

Trafficking in children and child involvement in beggary in Saudi Arabia

2 Executive Summary and Recommendations

Table of Contents

INTRODUCTION	3
CONCEPTUAL FRAMEWORK AND METHODOLOGY	3
CONTEXT OF TRAFFICKING IN CHILDREN IN SAUDI ARABIA	4
OVERVIEW OF THE PROBLEM OF TRAFFICKING IN SAUDI ARABIA	5
OPERATIONAL DEFINITION OF TRAFFICKING IN CHILDREN FOR SAUDI ARABIA	5
MANIFESTATIONS OF THE TRAFFICKING IN CHILDREN SITUATION	6
<i>Trafficked children in the beggary construct</i>	6
<i>Trafficked children with disability</i>	6
<i>Children involved in commercial sexual exploitation</i>	6
<i>Trafficked female domestic caregivers (al khaadimaat)</i>	6
<i>Children trafficked by their families</i>	7
Opportunistic trafficking of children by their families	7
Extreme direct exploitation by families of their children	7
Children rented by their families as “accessories” to adult beggars	7
<i>Transfer of organs</i>	8
<i>Drugs trafficking and drug abuse—children involved</i>	8
<i>Camel jockeys</i>	8
<i>Trafficking for labor exploitation</i>	9
<i>Children at risk of being trafficked</i>	9
PERCEPTIONS DISCOURSE ON BEGGARY AND TRAFFICKING IN CHILDREN	9
Beggary and trafficking in official discourse.....	9
Insights on beggary from the NGO sector	10
Memoranda of understanding between Saudi authorities and foreign consulates.....	10
RESPONSE TO BEGGARY AND TRAFFICKING IN CHILDREN	10
Office for combating beggary and anti-beggary campaigns	11
Arrest, investigation, and deportation of children involved in beggary	11
<i>The role of the Shelter Center in Jeddah</i>	11
<i>Processing the situations of children while in the Shelter Center</i>	11
<i>Shelter Center database on arrested children</i>	12
<i>Some protection issues in the Shelter Center</i>	12
ADDRESSING REPORTED ABUSE OF ARRESTED CHILDREN IN THE SHELTER CENTER	13
<i>On physical punishment as a form of child abuse</i>	13
<i>The regular presence of an international medical doctor at the Center</i>	13
<i>Agreement to provide psychological and legal assistance to the children</i>	13
<i>The role of female caregivers in the Shelter Center</i>	13
<i>The management of the Shelter Center</i>	13
<i>Unimpeded access to the children by their embassy personnel</i>	14
RECOMMENDATIONS	15
<i>Cross-cutting recommendation</i>	15
<i>Initiation activities</i>	15
<i>Programmatic activities to address protection and prevention of trafficking issues</i>	15
On distinguishing between traffickers, trafficked children, and irregular migrants.....	15
On victim assistance in the care giving and shelter centers such as the one run by al Bir NGO.....	15
On the prevention of trafficking in children	17
<i>Partnership and alliance building</i>	17
<i>Gulf-wide programme for addressing trafficking in children</i>	17

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Executive Summary

Introduction

Saudi Arabia has a grave trafficking-in-children problem that mainly affects an undetermined number (but in the tens of thousands) of foreign children.

At the outset, it should be registered that the Kingdom –against all apriori perceptions –is *not* in denial mode with regard to this problematic. Rather, it has decided to approach and address it systematically, professionally, and with transparency.

Against all apriori perceptions –because, trafficking in children is a particularly sensitive issue for Saudi Arabia. It is one which has critical local and international linkages with: the religious rites of *hajj* and *'umra*; organized crime; migration policy; human rights; sexual exploitation and violence against foreign children; law enforcement and criminal justice; security; poverty in the heart of abundance; and the image of the Kingdom abroad.

Furthermore, it is a problem that has foreign policy implications with an important ally of the Kingdom, the United States and its Trafficking Victim Protection Act, and with Muslim countries whose child citizens are victim of trafficking into Saudi Arabia as the country of destination.

UNICEF is currently engaged in the provision of technical assistance to and joint planning with national institutions to address the problem of trafficked children in the country: (1) a strategic planning workshop will be organized to develop a strategy and a plan of action to combat trafficking in children in the Kingdom; (2) a comprehensive multi-disciplinary study of the problematic will be undertaken by national universities and institutions with UNICEF; and (3) a series of thematic consultations and training events will be organized for developing national capacity, sharing lessons learned, and defining directions for action.

Thereafter, regular programmatic response activities will be developed as guided by the workshop and study results and by ongoing experience and lessons learned from other countries.

The prospective activities will be lead, implemented, and coordinated by national institutions in Saudi Arabia.

Conceptual framework and methodology

The assessment, analysis and the recommendations on the situation of trafficking in children in Saudi Arabia presented in the full report are informed by: the normative, conceptual, and operational frameworks that shape UNICEF's "method" and the child protection paradigm; the methodologies of other actors with mandates in the area of trafficking in children; and Saudi Arabia's policies, particularly in the area of migration.

