and other child protection risks. They are better equipped with skills to help them recognize risky situations and know how and where to seek support. The girls have also become more confident and have started to demand their rights, including the right to education and vocational training. Advocacy by the girls has led

to more options, including 'bridge schools' that provide children currently not in school with preparation to enrol in classes. More children participate in community activities, including community vigilance groups. Children and youth report that teachers and other community-level officials are now more responsive to the needs of children and women.

Community members, especially women and adolescent girls, actively participate in anti-trafficking surveillance activities, including monitoring the situation in the community and reporting on suspected trafficking.

The communities report that the police have become more responsive when community groups report trafficking and other crimes, and children and young people feel more comfortable about talking to the police. Educated but unemployed youth have been enthusiastic in volunteering their time to build community assets, such as roads. Anti-trafficking police teams have been formed to visit villages and collect information on girls and women who have been trafficked.

Cooperation between the ministries involved with the network has improved, and they have expressed a commitment to address trafficking holistically. Services are being coordinated, and vulnerable families have better access to loans and other support for entrepreneurship, housing and other facilities. Many vulnerable women and youth have become active in self-help groups.

There is also increasing media engagement – a number of articles on gender and trafficking have been published in local newspapers, and interviews with members of the Regional Anti-Trafficking Network have been aired on television.

The communities report that in their understanding trafficking is decreasing. It has also been reported that brothels are now reluctant to recruit girls from these communities, since families and girls are now increasingly aware of the risks of trafficking.

### **Factors promoting success**

- Active involvement and long-term commitment to the network by the government and the involvement of state authorities, including the police, has led to communities taking the programme seriously.
- Community mobilization has been instrumental in achieving success. A strong focus on youth participation in particular has facilitated strong involvement by communities to stop trafficking.
- A focus on positive messages has had a favourable impact. Initially, some community members resisted efforts to address trafficking, since it was seen as more of a priority to provide income to poor families. The promotion of the rights of girls to education and to protection from discrimination was an important

entry point for gaining commitment from community leaders and families. Questions relating to sexual exploitation were only brought up later, using a participatory approach in which community members identified the issues of concern.

- A standardized approach was promoted. It involved key strategic components and supporting training manuals, and has proved to be helpful in replicating the approach in other communities. However, in some instances, the project was adapted to take account of the cultural context.

The decision to broaden the concept from trafficking to child protection has proved to be an important route to addressing the linkages between various forms of violence, abuse and exploitation of children, and their common root causes, and to investing in prevention.

### **Challenges and emerging issues**

Despite initiatives by the government and other agencies to promote livelihood opportunities, poverty has been the biggest challenge to the activities of the Regional Anti-Trafficking Network. Other root causes of child trafficking – some of which are also related to poverty – such as negative attitudes and discrimination against girls, lack of access to resources (including education) and lack of participation of marginalized groups, need to be addressed simultaneously.

Another important aspect to address is the sharing of information between the police, welfare departments and the non-governmental organizations involved, to ensure a quick and coordinated response to trafficking and exploitation. Anticipating and quickly responding to the traffickers' moves – matching their pace and scale of operations, especially through action across the various departments and states – are other major challenges. Interdepartmental and interdistrict convergence could be further strengthened, and the quality of psychosocial counselling of children victimized by exploitation remains a challenge.

The skills and resources of government and non-governmental organization partners need to be further developed. Quality control mechanisms should be strengthened, including in relation to capacity-building initiatives.

As discussed earlier, in 2007, the network decided to widen its scope from trafficking to also include broader child protection concerns. It now addresses issues such as child marriage, violence against children, sexual abuse and exploitation, and HIV and AIDS. The network also promotes children's right to health, nutrition and education. The growing awareness of child trafficking has led to increased reporting of crimes against children and women, which require additional personnel and other resources to follow up on reports, identify child victims and offer child-friendly services and support.

## BOX 3.1

### PROTECTION OF TRAFFICKED CHILDREN

In the process of the rescue, recovery, repatriation and reintegration of trafficked children, many risk factors have not yet been fully addressed.<sup>1</sup> A recent assessment found significant gaps in the protection of rescued trafficked children.<sup>2</sup> Some examples of protection concerns outside the shelter care context are as follows:

- *Rescue and post-rescue*  
The child is not always accompanied after being rescued, increasing the risk of abuse or verbal harassment by brothel owners or police.
- *Temporary shelters immediately following rescue*  
Child victims are sometimes detained with adults pending verification of their age. A child who has been rescued may spend the night at the police station, awaiting assignment to a protective shelter by judicial authorities.
- *Initial interviews by police*  
Children report being asked sensitive personal questions that they perceive as unnecessary to police investigations, and being subjected to negative comments and attitudes.
- *Transportation of the child throughout the process, including to the shelter, hospital and court*  
The primary focus is on protecting the child from sexual exploitation and trafficking. There is insufficient attention to the risk of self-harm and suicide, violence to others and other harm resulting from the child victim's psychological state and past harmful experiences.
- *Cross-border repatriation*  
While the child is often under the care of both police and non-governmental organizations on both sides of the India-Bangladesh border, there have been instances of children being 'pushed back' or dropped at the border with no one there to receive them.
- *Reintegration into family and community*  
Children are sometimes returned to their families with an inadequate prior assessment of the risk, resulting in abuse, re-trafficking or the child's intentional return to a previous harmful situation.

*"States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child."*

– Article 19, para. 1, Convention on the Rights of the Child

In 2006, stakeholders from Bangladesh, India, Nepal and Sri Lanka developed regional guidelines for victim and witness protection.<sup>3</sup> The draft 'Joint Plan of Action for the Rescue, Recovery, Repatriation and Integration of Child Victims of Trafficking', developed by government and non-governmental organization stakeholders in India and Bangladesh with UNICEF support, includes the formation of 'guidelines for protection' of children during the entire rescue-to-reintegration process.<sup>4</sup>

UNICEF has also developed comprehensive guidelines on the protection of child victims of trafficking, based on provisions from international instruments, including the Convention on the Rights of the Child and other relevant child rights and human rights standards.<sup>5</sup> Many shelters run by non-governmental organizations have also developed their own protection policies and guidelines. However, minimum standards developed at local and national level need to be harmonized in accordance with international standards.

*See Notes, page 36.*

The Regional Anti-Trafficking Network has emphasized the importance of involving and empowering girls and women. However, it is also essential to sensitize and mobilize boys and men to promote sustainable action against gender discrimination and sexual exploitation.

Young children are another emerging group that has not been sufficiently reached. They can be provided with appropriate information and material on child rights and child protection issues, and can also be mobilized to participate in age-appropriate prevention activities. Although youth have participated in mobilization and awareness-raising, a mechanism could be developed to consult with and involve young people in all aspects of the programme, including decision-making and monitoring.

Families are the focus of awareness-raising campaigns on issues such as the right of girls to education and the impact of sexual exploitation. It is also important to empower mothers and fathers with information and skills on wider aspects of children's rights, such as parenting, gender socialization and child development, protection and participation. The link between violence in the home and trafficking needs to be further addressed. Research shows that family members are often involved or complicit in child trafficking. It is therefore essential to ensure that the best interests of the child are a central concern when taking action against the traffickers.

The lack of social safety nets, the impact of negative stereotypes portrayed in the media, and a societal focus on consumption and the commodification of women and children also need to be addressed as root causes of child exploitation. To overcome these challenges, it is important to involve the media and the private sector as partners in the process.

## BOX 3.2

### THE DEBATE ON RESIDENTIAL CARE

Children are entitled to grow up in a safe family environment<sup>1</sup> and placement in an institution should be a measure of last resort. At the same time, for children temporarily or permanently separated from their parents, placement in residential care is frequently the primary strategy of governments and non-governmental organizations in the region. Residential care, whether long-term, medium-term or transitional,<sup>2</sup> is a fact of life for almost every child withdrawn from the worst forms of child labour or placed in care for protection from physical or sexual abuse.

