

GLOBAL STUDY ON SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM

COUNTRY-SPECIFIC REPORT

SOUTH AFRICA

2015



The country-specific research report on SECTT was written by Fair Trade Tourism in cooperation with ChildLine South Africa. Data analysis was done by Isabel Abreu and editing by Netsai Sibanda and Vimala Crispin.



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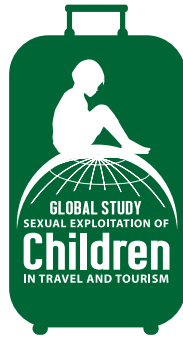
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Ministry of Foreign Affairs of the
Netherlands





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COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN IN SOUTH AFRICAN TRAVEL AND TOURISM

Lessons Going Forward

An analysis of key stakeholders on the overlap commercial sexual exploitation of children with travel and tourism in South Africa. Intended to strengthen the findings of the Don't Look Away Assessment on Commercial Sexual Exploitation of Children Related to Tourism and Reporting Mechanisms in South Africa produced by ECPAT Germany in 2013.

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ACRONYMS

CPO	Designated Child Protection Organisation
CSEC	Commercial Sexual Exploitation of Children
CSECTT	Commercial Sexual Exploitation of Children in Travel and Tourism
DSD	Department of Social Development
ECPAT	End Child Prostitution, Child Pornography and Child Trafficking
FCS	Family Violence Child Protection Sexual Violence
FTT	Fair Trade Tourism
HIV	Human Immunodeficiency Virus
AIDS	Acquired Immunodeficiency Syndrome
ICT	Information and Communication Technology
NGO	Non-Government Organisation
SAPS	South African Police Service
TSI	Tourism Safety Initiative

EXECUTIVE SUMMARY

At the First World Congress Against Commercial Sexual Exploitation of Children (CSEC) in Stockholm in 1996, governments first recognised the commercial sexual exploitation of children in travel and tourism (CSECTT) as a global crime of epidemic proportion.

Since then, much work has been done by international organisations, governments and tourism stakeholders to combat CSECTT. The increasing cross-border movement of people, consumerism, globalisation and new technologies, however, have enabled CSECTT to evolve and manifest in new forms. Often a high influx of tourists and travellers increases the problem, especially in developing countries where poverty and socio-economic inequalities are persistent.

Some African countries are considered emerging tourism destinations for child sexual offenders. It is difficult to obtain statistics or figures on the scale and scope of such violations due to the lack of studies or research as well as the hidden nature of the phenomenon.

According to ECPAT International's African network members, South Africa is one of the countries most affected by CSECTT in the African region.¹ ECPAT Germany, in cooperation with Bread for the World and Fair Trade Tourism (FTT), published a report entitled *Don't Look Away: Be Aware and Report the Sexual Exploitation of Children in Travel and Tourism* in December 2013. This assessment of CSECTT, the first of its kind in South Africa, provides an overview of the problem in the country's tourism industry. This report is intended to strengthen the Don't Look Away report and thus enhance efforts to protect children from being sexually exploited by travellers and tourists.

As part of the research to develop this supplementing report, key stakeholders from the child protection, public and tourism sectors in five provinces of South Africa were interviewed for their perceptions of the extent of CSECTT in South African tourism as well as associated public, private and civil society responses.

The report is divided into five sections. The first looks at the methodology used to collect data for the report, while the second section identifies limitations and associated implications for the study and defines and reviews relevant terminology in relation to CSECTT in South Africa.

The third section focuses on stakeholders' perceptions and opinions of CSECTT in South Africa. It looks at whether CSECTT is considered by respondents to be an issue, their views on which children are vulnerable to becoming victims of the crime and impressions of potential offenders as well as their opinions on the role that information and communication technology has in aiding CSECTT.

The fourth section presents an overview of the level of awareness and opinions of the respondents on services available to protect and assist victims and their perceptions of the relative strengths and weaknesses of current responses to reports of CSECTT, including the role of the criminal justice system.

The final section draws conclusions and recommendations based on the findings of this research to improve the protection of children from CSECTT in South Africa.

1 Other countries listed are: Benin, Cameroon, Côte d'Ivoire, Ghana, Kenya, Madagascar, Mauritius, Morocco, Nigeria, Senegal, The Gambia and Tanzania (Zanzibar). Of them, Kenya, South Africa, The Gambia, Morocco and Ghana are considered the more popular CST destinations. In ECPAT International (2007), *Confronting the Commercial Sexual Exploitation of Children in Africa*, Bangkok: ECPAT, p. 8. www.ecpat.net/sites/default/files/confronting_csec_eng_0.pdf (accessed 3 August 2015).

CHAPTER 1

METHODOLOGY

The information used to write this report was collected by the Childline South Africa National Office between February 2015 and July 2015. Quantitative and qualitative research methods were used to gather data from primary and secondary sources.