These frameworks include: the UN instruments related to trafficking in persons; the human rights-based approach which emphasizes accountabilities of "duty bearers" with regard to the protection entitlements of trafficked children; the community capacity development approach which is proposed to guide activities for the prevention of the trafficking of vulnerable children at risk within communities in Saudi Arabia; the protective environment strategy and its parameters that address both prevention and response capacity gaps in the context of combating trafficking; the UN Study on violence which frames trafficking as a form of violence and would give visibility to the predicament of its child victims; and migration policy and planning in Saudi Arabia within impact on the trafficking in children situation.

Research for the assessment was undertaken through the deployment of a combination of research methodologies including: interviews and conversations; literature review and internet-based research; daily review of the Saudi print media; observation of children in action begging; analysis



of the official and non-official discourse on beggary, trafficking, and related abuses; and a limited focus group discussion with a few children detained in the Shelter Center in Jeddah.

Context of trafficking in children in Saudi Arabia

Trafficking in children in Saudi Arabia is defined by and embedded into a set of interacting contextual constraints that relate to: religious specificity of the country; migration dynamics; ratified normative frameworks protective against trafficking in children; Islam as the overarching framework of all social interventions; the situations of violence, exploitation, discrimination, and abuse and neglect that impact on children in the country; and other related elements of the context such as economic attraction, poverty pockets, gender relations, and processes of change and reform.

Firstly, Saudi Arabia is the destination of over two million Muslims, including children, who visit it every year for the *hajj* (pilgrimage), and for hundreds of thousands more who visit it throughout the year for *'umra* (visit to the holy sites).

Islam encourages bringing children to *hajj* and *'umra* and obliges youth who have reached puberty and satisfied other conditions such as “financial ability” to undertake the journeys of *hajj* and *'umra*.

These two religious rites constitute for Muslims a period for “giving” to the poor with a view to attaining redemption from sins. At another level, Islam encourages “giving to the poor” and admonishes against repulsing or chiding away the beggar.

This is the religious context that is targeted by the traffickers for their trade. They recruit children from various countries in Asia and in Africa and from within Saudi Arabia and embed them into the beggary construct. They use various means of deception; they kidnap; they buy children; and they force and coerce. They secure the entry of the children into Saudi Arabia legally on *hajj* and *'umra* visas or illegally through smuggling.

Secondly, trafficking in children is an aspect of the migration dynamics in Saudi Arabia. There are more than six million migrant workers in the country and the overwhelming majority of them are not allowed to bring their families or children with them. However, many use legal and illegal methods to bring their spouses and children and give birth to new children in Saudi Arabia.

The illegal status of the children, brought into or born in the Saudi Arabia, forces on them and their families a life of constant evasion of law enforcement authorities and of denial of access to public and private education and public health services.

These children, if illegal migrants, cannot be registered or accepted in public or private schools. As such, many of them engage in beggary for their families or for trafficking networks. If apprehended, they are deported to their countries of origin.

Thirdly, two of the three pillars of the normative framework protective of children against trafficking have been ratified by Saudi Arabia and the third has been signed: the Convention on the Rights of the Child (ratified); the ILO Convention on the Worst Forms of Child Labor (ratified); and the Trafficking Protocol (signed).

Furthermore, CEDAW and the UN Convention Relating to the Status of Refugees (as amended by the 1967 Protocol) have been ratified. Both have relevance to some aspects of the trafficking in children situation.

However, Saudi Arabia has no comprehensive legal framework for combating trafficking in persons or for the protection of the victims of the crime of trafficking itself. The law only criminalizes some of the constituent offenses associated with trafficking.

Fourthly, social interventions proposed for addressing trafficking in children would require a *taasiil* تاصيل --that is “rooting”, which requires passing such proposed intervention through the prism of Islam and ensuring that it has a basis in Islamic tenets.

Fifthly, trafficking in children could be seen as part of the composite forms of violence, exploitation, abuse and neglect against children in Saudi Arabia. There is wide acknowledgement of the existence of such a situation by the authorities and by non-governmental organizations and

institutions. The foreign children who are illegal migrants are particularly vulnerable to these abuses and to others that are related to denial of birth registration, denial of access to public health services, and denial of education in public or private schools.

The illegality of the children's residence in Saudi Arabia is particularly complex. Many of them were born in and grew up in Saudi Arabia and do not know the country of origin of their parents. Some have spent several years in the Kingdom.

These children are the ones most likely to be trafficked from within Saudi Arabia or who are at risk of being trafficked, in particular for begging.

The illegality of their residence is particularly hazardous for these children in the context of the campaigns to apprehend beggars and deport them –thus causing immediate separation from family.

Overview of the problem of trafficking in Saudi Arabia

Trafficking in children in Saudi Arabia is one aspect of the trafficking in persons problem in the country that has made it to be initially rated in Tier 3 in the ranking system of the US State Department before it was elevated to a Tier 2, with protest from several human rights organizations which claimed that it should have stayed in Tier 3. Tier 3 would refer to a country with a serious trafficking in persons problems without the requisite efforts being made to address them.

The best source to date for preliminary basic information on the overall trafficking situation in Saudi Arabia is the US State Department Trafficking in Persons Report. It lists several countries of origin of trafficked children from Africa and Asia with the destination being marked variably as Saudi Arabia, the Middle East, and the Gulf States. These countries of origin are: Bangladesh, India, Indonesia, Nepal, Pakistan, Philippine, Afghanistan, Sri Lanka, Tajikistan, Benin, Ivory Coast, Ethiopia, Morocco, Nigeria, Somalia, Senegal, Sudan, and Tanzania.