It is important to distinguish between long-term residential care – lasting for a large span of childhood – and a short and temporary placement in residential care. Such a placement may be necessary to help the child heal, get strong and prepare for return to society. While there are concerns for the child's development and well-being in prolonged care, there are also concerns for the child's protection in a hasty, unplanned and unprotected return after the trafficking experience.

*"1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.*

*2. States Parties shall in accordance with their national laws ensure alternative care for such a child.*

*3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of the children."*

– Article 20, Convention on the Rights of the Child

If a rescued trafficked child is destined for long-term care and there are no significant safety concerns, such as the child being at risk of abduction by traffickers and/or in need of protection from self-harm, community-based care is preferable. Candidates include children whose families have rejected them, cannot be traced, are incapable of providing for the child's basic needs and protection, or have been assessed to provide a significant risk to the child, as in cases of family involvement in trafficking, abuse and exploitation.



Some community-based care practices are well established in tradition, while others are new to the region. Community-based care practices<sup>3</sup> include:

- *Care by the extended family*  
This practice, common throughout South Asia, is often beneficial to the child. Extended family care is seen as the most viable alternative for rescued trafficked children who do not have immediate family members.
- *Kafalah*  
A term from shariah, *Kafalah* implies a voluntary commitment to take responsibility for a child's care, education and protection. It differs from adoption in that the child does not have any claims to the family name or inheritance.
- *Care by child-headed households with community support and protection*  
The establishment by older children of their own group living situation has proved to be a viable alternative to institutional care. However, in consideration of the children's level of maturity and vulnerability, community support and protection are necessary.
- *Small group homes*  
This is a small family-like living situation in which children are cared for and protected by adults, peers or professional staff. This most typically applies to older reintegrated children who are capable of working and contributing to the household.
- *Care by a foster family*  
To date, foster family care is not prevalent in South Asia and it has little cultural precedent. There is also a perceived risk of the child being 'fostered' for his or her economic contribution. However, experiments are being conducted by non-governmental organizations with foster family care for children by widows and women who do not have children of their own.
- *Care by an adopted family*  
For reasons similar to those discussed under care by a foster family above, in-country adoption is not prevalent in South Asia.

While community-based care options are preferable for prolonged care, residential living facilities may constitute an adequate option for short-term temporary care.

*"States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim.... Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child."*

– Article 39, Convention on the Rights of the Child

A residential facility can be essential for providing a rescued child with physical and psychological support that a community may be unable to provide, such as counselling and medicines for HIV and AIDS. An institution with adequate programmes can prepare the child for reintegration through education and vocational and life skills training.

Residential facilities are part of a country's psychosocial care system. Although their number should diminish as community-based options emerge, they are likely to remain a significant tool for addressing the needs of trafficked children who require psychosocial support. All countries need to develop and enforce national minimum standards of care and protection for both residential and community-based care, as well as family reunification and reintegration. The Government of Bangladesh, with UNICEF support, recently developed minimum operational standards for reintegration and is in the process of developing guidelines and protocols for reintegration practice.<sup>4</sup>

To protect the human rights of children in the care system and to reduce the number of children in institutional care, there is a need to formalize and regulate the legal mechanisms for a child's placement in care and to conduct periodic reviews of the placement. Case management practices are necessary to ensure the child's participation in decisions regarding his or her well-being, to guarantee that the entire spectrum of care and protection activities are properly provided, and to effect the child's rapid and safe movement out of the institution and reintegration into society.

*See Notes, page 37.*

# 4

## CASE STUDY

# REINTEGRATING BANGLADESHI CHILDREN TRAFFICKED FOR CAMEL RACING

### Context

In 2003, national and international media began reporting on young boys being trafficked from Bangladesh to the Gulf countries, in particular to the United Arab Emirates, for work in camel racing.<sup>4</sup> It was reported that many children had been killed or injured during such races. The children came from poor communities in Bangladesh (as well as from other countries such as Mauritania, Pakistan and Sudan), and had minimal educational and employment opportunities.

In 2005, following a ban on the use of children under the age of 18 in camel racing in the United Arab Emirates, the UNICEF Gulf Area Office, together with

the government, initiated a project to address the situation of child camel jockeys and promote their repatriation to their home countries. In May of that year, a meeting was organized and attended by representatives from the Governments of Bangladesh and the United Arab Emirates as well as UNICEF. The aim was to discuss the situation of children involved in camel racing and to agree upon a plan of action to address and prevent this form of exploitation.<sup>5</sup>

Upon return to Dhaka, UNICEF Bangladesh organized a workshop to develop a plan for repatriating 250 children (all boys) that had been identified. It was agreed that the Government of Bangladesh would take overall responsibility for the project and that specialized non-governmental



organizations would be responsible for the children's initial care and reintegration, through a community-based and participatory process. The project also included a component that would prevent re-trafficking of children.

### Key components of the project

#### Main actors

The Government of Bangladesh had earlier established a national anti-trafficking committee under its Ministry of Home Affairs. A steering committee on children involved in camel racing (CICR) was established within the ministry to guide the entire process. The steering committee was composed of government officials,

non-governmental organizations and international organizations with relevant experience in this area.<sup>6</sup> Two national non-governmental organizations, the Bangladesh National Women Lawyers' Association (BNWLA) and the Dhaka Ahsania Mission (DAM) were selected on the basis of their experience and capacity to provide services. Other non-governmental organizations were to play supportive roles.

The CICR committee recommended the creation of local community care committees to ensure a supportive social environment for reintegrated children and their families, and to monitor the situation of the repatriated children. These committees include family members and neighbours together with representatives of local government, non-governmental organizations and teachers. Participation in the committees is voluntary. They are supported and guided by experienced non-governmental organizations, with oversight by the CICR committee, but receive no financial support.

The responsibilities of the community care committees include:

- Ensuring the social and economic security of the integrated children.
- Ensuring that each child receives an education and psychological support.
- Taking steps to ensure that children are not re-trafficked.
- Keeping the officer of the local Upazila Nirbahi (government office in a subdistrict) informed about the situation of reintegrated children.

#### Repatriation

Guided by the principle of the best interests of the child, a decision was made to address repatriation on a case-by-case basis. UNICEF Bangladesh promoted a plan of action for the repatriation, rehabilitation and reintegration of the children. They had already been identified by local authorities in the United Arab Emirates, where they were placed in shelter homes or transit centres. Some camel owners handed over the children after participating in an awareness-raising campaign; other children were identified during visits to the camel farms. The Government of Bangladesh would not accept any child for repatriation without first reviewing and sharing the registration files to ensure that all children accepted for repatriation were indeed from Bangladesh, and that all procedures had been properly followed.



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After a verification mission to the United Arab Emirates by a small team of experts (including officials from the ministries of Home Affairs and Foreign Affairs, and a social worker from BNWLA),<sup>7</sup> an agreement was reached with the Government of Bangladesh to start the repatriation of the identified children. This process began two days after the verification team completed its work, on 11 August 2005. Most of the children were undernourished upon arrival, many had physical injuries from camel racing and some were discovered to have been sexually abused by their trainers. Most children had been between 4 and 6 years old on their arrival in the United Arab Emirates and were between 12 and 16 years old when they returned home. Most were illiterate. All the children were taken to shelter homes and provided with food, clothing, medical treatment, psychosocial counselling, life skills training and informal education. Some of the children who had forgotten their mother tongue were given lessons in Bangla.

Responses from some of the children interviewed indicated attachment to their trainers or 'sponsors'. The children tended to divide them into 'good sponsors' and 'bad sponsors'. Good sponsors were described as friendly and had permitted children to watch television and sleep in air-conditioned tents. Bad sponsors made children sleep in the open air on the sand, or under tents that covered only their heads. As one young boy said, "It was difficult to sleep, but possible; I had to take care that the camels didn't disappear."<sup>8</sup> The children reported frequent eye infections and sore throats due to irritation from the sand.

