

CHAPTER I

INTRODUCTION

1.1 Background

In the current globalization era, the access to cross the borders have become more open, bringing more room for criminals including international crime. Globalization and interdependence between one country to another while creating welfare and advancement of the civilization also causing negative impacts in which it has caused the birth of cross-border crime all around the globe, one of which is Human Trafficking. Human Trafficking is a serious crime in the world (UNODC, n.d.), especially child trafficking. According to the People's Republic of China's criminal code, the crime of abducting and trafficking children refers to the acts of trafficking, kidnapping, purchasing, selling, picking up, or transferring children for the purpose of selling. Child trafficking is a violation of Human Rights which is the violation of using humans as commodities. Children's rights are part of human rights that are guaranteed and protected by law, both International and National Law, which are universally protected in the Universal Declaration of Human Rights (UDHR) and International on Civil and Political Rights (ICPR) (Abdussalam, 2012). The child trafficking phenomena were found mainly in remote and impoverished areas, thus in order to meet their basic needs and break free of poverty, it had caused many victims to believe the promises delivered by the traffickers.

China is a developing country with the largest population in the world where the population reaches 1.4 billion people (Developes, n.d.). In 2017, the United States has stated that China is a country with the worst management for handling human trafficking (The New York Times, 2017). This has become a serious social issue in mainland China. Therefore, China has become one of the countries that has gained attention of the world as it has become a place of trafficking for women and minors which was caused by several factors accompanying it (Skeldon, 2000). In the provincial boundaries, poverty is considered the main factor causing child trafficking, the lack of education and

employment made it easier for child trafficking to occur (Shirvastava, 2006). Research states that the victims of child trafficking come from poor families such as Yunnan and Guizhou. The Chinese government in 1978 adopted a one-child policy. The policy states that every Chinese citizen must obtain a birth certificate before the birth of their child. The one-child policy was issued in 1979 by President Deng Xiaoping, but the policy was implemented in 1978 which aims to reduce the rate of population growth in China each year (Huiting, 2002). A family is allowed to have one child and a second birth will incur a fine of US \$ 3,500, which is a burdensome monetary fine for low-income families in China (Huiting, 2002). Many babies are being trafficked as if they were selling goods due to the one-child policy implemented by the Chinese government and the fact that families in rural areas in China expect boys more than girls, because having a son is considered like having a treasure while having a daughter is considered a burden on the family. Therefore, if a family has a daughter, they will sell their daughter to the child trafficker so that the family has another chance to have a son.

Human trafficking has a clear motive for capital gain, whether it's for single or mutual benefits of the parties in cooperation to ensure they receive significant gain. Many child trafficking cases occur transnationally due to the convenient nature of the victims' movements to be traced. The globalization era has fairly contributed to the growth of child trafficking where the access to conduct such crimes from one country to another has become easier and faster.

Child trafficking occurs due to the demand which becomes a motive of the users or customers of the criminal act. One of them is sexual exploitation where the children who are the victims experience physical and mental violence, they are forced to carry out tasks they do not like to engage in and often are paid nothing in return. No accurate statistics that are available portraying the number of actors involved, this is due to the lack of attention and data possessed in relation to the children who are victims of child trafficking.

Thus, this is the reason why some parents decided to partake in employing their children to undergo such tasks. They were given promises such as working in big cities to have better living standards, but eventually sold as child trafficking

victims by the traffickers (those who engage in child trafficking) with various objectives such as sexual exploitation, prostitution, child labour, housekeeping, and many more. Children are the future assets, but now their future are being taken away by their loved ones. There are many cases in which a child is sold by his/her own family, this is due to urgent economic factors which leaves children vulnerable to trafficking cases.

International organizations are established to meet the national interests of a country in many aspects. One of the most prominent international organization established by the United Nations with the focus of ensuring the children basic rights around the world is UNICEF (the United Nations Children's Fund), an organization which was established around 70 years ago under the United Nations. Initially, this organization was established in December 1946 after the World War II with the purpose of providing food, clothes and medical care to children in Europe, then it was official as part of the UN in 1953. UNICEF has a headquarter in New York and has worked in 190 countries and regions to improve the lives of the children along with their families.