Other sources on trafficking in persons also make references to Saudi Arabia or the Gulf States as countries of destination.

Operational definition of trafficking in children for Saudi Arabia

The Trafficking Protocol provides the first internationally accepted definition of “trafficking in persons” which is anchored on three conditions: (1) movement of persons through recruitment, transportation, transfer, harboring and receipt; (2) use of means such as force, deception, and fraud in effecting such “movement”; and (3) that it is done for the purpose of exploitation –sexual, labor, and removal of organs.

The second condition of the *modality* of movement (force, coercion, fraud, etc..) for exploitation is not required for a situation to qualify as trafficking in the case of children under 18.

Based on this definition and on the realities of the context in Saudi Arabia, specific “situations” have been determined as forming part of the scope of any programmatic response to address trafficking in children in Saudi Arabia.

In addition to the “classic” situations of trafficking that satisfy to the letter the conditions of the definition, the operational definition will encompass categories of children who are victims of extreme forms of exploitation that converge into the same domain of trafficking. Most of these children would be at very high risk of being fully trafficked. What makes their situations fuzzier is that some of them are exploited by their own families and others continue to live with their families while being rented to unrelated adults who use them in schemes likely to be interlinked with organized trafficking.

Furthermore, the operational definition includes situations of children who are at risk of being trafficked by virtue of their vulnerability and proximity to the structures of trafficking in persons.

Manifestations of the trafficking in children situation

The “situations” of trafficking in children in Saudi Arabia are inextricably linked with the domains of beggary, sexual exploitation and child prostitution, female domestic caregivers, child work and child labor, juvenile delinquency, drugs trafficking, smuggling of persons, and migration regulations.

Trafficked children in the beggary construct

Thousands of foreign children are recruited every year from their countries of origin in Africa and Asia and from within Saudi Arabia, with or without the consent of their families, for the purpose of exploitation by adults, related or unrelated, for the purpose of exploitation in begging in the Kingdom on a full time basis. Such children could be as young as four years of age.

A child is estimated to generate between \$10 and \$250 a day and sometimes more depending on the “season”.

Most of such children are illegal residents in Saudi Arabia and live a life of constant apprehension as they continue to evade law enforcement authorities and they have no legal right to access to education of public health services or to birth registration.

Trafficked children with disability

Uncorroborated, but persistent, reports cite situations in which children with disability are particularly targeted by traffickers who bring them from countries such as Nigeria and Yemen to be used in begging in Saudi Arabia. The widespread and organized use of adults with disability in begging is confirmed.

Children involved in commercial sexual exploitation

Anecdotal reports indicate that there are schemes for the facilitation of child prostitution through foreign traffickers in cities such as Jeddah. In addition, a small number of foreign adolescent girls who are seen soliciting at traffic lights and by the roads are reported to be using beggary as a cover for prostitution on behalf of their families or of traffickers.

A Ministry of Social Action awareness raising audio cassette notes the situation in which “some [foreign] women bring with them their daughters made to look very beautiful and putting on aromatic perfumes with a view to inspiring the kindness of some Muslim *fasaqa* (sexual debauchery seekers); and thereby, these women collect a lot of money (*amwaal taaila*)”.

Beggary, being an activity that is in the twilight zone between legitimacy and illegitimacy, serves as a convenient cover for illicit activities such as child prostitution.

Other modalities for trafficking in girls and women for sexual exploitation relate to “customary marriages” (*zawaaj urfi*) involving foreign girls less than 18 years of age ostensibly brought into the Kingdom for the purpose of trafficking them to other men.

In a context in which there are millions of male foreign workers in Saudi Arabia who are prohibited from bringing their wives with them –these men “need sex”, it is noted. Foreign women and young girls are, thus, in high demand for victimization in some form of sex trade. And “there are great business opportunities for pimps”, it is said.

Some references are made in the Saudi media to “illicit prostitution”, (*da'aara mustatira*). And it is likely that this would include girls.

A media report described the situation of mostly older Saudi men being victims to marriages of foreign girls from poor families organized through professional match makers, go-between agents, and lawyers (الخاطبات المحترفات و السامسة والمحامين).

Trafficked female domestic caregivers (al khaadimaat)

There are credible reports that among the hundreds of thousands of foreign female domestic caregivers in Saudi Arabia are girls who are under 18; some as young as 14 years of age.

In addition to the acknowledged fact that many of these female domestic caregivers live in conditions of virtual servitude tantamount to trafficking, there are some who end up falling victim to professional trafficking networks which engage them in prostitution in Saudi Arabia.

A national daily, *Al Watan* newspaper (May 1, 2004), ran a story on a labor recruitment office in Jeddah in which it made clear references pertinent to this situation such as: the existence of “semi-transnational groups that traffic in labor”; “the trafficking by foreign networks in the labor of *khaadimaat*”; how the networks have their headquarters abroad but cooperate with “elements inside Saudi Arabia” which manage to get visas and sell them; how “other gangs have a monopoly on the *khaadimaat* and traffic them inside and outside Saudi Arabia [an indicator that Saudi Arabia could also be a ‘transit’ country for trafficking] ... and how the gangs make “unimaginable profits” (*arbaah muthhila*) by integrating the *khaadimaat* and linking them to the “prostitution rings managed by these gangs”.