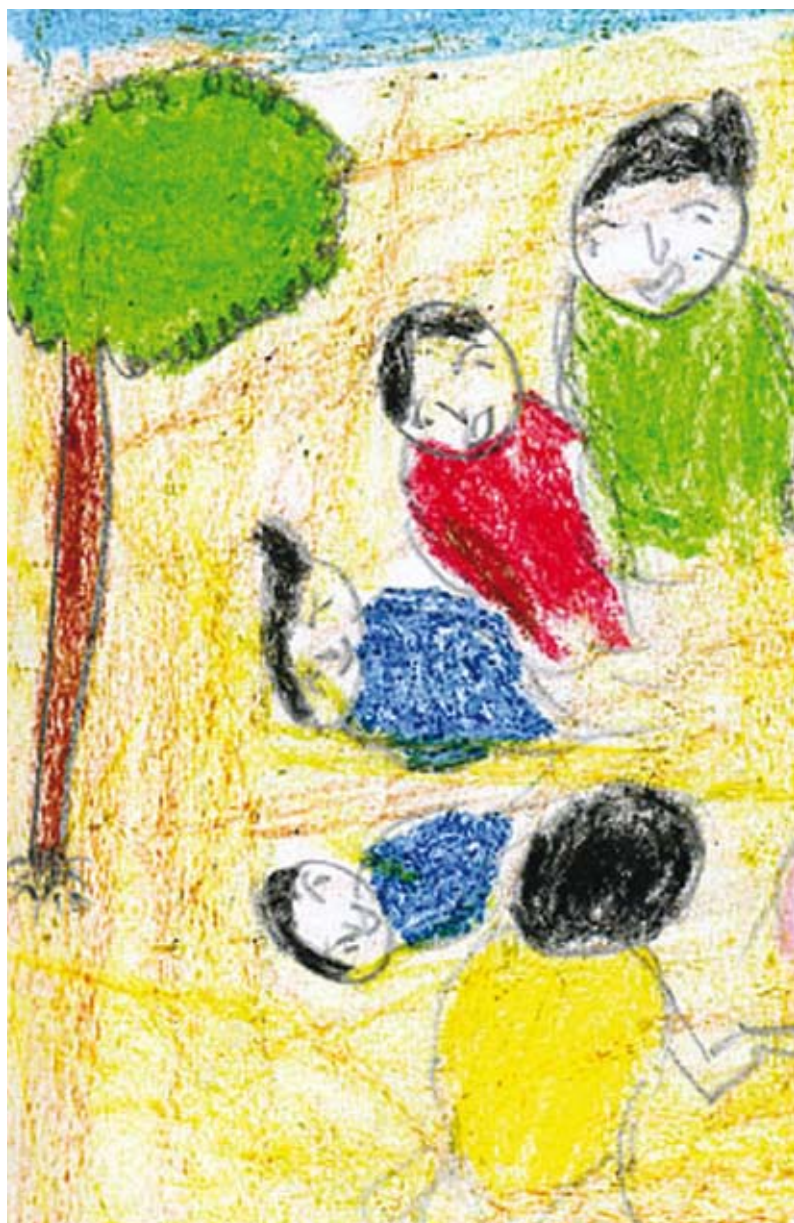
### **Prevention, tracing and reintegration**

The community care committees mobilized communities to prepare the children for the reintegration process. They were informed about the process and about the importance of supporting the children and their family members in order to avoid stigmatization and re-trafficking. Several meetings were held with teachers, parents and local leaders to sensitize them to the issue of trafficking, abuse and exploitation – and to ensure that everyone felt responsible for taking action if they suspected that a child was at-risk of being trafficked or re-trafficked. The two non-governmental organizations also provided the police and local authorities with capacity-building on reintegration and trafficking.

A detailed workplan was developed to reintegrate the children into their families and communities. The children were to return home within two months unless this option was determined not to be in their best interests, in which case the time limit could be extended to 24 months.

The Bangladesh Ministry of Home Affairs conducted the family tracing, together with BNWLA and DAM. The special branch of the police played an important role, as did the local police. During this period, discussions were held with communities believed to be the children's places of origin. The media also played an important role in informing communities about the repatriation, which led to some parents identifying their children. Some children also remembered the names of their villages.

Once families had been located, social workers and repatriation officers evaluated the home situation, conducted a risk assessment, identified strengths and tried to gauge the level of family acceptance of the child. Each



©Drawing courtesy Child Brigade, Bangladesh.

child met his family members in the shelter and was prepared ahead of being reunited with them. Families were also counselled to better understand the children's experiences and learn how best to support them.

Each family was requested to sign a document stating they would not allow the child to be re-trafficked. Communities, including children and young people, were also sensitized by the CICR committee and the local police about the harmful aspects of trafficking and exploitation. A record of each child and his family members was kept at the local police station to enable follow-up on the re-integration process. Family members were encouraged to report to the police any suspicious activity possibly

related to trafficking. Training on child protection issues was also provided to government officials and the police and teachers by the non-governmental organizations.

Each child was assigned an 'initiator' from the local community: a person designated to assist the child's reintegration process, whom the child could contact at any time. The local government and police were responsible for registering and monitoring the families to ensure the children's needs were met, that they did not suffer rejection or discrimination, and that they were not re-trafficked. The situation of the reintegrated children continues to be closely monitored by the initiators.



## SAFEGUARDING THE BEST INTERESTS OF THE CHILD IN RESCUE AND REHABILITATION

*"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."*

– Article 3, Convention on the Rights of the Child

The 'best interests of the child' is a guiding principle of the Convention on the Rights of the Child.<sup>1</sup> It calls for all decisions and actions that may affect a child to be measured against their expected impact on the child. The guiding principle of the child's best interests provides an additional safeguard to prevent any harm to the safety and well-being of children by consistently considering the implementation of child protection measures in the context of an individual child's situation.

The *Implementation Handbook for the Convention on the Rights of the Child* states: "Interpretations of the best interests of children...cannot trump or override any of the other individual rights guaranteed by other articles in the convention. The concept acquires particular significance in situations where other more specific provisions of the convention do not apply. Article 3(1) emphasizes that governments and public and private bodies must ascertain the impact on children of their actions, in order to ensure that the best interests of the child are a primary consideration, giving proper priority to children and building child-friendly societies."<sup>2</sup>

The concept of a child's best interests is also evident in other articles of the convention. They require consideration of the best interests of individual children in particular situations in relation to parental responsibilities, separation from parents, deprivation of family environment, adoption, restriction of liberty and court hearings of penal matters involving a juvenile.<sup>3</sup>

However, being a general principle requiring consideration in the specific context of individual children, 'the best interests of the child' is perceived as an abstract concept, and many people concerned with child trafficking assent to it without completely understanding its implications. Administrative, law enforcement or caregiving procedures may conflict with a child's best interests. In addition, actions may be taken in the more general interests of 'society', 'justice' or 'all trafficked children', and those may be in conflict with the best interests of the individual child.

One example of such a situation might be a non-national child who is rescued in a destination country after having been trafficked into sexual exploitation. The police and government counsellor want to initiate prosecution of the child's trafficker and want the child to testify in the legal proceedings. This may require the child to stay in a shelter in the destination country where the court proceedings will take place. This could last for several years while the case continues. However, the child is 13 years old, ill and wants to go home to the care of her or his family. It might not matter to the child whether the trafficker is punished or not.

Detaining a child for years pending the conclusion of the trafficker's trial is an area of great debate in South Asia. At a shelter home in India, 20 girls have been in residence for between two and seven years waiting for their case proceedings to begin or end. When the girls were interviewed by a counsellor,<sup>4</sup> they uniformly stated that they felt they were being treated unfairly and were being punished, while the trafficker remained free.

However, this example does not mean that the best interests of the child and the interests of the execution of justice are inherently in conflict. Here, the best interests of the child are in conflict with inadequate judicial procedures and weak laws. Many civil and legal advocates throughout the region are working to strengthen and clarify trafficking laws, evidence rules and prosecution procedures, of which one aspect is developing more child-friendly proceedings.

