

**COMBATING TRAFFICKING IN CHILDREN FOR  
LABOUR EXPLOITATION IN THE  
MEKONG SUB-REGION**

**A PROPOSED FRAMEWORK FOR  
ILO-IPEC ACTION  
AND PROCEEDINGS OF A  
MEKONG SUB-REGIONAL CONSULTATION**

by ILO-IPEC South-east Asia

Hans van de Glind & Claudia Coenjaerts  
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Thank you very much!

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## EXECUTIVE SUMMARY

Trafficking in children in the Mekong sub-region is a growing concern. Several recent international events have called for immediate action to end this outright crime. Initiated by its member states, the International Labour Organization (ILO) drafted a new Convention against the worst forms of child labour including trafficking in children. The draft Convention is now under discussion with ILO constituents. The spirit of this new Convention — along with that of the ILO Conventions concerning Forced or Compulsory Labour, 1930 (No. 29), and Minimum Age for Admission to Employment, 1973 (No. 138) and the United Nations Convention on the Rights of the Child (1989) — guides the ILO International Programme on the Elimination of Child labour (IPEC).

The IPEC is spearheading the concern for trafficked children within a framework for action in South-east Asia presented in *Part I* of this publication. The framework proposes groups of activities to combat trafficking in children in country specific and sub-regional contexts, based on significant experience accumulated in combatting child labour in Asia. The framework focusses on trafficking in children for labour exploitation, including sexual exploitation — both internally and across borders. Particular attention will be paid to vulnerable groups such as children of migrants and ethnic minorities, tribal groups, the very young (under 12 years of age), and girls. ILO-IPEC strategies to combat trafficking in children include direct assistance, advocacy and campaign work, institutional capacity building, and legislation and enforcement at the country level, as well as bilateral and sub-regional actions. These activities will be implemented in collaboration with a broad alliance of partners including government agencies, workers' and employers organizations, NGOs, and academia — at national and sub-regional level.

The ILO-IPEC framework for action was presented and discussed during a technical Mekong sub-regional consultation held from 22 to 24 July in Bangkok, Thailand. For participants, the meeting was also an opportunity to take stock of ongoing activities to combat trafficking in children in their countries and identify ways to strengthen national action and collaboration among key actors. The participants were key technical people from a variety of organizations in Cambodia, China, Laos, Thailand and Viet Nam, along with a number of observers, mainly from sub-regional organizations. Common denominators and entry-points for collaboration were sought throughout the consultation, without losing sight of differences in country and organizational structures.

The proceedings of the consultation, presented in *Part II* of this publication, reflect the plenary presentations and discussions. The results of the country and sub-regional group-work during the consultation are presented in *Part III*. They will serve as a basis for the second phase of the ILO-IPEC programme on combatting trafficking in children.

The main lessons for future action to combat trafficking in children that surfaced during the consultation, are the following:

### *Understanding the nature and realities of child trafficking*

Understanding the root causes and the bigger framework within which trafficking in children takes place is a key to successful interventions. The impact of the current economic downturn in Asia and the eventual negative side-effects of other development programmes should be taken into account when designing interventions.

A thorough understanding of the situation, background and origins of trafficked children is required. The children at the highest risk in the Mekong sub-region are girls and young boys from ethnic minorities and tribal groups, partly due to lack of citizenship and landownership of them and their families. 'High-risk' children and their families are often poor, uneducated, unskilled. In general, they are economically, culturally, intellectually, socially and emotionally disadvantaged. The parents of trafficked children tend not to value education. They prefer their children to work rather than to study, even when schooling is affordable.

The kaleidoscopic nature of trafficking in children also needs to be taken into account. Trafficking forms range on a continuum from outright kidnapping to persuading children to be smuggled voluntarily into jobs at a cost of which children are usually ignorant.

### *Research and data-collection*

The understanding of the nature and magnitude of the trafficking in children in the Mekong sub-region is increasing. Nonetheless, many unknowns still prevail, partly due to the sensitivity and illegality of the phenomenon. The economics of trafficking networks, including profit margins and the size of the industry, are priority areas for future research. Culture specific factors that favour trafficking in children have to be determined. Perceptions and rationales in decision-making processes also need to be looked at. Realistic and attractive income generation alternatives to facilitate both prevention and reintegration efforts, have to be developed. Research on reintegration of returned victims of trafficking is another priority.

Existing information should be of easy access to implementing agencies, for instance through a sub-regional information centre.

Research should always be oriented to assist victims without endangering interviewees. Researchers should be committed and culturally sensitive, have good listening and interviewing skills, and be able to establish rapport and listen to unheard voices. The potential of involving children and families' active involvement in research should be explored further.

### *Capacity building, collaboration and networking*

In most countries in the sub-region, mechanisms to combat trafficking are in place and governments have demonstrated commitment. However, the institutional capacities —manpower, expertise, money — to deal with trafficking are weak. Government budget allocations to combat trafficking are limited and risk being cut further due to the economic downturn in Asia. It is essential that ministries, NGOs and UN agencies find ways to join hands. The biggest challenge is to have well

functioning coordinating bodies among those agencies, and for governments, to have an interdepartmental approach.

All key actors need to be mobilized and, to the extent possible, interventions should build on existing local structures and service providers. In any capacity-building effort, people should be effectively involved and allowed to network, while learning by doing. In combating trafficking, the potential roles of para-legal experts, schooling systems, local universities and resource centres, influential people, ex-criminals, and former trafficked children should not be under-estimated.

Cross-border networking among collaborating agencies at governmental and non-governmental level also needs to be strengthened to provide higher quality return and reintegration services.

Profiting from established networks, small but successful projects should be expanded, replicated and/or mainstreamed into larger contexts.

#### *Government policy and priorities, legislation, and law enforcement*

Governments play a key role in combating trafficking in children. Significant improvements can be achieved only if governments are committed to establishing and implementing national policies and legislation. Law review and enforcement must be prioritized to facilitate proper police investigations, prompt prosecution and elimination of corruption.

Money laundering laws may offer opportunities to combat trafficking if they hit traffickers' major drive: high profits at low risk.

The double-victimization of trafficked children who are punished for illegally entering another country, also needs to be addressed. This is an issue of special concern in the case of ethnic minorities who become stateless persons when apprehended by the authorities.

Legislative developments must go beyond national borders. Where lacking, extradition and return agreements should be worked out at bilateral level. Interpol and Aseanapol<sup>1</sup> can help to step up sub-regional information sharing and collaboration. Exchange or rotation of lawyers may be another venue for improved collaboration, along with sub-regional workshops and seminars.

Special courts can be installed and special judges and prosecutors assigned to hear children's cases. Building awareness and training staff at all levels is paramount. The differences in perceptions and definitions of trafficking in children that hinder international collaboration also have to be addressed.

Protection of victims of trafficking who testify in court needs to be improved. Confronting children with their tormentors in court often leads to prolonged trauma.

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<sup>1</sup>Aseanapol is the network of police authorities in ASEAN - the Association of South-east Asian Nations.

Prosecution of traffickers of children is complicated as the victims often lack details on age and nationality, and give weak descriptions. NGOs can provide relevant services to children in this process.

### *Prevention*

Prevention of trafficking in children is the most cost-effective long term investment. Along with capacity building and law enforcement, effective prevention requires poverty alleviation, basic education, awareness raising and social mobilization. Temples, churches, schools and other existing structures should be utilized and mobilized, to the extent possible, to alert communities to the risks of trafficking. Awareness raising materials should be in local dialects. The information should explain the consequences of trafficking and indicate realistic alternatives.

Poverty alleviation measures in rural communities reduce the risk of children being trafficked. But these measures have to fit the local context. In most cases, this means a stronger orientation towards agricultural measures to generate income.

Affordable and relevant educational programmes that are responsive to the context of vulnerable groups are powerful interventions to prevent trafficking in children. Such programmes should focus on providing practical information which is useful in the day-to-day life of children, and should change parents' perception that education is worthless. Programmes should offer young children pre-vocational skills such as timeliness, discipline, team-work and responsibility. Skills training for older children should be problem-oriented, child-centred and activity-based. Extra-curricular activities — e.g., leadership and life skills camps, study visits and sports — should be increased. Greater course flexibility would enable children to learn at their own pace. In rural communities courses could focus on agriculture-oriented skills. In all settings, courses should steer clear of reinforcing gender-related stereotypes. Furthermore, the range of skills training courses offered should be varied, and based on sound market opportunity analysis.

### *Rehabilitation*

It is also crucial that prevention efforts are complemented with rehabilitative measures for victims of child trafficking. To offer trafficked children a different future, a comprehensive socio-economic package of services needs to be provided, including food, shelter, health care, schooling and sources of income. But these services can only be effective if the trauma of victims is alleviated. Psycho-social rehabilitation (PSR) is a holistic, simple, and cost-effective model which is easy to adapt to local conditions, and which has yielded positive results in cases involving trafficked children. The PSR model offers children under treatment time to recover, in a safe and reliable environment. Families of children under treatment need assistance as well, and follow-up visits to the families need to take place after children have returned home. Visits may be facilitated through a network of partner agencies at both ends of the trafficking routes. However, sending countries in the Mekong sub-region don't have large capabilities to provide psycho-social counselling and trauma treatment. If successful reintegration is to be achieved, their capacity needs to be enhanced.

## **PART I**

# **THE ILO-IPEC APPROACH AGAINST TRAFFICKING IN CHILDREN IN THE MEKONG SUB-REGION**

## 1 THE CONTEXT

Trafficking in children has emerged as a major issue of global concern in recent years, in particular in Asia. Facilitated by globalization and modern communication technology, it is becoming increasingly transnational in scope. Several recent international events have called for immediate action to end this outright crime, most notably during the Stockholm Congress Against Commercial Sexual Exploitation of Children (1996), the Amsterdam and Oslo Conferences on Child Labour in 1997. The 1998 International Labour Conference discussed trafficking in the context of the proposed ILO Convention against the worst forms of child labour. The ILO International Programme on Elimination of Child Labour (IPEC) will build future activities to combat trafficking in children on the results of these events.

Trafficking in children serves different purposes<sup>2</sup>. One of the main purposes is the commercial sexual exploitation of the child, a particularly hazardous form of child labour and a violent crime. Child trafficking scorns the basic notion of humanity and strips away the dignity and freedom of society's most vulnerable members. This ILO programme **focuses on trafficking in children for labour exploitation, including sexual exploitation — both internally and across borders**. These forms of trafficking include a component of recruitment and/or transportation of a child for labour exploitation by means of violence, threat, deception or debt-bondage. Particular attention will have to be paid to vulnerable groups such as children of migrants and ethnic minorities, tribal groups, the very young (under 12 years of age) and girls.

## 2 RESEARCH AND FINDINGS

### 2.1 Introduction

Many organizations are making valuable contributions to the knowledge on trafficking in children in the Mekong sub-region. But research efforts and responses to the problem are scattered.

With support of the Government of the United Kingdom, ILO-IPEC launched a project in mid-1997 entitled "Combating the trafficking in children and their exploitation in prostitution and other intolerable forms of child labour in South Asia and the Mekong sub-region". One of the objectives of the project was to enquire into the trafficking in children situation in Asia. The research component delved into issues that would facilitate the implementation of the action component of the programme including details on the nature and magnitude of the problem, and ongoing and suggested responses.

ILO-IPEC commissioned the Mahidol University Institute of Population and Social Research (IPSR) to conduct the study in the Mekong sub-region. A Bangkok-based team covered Thailand, Myanmar and Laos and IPSR-contracted consultancy teams from Cambodia, Viet Nam, and Yunnan province in China, for research inputs on

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<sup>2</sup> Examples of the purposes of trafficking include: prostitution, domestic work, (bonded) labour, marriages, false adoption, sex tourism and entertainment, pornography, begging, criminal activities.

these countries. The research teams shared country-specific information and laid the basis for a sub-regional overview report in a workshop held in January 1998.

## 2.2 Research findings

The study identifies certain trends and issues of child trafficking in the Mekong subregion. These findings form the building blocks for an IPEC strategy and action programme to combat trafficking in children for labour exploitation. Major lessons learnt are as follows.

### 2.2.1 Trends in trafficking routes, numbers and purposes

- X **The routes.** Cross border migration has increased significantly due the opening of borders and as a result of globalization. Many previously remote areas are now exposed to rapid social changes. This has disrupted traditional lifestyles and made communities especially vulnerable to the problem of child trafficking. There are a number of well established trafficking routes in the Mekong sub-region. Most trafficking takes place over land, and there are well known gateways from each country. Thailand is the main receiving country in the region, where there are comparatively more job opportunities than in surrounding countries. Cambodia and Yunnan province in China are at both the sending and receiving end. Vietnamese children are being trafficked to Cambodia for prostitution. A significant number of ethnic minorities from North Viet Nam and Myanmar are trafficked, under the disguise of marriage, often to become unpaid domestic workers.
- X **The data.** Existing data on child prostitution and trafficking are mostly based on guestimates; nevertheless, they indicate trends and developments.

*(a) trafficking for prostitution.* The trafficking from Myanmar and Yunnan to Thailand is mainly for prostitution. There are an estimated 16,423 foreign prostitutes in Thailand, 30 percent of which are under 18 years old. Of the total figure, as many as 75 percent started before they turned 18. The figures also indicate that 80,000 women and children have been trafficked to Thailand for prostitution, since 1990. The highest numbers are from Myanmar, followed by Yunnan province and Laos. At least 3,000 girls from South Viet Nam have been trafficked to Cambodia for prostitution—more than 15 percent are younger than 15 years old. In Cambodia, trafficking for prostitution occurs mostly within the country itself, although some girls are also taken to Thailand for that purpose.

*(b) trafficking for begging and soliciting.* Cambodian children are trafficked to Thailand mainly for begging or soliciting. The majority of victims are very young boys. Trafficking for begging purposes is a new trend. About 500 Cambodian children are known to work for gangs in Thailand, a phenomenon also noticed in Myanmar.

*(c) trafficking for other exploitative work.* This includes work in construction sites, small shops, factories, and as domestic workers. In 1996, a total of 194,180 foreign child labourers was estimated to work in Thailand, 70 percent of them are boys. Most are from Myanmar, Laos and Cambodia. They are generally exposed to extremely hazardous working conditions, confined in the

workplace and often treated like slaves. Sometimes whole families are trafficked for these types of work. Laotians are trafficked to work as undocumented workers in a variety of occupations. Most of them try to escape poverty in their villages.

- X **The concept.** The extent to which children are informed about the trafficking process, the costs involved and the situation they will end up in, differs from case to case. Not all trafficked children are being coerced. A growing number of girls, especially in Myanmar and Yunnan, are simply persuaded into a job, well aware of the trafficking process but not of the levels of indebtedness they will experience. Many of these girls socialize with prostitutes and, through peer pressure and familiarity with the environment, become prostitutes voluntarily. The more experienced children are, the more independently they migrate. The first time, children can be trafficked under coercion but with limited alternatives, they may remain “voluntarily” in the situations into which they are trafficked.

### **2.2.2 The push and pull factors**

- X Sending communities have specific social, cultural, political and economical set-ups that make them vulnerable to the problem of child trafficking. But there are some common denominators that apply to all: poverty, limited educational opportunities, dysfunctional families, politically or socially disrupted communities, and social exclusion. Ethnic minorities, tribal groups, undocumented migrant workers, stateless people and people in refugee camps are particularly vulnerable.
- X The relative economic prosperity in Thailand and perceptions of people in surrounding countries of the ‘good’ life in Bangkok, pull different forms of cross-border migration. More willingness towards being trafficked for prostitution to Thailand was noticed in Yunnan province and among ethnic minorities in Myanmar, in face of scant opportunities to earn a living. The influence of returned peers or long-time friends appears to be significant.
- X There are also factors at play from the receiving end. (a) With economic growth and increasing school enrolment rates, fewer Thai children are now in the labour market and demand for foreign child labourers has increased. This trend, however, may reverse with the current economic crisis. (b) Physical attributes of particular groups can also play a role. In Cambodia, there is a high demand for girls from Viet Nam who are regarded as pretty. Girls from mountainous areas are in demand because they are perceived to decrease the risk for HIV/AIDS or other STDs. (c) Thirdly, permissive attitudes and a macho culture where it is considered acceptable behavior to visit prostitutes and where gender roles give girls certain attributes also affect the demand side. (d) Lastly, the business of trafficking in children is a profitable one and it is generally easy to sidestep the law.

### **2.2.3 The recruitment process; an organized network**

- X A significant change in the Mekong subregion is that, where previously more isolated, trafficking now takes place in well organized and profitable networks, particularly in the case of trafficking for prostitution. Many actors are involved

in the recruitment process: facilitators, (sub)agents, trip managers, police authorities, parents, guards and job placement agencies. Each has a specific role and a profit in the process— from the first contact with the trafficked child, to delivery to the employer.

