HIGHLIGHTS OF PROGRESS ON WORLD CONGRESS III RECOMMENDATIONS

Sexual exploitation of children and adolescents in prostitution

Article 34(b) of the Convention on the Rights of the Child and its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse all require States to take measures to prevent the sexual exploitation of children, including child prostitution. The Rio Call for Action contains only two articles specifically addressing the sexual exploitation of children and adolescents in prostitution while other actions relevant to combating exploitation of children in prostitution are specified in the measures used to exploit them in trafficking and tourism for example.

Demand for children in prostitution

Many existing strategies of prevention and protection against the exploitation of children in prostitution do not focus on the demand side of this problem. It has been recognized that there is a strong relationship between socially prescribed or tolerated attitudes and practices and the demand for commercial sexual exploitation of children (CSEC). With regard to our understanding of sex exploiters, research shows that in most countries the ‘clients’ of children in prostitution, whether foreigners or locals, are often those that seek prostitutes in general (‘situational child sex exploiters’), rather than people with a focused sexual interest in children (‘preferential child sex exploiters’ or ‘pedophiles’). Situational child sex exploiters exploit children and young people because they are made easily available. Underlying attitudes and norms that guide the behavior of potential exploiters must therefore be addressed as these serve to justify and normalize exploitation of children in prostitution. Preventative strategies must therefore focus on norms and attitudes as much as setting deterrents and punishing these crimes.

There often appears to be misunderstanding in terms of the agency of children and young people. Confusion on how to address young people’s ideas about social and sexual behavior when they differ from those of adults, particularly in relation to sexuality, has arisen. For example, when a young person makes a choice to engage in behaviors such as offering sex online or elsewhere in exchange for money or other considerations. In these cases, children may not be perceived as victims. It must be clear that a young person may make choices that are harmful due to the lack of knowledge and experience of their consequences, thus such actions cannot be construed as an ‘informed choice’. A key consequence of such misunderstandings is that it results in situations where they are ostracized, isolated or criminalized, rather than afforded protection.

One of the paramount principles of international law is that children cannot consent to their own exploitation. Children must be supported to engage in a meaningful and critical examination of contemporary norms and values that may cause them to create harm to themselves through risk-taking sexual behavior. Another priority is to address the demand for sex with children and young people by strengthening legal measures in this regard.

Global follow-up action on demand

Targeting high-risk populations

There are populations that appear more likely to use the services of prostitutes, and that can be indiscriminate on whether their acts involve the exploitation of children. Groups creating this demand for prostitution...
include men whose work separates them from home for short or prolonged periods of time in a sex-segregated environment, like men employed in the military, seafarers, truckers, male migrant workers working in logging and mining, but also taxi and tuk tuk drivers, and businessmen having to travel frequently. There are a number of initiatives globally targeting these high-risk populations, including men in the general population that pay for transactional sex. Examples of initiatives to raise awareness and prevent exploitation of children include an ECPAT project with tuk tuk drivers raising awareness amongst themselves and tourists on child sex tourism in Cambodia, the Beyond Borders Man to Man campaign in Canada where high-profile men speak out about CSEC, and the training on human rights and CSEC of both national and UN peacekeepers.

Behavior change initiatives
With regard to behavior change initiatives, there are several examples of efforts to engage boys and men in the prevention of sexual exploitation and sexual violence, addressing issues such as masculinity, gender equality, and sexuality. Among these are education projects targeting girls and boys on issues of love, gender and sexuality in the Netherlands, early detection and intervention programs for youth exhibiting sexually problematic behavior in Chile, the Men Can Stop Rape ‘My Strength is Not for Hurting’ campaign in the United States, engaging men as vital allies to stop sexual violence, and the global MenEngage Alliance seeking to engage men and boys in effective ways to end sexual exploitation and trafficking, in particular initiatives in Africa and Asia.

Strengthening legal measures
Legal measures must be strengthened to combat the exploitation of children in prostitution. As required by the OPSC and the European Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, the purchase of sex or any form of transaction to obtain sexual services from a child should be criminalized. This includes the grooming of children and the purchase of virtual sexual acts. Several countries have strong legislation on this. Sweden’s Penal Code is distinctive in this regard, because it decriminalizes the selling of sex, but raises the criminal penalties for purchasing sexual acts from children. This is important, as it regards prostitution as an aspect of violence against women and children. It is also linked to a social service fund that was established to help anyone involved in prostitution to get out and start a new life. Moreover, Swedish law includes exploitation of children for sexual posing (a form of virtual sex), and recently also online solicitation of children for sexual purposes (grooming). Similarly, the South African Criminal Law Amendment Act on Sexual Offences and Related Matters has very clear and extensive definitions that criminalize the sexual exploitation of children in prostitution, irrespective of whether the sexual act is committed or not, and the sexual grooming of children. Several other countries have similar legislation in place.

Specialized health care for child victims
Child victims of exploitation in prostitution require specialized health care and assistance. States are obligated to take a systematic integrated approach for the delivery of specialized services to restore the rights of the victims and support a long-term recovery. The implementation of the provision of specialized health care for children who have been exploited in prostitution needs much more effort and attention than it currently receives. Children who have been exploited in prostitution have often experienced serious harm, including health problems such as venereal diseases or HIV/AIDS, unwanted pregnancy and abortion, and physical and psychological damage. These consequences affect children’s physical, mental, emotional, moral or spiritual development. The Rio Plan of Action urges that they be provided with shelter, medical, psychological and legal assistance that meet their specific needs, and with training and the creation of job opportunities, to offer them the best opportunity for recovery and reintegration. In order to provide specialized health care tailored to children’s needs, all personnel working with child victims must be trained and specialized in issues of CSEC. States must ensure that specialized health care for CSEC victims is part of an integrated system of youth care.
Global follow-up action on specialized health care for child victims

The efforts of implementing the requirement of specialized health care facilities for child victims of exploitation in prostitution vary greatly according to country. Most countries do not have specialized services that are child-centered or focused on child victims of prostitution. Nevertheless there are some good practices. In Chile, two NGOs that support the ECPAT Global Youth Partnership Project have specialized recovery and rehabilitation centers for victims of commercial sexual exploitation, where a combination of therapeutic techniques, educational and recreational activities is used to ensure the recovery of victims. Similarly, in Taiwan, comprehensive support services such as help lines, shelters, medical services and psychological treatment, designed to respond to the special needs of children trafficked for sexual exploitation, are widely available. The Republic of Korea has also taken a number of steps to ensure assistance to child victims of trafficking and sexual exploitation, including measures on the physical and psychosocial recovery for child victims. It has established support programs and an expanded network of shelters, and centers for counseling of victims of prostitution providing a wide range of services including medical aid to both South Korean and foreign victims. These facilities are mostly run by NGOs with government support.

ENDNOTES

2. Ibid., p. 13.
3. Ibid., pp. 11-12.
16. ‘Inter alia’, Costa Rica, India, Japan, Lao, Philippines, Taiwan, UK.