Primary sources

Quantitative and qualitative data was collected in five of South Africa's nine provinces: surveys, semi-structured interviews and focus group discussions.

Provinces were selected on the basis of these provinces being identified as potential hotspots for CSECTT as indicated in the aforementioned 'Don't Look Away' South Africa country study. Provinces selected included: Eastern Cape, Gauteng, KwaZulu-Natal, Mpumalanga and the Western Cape. A total of 80 stakeholders were consulted as part of the research, as detailed in the table below.

Table 1 shows all empirical data, by method, province, number of participants and sector

Table 1. Empirical data, by method, province, number of participants and sector

	EASTERN CAPE	GAUTENG	KWAZULU-NATAL	MPUMALANGA	WESTERN CAPE
Semi-structured interviews	2 Police services 2 DSD (social workers) 2 Child protection NGOs 1 Tourism industry	2 Police services 2 Govern. officials 3 Child protection organisations ²	2 Police services (Family Violence/ Child Protection/ Sexual Violence Unit ³) 2 Govern. officials 2 Child protection organisations 3 Tourism industry	2 Police services 2 Govern. officials (Educ. & DSD) 2 Child protection (Child Welfare Mpumalanga & Ekurhuleni Orphanage) 2 Tourism industry	2 Police services 2 Govern. officials (Health & Court) 2 CPO 1 Tourism
Focus group discussions	1 Focus group: 1 Child protection organisation social worker 1 Today newspaper journalist 1 Childline counsellor	0	1 Focus group: 4 Child protection organisations 1 Police Services	2 Focus group: 1 Wild Life College ⁴ (5 tourism industry) 1 Ekurhuleni Orphanage Centre ⁵ (5 child protection)	1 Focus group: 2 Government (health and DSD) 2 Child protection (Ukhukhanya Centre and PATCH Child Abuse Centre) 1 Police Services
Total surveys	1	4	0	0	14

Semi-structured interviews

The Childline South Africa National Office trained counsellors from its offices in the five provinces selected for this study. A workshop for researchers facilitating interviews and data collection was also conducted. The workshop covered information on South African legislation, concepts of CSEC and its manifestations, research methodology and ethical considerations.⁶

Semi-structured interviews were adapted to ensure relevance to the participating stakeholder groups. The objective was to establish the level of understanding of key stakeholders on CSECTT and their perceptions on both the extent of the phenomenon and existing responses to protect and assist victims in South Africa. Open-ended probing questions were included to elicit opinions rather than simple yes or no responses. Semi-structured interview guidelines for the child protection, government and travel and tourism sectors are attached in Annexes I and II.

The respondent sample was designed to include two representatives per sector and per province as follows:

- 2 tourism private sector stakeholders;
- 2 government officials employed as social workers by the State;
- 2 South African Police Services members; and
- 2 employees from child protection organisations.

Of the 40 targeted participants, 38 interviews were conducted. Ultimately, however, an imbalance in stakeholder group representation emerged within the selected provinces.

Secondary sources

Secondary sources reviewed for this study included: statistics of children's rights abuses cases;

- Childline South Africa's Crisis Line reports in 2013 and 2014;
- child sexual offences reported to the South African Police Services in 2013–2014 (April to March fiscal year); and
- cases that were referred to court and resulted in conviction.

The collection of data and information was conducted through a review of literature and research related to CSECTT in South Africa as well as information provided Childline South Africa National Office. Many studies, however, lack reliable CSEC-related data (empirical research directly associated with CSECTT is a challenge even outside the South African country context).

Focus group discussions

Focus group discussions were organised to expand the coverage of stakeholders regarding their experiences and insights on the general situation of CSECTT in South Africa. Focus group discussion guidelines are attached as Annex III.

A total of 23 participants from the travel and tourism sector, child protection organisations, South African Police Services and government officials participated in the focus group discussions in four of the five selected provinces.⁷

2 Designated child protection organisation: In the South African context, this relates to people working in the child protection sector, in most cases working within NGOs, such as child welfare organisations, child and youth care centres (in some cases referred to as children's homes, shelters or orphanages). Designation to be a child protection organisation is provided by the Department of Social Development (DSD). Once designated, organisations receive funding from the DSD and are a registered child protection organisation. All child protection organisations by law must be registered with the DSD.

3 The Family Violence Child Protection Sexual Violence Unit is a unit in the South African Police Services (SAPS) that renders services to children and adult victims of family violence and sexual offences in the country.

4 For more information visit: www.wildlifecollege.org.za (accessed 23 August 2015).

5 Ekurhuleni Orphanage Centre is a non-profit organisation (NPO) that works with: social services, child welfare, child services and day care.

6 The training agenda included the following workshops: What is Sexual Exploitation of Children?; Research Methodology; Applying Research Instruments; and Role-Play in Groups.