- X For the different jobs into which children are being trafficked, different procedures and routes apply, each having its own network.
- X Although some children are trafficked from their communities, increasing numbers travel by themselves to border gateways where the trafficking agents take over.

#### **2.3.4 Intolerable working conditions and their impact**

- X The work hazards to which trafficked children are exposed are intolerable and are sometimes life threatening. They are exposed to drug abuse, STDs including HIV/AIDS, which may affect their health for the rest of their lives. As illegal migrants they have no access to health and social services or insurance.
- X Children, unaware of the procedures and the networks, are lured into jobs they did not want. Many are trapped, through deceit, with high debts for advance payments to parents, the agent's fee, and travel and recruitment costs. Many trafficked children are bonded labourers. Their indenture, the absence of legal support combined with their illegal status, leave them at the mercy of employers and authorities. Recent Thai measures to deport at least 300,000 illegal migrant workers will force illegal migrants in that country, including trafficked children, more underground and increase their vulnerability to exploitation.
- X The cost of trafficking in children is extremely high on the child and on the community he or she came from. Major obstacles for reintegration are children's limited opportunities for education and vocational training, the severe psychological trauma they suffer, and health hazards related to HIV/AIDS and other diseases. Unless all these obstacles are carefully addressed, victims remain marginalized for the rest of their lives. These children are stigmatized and alienated from their communities making the reintegration process even more difficult.

#### **2.2.5 The need to develop multi-sectoral responses through a broad**

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- X There is international and national response to trafficking in children. But generally it is un-coordinated, isolated and restricted, and benefits only small geographic areas.
- X Workshops and conferences on child trafficking have helped to raise awareness and establish contacts between different countries. But they have not resulted in tangible programmes. Negotiations for bilateral agreements, for instance between Laos and Thailand, Thailand and China, and Viet Nam and Cambodia, have resulted in positive outputs. But much remains to be done to have more such agreements and make them fully operational.

- X As the issue is receiving more public attention, existing international agreements — the UN Convention on the Rights of the Child, the ILO conventions on Child Labour, Forced Labour and Migration, as well as the draft convention on worst forms of child labour — can be used as building blocks for sub-regional action since they all relate directly or indirectly to trafficking in children.
- X National legislations were revised to some extent, but are still flawed. They are incomplete, lack clear instructions on sanctions and tend to treat victims as criminals. Generally, law reform is given low priority and enforcement is weak. Clear policies and guidelines are needed to change this.
- X NGO's have been instrumental in implementing policies, and have set up assistance services to prevent child trafficking and enable the reintegration of victims into their communities. But, here again, a lot more needs to be done. Prevention is cost-effective and the only solution in the long run. However, a holistic approach to reintegration of victims is also essential and requires bilateral work. Programmes need to address the wide range of needs of the children and communities affected and generally, NGO's lack the capacity to do this. The social aspects of recovery should be integrated into all programmes. Sensitization, community building, and psycho-social counseling are indispensable components for all programmes.
- X Effective responses must also address underlying challenges such as the problem of illegal migration, language barriers, legal implications and the need for a long term approach to reintegration. The complexity of the problem and its high cost for victims and for society, requires coordination, effective networking and a multi-sectoral approach.

### **3 ILO'S MANDATE TO COMBAT CHILD LABOUR AND TRAFFICKING FOR LABOUR EXPLOITATION**

Ever since its creation in 1919, the ILO has devoted a major part of its efforts to the elimination of child labour. The major means of action taken by the office include: efforts to influence regulations on child labour in member states, principally through the adoption of International Labour Standards in the form of Conventions and recommendations and supervision of their application; collection and dissemination of information; research; and direct technical assistance to countries through IPEC.<sup>3</sup>

ILO-IPEC has developed into a truly global programme operating in over 30 countries and implementing nearly 1,000 action programmes worldwide. The increase in financial support and media coverage, and progress made in receiving countries, confirm ILO-IPEC's significant role in the fight against child labour. The

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<sup>3</sup> The International Programme on Elimination of Child labour started in 1992, and is operational in over 30 countries worldwide in 1998.

key elements of the IPEC strategy to fight child labour include: in-country ownership of the child labour agenda; identification and replication of sustainable action, mainstreaming child labour concerns in national socio-economic development policy; modest, replicable and expandable pilot-projects; priority for prevention and abolition of the worst forms of child labour; and fostering broad alliances of partners at national and international level.

ILO's stance against trafficking in children is reaffirmed by the development<sup>4</sup> of the draft Convention on worst forms of child labour<sup>5</sup> — which will also provide the legal framework for future ILO action to combat child trafficking. The objective of the draft Convention is to mobilize worldwide action to immediately suppress enslavement, bondage, prostitution and hazardous work of children, particularly of the very young (under 12) and girls.

The conditions under which children are lured and trafficked from their countries and the situations in which they end up, are tantamount to forced labour. ILO stands firmly against forced labour and has called for an end to the practice since the Forced Labour<sup>6</sup> Convention, 1930 (No. 29.)<sup>7</sup> The ILO Convention on Minimum Age for Admission to Employment, 1973 (No. 138) and two Migrant Workers Conventions from 1949 (No. 97) and 1975 (No. 143) don't directly apply to the phenomenon of trafficking, but are also important because they address underlying issues. The UN Convention on the Rights of the Child,<sup>8</sup> also supported through IPEC work, is another key instrument to combat trafficking in children.

## **4 RELEVANT PRIOR ACTION BY ILO-IPEC**

### **4.1 Introduction**

ILO-IPEC has accumulated vast experience in combating child labour in Asia and around the world. It has done so working through local partners and country-owned programmes in a number of specialized areas such as data collection, capacity building, awareness raising, development of legislation and enforcement, and providing alternatives to working children. These, and the already existing programmes specifically catering to the prevention and eradication of child prostitution, form the basis of an ILO-IPEC programme to combat trafficking in

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<sup>4</sup> On the initiative of its tri-partite constituents.

<sup>5</sup> This proposed new Convention will be considered for adoption during the International Labour Conference in June 1999.

<sup>6</sup> Forced labour is defined as "all work or service which is exacted from any person under the menace of a penalty and for which the said person has not offered himself voluntary".

<sup>7</sup> To date, Convention No. 29 has been ratified by 149 ILO member states thereby enabling the ILO to examine practices with regard to forms of forced labour such as child trafficking within the meaning of the Convention on a world-wide scale.

<sup>8</sup> Of particular relevance are art. 32 (protection of the child from economic exploitation and hazardous work); art. 34 (protection from all forms of sexual abuse and exploitation); and art. 35 (protection from abduction, sale or trafficking in children)

children. To provide a more concrete picture of these building blocks, the following sections give some snapshots of ongoing programmes.

## **4.2 Child labour programmes that are relevant to combating**

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Capacity building of government agencies, workers and employers organizations, non-governmental organizations and others is a major component of action programmes in every member country. Interventions which are also part and parcel of all country programmes include: a) awareness-building and sensitization of government officials — in particular, training on international instruments and national legal provisions on child labour; b) training of labour inspectors and police officers; c) development of national and provincial action plans to combat child labour; and d) training of ILO-IPEC partners on project design, monitoring and evaluation. Resource and training centres established in Thailand<sup>9</sup> and the Philippines<sup>10</sup> provide relevant information and continuing technical support to ILO-IPEC partner agencies.

With regard to advocacy for policy change, ILO-IPEC promotes the ratification and effective compliance of conventions by governments. Several countries in Southeast Asia are now in the process of ratifying the ILO Convention on the Minimum Age for Admission to Employment, 1973 (No. 138)<sup>11</sup>, and the initial responses of governments in the Mekong sub-region to the draft Convention on extreme forms of child labour are encouraging. Other positive developments are an increase in the minimum age for admission to employment from 13 to 15 years of age, and a new law on prostitution prevention and suppression which came into effect in December 1996 in Thailand. The Philippines' House of Representatives is discussing various legislative initiatives to protect children.<sup>12</sup> Indonesia issued a circular in November 1997 to ban child labour from 25 identified jobs.

A range of customized skills-training programmes for prevention of child labour and to assist working children, was developed. In Bangladesh, skills-training programmes have been geared to remove children from hazardous work and provide non-formal education to mainstream them into the formal school system or enable their access to non-exploitative work. In Pakistan, IPEC programmes also aimed to partially withdraw the children from work, mainstreaming younger ones into schools, and providing vocational training for older children. In Indonesia, the focus was on non-formal education, equivalent to formal schooling, plus vocational training. Activities in Thailand targeted children vulnerable to prostitution. In India, the overall emphasis of training programmes is on mainstreaming children into regular schools.

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<sup>9</sup> In Thailand, the resource and training centre is run by Thammasat University.

<sup>10</sup> In the Philippines, the resource and training centre is run through the Institute for Labour Studies of the Department of Labour and employment.

<sup>11</sup> Malaysia ratified Convention 138 in 1997, the Philippines ratified it in principle but procedures still need to be finalized. Both Indonesia and Cambodia confirmed their interest to ratify the Convention.

<sup>12</sup> Investigation on implementation of Republic Act No. 7610 'Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act'; a resolution on the creation of the post of Ombudsman for children; and, revisions to the Child Protection Laws R.A. 7610 and 7658.

### 4.3 Child labour programmes that are aimed at trafficking

In Nepal, ILO-IPEC recently embarked on a capacity building programme to combat trafficking in children with the Ministry of Women and Social Welfare.

At local level, the Ateneo Human Rights Centre in the Philippines expanded and strengthened the network of para-legal experts to provide legal assistance to child victims of trafficking and exploitative labour.

Various awareness raising initiatives contributed to sensitize communities on the dangers of trafficking. Non-formal education packages for out-of-school children and working children incorporated highlights on child labour and the dangers of child trafficking and teachers in Thailand were trained to include these issues in the curriculum. NGO's in Thailand also produced educational videos in local languages<sup>13</sup> and conducted a child labour radio campaign. Maiti, an NGO in Nepal, organized prevention camps and door-to-door campaigns with the assistance of college students. In the Philippines, ILO-IPEC sponsored awareness-raising campaigns on child trafficking addressing policy-makers. Another local counterpart<sup>14</sup> in the Philippines worked on improving identification mechanisms and developing criteria for girls at risk of prostitution and trafficking.

NGOs such as the Development and Education Programme for Daughters and Communities (DEPDC) and the Lampang boarding school in Thailand, Agir pour des Femmes en Situations Precaires (AFESIP)<sup>15</sup> and the Cambodian Center for the Protection of Children's Rights (CCPCR) in Cambodia, and Kamalayan Development Centre (KDC) in the Philippines, offer a comprehensive package of services with non-formal education, counselling services, vocational training, job market opportunity analysis and income generating activities to (potential) victims of labour exploitation, most often prostitution.

The study of the Institute for Population and Social Research of Mahidol University documents the problem of trafficking in children in the sub-region. Other examples are publications on exploitative child labour including child trafficking<sup>16</sup>, produced by a regional umbrella NGO called Child Workers in Asia (CWA), and action-oriented research conducted by International Catholic Child Bureau (ICCB) in the Philippines to identify the developmental, emotional, social, moral, and spiritual needs of child prostitutes and improve rehabilitation programmes for victims of commercial sexual exploitation.

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<sup>13</sup> By the Thai Woman of Tomorrow (TWT) project.

<sup>14</sup> The ILO-IPEC counterpart is called 'St. Euphrasia Training Centre', Cebu, Philippines.

<sup>15</sup> ILO-IPEC and UNICEF co-fund specific activities of this NGO.

<sup>16</sup> Relevant CWA issues include 'Vulnerability' (January-June 1996), 'The risk: Working children and the sex business'(July-September 1996), 'Child domestic workers' (January-march 1997), and 'Trafficking and migration' (April-September 1997).

Fora for exchange of views on trafficking in children and inter-agency collaboration are also important strategies. In collaboration with other agencies,<sup>17</sup> ILO-IPEC organized a three-day consultation held in Bangkok in September 1997, to arrive at a regional consensus on the most intolerable forms of child labour. The Bangkok Consultation followed up on the Amsterdam Child Labour Conference (February 1997) and made recommendations for the International Conference on Child Labour in Oslo (October 1997). In addition, participants outlined country and regional action plans based on existing and newly identified practical measures and plans. Participating agencies continue to meet to follow-up on action recommendations that emerged from the consultation. ILO-IPEC also joined hands with other UN-agencies in an inter-agency task force<sup>18</sup> on trafficking in women and children in Southeast Asia, which was initiated by UNDP to improve coordination among the agencies. ILO-IPEC and UNAIDS are currently exploring how partners of both organizations can collaborate against child labour and HIV/AIDS. Finally, together with the Nepali Government, a seminar was hosted<sup>19</sup> recently, to develop a national plan of action against trafficking in children.

## **5 KEY CHARACTERISTICS OF THE ILO/IPEC FRAMEWORK FOR**

**ACTI**

### **5.1 Partnership and structural set-up**

Acknowledging the primary role of national governments in addressing trafficking in children, future ILO-IPEC supported activities will be fully co-ordinated with existing national task forces or committees assigned to implement the Agenda for Action of

## 5.2 Priorities

The beneficiaries of the ILO-IPEC programme are children under the age of 18 who are at risk of being trafficked or have been trafficked in the Mekong sub-region. Particular attention will be paid to vulnerable children of migrants, ethnic minorities, and tribal groups, children under 12 years of age, and girls. Action programmes will be developed in specific geographic problem areas at the sending and receiving ends. Successful pilot activities will be expanded, replicated and mainstreamed elsewhere to the extent feasible.

## 5.3 Interventions at

Given the transnational nature of problem of trafficking in children, the programme will consist of national, bilateral and subregional interventions.

At country-level, actions to combat trafficking in children for labour exploitation can be grouped in three main clusters: (1) direct action programmes to prevent the problem through (a) awareness raising, (b) provision of alternatives, and (c) monitoring and evaluation; (2) direct action programmes to withdraw and reintegrate victims; (3) advocacy and campaigns; and (4) capacity building by (a) strengthening legislation and enforcement; (b) research and information dissemination; and (c) in-country coordination and networking.

Through the inputs of the national focal point and existing task forces to combat trafficking, countries involved in the programme will determine and negotiate the package that best fits their specific needs and priorities from the menu below. Detailed action programmes will be finalized accordingly.

### 5.3.1 Direct action programming to prevent trafficking in children

#### (a) Awareness raising

3 The establishment of sensitization projects to increase knowledge of and change public attitudes towards child trafficking will be an integral component of all programmes directly or indirectly relating to trafficking. Communication projects will address gender issues, HIV/AIDS, child rights, perceptions on urban lifestyles and side-effects of consumerism.

### **Composition of the task force**

The task force will be a multi-sectoral group made up by representatives of NGOs, police, immigration officers, public prosecutors and other key governmental actors. Task forces should be chaired by a strong ministry with direct access to the Office of the Prime Minister. To ensure grassroots linkages and focussed interventions, provincial task forces will be installed where appropriate.

### **Activities of the task force**

Task force members will design a country strategy, **oversee** the implementation of a country programme and monitor progress, obstacles and achievements. The role of the task force will be to ensure a clear, coherent, time-bound strategy to combat trafficking in children which must be coordinated.

3 Develop stand alone awareness raising programmes for specific target groups who are key players in social mobilization.

K Programmes for educating parents and guardians of vulnerable children (migrants, ethnic minorities and tribal groups, single-headed households, homeless and street children) on the hardships and horrors faced by trafficked children and on possible income alternatives.

K Programmes with schools to (a) mobilize teachers to raise awareness and monitor children at risk; and (b) capitalize on the potential of the school system and non-formal education services to provide information on the danger of child trafficking and discuss alternatives, by including this subject in the curriculum.

K Programmes to mobilize media involvement in raising public awareness and changing attitudes on trafficking in children. Programmes may include the organization of national seminars to sensitize journalists, editors and media owners; encouragement and promotion of networking and exchange of information among media workers; support to facilitate access of journalists to reliable data on child trafficking (e.g., making lists of research institutes available, issue CD-ROM and explore the possibilities of an electronic information network along the lines of **CRIN or SEA-AIDS**); promotion of expert child issues reporter; child rights training for journalists to make the media a more effective ally in the fight against child prostitution; inclusion of child trafficking and child labour exploitation issues in journalism school curricula; development of ethical codes and professional guidelines to prevent insensitive coverage.

*The following strategies should be included in awareness raising programmes:*

1. *holistic approach, including spiritual and social aspects to promote mobilization and community building*
2. *involve key decision-makers/information providers, using a participatory approach*
3. *make use of existing social structures and systems to bring about attitudinal changes*
4. *Pay particular attention to gender discrimination*
5. *involve former victims, high school students, youth clubs and other community based organizations in door-to-door campaigns, plays, and street drama*
6. *mobilize politicians and other celebrities to raise consciousness on the issue both internationally and nationally - where possible also at local levels.*

*(b) Provision of alternatives*

4 Set up programmes to promote compliance with compulsory education.

4 Develop appropriate (useful), quality and cost-free non-formal education programmes, especially for very young children, in areas with a high incidence of child trafficking. Ensure non-formal education is officially recognized and consistent with formal school curricula. Include the danger of trafficking and possible income alternatives in these programmes.