Reports on female domestic caregivers always present them as an age-neutral group, thereby masking the scale of the victimization of girl children within this vast group that is said to be found in more than 80% of Saudi families.

Children trafficked by their families

There is a myriad of situations in which families are directly involved in the exploitation of their children in activities that are tantamount to trafficking or which put these children in situations of risk of being fully trafficked by unrelated adults and networks. The following are three forms of such exploitation:

Opportunistic trafficking of children by their families

This refers to the situation of some foreign families who come to *haj* and/or *‘umra*, bringing with them their children, and engaging together with them in excessive beggary tantamount to what we might refer to as “opportunistic trafficking”.

This could remain an “at risk of trafficking” situation or it could easily degenerate into full-fledged trafficking because of the lucrative nature of the activity and because of the especially dangerous environment in which there is great demand for child beggars by non-family traffickers. Such opportunistic trafficking is at its peak during the “high season” of “giving” by Muslims –that is the three months of *Rajab*, *Shaabaan*, and *Ramadaan* (*Hijri* calendar).

Extreme direct exploitation by families of their children

This is the situation of foreign families who are fully or partially legal residents in Saudi Arabia (one or two parents is legal) and who “push” or “force” their children to be engaged in beggary on a full-time basis.

The only mitigating circumstance for this situation being less of a ‘trafficking situation’ is that such involvement by the children might have a positive impact on family income and relative wellbeing and that the children remain with their families.

However, the effects on the children involved could be devastating since they would not be in school and would be vulnerable to abuse in an environment that is particularly dangerous for children in Saudi Arabia. They will also be at risk of being fully trafficked by unrelated traffickers.

Children rented by their families as “accessories” to adult beggars

This is the situation of children who are legal or illegal migrants but who are “rented” for a small fee by their families to unrelated individuals to be used for begging, either to directly undertake begging on behalf of the unrelated adult and deliver the proceeds, or to be used as “accessories” for an adult beggar.

The ‘accessory’ status would sometimes include simply being in the company of the unrelated adult beggar who might pretend to be blind and simulate being led by his child/children.

The mitigating circumstance against a clear case of “trafficking” is that the children working as accessories continue to live with their families and are not permanently under the control of the traffickers –unless if they are apprehended, arrested, and prepared for deportation to their countries of origin.

While such work might not always qualify as trafficking, it remains to pose serious risks to the children and could lead to a full-fledged trafficking situation or separation from the family as a result of deportation.

Transfer of organs

The Report on trafficking in persons in Afghanistan, developed by the International Organization for Migration (IOM) cites uncorroborated stories about trafficking in organs in the context of Afghani children being mostly trafficked by criminal networks. Some of the Afghani children apprehended begging in Saudi Arabia are known to have been trafficked.

A recent article in the New York Times (April 30, 2004) made references to the child organ removal in the context of trafficked Afghani children. No direct reference to the implication of Saudi Arabia in the article was mentioned.

It is recommended that, in a context in which it is the destination of children trafficked by organized crime networks, Saudi Arabia initiate preventive activities such as signing and ratifying the Convention on Human Rights and Biomedicine and its additional Protocol on Transplantation of Organs and Tissues of Human Origin. Furthermore, it could promote the adoption of the recommendations of the World Medical Association's (WMA) Statement on Human Organ and Tissue Transplantation.

Drugs trafficking and drug abuse—children involved

Anecdotal reports refer to the involvement of foreign children in the trafficking of drugs: (1) Some children from Yemen are reported to be regularly crossing the Saudi-Yemeni border illegally, sometimes smuggled, and carrying between three and five kilos of *qaat*, a ‘drug’ grown in Yemen and on high demand by Yemenis and Somalis in Saudi Arabia; (2) a child from Nigeria who was arrested begging and sent to the Center was later found to have drugs hidden in his clothes; (3) some of the children selling the flower of *ful* on traffic light stops are said to be peddling hard drugs such as heroin; and (4) some children in the *Hindaawiyya* residential area in Jeddah are reported to be involved in the trafficking of *hashish*.

The children involved in these activities and some of those involved in beggary are said to be themselves drugged in order to cause sympathy.

Camel jockeys

Only anecdotal reports refer to the use of foreign children as camel jockeys in Saudi Arabia. The assessment did not include visits to the cities where camel racing is practiced.

The national quarterly magazine, *Al Bawaasil* (The Valiant Ones), is dedicated to the leisure and business affairs revolving around camels, horses, and birds in Saudi Arabia and in the Gulf region. It could serve as a source for indicators of the use of child camel jockeys and for understanding the historic-cultural and business underpinnings of the use of children as camel jockeys.

For instance, the latest issue of *Al Bawaasil*, No 12 May 2004, contained full-page colored pictures of child camel jockeys (from the United Arab Emirates) in action.