UNICEF has a long history of providing emergency assistance around the world, be it due to conflict or natural disasters. UNICEF is a support organization that builds the world, in also besides UNICEF helps realize children's rights. UNICEF has also played an active role in assisting children in the world, especially in upholding children's rights. Every UNICEF member believes that raising and caring for children is a pillar of global progress.

In order to meet their objectives in various countries, UNICEF along with the local governments prepare and implement programs which have been set out together relating to the fulfilment of children's rights (Ahli, 2015). UNICEF programs focus on the children who are less fortunate, such as children who have experience violence, poverty, disease, and discrimination (UNICEF, n.d.). This is commonly found in developing countries such as China. China is one of the countries that requires immediate attention from many actors in handling problems such as the fulfilment of children's rights.

The cooperation between UNICEF and China has existed for more than 70

years since 1947. The cooperation is resumed in 1979 in relation to the implementation of the one child policy in China. In this case, the UNICEF-China cooperation in many aspects comprises of welfare, given the substantial illegal abortion cases and how the society isolates the ones who performed them. Therefore in 2004, UNICEF announced a campaign of “Women and Children First”, as a proof of concern to the livelihood of the woman and the Chinese population.

Gender imbalance across China is one of the main causes of several factors of child trafficking. Many girls are trafficked for forced marriage. The One-Child Policy causes the number of female and male populations to be imbalanced, based on some statistical data stating that the male population in China is 20% -40% more than women (Project, 2002). Many of the parents who come from rural areas choose to sell their children especially baby girls and this has led to an imbalance in the gender population. In areas with low economies, the status of women is very low in the field of education and work, this makes trafficking cases very easy. But there are also some cases, where boys are highly desirable as heirs in the family so that boys become commodities to be traded for families who need an heir. With the high level of this problem, the traffickers will continue to kidnap and smuggle people.

The Chinese police in 2004 launched a counteraction against child trafficking. Lots of girls are sold, this continues to happen (Presse). Based on a report by The Public Security Bureau of Yunnan, there are many cases of kidnapping, trafficking, and violence, Yunnan area is the area with the most severe cases of child trafficking. In April and July 2004, the police rescued 85 girls and children who were kidnapped, but the number of children who disappeared is not clear.

The children trafficking issues in China pertains to be a very complex issue and could not be easily solved just by one country with cooperation from several elements or other international actors. The involvement of the international organization becomes evident in the process of solving child trafficking cases. Just like the involvement of UNICEF in the process of handling Child Trafficking

in China. Therefore, UNICEF responds as well as handles cases of child trafficking in China to fight for children's rights to achieve their welfare as UNICEF's mission is to continue the life, protection, and development of children for universal development that is useful for advancing the life of the nation.

In recent years China has made major changes in improving the lives of children and women, such as making a policy change by allowing the birth of two children, this shows that UNICEF has played an active role in tackling child trafficking in China. The government allowed each family to have two children on January 1, 2016. The Chinese government has realized that there are many pros and cons from society regarding the policy that affects the lives of children.

1.2 Research Question

Based on the background of the problem as described above, the problem of this undergraduate thesis can be formulated in the following question:

“How is the Role of the United Nations of Children's Fund (UNICEF) in overcoming child trafficking in China?”

1.3 Theoretical Framework

To answer the research question above, the theory is used, and it is expected to clearly explain that:

1. International Organization

International organization is a concept from the liberal perspective where liberals believe that individuals have various interests and therefore, they may be involved in collaborative and cooperative social actions, domestically or internationally, which generates significant benefit to everyone domestically as well as internationally (Sorensen, 2013), thus establish an international organization could build cooperation between countries around the world.