4 Set up community building programmes and activities to develop social and emotional aptitudes of children (e.g., discussion groups in communities, youth activities, drop-in centres, play grounds).

4 Develop integrated programmes to promote income generation, small-scale enterprise development, micro-credits, skills training, and job market opportunity analysis services - where possible through existing projects - to families whose children are at risk of being trafficked. Promote self-help groups and cooperatives.

4 Develop skills- training programmes for girls<sup>20</sup> at risk, including job market opportunity analysis, assistance with income generating activities and small credits, where possible through existing projects.

*(c) Monitoring and evaluation*

4 Develop registration and attendance monitoring systems for school-going children, especially in non-formal education, and improve interaction mechanisms between school authorities, teachers and family members.

4 Develop training programmes for children to report incidents of sexual abuse and trafficking to parents and school teachers, and ensure reporting of teachers to the police and village watchdog teams.

4 Create monitoring bodies in the tourism industry to ensure that tour operators, travel agents and hotels adhere to rules and regulations.

4 Facilitate coordination and communication between relevant actors like the tourism industry, local (tourist) police, child welfare authorities, **ECPAT**, and other NGOs and societal organizations.

### **5.3.2 Direct action to withdraw and re-integrate victims**

4 Apply activities for prevention to returned victims as appropriate.

4 Support the establishment of crisis centres along borders to provide information and services to victims or possible victims of trafficking and sexual exploitation, and for emergency-legal-help, and set up local dialect hotlines to report trafficking cases.

4 Develop psycho-social counselling components to assist victims of child trafficking in comprehensive reintegration programmes.

4 Document rehabilitated cases.

### **5.3.3 Advocacy and campaigns**

4 Promote the ratification of the ILO Conventions on Forced Labour; Migration; Discrimination; Minimum Age of Employment; the UN Conventions on Suppression

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<sup>20</sup>Target: children, at least aged 14.

of the Traffic in Persons; Abolition of Slavery; and the Rights of the Child among other related international conventions, and their full compliance.

4 Raise awareness among national governments on the new ILO Convention on extreme forms of child labour, and **promote ratification by all on a priority basis**.

4 Support local and international campaigns against industries that utilize trafficked children, in particular in the entertainment sector, and strengthen campaigns against the clientele of child prostitutes. Where possible involve employers and workers organizations.

4 Encourage the service sector, including travel agencies and national tourism promotion boards to act more responsibly, and launch industry-wide campaigns to reduce exploitation of children. Where possible involve employers and workers organizations.

4 Assist governments to address social impacts of tourism promotion, migration and ethnic minority policies, and economic growth.

### **5.3.4 Institutional capacity building**

#### *(a) Strengthening of legislation and law enforcement*

4 Provide technical assistance to governments to bring national laws more in line with relevant international conventions, e.g., through technical workshops and targeted consultancies.

4 Promote enforcement procedures which criminalize traffickers and decriminalize victims as they are still very much seen in a criminal/illegal light rather than as victims of a crime<sup>21</sup>.

4 Develop training programmes to sensitize authorities on the problem and on the needs of child victims of trafficking, and clarify tasks of relevant actors.

4 Develop systems to make the masses aware of their legal rights and how to enforce them, through training of field-bound para-legal experts.

4 Promote innovative community programmes for the promotion of law enforcement.

#### *(b) Strengthening of institutions and networking*

4 Identify and equip national focal points to implement identified ILO-IPEC activities.

4 Set up, where needed, broad based task forces comprising government agencies and NGOs concerned with the problem, to guide the formulation and implementation of national plans of action to combat trafficking in children.

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<sup>21</sup> Though legislation on child trafficking has developed positively over the last 10 years.

4 Identify and strengthen specialized centres at national level that can incorporate expert services in the field of legal, social and economic assistance to victims of child trafficking, and train organizations that address the issue.

4 Develop the capacity of NGO staff for trauma treatment and psycho-social counselling services for child victims of trafficking as part of economic reintegration.<sup>22</sup>

4 Encourage governments to establish and equip children's units in police stations.

4 Set up and equip local watch-dog committees to protect children effectively.

4 Document best practices and training manuals in specific sub-fields — for instance training manual on how to advocate successfully; psycho-social counselling materials; training materials on legal rights; a standard non-formal education curriculum for children; training materials on successful and relevant income generating activities; information on improved research methodology in the field of trafficking in children — and train trainers.

4 Build the capacity of GO's and NGO's to co-ordinate, refer and use mutual reintegration services ( shelter, food, health care, psycho-social counselling, legal assistance, vocational skills training, and alternative income generating activities) for rescued victims.

4 Facilitate closer collaboration between the police, immigration department officials, border guards, the judiciary, labour inspectors and other public or non-governmental bodies and reintegration services. This could be achieved by organizing focussed group discussions and targeted training activities.

*(c) Research and information dissemination*

4 Stimulate additional targeted research in relatively uncovered areas, and compile and disseminate available data for a wider audience. This could focus on mapping out family profiles, decision-making processes in geographical areas with a high incidence of child trafficking, and on perceptions of family members— including potential victims — on trafficking processes and job opportunities in urban areas and abroad.

4 Set up a regional documentation centre under the auspices of an existing research institute and with an advisory board composed of representatives of UN agencies to facilitate information sharing on the subject.

4 Improve data collection and research methodology on trafficking in children. As appropriate, apply ILO-IPEC's Statistical Information and Monitoring Programme on Child labour (SIMPOC) to include comparative information on trafficking in children.

4 Improve data collection and research methodology on trafficking in children.

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<sup>22</sup> E.g., post-traumatic stress symptoms such as depression, aggression and self-destructive behaviour

4 Disseminate information on trends and developments in child trafficking by organizing fora and specialized training programmes.

#### **5.4 Bilateral, regional and international level**

Given the nature of the problem of trafficking in children, a global response that includes international sub-regional, and bilateral actions will need to be offered in addition to national responses. The international scope of the ILO-IPEC programme, its existing structures and linkages with a broad alliance of partners at national levels, and the close collaboration with a wide range of organizations will greatly facilitate this transnational effort.

Possible interventions at bilateral, regional and international level are to:

4 Develop bilateral agreements and inter-country mechanisms for combating trafficking in children, and coordinated return operations that include provisions for the care of returnees.

4 Promote the harmonization of relevant national laws on all issues related to trafficking in children between different countries.

4 Promote the expansion of extradition agreements and mutual assistance arrangements to facilitate the transfer of alleged criminals to face charges in the country where the exploitation occurred.

4 Organize workshops and fora for key actors in the Mekong sub-region to build in-country capacity, replicate successful interventions and strengthen bilateral cooperation.

4 Encourage and invest in temporary exchange of officials among countries.

4 Encourage the development of a sub-regional declaration against child trafficking.

4 Encourage regional co-ordinating bodies to share information and co-ordinate activities and interventions.

## **PART II**

# **REPORT OF PROCEEDINGS OF MEKONG SUB-REGIONAL CONSULTATION TO COMBAT TRAFFICKING IN CHILDREN FOR LABOUR EXPLOITATION, INCLUDING CHILD PROSTITUTION**

**22-24 July 1998, Bangkok, Thailand**

## **1 Introduction to the Mekong sub-regional consultation**

The Mekong sub-regional consultation to combat trafficking in children for labour exploitation brought together experts from different disciplines in Cambodia, China, Laos, Thailand and Viet Nam.

The meeting was held in Bangkok from 22 to 24 July, 1998. The country delegates included representatives of national institutions that combat trafficking in children or agencies responsible for implementing the Agenda for Action that emerged from the 1996 Stockholm Conference, from the ministries of Labour, Justice and Interior, NGO's and researchers on the subject.

Presentations during the consultation covered a range of possible activities for prevention of child trafficking and reintegration of victims. Participants agreed that although national realities and cultures differ, trafficking in children is a problem common to all countries that can be more effectively addressed with combined action. Apart from sharing experiences and information, the participants also formulated priorities for action to combat trafficking in children at national level.

## **2 The welcome address**

Ms Mitsuko Horiuchi, Assistant Director-General of the ILO Regional Office for Asia and the Pacific, delivered the welcome address. She said that "it is very shocking" that 30 per cent of the foreign prostitutes from the Mekong sub-region in Thailand are under 18 years of age, and continued that from the ILO perspective, trafficking in children leads to exploitative child labour. It is a violent crime which flouts the basic notion of human rights and undermines the development of the child. It denies the dignity and freedom of society's most vulnerable members. Historically, ILO has stood firm against forced labour calling for universal efforts to end this practice. Today, the organization spearheads the emerging global movement against child labour through the International Programme on the Elimination of Child Labour (IPEC). ILO is reinforcing this campaign with the draft Convention on the worst forms of child labour, due for adoption in 1999. The Global March Against Child Labour which swept through 100 countries from January to June 1998, heightened global awareness of the draft Convention.

## **3 The ILO-IPEC framework for action to combat trafficking in children for labour exploitation**

Ms Claudia Coenjaerts, Sub-regional co-ordinator of ILO-IPEC in Southeast Asia, presented the framework for action to combat trafficking in children for labour exploitation (See Part I). Like all ILO-IPEC strategies, the framework is based on International Labour Standards, including those which are proposed to immediately suppress the worst forms of child labour. This proposed Convention will complement existing international legislation, not replace them. It calls for governmental action (including stronger criminal sanctions), and international cooperation and assistance.

In this spirit, IPEC interventions to combat trafficking in children will include direct assistance, advocacy, communication campaigns, institutional capacity-building, and

promotion of legislation development and enforcement at sub-national, national, bilateral and sub-regional levels.

#### **4 Sub-regional overview study on “Trafficking in children for labour exploitation including child prostitution”**

Dr Kritaya Atchavanitkul, of the Institute for Population and Social Research, of Mahidol University in Thailand, presented the main findings of a Mekong sub-regional study on trafficking in children. The study was sponsored by ILO-IPEC. It was conducted in collaboration with the Institute of Sociology in Kunming (China), and the Research Center for Gender, Family and Environment in Development in Hanoi (Viet Nam), and ILO-IPEC staff in Cambodia.

The objectives of the study were to get a better understanding of the true nature of the problem, overview government responses and identify strategies for action. The study defines a trafficked child as one “who is recruited and transported from one place to another across a national border, legally or illegally, with or without the child’s consent, usually but not always organized by an intermediary such as parents, family member, teacher, procurer or local authority. At the destination, the child is coerced or lured into engaging in activities under exploitative and abusive conditions.” The study focussed on trafficking for prostitution, begging, soliciting and other types of child labour.

A major finding is that 30 per cent of an estimated 16,423 foreign prostitutes in Thailand, is younger than 18 years. Most of these girls are from Myanmar, China (Yunnan Province) and Lao PDR - in order of magnitude of the flows. At least 3,000 girls from Southern Viet Nam have been trafficked to Cambodia for prostitution. Among these, more than 15 per cent are under 15 years old. About 500 Cambodian children are known to work as beggars and solicitors in Thailand. The majority are very young boys. In 1996, there were an estimated 194,180 foreign children working in Thailand, 70 per cent boys. Most came from Myanmar, followed by Lao PDR and Cambodia. They often worked in appalling conditions, confined to the workplace and/or treated like slaves.

Poverty, lack of education, and cultural norms are considered the root causes of trafficking in children. The economic opportunities in Thailand are the main pull factors attracting people throughout the sub-region. Poverty, family debts, peer demonstration effects, consumerism and materialism are factors that push youth into the trafficking circuit.

Trafficking networks are complex and multinational. Facilitators, sub-agents, trip managers, guards, parents of the trafficked children, police and other officials, and job placement agencies are involved in the business. Procurement ranges from outright kidnapping to obtaining the children’s full consent and understanding of the types of work they will be engaged in. The latter form appears to be on the rise.

Dr Kritaya stressed that migrant children are in a vulnerable position and are often exposed to abuse and exploitation. When trafficked, they usually fall into a vicious cycle they cannot escape from. Their working conditions are intolerable and they are subject to infectious diseases. The consequences of child abuse are serious and hard to overcome. Trauma, and stigmatization upon return home, further complicate the reintegration process.

To address the problem effectively, co-operation from all relevant actors is mandatory, but difficult to achieve. Prevention and law enforcement should be stepped up. To enable effective responses, underlying challenges must be addressed: language barriers, legal implications, the problems related to undocumented workers, and the need for a long term approach to reintegration of victims. The complexity of the problem calls for a truly holistic approach. Plans of action have to distinguish short and long term goals and address both prevention and reintegration.

The subsequent plenary discussion compared the magnitudes of cross-border and in-country child trafficking. In Cambodia there is more internal trafficking than across the border. Thailand, on the other hand, receives a large number of trafficked children in various exploitative jobs. But, there is a dearth of reliable information on child trafficking since data collection is hampered by the slippery and covert nature of the business.

The difference between the 'migrant child' and the 'trafficked child' was object of contention. While some think that it is necessary to draw a line between the two, others are of the opinion that this is not easy as both terms overlap to a certain extent. Dr Kritaya's report uses debt-bondage as an indicator of the condition of being trafficked. It was argued, however, that — be it through illegal migration or trafficking — as long as children end up in exploitative situations they have to be assisted. In this sense, universal indicators such as UN definitions of poverty, movement, or exploitation patterns, are important. The ILO approach that puts trafficking in children in the context of exploitative child labour, may create a common denominator.

## **5 Sociological perspective on roots of trafficking in children among hill tribes and ethnic minorities and implications for programmes on prevention**

Dr David Feingold of the Ophidian Research Institute (ORI) highlighted the peculiar vulnerability of ethnic minorities and hill tribes to trafficking in children. He explained that ethnic minorities in Northern Thailand do not have citizenship or land ownership and lack a viable village economy. Many live in sheer poverty and are unable to send their children to school. Children out of school are at higher risk of being trafficked.

Various development projects targeting these groups have backfired with increased drug abuse, AIDS and exploitation of children in the sex and other industries. The history of resettlement of hilltribes to low-lands has been particularly disastrous, said Dr Feingold. It led to increased domestic violence and child prostitution and, he added: "If we don't learn from these experiences, it is unlikely that we will be able to address trafficking in children in the sub-region." Consideration should also be given to possible side-effects of other policies like **UNDCP's** plan to stop opium production in Myanmar within 10 years. Alternatives are needed to supplement the lost income of opium crops - probably the only option in Myanmar at the moment - to counter-balance the complete collapse of the Burmese currency. If these issues are not carefully addressed, attempts to "develop" these regions, can dramatically increase trafficking in women and children. Every project should have a careful assessment

of how it will impact on the lives of girls vulnerable to exploitation, something not often done at present.

International organizations tend to focus on girls being forced into prostitution, but this only accounts for a small percentage of trafficked cases. Forms of trafficking should be looked at from a broad perspective. If international conventions are to have any significant impact, corruption and collusion must be addressed. Any countries that ratify these conventions — for example, all countries of the world but two, Somalia and the US, are party to the Convention on the Rights of the Child (CRC). But governments don't always comply with the provisions of these international instruments and do not live up to their standards. What is needed, said Dr Feingold, are better laws, not more laws. Police corruption might be worst where child prostitution is concerned. He said that the numbers of trafficked children under discussion could not have crossed borders without a host of migration officials and other law enforcers "looking the other way".

Law enforcement practices also have to be reviewed. As it is now, children tend to be abused twice (double-victimization): first by criminal networks, then by public authorities that punish illegal aliens in Thailand. Most dramatic in this sense, is the fate of girls from ethnic minorities who, lacking a birth certificate or property, simply become stateless persons when "rescued" from brothels.

Culture, the essential foundation for the way people organize their lives, is breaking down among hilltribes. Politics is a grave and delicate matter in addressing trafficking in children. In some places, the political climate discourages community awareness campaigns. At the same time, the current economic crisis risks to exacerbate child trafficking. Down-sizing in the construction and garment industries in Northern Thailand, and other sectors with high numbers of working girls, may result in more girls being vulnerable to trafficking. And more girls in the sex trade without alternatives to earn a living, may lead to higher levels of child exploitation. On the other hand, as one participant commented, the crisis in Southeast Asia does not mean automatically that more girls are entering the sex industry; many of the recently unemployed have returned to agricultural work.

Nonetheless, in the face of stiff challenges, it is essential that strategies to combat child trafficking tap on, and reinforce the strengths and resources of hilltribe societies and ethnic minorities. This means working not for, but with and through communities.

## **6 Interventions**

Six groups of interventions were presented by resource persons and participants, followed by discussion. These interventions include research, capacity building, advocacy for policy change, legislation and law enforcement, preventive activities, and rehabilitation and reintegration programmes.

