

# CHILDREN'S TRAFFICKING MODULE FOR THE TEACHERS



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## Introduction

During this period just like many other countries, Albania has been facing the problem of trafficking in human beings, either internally or as a country of origin or transit. Child trafficking is one of the phenomena that began to take place in Albania with the dictatorial regime change. Child trafficking is one of the worst forms of child exploitation, it is a violation of their rights including the right of identity, education, health services, the right to leisure and entertainment activities, the right to not to be subjected to torture and inhuman or degrading punishment and the right not to be deprived of their rights unlawfully or arbitrarily.<sup>1</sup>

The trafficking of Albanian children in the neighboring countries as well as within the country, has remained one of the most disturbing phenomena, causing great damage to physical and psychological life and the future of child victims, as well as future generations of Albanians in general. In some cases, the school dropout rate in rural areas and major demographic movements of families, especially from the north-eastern part of Albania, have forced many children to work on the streets of big cities, falling victim to illegal recruitment and trafficking activities of organized. In other cases, particularly in marginalized communities, families, unfamiliar with the phenomenon of child trafficking and its consequences, are actively encouraged to send their children overseas with confidence that this will secure them a better future, and they often give their consent to the so-called protectors.<sup>2</sup>

The largest number of trafficked Albanian minors is in the neighbouring countries such as Greece, Macedonia, Kosovo or Italy through trafficking networks and organized crime groups operating in other European countries.

On the other hand internal trafficking has emerged quite prominently in particular in Tirana or major cities, tourist places, ports and airports. Trafficking of children is intended for sex abuse with children, including child pornography, as well as other forms of exploitation for profit reasons, forcing them to steal, beg, and do forced labour.

State structures are dealing with this problem paying particular attention to measures for protecting children from labour exploitation, or other illegal purposes. It has ratified a number of international conventions and has approved changes to the penal code regarding this phenomenon, such as changing the Criminal Code by adding Article 124 / b, the "abuse of minors", which, inter alia, states as penal act the phenomenon of criminal exploitation of children for forced labour, begging and other services required; it was added a paragraph to Article 117 "Pornography" in connection with juvenile pornography, and Article 128 / b "Trafficking of minors " was amended which considers as a penal act not only the recruiting, hiding and receiving minors, but also selling them. Along with the legal changes there has been adopted and implemented the national strategy and action plans of the years 2001-2004, the years 2005-2007 and 2008-2010 .

Strengthening laws against traffickers, strengthening of the borders, anti-trafficking campaigns as well as direct information campaigns in schools, have increased the awareness of people and institutions responsible for the combat of trafficking. Besides law enforcement and taking protective measures for victims of trafficking an important aspect which should be focused on in order to reduce the incidence of trafficking, remains education to prevent this phenomenon. Under the circumstances when this phenomenon continues to occur even though less than before it is necessary to continue the education of

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<sup>1</sup> Convention of the Child's rights approved by the General Assembly of the UNO on November 20, 1989

<sup>2</sup> National strategy on combat against child' trafficking and protection of children, victims of trafficking **2008-2010**.

children to avoid trafficking, to raise their awareness not to quit school without completing compulsory education, or to leave home prematurely or to migrate abroad. Children need to be aware of the risks associated with leaving home and migrating to earn a living elsewhere within the country or even overseas.

On the other hand attention should be given to the counselling of adolescents, who tend to migrate to the regular means of migration, including precautions to be taken when offered employment abroad. They should be instructed carefully to see if the offer to work abroad is a safe and without any problem.

## **CHILDREN'S TRAFFICKING MODULE FOR THE TEACHERS**

### **Module Overview and Goals**

Trafficking involves multiple forms of exploitation akin to modern-day slavery. It may involve forced labour such as prostitution and other forms of sexual exploitation, coercion or violence against the victims, physical and mental abuse, and many other violations of fundamental human rights.

This module intends to introduce adolescents to this rising phenomenon. Students will get to know the victims and the traffickers through the case studies included in this module. They will be introduced to multi-faced efforts to address this social problem. They will also gain insight into the challenges of implementing various programs and legal framework adopted to combat human trafficking. Students will also explore their voices and contributions to the effort through role playing.

### **MAJOR QUESTIONS TO BE ANSWERED**

What is trafficking?

- Who are the victims of trafficking and sexual exploitation?
- What are some of the factors that contribute to the trafficking of children?
- Who are the traffickers?
- What are some of the international conventions that protect children's rights?
- What are the laws and strategies of our country related to the protection from trafficking and punishment of the human traffickers?

### **Lesson 1, Three classes, 45 minutes each**

#### **Topic 1: What is human trafficking?**

**Objectives:** The students will learn the definition for trafficking, to identify the characteristics of human trafficking and to tell the difference between trafficking and smuggling and migration.

**Activities:**

Initially the teacher briefly introduces the topic to be dealt with. Then the teacher hands out the booklet "Two little girls" and if possible the film with the same title will be aired (2 minutes).

Students read the book and answer the questions like:

What impressed you while reading the book or watching the movie?

Have you heard about such cases?

If yes, where have you heard about them on TV, from your family or at school?

Then the question is written on the board: **What is trafficking?**

After that the teacher divides the class into four groups. The teacher has previously photocopied the definition in sheets and separated the words with a \*. He/she has glued them on colored paper to make sure that the parts of the same sentence have the same color. He/she gives each group a set of the parts of sentences from the definition of trafficking. Students are told that they have four phrases to form sentences. Students work together in groups to put the words together to form a logical sentence. When they have finished one representative of each group is required to read one sentence and another student writes them on the board.<sup>3</sup>

## Material for the teacher

### Worksheet

Definition of trafficking

1. Trafficking involves \* the removal \* of the person \* from a familiar environment, \* but not necessarily \* the crossing of \* international borders.
2. Child trafficking \* refers to the \* illegal transport \* of children \* in order to sell them \* for exploitative purposes \*.
3. The consent of \* the person recruited \*is irrelevant if there \* is abuse of power \* or of a position of vulnerability, \* fraud or deception.
4. Children are \* sold and bought \* for such things as \* labour, sex, \* organs, \* and marriage.

Then the students will be asked about the various forms of this exploitation including forced labour, sexual exploitation and other forms of children's work depending on the age<sup>4</sup>.

Meanwhile the teacher explains to them that children are considered any persons under 18 years.<sup>5</sup>

At this point it is necessary to make the distinction between trafficking and illegal migration and cross border smuggling.

For this purpose the board can be divided into two parts and on top of each part the teacher writes: **Trafficking** and **Not Trafficking**. Then the teacher hands out some situations to the students divided in groups and asks them to classify them into "Trafficking" and "Not trafficking". Then a representative of each group presents the versions the group has agreed on.

### Case study:

1. Daniela is a 14-year-old girl sent by her aunt to another country for the summer to work in a factory. Her aunt receives payment for Daniela's work from the man who recruited her and Daniela is happy to help her family. Is Daniela a victim of trafficking?
  - a. Yes
  - b. NoExplain why or why not

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<sup>3</sup>Adopted from [http://globalclassroom.unicef.ca/pdf/Teaching\\_to\\_Counter\\_Child\\_Trafficking\\_Unit.pdf](http://globalclassroom.unicef.ca/pdf/Teaching_to_Counter_Child_Trafficking_Unit.pdf)

<sup>4</sup> Refer to ILO Convention No 138 (1973)

<sup>5</sup> In conformity to Article 1 for the purpose of this convention a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier."

2. Without the help of anyone else, Andrew entered another country illegally to work in construction. The work is very dangerous, his living conditions are poor, and he often works 15-hour days for very little pay. Though Andrew is unhappy, he decides to stay because it's better than what he could earn at home. Was Andrew smuggled or trafficked?

- Smuggled
- Trafficked
- Both
- Neither

Explain your answer

3. Maria decided to take a job as a prostitute in another country. She was smuggled into the country but then was forced to work under threats of violence. Her documents were taken away and all her income went to her employer. Is Maria a victim of trafficking?

- Yes
- No

Please explain why or why not:

4. Jacob decided to leave his home to search for work because he was having trouble making enough money to pay for his children's education. A man from his hometown offered to help him enter another country illegally. Once across the border, he found work at a nearby factory. After several weeks a co-worker approached Jacob about a better job in the city. Jacob gave the man all his savings, and one night they travelled by truck to a factory connected to a dormitory where Jacob was to live. Upon meeting his employer, Jacob handed over his travel documents so that they could get him a work permit. He was told that his employer would deduct his living expenses from his wages. When Jacob tried to go out the first evening to find a phone to let his family know he was okay, a man with a gun told him that workers were not allowed to leave the premises. He was threatened with deportation and told that his family would be harmed if he caused any trouble. Was Jacob smuggled, trafficked or both?

- Smuggled
- Trafficked
- Both
- Neither

Please explain your answer: <sup>6</sup>

Once students have finished the teacher writes the answers on the board of each group and then altogether discuss the exact version.

Another exercise that can be done with the students to distinguish between trafficking and smuggling is: The teacher divides the students into two groups and assigns the first group to record the similarities while the second group to mark the differences. The answers might be:

### **Similarities**

- The presence of organized criminal groups.
- Large financial profits for traffickers and smugglers

- **Differences:**

- smuggling is done with the consent of the person seeking to cross the border
- smuggling always involves illegal border crossing.

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<sup>6</sup> These examples have been taken from "IOM Trafficking Prevention Training Albania, 2005

Summery which will be acquired through the active participation of student to clarify them on the issue of human trafficking:

**Trafficking** occurs when someone is taken from the place where they live to another place for the purpose of being exploited. Being exploited means that they are taken advantage of by someone else. Often people who are trafficked are misinformed or tricked into leaving so that they can be sent abroad. Children and young people can be trafficked for many reasons. They may be made to do illegal or dangerous work, to beg or to be involved in drug smuggling. Younger children and babies may be trafficked so that they can be illegally adopted. Another reason why children and young people are commonly trafficked is for sexual purposes (when they are sexually abused). They may be forced to have sex with people for money. Even when children and young people have been trafficked for other reasons, such as to work, they may end up being sexually exploited because they have little protection and nobody to turn to for help.

### **Differences between Trafficking, Smuggling and Irregular Migration**

Trafficking implies that there is a third party which intends to exploit the child. Many citizens go to work temporarily or permanently in another country. If these citizens can not go there to get a legal job in a country for example they may be rejected because they do not meet the legal requirements of that state or may not know how to use legal ways to emigrate then they use the illegal means. For example, they obtain false documents to enter another country or tourist visa and they may not leave that country even when the visa expires. It happens that they can enter into a state by other means avoiding the border guards crossing the border without a visa and so they have no legal documents. For children, legal ways for regular migration are generally closed because they are too young to emigrate or they may not be accompanied by any member of their family. All this implies what is called irregular migration.

If these people who want to enter another country illegally paying someone for clandestine border crossing, then this is regarded as "smuggling". For example they can pay the owner of a boat to take them by sea, or even an agency in another state that transports people or goods. Crossing the border smuggling is an offence committed by the smuggler as well as by the person who pays for breaking the law. It happens that the difference between trafficking and smuggling is not properly understood since both involve illegal transportation through the border (although trafficking can occur even within a state so in this case the child may not cross the border.) The main difference is that although a person who pays to cross the border smuggling, he/she may have a huge debt to pay back to someone he/she is free as soon as he/she reaches the destination. A trafficked person continues to be exploited even after the arrival at the destination.

**Sale of children** means any act or transaction whereby a child is transferred by a person or group of persons to another for remuneration or any other consideration;

**Child prostitution** means the use of a child in sexual activities for remuneration or any other form of consideration;

**Child pornography** means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.<sup>7</sup>

**Homework:** Children are assigned to get prepared and answer the following questions and give the reasons why they chose that answer in the next class:

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<sup>7</sup> Article 2, Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography entered into force on 18 January 2002

Some questions to observe if the students have understood the concepts explained to them 1.  
He/she asks students:

Choose the best definition of a “**trafficked person:**”

- a. Someone who has left his/her country of origin by their own will, and has crossed a border without direct documentation.
- b. Someone who has left his/her country of origin because his/her life was in danger.
- c. Someone who was taken away from his/her country and do a job in which they were exploited.
- d. Someone who is assisted to cross borders without the correct documentation in exchange for money.

[The answer is “c”: someone who was taken away to leave his/her country and do a job in which he/she was exploited

“a” = “irregular migrant”

“b” = “asylum seeker”

“d” = “smuggled person”

Apart from that he/she assigns the students that on the basis of the already made discussion, get prepared to list the means and goals of trafficking in the next class.

### **Materials for the teacher**

#### **Definition of trafficking**

The most used international law definition is the one contained in Article 3 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime 2000, and in Article 4 of the Council of Europe Convention on Action against Trafficking in Human Beings 2005:

*(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.*

*Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;*

*(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.*

#### **Definition of child trafficking**

The articles continue:

*(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article.*

*(d) “Child” shall mean any person under eighteen years of age.*

*Sexual exploitation of children* is frequently the result, or even the origin, of a trafficking operation. Such exploitation is the sexual abuse by an adult or by a peer of a person under the age of 18, and remuneration in

cash or in kind to the child or to a third person or persons. The child is treated as a sexual object and as a commercial object. The child may be used for prostitution or for the making of pornography. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery.

**Smuggling**– Facilitating the illegal entry of a person into a State Party of which the person is not a national or permanent resident in order to obtain, directly or indirectly, a financial or other material benefit<sup>8</sup>

**“Irregular Migration”** is the movement of a person to another country different from his country of origin or of his/her usual residence, to stay or be a transit by using irregular ways or means, without having valid documents or with forged ones. This includes the provision of assistance for illegal border crossing. Due to the specific nature of the migratory phenomenon, although many countries have provided penal punishment for illegal migration in their laws, generally in most cases the term irregular migration is used and not illegal migration.