International organization is created due to the demand of several states to achieve an objective solve a problem occurring in many parts

of the world, such as; to protect the security of states and regions, avoid the escalation of conflict between states especially in border regions, improve the economy of countries, and many more. According to Michael Hass, international organization has two definitions: first, as an institution or structure which has a set of rules, members, schedules, time and place of meeting; second, international organization is an arrangement of parts becoming as one which is inseparable where there are non-institutional aspects in the matters of this international organization (A. A. Perwita, 2005).

Meanwhile, Michael Wallace and David Singer in 1970, stated that an international organization must consist of at least two members which meets the requirement of the international organization and has been ratified through formal instruments of agreement between governments of the states in a national level. In addition, the organization should hold several plenaries in a time period of less than a decade as well as having a permanent secretariat to undergo ongoing duties. Also, 14 years prior to 1956, Inis Claude has introduced the conceptualization of international organization, stating that the international organization in a singular form is a process, and international organization in a plural form is the aspect representing the process which has been completed at a certain time (Meierhenrich, 2012).

Abbot and Snidal (1998) as quoted by Sterian Maria Gabriela states that international organization is one of the prominent actors in the series of international political crisis which has power in mediation, conflict resolution, peacekeeping, implementation of sanctions, and many more. International organization also helps to manage several main aspects which is internationally vital, from global health policies to monetary policies all around the world (Gabiella, 2013).

According to Clive Archer international organizations have the following roles (Archer, 1983):

1. Instruments, namely, play a role in reaching an agreement, suppressing the intensity of conflict (if any), and aligning actions.
2. Arena (forum/container), which has a role to gather and initiate joint decision-making or the formulation of international agreements (conventions, treaties, protocols, agreements, and so on).
3. Actors, that international organizations can also be autonomous actors and act in their capacity as international organizations and are no longer just implementing the interests of their members.

Umar S. Bakry classified international organizations based on their types into to, namely:

1. Intergovernmental Organizations (IGO), intergovernmental organizations, which are organizations formed by two or more sovereign countries where they meet regularly and have fulltime staff. IGO membership is generally voluntary so that its existence does not threaten the sovereignty of countries.
2. Non-Government Organizations (NGO), a non-governmental organization, this definition refers to the Yearbook of International Organizations which states that NGOs are structured organizations that operate internationally and do not have official relations with the government of a country (Bakry, 1999).

According to its type, UNICEF is an IGO because from its structure UNICEF is part of the UN and is not bound by any country.

Child trafficking is a transnational crime which requires the involvement of various actors such as international institutions and organizations in the process of handling it. This is due to significant victims of trafficking in several countries crossing borders between

countries illegally. Based on several definitions from international organization, it could be seen that the importance of an international organization being established is to meet the national interest of a country. Additionally, in this case, regarding the case of human trafficking which is a threat to human security and generally the international community.

UNICEF is one of the international organizations under the UN that was established with the purpose of managing every issue pertaining to the fulfillment of children's rights and welfare all around the world, whether it's in developed country or developing country. In his book called "Administrasi dan Organisasi Internasional", Teuku May Rudy define's international cooperation as a form of cooperation in various sectors and across state borders, in which such cooperation is conducted by sovereign Bodies/Institutions such as; Inter-Governmental Organization and International Non-Governmental Organization (Rudy, 2005).

According to Karen Mingst, the role of international organizations can play a role at every level of analysis:

1. The international system, namely international organizations that have the function of contributing together with countries in the world to handle international problems, survey and collect information in the world, provide assistance in dispute resolution, hold operational activities such as immunization campaigns for the prevention of childhood diseases, provide a place for bargaining, and international organizations also have the authority to make an international arrangement.
2. The role of international organizations towards the state, namely that international organizations are used by the state as instruments of foreign policy, for foreign policy legitimacy, reproduce the information for the state, and also

serves to determine the behavior of a country in the sense of preventing countries from making a policy and punishing a result of an action. In this regard, UNICEF strives to improve the quality of life of children in developing countries and collaborates with the governments concerned.

