

# Child trafficking: ‘worst form’ of child labour, or worst approach to young migrants?

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Child trafficking is often used synonymously with child labour migration. This framing does a disservice to many child migrants, who change place for many reasons, and new thinking is necessary.



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The phrase ‘human trafficking’ in relation to young people has become synonymous with ‘the worst forms of child labour’ in much of the public discourse. There is virtually no space to discuss the phenomenon of minors working away from home in terms of ‘migration’. There is a need to unsettle these certainties. My colleague Simon Baker and I, based on our research and that of our colleagues, argue that it is misleading to understand the involvement of minors in migration exclusively as a problem of human trafficking. To do so falsely homogenises the wide diversity of young people’s migrations that could, according to the definition found in the 2000 Palermo Protocol, qualify as child trafficking. Recognising this diversity of experience allows us to see why the standard formula of ‘rescue–repatriation–reintegration’ is highly problematic. It also sheds light on how dominant trends in child trafficking discourse can lead to interventions that negatively impact the lives of children who need or wish to migrate for work.

Analytically, child trafficking constitutes one of the worst approaches to child migration. We list three reasons. First, it disconnects young people’s involvement in migration from the wider issues of migration and social change to which it is intrinsically linked. Second, it suggests that migrants below 18 years of age are inherently vulnerable without asking how exploitation in migration is produced. For example, such exploitation can occur because those younger than 18 years of age are often excluded from safer channels of migration and documented forms of migrant work. Third, the victim-centred perspective produced by dominant human trafficking discourse leaves little space to conceive of, and study, young

people as active participants and agents in their own migrations.

These analytical issues are not just of academic concern. Understanding 'human trafficking' in relation to migration and social change demonstrates that banning young people from migrating to 'combat trafficking' is nothing more than wishful thinking. Furthermore, reducing young people's involvement in migration to absolute poverty or the absolute lack of employment is a gross oversimplification of why young people migrate. Young migrants are by no means passive objects in migration as the human trafficking discourse suggests. Most actively negotiate the migration process and aim to mitigate possible risks and exploitation. It is oftentimes young migrants themselves—and not anti-trafficking interventions—that terminate unacceptable forms of migrant work.

The ILO's adoption of the [convention on the worst forms of child labour](#) in 1999 (convention 182) marked a significant shift in the global response to child labour. It called for a differentiated rather than a blanket approach, and prioritised taking action against the most intolerable forms children's work. This convention is remarkable because it redefined the problem of child labour. Whereas the [ILO minimum age convention](#) of 1973 defined the problem in terms of children's involvement in work below a certain age, convention 182 redirected the focus to harm in employment.

Nevertheless, these progressive ideas on addressing the problem of child labour have yet be embraced by the anti-trafficking community. Trafficking of children is included in the convention as one of the worst forms of child labour (article 3a). Children are defined as anyone younger than 18, and current anti-trafficking efforts in this area still seek to discourage or remove youth from migration scenarios. The problem of human trafficking in relation to minors is thus conflated with working away from home whilst technically still a child, rather than defined in terms of the specific forms of exploitation that could take place. We believe that this understanding is out of tune with the general thrust of convention 182, which advocates for a differentiated approach that prioritises the intolerable and focuses on harm.

We call for rethinking human trafficking in relation to children as a migration issue. This does not mean that we deny that young migrants often suffer from various forms and degrees of exploitation. Nor do we desire to be oblivious to this reality. Instead, we suggest that adopting a migration lens allows for a more grounded and nuanced perspective than what the human trafficking discourse has achieved thus far. This will create the policy space necessary to think differently about interventions concerning the exploitation of minors in migration, for example by focussing on making migration for work safer for minors instead seeking to ban it.

*This piece is based on a much longer article co-authored with Simon Baker titled '[Child Trafficking: 'Worst Form' of Child Labour, or Worst Approach to Young Migrants?](#)' It was published in 2012 in *Development and Change*.*