A bilateral collaboration between Bangladesh and India<sup>5</sup> aims to expedite the lengthy process of rescue, recovery, repatriation and reintegration of child victims of trafficking between the two countries. The draft Joint Plan of Action, developed in 2007 by government and non-governmental organization stakeholders from both countries, includes a section called 'Simplifying the Legal Process'. It invites ministries of law and justice to promote the use of in camera trials, mobilize fast-track courts for trafficking victims, and allow the use of video testimony so that children can give evidence and return to their homes.<sup>6</sup> In addition, victim and witness protection laws are crucial to ensure that a child who testifies is not put at risk.

Between the child's rescue and reintegration, numerous assessments and decisions are made, all of which must prioritize the child's best interests. These include, among many others:

- Whether or not the child is a victim of violence, exploitation or abuse, including trafficking
- How to address the child's present risks and vulnerability
- Whether or not the child should be placed in a shelter
- Whether or not to pursue the prosecution of the trafficker (e.g. is there sufficient evidence?)
- Whether or not to repatriate the child
- Whether or not the home and community provide adequate support and protection
- What is the child's optimal living situation and what are the long-term options.

It is important that professionals who are involved in making these decisions are trained and qualified to safeguard the rights of the child in all situations. These professionals include law enforcement officers, the judiciary and staff from non-governmental organizations and shelters.

Guidelines for decision-making provide a foundation for ensuring that the child's best interests are safeguarded when decisions are made. These include guidelines concerning victim identification and registration; case management; referral to a shelter; protection and risk assessment (for non-governmental organizations and police); and determining a 'durable solution' for police, local judicial authorities, social workers and non-governmental organizations.

*"I read in the local newspaper that former camel jockey boys had returned from the United Arab Emirates and were now in a shelter home. I travelled to Dhaka, but I was not given my child immediately. The police first had to ensure that I was his mother. My son is now studying in grade 2 and I get support from the community care committee."*

– Mother of a repatriated boy, Comilla District, Bangladesh

*"Before this project started we were not aware of the dangers of trafficking, as the traffickers only spoke about a better life in the United Arab Emirates, with good job and education opportunities. We have now been informed about these dangers, and we report to the police if we hear or see something suspicious. Traffickers are aware of this and they no longer come to our community."*

– Community member, Comilla District, Bangladesh

Case management operates from the time the child is identified and rescued until the child's successful reintegration is confirmed. It involves a multidisciplinary team of caregivers, including the child himself or herself, in assessing, planning and monitoring the child's needs and protection. The strength of case management lies mainly in two areas aimed at safeguarding the child's best interests:

- The child is part of the decision-making process, and case management provides practical mechanisms for informing the child, taking account of his or her views, and giving those views due consideration in all decisions.
- Decisions are made by a group of interested parties rather than by a single person. Those parties provide the child with services such as counselling, legal support and reintegration support. They collect information and discuss the concerns before making collaborative decisions, which are informed by the views of the child.

Making decisions in the child's best interests is seldom simple and clear. With the mechanisms developed – guidelines for decision-making, case management and minimum standards – the child's best interests can be better clarified and the child can participate in identifying his or her interests, resulting in sounder decisions for the well-being of the child.

See Notes, page 37.

## BOX 4.2

### ACTIVATING THE CONVENTION THROUGH MINIMUM STANDARDS

A 'minimum standards' document is the foundation for practical guidelines used in the day-to-day care of children in a variety of care settings, including community-based care and reintegration.<sup>1</sup> Such a document is also used by care administrators and government officials to regulate a professional, accountable system of caregiving.<sup>2</sup>

Minimum standards of care, protection, family reunification and reintegration are basic requirements of practice. They ensure that the best interests of the child are upheld, through specific mechanisms to operationalize the child's rights to protection from abuse and neglect, as well as to confidentiality, family contact, access to complaint mechanisms and so forth. Minimum standards mean that children are kept informed of proceedings on their behalf, that they participate in decision-making processes, that standard case management procedures are conducted and that assessments of risks in the family and community take place prior to reintegration.

**The Sanlaap Protection Programme** Sanlaap, a non-governmental organization in West Bengal, India, recently started an initiative that addresses protection of children upon reintegration. Prior to the child's return to his or her family and community, family protection and risk assessments will be conducted to determine the risks of re-trafficking, abuse or social exclusion. Information from the assessments will be provided to judicial authorities to inform their decision regarding the child's reintegration. The information will also be used by organizations providing after-care support to the child and family. Support in the reintegration destination will include working with the community to reduce risks to the child's safety and well-being and to build community-based protection mechanisms. It will also work to ensure that the child has access to multiple services in the case of physical or psychological emergencies, including police, counsellors, social workers and staff at drop-in crisis centres.<sup>3</sup>

Minimum standards clarify required procedures for reunifying children with their families or placing them in the best form of alternative care. The preference is for community-based, family-like settings where children can grow and develop as integrated members of society.

One such strategy is now being piloted at Sanlaap's Sneha shelter in West Bengal, with the assistance of Terre des Hommes, Lausanne, Switzerland. The activity aims to bring the Sneha shelter up to internationally accepted minimum standards of care in three

to four years. This low-cost project is made possible by a long-term commitment from the donor and a commitment from Sanlaap to undertake a major overhaul of the shelter care system.

The project's capacity-building activities have many positive components:

- Capacity-building is based on comprehensive guidelines developed within the framework of internationally accepted minimum standards of care.<sup>5</sup>
- The activity is holistic, covering all aspects of care as an integral unit. A care facility requires efficient collaboration among multiple care partners, including counsellors, shelter home mothers, social workers, case managers and legal officers. Previous efforts supporting only one aspect of care, such as counselling, proved ineffective because they did not integrate into an entire system of care.
- Capacity-building is initiated only after an extensive process of technical operational assessment, participatory needs evaluation and strategic planning. This process is adapted from standard capacity-building procedures for medical and psychiatric services and ensures the full engagement of all staff.
- The focus is on developing qualified and supportive personnel. Child-friendly environments contribute to a child's overall healing process, primary healing and protection. Whether in the family or an institution, individual human contact is essential. Thus the project focuses primarily on strengthening the key caregivers, particularly home mothers, senior girls (who provide peer support), para-counsellors and para-social workers.
- Primary consideration is given to the significant psychological and protection needs of the trafficked and abused girls, many of whom are severely traumatized and have mental and physical challenges. Thus the emphasis is on strengthening medical and psychiatric services.
- Because partner organizations lack experience and skills, a part-time technical consultant 'mentors' the process. Repeated failures in capacity-building have occurred because organizations are required to develop technical systems – such as case management, protection structures and reintegration mechanisms – about which they are lacking in knowledge or previous experience.



- The partner is assisted to become a self-training organization. The technical consultant provides orientation and assistance in developing in-house training curricula so that the organization can learn to develop its own technical expertise and sustain that expertise into the future.

Thus minimum standards are more than a document. They are a benchmark of the quality of care, protection and reintegration practice against which non-governmental organizations and governmental institutions can check progress. Minimum standards provide a nationally collaborative way of monitoring and regulating care practices and ensuring professionalism, transparency and accountability. And they provide a tool that both donors and

*“States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.”*

- Article 3, para. 3, Convention on the Rights of the Child

recipients can use to plan and conduct capacity-building activities. Developing minimum standards is the first step on the road to a comprehensive national psychosocial care system.

See Notes, page 37.



©UNICEF/HQ06-1921/Tom Pietrasik. These children are not victims of trafficking.

The police and the community care committee also took active roles in monitoring families and protecting children from trafficking and re-trafficking. The non-governmental organizations provided follow-up services to children and families and support to the community care committees.

Communities played an important role in preventing re-trafficking, immediately reporting to the police cases where a suspected trafficker came into the community.

### **Prosecution, compensation and livelihoods**

It has been difficult to assess to what extent the family members were informed about or involved in the trafficking process. The CICR committee discouraged the prosecution of parents and close relatives suspected of involvement in trafficking out of concern

that fear of prosecution would undermine chances for the children's return and reintegration.

Some adults who had been involved in the trafficking process claimed to be the children's parents. Once they were assured that they would not be prosecuted, these 'parents' helped to identify the children's real parents. Some children received money owed to them by the camel farm owners. The money was transferred into individual family accounts, with a non-governmental organization responsible for ensuring that the money would be used for the child's benefit acting as an intermediary.