Furthermore, the magazine gives insights into the economics of the “camel industry” as well as into the involvement of royal princes and of other hobbyists, breeders, speculators, and admirers of camels into this hobby/business.

The magazine ran a story on the speculative prices for male camels that go for as high as \$450,000 an animal.

It cited poetry that links the camel with children as the preferred riders referring to the ease with which a child (boy or girl) can lead a camel in any direction. It gives detailed descriptions of camel festivals in Saudi Arabia.

Combating the use of children as camel jockeys will have to address the practice in its cultural and business context and perhaps strive to win the magazine *Al Bawaasil* in the alliance for the cause of eliminating the use of children as camel jockeys.

Trafficking for labor exploitation

There is no disaggregation by age to gauge the scope of the problem of trafficking in child labor exploitation in the context of foreign laborers being treated as an age-neutral group with the assumption that they are all adults, which is not always the case.

Some of the foreign children involved in hazardous forms of child labor might turn out to be children who are undertaking it to help themselves and their families. These situations need to be looked into as part of the “trafficking in children domain” to detect children who might have been trafficked by organized groups and inserted into these jobs or who are at risk of being trafficked.

Children at risk of being trafficked

This is a category that includes children who are vulnerable and *at the same time* are in close proximity with the trafficking schemes and traffickers in their communities in Saudi Arabia. They are mainly foreign children who are from poor families and who have illegal residence status. They do not go to school and have no access to public health care or to birth registration when they are born in Saudi Arabia.

Somali children and children from Burma are said to be at particular risk of being trafficked.

Perceptions discourse on beggary and trafficking in children

The dominant metaphor related to trafficking in children is that of “beggary by foreign children”. The perception is that it is undocumented and illegal migrant children (*mutaxallifiin*) who are at the core of the problem of beggary and its constituent problems, such as trafficking, drugs, theft, etc.

From the Saudi perspective, the handle on addressing the problem of *tasawwul*, beggary, is by arresting all the beggars. Then, those found to be undocumented migrants, would be deported to their countries of origin immediately. It is expected that this will deal at one and the same time with the problem of beggary and with the undocumented migrants.

Beggary and trafficking in official discourse

The Arabic words used to refer to beggary are “*tasawwul*, *masaala*, *shihaatha*, and *kudya*” – مسألة، شحاذة، تسول، كدية.

The Saudi response is to initially develop a “rooting” (*taasiil* تأصيل) of beggary and its various dimensions in the context of Islamic code of beliefs and tenets.

A distinction is made between legitimate and illegitimate beggary. The distinction rests on whether the beggar is needy (and as such, it is legitimate) or only greedy and uses lies, trickery, and make-believe (hence, the beggary becomes illegitimate or *muharram* محرم).

A Ministry of Social Action awareness raising audio cassette gives descriptions of the ways of beggars: the renting of children and of disabled persons to beg for a fee; women trafficking their daughters for sexual exploitation under the cover of beggary; the use of acting and simulation as a deaf person, or as a person with some serious disability; beggars standing in mosques and going into a fit of crying or fainting to draw attention; the presentation of fake medical or legal documents indicating a serious problem that requires financial assistance; etc..

The audio cassette gives indications of the existence of “organized networks” behind beggary and notes that the beggars distribute the mosques and beggary areas amongst themselves and that they use the same modalities, words, and acts.

A leaflet issued by the Ministry of Social Action is a rendition of the same ideas in the audio cassette. An Interview by the focal point for beggary in the Ministry of Social Action gives information that shows Saudi concern and their institutional response to beggary.

Insights on beggary from the NGO sector

Another insight into the dynamics of beggary, its linkage with trafficking, and the Saudi response to it comes from Sheikh Saleh Ali al Turki who partially funds the Shelter Center in which the children are present today in Jeddah and is one of the leading personalities with access to the Emir of Makkah in an advisory capacity. The following are shortened excerpts from a conversation with Sheikh Saleh al Turki:

The *mutasawwiliin* (beggars) constitute a “*nakba kubra* نكبة كبرى” (a great catastrophe/calamity) for Makka al Mukarrama.

We have started to deal with the social problems in Makkah Region; and key amongst them is the *mutakhallifuun* (those who overstayed their *hajj* and *'umra* visas and other visas) and some of the Burmese who have been resident for years in the country.

The beggars are everywhere; they are even in the poor towns such as Shawuura. The whole kingdom is suffering.

Suddenly we noted that the number of children amongst the beggars has been increasing.

The results were serious for security. The Emir of Makkah wanted a solution.

We decided to start with Jeddah, and north of Jeddah only.

We contacted the Ministry of Foreign Affairs which facilitated the cooperation by the foreign embassy consuls.

The Afghani children have no families here in Saudi Arabia. We monitored their movement and we came to find that there is a *tanziim* تنظيم (word used here to mean “illicit network”) which managed the children and distributed them to the areas for beggary.

The Afghanistan children came through *khatf* خطف (kidnapping) and *istiijaaar* استئجار (rent).

There are thousands of children. And they are used by exploitative gangs (*asaabaat mustaqilla* عصابات مستقلة).

UNICEF has a role to play in this. We want UNICEF to exert pressure on the foreign governments to shoulder their responsibilities.

Another problem is that of the foreign children whose parents are here. We find direct exploitation by these parents.

