

## Efforts of International and National Bodies and Organizations in Combating the Crime of Child Exploitation

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### **Abstract:**

Child exploitation is one of the most serious violations of children's rights and dignity, given its profound psychological, social, and legal consequences. This study aims to analyze international and national efforts to combat this phenomenon, employing a descriptive and analytical approach with a critical perspective.

The study focuses on internationally adopted legal frameworks and institutional mechanisms, highlighting the role of United Nations bodies and specialized agencies in the field of protection and prevention. It also examines the Algerian experience by analyzing its legislative system, public policies, and institutions responsible for child protection, and assessing their alignment with international obligations.

The study concludes by evaluating the effectiveness of these efforts and identifying the most significant challenges they face, emphasizing the need to strengthen coordination and integration to ensure more comprehensive protection for children from all forms of exploitation.

**Keywords: Child Exploitation; International Protection; National Legislation; Children's Rights.**

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## **INTRODUCTION**

Childhood constitutes a distinct legal status, governed by special provisions that set it apart from those applicable to adults. This distinction manifests not only in the nature of the protections afforded but also in the specific scope of legal safeguards and the variable methods of law enforcement tailored to individual cases<sup>1</sup>. These differences are further reflected in the unique structures of institutions and bodies entrusted with implementing legal norms related to children's rights, providing them with necessary protection from all forms of violence and exploitation, and combating the spectrum of crimes they may face.

The exploitation of children is unequivocally among the gravest threats to human rights in general and children's rights in particular. It represents a flagrant assault on a child's dignity, physical, psychological, and mental integrity, yielding profound negative repercussions that extend to individuals and society alike. The rapid pace of socio-economic transformation, coupled with the evolution of communication and information technology, has regrettably broadened the scope of this crime and diversified its manifestations—be it economic, sexual, criminal, or other emergent forms.

Given the severity of this phenomenon and its far-reaching consequences, the efforts of international, regional, and national bodies and organizations have coalesced to combat the crime of child exploitation. This collaboration has led to the establishment of a robust framework of international conventions and treaties, alongside the adoption of national legislation and public policies designed to prevent the crime, protect children from its dangers, and prosecute its perpetrators. However, the sheer multiplicity and diverse levels of these initiatives raise critical questions regarding their actual effectiveness and their collective capacity to deliver tangible, comprehensive protection for children.

### **Importance of the Study:**

The significance of this study is intrinsically linked to the critical nature of its subject—the crime of child exploitation, a fundamental assault on children's rights and human dignity that threatens social stability and cohesion. Its importance is further underscored by its focus on illuminating the efforts undertaken by international and national bodies and organizations to combat this crime, which it does through a detailed analysis of the legal frameworks and institutional mechanisms deployed across various levels.

The study's scientific value lies in its potential to enrich academic discourse on child protection, offering an analytical reading of the efficacy of existing efforts while identifying shortcomings and challenges hindering their full implementation. On a practical level, its significance stems from the potential utility of its findings for policymakers, enabling the enhancement of national policies and legislation, and the refinement of coordination and integration mechanisms among relevant bodies—all with the ultimate goal of securing more effective and comprehensive protection for children against all forms of exploitation.

### **Methodology:**

This study employs a legal-analytical and descriptive methodology, appropriate for its nature, which involves a rigorous analysis of relevant decisions and texts pertaining to the subject, along with the legal principles governing them. It seeks to examine their objectivity, legitimacy, and alignment with prevailing international rules.

### **Problem Statement:**

Building on the foregoing, this paper poses the following central question: “To what extent have the efforts of international and national bodies and organizations contributed to combating the crime of child exploitation and achieving effective protection for children?”

## **1. Efforts of International Bodies and Organizations in Combating the Crime of Child Exploitation**

The necessity for international oversight regarding the respect of children's rights has become undeniable, demanding the establishment of specific, tangible, and effective institutional mechanisms. Such bodies are tasked with monitoring and follow-up, ensuring the binding nature of international treaty provisions concerning the protection and care of children's rights, thereby transforming them into enforceable legal rules applicable to all ratifying states.<sup>2</sup>

Consequently, international institutions and organizations play a pivotal role in shielding children from all forms of exploitation and combating this crime; they achieve this by erecting stringent legal and institutional frameworks alongside effective implementation mechanisms. Within this context, the United Nations emerges as a principal actor, crafting a comprehensive international legal framework for child protection, bolstered by the dedicated efforts of its specialized agencies. Foremost among these are the International Labour Organization (ILO), focused on preventing child labor and prohibiting its worst forms; the United Nations Children's Fund (UNICEF); the United Nations Office on Drugs and Crime (UNODC); and other relevant bodies. The strength of these efforts lies in their synergistic integration—the seamless combination of international legislation with preventive and operational programs—ensuring comprehensive and effective protection for children on a global scale.