As part of the livelihood component of the project, 195 children received 104,000 taka (about US\$1,525, at July 2008 exchange rates), which was deposited in a bank account and will be held until the children reach age 18.



In the meantime, the children's families receive the interest on the account every three months. During the next phase of the programme, 2008-2009, activities will be conducted aimed at developing community-based mechanisms of child protection that link administrative levels from the union (local level) to the national level.

### **Sustainability, replicability and monitoring**

The Government of the United Arab Emirates provided funding to UNICEF Bangladesh for the repatriation and reintegration of the 250 children formerly involved in camel racing. Some of the funds covered the expenses of partner non-governmental organizations involved in rehabilitation and reintegration of trafficked children. The remaining funds will be devoted to the livelihood components of the project, awareness-raising activities and strengthening follow-up with community care committees.



©UNICEF/HQ07-1208/Shehzad Noorani. This child is not a victim of trafficking.

The lessons learned from this project can inform approaches to addressing other forms of trafficking. For example, the government has used the experiences from the community care committees initiative in drafting guidelines for the social reintegration of children. The community care committees will expand their mandate to work on all forms of abuse, exploitation and violence affecting children in their communities, with support from the national anti-trafficking committee, under the leadership of the Ministry of Home Affairs.

The CICR committee regularly monitors the work of the non-governmental organizations and community care committees. UNICEF facilitates these processes and provides technical support for implementation of the project, including through the development of guidelines for the CICR committee and the national anti-trafficking committee.

### **Achievements, challenges and emerging issues**

#### **Key achievements and lessons learned**

As of end-2007, 168 former child camel jockeys had been repatriated to Bangladesh. Some of the 250 children reported as having been trafficked to the United Arab Emirates were never found. Some of them may have been repatriated without the knowledge of the Bangladeshi authorities; some may have died as a consequence of their harsh living and working conditions; others may have remained in the country, or moved to third countries, including through situations of trafficking or other forms of exploitation.

All but one of the repatriated boys (who is still living at the shelter home) have been reunited with their parents, siblings or extended family members in their communities of origin. None of the children has been rejected by family members, re-trafficked or placed in institutional care.

No child or parent has been arrested during the repatriation and reintegration process. On the day the child returns home, the parents are required to sign a formal declaration at the police station pledging to prevent the re-trafficking of their child. The police involved proved adept at finding family members as well as understanding the importance of not arresting those family members possibly involved in trafficking, to avoid discouraging parents from coming forward.

As part of a verification mission to the United Arab Emirates by a small team of experts (including relevant government officials, anti-trafficking experts and UNICEF), brief interviews were conducted with children in the shelters. This was an opportunity to confirm their

nationality, gain insights into their understanding of the repatriation process (and correct any misunderstandings), obtain a snapshot of the children's general physical and psychological condition, and assess the immediate needs to be addressed upon return to their home country. The mission also offered an opportunity to meet government officials and to observe conditions at transit centres first-hand.

Livelihood projects are an obvious key strategy for reducing poverty. However, such projects should not be limited to children who have been trafficked, but rather extended to all vulnerable families in the community. This will be addressed in the second phase of the project.

In addition to the project's success in addressing trafficking of children for camel racing, communities have also reported that other forms of trafficking have been stopped or reduced. Based on these achievements, the programme will be expanded to address all forms of violence, abuse and exploitation of children.

### **Factors promoting success**

The success of this initiative is attributed to the strong commitment of the Government of Bangladesh, the high level of expertise among the members of the national anti-trafficking committee, the CICR committee, community care committees and non-governmental organizations, together with the facilitating and supportive role of UNICEF. Clarity regarding the roles of each partner and the strong focus on community mobilization was also instrumental in making the project a success. The establishment of the CICR committee ensured government 'ownership' of the process, supported by the expertise of organizations with experience in addressing child trafficking.

Another important component is the strong commitment from the Government of the United Arab Emirates to address the demand side of trafficking. This includes an official prohibition on the use of children under the age of 18 involved in the camel racing industry, strong follow-up mechanisms to implement the prohibition, and sufficient resources for the repatriation and reintegration of children concerned.

A key principle of the project has been to prioritize children's reintegration into their families; institutional care is seen only as a last resort.

The strong community mobilization component has been important to the project's success. The development of the community care committees at the local level ensured a supportive social environment for the reintegrated children and their families. It proved very

useful to include in the committees both family members and representatives of local government offices, non-governmental organizations and schools. The committees were supported and guided by experienced non-governmental organizations with oversight by the CIRC committee. The extensive community involvement served to raise awareness about trafficking, and it became much more difficult to keep the sale and trafficking of children a secret, or to accept these practices as legitimate. These committees also represent an important resource for addressing other child protection concerns.

Traffickers were known for their skill in convincing the families about their children's potential work opportunities and the better life they would have abroad. Mobilization and sensitization of families equipped them to better identify situations of risk and in turn raise awareness among other community members. This equipped communities with knowledge about the risks and realities of trafficking, and helped prevent re-trafficking of children.

The decision to avoid criminalizing parents for their involvement in trafficking has been another success factor. The CICR committee was aware of the challenges that would face the repatriated children, and understood that blaming or punishing families would create further challenges. This message was passed on to people in the community. UNICEF worked closely with the police to develop a clear understanding about their role. This resulted in strong institutional capacity and motivated the police to more seriously devote their attention to the tracing and reunification of children with their families.

### **Challenges and emerging issues**

The lack of reliable data and statistics on child trafficking and other child protection issues is a concern in Bangladesh. At present, the Ministry of Home Affairs, supported by non-governmental organizations, is developing a database that will capture such information.

Children are still being trafficked from Bangladesh to other countries in the Middle East to work in camel racing and for other exploitative purposes. Internal trafficking within Bangladesh is another concern. This project can be a useful framework for countries initiating agreements with other countries, and it can also help address other forms of exploitation and abuse.

Repatriation may not always be in the child's best interests, particularly if other family members migrated together with the child. It is therefore important to assess each case individually.

Older repatriated children seem to find it more difficult to engage in school, as they may not 'fit in', and classes

appropriate for their age often do not match their level of learning and life experience. In some communities, therefore, older children have been provided with informal education. These children may also find it difficult to make new friends, especially if they only spend time with other boys who have been involved in camel racing. On the other hand, interacting with other children who have been through the same experience can aid in the recovery process.

Some children seem to have acquired a certain status in the community, especially among other youths, as a result of their experiences. Social workers and others have tried to discourage any special treatment that might interfere with the children's reintegration. Some older children have forgotten or repressed negative aspects of their involvement with camel racing, and appear to enjoy retelling 'exciting' experiences – such as enduring the dangers of racing, being paid wages and being independent from their families at a very young age. However, other children have provided different accounts of their experiences. One boy from Comilla District said, "When my friends say that they want to go to Dubai, I explain my experiences as a camel jockey, and this makes my friends change their minds."

Media attention has at times contributed to the difficulties faced in reintegrating the children. Some news reports have been seen to glorify the camel jockeys' experiences and to give them 'hero' status, because of their unusual lives and perceived bravery. Those reports, along with the glamour associated with the money received by the children and families involved – large amounts relative to what most people in Bangladesh earn – obscure the danger and deprivation experienced by children involved in camel racing. It is therefore important to address livelihood issues with the entire community and to work with the media to ensure it follows ethical guidelines in reporting and helps promote the safeguarding of children's rights.

Poverty, lack of access to education and vocational training, and other issues related to livelihoods are still major community concerns. Some of the older children have expressed an interest in returning to the United Arab Emirates, as employment options remain limited in Bangladesh.

Despite the awareness-raising component of this process, a lack of knowledge about child rights among the general population was highlighted during a 2006 programme review. Some parents appeared ignorant of the real short- and long-term dangers and consequences of camel racing. They were also unaware of children's level of risk to other forms of abuse and exploitation, including sexual abuse. Most of the messages to the

community had tended to focus on punishment of parents and teachers in the event that children were re-trafficked. For the next phase of the programme, UNICEF has therefore intensified its support to awareness-raising activities.