The initial governmental response used to be the “*campaign* الحملة” for three months instead of seeing it as a deep rooted problem that is complex and which will be with us for a very long time. Even the building for the children [the Shelter Center] was initially given to us for a short period!”
End of conversation.

Memoranda of understanding between Saudi authorities and foreign consulates

Memoranda of understanding have been signed between all the parties concerned including the Emirate of Makkah, the three national NGOs involved in the project, a representative of the Ministry of Hajj, the Ministry of Foreign Affairs, and the concerned foreign Consulate in Jeddah. A typical memorandum of understanding, such as the one with the Consul of Nigeria in Jeddah, presents the a discourse that refers to the problem of the involvement by foreign children in beggary as “not acceptable from the humanitarian or civilizational aspects; and that it tarnishes the image of the children of Muslims and shows them in a picture that is unbecoming to them”.

Response to beggary and trafficking in children

The operational response of the Saudi authorities to beggary and to the ostensibly constituent offences of trafficking is based on the conceptualization of both as issues of migration and as infractions of Saudi law against “beggary when one has no real need” and against immigration regulations. The overwhelming majority of persons involved in beggary are foreigners and are more likely to be illegal residents.



Office for combating beggary and anti-beggary campaigns

The Ministry of Social Action has established the “Office for combating beggary مكتب مكافحة التسول” a few years ago. Today, this office has nine sub-offices across the country and they are all equipped with social workers, inspectors, and vehicles. They cooperate with police and with other law enforcement agencies to undertake daily raids to the areas of beggars and they arrest them. After arrest, an identification of nationality is made. If the person is found to be a Saudi, he is turned to the Ministry of Social Welfare for assistance. If found to be a foreigner, a register is prepared for registering all the details of the event including what was found with the beggar followed with an investigation and determination of the legality of residence in Saudi Arabia. If found to be an illegal resident, the person is deported within a period ranging from a few days to two weeks.

The response, thus, is quite straightforward, but problematic for many children. The following sections detail the process and the problems therein:

Arrest, investigation, and deportation of children involved in beggary

There is no effort made for distinguishing between trafficked and non-trafficked children involved in beggary.

If the child is apprehended alone (without a family member), he/she is sent –after the initial procedures noted above -to the Shelter Center (*markaz al iiwaa*), which is a government building but is run by a non-governmental organization, al Bir.

If a small child was arrested with a *female* adult family member, they both are photographed, registered and detained in the Non-nationals Administration section called “*tarhiil*”, that is ‘deportation’ – in the women’s quarters. Thereafter, they are deported.

If the child (boy or girl, regardless of age) is arrested with a *male* adult family member, they are separated: the adult male family member is sent to the males’ quarters in *tarhiil* (deportation) and the child is sent to the Shelter Center. This is why we find in the Shelter Center some babies who are only a few months old!

When arrangements for deportation are completed, the child and the male adult family member (as mentioned above) are reunited and deported together. The country of origin consulate focal point coordinates and sees to it that this happens.

The role of the Shelter Center in Jeddah

The Emirate of Makkah has established in Jeddah a “center” for the Shelter of children under 15 years of age who are arrested begging. Some of these children are victims of trafficking.

In addition, the Center receives children who were detained in the juvenile delinquency house after such children had completed their sentence periods for offenses committed, most of which are cases of theft.

The immigration authorities say that this is the only center in the whole country for children arrested for beggary and planned to be deported to their countries of origin.

The Center is located in *Maktab Mukaafahat al Tasawwul* (the Office for Combating Beggary) in Jeddah in the Emirate of Makkah.

After arrest, investigation, and registration in the immigration departments across the country, the child is sent to this Shelter Center in Jeddah.

Processing the situations of children while in the Shelter Center

While the child is in the Shelter Center in Jeddah and before any deportation there is an interim period during which the status of the child could be assisted in a number of ways depending on whether he/she has an *iqama*, residence permit, or not.

If the child turns out to have a valid residence permit, the family pays a fine and signs an undertaking and takes the child.



If the child is found to be undocumented/illegal resident, procedures for deportation to the country of origin are initiated.

The consulate of the child's country is alerted by the Center and the immigration focal point linked with the Center and requested to prepare a temporary travel document (since most children lack or had destroyed their travel documents –mostly expired or fraudulent).

The immigration official, who works directly with the Shelter Center, arranges for plane tickets at Saudi Government cost and alerts an NGO, namely Hayaat al Iqatha al Islamiyya or the Islamic Youth Congress, which operates in some of the countries of origin of the child and with which there is a prior agreement to receive such children.

The role of the center is understood as “*tasallum wa tasliim*” --that is, receiving the children from immigration and, after providing interim care, delivering them to immigration officials for deportation to their countries of origin.

Shelter Center database on arrested children

Since its opening in January 2004, the center “processed” some 1227 children who had been arrested by the various agencies mandated to apprehend and arrest. Some 388 children were released and the rest (839) were deported to their countries of origin. The main difference between the two groups is that the first were legal residents while the second were illegal migrants.

At the time this assessment was undertaken the Center had 77 children. Eleven were girls. Their nationalities included: Ethiopia, Afghanistan, Pakistan, Myanmar, Bangladesh, Thailand, Chad, Sudan, Somalia, Mali, Nigeria, and Yemen.