7 Eastern Cape, KwaZulu-Natal, Mpumalanga and the Western Cape.

Ethical considerations

Strict ethical considerations were applied during the research. Prior to participating in the semi-structured interviews or focus group discussions, stakeholders were required to sign a consent form confirming that they had read and understood the terms and conditions of the study. This form is attached as Annex V.

Respondents also received an information sheet stating the aim of the project and nature of their involvement, including a commitment to ensuring the confidentiality of respondents' identities and security of all information shared. The form is attached as Annex VI.

Structured surveys

Structured surveys were used to obtain information on CSECTT in South African tourism. Although the target was for 10 online surveys to be completed by tourism private sector stakeholders per province, respondents representing three of the five selected provinces completed a total of 18 surveys⁸. Survey questions are attached as Annex IV.

⁸ Gauteng, Eastern Cape and the Western Cape.

CHAPTER 2

LIMITATIONS OF RESEARCH

Table 2 summarises the limitations encountered by the Childline National Office during the research process.

Table 2. Research limitations

RESEARCH LIMITATION	
1	The research project had to be conducted within a short period of time.
2	There was limited quantitative data or information available regarding the extent of CSECTT in South Africa.
3	Information collected through surveys, interviews and the focus group discussions was largely perception based. Subsequently, the information collected could have been biased and/or based on respondents' impressions and/or beliefs as opposed to factual data and/or experiences.
4	Despite follow-ups, a limited number of survey responses were received from the tourism private sector. The small response is largely attributed to lack of knowledge of CSECTT and associated issues.
5	No focus group discussion was conducted in Gauteng Province due to an insufficient number of participants.
6	Focus group discussions were unbalanced per sector, with a total of 13 participants from the child protection sector, five from the tourism private sector, two from SAPS and two government officials.
7	Terminology relating to CSEC and CSECTT was inconsistently understood, with differing stakeholders holding a different understanding of CSEC and its manifestations.
8	There was inconsistency in how questions were addressed in the focus group discussions, with some questions not asked at all.
9	Data provided by Childline South Africa was limited and insufficient to conduct a critical analysis of the CSEC reports received by the Childline reporting hotline. Even less data were available from Childline regarding CSECTT because this manifestation is not a category in its data-capturing system. ⁹
10	Due to the lack of available information, they study could only provide a general overview of supportive therapeutic social services provided by the Childline 24-hour toll free helpline for children rather than services specifically provided to child victims of CSEC.
11	Statistics provided on cases of sexual offences reported to SAPS were also limited with regard to the categorisation of types of CSEC and CSECTT. Categories of sexual offence cases included: rape, sexual assault, sexual grooming, sexual harassment, incest, child pornography, child prostitution and a general category for any other unspecified sexual offences. However, with exception of child pornography and child prostitution, the other categories did not specify the age of the victim. Thus, the SAPS statistics only cover child pornography and child prostitution.

⁹ As explained in the reply to a request for more information on CSECTT cases: "It must be noted that our system is primarily a call tracker that was designed for our Crisis Line, with a key focus on child abuse and providing lay counselling to that child. Cases are only completed when those reporting have information they wish to divulge, and in most cases, due to the anonymity of our Crisis Line, we are left with many gaps. We unfortunately do not have the specifications relating to travel and tourism."

CHAPTER 3

CSECTT IN SOUTH AFRICA

South Africa has been considered one of the most popular destinations for travelling sexual offenders in the African region.¹⁰ The ECPAT 2013 Don't Look Away South African country assessment cited five provincial hotspots: the Eastern Cape, Gauteng, KwaZulu-Natal, Mpumalanga and the Western Cape. These destinations were also highlighted by respondents in this study. Although some media reports have noted an increase in CSECTT,¹¹ the issue is often overlooked, and updated research on this specific manifestation of CSEC, especially on its scope, continues to be lacking.

This section looks at the perceptions and opinions of the research respondents from the public, child protection and tourism sectors on CSECTT in South Africa and is structured into four subsections, although there is a degree of overlap between each topic. The first part looks at whether respondents consider CSECTT to be an issue in South Africa. The second part analyses their views on which children are likely to be victims and how. The third part describes respondents' views of offenders. And the fourth part focuses on respondents' opinions on the role that information and communication technology (ICT) has in aiding CSECTT.

IDENTIFYING CSECTT

All the respondents in this study regarded CSECTT as a problem in South Africa.¹² However, a considerable number of respondents, mostly from the child protection and public sectors, seemed to misunderstand the concept, conflating CSECTT with trafficking of children for sexual purposes.¹³

All the child protection sector respondents and police officers interviewed in Gauteng Province were of the opinion that CSECTT is an issue in the country because children are being trafficked "across the border illegally". Many believe these victims are being drugged and exploited in "pornography, the sex trade and abuse by paedophiles". Mpumalanga government respondents linked the issue to child sex trade networks. Similarly, a participant from the child protection sector in the Eastern Cape said that children are being groomed and lured by third parties throughout the country to leave home, stating that "people ... will promise the children that they are going to make their dreams come true and take them away and get them involved in drugs, making it easier to exploit them".