### **1.1 The International Labour Organization (ILO) and its Role in Protecting Children from Exploitation**

The ILO is an independent intergovernmental organization, established on April 1, 1919, with its permanent headquarters in Geneva, Switzerland. It became a specialized agency of the United Nations through an agreement signed on December 14, 1946. Although its primary founding objective was to improve working conditions and protect workers, its mandate has broadened to encompass related fields, including maternity and child protection,

particularly concerning child and women's labor. Within this expanded scope, the ILO has undertaken considerable efforts to protect children from economic exploitation and combat the phenomenon of child labor through the adoption of international standards, targeted programs, and specialized monitoring mechanisms.<sup>3</sup>

Child labor is, therefore, a form of exploitative work that negatively impacts a child's physical, psychological, and social development, robbing them of their right to education and access to essential services.<sup>4</sup>

Since its inception, the ILO has played a central role in safeguarding children from exploitation and preventing child labor. It has done so by enacting stringent legal rules governing work within parameters that respect children's physical and mental development, ensuring that work does not become a tool for exploitation or harm. Its efforts have notably included the prohibition of the worst forms of child exploitation and the adoption of international programs and mechanisms aimed at its total elimination.<sup>5</sup>

In this vein, the ILO adopted Convention No. 138 concerning Minimum Age for Admission to Employment (1973) and, more critically, Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999). The latter is a fundamental international treaty that immediately prohibits the most hazardous forms of exploitation for children under 18, such as slavery, trafficking, prostitution, and hazardous work. It holds the distinction of being the fastest ratified convention in history (achieving universal ratification by 2020), compelling member states to eliminate these practices.<sup>6</sup>

Furthermore, the ILO has contributed to the protection of child victims of exploitation through Recommendation No. 190<sup>7</sup>, adopted by the International Labour Conference. This recommendation, complementing Convention No. 182, prohibits the worst forms of child labor and obliges member states to take immediate action for its elimination. It focuses on protecting the most vulnerable groups,

including young children, girls, and other vulnerable children, and mandates the preparation of lists identifying hazardous work that exposes children to physical, psychological, or sexual exploitation, or work conducted in unhealthy environments or underground.

The ILO also adopted the Protocol of 2014 to the Forced Labour Convention, 1930 (Protocol No. 29), aimed at protecting victims of forced labor, including children. Article 1 of this Protocol stipulates the provision of appropriate and effective protection and remedies for victims, including compensation for damages<sup>8</sup>. This commitment was further reinforced through Recommendation No. 203 (2014)<sup>9</sup>. Thus, it is evident that the ILO performs an essential and pivotal role in protecting children from exploitation by establishing binding and effective legal rules for member states.

## **1.2 UNICEF and its Role in Protecting Children from Exploitation**

The United Nations Children's Fund (UNICEF) is a UN fund dedicated to children's affairs. Operating within the framework of implementing the 1989 Convention on the Rights of the Child, it plays a fundamental role in supporting the work of the Committee on the Rights of the Child. This support is notably realized through its contribution to studying state party reports and providing relevant information to the Committee, thereby reinforcing the application of the Convention's provisions. UNICEF operates on a set of general principles and objectives it strives to actualize, foremost among them the protection of children from all forms of exploitation and violations they may encounter.

The primary goal of UNICEF is to ensure the protection of children under all circumstances, whether in ordinary situations or exceptional ones like armed conflict and natural disasters, where it intervenes immediately through its regional offices across numerous countries<sup>10</sup>. Within its objectives aimed at protecting children, UNICEF also strives to combat poverty and hunger, achieve universal primary education, promote gender equality, reduce child mortality rates, and improve children's physical and mental health<sup>11</sup>.

