

# Our country is throwing its children, and their rights, to the wolves

**Doreen Gaura**

IT APPEARS our children are still not safe in spite of the various pieces of legislation that are in place to protect them. Crime stats released by the SAPS in November 2010 reveal that attempted murder cases against children rose from 782 to 1 113 and murder from 843 to 965 with the reports from child welfare organisations that there has been an increase in the number of abandoned children.

Given that these stats were announced by the Minister of Women, Children and Persons with Disabilities at the launch of the 16 Days of Activism Campaign last year and the preceding cases in the news of a Jules High School girl being filmed having sex with two classmates and a Pretoria family

being accused of running a child porn ring, one couldn't help but be disheartened at the commencement of the campaign.

Violence comes in many shapes and forms and the exploitation of children is one of them.

One only has to stop at a traffic light in Pretoria to be momentarily entertained by young boys with painted faces dancing for money, or go to a rural settlement in KwaZulu-Natal and find children walking terribly long distances in search of firewood or water or stumble out of a night club in Long Street in Cape Town to be greeted by a child begging for money.

These are just some of the examples of child labour that everyone in this country has either witnessed or perpetrated without considering them exploitation of children and

one needs only refer to the constitution, the Children's Act, the Basic Conditions of Employment Act or the South African Schools Act to know this.

The more sinister forms of child labour – appropriately termed Worst Forms of Child Labour by the International Labour Organisation, of which South Africa is a member state – are commercial sexual exploitation of children, which includes child prostitution and child pornography and children used by an adult or older child to commit a crime.

An applicable example of this, in the South African context, is the recruiting of children into gangs or children being used to either traffic drugs or as lookouts for criminals.

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Child Protection Code of Conduct states that there are between 38 000 and 40 000 child prostitutes in South Africa and that more than 250 000 children in the country live on the streets. Although there are no actual figures as to how many children are trafficked and/or exploited annually, statistics show that an average of 1 500 children go missing in South Africa every year.

South Africa may not necessarily be considered a child sex trafficking hot spot, particularly in comparison to other countries, but the exploitation of children is blatant and undeniable.

When people are trafficked it is most often for labour or sexual exploitation and, for the most part, in South Africa, children are taken from rural areas to urban areas for exploitation and the most common

case is this is for domestic work. Immigrant children also find themselves working to contribute to the family's income.

Last year, the media also reported on a cultural practice most common in the Eastern Cape known as Ukutwala where young girls are abducted and forced into marriage. This practice, however much one may want to justify or defend it, is a violation of children's rights – yet it is still practised and honoured in certain communities. Young girls are sold off by their families to become wives to older men and the duties they are then forced to perform can and do result in, amongst other things, child labour and sexual abuse.

There are various issues that contribute to the prevalence of child labour in this country but they by no means pardon it.

## Exploitation is all around us – at traffic lights, at clubs, in villages

These are poverty, unemployment which sky rocketed as a result of the recession, migratory and demographic considerations, HIV/Aids which may result in child-headed households with the older sibling bearing responsibility for the survival of the family and lastly cultural and societal norms and practices which are patriarchal and perpetuate gender disparities.

Also the lack of legislation in

South Africa around trafficking – in spite of the government ratifying the UN Protocol to Prevent, Suppress & Punish Trafficking in Persons, Especially Women & Children in February 2004 – along with porous borders make South Africa a perfect transit and destination point for trafficking children for labour or other forms of exploitation.

People need to stop turning a blind eye or burying their head in the sand.

Anyone under the age of 18 years is by law considered a child and should be awarded the right to live as such without fear and we are all obligated, by law to report any abuse or exploitation of children.

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