3. The role of organizations towards individuals, namely, international organizations are places where individuals can socialize with international norms, and international organizations are places where individuals can learn about national similarities and differences (Mingst, 1999).

In handling child trafficking cases in China, UNICEF is responsible for tackling Child Trafficking in China and the world as a response to the dangers of this crime. Thus, the role of international organizations will be able to provide guidelines for acting in certain situations in the international environment. Therefore, the role of international organizations is a reaction to the international situation that occurs.

2. Human Security

Human trafficking is an organized large-scale crime and has clear structures and rules, so that the annual amount of the victims is not accurately detected. This crime is conducted in discreet and could generate significant capital gains. This has led several countries such as China to encounter some security threats such as the close connection between the lower-income class and the influence of human trafficking, especially child trafficking.

The fundamental factor that leads China close to the problem of human trafficking is its immense population. Thus, many of them thrive to compete for jobs by any means necessary in the hopes and promises of a significant pay. China is one of the countries with the highest amount of human trafficking cases, having full responsibility

to the government and the many actors in the international realm. Therefore, the writer views that human trafficking is a source of threat to human security.

Security is necessary to overcome security threat of a person, as expressed by Hobbes, that without security, the worst things are to be threatening the human lives, without security, there will be no industries, arts, communities, above all the most threatening situation is the danger of death.

According to Paul D. William, security could be understood as an accumulation of power. Military power is seen as a route to security. The bigger the power of a party, the more secured it becomes. Security could be a commodity (in order to be safe, a party must possess money, weapons, armies and many more). Security also could be understood in terms of the relations between different actors. Such relations could be negative (no threat), and positive (the power to do something). In this context, security is viewed from the context of freedom from and freedom to (Winarno, 2014). Security as stated is a traditional security where the state is the center of security and the military is the weapon in dealing with a threat in a country. Meanwhile, the concept of human security is a non-traditional security where individuals become the epicenter of the security.

Based on the Human Development Report 1994 issued by UNDP, briefly explained human security as: “first, safety from such chronic threats such as hunger, disease, and repression. And, second, protection from sudden and hurtful disruptions in the patterns of daily life, whether in homes, in jobs or in communities (Press N. Y., 1994).” Based on that emphasis, UNDP details seven aspects of human security that must be considered. First, economic security (free from poverty and guarantee the fulfillment of basic needs). Second, food security (easy access to food needs). Third, health security (easy access to health services and protection from disease). Fourth,

environmental security (protection from air pollution and environmental pollution, as well as access to clean water and air). Fifth, personal security (safety from physical threats caused by war, domestic violence, crime, use of illegal drugs, and even traffic accidents). The sixth is community security (preservation of cultural identity and cultural traditions). Seventh, political security (protection of human rights and freedom from political pressure).

Behind the emergence of the idea of human security, Amitav Acharya observed four developments that underlie it: (1) increase in civil wars and conflicts within countries, (2) spread of democracy, (3) humanitarian intervention, (4) widespread poverty and unemployment due to the economic crisis in the 1990s caused by globalization (Acharya, *Human Security: East versus West*, 2001).

Acharya also provides another explanation regarding human security, which at least reveals that human security has three definitions, namely freedom from fear (as stressed by human rights advocates in Asia and elsewhere), freedom from want (as stressed by some Asian governments such as Japan) and freedom from cruelty and suffering in times of conflict (as stressed by the former Canadian Foreign Minister Lloyd Axworthy) (Acharya, *nexus between human security and traditional security in east asia*, 2004).

Human security is a problem that requires a broad solution, both regionally and globally. The solution requires several actors, both from within and outside the country, who can jointly deal with threats, both now and in the future. Problems, such as child trafficking, are problems that cannot be handled only from within the country because they must be carried out by cooperating with parties outside the country to create long-term security.

National security aims to protect state sovereignty. In this case, the state is an important part of national security. The state can do anything under the pretext of protecting national security. In the

concept of human security, the main actor is the individual. According to this concept, individuals play an important role in the stability of people's lives, both nationally and internationally. This is because the social order, both at the national and international levels, consists of individuals who need security.