It is noteworthy that UNICEF's activities are no longer confined to humanitarian intervention for children in emergencies and armed conflicts. Its scope has witnessed remarkable expansion, now encompassing support for children in developing countries through the implementation of long-term programs addressing the basic and urgent needs of children. This evolution covers several key areas, including health, nutrition, education, vocational guidance, and social welfare, all with the aim of enhancing children's access to essential services<sup>12</sup>. Within this framework, UNICEF seeks to broaden access to healthcare, education, and financial support for needy children worldwide. It achieves this by advocating for the adoption of child-specific policies and programs, organizing awareness campaigns and international forums, and publishing various specialized materials<sup>13</sup>.

The organization also concentrates on achieving sustainable results by encouraging continuous monitoring, follow-up, and evaluation of its implemented programs. In emergencies, UNICEF responds to children's critical needs by proposing targeted support programs to governments, spanning healthcare, nutrition, hygiene, basic education, and psychosocial rehabilitation. It operates in close coordination with various relevant entities within the UN system, concurrently developing research and evaluation activities to ensure its readiness to address diverse situations and conditions affecting children globally—a process that ultimately enhances the effectiveness and efficiency of its programs<sup>14</sup>.

UNICEF also participated intensively in preparations for the UN General Assembly's Special Session on Children at the national, regional, and global levels. The support provided for the end-of-decade reviews, involving governments and civil society, was a priority agenda item in the action plans of most UNICEF country offices in 2000. UNICEF also supported various end-of-decade regional meetings and acted as the technical secretariat for the Preparatory Committee for the Special Session. Furthermore, it expanded partnerships with the private sector as a source of funding, knowledge, expertise, and leadership for children, recognizing its potential in human rights issues such as child labor, gender equality,

and environmental protection. A tangible example of such partnerships is the Global Alliance for Vaccines and Immunization (GAVI), established in late 1999 to increase political and financial support for immunization from governments, multilateral agencies, non-governmental organizations, academia, and the private sector. The significance of UNICEF's work was such that it was awarded the Nobel Peace Prize in 1965, in recognition of its dedication to working for peace, progress, and the well-being of children.<sup>15</sup>

## **2. Efforts of National Bodies and Organizations in Combating the Crime of Child Exploitation**

Social, economic, and technological transformations have significantly exacerbated the crime of child exploitation and diversified its forms—a reality that has necessitated the activation of the role of national bodies and institutions in confronting it through the adoption of a comprehensive approach grounded in prevention, protection, and deterrence. Within this framework, national institutions in Algeria assume fundamental responsibilities encompassing the enactment of deterrent legislation, the activation of judicial and security mechanisms, the implementation of preventive and awareness-raising programs, alongside the provision of protection and care for child victims of exploitation. Among the most prominent of these bodies are the Labour Inspectorate, tasked with monitoring the application of labor laws and uncovering instances of child employment through field inspection visits, thereby contributing to the curtailment of economic exploitation. Concurrently, the National Authority for the Protection and Promotion of Childhood plays a pivotal role through its mechanisms for reporting, emergency intervention, and coordination with competent authorities—a reflection of the state's commitment to child protection and the safeguarding of their rights, consistent with its constitutional and international obligations.

### **2.1 Efforts of the Labour Inspectorate in Combating the Crime of Child Exploitation**

The Labour Inspectorate apparatus, alongside a range of other assigned duties, is specifically entrusted with monitoring compliance

with and the implementation of labor laws and regulations. Its objective is to uncover various infractions occurring within the employment sphere, chief among which is the employment and exploitation of children—a phenomenon that has intensified over time to become a pervasive social and economic issue affecting a broad spectrum of Algerian families. Within this context, the labour inspector plays an essential role in detecting various violations related to child employment and working to address and mitigate them, thereby contributing to the protection of children from manifestations of exploitation and serious abuses that threaten their physical, psychological, and social well-being.

Labour inspectors exercise a central function in monitoring all workplaces without exception, by virtue of the broad powers they possess—a factor that positions the Labour Inspectorate as a direct actor in combating child exploitation in the workplace. Indeed, repeated and unannounced field inspection visits prove instrumental in uncovering cases of child employment, particularly those arising from the arbitrary practices of certain private employment agencies, which may lead to exploitation or trafficking.