**”Irregular Migrant”** is the term commonly used to describe a migrant found in an irregular situation in a country of transit or destination due to illegal entry or the expiry of visa or resident documents. Frequently used term is: migrant without documents, clandestine migrant or illegal migrant.<sup>9</sup>

The story **"Two little girls,"** is a true story based on the life of trafficked girls. Alma was born in a big city while Marsida in a small village. Marsida dreamt of becoming a hairdresser when she would be older. Alma dreamt of marrying a good man. Both girls dreamt of creating big families....Years passed and the girls grew up but they could not get a job in their country, and life was not easy. What happened to their dreams and hopes? One day in Marsida's village the news spread that her cousin had returned from overseas. He had brought beautiful gifts to all his relatives. . "Working overseas is a miracle," her cousin said. Why don't you come with me and my wife? We will help you get a good job. You can become a hairdresser. Trust me. How happy was Marsida. She agreed to go overseas with her cousin. Whereas Alma met an attractive guy in her hometown. They went out together and he took her to many nice places. He danced really beautifully. Alma fell in love with him. "You can't imagine how nice it is to work abroad" he told her. "Why don't you come with me, I will help you find a good job." "But you have to come to meet my family," said Alma. "Initially," he said "we will work and save money and when we come back we will have a wonderful wedding. Your parents will enjoy it. Believe me. "Alma agreed to go overseas with her boyfriend. She was very happy. Finally, her dream would become reality-Alma had never thought that her boyfriend would sell her to a tutor. Marsida had never thought that her cousin would sell her to a public house. They had never thought that they would be forced to become prostitutes. They were just hoping for a better life. And now Marsida is still being forced to prostitute. Alma managed to escape but she can not ever see her family.

## **Lesson 2, two classes, 45 minutes each**

### **Topic: Means, Goal and the Process of Trafficking**

- Objectives:**    **Define the means and goal of child's trafficking;**  
                          **Describe the stages of the process of trafficking**

Activities:

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<sup>8</sup> Definition from Article 3 (a), of the protocol against smuggling of Migrants by Land, Sea and Air, supplementing United Nations Convention against Transnational Organised Crime, 2000). (Smuggling different from trafficking does not include elements of exploitation, constraint or violation of human rights )

<sup>9</sup> International Migratory Right , Glossary of Terminology, Publication of the International organization of Migration (IOM), 2007



Initially, the teacher can ask students about the answers to the questions given as homework where students have to provide alternatives through data definitions for the trafficked person, the irregular migrant and the person who crossed the border smuggling.

Then the teacher reads the following case study:

**Zana** is a 12-year-old Albanian girl from the country-side who is taken by a family friend to the city to find work to help support her family. The family friend takes her to city streets where she is obliged to exercise begging under the control of this family friend. Some of her earnings are paid directly to her family; the family friend keeps the rest, as agreed to with the parents.

He/she asks the students to define whether the above is a case of trafficking or not. Then he/she asks them to define the phases of the process, the means and the goal of trafficking e.) *This is trafficking. Zana is a child removed from her support network, is transported to the city (Process), suffers an abuse of power from her family and her family friend (Means) and is in a state of forced labour (Goal). This is also a case of child labour.*<sup>10</sup>

Then the teacher writes on the board the phases of trafficking process

- **Recruitment**
  
- **Transportation**
  
- **Destination**

First the teacher deals with the means and then the aim by helping the children to remember the definitions and the discussions of the earlier class.

**Means** : Threat, Coercion, Abduction, Fraud , Deceit, the Abuse of Power

**Goal**: Prostitution, Pornography , Violence/Sexual Exploitation , Force Labor/with unfair wages, Slavery/Similar practices.

Then the teacher hands out some case studies, one per each group and asks them to answer the questions as a group.

**Case studies** :

1. L is 13 years old, and comes from a poor family. She is offered a job as a maid in the home of a family in another part of the country by a relative who says he can organise this for her. The work is hard and she has to work long hours. Sometimes when the owner of the house is entertaining important business clients at his home, L is made to have sex with them. She is told that if she does not do this she will lose her job. L knows that if she does not work then her family will not have any food. She will do anything she has to in order to keep her job.

- a. Is L a victim of trafficking? If yes, on what grounds? If no, why not?
- b. Can the owner of the house be accused as a trafficker? If yes on what arguments, if not why not?
- c. Do you notice elements of trafficking such as: means, process, and goal? If yes explain them<sup>11</sup>

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<sup>10</sup> Adoptuar nga IOM trafficking prevention training, Albania 2005

<sup>11</sup> Adoptuar nga Guide to trafficking in Children and Young People especially for sexual purposes. ECPAT International, Website: [www.ecpat.net](http://www.ecpat.net)

2. A is a 15 year-old boy who has finished schooling and hopes to find a job in a more affluent neighbouring country. A recruiter comes to his village and offers to help him get to the country and find work. His parents are happy because the recruiter gives them a small sum of money in advance. When they arrive in the destination country, the boy is handed over to an employer and made to work underground in a coalmine.

- a. Is 'A' a victim of trafficking? If yes, on what grounds? If no, why not?
- b. Can the employer at the coalmine be charged as a trafficker? If yes, on what grounds? If no, why not?
- c. Do you notice elements of trafficking such as: means, process, and goal? If yes explain them?

3.B is a 16 year-old girl who dreams of becoming a model. One day, a recruiter comes and tells her about a job in another country. He entices her with promises of glamorous locations where she will have a chance to work with internationally renowned designers. The recruiter arranges the trip, as B agrees, but does not accompany her. When B arrives at the destination, she finds that she is expected to 'model' skimpy clothes and entertains customers in pornographic performances.

- a. Is B a victim of trafficking? If yes, on what grounds? If no, why not?
- b. Is her recruiter a trafficker ? If yes on what grounds? If not why not?
- c. Do you notice elements of trafficking such as: means, process, goal? If yes explain them?<sup>12</sup>

4.K is 14 years old. He ran away from home because his father had deserted the family, and his mother had a new boyfriend, who beat him. K was begging on the streets of a big town when a man and woman offered to take him to Italy with them and find him a job. He goes with them, as he feels there is nothing for him in his own country, and he does not want to go home again. The man and woman provide him with papers, which show that he is aged 18. He is brought by bus to a town in Italy where he is made part of a criminal gang that rob cars and other property. When he protests, he is beaten. He is told to follow the gang's instructions, or he will be killed.

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- a. Is K a victim of trafficking? If yes, on what grounds? If no, why not?
- b. Are the couple who helped him to go to Italy traffickers ? If yes on what grounds? If not why not?
- c. Do you notice elements of trafficking such as: means, process, goal? If yes explain them?

5.F was kidnapped and taken to Italy. His parents looked for him for some over two months but they could not find him. One day they found him at the doorway of their house. He was wearing dirty torn clothes. When his mother was bathing him she realised that his kidney had been removed. A week later when he had already recovered from the shock, he could speak and told his parents that he had been coerced into selling drugs and had slept on pieces of cardboard. After having had his kidney removed he was sent back to his country. Now his life is at risk.

- d. Is F a victim of trafficking? If yes, on what grounds? If no, why not?

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<sup>12</sup> Adopted from Training Manual to Fight trafficking for labour , sexual and other forms of exploitation, International Labour Organization 2009 [www.ilo.org/ipecc](http://www.ilo.org/ipecc))

<sup>13</sup> Adopted from "Combating the Trafficking in Children for Sexual purposes, a training guide", [www.ecpat.net](http://www.ecpat.net)

- e. Is the person who kidnapped him a trafficker? If yes on what grounds?
- f. Do you notice elements of trafficking such as: means, process, and goal? If yes explain them? <sup>14</sup>

While the groups work on identifying the elements of trafficking, the teacher helps them by clarifying their ideas and in case of confusion she/ he asks them to introduce the case to the whole class for discussion.

**Homework:** Try to find other cases of trafficking in the media or on the Internet (if they have access) and define the elements they contain.

## **Material for the Teacher**

Trafficking is a process which consist mainly of three main stages

### **First Stage: Recruitment**

This is the stage when the child or young person is persuaded to leave their home and community. Sometimes the child or young person may be taken against their will, but often they are tricked or deceived into going by the promise that they will have a better life. For example they may be told they will have a well paid job or that they can go and stay with a distant relative so that they can have the chance to get a better schooling. The person involved in getting the child or young person to agree to leave can be a stranger or someone known such as a family friend, a distant relative, a neighbour or a boyfriend or girlfriend. Where promises of a better life do not work in persuading the child to leave, then children and young people might be threatened or have their family threatened in order to get them to agree to go. It is not always the child or young person's decision to leave – sometimes the decision is made by their families. When this happens it is generally because the family is in extreme poverty and may have been tricked by the trafficker into believing that their child will have more opportunities elsewhere. Sometimes traffickers “sell on” children and young people to others who want to exploit them.

### **Second Stage: Transportation**

This is the stage when the child travels by being kept hidden. To prevent anyone finding out what is happening, the child may be forced to travel in dangerous and uncomfortable ways such as in the back of a lorry or lie about why they are travelling. The child or young person may also have to lie about their relationship to the trafficker to avoid raising any suspicions by police, border guards and other officials. Often travel documents and identification papers are kept by the trafficker so that they can control the child.

### **Third stage : Destination**

This is the stage when the child arrives at the destination where they are to be exploited. If a child or young person has been tricked into leaving their home this may be when they find out the reality of what is happening to them. It is important to understand that children and young people can be abused throughout all three phases (recruitment, transport and destination). They are often mistreated, such as being beaten or not given food or sexually abused.

Many people are usually involved in trafficking a child or young person. For example, one person might get the child to leave their home, and then hand them over to someone else who

<sup>14</sup> Adopted from “Dhuna kundër fëmijëve në Shqipëri”, Porf Dr. Adem Tamo, Prof Dr. Theodhori Karaj, Qendra e Zhvillimeve Humane, Raport studimor i mbështetur nga UNICEF

accompanies them for part of the journey. Another person may keep the child or young person hidden until another person takes them on the next part of their journey and so on.

### **In what way are the children trafficked ?**

As many people are involved in the process of trafficking, it is called a 'trafficking network'. Sometimes the people are part of an organised gang, although some traffickers may only be responsible for one part of the trafficking process, such as supplying false documents and papers or transporting the child or young person. Organised gangs can be very dangerous and involved in other criminal activities. The traffickers may be strangers or can be known to their victims. For example a relative or friend may be involved, at least in the early (recruitment) stage, to get the child or young person to agree to leave their homes and families. Older young people are sometimes persuaded to leave by a boyfriend or girlfriend who says that they love them and want to start a new life somewhere else.

When approaching the border traffickers get the passports and documents of the victims justifying themselves as if they are taking some measures for border guards. It happens that the victims cross borders using secret well-planned ways. Upon arrival at destination, victims who are not given the documents by the traffickers reside illegally in countries where they are transported and can be isolated, raped, beaten, etc. Destroyed by this abuse, some of victims them go so far as to try to commit suicide to escape from the intolerable situation in which they happen to be. Traffickers use a variety of other methods such as holding victims under the influence of drugs in order to have them under control and prevent their escape. There have been cases when they are threatened that not only they but also their family members would be killed.

## **Lesson 3, two classes, 45 minutes each**

### **Topic : Introducing the characteristics of the trafficker and the victim**

Objective: Through the case studies and discussion the students will get familiar with the characteristics of traffickers and the victims.

#### **Activity :**

First the teacher asks three students to read some real stories of trafficked children. Then he/she organises the discussion among them thus preparing the setting for the further activities based on the lesson. Here are the questions:

- On the basis of the stories you heard, when the children are trafficked what happens to them What kind of jobs are they forced to do?
- What is a victim of trafficking like ?
- Who are some of the traffickers who you learnt about while listening to the stories and why do they traffic children?

Then the teacher explains to the students the three categories of children who are trafficked asking them to give their opinion about each age-group.

Another exercise might be:

The teacher divides the students into 6 groups and gives them a situation; the first two groups will suppose themselves in the role of a trafficker who would attempt to recruit a girl of their age to traffic her. Students will observe and write down about the ways that he will use to recruit the girl ...

Two other groups will assume the role of the girl herself who is listening to the person who tries to convince her of a better life by helping to find a job in Greece and thus to help her family, perhaps even enable her access to education. What questions would you ask to find out his intentions.

Two other groups are required to be experts (friends) who know traffickers better and inform their friend on the trafficker's profile and their exploitation of the victims.

Then a representative of each group gives answers being careful not to repeat the same suggestions made by the previous students. The students discuss about the characteristics of the traffickers and the victims. Referring to numerous case studies covered in the lessons developed. The teacher must intervene from time to time with information on the basis of additional materials she/ he has been provided with.

### **Homework:**

Prepare a dialogue taking into account the exercise with three characters: daughter, friend or trafficker and friend.

## **Material for the Teacher**

### **Case studies: Children exploited for prostitution:**

#### **Case study : Roma girl**

Rachel, a 12-year old Roma girl from Korca, a city near the Greek border, believed her new husband Stephan when he vowed to love and care for her. Rachel had just dropped out of school and was working in a cigarette factory. When Stephen, who was 29, suggested that they move abroad to have a better life, she married him. Three months after their wedding, Stephan persuaded Rachel to travel to Italy with him. Soon after they arrived, Stephan asked Rachel to work on the street as a prostitute. "I didn't know what prostitution meant," says Rachel, now 15. "I thought it was only a job. I didn't know what kind of job it was." Rachel's husband became her pimp. "I worked morning till night every day," says Rachel. She worked on a highway and had to earn \$250 per night, requiring her to see about 10 clients. "If I didn't earn that money, he would beat me," she recalls. Rachel thought her nightmare was over when she was arrested by the Italian police. They deported her on a ferry back to Vlore (Albania). But immediately upon her arrival in Vlore, her brother-in-law saw her and placed her on a speedboat back to Italy. This occurred three times. Rachel is now taking correspondence classes in a programme run by NPF and sponsored by UNICEF. She lives in a rundown one-room house with her mother, brother, sister-in-law and two children. She recently passed her language exam, is attending vocational training classes in hairdressing and sewing, and hopes to get her high school diploma. Eventually, she'd like to work in a clothing factory.<sup>15</sup>

#### **Case study : Parents relate the story of their son**

"We sent our son with our uncle and, after staying for a week in Fier at the uncle's house, he left for Greece. He had to walk across the border over the mountains. He was only nine years old and weak too, and got exhausted very quickly. He was forced to beg on the streets of Athens and was tortured in terrible ways and with terrible tools. The traffickers cut off his leg and arm so he would make more money begging. After six months, the police caught the boy, but the traffickers had prepared him for this through violence and torture. He knew he was not to tell the police who he got there with, who sent him

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<sup>15</sup> Adopted from : UNICEF, "Profiting from Abuse" p. 23, The United Nations Children's Fund, 2001

out on the streets, who he worked for or who gave him shelter. If he did that, his life would be in danger.”

In fact, as soon as these parents stopped receiving the money promised, they denounced the trafficker to the police. The press covered this case and contacted an organization offering social services. The parents insisted that the child be sent back, claiming that their relative had kidnapped the child and that they had never wanted the child to leave. The child, though, gave a different story.