So, if the security of each individual is met, then the stability of community life at a higher level is not impossible. However, there are still threats that will directly involve individuals, including:

1. Threats to economic security that result in a lack of productive and profitable jobs that have a very serious impact, namely the number of poor people who are unemployed, crime is everywhere, and children who drop out of school are also starving which results in starvation, death and others.
2. Threats to security, health, and the environment that result in many deaths due to an unhealthy environment, unavailability of clean water, air pollution, lack of access to health facilities.
3. Threats to public and personal security such as violent crime, drug abuse, violence and abuse against children and women, the collapse of traditional languages and cultures, ethnic discrimination and strife, genocide, and ethnic cleansing.
4. Threats to political security include government repression, systematic human rights violations, militarization, and others.

1.4 Hypothesis

UNICEF Roles in overcoming child trafficking in china are:

- a) As an independent actor UNICEF:
 1. In 2010, UNICEF supported the All-China Women's Federation (ACWF) to initiate inter-agency discussions on assistance to children victims of trafficking.

2. UNICEF provides health staff for women and children in China
3. UNICEF and the Ministry of Civil Affairs (MCA) have jointly run and developed community services for street children, since 2002. An effective model for protecting street children was developed ("Zhengzhou Model"). This model has been successfully replicated in 15 cities across China.

b) As an instrument UNICEF:

1. UNICEF becomes the government's partner to address the impact of child trafficking in China.

1.5 The Purpose of Research

1. The purpose of this undergraduate thesis is to obtain a Bachelor Degree in International Program of International Relation. Faculty of Social and Political Sciences at Muhammadiyah University of Yogyakarta
2. To provide illustration of the efforts of UNICEF in overcoming child trafficking especially relating to exploitation and child trafficking occurring in China.
3. To answer the existing research problem with proof, data, and facts as well as to prove the hypothesis with the relevant theory

1.6 Research Methodology

1. Data Collective Method

This research uses a qualitative method that emphasizes the technique of library research. Furthermore, the data obtained is using the analytical method and the elaboration of each existing data. The data obtained in the form existed books, journals, magazines, and article both online and offline from a officials and valid sources.

2. Methods of Analysis

The research type utilized by the writer is a descriptive research.

Descriptive type research is to portray how the situation and the development of child trafficking in China in connection with the role of international organization, in this case is UNICEF in managing the issue of child trafficking in China.

1.7 Scope of Research

To limit the problem explained here, the scope of research shall be about the efforts by UNICEF as an international body in managing the child trafficking in China, from 2010 until 2015, but not limited to the possibilities to the inclusion of the previous years.

1.8 Thesis Outline

This thesis consists of 5 chapters, and an explanation of each chapter will be described in detail in the sub-chapters. The research outline is as follows:

CHAPTER I

This chapter describes the background of the problem, research question, theoretical framework, hypothesis, research objectives, research methodology, the scope of research and the organization of writing.

CHAPTER II

This chapter explains Background of UNICEF, Task of UNICEF, UNICEF Policy on Child Trafficking, China's Political History Becoming More and More Open to International Organizations, UNICEF in China and The Definition of Child Trafficking in General. Background of UNICEF, Task of UNICEF, UNICEF Policy on Child Trafficking, China's Political History Becoming More and More Open to International Organizations, UNICEF in China and The Definition of Child Trafficking in General.

CHAPTER III

This chapter discusses describes The Factors Causing Child Trafficking, The Impact of Child Trafficking, The Engagement of the “Snakeheads” Network in Trade and Human Trafficking in China, Cases of Child Trafficking in China, and The Chinese Government's Response to the Crime

of Human Trafficking

CHAPTER IV

This chapter discusses the role of UNICEF overcoming child trafficking in China.

CHAPTER V

This chapter contains a conclusion of the explanations from the previous presented chapters.