



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/Sub.2/1988/NGO/8
11 August 1988

ENGLISH
Original: ENGLISH AND
FRENCH

COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention
of Discrimination and
Protection of Minorities
Fortieth session
Agenda item 14

SLAVERY AND SLAVERY-LIKE PRACTICES

Sale of children

Written statement submitted by Defence for Children International Movement,
a non-governmental organization on the Roster

The Secretary-General has received the following communication which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[22 July 1988]

When speaking of the sale of children, one should ask whether this term only applies to cases where a child is sold by one person to another (the buyer) like any other consumption good, or whether it also encompasses the following:

- the transfer of a child from one person to another in exchange of a sum of money or other advantages which are not the "price" of the child but nevertheless constitute unjustified profits (e.g. bribes);
- the hiring of a child by one person to another for purposes of sexual exploitation or the exploitation of the labour of the child, when the amount of the transaction bears no proportion to the "work" the child is expected to do;
- situations in which a child is retained until the parent or guardian is able to fulfil a financial obligation.

In the opinion of Defence for Children-International (DCI), the concept of "sale of children" should be broad enough to ensure that no practice which violates the right of children as human beings in such a flagrant way escapes the attention of the international community. For some years, DCI has collected documentation on situations in which children are sold or illicitly transferred. The information received thus far indicates that the practice is not limited to the "third world" but that many countries throughout the world are concerned; that many different and subtle techniques are used to make children available for sale; that in some cases the sale of children appears to be an organized market.

The following examples can be taken from reports received by DCI over the last two years:

1. SALE OF CHILDREN FOR THE PURPOSE OF EXPLOITATION

A report received from a Latin American country in 1987 describes cases in which children are bought from poor parents, mostly mothers. The following constitutes actual cases documented by this study:

- a six-year old girl sold for the price of 30 million (local currency) to a family which was looking for a domestic servant.
- a boy sold for the price of 20 million (local currency) to work as a shepherd because the parents could not afford to feed him;
- children and teenagers are given away to employers living in neighbouring countries and work there as smugglers or domestic servants.

In Asia the practice of purchasing children and teenagers from poor peasant families by intermediaries who bring them to the town where they work in small factories or in the sex industry is well documented.

2. SALE OF CHILDREN IN RELATION WITH INTERNATIONAL ADOPTION

DCI received in 1987 a report from Asia from which the following can be quoted:

"Members of Organized Gangs: It has been estimated that there are at least three main abduction gangs presently operating near the border. To be effective, there are about 8-10 members in a well-organized gang, consisting of gang leader, agents, abductors and babysitters working full-time in their safehouses.

Victims: The most vulnerable children are listed as fair complexion, good features, age between 0-7 years, both male and female.

Method and Network: When an 'order' was passed from (...) agents to their (...) contacts, the search or 'hunt' for children as specified by the 'order' would begin. The abductors belonging to one of the gangs would take the responsibility for filling the order. Some known methods carried out by the abductors are as follows:

- (1) Snatching - employing motorcycles, automobiles as means of escape.
- (2) Volunteer babysitter - establishing trust with mother, relatives, and/or other babysitters and carrying the child away.
- (3) Buying - mostly from prostitutes - who may not care to have their babies in their own care anyway.
- (4) Adoption - convincing unwedded mothers to give away their children for the good and future of the children. Many of them give up their children in good faith believing it to be a sacrifice in the interests of the children.
- (5) Orphanage - agents posed as kind and humanitarian persons to adopt children from orphanages, both government and non-governmental institutions.

After the child is in their possession, the child is placed under the care of agents or kept in one of their transit 'safehouses'. This house serves normally as an 'illegal orphanage' to display their 'human cargo' to agents from (...) or the 'go-between' based in (...). Most of these 'houses' are rented for such purposes, at least one full-time babysitter is employed to look after the children in transit. Normally, the children are kept in such houses for only a couple of days before being transported or 'smuggled' into (...) mostly by boat (...)."

In a Latin American country the practice of retaining newborn babies in maternity wards until the mothers can gather enough money to pay for the delivery was reported. In some instances, mothers have not been able to get their child back as it had already disappeared, probably with foreign couples.

In some Latin American countries, foreign couples fraudulently register newborn babies in the civil register as their own children, as illustrated by the following excerpts from a report:

"Mr. ..., responsible for the civil register in this town has said that in most cases sale of children and especially of newborn infants is registered in Couples regularly come to the Civil Register offices in order to register babies; it is nevertheless obvious that the children have not been procreated by these parents, 'since the physical difference between the parents and the children is enormous'.

The Registrar says that it is impossible to investigate, as Article .. of the Civil Code absolutely prohibits the official in charge from enquiring about the paternity of the child.

The same regulation, they added, permits private hospitals to print birth certificates and issue them to the parents. Many hospitals of this region, they said, sell or offer birth certificates which are indispensable for the registration of the babies, which considerably facilitates the trafficking in children."

Other practices of making children available for international adoption are better known, among them the following:

- the search for pregnant teenagers or unwedded pregnant women who are taken to homes where they get free accommodation and health care on condition that their child will be given up for adoption;
- the bribery of social workers, health workers, midwives, civil servants, and others in exchange for their help in finding a child, or the bribery of civil servants and judges in order to accelerate the adoption procedures, etc.

Giving an abandoned child a new home, where he/she will be loved and receive shelter, education, food and clothing cannot justify taking the child away from his/her parents - or the institution where he/she lives - at any cost and in disregard of the local legal and administrative requirements.

As mentioned earlier, these practices are worldwide. In Europe, the trafficking in children within the national borders has been discovered and in another, a woman was recently sentenced for the sale of children from a Middle East country to parents wishing to adopt.

DCI is aware that the information it regularly receives on the sale of children reveals only a tiny part of what is presently going on in relation with this type of violation of children's rights. Unless a thorough study is made at national and international levels, it will never be possible to gather reliable information on the magnitude and extent of the sale of children, as well as on the methods used by traffickers to obtain children for their criminal business. Our organization is convinced that information is one of the keys to the fight against these practices. Peoples and Governments are not in a position to fight and to eradicate such crimes as long as they remain concealed. DCI therefore urges the Sub-Commission to appoint a Special Rapporteur to investigate the question of the sale of children in its manifold aspects taking into account the widest possible definition of "sale".