### **Case Study : A child from Korça**

“A friend of our oldest brother arranged everything: how to cross the border and where to work. After two days we had to leave our family. A person came by car to our house with two other children and a woman. Close to the customs, only we, the children, got out of the car. A young boy took us and ordered us to follow him without talking. It was dark and the road was very difficult. The other two children, who were smaller than me, were exhausted. After midnight we met up with the person again, and the woman. They were waiting for us with another taxi, this time with a Greek taxi. They accompanied us to Thessalonica.”<sup>16</sup>

### **Christine Dolan: Expert on Human Trafficking**

"The exploitation of children is about money.... The children are used as commodities for trade, as are weapons, drugs, tobacco, toxic waste, or nuclear arms...It is cold and blunt, and it is not limited to Europe. Many Western African girls...are prostitutes throughout Europe. I also encountered children from Kenya, Nepal and India. Not all of them are prostituting by choice. Many thought that they were getting legitimate jobs. Many have had their passports and documentation taken away by traffickers. All but one girl I interviewed had been gang-raped by traffickers and pimps and their buddies. Their pimps or traffickers told them that they could not go to the local police because the local police were involved. Many believed these statements because in their homelands some of the traffickers were the police or involved with the police. One girl said she was actually sold by a Chief of Police - not once, but twice. She attempted suicide."<sup>17</sup>

### **Traffickers:**

Traffickers, usually members of a criminal trafficking network, allure children's parents or children themselves with the promise of a better future, good jobs, and economic benefits and so on. In other cases, children are bought or rented from their parents, and there are also cases when parents are threatened or their children are kidnapped. Children are recruited when they are still living with their parents, when they have abandoned their homes or legal guardians and when they are already abroad (UNICEF, 2007: 29)

Most recruitment is done by persons of the same nationality of the victim, after which the victim can be trafficked to foreign markets and foreign handlers. It seems, however, that there are some changes to the recruitment methods. Although recruitment still relies on the well-known established methods, recruitment by women, who were most often victims of trafficking themselves, is also observed. This kind of recruitment relies on a more subtle means of influence via a shared knowledge of the victim's situation and experiences.<sup>18</sup>

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<sup>16</sup> Rapid Assessment of Trafficking in Children for Labour and Sexual Exploitation in Albania Prepared by INSTAT, Tirana Under technical supervision of FAFO Institute for Applied International Studies, Norway for the International Programme on the Elimination of Child Labour (IPEC) of the International Labour Organization (ILO) ,Tirana 2003

<sup>17</sup> Executive Summary of a Report "A Shattered Innocence, The Millennium Holocaust" Available on the internet at: [www.helpsavekids.org/executive1.html](http://www.helpsavekids.org/executive1.html)

<sup>18</sup> Situational Analysis Report on Child Trafficking in Albania, prepared by Sonila DANAJ, BKTF, Bashkimi Kundër Trafikimit të Fëmijëve,01/2009

## **The Profile of the Trafficker**

As observed in studies on trafficking in most cases, the trafficker is a so-called common person, but that he actually has some features that can be classified as:

### **Profile of the trafficker prior to recruitment of the victim :**

- may be a stranger but may also be relative, neighbour, an acquaintance
- a tolerant and reliable person
- a generous person and willing to help.
- someone willing to get engaged or married

### **Profile of the trafficker after the recruitment of victims:**

The Trafficker has no longer the face of “a generous person”, of an "angel" that seemed to be before the victim knew him. Once he has recruited his victims, he reveals the true face of a criminal.

- He isolates the person he has recruited from the surrounding environment, and threatens him/her in various forms as an individual or his/her family members if the victim asks or tries to leave, to denounce, etc..
- exercises violence against the victim such as:
  - a. physical one (torture, beating, burning with cigarettes, pulling hair, use of strengths, etc..)
  - b. psychological (threats, insults, humiliation, deprivation of the right to be free, etc..),
  - c) sexual abuse
  - d) economic one (denial of right to keep money to buy food and clothes, etc..)
- in rare and extreme cases, the trafficker may go that far as to kill the victim in case he/she tried secretly to report him or has tried to escape from the trafficking network.

### **Trafficked children divided according to their age-group :**

1. The main group is **adolescent girls, and some adolescent boys**, aged 16 or 17 years old, perhaps even 15 years old. These ‘almost adults’ are often lumped together with trafficked adult women. These adolescents typically do not regard themselves as ‘children’ and feel mature enough to decide to leave home on their own. In many parts of the world, the majority of children trafficked in this age group are girls trafficked into commercial sexual exploitation. Others are exploited to labour in sweatshops and as domestic workers.

2. The second group involves **pre-pubertal children** who are trafficked for labour rather than sexual exploitation. In West Africa, for example, a large number are reported to be used as live-in servants. In Europe they include children used to beg.

3. The third group involves even **younger children, mostly babies** trafficked for adoption. According to the available data, it is the first group that makes up the majority of children trafficked in Europe. Since this age group has finished compulsory education, most of them are old enough to enter employment legally, both in their own country and abroad. They are also old enough to leave home to migrate within their country and abroad. In this age group most children who are trafficked leave home voluntarily, sometimes with the permission of one or both parents or of a guardian and sometimes against their parents’ wishes.

There are occasional reports of children being abducted, but such reports are relatively rare. Having decided themselves to migrate in search of a better future, young migrants end up in situations of exploitation and abuse, usually through no fault of their own.

Children who have not yet reached puberty are less likely to make decisions for themselves and are more likely to be sent away from home by their parents or guardian, sometimes after being consulted and sometimes not. In some cases a trafficker contacts the parents to suggest that their child will have a better future abroad and that they should send the child away. In others the child's parents take the initiative to send their child away. In some cases, parents or guardians are not fully informed about the risk that their child might suffer serious abuse. However, some close their eyes and ears to reports of abuse and hope their child will be one of the lucky ones who earn a significant amount of money..<sup>19</sup>

## **Children –Victims of Trafficking**

Children fall victim to human traffickers for many of the same reasons that adults become victims. However, children have less influence on their own lives, and the national systems of justice and child welfare often do not adequately protect them. Children are thus much more vulnerable than adults to exploitation.

There is not one 'typical' child victim, but there are many factors that make children vulnerable. A typical scenario is one in which the child agrees to go to another place, with no realisation of the exploitation that is awaiting him/her. Children are tempted by the chance to earn money and believe the stories they are told; many young people who fall victim to traffickers believe that they are going to a real job – in a hotel, a bar, a private house. Some believe that they will be getting married. Perhaps they are unhappy in their home situation and are trying to find a better life; many have suffered abuse from their parents and want to escape; many have not succeeded at school, and see no future for themselves in their own environment. Sometimes they are members of a minority that suffers discrimination in their own country, and they want to escape their poverty. Sometimes they are kidnapped by the traffickers and sold.<sup>20</sup>

## **Lesson 4: 2 classes, 45 minutes each**

### **Topic: Factors of trafficking**

**Objective:** The students will learn about the factors that trigger trafficking, who are the children at high risk of being trafficked.

**Activity:** First the children are told that they are going to identify the push and pull factors. Preliminary the teacher has made photocopies of the worksheet on the risk factors of trafficking for each student. Then he/she has cut them into separate strips each having one factor. He/she divides the class into 8 groups and gives a strip of risk factor to each group and asks them to draw a symbol in the centre of a road sign on a large sheet of paper that that will represent their risk factor. The teacher tells them to keep their symbol and risk factor a secret from the rest of the class. He/she tells them they will have to present their symbol and the factor to the class later in the period. Then the teacher sticks the signs on the walls and numbers them with masking tape from 1 to 8. He/she gives each student a copy of the Risk Factors Worksheet. He/she tells them to look at the signs and to decide which symbol matches which factor on their

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<sup>19</sup> Reference Guide on Protecting the Rights of child victims of trafficking in Europe, The United Nations Children's Fund (UNICEF), 2006 prepared by Mike Dottridge in collaboration with the UNICEF Regional Office for CEE/CIS, [www.unicef.org/ceecis](http://www.unicef.org/ceecis).

<sup>20</sup> Combating the trafficking in children for sexual purposes , a Training Guide ,Amsterdam, Bangkok, 2006 ECPAT Europe Law Enforcement Group Published in cooperation with ECPAT Netherlands, Defence for Children International the Netherlands and ECPAT International



handout and to write down the corresponding number. Once the students have made their choices, each group should present their symbol and describe the risk factor. The rest of the class should make notes about the each factor on their handouts. As a class discuss the risk factors: a) Which signs represent push factors? b) Which signs represent pull factors? c) Can you think of any other possible risk factors that are not addressed here?

**Home work:** Referring to the cases you have read or seen in the media on the trafficked children group the factors that you think are the most evident in them.

### **Material for the teacher :**

## **Risk Factors for Child Trafficking all over the World**

**POVERTY:** Procurement agents thrive in urban slums and poor rural villages, where poverty severely blunts educational and employment opportunities. These agents bribe, coerce and lie to families, promising children marriage or employment, often as domestic servants or in restaurants, plantations and factories. Then they transport the children long distances, sometimes across borders and along well-worn, clandestine drug routes.

Families may willingly send children to areas where they believe there are better chances of a good job, inadvertently exposing the children to the risk of exploitation.

**GENDER DISCRIMINATION:** Since in many societies men are held in higher esteem than women, women and girls are often treated as property and denied a voice and a right to protection against violence. Families who don't value female children may choose to keep them from school or marry them off early, dramatically limiting their life opportunities and increasing their vulnerability to exploitation and abuse.

**WAR, NATURAL DISASTERS AND POLITICAL INSTABILITY:** War and civil strife may lead to massive displacements of populations and family breakdown, leaving orphans and street children extremely vulnerable to trafficking. Sexual violence flourishes in situations where norms break down. Poverty, hunger and general desperation may place women and children in situations in which they are forced to exchange sex or other labour for food, shelter and survival.

**CULTURE:** Some cultures have long-standing practices, such as child marriage or sending children away to seek better opportunities that make the trafficking of children permissible. More often, though, the breakdown of cultural taboos raises the risks enormously. Long-held cultural mores can be weakened by media influences, tourism and the promotion of materialistic pursuits, making behaviour once considered inappropriate appear normal.

**HIV/AIDS:** Many exploiters are under the mistaken notion that younger children don't carry HIV or are less likely to be carriers. This increases the demand for younger sex-workers. Yet children who are not fully grown are more vulnerable than adults to infection. Also, HIV/AIDS has resulted in a massive rise in the number of orphans and child-headed households in which children must be wage earners. This vulnerability, along with the social stigma associated with AIDS in many parts of the world, leaves these children at risk of being trafficked.

### **WEAK LAWS AND CORRUPT LAW ENFORCEMENT:**

Efforts to fight against trafficking may be crippled by inadequate laws, or weak law enforcement. Often, police are underpaid, overworked and lack resources, making them an easy target for bribery. Some police officers work as guards in brothels in their spare time, or get involved in trafficking.

**GLOBALIZATION:** The greater movement of people and goods occurring as a result of globalization has made it much easier for traffickers to transport children across borders. In many countries, globalization has also increased unemployment and reduced wages and social spending, plunging more families into poverty. The rise in competition amongst corporations and low prices for export commodities produced in developing countries has increased the demand for cheap and submissive child labour.

**FAMILY DYSFUNCTION AND BREAKDOWN:**

When families become homeless, are forced to move from place to place, or a parent becomes ill, dies or abandons the family, parents' abilities to care for and protect their children are also severely limited. Sometimes children run away; other times, they are left to fend for themselves..<sup>21</sup>

***The explanation and classification of the factor according to the Training Manual to fight trafficking in children for labour, sexual and other forms of exploitation.*** <sup>22</sup>

When asked why they think some children become victims of trafficking, many people would immediately answer, "because they are poor". It is true that poverty is an important element at play in explaining why some children are trafficked. However, poverty can mean many things and it is not by itself the answer to the question. Poverty alone cannot explain why some countries have more child trafficking than others; some cities have more worst forms of child labour than others; traffickers are active in some places and not in others; some communities face more child trafficking than others; some families are more at risk of trafficking than others; girls are most at risk in some instances and boys in others.

There are many children living in poverty who do not fall victim to trafficking, and understanding the nature of poverty and differences between these children and victims of trafficking is important if we are to know how to protect children at risk. In fact, poverty is only one of a range of **risk factors** that create **vulnerability** to trafficking. The many factors that may come into play in determining the level of vulnerability of a child are often described as 'individual, family, community or institutional-level risk factors'. There are for example family disruptions that can be considered as vulnerability or 'plus' factors: the men in the family going off to war or being killed in conflict, for example, or one or both parents dying of AIDS and leaving children with no adult support. There are also wider social/economic factors that disrupt family finances, such as drought or floods that leave a rural family with no food stocks and no income. In addition to such natural disasters, there are man-made emergencies, such as conflict, that might drive a family from their home into a refugee camp where recruiters will be active rounding up children whose families have lost everything. Domestic violence has also been shown to be a factor in increasing the vulnerability of children to trafficking. Children who witness or suffer violence in the home may run away and live on the streets, where their vulnerability to exploitation, violence and trafficking is acute. Left to fend for themselves, they become easy prey to traffickers because they have no means of survival. At the level of the community, also, violence can increase risk. Conflict breaks up families and communities and increases the vulnerability of the whole community, but especially the children. Street or gang violence may lead children who feel threatened to seek to leave the community. Other forms of violence – at school, for example — may also trigger the urge to escape and make children easier prey for traffickers. Where communities have a tradition of movement (for example if they live on a border and have always crossed that border to find seasonal work), children's vulnerability to recruitment into trafficking may be increased. Sometimes also the nature of the community is itself a risk factor: for example children from farming families may be at risk of

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<sup>21</sup> Adaptuar nga: Profiting from Abuse. UNICEF, New York, 2001

<sup>22</sup> Training Manual to fight trafficking in children for labour, sexual and other forms of exploitation **Textbook 1: Understanding child trafficking, International Labour Organization 2009**

trafficking if they aspire not to work on the land and so leave for the city. There are also, of course, risk factors that are specific to individual children or groups of children. These include discrimination, disability, involvement in criminal activity or drugs, or belonging to a caste or ethnic minority that is disadvantaged in employment or social services. Some triggers, additionally, can be said to occur at 'institutional' level, that is to say that children and families are vulnerable because of social development gaps such as lack of access to education, discriminatory policies that marginalize some ethnic groups within a country; poor or not used systems of birth registration that make it impossible to keep track of children's welfare; as well as geographical factors such as climate change that devastates the livelihoods of fishing or farming communities. Institutional risk factors also include situations in which children are separated from their families and find themselves in reunification channels. These generally legal and monitored processes have been known to be infiltrated by those seeking to divert children into exploitation. The responsibility of the state to police mechanisms which see unaccompanied children being transferred from one place to another is paramount in these situations. Girls are more readily taken out of school (or never sent in the first place) because many parents believe that education is wasted on girls who will one day marry and leave their parents. They think that 'life experience' is more useful and likely to make the girl a better wife and mother. It is not surprising, therefore, that domestic labour constitutes the most common form of child labour for girls under the age of 16. Child domestic labour, in fact, is often the end result of trafficking because, by its nature, it most often involves a child going to live in someone else's home, leaving family behind. Trafficking into child domestic labour also illustrates another vulnerability factor because, in some countries, children from ethnic minority groups or certain castes are traditionally exploited as domestic servants and may be trafficked into this servitude. Discrimination on the basis of sex, ethnicity, disability or race increases vulnerability to trafficking as well as to other forms of violence and abuse. Age is also a factor in assessing children's risk profile. The younger children are, the more easily their vulnerability is exploited. However, as they mature, children are more likely to make choices that may put them at risk – for example getting involved in drugs or petty criminal activity, or wanting to break away from family or just explore the world.