The expanded mandate of the community care committees will help address a wider range of child protection concerns. This may facilitate efforts to address the common root causes of violence, abuse and exploitation. Special attention will be given to the role of the imams and other religious leaders who are encouraged to address child protection issues in the Friday prayers.

While trafficked children typically come from families experiencing extreme poverty, not every poor family has children who fall prey to traffickers, are sold or given to others for caretaking. It is critical to develop a deeper understanding of the characteristics of families and communities that are especially vulnerable to trafficking.

The penalties for child trafficking under Bangladeshi law are severe – life imprisonment with hard labour, or imprisonment for not less than 14 years and a fine. Those who aid and abet traffickers are subject to the same penalties as those who carry out trafficking.<sup>9</sup> These punitive measures may discourage communities from reporting out of fear or sympathy for their relatives or friends who are involved in trafficking.

As a result of their experiences, some of the children continue to have nightmares and show aggressive behaviours. Providing the most traumatized children with professional counselling and support poses a further challenge to the project. Given that in Bangladesh there are few professionals with these skills, this is an area in need of national capacity-building.

Many of the boys experienced sexual abuse during their stay abroad. This is an area in need of further attention, given the prevailing perception that only girls, not boys, are sexually abused. This view can be changed by providing adults and children with information on sexuality and the risks of sexual abuse to both girls and boys.

The project can further strengthen child participation by involving children and young people and considering their view and perspectives in project design, monitoring and evaluation, and in decision-making structures and processes.

The project was well funded due to contributions from the Government of the United Arab Emirates. This fact should be taken into account when comparing the project's success with other child protection projects across the region.

# 5 KEY FINDINGS OF THE CASE STUDIES

The case studies from South Asia provide practical examples and lessons from implementing key components of a comprehensive rights-based approach to child trafficking. This includes awareness-raising, community mobilization, political and social commitment, networking and cooperation, victim assistance and sustainability. This document also provides practical examples of how to put into practice the guiding principles of the Convention on the Rights of the Child – in particular non-discrimination, respect for the views of the child and the best interests of the child.

The findings and lessons learned derive from examples that may not be representative or universally replicable. Neither was assessing the wider impact of these projects within the scope of this study. However, the findings of the case studies are in line with some of the key findings and recommendations made by several reports on trafficking in children in South Asia.<sup>10</sup>

**The findings of this report can be summarized as follows:**

## **Awareness-raising and community mobilization**

Community traditions and practices can sometimes contribute to an environment in which children are vulnerable to abuse and exploitation. Community mobilization and awareness-raising on child rights, the risk factors associated with child exploitation and neglect, and support services to ensure child protection have proved to be important tools. They serve to empower communities to assert the rights of children and women and prevent child exploitation and abuse, including trafficking. Commitment and pressure from inside the community can help promote social change and overcome harmful social norms. In communities that take seriously their responsibility for safeguarding children's human rights, it is difficult for traffickers to operate and for community members to keep child trafficking hidden.

Community-based organizations and networks play an important role in crime prevention, monitoring 'unusual' mobility, reporting traffickers and supporting victim identification, assistance and reintegration. The community sensitization and counselling taking place as part of these initiatives will help reduce stigmatization and exclusion of children, which often lead to secondary victimization when trafficked children return to their communities. The case study on para-legal committees in Nepal shows how community members can also aid in early detection of cases and mediation between opposing parties, and advocate for policy and legal reform. The para-legal committees also help monitor implementation of the country's laws and policies.

However, it is important to focus on family members. The role of parents can be strengthened by providing them with information and skills on all aspects of child rights, gender socialization and child development, protection and child participation. Another area to be further analysed and addressed is the link between violence in the home and child trafficking.

## **Government involvement**

A key success factor in all three projects cited in the case studies has been the active involvement of the government – at local and central levels – and the long-term commitment of all stakeholders, including non-governmental organizations and UNICEF. The participation of key decision-makers also encouraged communities to take the programmes more seriously.

An additional success factor in Bangladesh was the commitment by the Government of the United Arab Emirates to address the demand side of child trafficking, by banning the use of children in camel racing, establishing follow-up mechanisms and providing significant resources for repatriation and reintegration of the children.

Political commitment to address and prevent child trafficking should focus on all its forms as well as on broader child protection issues, in countries of origin and destination as well as in initiatives for cross-border cooperation.

## **Networking and cooperation**

Strong networking and cooperation among actors from the community to central government level have proved to be an important success factor in addressing child trafficking. Complementarity regarding a mandate and division of roles is crucial between stakeholders, including law enforcement personnel, non-governmental organizations, teachers, family members and youth.

Further collaboration is needed among the countries of the region to share information, exchange expertise, coordinate prevention, care and protection practices, and promote repatriation and reintegration fully guided by the best interests of the child. Such initiatives need to safeguard the rights of the children they seek to protect. An example is an effort between Bangladesh and India to expedite the lengthy process from rescue to recovery, repatriation and reintegration of child victims of trafficking between the two countries. The media and the private sector could be further explored as potential partners.

### Data collection

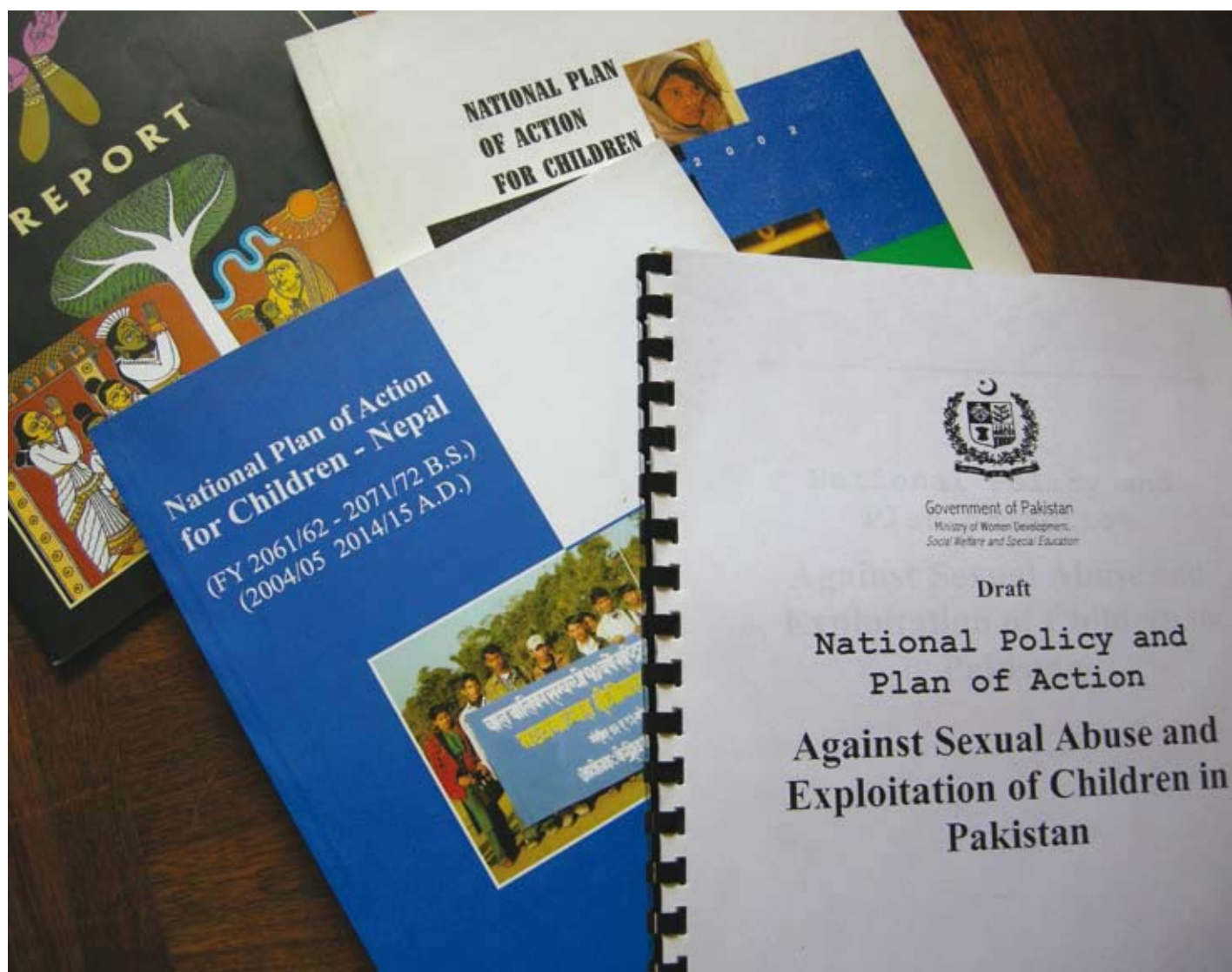
Systems for collecting and monitoring qualitative and quantitative data have been developed for all three projects. It would be worth exploring if or how they can be replicated and scaled up to incorporate a broader range of child protection issues, using standardized definitions and indicators.