The children were apprehended and arrested in several parts of Saudi Arabia including Jeddah (40), Makkah (20), Riyadh (1), Tayif (8), Jazan (8).

Another list dated 15th of Safar 1425 and covering the period from the start of the Shelter Center gives the following statistics: 1234 arrested; 777 deported; 365 released; and 92 resident I in the Center.

The 92 children in the center at that time included, in addition to the nationalities cited above, 15 children from Egypt of whom only one was released and the other 15 were deported, indicating their illegal status. But what was interesting is that this list included 34 children whose nationalities were defined as “Other” and that 22 of these others were deported.

Another element of this list is that it indicated that the center had 120 children from Myanmar of whom only three were deported and 103 were released while 14 continued to remain in the Center. The children from Myanmar have a special status for not being deported.

Some protection issues in the Shelter Center

Some of the children do not speak Arabic and this poses some difficulties for the Center staff who do not speak the non-Arabic languages of most of the children.

The majority of the children had no schooling whatsoever. The female caregivers in the Center gave several intimations that the children had been subjected to abuse including sexual abuse while they worked in begging and in soliciting.

One nine-year old girl is said to have been the object of some intense curiosity by the older girls because she had been raped and was not a virgin. Other girls reported to the caregivers the types of sexual harassment problems that they had faced while working on the streets.

Some of the children are reported to manifest aggressive behavior and other psychological problems such as sleeplessness, agitation, depression, and refusal to eat. Most of these problems are explained to be mostly related to the confinement after a “life of freedom” on the streets for some of them.

An undertaking has been made by the NGO to UNICEF that it would look into the issue of legal assistance to the children in the center. Such assistance will be needed not only for asylum claims but also for possibilities of regularizing their status and for following up with remedies.

In addition, there are plans to attach a psychologist to the Center. Furthermore, there are plans to locate a better center location that will cater for open grounds for child activities and play.

Addressing reported abuse of arrested children in the Shelter Center

There have been reports, mainly coming from Kabul, which alleged that the Afghani children who were deported to their country had told of having being victims of abuse before their deportation. The Saudis authorities and the NGO running the Center are aware of these reports and some of them think that UNICEF might have been behind such allegations, which they deny. It would be difficult at this time to determine the validity of the allegations of abuse.

However, the following points should be noted as constituting the makings of a "context" in which any pattern of abuse of children in the Center would tend to be unlikely from now onto the future:

On physical punishment as a form of child abuse

The Saudis admit that there has been some physical punishment but only for serious infractions by some of the youth in the Center; and that it was all in the context of "*taadiib*", that is, punishing for bringing up in a proper manner. They mention sexual abuse by bigger boys targeting younger ones as the cause of such "*taadiib*".

The Center staff have acquiesced that using physical punishment as a method for correction would invariably bring them and Saudi Arabia negative coverage abroad. And that they will have to weigh the costs and benefits of their method.

The regular presence of an international medical doctor at the Center

The Center has a resident medical doctor who is a Pakistani. In a private conversation, he noted that there has been no pattern of abuse of the children. He agreed, however, that there were negative psychological effects on the children because of the conditions of their confinement in one floor. His very regular presence in the Shelter Center is, in itself, a deterrent against potential abuse.

Agreement to provide psychological and legal assistance to the children

The Center authorities have agreed to UNICEF's recommendations that it would look immediately into the prospect of attaching a psychologist/psychiatrist to look into any psychological problems the children might have.

Furthermore, the Shelter Center authorities, especially the, the President of its Board, Saleh Al Turki, have welcomed UNICEF's suggestion that the children should have access to legal assistance to resolve the intricacies of their residence and other situations.

Both promises to provide psychological and legal assistance to the children constitute yet another system of deterrence against any abuse --if and when such measures are implemented. UNICEF should follow-up with these promises.

The role of female caregivers in the Shelter Center

Based on an extensive conversation that I had with five Saudi female caregivers, we could judge that this center is unlikely to tolerate a pattern of abuse of the children. Experience tells us that perpetrators of abuse of children in institutions tend to give a rosy image of the situation and deny the existence of any problems. These women spoke openly about the problems that the children have and they welcomed the provision of legal and psychological assistance to the children.

The management of the Shelter Center

The Director of the Center, a fresh graduate from the University, has demonstrated transparency and was self-critical with regard to the way the children from Afghanistan were initially deported to Kabul, noting that he personally did not know exactly what was required in the first place and was never aware of all the complexities involved that later caused an uproar. He has demonstrated a healthy attitude to learn and do better.

This director is a key actor for UNICEF to engage and to enlist for training for ensuring adequate protection of the children.

In addition, the overall director of all the child centers run by al Bir organization is aware of the dangers posed by bad publicity for his organization and have been seen exhorting his staff to be very careful and to refrain from any behavior that might be seen as abusive.

Unimpeded access to the children by their embassy personnel

The foreign embassy consuls in Jeddah have continual unhindered access to the children in the Center. And when they visit the Center, the children talk to them in the language that the Center staff do not understand.