## **Risk Factors Worksheet**

Name: \_\_\_\_\_

\_\_\_\_\_ POVERTY

\_\_\_\_\_ GENDER DISCRIMINATION

\_\_\_\_\_ WAR, NATURAL DISASTERS AND POLITICAL INSTABILITY

\_\_\_\_\_ CULTURE

\_\_\_\_\_ HIV/AIDS

\_\_\_\_\_ WEAK LAWS AND CORRUPT LAW ENFORCEMENT

\_\_\_\_\_ GLOBALIZATION

\_\_\_\_\_ FAMILY DYSFUNCTION AND BREAKDOWN

## Lesson 4, Second Class

### Topic: Factors of Trafficking,

**Objective :** The students will be able to identify the push and pull factors of trafficking through case studies by classifying them in three groups:

- a. Factors related to the family
- b. Economic and Social Factors
- c. Children in difficult circumstance

#### Activity:

First the teacher asks the students to give some examples from reality referring to trafficked children and together define the factors. Previously he/she has photocopied some case studies which he/she hands out to the students divided in groups. He/she also gives them large sheets of white paper to list the factors as a group. Then each group presents the list to the other groups. The teacher divides the board into three columns and on the top writes the following headings:

- a. Factors related to the family
- b. Economic and Social Factors
- c. Children in difficult circumstance

A representative of each group lists the factors or adds to the list of those written by the previous students. The teacher hands out copies of the list of factors.

### Material for the Teacher

#### Push and Pull Factors for Children's Trafficking :

**Push Factor:** Are the specific circumstance for the child, his/her family, and such circumstances force him/her to look for a job. For example: A family which does not understand or appreciate the need for schooling; poor families which can not make ends meet; in some communities prevails the opinion that girls should not go to school.

**Pull factors:** are those who pull the child to accept a job. For example: children are not aware of their rights and are satisfied with smaller amounts of money. Thus, the demand for child labour force is too large. Children often enjoy their work or see it as a source of financial profits.

Most trafficked human beings act according to factors known "push and pull '(push and pull), which match the phenomenon of irregular migration. Reasons that encourage people to leave their country to another are known as "push factors", in which are included phenomena such as high unemployment, the labour market is not open to women and sexual discrimination, poverty, lack of opportunity to improve the quality of life, ethnic discrimination, escape from persecution, poverty, violence, abuse or violation of human rights, social rights or environmental. Research conducted by Terre des hommes shows that among those trafficked or at high

risk of being trafficked, 80% point out the socio-economic problems as the reason behind trafficking. They also underline that many children live in families with several members/children, who are either living in one single room or are homeless and the problem is particularly serious in Korça (Terre des hommes, 2004: 10-12).<sup>23</sup> On the other hand the reasons attracting people to 'Pull Factors' are such as demand for workers within the sex industry, demand by a multitude of wealthy customers looking for commercial sex, demand for organs and adoptions, better employment opportunities, higher salaries and better working conditions or improved standard and quality of life. Children have declared that traffickers offer some children attention, recreation, entertainment, material goods, employment, migration opportunities, marriage, education (or a chance to leave school), friendship, complements and care. They say that traffickers target specific children who desire these items or activities.<sup>24</sup>

The following indicators, in any combination, make children especially vulnerable to being trafficked:

**1. Factors relating to the family:**

- a. Low level of education in the family
- b. Sexual abuse within the family
- c. Lack of family support within the educational system
- d. Substance abuse/addiction/alcoholism within the family
- e. History of abuse and violence within the family
- f. Lack of communication between parents and children
- g. Single-parent families, or families in which there has been a divorce
- h. Absence of parental care – children whose parents are absent, or children whose parents have placed them in institutions

**2. Social and economic factors:**

- a. Little or no access to education
- b. Lack of employment opportunities/high levels of unemployment/insecurity of employment/low levels of pay for unskilled work
- c. High levels of cyclical migration (seasonal working)
- d. Local success stories from migration
- e. Lack of information on migration opportunities
- f. Lack of information on workers' rights
- g. Lack of information about foreign countries (illusions about life in the west)
- h. Lack of a child-friendly environment and lack of opportunities for children and adolescents.
- i. Lack of opportunities for girls and children from minority groups.
- j. Lack of an effective child protection system.
- k. Impact of the mass media forming negative and distorted attitudes towards sexual relationships
- l. Children viewed as a commodity within their community
- m. Girl children considered as property within their community
- n. Cultural norms where children are expected to grow up early (early marriage, child labour..)
- o. Poverty and extreme poverty

**3. Children in difficult circumstances such as:**

- a. Children using drugs or alcohol
- b. Neglected children
- c. Children who have dropped out of school
- d. Children in substitute care

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<sup>23</sup> Terre des hommes, 2004: 10-12

<sup>24</sup> Save the Children, Korrik 2007: 4, 8,192.

- e. Children who are refugees from local wars
- f. Children who are members of marginalised or minority groups
- g. Children involved in petty crime
- h. Children who are already selling themselves for sex within their own communities
- i. Children already involved in trafficking <sup>25</sup>

## **Illustrations from the Albanian reality**

### Children living on the streets

Children who live or spend a long time in the street comprise the groups of children who are more exploited, more vulnerable and less protected. They are exposed to various risks, including abuse, insecurity, violence and malnutrition. Only in Tirana, there are more than 800 children who live by begging, selling, polishing shoes, etc.. Besides being vulnerable to economic exploitation, street children are also vulnerable to sexual exploitation for profit. Because they try to provide money for their family or custodians, street children are easily misled by promises of a better job with higher profits. Therefore it is easier for traffickers to recruit and involve them in networks of commercial sexual exploitation and in organized crime.<sup>26</sup>

### **Children exploited as labour force**

Child's labour is a hidden phenomenon. It is one of the main forms of child exploitation for profit in Albania. It is often combined with other forms of violations of children's rights, such as trafficking, sexual exploitation and abuse and fewer cases with the use of children for drug delivery. Child's labour is widespread in the country and is present in both urban and rural areas. In urban areas child's labour occurs mainly in two forms: industrial employment without a contract and work for the family. Main industries where children work are: tourism, textiles and construction. While children working for their families are involved in such work as street sellers, washing windscreen, begging or taking care for younger children. In rural areas children are often expected to care for brothers and younger sisters to work in the family property<sup>27</sup>. Children who work are more vulnerable to sexual exploitation. Their situation is made more difficult by severe poverty and social exclusion. Working children belong to families which usually have migrated from rural areas to small towns or big ones. They demonstrate signs of abandonment by their family and these can be easily used by users to mislead them. Work makes the child more vulnerable because of exposing him/her to exploiting situations within and outside his/her family.

### **Children of Roma and Egyptian Community**

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<sup>25</sup> Combating the trafficking in children for sexual purposes, a Training Guide , ECPAT Europe Law Enforcement Group Programme against Trafficking in Children for Sexual Purposes in Europe in cooperation with ECPAT International. Amsterdam, Bangkok, 2006)

<sup>26</sup> Strategjia Kombëtare për Fëmijët, Republika e Shqipërisë,

<sup>27</sup> “Puna e Fëmijës dhe fëmijët e rrugës në Shqipëri”- Studim mbi Shfrytëzimin Ekonomik dhe Punën e Detyruar të Fëmijës në Shqipëri.

Roma children live in extreme poverty and faced with many difficulties, including social exclusion. A good part of them and their families live by begging in the street. During the summer, Roma children, especially those living near the border with Greece, escape from Albania to work in Greece. It makes the Roma and Egyptian children exposed to the dangers of trafficking or sexual exploitation for profit.<sup>28</sup>

### **Children with limited access or no access to education**

Children's Schooling is an important factor that can increase or decrease the child's vulnerability to sexual exploitation for profit. It is generally estimated that education is a means towards a safer environment for children. In some remote areas of Albania there is lack of access to education and children have to travel several hours to attend school. This makes parents consider sending children to a distant school very risky. Such thoughts exist because of social context, economic and cultural development in which these families live.

### **The tradition of Marriages at a very young Age**

In rural areas, the tradition of marriage at a very young age, often in the legal age of 16 years, is still widely practiced. This is because rural life is so difficult that women feel that they should marry before they lose their young appearance. Moreover, especially in the North an unmarried woman at home is a source of possible shame and inconvenience in case she loses her virginity out of wedlock and dishonour the family name. In these societies an unmarried girl of age 20 may already be a victim of malicious gossip. Therefore, once a girl reaches sexual maturity parents seek to find a suitable husband for her.

### **Case studies**

#### **Case Study 1: Poli**

Paul is 12 years old. He lives with his family in a village in the mountains. One day his uncle visits from the city and offers to take Paul back with him to the city. He says the boy can work for him in his shop where he sells parts for motor cars. Paul's parents agree. The uncle says that he will pay the boy some money every week, and Paul will be able to send some home to his parents. The uncle has three children of his own, two boys and a girl. But they are at school and so they are not able to help in his shop.

#### **Case Study 2: Maria**

Maria is 16 years old. She dreams of marrying a foreign man and of leaving her home in the city where her father drinks and her mother is always complaining. Her friend tells her about an advertisement in the newspaper in which a marriage bureau is offering to send photographs of young women to agencies abroad. Maria goes along to the office of the bureau. There she is asked to take off her clothes to be photographed in only her panties. There are other girls there too. They think the request is strange, but they go along with it.

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<sup>28</sup> Fëmijët Flasin: Rreziqet e Trafikimit dhe Rimëkëmbja në Europën Jug-Lindore, Save the Children Albania, Korrik 2007.



### **Case Study 3: Christo**

Christo is 14 years old. He ran away from home because his father had deserted the family, and his mother had a new boyfriend, who beat him. Christo was begging on the streets of a big town when a man and woman offered to take him to Italy with them and find him a job. He goes with them, as he feels there is nothing for him in his own country, and he does not want to go home again. The man and woman provide him with papers, which show that he is aged 18. He is brought by bus to a town in Italy where he is made part of a criminal gang that rob cars and other property. When he protests, he is beaten. He is told to follow the gang's instructions, or he will be killed.

### **Case Study 4: Sonja**

Sonja is aged 14. She has lived in a Children's Home since she was 6 because her mother abandoned the family and her father could not manage by himself. She meets a man outside the gates of the Home who offers to take her across the border, and find her a job in a hotel kitchen. They cross the border at a place where there are no border controls, and he takes her to a town where he sells her to a brothel. The brothel owner tells her that he has paid a lot of money for her, and she has to earn that money back for him before she can leave. Sonya protests, but the brothel owner rapes her. When she gets pregnant, the owner forces her to have an abortion, and tells her that she also has to refund him the costs of the operation. Sonya feels that she will never escape, but she doesn't know what to do.<sup>29</sup>

### **Case Study 5**

A.K narrates: I went to Greece with a gypsy called FI. He said to me that I would beg in Greece. My father did not want me to but my mother did and so I went. We got on a minibus and went to Kapshtica. We were in the bus all night long and during the whole following day until 2:00 in the morning at which point we started on foot. We were 10 people and 4 of us were children my age. We went to Kozan and then got on a bus and went to Thessaloniki where we started to beg at the traffic lights. All the money I made I gave to F.I. F.I. gave us food. I stayed for a short time and then the police caught me. I stayed in the police station for three days and then returned to Albania. I have gone so many times that I can not even count them. All the time I have been begging and I have not had money to send to my family.

### **Case Study 6.**

E. B is one of six children from a poor family living in a village in Skrapar district. Her mother is paralyzed. She was 14 years old in 1996 when her father sold her to a man from Fier for 20,000 Lek (145 USD). She was raped and drugged before being sent to Italy where an Albanian from Berat prostituted her. For four years she has worked the streets of Milan, day and night. She had to bring in 1 million lira each day, or else she was violently beaten. She went for four successive years without contacting her parents. She was arrested by police and returned to Albania by ferry. She wants to see her family, but is fearful of her father and the trafficker who might find her again. Case study from Vlora Women's Hearth, 2000.<sup>30</sup>

### **Case Study 7**

The help line received a call from a 16-year-old girl, who had got engaged and gone to

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<sup>29</sup> Combating the trafficking in children for sexual purposes. A training guide, , ECPAT Europe Law Enforcement Group, ECPAT Netherlands, Defence for Children International the Netherlands and ECPAT International Amsterdam, Bangkok, 2006

<sup>30</sup> Child Trafficking in Albania, By Daniel Renton, March 2001.

Italy. She had aborted 7 times, and is now pregnant again. Her so-called husband is prostituting her. Her parents are divorced and she cannot go home. (Interview with the help line for women).<sup>31</sup>

## **Lesson 5 : two Classes, 45 minutes each**

### **Topic : Consequences of Trafficking to children**

**Objective :** Children become aware of the consequences of trafficking

#### **Activities:**

First the teacher asks the students to list of some of the victims of trafficking they have heard about.