### Sustainability

The case studies indicate how strong community involvement and ownership promote programme sustainability. The community's voluntary contributions combined with ongoing capacity-building support, including advice and coaching from entities such as UNICEF, non-governmental organizations and the respective

governments, have proved to be valuable. Communities in the three countries who are not yet involved in the programmes have started to demand similar support. The models have also been replicated by other United Nations agencies in two countries in the region. An evaluation of the three programmes would be beneficial for assessing how they could be further replicated and scaled up in the region and beyond.

The Government of the United Arab Emirates provided substantial funding for the camel racing project at a level exceeding funding levels for the other two projects cited in the case studies presented in this publication. This highlights the importance of the mobilization of financial resources in well-planned repatriation and reintegration programmes. However, it may not be realistic to expect similar levels of funding for all anti-child trafficking initiatives.



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## **Holistic approach**

Adopting and replicating a standardized approach to community mobilization and empowerment has proved successful. These approaches must necessarily be adapted to the given context, taking into account the diversities of the communities and their particular situations. In all three examples the concept of trafficking was broadened to address other child protection concerns and to consider their common root causes. Further work is needed to improve understanding of the linkages between domestic violence and trafficking.

## **Victim support**

Victim support and psychosocial counselling need additional capacity-building, especially at the national level, given the few professionals in the region with sufficient skills to counsel traumatized children. It is also important to support the families of the children concerned to ensure that children are properly reintegrated into their communities.

Family members and other relatives are sometimes associated with exploitation and abuse of children, including trafficking. It is, however, essential to ensure that the best interests of the child are a central concern when taking action against traffickers, since prosecuting their parents or family members may cause children additional harm.

The Draft Joint Plan of Action, developed in 2007 by the Governments of Bangladesh and India along with non-governmental stakeholders, includes a section entitled 'Simplifying the Legal Process'. It invites ministries of law and justice to promote the use of in camera trials, mobilize fast-track courts for trafficking victims, and allow the use of video testimony so children can give evidence in safety and return to their homes without delay. In addition, victim and witness protection laws are crucial to ensure that children who testify are not put at risk at any time.

## **Care, protection and reintegration**

Reintegration remains a challenge in the region, and few organizations monitor the children who have been returned to their communities, or document the successes and failures of reintegration.

Mental health and social factors may be more difficult to address than the economic challenges of reintegration. The Power Girls life skills programme emphasizes the importance of children actually learning life skills, not only being introduced to them.

Activities for the care, protection and reintegration of rescued trafficked children need to be integrated into a holistic framework. The quality of these practices should be regulated through national minimum standards. They also need to be strengthened through training of caregivers and capacity-building for a wide spectrum of care and protection services. Attention should be paid to strengthening reintegration practices, including mechanisms to ensure children's safe reintegration and the development of community-based caregiving options. Repatriation may not always be in the best interests of the child, so each case should be assessed individually.

Capacity-building of professionals in areas such as psychosocial support, quality control and development and implementation of minimum standards needs further work. More attention is needed to support children's mental health and to address social factors, including teaching life skills.

## **Child participation**

The participation of younger children has been weak in all three initiatives, as has the participation of youth in some cases. India's Regional Anti-Trafficking Network demonstrates how youth can be organized into community support groups and surveillance committees to facilitate the prevention of child trafficking. A peer-to-peer approach also helps young girls support each other.

Children and young people can play an important role in developing preventive programmes and monitoring their effectiveness, as well as in decision-making structures and processes. Children and adults can work together to determine how to consult with and involve children in these initiatives. Producing child-friendly materials aimed at diverse groups, including children of different ages, gender and ability, is important for facilitating this process. Policies and programmes that are informed by children's actual experiences will be more effective in addressing the risks affecting children.

## **Non-discrimination**

Women and adolescent girls are typically the focus of, and are actively involved in, initiatives aimed at preventing discrimination. Involving boys and men is crucial to overcome gender discrimination, violence and abuse. Discrimination and social exclusion also need to be further addressed by strengthening the participation and empowerment of marginalized children and adults. It is important to address all diversity issues, including discrimination on the grounds of national and ethnic origin, ability status, social status, caste, gender and age.



Sexual exploitation of boys is an area that needs further attention. Both adults and children should be provided with information on sexual abuse of children of both genders.

### **Child poverty**

Poverty remains a challenge throughout the region. Linking child protection to activities aimed at economic empowerment of children and families is important. Agencies that support livelihoods are needed to help develop sources of family income, thereby reducing the risk of exploitation and trafficking of children. However, it is important to recognize that not all poor children are being trafficked and to learn the factors that increase or decrease children's vulnerability to being trafficked.

### **Best interests of the child**

For caregivers, police, judicial authorities and others, determining the child's best interests and taking decisions to implement them is seldom a simple or clear process. Clearly defined mechanisms and procedures, including guidelines for decision-making, case management and minimum standards, help contribute to reliable and effective procedures to determine and implement a child's best interests. They need to be primary considerations for each individual child, taking into account his or her views.

### **National child protection systems**

National child protection systems should be developed, guided by children's rights and mobilized at all levels. Such systems address prevention of trafficking and responses to assist trafficked children. They include child-friendly legal, medical and psychosocial services; community mobilization for child protection; training of service providers; and data collection, analysis and dissemination. A systematic approach is necessary to recognize the linkages between violence, abuse, exploitation and trafficking, and to address the root causes of child protection issues.

### **Political support**

It is important to ensure political support for issues such as:

- Ratification and effective implementation of the most important international legal instruments by all countries, including through harmonization of national legislation, adequate mobilization and use of resources, and implementation of effective programmes and interventions.

- Drawing up and financing national plans of action on child trafficking, or considering child trafficking within other national planning processes.
- Development of national strategies for collaboration between the government, non-governmental organizations, international partners and children.

### **Further research**

Additional research is needed on the connections between trafficking and the movement of persons for other purposes. This includes the linkages (and differences) between trafficking and movement of persons for purposes such as migration.

Human trafficking must be distinguished from migration and smuggling. Undocumented migration involves those who cross state borders without legal travel documents. Smuggling occurs when a third party assists a migrant to illegally cross a state border for financial gain.

Trafficking often involves people who want to migrate, either internally or externally, but who are recruited by traffickers before, during or after the migration process. As such, anti-trafficking initiatives must address the broader context of migration within which trafficking sometimes occurs.

Non-national and migrant children often have less access to services than do national children. The Convention on the Rights of the Child calls for the protection of the human rights of all children under the state's jurisdiction, independent of the child's national origin or legal status.