### **6.1 Research priorities and improved research methodology**

This topic was subject of a panel discussion with Prof. He Zhixiong of the Social Sciences Academy of Kunming (China); Prof. Le Thi Nham Tuyet of the Research Center for Gender, Family and Environment in Development, in Hanoi (Viet Nam); Dr Feingold and Dr Kritaya. Hans van de Glind of ILO/IPEC, Southeast Asia,

moderated the session which identified main gaps in information on trafficking in children and ways to enhance the quality of research in this area. The panelists generally agreed that the task is sensitive and difficult especially because the trafficking business is invisible and secretive.

Professor He Zhixiong pointed out some of the difficulties he faced in conducting research on child trafficking in Yunnan Province in China. Yunnan province has sixteen ethnic groups in remote areas, all with their own languages. This meant higher costs for the research team in terms of translations, travel time and manpower. People were reluctant to provide information and sometimes found it difficult to differentiate concepts of trafficking and voluntary migration. Stigmatization of victims — particularly of those who return diseased and penniless — made the research even more difficult to conduct. Interviewees tend to give the answers they think the researchers want, so reliability checks are important. Prejudices against researchers in many border regions in Yunnan also exist. On the positive side, new initiatives in child focussed research in China, using the child-to-child approach to data collection yielded promising results.

Prof. Le Thi Nham Tuyet said that pre-defined interview guidelines are important when doing research. The nature of the trafficking problem in Northern Viet Nam differs from the South making it necessary to have separate research teams in each region. Research teams should be multi-disciplinary to grasp all facets of the trafficking in children. Presently, there is very little information on trafficking in children in Viet Nam.

Dr Feingold argued that future research in the field of trafficking in children should focus on the economics of trafficking networks, the profit margin, and the size of the industry. Researchers also have to analyze subjective and cultural factors since poverty is not the only factor leading to trafficking. The dynamics of the decision making process in the community should be investigated too. When, for example, do alternative income generating activities become attractive enough for people to decide against trafficking? Depending on their status, children themselves are often closely involved in decision-making regarding their lives. In some countries in the sub-region, 16 year olds are seen as grown up adults.

Dr Kritaya recommended more research on the process of reintegration of trafficked children - including community responses. She underlined the importance of analyzing and identifying loopholes in legislation and implementation - especially those that lead to victims of trafficking being treated as criminals. Last, but never least, it is absolutely crucial that the demand-side of trafficking be more and better researched, looking at cultural aspects and the impact of national policies.

The panelists agreed that to guarantee quality research and/or improve research methodology on trafficking in children, researchers should be committed and culturally sensitive, have good listening and interviewing skills, and “be open to unheard voices”. Other characteristics mentioned were being friendly and non-judgmental, working with heart and loving the topic. While conducting research, consideration must be given to the needs of the target groups and to the potential of children to aid data collection. Sufficient time should be reserved to identify key informants, establish rapport with interviewees and permit follow-up visits. The time factor is most important when the research must cover vast and remote geographical areas. To ensure a participatory approach, local people, including children, must be

trained to help conduct the research. Research efforts should eventually result in providing relief for those in need. Victims of trafficking should always be the prime concern and researchers should ensure that their data-collecting efforts and publications do not backfire on interviewees.

## **6.2 The challenges in capacity building**

Dr Saisuree Chutikul, Advisor of the Thai National Commission on Women, Children, Youth, Elder, and Social Development of the Office of the Prime Minister, and Senator, opened the session on capacity-building. She argued that interventions in this area should enhance capabilities, at all levels, for preventing, protecting, rescuing and reintegrating victims of trafficking in children. Institutional, individual and group capacity building are of equal importance. The former one entails the development of efficient and effective mechanisms and systems; the latter two include investing in knowledge, attitude and skills development.

In Thailand, the National Commission on Women's Affairs set up a task force and three working groups to implement the Stockholm Agenda for Action Against Commercial Sexual Exploitation of Children, and coordinate actions to combat cross-border trafficking in women and children. Dr Chutikul said the ILO-IPEC framework paves the way for future action but the challenge now is to implement the agenda for children and achieve positive results. She encouraged all to take decisive action.

The session continued with panel presentations by Ms Chan Haran, Chair of the Cambodia National Council of Children, Mr Zhang Feng of the Ministry of Labour and Social Security of China, Dr Sidthinat Prabudhanitisarn of the Thai Women of Tomorrow Project, and Ms Amphayvanh Vilaychaleun of the Laotian Ministry of Labour and Social Welfare. The session was moderated by Dr Hegenauer of World Vision International. Panelists shared their views on needs (emphasis should be on improving laws and enforcement mechanisms) and ways to build in-country capacity to combat trafficking in children and specifically how structures and networks among agencies to combat trafficking in children can be improved (train staff and actively involve them in the entire capacity building process).

Ms Haran informed about a Cambodian national plan of action to combat child trafficking and prostitution under preparation. The plan calls for a multi-media community education campaign to raise awareness on the rights of the child, training for government officials and others, development of relevant laws, and review of enforcement mechanisms. The plan is also to define the legal age of consent to sexual relations, establish special courts, judges and prosecutors for hearing children's cases, and more child-friendly procedures and corresponding staff training. Capacity-building for recovery and reintegration, and provision of comprehensive services to victims of trafficking, is also planned for. Services are to include tracing families, counselling, family reunion, education facilities, and family credit and income generation. The plan also highlights the need for strengthened national and international collaboration among ministries, NGOs and UN agencies.

Mr Feng explained that the goal of the Chinese government is to ban the employment of children under 16 years old. In China, trafficking in children is considered a criminal act rather than a form of child labour. It is a practice more frequent in poor provinces like Guangxi and Yunnan. The government raised awareness among the population and created the “Bud Programme” to finance school attendance of young girls from poor families thereby reducing their risk of being trafficked. China would welcome involvement in the second phase of the programme to combat trafficking in the Mekong sub-region, assured Mr Feng.

Ms Amphayvanh explained that in Laos, the Ministry of Labour and Social Welfare (MLSW) has been appointed to co-ordinate policies addressing the plight of children in especially difficult circumstances, including those trafficked. According to the MLSW, commercial sexual exploitation of children is not an important problem in Lao PDR. A point of concern however is the increasing number of children being lured across the border secretly to look for work, money and entertainment in Thailand, making them vulnerable to sexual exploitation. Despite this awareness, the institutional capacity in Laos to deal with child trafficking is very limited. Institutional structures are underdeveloped and basic services are not available to large segments of the population. Technical skills to address emerging issues related to child protection are also limited. National systems for ensuring compliance and enforcement of protective laws are weak. The Lao Government, has designed programmes to protect children from all forms of exploitation with UNICEF support. Data collection is a key starting point; it must be followed by upgrading the capacity of relevant ministries and promoting partnerships with international organizations and NGOs. The nature of trafficking in children in Southeast Asia calls for close linkages with other sub-regional projects such as the framework for action presented by ILO-IPEC.

According to Dr Sidthinat, capacity building refers to a mechanism that can solve the problem effectively. Dr Sidthinat is a professor at Chiang Mai University in Northern Thailand. He said a provincial plan of action to combat child trafficking and prostitution is being formulated in Chiang Mai with active participation of all sectors concerned. Child prostitution protection networks will be used to combat child trafficking. Networks would have three components: (1) child watch; (2) information screening; and (3) child help to offer remedies, services and rehabilitation to victims. These networks will operate through key persons who know the business in and out. They would facilitate access to prostitutes, report on special problems that need immediate solutions, give assistance to those in need and strengthen government and NGO efforts in health, welfare, education, social and psychological activities. Children could also be key informants to identify key locations from which the trafficking and prostitution related activities are run. In addition, any capacity building effort should get people involved and facilitate networking as learning by doing is more effective than learning through training.

The ensuing plenary discussion emphasized the key role universities can play in capacity-building efforts. ILO-IPEC installed technical resource centers in several countries such as the one at Thammasat University in Thailand. These centers offer ILO-IPEC’s implementing agencies training and expert advice on the design, monitoring and evaluation of action programmes. Assistance from implementers and specialists from other countries is also needed to build capacity. Several examples were given of fruitful collaboration among local universities and NGOs in Viet Nam, Thailand, Indonesia, and India.

### **6.3 Advocacy for policy change**

Presentations on advocacy for policy change were given by Ms Jan Boontinand of the Global Alliance Against Trafficking in Women (GAATW) and Ms Chanthol Oung, Director of the Cambodian Women Crisis Center (CWCC). The session was moderated by Dr Sidthinat Prabudhanitisarn.

The presentations provided examples of international and national advocacy efforts for policy change to combat trafficking in children. In Southeast Asia these are mostly non-governmental efforts. In the meantime, political commitment for change from politicians and law enforcers is needed to improve legislation and law enforcement.

Ms Boontinand said much advocacy work is being done to promote the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of others (1949). A clear definition and enforcement mechanisms in the Convention are essential. GAATW campaigns to dissociate the terms 'trafficking' from 'prostitution' to improve the assistance to victims of trafficking.

Impact on policies can be achieved by organizing workshops and lobbying with delegations at conferences and other events. Ms Boontinand explained that different countries have different definitions and approaches to victims of trafficking. Thai immigration laws have a negative impact on victims. In contrast, Belgium and the Netherlands have laws that protect victims of trafficking. GAATW partners developed standard minimum rules for treatment of victims of trafficking which are being circulated for suggestions at present. Governments should co-operate with NGOs to provide relief and support.

Ms Oung explained that trafficking in children in Cambodia has increased since 1993. The CWCC has provided three-month training courses on the issue to NGOs. This led to more research on trafficking in children. Interest among organizations to combat trafficking in children is being raised through workshops, seminars and dramatizations. Recommendations were forwarded to the UN Special Rapporteur on Violence Against Women. NGOs drafted a text on trafficking in women and children and on how to address it. In 1996, the Cambodian Parliament adopted a law against trafficking incorporating governmental and non-governmental inputs.

Adequate laws are important, but they need to be enforced. In an example of successful advocacy for law enforcement, the support gained from the mayor of Phnom Penh has recently made it possible to assist and reintegrate hundreds of trafficked girls and arrest a number of traffickers. Similar campaigns should be stepped up all over the country. In order to raise awareness and promote policy change, CWCC organized a public forum for police officers, chiefs, politicians and staff of relevant ministries. Children were invited as speakers. Many police at the forum admitted they did not know the law on trafficking. Police have become more active in the fight against trafficking as a result of the forum, and political parties have taken up the issue in national election campaigns. Workshops and training

seminars, radio interviews, publications, press releases, and demonstrations, are all important, although, at present, the latter are difficult to organize in Cambodia due to security problems.

The CWCC conducted many advocacy related activities, but much more needs to be done, especially regarding legislation development and law enforcement. Plans for the future include research on attitudes, perceptions and responses to trafficking, and workshops and training activities to encourage appropriate responses from law enforcers. Finally, media campaigns should raise the issue of migration to Thailand, and cooperation with NGOs and immigration authorities along the borders with Thailand and Viet Nam need to be stepped up.

The plenary discussion focussed on obstacles and difficulties with advocacy work. Attitude changes do not happen overnight. For instance, the GAATW battle to dissociate trafficking from prostitution faces a lot of opposition in Southeast Asia. Advocacy against trafficking is further complicated by the inconsistency of definitions. Many agreed that NGOs have limited capacity and authority to campaign for more effective law enforcement. It was noted that new lawyers often don't have the necessary skills to deal with cases relating to trafficking. A final point was made on safety. It was said that the production of audiovisual material that does not preserve the anonymity of informants can expose them to grave retaliations from traffickers.

#### **6.4 Loopholes in legislation and law enforcement: What needs to be done**

Ms Linda Samay of the Cambodian Bar Association and Mr Wanchai Roujanawong of the Attorney General's Office in Thailand outlined loopholes in national legislation and law enforcement, and suggested ways for improvement. The session was moderated by Dr Michael Hegenauer of World Vision International.

Both presentations highlighted the difference between having laws and good enforcement practices. The speakers said that in Cambodia and Thailand, positive developments in legislation have not ensured the protection of children from trafficking, nor stopped victims from being treated as criminals by authorities. If the laws to curtail trafficking are to be effective, throughout the sub-region, the officials responsible for enforcement have to be trained on legal provisions. Furthermore, three major bottlenecks in prosecuting traffickers of children will have to be addressed: a) details of the children are unknown, b) sufficient evidence to support convictions is often lacking, and c) the testimony of children in court is a traumatic experience.

Cambodia's 1993 Constitution explicitly prohibits the practice and commerce of human beings and their exploitation in prostitution. The Cambodian parliament approved a new law on Suppression of Kidnapping, Trafficking and Exploitation of Humans in 1996, and a new Labour Law (1997) with provisions to prosecute cases of child trafficking and prostitution. The country also ratified international agreements to address this plight.

Ms Samay described different groups involved in child trafficking. Some parents sell their children willingly or are lured into doing so. Middlemen buy children and sell them to pimps and brothels. Pimps and brothel owners enslave these children and

put them to work as prostitutes, and customers - the last group in the chain - make this process a very profitable business.

Cambodian law stipulates different penalties for each group. However, parents are the most often prosecuted. Traffickers generally escape prosecution because key legal provisions are not very clear and therefore, are subject to various interpretations. There is no provision for witness protection, so victims are reluctant to testify. Corruption, insufficient police resources and overcrowded court calendars also limit the amount of cases brought to trial. Convictions are rare because of the high burden of proof required. Usually, the victims are the ones most penalized by legal procedures: trafficked children are treated like criminals and, as illegal aliens, end up in prison simply because there are no repatriation mechanisms and migration laws.

Ms Samay affirms that Cambodia needs new laws to strengthen its border control and a clear and energetic national policy to curb trafficking in children. She said the country also needs more international coordination in these efforts. A national policy should cover training of police, judges and prosecutors; law regulations to eliminate confusion and ambiguity; and better co-ordination between the government, police and NGOs to protect the victims. A regional council to step up co-operation with police in neighbouring countries against trafficking in women and children, would also be relevant.

Thailand has seen key developments to address the legal issues deterring an effective response to child trafficking. The 1997 Constitution stipulates that: 1) children are entitled to no less than 12 years of free education C at present the State must ensure nine years; (2) children and youth have the right to be protected by the State from being sexually, physically, labourwise or mentally abused; (3) children and youth who have no custody shall be raised and provided with welfare by the state; (4) all people, including children, will be treated equally under the law (5) a Human Rights Commission will be established to protect people=s rights; (6) administrative courts will be strengthened by setting up national committees, investigating and prosecuting felonies and appointing three ombudspersons to protect people=s rights. The Carta Magna calls for its provisions to be regulated within two to five years, and for broad-based societal collaboration to deal with plights faced by children in difficult circumstances, such as street children.

Thailand=s new labour protection act raises the age of employment from 13 to 15 years. Penalties for trafficking in children and women for sexual purposes increased substantially.

The 1996 Act on Prostitution Prevention and Suppression aims to punish pimps, brothel owners, procurers and parents who sell children. The Act replaces previous legislations that punished the prostitutes instead. The 1997 Trafficking in Women and Children Act is another relevant law with a tougher stance against those who exploit children.

Mr Wanchai cited the following points of concern and suggestions for improving legal action against child trafficking:

- # The Immigration Law of 1969 treats victims of trafficking as offenders thereby victimizing them twice. Trafficked children often lack the money to cover court costs and end up in prison as a result.
- # During court cases, children have to face their tormentors. Video tapes and internal TV circuits may be kinder approaches to child testimony than potentially traumatic confrontations in the courtroom. An amendment for more child-friendly courts procedures is under consideration.
- # Careful legal procedures require time and the police lack financial resources to maintain victims for a long time.
- # Witness protection programmes are costly and, to rationalize scarce resources, the police tend to concentrate on murder cases. Police are often not aware of, or sensitive to, the grave implications of trafficking in children.
- # The driving force behind trafficking lies in huge profits at low risk. A money laundering law cleared recently by the Thai parliament addresses crimes related to trafficking and prostitution. This new law offers the possibility to strike traffickers where it hurts most: in their pockets.

Cooperation between countries is essential to suppress trafficking. Thailand has extradition agreements with many countries in the world, but none yet with any of its Southeast Asia neighbours. In the absence of such treaties in the sub-region, Thailand has domestic laws to give assistance to every country, based on a reciprocal approach. Interpol provides a useful mechanism for information sharing but, as yet, there is not much cooperation in the sub-region. Cross-border activities are the responsibility of the border police. However, whether the law is enforced or not, appears to depend on individual attitudes, said Mr Wachai. In addition, police lack capacity and some may be involved in organized crime networks and take bribes. Strong political will is necessary to establish bilateral agreements or a Memorandum of Understanding in the sub-region as called for by the 1997 Mekong Conference on Illegal Migration. To follow-up conference recommendations, the Thai National Committee on Trafficking plans to visit Laos, Viet Nam, China and Myanmar in 1999.