Such access, which is part and parcel of the process of preparing the children for deportation or for family reunification in Saudi Arabia, constitutes yet another deterrent force against the existence of patterns or systems of abuse.

Given all the above, I should believe that Center staff are fully aware that the children in the Center are not isolated; and that abusing them would surely come out and would have negative consequences on their country's image, their organization, and on them personally.

All the elements of deterrence and of protection that have been listed above should constitute an "environment" that tends to disfavor child abuse.

Still, this does not mean that some abuse had not happened or that it would not occur in the future. (Whenever children are put in an institution, UNICEF would should continue to be vigilant and persistently press the issue with all concerned and in meetings with authorities).

Recommendations

Cross-cutting recommendation

- 1) Address trafficking in children in Saudi Arabia within the broader context of beggary by children.
- 2) Advocacy, policy, and programmatic focus should be on *foreign* children in the country.
- 3) Other forms of trafficking in children beside the one within beggary, such as for sexual and labor exploitation, should not be precluded from programmatic response.
- 4) All activities will be lead, planned, implemented, and coordinated by Saudi national institutions. The role of UNICEF would be in the areas of assessment and analysis of the situation, technical support, joint-planning, national capacity development, fundraising, and monitoring.
- 5) The identification and recruitment of two national child protection officers in the Riyadh Office to initially receive training on child protection and to follow up with UNICEF's assistance.

Initiation activities

- 1) Organize a workshop to develop a strategy and a plan of action to combat the abuses against children in the situation in beggary, including trafficking. The workshops to be preceded by thematic group-specific half-day consultations with the numerous actors who are relevant to trafficking in children.
- 2) Support national universities, institutions, and departments to undertake a comprehensive multi-disciplinary study on beggary by children and trafficking in children therein; and
- 3) Undertake the training of front-line actors from the various governmental and non-governmental bodies which deal with trafficking victims/survivors and with children who could be at immediate risk of being trafficked.

Programmatic activities to address protection and prevention of trafficking issues

On distinguishing between traffickers, trafficked children, and irregular migrants

- 1) UNICEF to undertake direct advocacy with the law enforcement authorities to distinguish between traffickers, trafficked children, and irregular migrants and to ascertain special protection for the children identified as trafficked.
- 2) Train front-line police, immigration officials, and border police to enable them to detect, identify, and distinguish between traffickers, trafficked children, and irregular migrants. (Support by IOM).

On victim assistance in the care giving and shelter centers such as the one run by al Bir NGO

- 1) Undertake an analysis of the profiles and case histories of the children brought to the Center and identify trafficked children.
- 2) Address the problem of the confinement of the children in the current Center building. Follow-up with promises re interim and long term arrangements.



- 3) Follow up with the al Bir promise to provide access to psychological assistance for all children in the Center.
- 4) Follow up with the al Bir promise to provide legal assistance to the children with regard to their residence status, extension of residence possibilities when in their best interest, asylum potential, and whether they have been trafficked.
- 5) Advocate with al Bir so that medical assistance will systematically be extended to provide sexual and reproductive health care and counseling for the youth in the Center.
- 6) Address humanely the issue of family separation and unity in cases in which families refrain from coming to see their apprehended children because of their illegal residence status.
- 7) Coordinate the various phases of protection for the victims of trafficking across the countries of destination (Saudi Arabia) and the countries of origin to facilitate the effective rehabilitation and reintegration of the children.
- 8) Memoranda of understanding or protocols should be drawn up and endorsed between the protection agency (here al Bir) and the law enforcement agencies to ensure that trafficked children are not re-victimized.
- 9) Address the caseload of children deported to countries of origin and in institutions while families are in Saudi Arabia.

On the prevention of trafficking in children

- 1) UNICEF (with IOM and UNDCO) to promote the ratification by Saudi Arabia of the Trafficking Protocol (Protocol to the UN Convention against Transnational Organized Crime to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children).
- 2) UNICEF should contract the services of a team of national legal scholars to prepare a draft "blueprint" for a legislative framework to address trafficking. To be ready when the time is opportune.
- 3) UNICEF should undertake (with Saudi authorities, national partners, and IOM) a mapping of the situation of children at risk of being trafficked.
- 4) UNICEF to explore modalities for supporting al Bir NGO and other non-governmental organizations to extend their health services coverage to foreign children considered at risk of being trafficked. Early advocacy by UNICEF on this front would ensure the issue is on the agenda of the workshop.
- 5) UNICEF to explore modalities for providing educational services in communities with foreign children (legal and illegal resident) at risk of being trafficked.

Partnership and alliance building

- 1) It is recommended that IOM (International Organization for Migration), ILO (International Labor Organization), and UNHCR be brought on-board as partners at an early stage.
- 2) Develop alliances to secure the support of the foreign embassies and consulates of countries that have children from their countries involved in beggary and trafficking.
- 3) Cultivate the media in Saudi Arabia and provide it with correct technical information on the issues of trafficking in children.
- 4) Follow up with the signing of a memorandum of understanding with the Naif Arab University for Security Studies

Gulf-wide programme for addressing trafficking in children

- 1) Develop an overall strategy for addressing trafficking in children in all the Gulf Region countries. (A draft proposal for a project to address trafficking in children in the Gulf Area is attached) .