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**The Treatment of Children Involved in the Traffic
of Illicit Drugs in Respect of International Human
Rights Law in Colombia:
Victimisation or Criminalisation?**

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Abstract

Children involved in production, trafficking or sale of drugs are victims of circumstances as well as law offenders. Drug trafficking is a ‘global illicit trade involving the cultivation, manufacture, distribution and sale of substances which are subject to drug prohibition laws’ The purpose of this study is to investigate whether children who have fallen into drug-related delinquency in Colombia should be treated as victims or as criminals.

This study extensively examined international human rights law, including the Convention on the Rights of the Child, and national law instruments to determine how children involved in illicit drug trafficking should be treated. Having ratified the Convention on children’s rights and given the Colombian legal framework, Colombia demonstrates a clear commitment to protect the rights of children regardless of the nature of crimes that they commit.

In conclusion, it was found that both international and national human rights laws tend to favour the victimisation of children involved in drug trafficking. Thus, it can be argued that children trafficking drugs be considered victims rather than as criminals. It is firmly believed that this study would contribute to the respect of human rights in the treatment of children.

Key words: children, drug trafficking, human rights, Colombia, victimisation, criminalisation.

“Por un país al alcance de los niños.”

Gabriel Garcia Marquez

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Acronyms

CIA	Code of Infancy and Adolescence
CoRC	Committee on the Rights of the Child
CRC	Convention on the Rights of the Child
IAIRC	Inter-American Institute for the Rights of the Child
ICBF	<i>Instituto Colombiano de Bienestar Familiar</i> (Colombian Institute for Family Welfare)
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organisation
LPS	Law on Public Safety
NSND	National Statute on Narcotic Drugs (<i>Estatuto Nacional de Estupefacientes</i>)
OAS	Organisation of American States
UN	United Nations
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime

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