During the plenary discussion, police officials pointed out that the attitude of high-ranking police officials toward victims of trafficking has improved dramatically in recent years. The challenge now is to achieve behaviour change throughout the police force, especially at community level. However, these officials also admitted that, given limited budgets, sex related crimes are not the top-priority for police in Thailand. A project to hire female police officers to work specifically on trafficking- and prostitution-related crimes in major tourist destinations, for example, was shelved for lack of funding.

Police officers confirmed that bringing child trafficking cases to court is often complicated because many child victims do not know their traffickers and cannot tell their age, nationality and other adequate descriptions. At the same time, they stressed that their institution has become more receptive to media and NGO denunciation of cases involving child labour, sexual abuse and prostitution. The

delegates encouraged NGOs to continue to sensitize government officials for prioritizing law enforcement in the field of trafficking in children.

The plenary discussion suggested training and raising awareness on the new prostitution and trafficking laws. Already, funding from embassies in Thailand have made it possible to bring overseas experts to train government officials on how to promote more appropriate treatment of victims of trafficking and prostitution.

After the introduction of the new prostitution (in 1996) and trafficking law (in 1997) in Thailand, about 120 cases of procurement for prostitution have been trialed. Sentences for those convicted increased from a small fine, to up to 20 years in prison.

Another comment was that the prostitution act does not define the term >trafficking=, in spite of GAATW=s efforts, therefore leaving room for various interpretations.

The importance of reporting cases of trafficking to the police was stressed. For example: NGO cooperation recently led to the police rescue of nine Chinese girls from a Pattaya brothel in Thailand. These girls were placed under the care of the Public Welfare Department before going back home with the assistance of the Immigration Office.

Generally trafficked children cannot pay their way back to their country of origin and are kept in shelters or immigration detention centres. Cambodian children in Thailand are taken by bus to the border and expelled. No bilateral agreements are in place between Thailand and Cambodia, or between Cambodia and Viet Nam, to facilitate the return of trafficked children. The return, to Viet Nam in particular, is complicated by bureaucratic procedures. The session ended with a suggestion to focus on developing systems to fight organized crime networks that deal with trafficking in children.

## **6.5 Programmes for prevention: lessons learned and practical examples of successes and failures**

In this session, Dr Dusit Duangsa, a vocational training specialist active in Southeast Asia, listed ways to improve educational programmes to prevent children from being trafficked or ending up as child labourers. Dr Sidhinat of Chiang Mai University in Thailand, shed light on effective awareness raising techniques. Dr David Feingold moderated the session.

Dr Dusit sketched the profile of child workers, beggars, scavengers and prostitutes. He said they come from poor, uneducated, unskilled and marginalized families that are economically, culturally, intellectually, socially and emotionally disadvantaged. These children will grow up to be blue-collar workers, if they are lucky, or else, beggars, scavengers or sex workers. They will often be to their children, what their parents are to them: negligent and abusive.

Piecemeal, relevant, well-conceived and -designed education and skills training must be commensurate with the reality of the child worker. Efforts should be made to empower children and make them aspire for and believe in the possibility of a different future. Education should be fun and appealing to keep children off the

streets and away from exploitative work. Quality education, said Dr Dusit, is the only hope for breaking the vicious cycle of poverty and bringing about lasting difference.

Dr Dusit studied 20 ILO-IPEC programmes in non-formal education (NFE), vocational skills-training, life skills training and awareness-raising, in five Asian countries. The most successful programmes were those that took children's specific circumstances into account. Child workers' and victims of trafficking's most basic needs are generally not addressed in "regular" education programmes. Their reality is one in which they work too hard, with little rest and no recreation; they are hardly literate, if at all; they lack sale-able skills other than the ones they pick up on the job; they have little or no communication, life and human relations skills; and are not used to discipline, concentration or to being in a classroom. Their self-esteem and aspiration levels are low and, in all aspects, they live on the fringe of society. Many child workers suffer from emotional and social stress. They do not have many chances to exercise cognitive skills so they have short attention spans. For all these reasons, said Dr Dusit, child workers need firm and kind guidance, and constant motivation, stimulation and encouragement. Experience shows that these children can accept authority and have the potential for learning and self-development, if they are properly nurtured and supported.

The families of child workers and victims of trafficking are often destitute, have many children and endure a hand-to-mouth existence. They are illiterate or uneducated. They survive with low-income, often irregular, work. Their parenting skills are limited. In general, they do not value education and do not believe going to school will result in better jobs or more income. Thus, even when schools are affordable, these families would rather see their children work more than study.

Dr Dusit listed the following practical ways of designing educational programmes that take the reality of children into account:

- # Shift programme content from education for tomorrow to education for today. Provide practical information that can empower the child worker to manage his or her life better, including health education (with an emphasis on HIV/AIDS), safety education, child labour laws and child rights, and life skills. Favour educational activities that boost children's sense of identity, self-concept and self-esteem. Teach values and skills like timeliness, responsibility and self-discipline, team-work, solidarity, non-discrimination and pride in doing good work especially among young children.
  
- # Integrate different approaches to literacy, subject content, extra-curricular activities and vocational skills. Simultaneously, step up activities to support parents and communities (e.g., literacy and vocational skills training; training on revolving funds; management and parenting skills building; counseling; and peer support groups) to enable them to better assist and protect their children. Develop specific NFE curricula tailored to the needs of working children rather than simply adopting existing programmes for adults or used in formal schools. Offer courses based on sound market opportunity analysis and take into account the rapidly changing economic environment. Provide course materials on self-employment skills such as management, book-keeping, and calculating costs and profits. Ensure that training methodology

is problem-oriented, child centered, activity-based and favourable to participatory learning.

- # Ensure continued support to the process of mainstreaming working children and out-of-school children at risk of being trafficked, into the formal school system; it cannot be done overnight. As many non-formally educated children drop-out of school when mainstreamed to formal education, special efforts should be made to ensure they have access to special tutorials, libraries and resource centers, as well as financial support. It is important to create transitional courses in small and manageable steps so that children can master one lesson or skill at a time, and increase course flexibility so they can learn at their own pace. Also, extra-curricular activities such as leadership and life-skill camps, study visits, sports, and arts could be stepped up. They are more useful to the every day life of working children than a mere certificate, and can boost their sense of identity and self-esteem.
- # Increase the variety and relevance of vocational skills training. Where resources are limited, offer training packages in collaboration with other organizations (for instance combined with apprenticeship programmes). In rural communities, focus courses on the development of agriculture-related skills. Avoid courses that promote or reinforce gender stereotypes.
- # Provide comprehensive support systems for vocationally-trained children including: career counselling; job placement, follow-up and monitoring; revolving funds; and technical assistance for starting up and managing small businesses.

Dr Sidthinat traced the root causes of trafficking in children to consumerism, social mobility, poverty, debt, broken families, bigotry and greed. Preventive solutions lie in economic development and community involvement, for instance through temples and schools, and interventions should focus on changing perceptions and attitudes of both children and parents. In the North of Thailand, local language videos have been used successfully to raise community awareness on the dangers of child trafficking. These materials address the local context of the children at risk and inform on alternatives and opportunities for scholarships and occupational skills training. The success of this experience drew opposition from traffickers that makes it increasingly difficult to continue awareness-raising activities. Considering the size of the problem, Thai Women of Tomorrow (TWT) recommends to work as much as possible through collaborative partnerships.

The plenary discussion also pointed to the need for education that effectively equalizes children's opportunities for the future. It was pointed out that even formal schools do not offer life skills training and that *village wisdom* needs to be applied for successful educational reforms.

## **6.6 Rehabilitation and reintegration**

The issues regarding rehabilitation and reintegration of child victims of trafficking were addressed by Mr Sao Chhoerth of a Cambodian NGO *Agir pour des Femmes en Situations Precaires (AFESIP)*, Mr Sanphasit Koompraphant, of a Thai NGO, *The Centre for the Protection of Children's Rights (CPCR)*. Dr Michael Hegenauer spoke

specifically about trauma treatment and psycho-social counselling. The session was

reintegration is not just sending children back home, but also making sure they are not exposed to the same difficulties again. For that, families need to be assisted to survive without (re)selling their children

CPCR has also found it difficult to collect evidence and determine the nationality of trafficked children without putting them at risk of being detained. If national legislation were to view trafficked children as victims, rather than illegal immigrants, data collection would be easier. CPCR cooperates with governments and NGOs in countries of origin to identify families of children trafficked to Thailand, assess the possibility to return the children and obtain travel documents. Children who return are provided medical services as necessary, particularly psycho-therapy. Language and cultural differences are huge barriers to more effective counselling practices. General psycho-therapy that can be used includes emotional management, meditation, art and music. The self-esteem of children can be boosted by producing handicrafts, growing vegetables, practicing sports and participating in games.

As trafficked children often have family problems, CPCR attributes vital importance to good relationships with organizations that may provide assistance to children after they return home. Unfortunately most communities lack resources for this. In Laos and in some provinces of China, for example, there are few, if any, child psychologists, psychiatrists or trained social workers. CPCR considers assisting its partner agencies in developing a multi-disciplinary approach and psycho-therapy training. CPCR favours international cooperation in the fight against child trafficking as no trafficked child should be repatriated or returned to his or her family before there is some minimum assurance that the child will not be subjected, once more, to exploitation and abuse.

Next, Dr Michael Hegenauer gave an overview of psycho-social rehabilitation (PSR) techniques for victims of child prostitution. Good psycho-therapy models create environments that help children to recover from trauma which is characterized by intense fear, loss and lack of control, helplessness, and threats of annihilation. Children who are sexually and physically abused often go into shock or they panic, are tense and stop breathing normally. If they stay like that for a long time their memory can be impaired and their perceptions distorted. That is one of the reasons why children often cannot give accurate or detailed testimonies in court cases. Children who have already gone through repeated trials, only to end up in prison themselves, may have no incentive for appearing in a court room.

The PSR is not a medical, institutional or penal model. It is a holistic community based approach that takes into account all environments that children will need to function in. PSR can be taught to non professional counselors, is inexpensive and easy to apply. The core ideas of PSR are ensuring children's actual or perceived safety, control over their personal needs, daily activities, planning for the future, and opportunities to tell their stories whenever they feel most comfortable to do so.

The three main components of PSR are prevention (macro), physical safety (micro) and psychological (micro). **Prevention** involves information-gathering, awareness-raising, advocacy, networking, community-based initiatives, rescue operations, use of legal systems, appropriate use of media, alternative activities, preventive education, outreach work, community development, and understanding risk indicators. **Physical safety** refers to medical services and nutrition, health and sex

education, housing, reliable adults or care givers, outreach activities, legal protection, and safe environments. The **psychological component** consists firstly of community residential living that provides protection and structure, anticipation, play, group activities, child-to-child approach, school and life skills education, employment training, programmes for parents, and successful role models. Secondly, talking and counselling to correct wrong perceptions and give new meaning to traumatic events. AOne should not be judgmental or moralizing,@ said Dr Hegenauer. AOne should aim for clarifying the distinction between past, present, and future, as well as between abusers and other people.@ This requires creating special time to talk and to listen in the first place. Providing information, not getting emotional and planning for the future are important. Thirdly, self-awareness can be raised through journal writing, art, drama and play therapy. Fourthly, mind and body care can include exercises like deep breathing, deep relaxation, meditation, nutrition, and play. Fifthly, traditional medicine may provide relief as well.

Those assisting trafficked children should focus on ensuring the personal safety and health of children and giving them some measure of control over their daily lives. Care-givers should ensure that children are surrounded by adults who they can trust and who will take care of them. It is important to change attitudes of adults towards these children as well, and to change attitudes of the children towards adults. Victims of trafficking should not be locked up or segregated C not even in court-rooms. Services need to be provided at community level, including school facilities, time to play, and caring adults who help them plan their future.

Cost-effective community-based services can be provided using existing structures and partnering with local service providers. Services to combat child trafficking should be seen as part of other community development activities. Influential people in the community must be involved. Local and ASEAN universities could be used for technical support. Good volunteers within the community (including children, big brothers and sisters, specialized services, and adult role models C especially women) can play important roles. The local business community should be approached for donations and job placements. Learning about and using traditional medicine may also be cost-effective. Another measure could be to collaborate on activities and budgets, and have transparent management. To ensure sustainable achievements, victims need to have access to credit and loans. Working with abused children is very hard and people burn out quickly. Therefore, caring for staff and people in the community is also cost-effective.

## **PART III**

# **COUNTRY AND SUB-REGIONAL GROUPWORK DURING MEKONG SUB-REGIONAL CONSULTATION TO COMBAT TRAFFICKING IN CHILDREN, INCLUDING CHILD PROSTITUTION**

**22-24 July 1998, Bangkok, Thailand**

## **1 Introduction to group work and presentations**

After the plenary presentations and discussions on specific interventions, the participants to the consultation worked in group, organized by country, to summarize ongoing actions to combat trafficking in children in their country. The groups summed up what has already been done in their country and identified priority areas for action based on the framework for action as presented by ILO-IPEC. This exercise was an opportunity for information sharing among agencies within countries. During the afternoon of the third day, each country presented its results. The results of the country group work of Cambodia, China, Laos, Myanmar, Thailand and Viet Nam are presented in section 2.1 to 2.6.

A subregional group, composed of representatives of the country working groups, was also formed to give a sub-regional perspective on ongoing activities, and prioritize future actions. The findings of the sub-regional working group are presented in section 3.

The country and sub-regional group assignments are included as annexes 5 and 6.

## 2.1 Country group work - Cambodia

### I. Current situation in Cambodia

Many NGOs and government institutions have activities to combat trafficking in children. They include:

- X Public education (e.g., media, workshops, training, publications, special events);
- X Monitoring and documentation (e.g., training, research, monitoring programme to investigate cases, rescue victims, set up databases);
- X Rehabilitation (e.g., establishment of three centres to provide medical, literacy, counseling, repatriation and reintegration services);
- X Education on legislation for better enforcement; review of laws (e.g., kidnapping and trafficking, labour, immigration, and criminal laws and procedures) to identify loopholes; interviewing judges and judiciary staff to find out their attitudes. Recommendations are to be submitted in September 1998;
- X Legal assistance to victims of trafficking (e.g., helping to find a lawyer and lending assistance for presented cases to court);
- X Networking within the country and across national borders. The government created the Cambodia Network to Combat Child Exploitation and a few other coordinating bodies;
- X Building up staff capacity through training, as Cambodian NGOs are still new and inexperienced;
- X Community education and organization. This programme was just created by the Cambodian National Council on Children's Affairs, and aims to teach communities how to protect women and children and report to the police, and inform about available assistance mechanisms.

### II. Identified priorities for action:

The Cambodian delegation supported the proposed ILO-IPEC framework for action which they found useful, although ambitious. Priority activities are:

- X Develop a media programme to prevent trafficking through sensitization and changing of public attitudes, to be implemented over the next three years.
- X Develop a programme to provide alternatives to victims of trafficking and families. The aim is to develop small scale programmes for provision of micro credits, job market opportunity analysis and skills training for parents and victims, to be implemented over the next three years.
- X Develop a programme to monitor and evaluate performance of primary and secondary school children and raise awareness on the danger of trafficking through school curricula, to be implemented over the next three years.
- X Set up crisis centers for victims of trafficking that are dropped at the border. The aim is to develop and strengthen psycho-social assistance for traumatized children. Counseling services will target child victims of trafficking and their families.

- X Conduct advocacy work. The first priority is to promote the ratification of the ILO Convention on Minimum Age for Admission to Employment (No. 138). The second priority is to amend the trafficking law, and others, which do not seem to be helpful to victims of trafficking. Procedures to criminalize traffickers and de-criminalize victims of trafficking need to be established. Legal assistance is needed to achieve this.
- X Capacity building efforts will be directed at sensitizing and training law enforcers and authorities on trafficking in children. The aim is to train about 20 percent of all law enforcers over a three year period.
- X Staff capacity of NGO and government agencies that provide relief and reintegration services will also be stepped up through training (particularly in the fields of psycho-social counselling, income generation, and management of quality services).
- X Networking initiatives with other institutions will be stepped up. The aim is to enhance collaboration to address child trafficking between the police and immigration departments, guards, labour inspectors and the general public. Coordination between various committees active in this field, also needs to be stepped up considerably.
- X Finally, research activities and information dissemination will be increased.

An issue of concern is funding, therefore resource mobilization is another priority area for action.

## 2.2 Country group work - China

### I. Current situation in China:

A. China's legislative framework relevant to combatting trafficking in children includes:

- X The Convention on the Rights of the Child, ratified in 1992;
- X The Constitution (which protects labour rights and interests);
- X The criminal law (which includes provisions to fight child trafficking);
- X The labour law (which forbids child labour in China);
- X The protection law for minors (concerning child trafficking and child labour);
- X The law for the protection of the rights and interests of women.