Afterwards they are assigned an exercise to work in groups. The teacher reads a story and tells the students: Suppose you are T.B. Why did you agreed to go to Italy? Why did not you escape as soon as you realized what you were going to experience? The students write their noted in groups and then they are asked to give their opinions which are summed up on the board

#### **The Case study**

*My name is T.B, am 13 years old. I was born in Bajram Curri, Northern Albania, where I lived with my parents for 9 years. Later I came to Tirana with my mother. The father died, he was killed for revenge by another family because of blood feud. I began working in a fast food bar in Tirana doing the dishes but it was a really tiring job. However, I had to work because we did not have money even to buy bread. My mother was disabled and sat in a wheelchair and therefore I had to do the household chores. Our house had only one room, where we had our meals and slept. One day at work, the owner of the fast food bar told me he wanted to help me to go to Italy. He said he knew someone who could help me to go to Italy and find me a job there. I would pay my travel ticket with the money I would earn money by working there. At first I did not want to go and did not want to leave my mother alone, but then she convinced me to go because she insisted saying that I could help her more if I went there and send her money ... I went to Italy by boat from Vlora on a cold January day with a friend of the owner of the fast food bar. After a long tiring voyage across a rough sea we arrived in Italy. We took the train and then went to a house where there were many other girls older than me and they smoke cigarettes. Since the moment I saw those girls I do not know why, but I felt afraid and did not like that place ... The man who accompanied me spoke with a very fat woman with a very wild face. Then I never saw that man again. The fat woman told me to follow her and get dressed in some strange clothes just like the other girls there. I did not want to put on those clothes but she insulted me. One day she beat one of the girls for not obeying her. There were also some men who also beat the girls from time to time . I was so frightened. I began to go out in the street with one of the girls, this happened for about 2 weeks and it is a period of which I do not want*

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<sup>31</sup> Child Trafficking in Albania, By Daniel Renton, March 2001.

to talk. One day the police came and took us to the police station. I stayed there for two days and then I was returned by plane to Tirana.<sup>32</sup>

**Their ideas may be different and the teacher will help them list some of the following ideas:**

- a) She doesn't know the country she's living in well or the area well enough to know how to escape.
- b) She has no money to buy food if she escapes
- c) She has no papers or official documents because the trafficker or her pimp has taken them from her .
- d) She is afraid that the trafficker or pimp may kill her if they catch her while trying to escape.
- e) They may even kill the members of her family.
- f) Even if she manages to escape, she is afraid of the shame and stigma she would face at home.
- g) She realizes that her family might not accept her because she has been a prostitute.
- h) The trafficker may find her again and re-traffic her.

2. Teacher asks class, "What kind of feelings would \_\_\_\_\_ feel? How would you feel if you were in her situation?" Again, he/she gives students a few minutes to list as many feelings as they can. He/ she calls on students and write their responses on the board.

A few examples: : fear (for own life as well as loved ones at home; shame or guilt (though she is not to blame); helplessness, defencelessness; low self-esteem, lack of self-respect, even self-loneliness, isolation, desperation, anger at self for being duped, stress, distress, anxiety hopelessness, despair suicidal.

The teacher helps the students by providing them with information on the consequences of trafficking. He/she explains that even when they manage to return or are deported in their country, they experience long-term effects of victimization. In the meantime he/she addresses them the question: Which are the effects of victimization?

**Some of the answers might be:**

Lack of confidence, inability to get a job; Sexually-transmitted diseases, long-term drug addiction, a wide range of emotional, psychological problems, problems in relationships (lack of trust, inability to love) etc.<sup>33</sup>

### **Material for the Teacher :**

Child trafficking has a significant negative impact, first and foremost on the trafficked children and their families, but also on their communities and on the nation as a whole. A thorough understanding of the human and economic costs should provide the arguments for the allocation of sufficient government resources to address child trafficking effectively, and to mobilize all those who can make a difference.

### **The impact of trafficking on children and families**

Trafficking has devastating consequences for those who fall victim to it, but it is especially damaging for children because its impact will last into the child's future. In the worst cases, trafficking and the exploitation it involves can cause a child's death, serious illness or

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<sup>32</sup> Shfrytëzimi seksual i fëmijëve për qëllimi përfitimi në Shqipëri, CRCA, ECPAT International, Tirane 2009

<sup>33</sup> AAGW, Association of Albanian Girls and Women <http://www.aagw.org/>

permanent injury. The journey might be treacherous; the conditions of work are often dangerous; the standard of living provided by traffickers is invariably substandard. Trafficked children may be denied access to doctors and health workers who could report their situation to the authorities. Often children who fall ill are simply turned out onto the streets by their exploiters and left to fend for themselves or in some cases may suffer a worse fate. Trafficked children are subjected to violence of many kinds. They may be beaten or burned to keep them obedient. The threat of such physical violence is in itself a form of psychological violence. Often, trafficked children are badly fed or even starved, again to make sure that they do as they are told. Girls are at risk of sexual abuse, although boys may also face sexual violence. Depending on the type of labour they will have to undertake, the children will face different health repercussions: agricultural work, for example, may expose them to toxic chemicals. Factory work may include operating machinery that is beyond their capacity. Commercial sex work carries its own particular risks, including unprotected sex that results in STD (including HIV) infection, unwanted pregnancy or reproductive illnesses.

Many trafficked children are exposed to substance abuse. They may be given drugs to keep them quiet and exploitable or to ensure that they become dependent on their supplier and therefore less likely to try to run away. Being in a trafficking situation also has severe psychological risks for children: they are separated from family, friends and community. They may be totally isolated by fear, including fear of threats against their families. Trafficked children often end up in a vicious cycle of desperation, trafficking, exploitation, dependence and re-trafficking. For these many reasons, children who have become victims of trafficking may lose all sense of hope and plunge into depression, leading them to do harm to themselves or even attempt suicide.

The impact on families is severe. While many families may believe that sending or allowing their child to leave to find work will bring benefits, in reality many families never see the trafficked child again. Many more never receive any of the promised income.

### **The impact of child trafficking on the community**

The social impacts of child trafficking are similarly wide-ranging and long-lasting. The impact on the family of losing a child to traffickers can be long-term, especially if the family was enthusiastic about the child's leaving to find work. Conversely, if the child does send some money home or even returns to the community, this might be an incentive to other families to send their children into a trafficking situation so that a whole community can be 'corrupted' by trafficking. There is also a severe impact on the community, as well as on the child and her/his family, when the trafficked child's education is cut short. This has both a social and an economic impact. The child's future is less assured because s/he will not have the skills required to earn a living or progress in life. Girls may find their marriage prospects are diminished, especially if they are known – or thought – to have been victims of sexual exploitation. Social development efforts are undermined and the cycle of poverty continues, putting younger generations at risk of trafficking too.

### **The impact of child trafficking on the country's social development**

At a national level, economic development is stymied both by the lack of educational development and also because potentially productive future workers are lost to the economy. Children and adults who return from trafficking with injuries or diseases also put a financial burden on their families and on the country, not least because the young and middle-aged people who are trafficking's most likely victims are unable to work and support the older people who depend on them. There are important long-term – but vitally necessary — costs involved in the rehabilitation of trafficked children (as well as adults) and costs involved in

making sure they can rebuild their lives and prepare a safer future. It is clear that government efforts to combat child trafficking can not only result in improved protection of children's rights but are an important contribution to social development broadly defined. There is consequently a strong imperative for mainstreaming anti-child trafficking policies and programmes in national development efforts, coordinating such policies and programmes across all relevant government departments, and allocating sufficient resources to tackle this problem.<sup>34</sup>

### **Consequences of being trafficked**

Children who have been the victims of a trafficking operation will have suffered physical and/or sexual abuse, often of an extreme kind. They are beaten, raped, tortured, sometimes killed. They endure this suffering at an age when they should normally be trusting, healthy and energetic youngsters. During childhood children are developing in a physical, social and psychological way. When trauma occurs during this important stage in life, the consequences are devastating, and affect all aspects of their lives. Children can lose their independence, and the capacity to lead a meaningful adult life. They suffer resultant long-term negative effects on their health and life expectancy. They can suffer stigma in their families and communities when they return home. They can become involved in criminal activities.

Some children (former victims or others) may be recruited to take part in the exploitation of other children, or may set up their own systems of exploitation, thus perpetuating the cycle of child abuse.

Often children show a complex pattern of symptoms, related to the multi traumatic experiences. For some children the effects are clearly visible; others however suppress their feelings and symptoms, and it can take a while before symptoms show up; this can be especially the case with psychological symptoms. Some children will even repress and forget the traumatic experience, the memory of which will surface later on.

*All children who have been sexually exploited will suffer some form of physical or mental harm.*

Where children have been enslaved and have had no control over their lives during their exploitation, they suffer trauma that is equivalent to the results of torture. Usually, the longer the exploitation goes on, the more health problems that will be experienced. But some children will suffer life-long damage very quickly, such as by contracting HIV.

The various effects on children that can result from being sexually exploited are summarized below:

#### ***Effects on physical health may include:***

Victims acquire various diseases, including venereal diseases and HIV infection, girl victims can become pregnant...

#### ***Effects on mental health and emotional responses may include:***

Depression, feelings of hopelessness, feelings of guilt and shame, suicidal thoughts, loss of self-confidence, exhaustion and sleeping problems, low self-esteem/feelings of self-hate, anxiety, anger...

#### ***Effects on behaviour may include***

Victims can be mistrustful of adults, victims adopt anti-social behaviour, he/she can find it difficult to relate to others, they frequently develop drug and alcohol addictions, they can

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<sup>34</sup> Training Manual to fight (Trafficking in children for labour, sexual and other forms of exploitation **Textbook 1: Understanding child trafficking, International Labour Organization 2009**)

become aggressive and angry towards others around them, they worry about people in their families and communities knowing what has happened to them, they develop eating disorders (not eating, overeating).

While many children are resilient, with a high capacity to heal after abuse, if given the care and support they need, extreme stress and trauma resulting from sexual exploitation or other serious abuse can lead to an identifiable long-term illness called Post Traumatic Stress Disorder (PTSD). PTSD can be difficult to diagnose and to treat. It is characterized by the following symptoms:

- Re-living the event through dreams, nightmares, flashbacks and intrusive thoughts
- Avoidance of reminders of the event
- The person's general responsiveness is numbed to current events
- Persistent symptoms of high arousal such as sleep disturbance, aggressive behaviour and poor concentration

PTSD is known to affect memory in different ways. Children suffering from PTSD may even be unable to produce a description of what happened. Lack of cooperation, hostility, impaired ability to recall events in detail, are all likely to occur as a result of trauma.

### **Children remaining/returning to exploitation**

Even after being rescued, victims of trafficking run the risk of becoming victims all over again. As a result of their low self esteem, they are vulnerable to returning to exploitative situations. Some victims, even when they are free from their trafficker, will continue to work in prostitution. This may be for several reasons. Feelings of hopelessness may give them the impression that working in prostitution is the only way to survive.<sup>35</sup>

## **Lesson 6, 2 classes, 45 minuta each**

### **Topic: International Documents on Children's rights**

#### **First Class**

**Objective :** The students get informed on the Convention of Child's Rights adopted by the General Assembly of the United Nations on Nov. 20, 1989

#### **Activities**

First the **teacher** explains to the students that the Convention on the Rights of the Child adopted by the General Assembly of the United Nations on November 20, 1989 contains a number of principles and provisions on the rights of the child. The Convention on the Rights of the Child is the first legally binding international instrument to incorporate the full range of human rights—civil, cultural, economic, political and social rights. In 1989, world leaders decided that children needed a special convention just for them because people under 18 years old often need special care and protection that adults do not..

The Convention sets out these rights in 54 articles and two Optional Protocols.. The four core principles of the Convention are non-discrimination; devotion to the best interests of the child; the right to life, survival and development; and respect for the views of the child.

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<sup>35</sup> Adoptuar nga **TRAFFICKING IN CHILDREN FOR SEXUAL PURPOSES | A TRAINING GUIDE**, ECPAT Europe Law Enforcement Group, ECPAT Netherlands, Defence for Children International the Netherlands and ECPAT International Amsterdam, Bangkok, 2006)

The first of these is the principle that children have the right to exercise their rights without discrimination. This means that children who are trafficked from one country to another are entitled to exercise their rights in those countries where they are national. The second principle relates to the rights of the child to express their opinions to make them to be considered. This is especially important in case of a child who is trafficked and where decisions are made by a range of agencies in the child's country of origin or in another country where the child was trafficked.

The teacher gives students envelopes with strips of laws and some case studies and they decide in groups which right is violated in each case study. The final answers will be written in short forms on the board

## **Material for the teacher**

### **Case study 1.**

**C** is an 11 year-old boy living with his peasant parents on a plantation. His father falls sick and the family borrows money from the plantation owner. To pay it back over time, **C** starts working as the owner's servant.

### **Case study 2**

**D** is a 10 year-old girl living in a poor rural area hit by famine. Her better-off aunt in the capital city says **D** can come and live with her if she helps with some household chores. The aunt promises to send her to school. This situation is fairly typical of the country in which the girl lives: the 'placing' of children with extended family members is a traditional way of coping for large families who are having difficulties making ends meet in this particular country.

### **Case study 3**

**G** is a young boy who comes from Country **K**. He is between 10 and 12 years of age but looks much younger, (say 7-8 years). He is picked up by the police in Country **J** who find him working in the market selling small goods along with 10 other children of different nationalities. After a couple of hours of inquiry the police investigator is able to establish that the child is in fact living in Country **J** with his family. It is not clear whether the family has legal status or not. Although he is in fact enrolled in school, **G** spends most of his time in the market to take home small sums of money to his parents each evening.

### **Case study 4**

**H**, a 14 year-old girl from Country **T**, consented to be moved by her brother from the centre of country **T** to the south of the country. She lives with her brother and sister-in-law in the south, near the border with Country **Z**. Every day she travels illegally across the border to sell fruit and eggs for a third person to whom her brother introduced her. **H** does not go to school. According to the Labour Act of Country **Z**, she would be allowed to work in non-hazardous conditions if she was a citizen of country **Z**. Girl **H** is quite happy with her earnings. Every week, of her own free will, she gives her brother some of the money to cover her living expenses.