In this regard, International Convention No. 181 (1947) concerning Private Employment Agencies<sup>16</sup> vested labour inspectors with the task of overseeing the application of its provisions, especially those pertaining to the employment and supply of children and fraudulent practices. The Algerian legislator has also reinforced the protection of minor workers by establishing imperative, non-derogable conditions, notably setting the minimum age for employment at sixteen (16) years<sup>17</sup>. This aligns with Article 32, paragraph 2, of the Convention on the Rights of the Child<sup>18</sup>, which stipulates the necessity of establishing a minimum age or ages for admission to employment, asserting that this age shall not be lower than the age of completion of compulsory schooling and, in any case, shall not be less than fifteen (15) years—thereby harmonizing with the provisions of ILO Convention No. 138 concerning Minimum Age for Admission to Employment.

The Algerian legislator has provided exceptions to this minimum age requirement in certain instances, particularly concerning apprenticeship contracts. The law on apprenticeship permits a young person to commence apprenticeship upon reaching at least fifteen (15) years of age<sup>19</sup>, provided that written authorization from the legal guardian is obtained, and the minor is prohibited from engaging in hazardous work. Penal sanctions are prescribed for violations of these provisions. Furthermore, the Algerian legislator has deemed the authorization of the guardian or custodian a mandatory condition, as stipulated in Law No. 90-11 on Labour Relations, thereby reinforcing the minor worker's protection from various forms of exploitation.

Despite the fundamental role played by the Labour Inspectorate in protecting children from exploitation and trafficking, its jurisdiction remains limited concerning the enforcement of penal provisions relating to certain forms of economic exploitation of children, such as begging. This aspect has been assigned by the legislator to judicial police officers under the Child Protection Code.

## **2.2 Efforts of the National Authority for the Protection and Promotion of Childhood in Combating the Crime of Child Exploitation<sup>20</sup>**

The National Authority for the Protection and Promotion of Childhood plays a pivotal role in protecting children from all forms of exploitation and violence in Algeria, operating within a comprehensive national approach based on prevention, protection, and deterrence. The Algerian legislator established this new national authority, attached to the Prime Minister's office, with the aim of contributing to the reduction of various forms of violence and violations that children in Algeria may face. The creation of this authority responds to international requirements and commitments, thereby constituting a complementary mechanism to other public bodies responsible for child protection, particularly in combating the phenomena of child abduction and trafficking<sup>21</sup>.

The law relating to child protection delineates the tasks of the National Authority for the Protection and Promotion of Childhood through a set of integrated competencies, which include:

- Protecting children by examining all situations that infringe upon their rights or endanger their health, psychological, moral, educational, or security well-being, whether such endangerment is actual or potential, with the exception of cases already before the courts.
- Promoting children's rights through coordination with various public bodies, administrations, and individuals responsible for child welfare.
- Strengthening international cooperation in the field of children's rights, particularly with United Nations institutions, specialized regional bodies, and similar national institutions, in addition to collaborating with relevant non-governmental organizations and active associations.
- Utilizing expertise by having the ability to seek assistance from any body or individual to aid in performing its functions, thereby ensuring intervention effectiveness and the achievement of protection and promotion goals<sup>22</sup>.

The Authority initiates its intervention in child protection through notifications received by the National Commissioner, whether from the child themselves, their legal representative, or bodies legally empowered under child protection legislation. The Authority also oversees the implementation of social protection for children at both national and local levels through its open environment services, which are responsible for verifying the existence of cases of exploitation and threats faced by children. This is achieved by conducting field social investigations and intervening directly in locations where the child victim is present, thereby enhancing the effectiveness of prevention, protection, and care mechanisms.

Executive Decree No. 16-334<sup>23</sup> further specifies the core competencies of the National Commissioner for the Protection and Promotion of Childhood, the most notable of which are:

- Preparing national and local programs for the protection and promotion of children's rights, in coordination with various administrations, institutions, public bodies, and individuals

responsible for child welfare, while ensuring their periodic evaluation.