B. The following activities have been implemented to combat trafficking in children in, and from, China:

- X Cross-border trafficking was detected by Chinese police in Yunnan Province;
- X The Public Security Bureau of Yunnan Province has taken an active stance against trafficking in children and investigates cases;
- X Chinese police cooperates with police in other Mekong sub-regional countries on combatting the issue through International Criminal Police Organization (ICPO);
- X Police staff training was organized with UNICEF to sensitize and build capacity for the application of protection laws for women and children;
- X The Public Security Bureau of Yunnan Province, in collaboration with Save the Children Fund, also organized staff training, at local levels, on laws of protection for women and children;
- X Rehabilitation has been provided to trafficked girls that return to China by boosting their self-confidence, reintegration into their families and local communities, including productive and life skills training.
- X Through the Ministry of Justice and the All China Women's Federation (ACWF), laws and regulations have been popularized (for instance, on the difference between what is legal and illegal).
- X General poverty alleviation programmes by government agencies and NGOs in border and mountainous areas, have also helped to prevent trafficking.
- X Education programmes such as the ACWF "spring bud" programme and the China Youth Development Foundation (CYDF) "hope" programme, which give poor children financial and general assistance to go to school, therefore reducing their risk of being trafficked.

### II. Priorities for future action:

- X Continue the process of educating the general public and popularizing legal knowledge;
- X Make arduous efforts to prevent and attack criminal elements leading to child trafficking;
- X Network with NGOs and mass organizations, and join activities sponsored by the government;

- X Information on trafficking in children as collected by the Social Sciences Academy in Yunnan will be shared with the Ministry of Public Security for potential follow-up action;
- X The Social Sciences Academy in Yunnan will launch a study on health care of trafficked girls that have returned to China.

## 2.3 Country group work - Laos

The Laotian government acknowledges the problem of trafficking in children but perceives it in a wider migration context. The immediate focus of the Government are children in especially difficult circumstances.

The Lao delegation developed an action plan with the following priorities:

- X Set up awareness-raising programmes among vulnerable children through peer groups, video, drama and workshops. This will be done by the Ministry of Labour and Social Welfare (MOLSW), Lao Youth Union (LYU), Lao Women's Union (LWU) and the National Foundation for Children (NFC).
- X Establish and operate a vocational training center for out-of-school children and young people — especially the disadvantaged ones — and organize training tailored to the local context and economy. Activities will be implemented by the MOLSW, LYU, LWU, and NFC.
- X Strengthen legislation through the provision of technical assistance to the government to bring national legislation in line with international conventions. Resource persons will be hired to organize workshops and provide advisory services.
- X Sensitize and raise awareness on relevant conventions and national legislation. Target groups will be staff of government agencies and mass organizations. For this purpose the MOLSW will organize workshops and other events.
- X Set up training programmes for assisting trafficked children targeting enforcement agencies and others involved in rehabilitative work. Training programmes will focus on clarifying roles and improving coordination among agencies. The MOLSW will coordinate this activity.
- X Conduct targeted research to identify groups and geographical areas at high risk of being trafficked for labour exploitation. The MOLSW and LYU will implement this activity.

## 2.4 Country group work - Myanmar

Myanmar was not represented at the consultation by a delegation. However, Mr Sompop Chantraka of Development and Education Programme for Daughters and Communities Centre (DEPDC) in Mae Sai (Thailand), and Mr Max O-Wey of Association Francois-Xavier Bagnoud (AFXB) in Myanmar and Thailand gave inputs on how to address cross-border trafficking from Myanmar. Both organizations work with Burmese children in border areas between Thailand and Myanmar.

Despite difficulties, AFXB, SCF, WVI and UNICEF all have offices in Myanmar and are able to work at grassroots level. Access to border areas can be difficult at times due to the sensitive political situation and difficulty of getting travel permits.

Five possible programmes to prevent trafficking in children from Myanmar are:

- X Support the 'Aug Girls Home' in Myanmar which is located across the border at Mae Sai, Thailand. The programme assists girls at risk and returnees from Thailand. Needed services are shelter, training and education, reintegration, and provision of basic health care.
- X Strengthen institutional networks among governments, NGOs and individuals based in Thailand or Myanmar who actively combat trafficking in children from Myanmar.
- X Develop leadership capacity among girls who were trafficked and have a programme for them to return to their place of origin to work and raise awareness.
- X Build capacity for rescue, protection and reintegration of trafficked victims through a "half-way" home, targeting hilltribe and stateless children who are particularly vulnerable to exploitation. Suggested activities include a shelter for placement of victims; preparation for reintegration (including legal assistance and documentation); health care; transportation; monitoring of reintegration with the family; establishment of a hot-line center; and provision of counseling services and emergency needs.
- X Establish a research and information center which could compile and disseminate local data and lessons-learned on prevention, protection, treatment and development of trafficked children in Northern Thailand and surrounding areas. Activities might include: reporting on trafficking issues (public news); case studies on migrant child labour along the border (village mapping); documentation of trafficking cases and successful legal prosecutions; provision of technical assistance to organizations across the border in Myanmar and Laos.

## 2.5 Country group work - Thailand

### I. Current Actions at National Level

Actions under the implementation of the National Commission on Women's Affairs (NCWA) are:

- X A Plan of Action for the Prevention and Eradication of the Commercial Sexual Exploitation of Children the draft of which was presented during the 1996 World Congress in Stockholm. The Plan has been finalised and disseminated to governments, NGOs, business sector, local governments and the general public, throughout the country, since October 1996. To implement the Plan of Action the NCWA began to coordinate with related government agencies to develop programmes and activities. An arrangement was made for the agencies to report achievements to NCWA, and for NCWA to summarize achievements and forward them to the Cabinet every 6 months, with pertinent recommendations.
- X A National Committee on Trafficking in Women and Children was established in February 1998 as a result of the 1997 Mekong sub-regional meeting on illegal labour movements. The Committee consists of 39 representatives from the government, international organizations and NGOs. The Committee held its first meeting in July 1998 and formed three groups to specifically focus on domestic laws, international laws and obstacles to the struggle against trafficking in children and repatriation. The groups are to report their investigation to the Committee in October 1998. The Committee plans to organize a meeting among the six countries in the sub-region in 2000.

Actions under the implementation of Ministry of Labour and Social Welfare (MOLSW) are:

- X National Committee on Child Labour Protection: The Committee is part of government efforts to combat the exploitation of Thai and non-Thai child labour. The main task is to prevent the extreme forms of child labour. Monitoring is conducted by the Women and Child Labour Division of the Employment Department. Awareness-raising campaigns are conducted by the Department of Social Welfare (DSW). The DSW is also responsible for controlling street begging and providing shelter for migrant children who are victims of trafficking.
- X The latest Cabinet Resolution of 12 July 1997, approved the Plan for the Protection of the Rights of Children, Youth and Family (1997-2000). One of the target groups of this plan are children who are forced to labour and are sexually abused.
- X The Thai Coordinating Committee on Migrant Children (Thai-Cord): Due to the complexity of the problem and the need for action at national, bilateral and multilateral levels, the Committee was set up in 1996 to replace the NGO Task Force on Migrant Children. The Committee has a mandate to protect and assist migrant children facing problems in Thailand and, where possible, to repatriate the child victims in collaboration with children's organizations in

sending countries. The Thai-Cord is a referral and coordinating body and provides concrete assistance for migrant children in need.

- X National Steering Committee on Child Labour: The committee consists of representatives of government agencies and of a network of Thai NGOs. The main task is to coordinate activities to combat child labour in Thailand and review proposed action programmes for the ILO-PEC programme.

## **II. Priorities for future action**

2.1 Strengthening government agencies and NGOs working in border provinces particularly in districts or provinces where major gateways of trafficking in children are located:

- X Prevention programmes
- X Strengthening cross-bordering cooperations
- X Awareness-raising
- X Capacity-building
- X Community-based development of rehabilitation and repatriation
- X Educational programmes for migrant children
- X Establishing 'half-way homes'
- X Sensitization programmes for relevant agencies both GOs and NGOs
- X Advocacy and lobby work with the general public and government

2.2 Strengthening internal accountability, monitoring and evaluation in relevant public and private agencies:

- X Immigration office
- X Local police units
- X Employment service
- X Job replacement companies

2.3 Strengthening Legislation and Law Enforcement

- X Amending relevant laws to surmount obstacles to assisting trafficked victims
- X Establishing an authorized ad-hoc agency to suppress trafficking
- X Campaigning for stronger political will to seriously enforce the laws on suppression of trafficking
- X Encouraging the police to change attitudes and prioritize the trafficking issue

## **2.6 Country group work - Viet Nam**

### **I. Current actions**

Trafficking in children has become an issue of critical concern in Viet Nam. Children are increasingly being sold from rural to urban areas and abroad. Activities to address the issue focus on the national, regional and international levels.

- X Viet Nam adopted the UN Convention on Civil Political Rights, the CRC and the CEDAW.
- X Viet Nam is preparing to ratify relevant ILO Conventions and adapting its national laws accordingly. New legislation was developed through the Marriage & Family Law; Decrees 88 and 53; Resolution 05; and Directions 766 and 06.
- X Relevant job-generation programmes, vocational training and reintegration programmes for former prostitutes are being implemented by the government.
- X A National Programme on Prevention of Prostitution has been established.
- X Research on trafficking in women and children is being conducted, and seminars and training workshops have been organized.
- X An action programme on special protection of children and a national programme on criminal prevention were launched recently.

### **II. Priorities for future action**

- X Further develop vocational training for job development and job placement, as well as income generation programmes
- X Set up social support structures
- X Provide compulsory education to children
- X Offer comprehensive and integrated support services at community level including education, health care, life skills training and social behaviour change
- X Amend and supplement policies and legal documents to reflect growing concerns towards the cause of trafficked children
- X Promote the adoption of the new ILO Convention on extreme forms of child labour including trafficking in children
- X Strengthen control of intermediary services for job, marriage and adoption of children with foreigners

- X Mobilize societal forces for the promotion of parental responsibility and the educational role of the family
- X Promote coordination between functional bodies (GOs, NGOs and academic institutes) in research and intervention programmes
- X Set up a national network to combat trafficking in children
- X Join regional networks
- X Build capacity of staff through training
- X Establish a documentation and resource centre on trafficking in children
- X Collaborate with universities in developing and implementing feasible action programmes
- X Step up activities that include community participation

### **3 Sub-regional group work and priorities for action**

A sub-regional working group, made up by a representative of each country, summarized ongoing bilateral and sub-regional activities in the Mekong against child trafficking. This group also explored opportunities for collaboration among: police and public security officials (who took the occasion to swap addresses and intensify contacts); lawyers and those promoting law reform (who advanced discussions on joint activities to follow-up on the Mekong meeting on illegal labour movements held in November 1997); and various NGO-staff (who explored opportunities for joint return and reintegration operations, staff-training and exchange of information).

The sub-regional working group came up with the following priorities for action:

- X Every country should look into the possibility of setting up an active national committee or sub-national committee on trafficking in children and women, in consideration of their basic human rights.
- X ILO-IPEC should provide technical and financial support to encourage better mechanisms for combating trafficking in children.
- X A sub-regional information center on the trafficking in children should be installed in the receiving country to compile and provide adequate information for organizations in the countries of origin.
- X Meetings or discussions among prominent representatives of the Mekong countries should be organized periodically; ILO-IPEC might want to take up this issue.
- X For the benefit of trafficked women and children, mechanisms for mutual cooperation and understanding should be promoted at national, provincial and community level.
- X Exchange of experiences in combating, preventing and reintegrating trafficked children should be promoted between countries. The exchange of officers (e.g. from immigration departments) should be encouraged, as well as the organization of joint training courses, practical visits or study tours.
- X The six countries in the Mekong sub-region should cooperate and continue all actions to attack and eliminate criminal networks, and repatriate victims to their country of origin.
- X The issue of trafficking in children should be put on the agenda of ASEANAPOL, the police wing of the nine ASEAN members. NGOs should lobby for this.
- X Where possible, linkages should be established with ASEAN universities to provide expert services to agencies in the combat against trafficking in children.
- X Each country should develop its own plan of action to combat trafficking in children. ILO-IPEC should provide financial support for these action plans under specific memoranda of understanding.
- X ILO-IPEC should assess the factors contributing to the success of the Mekong sub-regional action plan.

#### 4                    **Ensuing plenary discussions**

The presentations of the country and sub-regional action plans were followed by plenary discussion.

It was pointed out that in Laos, there is no clear definition for child trafficking. Children who go to Thailand are considered illegal migrants. Child labour exploitation and prostitution are topical issues, not so much 'child trafficking'. Little information is available on child migrant flows into Thailand, though the problem is acknowledged by the government.

Another comment was that most NGOs conduct research and collect their own data on trafficked children. But these efforts have not been consolidated yet. National information centers are needed to end arguments on the number of trafficked children in Thailand.

One observer commented that children who migrate legally should be distinguished from those who are trafficked. Not all recruiters are exploiters. Some only find jobs for children already in the country. Therefore, future activities to combat trafficking in children should focus on organized criminal networks of traffickers, rather than the eventual recruiter or procurer.

Concerns were expressed regarding the increasing number of stateless children, who are extremely vulnerable to child trafficking and exploitation — examples are ethnic minorities from Myanmar and Laos, and children of ethnic minorities born in Thailand without a nationality. It is a problem that may reach dramatic proportions if nothing is done about it now.

Participants expressed interest in an ad hoc working group or network at sub-regional level representing the five countries in this consultation. Such a group or network could facilitate the follow-up recommendations emerging from this and other regional consultations and meetings. However, as this was a technical consultation, the ad hoc committee could not be installed and ILO-IPEC committed to ensure proper follow-up.

It was acknowledged that for adults to define and understand the implications of trafficking and exploitation, they have to focus on the children. The overall goal should be the protection and care of children so that they do not end up in exploitative situations. As it was said: "The end result is the issue, no matter how it happened". But even the end result may not be clear. A participant noted that the dream of many destitute Khmer children is to be trafficked to Thailand and obtain a Thai ID-card. Where then, lies the best interest of the child? Child protection or the free flow of human beings in the sub-region? The line between being trafficked and migrating out of free will can be very thin, indeed.

It was noted that all forms of trafficking for labour exploitation, whichever way they are defined, are covered in the draft ILO Convention on extreme forms of child labour which is under discussion for adoption in 1999.

In her closing comments, Claudia Coenjaerts thanked all participants for their active participation. She said the wealth of information that came out of the consultation will

aid ILO-IPEC in preparing a second phase of the programme to combat trafficking in children at country and sub-regional level. At the same time, more discussions and preparations are needed especially on the technical side. The scope of national action plans should realistically reflect national capabilities. Ms Coenjaerts highlighted the importance of establishing and elaborating networks among governments and NGOs, both within countries and across borders, and underlined the need for mainstreaming since child trafficking is related to many other development issues. Instead of separate initiatives, those efforts that fight child trafficking should link with other programmes such as work to implement the UN Convention on the Rights of the Child, and work being done by child labour units. Bilateral agreements will have to be pursued in appropriate fora and ILO-IPEC hopes to contribute to this process.