### **Strips with articles of the Convention on Child's rights will be as follows:**

- Non-discrimination (Article 2)

- Best interests of the child (Article 3)
- Right to life (Article 6)
- Right to a name (Article 7)
- Right to a nationality (Article 7)
- Right to know and be cared for by parents (Article 7)
- Right to an identity (Article 8)
- Right to non-separation and contact (Article 9)
- Right to leave a country and enter their own country (Article 10)
- Right not to be illicitly transferred abroad (Article 11)
- Right to express views and be heard (Article 12)
- Right to freedom of expression – to seek, receive and impart information (Article 13)
- Right to freedom of thought (Article 14)
- Right to freedom to manifest religious beliefs (Article 14)
- Right to freedom of association and peaceful assembly (Article 15)
- Right to privacy (Article 16)
- Right to access information (Article 17)
- Protection from violence, injury or abuse, negligence, maltreatment, exploitation, including
  - sexual abuse (Article 19)
- Right to alternative care (Article 20)
- Right to protection during adoption (Article 21)
- Rights relating to refugee status (Article 22)
- Right of special care for children with a disability (Article 23)
- Right to health (Article 24)
- Right of review for institutionalized child (Article 25)
- Right to social safety nets (Article 26)
- Right to an adequate standard of living (Article 27)



- Right to education (Article 28 and 29)
- Minority rights (Article 30)
- Right to rest and leisure, play and recreation (Article 31)
- Right of protection from economic exploitation (Article 32)
- Right of protection from illicit drugs (Article 33)
- Right of protection from sexual abuse and exploitation (Article 34)
- Right of protection from abduction, sale or trafficking (Article 35)
- Right of protection from other forms of exploitation (Article 36)
- Right of protection from torture, cruel, inhuman or degrading treatment/punishment (Article 37)
- Right not to be deprived of liberty (Article 37)
- Rights in situations of armed conflict (Article 38)
- Right to physical, psychological and social reintegration of a child victim (Article 39)
- Right to appropriate treatment under the law (Article 40)

**The answers referring to case studies:**

**Child C** – has been deprived of his right to an education (CRC Art. 28); perhaps to rest and leisure (Article 31); to be protected from economic exploitation (Art.32); from exploitation harmful to his welfare (Art. 36).

**Child D** – this is not a clear-cut case, since it depends very much on the aunt’s treatment of the girl, the extent and nature of those ‘household chores’ and whether or not the promise is kept to send her to school. However the girl is certainly at risk of being deprived of education (Art.28); perhaps to rest and leisure (Article 31); to be protected exploitation harmful to her welfare (Art. 36). In this case it is important to remember that Article 20 of the CRC gives States the responsibility for ensuring adequate care for children separated from their families, and that such separation is itself an issue of concern (Art.9).

**Child G** – is not enjoying his right to an education (CRC Art. 28), although it is not clear why that is – he may just be playing truant rather than being forced to work. Similarly, it is not clear whether his right to freedom from economic exploitation (Art.32) is being violated intentionally

**Child H** — has been deprived of her right to an education (CRC Art. 28); perhaps to rest and leisure (Article 31); and to be protected from economic exploitation (Art.32). Remember that her age means she cannot ‘consent’ to be deprived of these rights.<sup>36</sup>

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<sup>36</sup> Training manual to fight trafficking in children for labour, sexual and other forms of exploitation Copyright © International Labour Organization 2009

## Lesson 6 Second Class

Objective: Making the students aware of the need of getting informed on international conventions and additional protocols related to children's rights and human rights in general

### Activity

The teacher divides the students into six groups and distribute copies of the story of Sokoli. Then he/she gives each group an envelope containing a strips with Articles 11, 27, 28, 31, 32, 34, 35, 39 the United Nations Convention on the Rights of Children. Each group should determine which articles of the Convention have been violated in the case of Sokoli.

Another activity that may be conducted is by giving the groups of students a worksheet where they can give the answers to the following statement based on their experience

### Worksheet

<p><b>Statement:</b> When someone gets married he/she is not a child anymore</p> <p><b>Answer :</b></p>	<p><b>Statement :</b> If you commit a crime can be put in jail with adult criminals.</p> <p><b>Answer:</b></p>
<p><b>Statement</b> All children have equal rights, regardless of whether they or their parents are citizens of a particular country or not.</p> <p><b>Answer:</b></p>	<p><b>Statement:</b> Even though I am 13 years old, my parents read all my mail before I see it.</p> <p><b>Answer :</b></p>
<p><b>Statement:</b> I have the right to meet with both my parents, even if they are divorced</p> <p><b>Answer:</b></p>	<p><b>Statement:</b> I miss many classes because when my baby/sister or brother is sick, I take care of him/her while my mom is at work.</p> <p><b>Answer:</b></p>
<p><b>Statement:</b> Children who behave badly at school, should not in any way be punished physically.</p> <p><b>Answer:</b></p>	<p><b>Statement:</b> My friends and I are not allowed us to speak our mother tongue at school.</p>

	Answer:
<p><b>Statement:</b> Girls can play in the football field only if the boys are not using it.</p> <p>Answer:</p>	<p><b>Statement:</b> My parents let my seventeen-year-old brother watch on TV whatever he likes, where as I am not allowed to watch what I want, because I am only ten years old</p> <p>Answer:</p>
<p><b>Statement:</b> Only your daddy can decide what is best for you</p> <p>Answer</p>	<p><b>Statement:</b> Class 8 issues a weekly magazine and distributes it to the neighbours</p> <p>Answer :</p>

### Material for the Teachers:

#### Case study 14: The story of Sokol, Korça

*Sokol was born and raised in Korça. He is ten years old and lives with his mother, his 12 year-old stepsister and two younger stepbrothers, aged six and one and a half. The family is among the poorest in the area of Korça, and faces deep economic and social hardship. All the children have been born out of wedlock; their mother does not know who their fathers are. She is unemployed.*

*Although Sokol has been trafficked four times to Greece, he thinks this is quite normal. Most of his peers are trapped in the same cycle. “You don’t earn much money here,” Sokol says. While in Albania, he spends most of his time begging out on the streets. He has never attended school. Sokol usually crosses over the mountains to get to Greece. He says that other children are normally part of the group.*

*The trip is tiresome and long, and the children have to try and keep out of sight of police. Generally they were met by a stranger, who will take them to a house where other children live. During his stay in Greece, Sokol begs, sells, steals and works from sunrise to sunset. “We had better food than in Albania and get dressed better,” he says. Although he was obliged to give an assigned portion of his money to the trafficker, he was able to hide some extra ‘profits’ by burying them in a park. Sokol admits the children were treated badly. They were beaten with a belt, taken to hot showers, or burned with cigarettes. He was not supposed to meet anyone else during his stay in Greece. The group would change locations every month so that they could not be traced. Sokol says he has been apprehended by the police and was imprisoned for one month in Greece. Sokol is not the only child trafficked in his family. His older stepsister has been trafficked to Greece, at the same time and in the same place. Their mother has always been involved in trafficking her children. Every time they were trafficked, she was aware of it.*

*She even entered into negotiations with the traffickers and received money. She reveals that the traffickers are her neighbours, but she is reluctant to disclose names because of fear and possible threats. She has also had a number of abortions; in one case she made a deal with traffickers to give birth to her child in Greece, and then to hand the child over to be trafficked. When he returned to Albania, Sokol was approached by a local NGO in Korça called Help for Children (HFC). HFC wanted him to start attending school so he could meet other children. They did not force him to go. At first, he caused trouble in class, got into fights and made a lot of noise. His teachers complained it was difficult to work with him at first. He was also evasive and avoided answering questions. His teacher and social assistant had to establish a bond of trust in order to get him to talk. Little by little, working with HIF and in regular contacts with teachers, peers and his mother, he has drastically changed. He has become friendlier, has a sense of humour, sings beautifully and is endowed with an impressive wit. "I want to be a driver, when I become an adult," he says, and smiles..<sup>37</sup>*

### Worksheet with Answers

<p><b>Statement:</b> When someone gets married he/she is not a child anymore</p> <p><b>Answer:</b> Untrue/It is a violation of the Law.</p> <p><b>Article 1 of the Convention of Child's Rights.</b></p>	<p><b>Statement :</b> If you commit a crime can be put in jail with adult criminals.</p> <p><b>Answer:</b> Untrue/It is a violation of the Law</p> <p><b>Article 37 of the Convention of Child's Rights</b></p>
<p><b>Statement:</b> All children have equal rights, regardless of whether they or their parents are citizens of a particular country or not.</p> <p><b>Answer:</b> Untrue/It is a violation of the Law.</p> <p><b>Article 2 of the Convention of Child's Rights</b></p>	<p><b>Statement:</b> My friends and I are not allowed us to speak our mother tongue at school.</p> <p><b>Answer:</b> Untrue/It is a violation of the Law.</p> <p><b>Article 16 of the Convention of Child's Rights</b></p>
<p><b>Statement:</b> I have the right to meet with both my parents, even if they are divorced</p> <p><b>Answer:</b> True/ it is a child's right</p> <p><b>Article 9 of the Convention of Child's Rights</b></p>	<p><b>Statement:</b> I miss many classes because when my baby/sister or brother is sick, I take care of him/her while my mom is at work.</p> <p><b>Answer</b> Untrue/It is a violation of the Law</p> <p><b>Article 32 of the Convention of Child's Rights</b></p>
<p><b>Statement:</b> Children who behave badly at school, should not in any way be punished</p>	<p><b>Statement:</b> My friends and I are not allowed to speak our mother tongue at</p>

<sup>37</sup> Rapid Assessment of Trafficking in Children for Labour and Sexual Exploitation in Albania Prepared by INSTAT, Tirana Under technical supervision of FAFO Institute for Applied International Studies, Norway for the International Programme on the Elimination of Child Labour (IPEC) of the International Labour Organization (ILO), Tirana 2003

<p>physically.</p> <p><b>Answer:</b> True/ it is a child's right</p> <p><b>Article 28 of the Convention of Child's Rights</b></p>	<p>school.</p> <p><b>Answer:</b> Untrue/It is a violation of the Law</p> <p><b>Article 30 of the Convention of Child's Rights</b></p>
<p><b>Statement:</b> Girls can play in the football field only if the boys are not using it.</p> <p><b>Answer:</b> Untrue/It is a violation of the Law</p> <p><b>Article 28 of the Convention of Child's Rights</b></p>	<p><b>Statement:</b> My parents let my seventeen-year-old brother watch on TV whatever he likes, where as I am not allowed to watch what I want, because I am only ten years old</p> <p><b>Answer:</b> True/ it is a child's right</p> <p><b>Article 5 of the Convention of Child's Rights</b></p>
<p><b>Statement:</b> Only your daddy can decide what is best for you</p> <p><b>Answer:</b> Untrue/It is a violation of the Law</p> <p><b>Article 18 of the Convention of Child's Rights</b></p>	<p><b>Statement:</b> Class 8 issues a weekly magazine and distributes it to the neighbours</p> <p><b>Answer:</b> True/ it is a child's right</p> <p><b>Article 13 of the Convention of Child's Rights</b></p>

#### A. Universal Declaration of Human Rights - 1948

##### Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

##### Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

#### **B. Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others** Approved by General Assembly resolution 317 (IV) of 2 December 1949 , Entry into force: 25 July 1951,

The convention enforces the other international agreements previously taken on the problem of trafficking since 1904. The main objective of the Convention is to take effective preventative measures to combat all forms of trafficking in women and exploitation of prostitution. For the first time in an international document, the Convention states that prostitution and human

trafficking are incompatible with human dignity and value and endanger the welfare of the individual, family and community.

### **C The Convention on the Rights of the Child**

Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 Entry into force 2 September 1990, *A convention is an agreement between countries to obey the same law. The United Kingdom of Great Britain and Northern Ireland agreed to obey (ratified) the Convention on the Rights of the Child on 16 December, 1991. That means our government now has to make sure that every child has all the rights in the Convention, except the two they have 'reservations' about (Articles 10 and 37).*

The Convention is the principal children's treaty encompassing a full range of civil, political, economic, social and cultural rights. The Convention aims at protecting children from discrimination, neglect and abuse. It grants and provides for the implementation of rights for children both in times of peace and during armed conflict. The convention constitutes a rallying point and a useful tool for civil society and individuals, working for the protection and promotion of the rights of the child. In many respects, it is an innovative instrument.

#### **Key Provisions**

It is the first legally binding international instrument, which provides in a single text universally recognized norms and standards concerning the protection and promotion of the rights of the child.

**A summary of the United Nations Convention on the Rights of the Child** (to be used by the teachers while discussing on children's rights)

**Article 1** Everyone under 18 years of age has all the rights in this Convention.

**Article 2:** The Convention applies to everyone, whatever their race, religion, abilities; whatever they think or say, whatever type of family they come from.

**Article 1** Everyone under 18 years of age has all the rights in this Convention.

**Article 2:** The Convention applies to everyone, whatever their race, religion, abilities; whatever they think or say, whatever type of family they come from.

**Article 3.** All organisations concerned with children should work towards what is best for each child.

**Article 4:** Governments should make these rights available to children.

**Article 5:** Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly.

**Article 6:** All children have the right to life. Governments should ensure that children survive and develop healthily.

**Article 7:** All children have the right to a legally registered name, and nationality. Also the right to know and, as far as possible, to be cared for by their parents.

**Article 8:** Governments should respect children's right to a name, a nationality and family ties.

**Article 9:** Children should not be separated from their parents unless it is for their own good. For example, if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents, unless this might hurt the child.

**Article 10:** Families who live in different countries should be allowed to move between those countries so that parents and children can stay in contact, or get back together as a family.

**Article 11:** Governments should take steps to stop children being taken out of their own country illegally.

**Article 12:** Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.

**Article 13:** Children have the right to get and to share information, as long as the information is not damaging to them or to others.

**Article 14 :** Children have the right to think and believe what they want, and to practise their religion, as long as they are not stopping other people from enjoying their rights. Parents should guide their children on these matters.

**Article 15:** Children have the right to meet together and to join groups and organisations, as long as this does not stop other people from enjoying their rights.

**Article 16:** Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

**Article 17:** Children have the right to reliable information from the mass media. Television, radio, and newspapers should provide information that children can understand, and should not promote materials that could harm children.

**Article 18:** Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments should help parents by providing services to support them, especially if both parents work.

**Article 19:** Governments should ensure that children are properly cared for, and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them.

**Article 20:** Children who cannot be looked after by their own family must be looked after properly, by people who respect their religion, culture and language.

**Article 21:** When children are adopted the first concern must be what is best for them. The same rules should apply whether the children are adopted in the country where they were born, or if they are taken to live in another country.

**Article 22:** Children who come into a country as refugees should have the same rights as children born in that country.

**Article 23:** Children who have any kind of disability should have special care and support, so that they can lead full and independent lives.

**Article 24:** Children have the right to good quality health care, to clean water, nutritious food, and a clean environment, so that they will stay healthy. Rich countries should help poorer countries achieve this.

**Article 25:** Children who are looked after by their local authority, rather than their parents, should have their situation reviewed regularly.

**Article 26:** The Government should provide extra money for the children of families in need.

**Article 27:** Children have a right to a standard of living that is good enough to meet their physical and mental needs. The Government should help families who cannot afford to provide this.

**Article 28:** All children and young people have a right to a primary education, which should be free. Wealthy countries should help poorer countries achieve this. Discipline in schools should respect children's human dignity. Young people should be encouraged to reach the highest level of education they are capable of.

**Article 29:** Education should develop each child's personality and talents to the full. It should encourage children to respect their parents, and their own and other cultures.