# NOTES

## Main text

- 1 This case study, including the related boxes, is based on the UNICEF Para-Legal Committees in Nepal Information Kit. The material was complemented by information from an October 2006 interview with Bhanu Pattak, UNICEF Nepal, as well as by internal documents from the UNICEF Nepal country office.
- 2 The para-legal committees began following training in 14 districts, organized in collaboration with a national non-governmental organization (the Centre for Legal Research and Resource Development) and UNICEF. At end-2007, UNICEF was supporting 405 para-legal committees in 23 districts of Nepal.
- 3 This case study, including the related boxes, is based on a case study and information from Sudha Murali, UNICEF Hyderabad, India, and is complemented by information from interviews involving Sudha Murali and project field workers in October 2006.
- 4 This case study, including the related boxes, is based on Paul, Diane, 'Children Involved in Camel Racing in the UAE: Project review' (internal document), UNICEF Bangladesh, 2006; and interviews with Farzana Ahmad UNICEF, Bangladesh. The information is complemented by interviews with staff members from UNICEF, the Bangladesh National Women Lawyers' Association (BNWLA) and community members in Comilla District, Bangladesh.
- 5 Representatives from UNICEF Bangladesh, the UNICEF Innocenti Research Centre and Action against Trafficking and Sexual Exploitation of Children (a Bangladeshi NGO coalition) also attended the meeting in Abu Dhabi, along with representatives of several other countries.
- 6 UNICEF was invited to participate as a permanent member in the anti-trafficking committee.
- 7 The objective of the mission was to examine the files and the records of the children involved in camel racing that had been prepared by the Government of the United Arab Emirates, e.g. to check travel documents, to verify the children's nationalities by interviewing them and further cross-checking this information, and to prepare for the repatriation of children guided by the best interests of the child. The mission was supported by funds from UNICEF Bangladesh.
- 8 Paul, Diane, 'Children Involved in Camel Racing in the UAE', op. cit.
- 9 See, Women and Children Repression Prevention Act 2000, described in Coomaraswamy, R. and A. Satkunanathan, *Anti-Child Trafficking Legislation in Asia: A six-country review (Bangladesh, Nepal, Pakistan, Sri Lanka, Thailand and Indonesia)*, Regional Project on Combating Child Trafficking for Labour and Sexual Exploitation (TICSA-II), International Labour Office/International Labour Organization, Bangkok, 2006, p. 61.
- 10 See, for example, UNICEF Innocenti Research Centre, *South Asia in Action: Preventing and Responding to Child Trafficking: Analysis of anti-trafficking initiatives in Afghanistan, Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan and Sri Lanka*, UNICEF Innocenti Research Centre, Florence (forthcoming in 2008). Also see UNICEF and the Government of India, 'Rescue and Rehabilitation of Child Victims Trafficked for Commercial Sexual Exploitation' (internal document), UNICEF and the Government of India, New Delhi, 2005; *Child Trafficking in Nepal: An assessment of the present situation, Terre des hommes*, Kathmandu, June 2003; Dottridge, Mike, 'Kids as Commodities? Child trafficking and what to do about it', International Federation Terre des Hommes, Lausanne (Switzerland) and Germany, May 2004.

## Box 2.1

- 1 This box was written by John Frederick, child protection specialist, June 2008.
- 2 For example, see *Choose a Future! Issues and options for adolescent girls in India*, Center for Population and Development Activities, New Delhi, 2003.
- 3 Frederick, J., and Asia Foundation, 'Power Girls: Life skills for personal strength and social confidence', 2005.
- 4 Chatterjee, R., Sanlaap, personal communication, October 2007.
- 5 Ibid.

## Box 3.1

- 1 This box was written by John Frederick, child protection specialist, June 2008.
- 2 UNICEF Regional Office for South Asia, 'Rapid Assessment of Existing Practices and Mechanisms Concerning the Rescue, Recovery and Integration of Child Victims of Trafficking between India and Bangladesh, 2006', UNICEF Regional Office for South Asia, Kathmandu, 2007.
- 3 South Asia Regional Initiative (SARI)/Equity Support Program, 'Regional Victim/Witness Protection Protocol to Combat Trafficking, Commercial Exploitation and Sexual Abuse of Women and Children in South Asia', South Asia Regional Initiative, New Delhi, 2006. (Note that despite its title, the document is not a 'protocol', or description of procedures, but is a set of standards or requirements for protection activities.)
- 4 UNICEF, 'Draft Joint Plan of Action for the Rescue, Recovery, Repatriation and Integration of Child Victims of Trafficking between Bangladesh and India, 2007-2010', (internal document), UNICEF Regional Office for South Asia, Kathmandu, 2007.
- 5 UNICEF, *Guidelines on the Protection of Child Victims of Trafficking: UNICEF technical notes*, Provisional Version 2.1, UNICEF Programme Division/Child Protection, New York, September 2006, available at <[www.unicef.org/ceecis/0610-Unicef\\_Victims\\_Guidelines\\_en.pdf](http://www.unicef.org/ceecis/0610-Unicef_Victims_Guidelines_en.pdf)>.

### Box 3.2

- 1 This box was written by John Frederick, child protection specialist, June 2008.
- 2 There is no agreed length of time for 'long-term', 'medium-term' or 'transit' care. However, for the purposes of this document, 'transit' denotes periods of up to two months, 'medium-term' refers to periods of 2 to 18 months, and 'long-term' periods of longer than 18 months.
- 3 For an annotated bibliography of community-based care practices, see Williamson, J., 'A Family is for a Lifetime' Part II, Synergy Project for the United States Agency for International Development, Office of HIV/AIDS, Washington, D.C., March 2004.
- 4 Government of Bangladesh Ministry of Social Welfare, Ministry of Women and Children Affairs and UNICEF Bangladesh, 'Minimum Standards for Integration: Standards for the integration of children withdrawn from commercial sexual exploitation and other worst forms of child labour, street children, and children without parental care', Protection of Children at Risk (PCAR) Project, September 2007.

### Box 4.1

- 1 This box was written by John Frederick, child protection specialist, June 2008.
- 2 UNICEF, *Implementation Handbook for the Convention on the Rights of the Child, fully revised 3rd ed.*, UNICEF, Geneva, 2007, p. 35.
- 3 *Ibid.*, pp. 35-36.
- 4 *Another Me: Transformations from pain to power, Girls and women in the care of Sanlaap, Kolkata* (with photographs by Achinto Bhadra and interviews by Harlene Walia, and supported by Terre des Hommes, Lausanne), produced for Sanlaap by Terres des hommes Foundation, Kathmandu, 2006.
- 5 This initiative is supported by UNICEF. UNICEF Regional Office for South Asia, 'Flowchart of the Rescue, Recovery, Repatriation and Integration (RRRI) Process', parts I, II and III, UNICEF Regional Office for South Asia, Kathmandu, 2008; UNICEF, 'Draft Joint Plan of Action for the Rescue, Recovery, Repatriation and Integration of Child Victims of Trafficking between Bangladesh and India, 2007-2010', UNICEF Regional Office for South Asia, Kathmandu, 2007.
- 6 UNICEF, 'Draft Joint Plan of Action', op. cit.

### Box 4.2

- 1 This box was written by John Frederick, child protection specialist, June 2008.
- 2 Adapted from UNICEF Regional Office for South Asia, 'Concept and Strategy Paper: The development of minimum standards for the care, protection, family reunification and integration of children in need of special protection' (internal document), UNICEF, Kathmandu, 2007.
- 3 Sanlaap and Terre des Hommes, 'Comprehensive Strategy and Timeframe' (internal document), Calcutta, 2006.
- 4 Adapted from Terre des Hommes and Sanlaap, 'The Tdh/Sanlaap Shelter Care and Reintegration Capacity-Building Project' (internal document), Kathmandu, 2007.
- 5 Frederick, J., and Planète Enfants, 'Guidelines for the Operation of Care Facilities for Victims of Trafficking and Violence against Women and Girls: Rationale, basic procedures and requirements for capacity building', Planète Enfants, Kathmandu, 2005.

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UNICEF Innocenti Research Centre  
Piazza SS. Annunziata 12  
50122 Florence, Italy  
Tel: (39) 055 20 330  
Fax: (39) 055 2033 220  
florence@unicef.org  
florenceorders@unicef.org (e-mail publication orders)  
www.unicef-irc.org

ISBN: 978-88-89129-77-7

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August 2008