## **ANNEXES**

## Annex 1 - Agenda

### Wednesday 22 July (day 1)

- 8:00 - 9:00: Registration
- 9.00 - 9.15: Opening
- 9.15 - 9.30: Adoption of the Agenda
- 9:30 - 9:45: Coffee break
- 9.45 - 10.15: Presentation of the ILO-IPEC framework of action in combating trafficking in children in the Mekong sub-region
- 10.15 - 11.15: **Overview of study on trafficking in children in Mekong sub-region**  
by Dr Kritaya
- 11.15 - 12.00: **Sociological perspective on roots of trafficking in children among hill tribes and ethnic minorities and implications for programmes on prevention**  
by Dr D. Feingold (Ophidian Research Institute (ORI))
- 12.00 - 13.00: Lunch break + payment of DSA/fees.
- 13.00 - 13.45: **Research priorities and improved research methodology**  
Panel-session with Dr D. Feingold (ORI), Dr Kritaya (IPSR-Thailand), Prof. He (Soc.Sc. Acad.-China), and Prof. Tuyet (CGFED-Viet Nam)  
Moderator: H. van de Glind
- 13.45 - 15.00: **The challenges in capacity building**  
Opening remarks by Dr Saisuree (Senator-Thailand), followed by short presentations of Ms Chan Haran (CNCC-Cambodia), Mr Zhang Feng (MOLSS-China), Dr Sidthinat (TWT-Thailand), and Ms Amphayvanh Vilaychaleun (MoL-Laos).  
Moderator: Dr Hegenauer
- 15.00 - 15.15: Tea break
- 15.15 - 16.00: **Advocacy for policy change**  
Presentations by Ms Boontinand (GAATW-world), and Ms Oung (CWCC- Cambodia).  
Moderator: Dr Sidthinat
- 16.00 - 17.00: Assign country group tasks and sub-regional group tasks. Country groups and sub-regional group should start listing ongoing and planned activities, and see how/where ILO-IPEC can add value, based on the document entitled *'proposed ILO-IPEC framework for action to combat trafficking in children for labour exploitation, including child prostitution'*
- 18:00 - 19:00: Reception

**Thursday 23 July** (day 2)

- 08.30 -10.30: **Loopholes in legislation and enforcement; what needs to be done**  
Presentations by Dr Wanchai (Attorney General-Thailand), and Ms Samay (Lawyer-Cambodia).  
Moderator: Dr Hegenauer
- 10.30 -10.45: Coffee break
- 10.45 - 12.30: **Programmes for prevention: lessons learned and practical examples of successes and failures**  
Presentations by Dr Dusit Duangsa (Vocational training specialist South-east Asia), and Dr Sidhinat (prevention programmes TWT-Thailand) + discussion.  
Moderator: Dr Feingold
- 12.30 - 13.30: Lunch break
- 13.30 - 15.00: **Rehabilitation and reintegration**  
Presentations by Mr Chhoerth (AFESIP-Cambodia), and Mr Sanphasit (CPCR-Thailand) on overall reintegration activities, and Mr Hegenauer (WVI-Viet Nam) on psycho-social counselling of victims of child prostitution.  
Moderator: Dr Feingold
- 15.00 - 15.15: Tea break
- 15.15 - 17.30: Preparing a framework for action per country by 5 working groups, one per country (Myanmar will join Laos)

**Friday 24 July** (day 3)

- 08.30 - 10.00: Preparing a framework for action per country (ctd)
- 10.00 - 10:15: Coffee break
- 10:15 - 12.00: Finalize sub-regional proposals for activities (a special task force group consisting of representatives from each country will be appointed for this task)
- 12.00 - 13.00: Lunch break
- 13.00 - 15.00: Country action plan presentations + discussion
- 15.00 - 15.15: Tea break
- 15.15 - 16.15: Presentation of proposed sub-regional and bilateral activities + discussion
- 16.15 - 16.30: Closing comments

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## **Annex 2 - Welcome address by Ms Horiuchi, Assistant Director General of the ILO for Asia and the Pacific**

Distinguished guests and participants,

It gives me great pleasure to welcome all of you here at this important event. I would like to use this opportunity to thank the Department for International Development (DFID) of the Government of the United Kingdom for making this consultation possible.

I would also like to thank Dr Kritaya Atchavanitkul, Institute for Population and Social Research, Mahidol University, for conducting excellent research on this topic. I have read the research report with great interest. It is very shocking to see that 30 per cent of the foreign prostitutes from the Mekong subregion in Thailand are under 18 years of age. This meeting aims to discuss ways of addressing trafficking in children in the Mekong subregion. Child trafficking received international attention during the Fourth United Nations Conference on Women in Beijing (1995) and the Stockholm Congress Against Commercial Sexual Exploitation of Children (1996).

Trafficking in children, from the ILO's perspective, is an exploitative form of child labour. It is a violent crime, flouts the basic notion of human rights, and undermines the child's development. It denies the dignity and freedom of society's most vulnerable members.

The situations of lured or trafficked children often result in coercion and violence against children. They are found in such situations as forced labour and a contemporary form of slavery. This trend was confirmed by a number of case studies in the Mekong subregion in the report before us. The ILO has always taken a firm stand that forced labour is inadmissible and that all efforts must be made to bring an end to the practice. ILO Convention No. 29 on forced labour (1930) defines forced labour as all work or service which is exacted from any person under the menace of a penalty and for which the said person has not offered himself voluntarily. To date Convention No. 29 has been ratified by 149 ILO member States, thereby enabling the ILO to examine practices with regard to forms of forced labour such as child trafficking within the meaning of the Convention on a world-wide scale.

I would like to mention an important initiative taken by the ILO on this topic. The annual ILO Conference this year discussed a newly proposed ILO Convention. The Committee on Child Labour was set up and had done an excellent job in developing the text of the Convention. The Convention aims at prohibiting and taking immediate and comprehensive action for the elimination of the worst forms of child labour. This also strengthens existing ILO standards. The worst forms of child labour should include four types of work:

- X all forms of slavery and practices similar to slavery, such as the sale and trafficking in children, forced or compulsory labour, debt bondage and serfdom;
- X the use, procuring or offering of a child for prostitution, for production of pornography or for pornographic performances;
- X the use, procuring or offering of a child for illegal activities, such as the production and trafficking of narcotic drugs and psychotropic substance; and
- X any other type of work or activity which, by its nature or the circumstances in which it is carried out, is likely to jeopardize the health, safety or morals of children.

The draft Convention calls on each ratifying member State to establish appropriate mechanisms for monitoring the provisions of the proposed Convention, as well as designing and carrying out programmes of action to eliminate the worst forms of child labour. In addition, the draft calls for each ratifying member State to take all necessary measures to ensure its effective implementation and enforcement including the provision and application of penal and other sanctions. Finally, the draft urges members to take into account the

importance of education in eliminating child labour, and adopt effective, time-bound measures to assist in removing children from the worst forms of work and providing rehabilitation and social reintegration. This draft Convention is expected to be adopted next year after the second reading.

This new Convention gained enormous attention. The Global March against Child Labour swept into the hall of the ILO Conference on the opening day in a vibrant and colourful crowd. As many of you are aware, this Global March started in January and had passed through 100 countries before arriving in Geneva. This was the first time in the history of the ILO that a speech was made by a non-governmental organization at the opening day of the plenary. Many delegates welcomed this initiative launched by an NGO. I was sitting on the podium. Kids and NGOs were really occupying the floor of the podium. In fact, child labour was one of the major concerns during our annual meeting. I must emphasize that we need both good and relevant activities and high visibility in combatting child labour.

I am proud to say that the ILO has been at the forefront of the emerging global movement against extreme forms of child labour. Its International Programme on the Elimination of Child labour (IPEC for short) has focussed on commercial sexual exploitation from its beginnings in 1992. ILO-IPEC has provided support to partner agencies for pilot activities to prevent children from being lured, coerced and trafficked into commercial sexual exploitation. It has also provided support to organizations that offer rehabilitation assistance to child victims of sexual exploitation. Awareness raising and social mobilization are among ILO-IPEC's other main activities. But we all know we have to do more.

Based on these experiences, ILO-IPEC is now developing its activities in the Mekong sub-region. Children under the age of 18 who are at risk or are victims of trafficking are the target group. The priority target one will be the most vulnerable children, that is to say, children under 12 years of age, girls, and children from ethnic minorities and tribal groups.

ILO-IPEC will continue to work through its partner agencies -governments, employers' and workers' organizations, NGOs, and others. I hope that you could develop practical responses, and establish linkages for future collaboration through sharing country experiences.

I wish you fruitful discussions!

### **Annex 3 - Opening remarks by Dr Saisuree Chutikul (Senator-Thailand)**

Capacity building is one of the many strategies which are essential in combating trafficking in children for labour exploitation, especially in exploitation commercial sex. In Thailand, there is a clear policy to eradicate child trafficking for labour exploitation and children in commercial sex that the offenders and traffickers are to be punished, and that children under the age of 18 whether they are forced or not, are to be treated as victims.

Capacity building is done within multi-dimensional context, that is, such action needs to cover measures for prevention, for protection, which include revision of laws and law enforcement, and withdrawal, recovery and reintegration programmes for children. It includes building institutional capacity, individual or group capacity and networking among them. The institution includes governmental agencies, committees and task forces, NGOs, professional associations, organizations related to child labour and protection, business organization as well as communities. Capacity building covers promotion of efficient and effective mechanisms and systems for child's protection in its widest meaning, revision and formulation of laws and regulations and law enforcement, coordination of procedures, monitoring and evaluation, and mobilization of financial, and human resources as well as new actors.

At individual and group level, capacity building covers promotions of awareness of the problems and child's rights, knowledge related to trafficking in children and exploitation, skills in performing their functions and responsibility, and changes of attitudes and values which in turn will change their performance behavior which facilitate child's right and which is directed to the best interest of the child.

In Thailand, there are two national committees that specifically deal with children in commercial sex and cross border trafficking of children under the National Commission on Women's Affairs (NCWA). Both comprise representatives from various concerned government agencies and NGOs as well as academics, police, attorneys, lawyers and others.

The national policy and plans to eradicate commercial sexual exploitation of children to the cabinet and it was approved during the week of world congress in Stockholm in August 1996. Since then, this plan has been implemented and monitored in various ways. Among its implementation is the appointment of the second committee on cross-border trafficking of children. Its works will include the following:

- X to analyze the laws, regulations, and judicial procedure which deal with trafficking of children with the intention to revise or to formulate additional laws in needed;
- X to scrutinize the law enforcement process;
- X to evaluate the existing procedures in dealing with children who have been trafficked cross-border;
- X to examine laws and procedures in neighboring countries related to immigration and the process of children's return to the country of origin;
- X to develop bilateral agreements between Thailand and other countries which will combat trafficking in children and assure safe return of children as well as their reintegration programme;

- X to formulate national policy and plans of action on eradication of child trafficking to be presented to the Cabinet;
- X to prepare training manuals and materials in different subjects such as investigative procedures, legal procedures which is child-friendly;
- X to train immigration officers in dealing with child victims; and
- X to coordinate work among GOs and NGOs.

In the past two years, Thailand has organized several training courses for police officers in dealing with children as victims. The courses covered subjects such as convention on the rights of the child; laws on child labour protection, anti-prostitution law, and law on trafficking of women and children; investigative methods; coordinating work with other personnel such as NGOs, social workers, doctors. The police department is also requested to include in its new structure a special unit for protection of children and women. There is also a network of child protection centers in Bangkok Metropolitan Administration.

A national meeting on family counseling will take place in August where a draft national policy and plans of actions for counseling will be proposed. Psycho-social counseling for children will be an essential part in all counseling services. Guidelines for curriculum development is also being proposed for pre-service training and in-service training for social workers, legal personnel, and police who deal with children as victims.

There are many other activities some of which are still in the planning stage. All these activities try involve new actors, especially the children themselves. The discussion paper prepared by ILO -- the framework for action to combat trafficking in children for labour exploitation in Mekong sub-region -- is an excellent document. Experiences show that the challenges always mean the implementation - who is going to do it, and how to achieve positive results.

Time has come for international organizations, including international NGOs, to be more interested in the process of implementation -- to record obstacles and problems faced, to document unconventional or innovative ways of overcoming the problems, and to be able to share this information among those concerned.

Trafficking in children is a difficult problems to be solved - perhaps like drug problems - the more it is worked on, the more difficult it becomes.

## Annex 4 - List of participants and resource persons

### *Cambodia*

1. Mr. IEM Kundy  
Focal Point of Child Labour Unit of the  
Ministry of Social Affairs, Labour and  
Veteran Affairs (MSALVA)  
68, Norodom Building  
Phnom Penh, Cambodia  
Tel: (855 15) 919714  
(855 18) 812050  
Fax: (855 23) 427322
2. Ms. CHAN Haran  
General Secretary  
Cambodia National Council of Children (CNCC)  
68, Norodom Building  
Phnom Penh, Cambodia  
Tel: (855-18) 812050  
Fax: (855 23) 427322
3. Ms. SAMAY Linda  
Esq. and member of the Bar Association  
of the Kingdom of Cambodia  
Phnom Penh, Cambodia  
Tel: (855 23) 212585  
(855 18) 813927  
Fax: (855 23) 212585
4. Ms. OUNG Chanthol  
Executive Director  
Cambodian Women Crisis Center (CWCC)  
Uy Chanthon, #21, Street 282  
Boeung Keng Kang I, Chamkarmon  
Phnom Penh, Cambodia  
Tel: (855 23) 720723  
855 15) 840507  
Fax: (855 23) 426009  
Email: cwcct@forum.org.kh
5. Mr. SAO Chhoeurth  
Investigator/Reintegration  
AFESIP  
1, Street 323, Buengkork 2,  
Toul Kauk, Phnom Penh  
Cambodia  
Tel: (855 23) 368 644, 812470  
(855 12) 803536  
Fax: (855 23) 368644  
Email: afesip@forum.org.kh

### *Laos*

1. Ms. Chittaphone SANTAVASY  
Project Officer for CEDC  
(Children in Especially Difficult Circumstances,  
including Trafficking Children)  
Save the Children Fund -UK  
003/6, Ban Haysok, Sihom Road  
Vientiane, Lao PDR  
Tel: (856 21) 216286, 212351  
(856 21) 216744  
Fax: (856 21) 216285  
Email: 100447.3622@compuserve.com
2. Mr. Bountha SONGYERTHAO  
Legal Officer  
Ministry of Justice  
Vientiane, Lao PDR  
Tel: (856 21) 414104, 415522  
(856 21) 414103  
Fax: (856 21) 414102
3. Ms. Onechanh PHETCHANTHARATH  
Head of Pioneer Training Division  
Lao Youth Union  
P.O. Box 736, Vientiane, Lao PDR  
Tel: (856 21) 417107, 416727  
Fax: (856 21) 416727

4. Ms. Khamkhong PHIMMACHACK  
Staff of Right Development and  
External Relations Department  
Lao Women' Union  
Vientiane, Lao PDR  
Tel: (856 21) 214305  
Fax: (856 21) 214306
5. Ms. Amphayvanh VILAYCHALEUN  
Deputy Director of Social Welfare Department  
Ministry of Labour and Social Welfare  
Pang Kham Road  
P.O. Box 347  
Vientiane, Lao PDR  
Tel: (856 21) 213005, 222776  
Fax: (856 21) 213287
6. Mr. Soukhala PHRAKONKHAM  
Deputy General Director of International  
Organizations Department  
Ministry of Foreign Affairs  
Vientiane, Lao PDR  
Tel: (856 21) 414024  
Fax: (856 21) 414009

*AFXB and DEPDC*

1. Mr. Sompop JANTRAKA  
Director  
Development and Education Programme for  
Daughters and Communities (DEPDC)  
P.O. Box 10 Mae Sai,  
Chiang Rai 57130  
Thailand  
Tel: (053) 733186  
Fax: (053) 642415  
Email: depdc@ksc.cm.th
  2. Mr. Max O. WEY  
AFXB Myanmar  
c/o AFXB Thailand South-East Asia Office  
P.O. Box 37  
Santisuk Post Office  
Bangkok  
Tel: (662) 3818942  
Fax: (662) 3818942
- Mr. Max-O. WEY  
AFXB Myanmar  
96, Inya Road  
Yangon, Myanmar  
Tel/Fax: (95-1) 526749

*China*

1. Ms. WU Di  
Official, Bureau of Criminal Investigation  
Ministry of Public Security  
PR China  
Tel: (86 10) 65203197  
Fax: (86 10) 65203264
2. Mr. ZHANG Feng  
Deputy Chief, Division of the ILO  
International Cooperation Department  
Ministry of Labour and Social Security  
Beijing, PR China  
Tel: (86 10) 84201101  
Fax: (86 10) 84221624

3. Mr. GAO Ming  
Chief of Criminal Investigation  
Public Security Department of Yunnan Province  
Kunming  
Yunnan province, PR China  
Tel: (86 871) 3162081 x. 2736  
Fax: (86 871) 3160676
4. Mr. DUAN Jianxin  
General Office  
Judicial Department of Yunnan province  
Kunming  
Yunnan province, PR China  
Tel: (86 871) 7170182  
Fax: (86 871) 7172024
5. Ms. YANG Qiongying  
Director of the Liaison Division of  
Yunnan Provincial Women's Federation  
No. 50 Milesi, Kunming,  
Yunnan Province, PR China  
Tel: (86 871) 4144064  
Fax: (86 871) 4143821
6. Ms. CUI Linlin  
Deputy Division Director  
International Liaison Department of  
All - China Women's Federation (ACWF)  
No. 15 Jianguomen Street  
Beijing, PR China  
Tel: (86-10) 65136044  
Fax: (86 10) 65266503
7. Mr. HE Zhixiong  
Assistant Professor  
Institute of Sociology  
Yunnan Academy of Social Sciences  
Kunming, PR China  
Tel: (86 871) 4154718, 4154728  
Fax: (86 871) 4142394  
Email: isyass@tenway.com.cn

*Thailand*

1. Mr. Sidthinat PRABUDHANITISARN  
Project Coordinator of  
Thai Woman of Tomorrow (TWT)  
Faculty of Social Sciences  
Chiang Mai University  
Chiang Mai 50200  
Tel: (66 53) 892789  
Fax: (66 53) 943585
2. Dr. Kritaya Archavanitkul  
Institute for Population and  
Social Research (IPSR)  
Mahidol University  
Puttamonthon 4 Road, Salaya  
Nakhonpatho73170, Thailand  
Tel: (662) 4410201-4 ext. 218  
Fax: (662) 4419333  
Email: prkac@mahidol.ac.th
3. Mr. Wanchai ROUJANAWONG  
Senior Expert State Attorney  
International Affairs Department  
Office of the Attorney General  
Ratchadapisek Road  
Bangkok 10900, Thailand  
Tel: (662) 5412974, 5412945  
Fax: (662) 5412999, 5412940  
Email: face@internet.ksc.net.th  
Email: facebkk@hotmail.com