**Article 30:** Children have a right to learn and use the language and customs of their families, whether these are shared by the majority of people in the country or not.

**Article 31:** All children have a right to relax and play, and to join in a wide range of activities.

**Article 32:** The Government should protect children from work that is dangerous, or might harm their health or their education.

**Article 33:** The Government should provide ways of protecting children from dangerous drugs.

**Article 34:** The Government should protect children from sexual abuse.

**Article 35:** The Government should make sure that children are not abducted or sold.

**Article 36:** Children should be protected from any activities that could harm their development.

**Article 37:** Children who break the law should not be treated cruelly. They should not be put in prison with adults and should be able to keep in contact with their families.

**Article 38:** Governments should not allow children under 16 to join the army.



**Article 39:** Children who have been neglected or abused should receive special help to restore their self-respect.

**Article 40:** Children who are accused of breaking the law should receive legal help. Prison sentences for children should only be used for the most serious offences.

**Article 41:** If the laws of a particular country protect children better than the articles of the Convention, then those laws should stay.<sup>38</sup>

**D. UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children** (referred to here as the ‘Trafficking Protocol’ but also known as the ‘Palermo Protocol’). The Trafficking Protocol supplements the UN Convention against Transnational Organized Crime that was adopted at the same time.

The Trafficking Protocol names three elements that comprise trafficking for persons aged 18 and older:

- recruitment by an intermediary (or transportation or transfer or harbouring or receipt);
- abusive means of control – the threat or use of force or other forms of coercion – in the course of recruitment, transportation, transfer, harbouring or receipt;
- subsequent exploitation, or an intention to exploit, in one of several ways, namely the exploitation of the prostitution of others, other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

**E. United Nations General Assembly** *Adopts* the document entitled “A world fit for children” on October 11, 2002

This session includes a section on the protection from abuse, exploitation and violence of the children. Among other there are a number of Articles related to children’s trafficking with the intention of their sexual exploitation Source: <http://www.unicef.org/specialsession/wffc/index.html>

### **Protecting against abuse, exploitation and violence**

41. Hundreds of millions of children are suffering and dying from war, violence, exploitation, neglect and all forms of abuse and discrimination. Around the world, children live under especially difficult circumstances – permanently disabled or seriously injured by armed conflict; internally displaced or driven from their countries as refugees; suffering from natural and man-made disasters, including such perils as exposure to radiation and dangerous chemicals; as children of migrant workers and other socially disadvantaged groups; as victims of racism, racial discrimination, xenophobia and related intolerance. Trafficking, smuggling, physical and sexual exploitation and abduction, as well as the economic exploitation of children, even in its worst forms, are daily realities for children in all regions of the world, while domestic violence and sexual violence against women and children remain serious problems.

In several countries, there have been social and humanitarian impacts from economic sanctions on the civilian population, in particular women and children.

42. In some countries, the situation of children is adversely affected by unilateral measures not in accordance with international law and the Charter of the United Nations that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women and children, including adolescents.

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<sup>38</sup> UNICEF UK’s website for children and young people: [www.therightssite.org.uk](http://www.therightssite.org.uk)

43. Children have the right to be protected from all forms of abuse, neglect, exploitation and violence. Societies must eliminate all forms of violence against children. Accordingly, we resolve to:

(a) Protect children from all forms of abuse, neglect, exploitation and violence;

(b) Protect children from the impact of armed conflict and ensure compliance with international humanitarian law and human rights law;

(c) Protect children from all forms of sexual exploitation, including paedophilia, trafficking and abduction;

(d) Take immediate and effective measures to eliminate the worst forms of child labour as defined in International Labour Organization Convention No. 182, and elaborate and implement strategies for the elimination of child labour that is contrary to accepted international standards;

(e) Improve the plight of millions of children who live under especially difficult circumstances.

### **Elimination of trafficking and sexual exploitation of children**

40. Take concerted national and international action as a matter of urgency to end the sale of children and their organs, sexual exploitation and abuse, including the use of children for pornography, prostitution and paedophilia, and to combat existing markets.

41. Raise awareness of the illegality and harmful consequences of sexual exploitation and abuse, including through the Internet, and trafficking in children.

42. Enlist the support of the private sector, including the tourism industry and the media, for a campaign against sexual exploitation of and trafficking in children.

43. Identify and address the underlying causes and the root factors, including external factors, leading to sexual exploitation of and trafficking in children and implement preventive strategies against sexual exploitation of and trafficking in children.

44. Ensure the safety, protection and security of victims of trafficking and sexual exploitation and provide assistance and services to facilitate their recovery and social reintegration.

45. Take necessary action, at all levels, as appropriate, to criminalize and penalize effectively, in conformity with all relevant and applicable international instruments, all forms of sexual exploitation and sexual abuse of children, including within the family or for commercial purposes, child prostitution, paedophilia, child pornography, child sex tourism, trafficking, the sale of children and their organs, engagement in forced child labour and any other form of exploitation, while ensuring that, in the treatment by the criminal justice system of children who are victims, the best interests of the child shall be a primary consideration.

46. Monitor and share information regionally and internationally on the crossborder trafficking of children; strengthen the capacity of border and law enforcement officials to stop trafficking and provide or strengthen training for them to respect the dignity, human rights and fundamental freedoms of all those, particularly women and children, who are victims of trafficking.

47. Take necessary measures, including through enhanced cooperation between Governments, intergovernmental organizations, the private sector and nongovernmental organizations to combat the criminal use of information technologies, including the Internet, for purposes of the

sale of children, for child prostitution, child pornography, child sex tourism, paedophilia and other forms of violence and abuse against children and adolescents.<sup>39</sup>

#### **F. ILO Worst Forms of Child Labour Convention, 1999 (No.182) (Article 7(2)):**

“Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to: (a) prevent the engagement of children in the worst forms of child labour...”

In 1999 the International Labour Conference adopted Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. It includes the sale and trafficking of children as one of the ‘worst forms of child labour’ as well as debt bondage, serfdom, and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict. In addition to listing most of the forms of exploitation mentioned by the UN Trafficking Protocol, the ILC requires every country ratifying Convention No. 182 to draw up a list of types of “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children” (generally referred to as ‘hazardous work’) and to stop anyone under 18 being involved in such work. The authorities are required by this Convention to formally identify hazardous work of this sort after holding consultations with employers’ organizations and trade unions in their country.

**G. ILO Minimum Age Convention, 1973 (No.138)** – an important instrument because, in implementing it, States Parties define the age at which a child is legally allowed to work (usually linked to the age for compulsory education) and it is then possible to define when a child is being exploited in child labour (in relation to their age – there are other conditions that define child labour, of course, including the nature of the work being done, but age is a key determining element).

#### **(Article 3):**

“1. The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years”.

#### **\_ ILO Worst Forms of Child Labour Convention, 1999 (No.182)**

– specifies that trafficking is, of itself, a worst form of child labour. Other worst forms include bonded child labour, forced child labour, and recruitment into armed conflict. Convention No.182 is accompanied by a **Recommendation (No.190)** on implementing the spirit of the Convention in national policy and practice. It includes suggestions on research, target groups, planning and coordination. It is worth noting, also, that on 7 November 2006 countries that are members of the ILO adopted a Global Action Plan on eliminating the worst forms of child labour and agreed to put in place time-bound commitments by 2008. Under these time-bound plans, they aim to end the worst forms of child labour, including trafficking, by 2016.

**\_ ILO Forced Labour Convention, 1930 (No.29)** – defines forced labour as “all work or service which is extracted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”.

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<sup>39</sup> Shtojca 2 Mjetet nderkombetare, <http://www.caritasalbania.org/dokumenta/antitrafikimi-shkaqet>

\_ **ILO Migrant Workers Convention (revised), 1949 (No.97)** – defines the migrant worker as a person who migrates from one country to another in order to take up employment that is not self-employment.<sup>1</sup>

\_ **United Nations Convention on the Rights of All Migrant Workers and Their Families, 1990** – enshrines the principle that all people who move for work – including children – have the same fundamental labour rights as all workers.

## *H. Council of Europe Convention on Action against Trafficking in Human Beings*

**Warsaw, 16.V.2005**

The Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community entered into force on 1 December 2009. As a consequence, as from that date, any reference to the European Community shall be read as the European Union.

### **Purposes, scope, non-discrimination principle and definitions**

#### **Article 1 – Purposes of the Convention**

1 The purposes of this Convention are:

- a to prevent and combat trafficking in human beings, while guaranteeing gender equality
- b to protect the human rights of the victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, while guaranteeing gender equality, as well as to ensure effective investigation and prosecution;
- c to promote international cooperation on action against trafficking in human beings.

2 In order to ensure effective implementation of its provisions by the Parties, this Convention sets up a specific monitoring mechanism.

#### Article 2 – Scope

This Convention shall apply to all forms of trafficking in human beings, whether national or transnational, whether or not connected with organised crime.

#### Article 3 – Non-discrimination principle

The implementation of the provisions of this Convention by Parties, in particular the enjoyment of measures to protect and promote the rights of victims, shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

#### Article 4 – Definitions

For the purposes of this Convention :

a "Trafficking in human beings" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

b The consent of a victim of "trafficking in human beings" to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

c The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in human beings" even if this does not involve any of the means set forth in subparagraph (a) of this article;

d "Child" shall mean any person under eighteen years of age;

e "Victim" shall mean any natural person who is subject to trafficking in human beings as defined in this article.

## **Lesson 7 , 2 classes, 45 minutes each**

### **Topic : The Laws and Strategies of Albania related to the combat against trafficking of human beings**

#### **Lesson 7, First Class**

**Objective: Children acquire knowledge on the laws and Strategies approved on the combat against human trafficking in Albania**

#### **Activities:**

First the teacher divides the class into groups of five or six and gives them a handout where are included the main laws on human trafficking in general and child's trafficking in particular.

Then he/she asks them to mention the main provisions included in the summaries they are provided with about the laws. Afterwards they are given some case studies and they will define the punishment the traffickers deserve on the basis of the laws.

The main questions will be:

- What are some of the main provision addressing child's trafficking?
- How does the law punish this phenomenon?

- Which do you think are the main aspects of these laws?

After the students discuss about the laws the teacher passes on to the next stage. They are given the case studies to speak about the laws which are violated and what punishments correspond to them.

## Material for the Teacher

The Albanian state is committed to prevent trafficking in human beings, and has expressed its will by ratifying several conventions<sup>40</sup>, which take a special places in the hierarchy of domestic legal acts. Understanding and implementing such conventions is a challenge for all professionals involved in anti-trafficking work, in particular with a view to ensuring victims' access to their rights. In cases of ratified conventions, that include provisions of a general nature, the Albanian state is obliged to draft domestic laws in compliance with them. Drafting and approving normative acts, that meet the standards of various international acts, including those issued by the United Nations, Council of Europe, and the European Union, has been a priority for the Albanian legislative and executive system, and this constitutes a good basis for respecting human rights and fundamental freedoms.

### ALBANIAN LAWS AGAINST HUMAN TRAFFICKING.

1 The Constitution of the Republic of Albania is the supreme law in the hierarchy of legal acts in the Republic of Albania. It stipulates the rights, whose implementation in practice contributes to the prevention of, and protection from trafficking in human beings. Article 3 of the constitution states "...dignity of the individual, human rights and freedoms ... are the bases of this state, which has the duty of respecting and protecting them". The second part of the constitution contains some provisions on the fundamental rights and freedoms, as well as some on protection from violence, which state "The fundamental human rights and freedoms are indivisible, inalienable and inviolable and stand at the basis of the entire juridical order".<sup>41</sup> "No one may be subjected to cruel, inhuman or degrading torture, punishment or treatment."<sup>42</sup>

The Constitution states that no one's liberty may be taken away except in the cases and according to the procedures provided by law (Article 27). It is important to safeguard the right to freedom in circumstances when kidnapping is considered a high-risk element of a criminal offence, similar to trafficking. Moreover, Article 26 of the Constitution states that no one may be required to perform forced labour.<sup>43</sup>

<sup>40</sup> The international Convention for the Suppression of the Traffic in Women and Children - Geneva 1921, and its amending protocol.

- Convention for the Suppression of the Traffic in Women of Full Age - Geneva 1933, and its amending Protocol

- Convention for the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others, plus Final Protocol of New York 1950.

- The United Nation Convention against transnational organized crime, ratified by Law No. 8920, dated 11.07.2002

- The United Nation Convention against transnational organized crime, ratified by Law No. 8920, dated 11.07.2002

- Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, ratified by Law No. 8920, dated 11.07.2002

- Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children supplementing the UN Convention against Transnational Organized Crime, ratified by Law No. 8920, dated 11.07.2002

- Convention on the the Elimination of All forms of Discrimination against Women, 1979, ratified by law 7767, dated 09.11.1993.

<sup>41</sup> Constitution of the Republic of Albania, Article 15, paragraph 1.

<sup>42</sup> Constitution of the Republic of Albania, Article 25

<sup>43</sup> Article 26 of the Constitution of the Republic of Albania (Law 8417, date 21.10.1998): "No one may be required to perform force labour, except in cases of the execution of a judicial decision, the performance of

The Constitution clearly specifies that every child has the right to be protected from violence, ill treatment, and exploitation for work, especially under the minimum working age. This explicit constitutional provision is important, given that exploitation and forced services constitute an element of trafficking both in women and minors. Another significant provision of the constitution is the one which specifies that children, the young, pregnant women and new mothers have the right to special protection by the state<sup>44</sup>. This is particularly important as trafficking in persons, both women and minors, may be accompanied by ill treatment, and physical and psychological violence.

## 2. Laws

### 2.1 Criminal Code of the Republic of Albania

Albania has enhanced its criminal legislation. Specifically amendments have been made by Law No. 8733, dated 24.01.2001, introduced an addition to Article 110/a: “Trafficking in human beings”. based on Law No. 9188, dated 12.02.2004, the legislator clearly defined the criminal acts of trafficking in human beings and considered trafficking in persons<sup>45</sup>, women<sup>46</sup> and minors<sup>47</sup> as special elements of the criminal offence.

The increased number of trafficked women, girls and children has made lawmakers more aware of the need for ensuring a special protection for women, girls and minors by introducing specific provisions on trafficking, as well as severe punishment measures for traffickers. Commitment of these crimes is punished with imprisonment from seven to fifteen years and a fine of three million to six million for the trafficking of women and a fine of four to six million for the trafficking of minors.