- Conducting direct field monitoring of child protection activities and coordinating among the various stakeholders in this domain.
- Undertaking awareness, information, and communication activities aimed at disseminating a culture of children's rights.
- Encouraging research and education in the field of children's rights to understand the economic, social, and cultural causes of child neglect, abuse, or exploitation, and contributing to the development of appropriate policies for their protection.
- Providing opinions on existing national legislation pertaining to children's rights.
- Establishing a national information system on the situation of children in Algeria, in coordination with relevant administrations and bodies.
- Visiting child protection services and making proposals conducive to improving their functioning and organization.
- Preparing an annual report on the status of children's rights and the extent of implementation of the 1989 Convention on the Rights of the Child, which is submitted to the President of the Republic and published within the stipulated legal deadlines, alongside the preparation of reports addressed to competent international and regional bodies<sup>24</sup>.

Article 19 of Executive Decree No. 16-334 outlines the mechanisms for notifying the National Authority for the Protection and Promotion of Childhood. The National Commissioner is to be notified by the child, their legal representative, or any natural or legal person, with the Commissioner also empowered to intervene automatically when deemed necessary. The legislator has also permitted reporting of violations affecting children's rights via a toll-free hotline, enshrining the principle of confidentiality of the reporter's identity—non-disclosure without their consent is subject to legal penalties<sup>25</sup>.

Notifications that do not contain a criminal description are referred to the territorially competent open environment service for investigation

and the taking of appropriate measures. Conversely, notifications of a criminal nature are transmitted to the Minister of Justice, Keeper of the Seals, to inform the competent public prosecutor, with the aim of initiating public prosecution where applicable<sup>26</sup>.

Despite the broad legal powers granted to the National Commissioner and the National Authority for the Protection and Promotion of Childhood, a noticeable weakness persists in their field and awareness-raising activities, particularly amidst an increase in serious violations of children's rights such as abduction, sexual assault, and child labor. This raises serious questions about the effectiveness of these mechanisms and their capacity to achieve the intended objectives<sup>27</sup>.

In addition to the efforts exerted by national bodies and organizations in combating the crime of child exploitation, legal frameworks have played a pivotal role in establishing advanced legal protection for children against various forms of exploitation. This is in fulfillment of Algeria's relevant international and regional commitments concerning children's rights. The contours of this penal policy became clearly evident following the constitutional amendment of 2020<sup>28</sup>, which, for the first time, introduced explicit constitutional protection for children at risk of exploitation, criminalizing all its forms under paragraph six of Article 71. This direction was further reinforced by Law No. 15/12 on the Protection of the Child<sup>29</sup>, the amendments introduced to the Penal Code under Law No. 09/01<sup>30</sup>, as well as Law No. 90/11 on Labour Relations<sup>31</sup>. Collectively, these laws established special penal mechanisms and rules to combat economic and sexual exploitation, begging, and forced labor, deeming them matters of public order. This approach consolidates the principles of a state governed by the rule of law and enhances the legal protection afforded to a group considered among the most vulnerable and susceptible to exploitation.

### **3. Conclusion:**

With the grace and assistance of God, this paper, entitled "Efforts of International and National Bodies and Organizations in Combating

the Crime of Child Exploitation," has been completed. The following is a presentation of the most significant findings and recommendations derived from this study:

### **First: Findings**

- International rules on children's rights criminalize all forms of child exploitation and oblige states to incorporate this prohibition into their national legislation to ensure effective legal protection.
- The reflection of these rules on the ground is manifested in the establishment of dedicated international and national institutions and bodies for child protection, confirming the synergy between legislation and institutional mechanisms.
- Algeria has accorded particular attention to the child and has established national institutions to receive notifications regarding violations of children's rights.
- Despite the powers granted, the activity of these institutions remains limited due to organizational obstacles and weak coordination among their various components, which has impacted their effectiveness in achieving their goals.

### **Second: Recommendations**

- Strengthen legal protection and criminalize all modern forms of child exploitation in line with international human rights law.
- Expand international cooperation and the exchange of expertise to curb the phenomenon of child exploitation.
- Raise community awareness regarding the harms of child exploitation and activate community oversight, particularly in informal work settings.
- Adhere to international conventions on combating child exploitation and integrate them into national legislation, while taking into account economic disparities between states.
- Develop effective national strategies to combat the crime of child exploitation and reduce the prevalence of this phenomenon.
- Establish supervisory structures to monitor employing entities and ensure their compliance with laws regulating child labor.
- Intensify the efforts of national and international policies to protect children and ensure their well-being.

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