4. Pol.Col. Krekphong Pukprayura

3. Mrs. LE THI Hong Ha  
Legal Expert  
Institute of Law Research  
Ministry of Justice  
25A Cat Linh Street  
Hanoi, Viet Nam  
Tel: (84-4) 8048251  
Fax: (84 4) 8237473
4. Ms. TRAN THI Hieu  
Deputy-Director in charge of the  
CPCC Representative Office for  
Southern Provinces  
7 Le Duan Street  
Ho Chi Minh City, Viet Nam  
Tel: (84 8) 086081, 086005  
Fax: (84 8) 086103
5. Mr. HEGENAUER Michael  
World Vision International/Viet Nam  
No. 226, Lamson Street, Tan Binh District  
Ho Chi Minh City, Viet Nam  
Tel: (84 8) 8485180, 8420441  
Fax: (84 8) 8420325
6. Mr. PHAM NGOC Nhat  
Deputy Head of Criminal Police Department  
in Charge of Crime Matters Relating to Children  
General Department of Viet Nam  
People's Police, Ministry of Interior  
Hanoi, Viet Nam  
Tel: (84 4) 8246642  
Fax: (84 4) 8260081
7. Mr. DO NANG Khanh  
Deputy-head of Planning Section  
Department for Social Evils Prevention  
Ministry of Labor, Invalids and Social Affairs  
No. 2 Dinh Le Street  
Hanoi, Viet Nam  
Tel: (84 4) 8246113  
Fax: (84 4) 8254728

### Resource persons

1. Dr. Dusit DUANGSA  
Lecturer/Researcher  
Faculty of Education  
Chiang Mai University  
Chiang Mai 50200, Thailand  
Tel: (66 53) 944222  
Mobile: (661) 9520322  
Fax: (66 53) 408360  
Email: duangsaa@chmai.lox.info.co.th
2. Ms. Jan BOONTINAND  
Global Alliance Against Traffic in Women  
191 Sivalai Condominium  
Isaraphab Road 33  
Bangkok 10600  
Tel: (662) 8641427-8  
Fax: (662) 8641637  
E-mail: GAATW@mozart.inet.co.th
3. Dr. David FEINGOLD  
Director  
Ophidian Research Institute  
c/o UNESCO/PROP  
920 Sukhumvit Road  
Prakanong, Bangkok 10110  
Tel: (662) 3910879  
Fax: (662) 3910866

## Observers

1. Ms. Hiroko TANAKA  
Associate Social Affairs Officer  
Human Resources Development Section  
Social Development Division  
ESCAP/SOC, 6th Floor,  
United Nations Building  
Rajdamnern Nok Avenue  
Bangkok 10120, Thailand  
Tel: (662) 2881502  
Fax: (662) 2881030  
Email: hrd-section.unescap@un.org
2. Ms. Laura SKOLNIK  
Consultant  
Human Resources Development Section  
Social Development Division  
ESCAP/SOC, 6th Floor,  
United Nations Building  
Rajdamnern Nok Avenue  
Bangkok 10120, Thailand  
Tel: (662) 2881502  
Fax: (662) 2881030  
Email: hrd-section.unescap@un.org
3. Mr. Tony BATES  
Programme Officer-Development Assistant  
Australian Agency for International Development  
Australian Embassy  
37 South Sathorn Road  
Bangkok 10120, Thailand  
Tel: (662) 2872680 ext. 5601  
Fax: (662) 2872028
4. Ms. Frances WINTER  
Social Development Adviser  
DFID South East Asia  
c/o British Embassy, Wireless Road  
Bangkok 10330, Thailand  
Tel: (662) 2530191  
Fax: (662) 2537124  
Email: F-winter@dfid.gtnet.gov.uk
5. Mr. Michael SCHULTZ  
Social Development Adviser  
DFID South East Asia  
c/o British Embassy, Wireless Road  
Bangkok 10330, Thailand  
Tel: (662) 2530191  
Fax: (662) 2537124
6. Ms. Paleerat SRISARTSANARAT  
Economic Section  
Embassy of the United States of America  
Bangkok, Thailand  
Tel: (662) 2054709, 2054992  
Fax: (662) 2054106
7. Mr. Pierre RYCKMANS  
Head of the Development Cooperation Div.  
The Embassy of Belgium  
44 Soi Pipat, off Silom Road  
Bangkok 10500, Thailand  
Tel: (662) 2367896, 2367897  
Fax: (662) 2672368
8. Ms. Sunee Sakaorat  
Officer, Development Cooperation Section  
The Royal Netherlands Embassy  
106 Wireless Road  
Bangkok 10330, Thailand  
Tel: (662) 2547701-5  
Fax: (662) 2541679

9. Mr. Thongkorn HIRANRAKS  
Development Officer, CIDA  
Canadian Embassy  
Development Cooperation  
P.O./C.P. 2090  
Bangkok 10501, Thailand  
Tel: (662) 6360540  
Fax: (662) 6360569
10. Ms. Preet VERMA  
Deputy Secretary  
Ministry of Labour  
Government of India  
New Delhi, India  
Tel: (91 11) 3711120
11. Ms. Smitha NAGRAJ  
Executive Director  
Central Social Welfare Board  
New Delhi, India  
Tel: (91 11) 6865474  
Fax: (91 11) 6960057
12. Ms. Isabel A. Kelly  
Seafild Director  
Southeast Asia Fund for Institutional  
and Legal Development  
Canadian International Development Agency (CIDA)  
40 Bukit Pasoh Road  
Singapore 089854  
Tel: (65) 3252318  
Fax: (65) 3252316  
Email: seafild@pacific.net.sg
13. Ms. Taneeya ROONCHAROEN  
Coordinator  
Child Workers in Asia (CWA)  
P.O. Box 29 Chantarakasem Post Office  
Bangkok 10900, Thailand  
Tel: (662) 9300855  
Fax: (662) 930856  
Email: ewanet@loxinfo.co.th
14. Mr. Per VOGEL  
ECPAT  
328 Phaya Thai Road  
Bangkok 10400, Thailand  
Tel: (662) 2153388  
Fax: (662) 2158272
15. Ms. Kanitta JAREUNPOON  
Officer  
Mekong Region Law Center  
Office of the Attorney General Building  
11th Floor, Rachadapisek Road  
Bangkok 10900, Thailand  
Tel: (662) 5134773  
Fax: (662) 5412848  
Email: kkitta@mozart.inet.co.th
16. Ms. Mikayo YAMAZAKI  
Programme Officer  
United Nations Development Programme  
12th Floor, United Nation Building  
Rajdamnern Nok Avenue  
Bangkok 10120, Thailand  
Tel: (662) 2881810  
Fax: (662) 2800556

17. Ms. Pernille KIRKNAES  
Programme Officer  
United Nations Development Programme  
12th Floor, United Nation Building  
Rajdambern Nok Avenue  
Bangkok 10120, Thailand  
Tel: (662) 2881810  
Fax: (662) 2800556
18. Mr. William BARRLGA  
Programme Development Officer  
International Organization for Migration (IOM)  
5th Floor, Kasemkij Building  
120 Silom Road  
Bangkok 10500, Thailand  
Tel: (662) 2353538  
Fax: (662) 2367128  
Email: bangkok@iom.int
19. Dr. Midori SHIMIZU  
Programme Officer  
UNAIDS-APICT  
3rd Floor, United Nations Building  
Rajadamnern Nok Avenue  
Bangkok 10120, Thailand  
Tel: (662) 2882178  
Fax: (662) 2881092  
E-mail: phongphit.unescap@un.org
20. Ms. WANG Fang  
Beijing Liaison Office  
SCF-UK China Programme  
Save the Children Fund - UK  
No. 18 Bei Sar Huan Zhong Lu  
CICETE Rm. 210-212  
Beijing, PR China 100011  
Tel: (86 10) 62378404  
Fax: (86 10) 62378404  
Email: scfukbj@public.east.cn.net
21. Ms. Lorraine Corner  
Regional Programme Advisor  
UNIFEM, 12th Floor, U.N. Building  
Rajadamnoen Nok Ave.  
Bangkok 10200, Thailand  
Tel: (662) 2881934  
Fax: (662) 2806030
22. Mr Christopher Hennessy  
Save the Children Fund - UK  
Southeast, East Asia & Pacific  
99/5 Soi Smaharn, Sukhumvit Soi 4  
Klong Toey, Bangkok 10110  
Tel: (662) 6568114-5  
Fax:(662) 2550754
23. Ms. Sudarat Sereewat  
FACE  
Coalition to Fight Against Child Exploitation  
P.O. Box 178  
Klong Chan  
Bangkok 10240, Thailand  
Tel: (662) 5095782, 9477307  
Fax: (662) 5192794  
Email: face@internet.ksc.net.th
24. Mr. Prasart PASIRI  
International Relation Team Leader  
Center for Protection of Children's Rights  
185/16 Soi Wat Dee Duad  
Charansanitwong 12  
Bangkok Yai  
Bangkok 10600, Thailand  
Tel: (662) 4121196  
(662) 4120739  
Fax: (662) 4129833

25. Ms. Christina Pedder  
Consultant  
Center for Protection of Children's Rights  
185/16 Soi Wat Dee Duad  
Charansanitwong 12  
Bangkok Yai  
Bangkok 10600, Thailand  
Tel: (662) 4121196  
(662) 4120739  
Fax: (662) 4129833
26. Ms. Supattra Kattiya-aree  
AFXB  
P.O. Box 37  
Santisuk Post  
Bangkok 10113, Thailand  
Tel: (662) 3818942  
Fax: (662) 3818942  
Email: afixbth@loxinfo.co.th
27. Ms. Kusumal Rachawong  
UNICEF  
19 Phra-artit Road  
Bangkok 10200, Thailand  
Tel: (662) 2805931  
Fax: (662) 2816032
28. Ms. Marta Gonzalez Manchon  
Global Alliance Against Traffic in Women  
191 Sivalai Condominium  
Isaraphab Road 33  
Bangkok 10600  
Tel: (662) 8641427-8  
Fax: (662) 8641637  
Email: GAATW@mozart.inet.co.th
29. Mr. Mike Shone (Mrs. Jacqui Shone)  
ASSIST  
ILO, Bangkok  
Tel: (662) 2882303

**Note-takers:**

1. Ms. Chongcharoen Sornkaew  
National Programme Coordinator  
ILO/IPEC Thailand  
2nd Floor, UN Service Bldg.  
Rajadamnoen Nok Avenue  
Bangkok 10200  
Tel: (662) 2882242  
Fax: (662) 2881069  
Email: chongcharoen@ilobkk.or.th
2. Mr. Zhenguo Zhu  
Programme Officer  
Regional Programme Services  
ILO-ROAP  
Bangkok 10200  
Tel: (662) 2881736  
Fax: (662) 2806034  
Email: zhu@ilobkk.or.th

**Organizers:**

1. Ms. Claudia Coenjaerts  
Subregional Programme Coordinator  
ILO/IPEC SEA  
2nd Floor, UN Service Bldg.  
Rajadamnoen Nok Avenue  
Bangkok 10200  
Tel: (662) 2882243  
Fax: (662) 2881069  
Email: coenjaerts@ilobkk.or.th

2. Mr. Hans van de Glind  
Programme Officer, ILO/IPEC SEA  
2nd Floor, UN Service Bldg.  
Rajadamnoen Nok Avenue  
Bangkok 10200  
Tel: (662) 2881788  
Fax: (662) 2881069  
Email: vandeglind@ilobkk.or.th
  
3. Ms. Yanisa Charoenhiransilp  
Secretary, ILO/IPEC  
2nd Floor, UN Service Bldg.  
Rajadamnoen Nok Avenue  
Bangkok 10200  
Tel: (662) 2882244  
Fax: (662) 2881069  
Email: yanisa@ilobkk.or.th

## **Annex 5 - Guidelines for country group work**

### **A Division of groups**

**Cambodia:** Kundy Iem; Haran Chan; Linda Samay; Chanthol Oung; Chhoeurth Sao; Chantharith Kirth.

**China:** Wu Di; Zhang Feng; Gao Ming; Duan Jianxin; Yang Huangying; Cui Linlin; He Zhixiong; Ms Wang Fang.

**Laos + Myanmar:** Chittaphone Santavasy; Bountha Songyerthao; Onechanh Phetchantharath; Khamkhong Phimmachack; Amphayvanh Vilaychaleun; Soukhala Phrakonkham; Sompop Jantraka; Max O-Wey.

**Thailand:** Sidthinat Prabudhanitisarn; Dr. Kritaya Archavanitkul; Wanchai Roujanawong / Sudarat Sereerat; Pol. Gen. Kerkphong Pukprayura; Sriwatana Chulajata; Mallika Khunnawat; Sanphasit Koompraphan / Prasart Pasiri / Christina Pedder.

**Viet Nam:** Mai Thi Quang Binh; Le Thi Nham Tuyet; Le Thi Hong Ha; Tran Thi Hieu; Michael Hegenauer; Pham Ngoc Nhat; Do Nang Khanh.

### **B. Time allocated**

For preparation, the country groups will have:

Wednesday 22 July from 16:00 - 17:00

Thursday 23 July from 15:15 - 17:30

Friday 24 July from 8:30 - 12:00

Friday 24 July from 13:00 - 15:00 will be for country groupwork presentations.

A 15 to 20 minutes' presentation will suffice.

### **C. Preparatory work**

- < Appoint chairperson and person who will present the group work in the plenary session on Friday afternoon (13:00 - 15:00).
- < Appoint a note-taker who will also prepare transparencies.
- < Appoint a person who will represent the country group in the sub-regional group, and inform ILO-IPEC staff (Claudia or Hans) which person this will be.

## **D. Guidelines for discussion**

### **1. Current situation**

< Discuss and summarize relevant ongoing action (e.g. national task force on trafficking; implementation of Agenda for Action of Stockholm Congress on Sexual Exploitation of Children; other promising initiatives).

### **2. Proposed co-ordinated interventions based on ILO-IPEC's framework for action**

- 2.1 Identify priorities for action based on the ILO-IPEC framework for action (section 6.1 to 6.3)<sup>23</sup> in-country co-ordination and networking.;
- 2.2 Elaborate on the framework for action (by adding relevant activities and/or elaborating existing ones more in detail);
- 2.3 Specify if and how activities identified under 2.2 and 2.3 will link with other existing initiatives;
- 2.4 Where possible, explain per activity identified under 2.2 and 2.3:
- a. who should be responsible (Government, NGO's, community...);
  - b. what is the target group; how many people will it reach;
  - c. expected outputs and actions required;
  - d. resources and sustainability of impact;
  - e. time-frame.

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<sup>23</sup> Section 6.1: Direct action through awareness raising  
return/reintegration

Section 6.2: Advocacy and campaigning;

Section 6.3: Capacity building by strengthening:  
legislation and enforcement;  
research and information dissemination;

## **Annex 6 - Guidelines for sub-regional group work**

### **A Participants**

One participant per country working group.

### **B. Time allocated**

To be decided among the 5 participants.

Finalization of sub-regional group work can be done on Friday 24 July from 10:00 to 12:00.

Presentation of sub-regional group work on Friday 24 July from 15:15 to 16.15.

A 20 minutes presentation will suffice, followed by discussion.

### **C. Preparatory work**

< Appoint chairperson and person who will present the sub-regional plan of action on Friday afternoon (15:15 - 16:15).

< Appoint a note-taker who will also prepare transparencies.

### **D. Tasks**

#### **1 Describe current situation**

< Discuss and summarize relevant ongoing activities in bilateral and Mekong sub-regional context (e.g. bilateral and sub-regional agreements, co-ordinating mechanisms).

#### **2 Proposed co-ordinated interventions based on ILO-IPEC's framework for action**

2.1 Identify bilateral and sub-regional priorities for action based on the ILO-IPEC framework for action (section 7) - partly base yourself on discussions in the respective country working groups where they have cross-border implications;

2.2 Elaborate on section 7 of the framework for action ( by adding relevant activities and/or elaborating existing ones more in detail) - partly base yourself on discussions in the respective country working groups where they have cross-border implications;

2.3 Specify if and how activities identified under 2.1 and 2.2 will link with other existing initiatives;

2.4 Where possible, explain per activity identified under 2.1 and 2.2:

- a. who will be responsible (government, sub-regional organization, etc...);
- b. expected outputs and actions required;
- c. resources and sustainability of impact;
- d. time-frame.

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