In 2008, the Criminal Code underwent important amendments made by Law 9859, dated 21.01.2008, which consisted of new measures for ensuring protection of children from physical and psychological ill treatment, committed by persons who are supposed by law to take care of them (Article 124/b) and protection of children from being used for pornographic purposes (Article 117). Article 128/b of the Criminal Code on trafficking in minors is amended with the 'selling of children' being introduced as another element of this offence

### 2.2. Family Code

The regulation of family relations by the Family Code is a guarantee for the protection of family members, especially of children, from the phenomenon of trafficking in human beings. The victims of trafficking, however, usually face a series of legal difficulties in family relationships.

One of the fundamental criteria specified by the Albanian Family Code is the minimum marriage age, which is 18. Full and free consent to marry is also another criterion to be met for a marriage to be considered legally valid. Any marriage, concluded between two persons without the full and free consent of each, who are under the minimum legal marriage age, have no intention of living together as husband and wife, or who have been forced to marry because of threat.<sup>48</sup>

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military servile, or for a servile that results from a state of war, a state of emergency, or a natural disaster that threatens human life or health.

<sup>44</sup> Constitution of the Republic of Albania, Article 54, paragraph 1.

<sup>45</sup> Criminal Code of the Republic of Albania, Article 110(a) amended by Law 9188, dated 12.02.2004, Article 1

<sup>46</sup> Criminal Code of the Republic of Albania, Article 114/b, amended by Law 9188, dated 12.02.2004, Article 2.

<sup>47</sup> Criminal Code of the Republic of Albania, Article 128/b, amended by Law 9188, dated 12.02.2004, Article 3.

<sup>48</sup> Family Code Articles 33, 34, 36, 37, 39

The Family Code includes some important provisions with regard to the meaning and exercising of parental responsibilities. A parent sentenced for abandoning his/her child, loses his/her parental custody.<sup>49</sup>

### **2.3 Labor Code**

The Labour Code provides special protection for minors. Thus, chapter X of the labour Code is dedicated specifically to the special protection of minors. According to Article 98 of the Labour Code, employment of minors under the age of 16 is forbidden, except for 14-16 year old minors who may be involved in light work during their summer vacations, which do not affect their health or education.

### **2.4 Law No. 9669, dated 18.12.2006, “On measures against domestic violence”**

Taking into consideration the fact that domestic violence makes people more vulnerable, especially towards human trafficking and other related offences, the approval of this law constitutes a contribution in the prevention of human trafficking especially of women and children. This law foresees services including shelters. The law aims at preventing and minimizing domestic violence, as well as at guaranteeing legal protection to all family members who are victims of violence, paying special attention to children

#### **Case study 1.**

A 17-year-old girl engaged to be sold in KOSOVO Tirana, 14 June 2007<sup>50</sup>  
She was just 17 years old when she was trafficked and sexually exploited in Kosovo by a 33 year old man (called KERA) from Tirana, who deceived her parents. The man was engaged to the girl just to exploit her sexually. They got officially engaged and even exchanged rings. It seemed that everything was going well, until October 2005 when Kera said he had found a new employment opportunity in Kosovo. He moved to Kosovo together with his fiancée, but once they got there he forced her to prostitute. Her parents allowed him to get their daughter with him to Kosovo without knowing what was going to happen to her. The 17-year-old girl was captured and saved by the UNMIK police. Before turning to Albania she was sheltered for several months by IOM in Kosovo. Albanian police declared Kera an internationally wanted person. Tirana Prosecution stated that the man was accused of organizing prostitution and trafficking in minors and his case was sent for trial to the Court of Tirana. Since the beginning of the investigation, the victim AT was hidden. This is one of dozens of stories where the "optional husbands" come home to ask "officially" to be engaged girl. Once this happens, these men find a reason to depart from Albania to another country, where girls are exploited in the sex industry.

#### **Case Study 2**

In a small poor village of Fusharrëzit, in northern Albania girls are disappearing. Fran Biçaku's teenage daughter, Valentina left home a year ago and no one knows anything about her.

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<sup>49</sup>Family Code, Article 223: “Parents of a child may lose their parental rights through a conviction for committing or collaborating in a criminal act towards their child, as collaborators in a criminal act, performed by their child, or if they have been convicted of family abandonment, as long as they have failed to fulfill their family obligations”.

<sup>50</sup> “Shekulli”, Newspaper Tiranë, 14 June 2007. For the whole article refer to:  
<http://www.shekulli.com.al/news/45/ARTICLE/11469/2007-06-14.html>



Gjin Lleshi's two daughters have disappeared - aged 15 and 17 years. He says that two men took them who had promised to marry them. Meanwhile, the girls were found working as teenage prostitutes in Italian streets, after having entered illegally through the help of Albanian mafia. This happens almost daily in Albanian villages and towns. Lydia Bici, the International Catholic Migration Commissioner, said: "..., minors are kidnapped in discos, bars, and schools." In some villages families are not sending girls to school for fear of kidnapping and taking them to a really risky world .....

Two years ago, Mariana Lleshi a 15-year-old girl was persuaded to abandon her home from a dealer who had said he would take her to Italy to be married to him. For three weeks, her parents did not have any news. Then they got a terrible letter in which Mariana wrote that she had been taken to the city Shkodra, northern Albania, where the man had told her that he would not marry her. In fact, he wanted to sell her as a prostitute. Mariana had tried to escape, and he had threatened her with a knife, and had forced the girl to go with him. As the majority of prostitutes she had been sent to Vlora city, the centre of smuggling in the southern part of Albania. Mariana had been trapped and taken to Italy. Another tragedy hit Lleshi's family: the 17-year-old sister was kidnapped. But this time the third sister, Martha reported the traffickers to the police. After some time - says her father - Martha was brutally murdered. The girl's body was found lifeless in a bag on the side of a river. Her killers were never found.<sup>51</sup>

### **Lesson 7, second class, 45 minutes:**

Objective: Assessment of the measures taken by the government related to child's trafficking

First the teacher asks the students the following questions:

- Which are some of the measures of the government addressed to trafficking and exploitation of children?
- Has the Government taken measures for the enforcement of the laws which you were informed about during the previous class?

Then he/she introduces them to the strategies and the sub laws. In this class the teacher may invite lawyers who will help in interpreting the laws.

#### **Materials for the Teacher :**

Apart from laws, there have been drafted and approved other documents that handle issues regarding child protection either as the main focus, or as part of a larger aim. Among the most important we can mention:

- The National Strategy for Children 2005-2010 and the National Action Plan;
- The National Strategy Against Child Trafficking and its Action Plan, 2005-2007;
- The National Referral Mechanism, July 2005;
- National Strategy for the Improvement of the Conditions of the Roma Community in Albania, 2003 - ongoing;
- The Agreement between the Ministry of Interior, the Ministry of Tourism and the OSCE

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<sup>51</sup> ABCNEWS.com, 12 maj 2002.

- Presence in Albania on the Promotion and the Implementation of Code of Behaviour on the Prevention of Children’s Exploitation in Tourism, signed in 2007 by 22 tourist operators<sup>52</sup>

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The National Strategy for Children and its National Action Plan are documents that define the strategic policy objectives of the Albanian government and include all the measures line ministries should take in order to realize the rights of children. The strategy focuses on four major objectives: the survival of the child; the protection of the child; the development of the child; and the participation of the child. These objectives are also applicable to the prevention, protection and assistance of children in various situations of risk, including child trafficking.

The State agencies which are responsible for the implementation of the strategy are: the Ministry of Education, Ministry of Culture, Youth and Sports, Ministry of Health, Ministry of Justice and Ministry of Interior, as well as the Intra-ministerial Committee for the Rights of the Children and the Technical Secretariat of Children, under the Ministry of Labour, Social Affairs and Equal Opportunities. The Albanian Ombudsman’s office monitors the work of the State agencies and the implementation of the strategy through the Subsection for the Rights of the Child

The most vulnerable children are those living in very poor conditions, in particular the Roma and the Balkan Egyptian children. Consequently, they have been included in the National Strategy for the Improvement of the Conditions of the Roma Community in Albania. The national strategy for the improvement of the conditions of the Roma community includes measures about children of the community, focusing on the strengthening of the efforts to reduce school drop-outs and encourage parents to send their children to school.

In order to enhance identification of and provide assistance to the different categories of victims of trafficking, the National Referral Mechanism was signed between the Ministry of Labour, Ministry of Public Order (now Ministry of Interior), Ministry of Foreign Affairs, the National Reception Centre for Victims of Human Trafficking, “Vatra” non-profit organization in Vlora, “Tjetër Vizion” non-profit organization in Elbasan and the International Organization for Migration – Tirana in 2005.

The following bodies are responsible for child protection and anti-trafficking:

- Inter-ministerial Committee on Children’s Rights
- The Technical Secretariat for Children
- The National Coordinator for the Combat of Human Trafficking/Deputy Minister of Interior
- The Anti-trafficking Unit in the Ministry of Interior

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<sup>52</sup> OSBE, Raporti Vjetor 2007

- The Responsible Authority for the National Referral Mechanism
- The Sector for the Combat of Illegitimate Trafficking in the Directorate for Border and Migration Police
- The National Reception Centre for Victims of Human Trafficking
- Subsection for Children's Rights in People's Ombudsman
- Regional Anti-trafficking Committees
- Child Protection Units established at every municipality/commune as Part of the Units of Social Assistance and Protection.

During 2005–2007, **14 agreements and conventions on international and regional cooperation** in the areas of justice, police cooperation, legal assistance against trafficking and organized crime, protection of child victims of trafficking, readmission of persons, illicit trafficking of narcotics, parental responsibility and civil aspects of the international child abduction were signed and ratified. In the framework of drafting and signing regional bilateral agreements, the Office of the National Coordinator has held cross-border meetings with the neighbouring countries (Macedonia, Kosovo), that resulted in the signing of agreements and protocols on police and cross-border cooperation for the exchange of information in the framework of combating trafficking in human beings. Similar meetings are soon to be organized with Montenegro and Greece.<sup>53</sup>

The **National Strategy against Child Trafficking for 2008-2010** is based on the conviction of the Government of Albania that child trafficking, like all other forms of human trafficking, is a crime and an offence against the dignity and human rights of its citizens. Hence, the Government has the main responsibility for combating and eradicating it. It also recognizes the shared root vulnerabilities of children to a variety of crimes of abuse and exploitation, and takes measures to strengthen a system of prevention and protection that can respond not just to suspected or actual cases of trafficking, but to a range of abuses against children, within existing structures and pilot programs, ensuring maximization of resources and efforts in this field. The Action Plan of this Strategy is based on three pillars:

- **Prevention of Child Trafficking** (including law enforcement and border control aspects, public awareness raising, education and training at local as well as national level, with particular reference to the most vulnerable communities, and preventative activities that take place within the context of the overall child protection system and prevention activities that address basic vulnerabilities of children to abuse, exploitation and neglect);
- **Protection and Reintegration of Child Victims of Trafficking** (including legal framework for referral mechanisms, physical and moral protection, temporary shelter, adoption, fostering and guardianship issues, family support, and social, educational, professional and economic aspects of reintegration, and assisted voluntary return of child victims);
- **Prosecution of Child Traffickers** (including legal framework, law enforcement, and judicial procedures);

**General principles on which the National Strategy against Child trafficking and its Action Plan are based:**

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<sup>53</sup> Strategjia kombëtare për luftën kundër trafikimit të fëmijëve dhe mbrojtjen e viktimave fëmijë të trafikimit 2008-2010

## **1. Rights of the child**

- All actions undertaken in relation to child victims shall be guided by and based on the principles of protection and respect for human rights as set out in the United Nations Convention on the Rights of the Child (1989).
- Child victims are entitled to special protection measures, both as victims and as children, in compliance with their special rights and needs.
- Involvement of a child victim in criminal activities should not undermine their status as both a child and a victim.

## **2. Best interest of the child**

In all actions considering child victims, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be the primary consideration.

## **3. Right to Non-Discrimination**

Child victims are entitled to the same protection and rights, non-national as well as national or resident children. They must be considered as children first and foremost. All considerations of their status, nationality, race, sex, language, religion, ethnic or social origin, birth or other status must be secondary.

## **4. Respect for the Views of the Child.**

- A child victim who is capable of forming his or her views enjoys the right to express those views freely in all matters affecting him or her, for example, in decisions concerning his or her possible return to the family or country of origin.
- The views of the child shall be given due weight in accordance with his or her age, maturity and best interest.

## **5. Right to Information**

- A Child victim must be provided with accessible information about, for example, his/her situation, entitlements, services available and the family reunification and/or repatriation process.
- Information shall be provided in a language, which the child victim is able to understand. Suitable interpreters and social workers or psychiatrists shall be provided whenever a child victim is questioned/interviewed or requires access to services.

## **6. Right to Confidentiality**

- Information about a child victim that could endanger the child or the child's family members must not be disclosed.
- All necessary measures must be taken to protect the privacy and identity of child victims. The name, address or other information that could lead to the identification of the child victim or that of child's family members shall not be revealed to the public or media.
- The permission of the child victim must be sought in an age-appropriate manner before sensitive information is disclosed.

## 7. Right to be Protected

- The state has a duty to protect and assist child victims and to ensure their safety.
- All decisions regarding child victims must be taken expeditiously.
- They have the right to have a safe home with basic needs provided, the right to education and health care and moreover, not to work until reaching a legal age to do so.

## International organizations committed to combat against human Trafficking

- ECPAT International – [www.ecpat.net](http://www.ecpat.net)
- Plan International – [www.plan-international.org](http://www.plan-international.org)
- Save the Children – [www.savethechildren.net](http://www.savethechildren.net)
- Terre des Hommes – [www.terredeshommes.org](http://www.terredeshommes.org)
- UNICEF – [www.unicef.org](http://www.unicef.org)
- World Vision – [www.wvi.org](http://www.wvi.org)
- International Organization for Migration- IOM --[www.iom.int](http://www.iom.int)
- Organization for Security and Co-operation in Europe | OSCE - [www.osce.org](http://www.osce.org)
- International Labour Organization – ILO - [www.ilo.org](http://www.ilo.org)
- The UN Refugee Agency - UNHCR - [www.unhcr.org](http://www.unhcr.org)
- United States Agency for International Development (USAID) - [www.usaid.gov](http://www.usaid.gov)

## Albanian NGOs actively involved in the prevention of trafficking and provision of services

- *Children rights Centre of Albania* [www.crca.org.al](http://www.crca.org.al)
- *Bashkë Kundër Trafikimit të Fëmijëve - BKTF* - [www.bktf-coalition.org](http://www.bktf-coalition.org)
- *Foundation “Help for the Children”* – NPF - [www.npf.al](http://www.npf.al)

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