10 The Protection Project. International Child Sex Tourism. 2007. In ECPAT International, Global Monitoring, Status of Action Against Commercial Sexual Exploitation of Children, South Africa, 2013 (2nd Edition), p. 16. Available at: www.ecpat.net/news/sexual-exploitation-children-rampant-south-africa, (accessed 5 August 2015).

11 Van Schalkwyk, S. "Sex tourism takes hold in South Africa". 31 October 2007. Available at: <http://mg.co.za/article/2007-10-31-sex-tourism-takes-hold-in-south-africa> (accessed 2 January 2013).

12 The exceptions were a focus group discussion participant from the child protection sector in KwaZulu-Natal and another from the tourist sector in Eastern Cape. However, it can be deduced from their subsequent answers, or no answers, that these responses revealed rather a lack of knowledge rather than an informed opinion based on facts about the issue.

13 For example, one participant in a focus group discussion in Kwazulu-Natal, when debating whether CSECTT is an issue in South Africa, suggested, after another participant said it was not a big issue, to "put it in a more familiar term, like child trafficking".

In the Western Cape, a police officer explained that CSECTT is an issue in the country because of the involvement of gangs and profits to be made. Some police officers explained that to “feed demand”, children are brought from other South African provinces for the purposes of exploitation in cities. This remark is in line with the findings of the 2015 United States Department of State, Trafficking in Persons report, which notes that South African children are recruited from poor rural areas to urban centres, such as Johannesburg, Cape Town, Durban and Bloemfontein, where girls are subject to sex trafficking.¹⁴ However, there is no evidence as to whether these trafficking victims are sexually exploited by travellers and tourists.

Respondents remarked that CSECTT is particularly an issue in South Africa’s tourist destinations, although it is difficult to assert the actual extent of this problem. In KwaZulu-Natal, for example, respondents from the tourism sector cited CSECTT as an issue in holiday spots, especially in Cape Town, Durban and Gauteng. Likewise, the child protection sector respondents considered CSECTT to be a bigger issue in Gauteng but also in all “places that are tourist destinations, where people outside our country can easily come in and out and do as they please without seeming suspicious, because they are seen as tourists bringing money to the country”.

Police officers in Gauteng cited CSECTT as a major and a growing phenomenon in urban areas. Cape Town and Johannesburg were singled out as locations where “people are not afraid of buying sex”.

Cape Town, Johannesburg and Durban were also highlighted by child protection sector respondents in the Western Cape as well as the Beaufort West region, where truck drivers were thought to be sexually exploiting children. These respondents were also of the opinion that CSECTT is increasing in cities. A child protection sector interviewee in KwaZulu-Natal with experience working with organizations dealing with victims pointed out that statistics on the crime do not correspond to reality due to its hidden nature. As explained by one respondent, “like domestic violence, there are cases that aren’t reported, making the stats look less than what they should be”. Police officers also noted that CSECTT cases are underreported because they tend to be classified as cases of rape and said that central business district areas have the most cases.

Child protection respondents in Mpumalanga also stated that CSECTT is a problem everywhere but think that the issue is overlooked in rural areas. The majority of tourism sector participants from the same province also considered CSECTT a hidden phenomenon and that is not sufficiently addressed or understood.

Research participants (especially from the NGO and public sectors) from the Eastern Cape, Mpumalanga and, to a certain extent, Gauteng, appeared to not have much knowledge, if any, about what CSECTT is.¹⁵ This indicates that awareness campaigns are needed in these locations because the lack of awareness coupled with the hidden nature of the issue represents an additional barrier to the reporting of CSECTT cases.

¹⁴ US Department of State, 2015 Trafficking in Persons Report, p. 309. Available at: www.state.gov/j/tip/rls/tiprpt/ (accessed 24 August 2015).

¹⁵ This is an element that must be taken into consideration in the following subsections of this report.

IDENTIFYING VICTIMS

Respondents from the child protection sector in all five provinces identified child CSECTT victims as primarily girls, especially poor, from single-parent families who must “provide for their siblings” and children who are orphaned. Gauteng, Mpumalanga and Western Cape respondents were also of the opinion that additional risk factors include: a prior history of abuse, low levels of education, poor parental relationships and abandonment. This echoes the findings of the Don’t Look Away South Africa country assessment.

Another viewpoint expressed by respondents from KwaZulu-Natal was that CSECTT victims may also be motivated by financial pressure, especially teenage girls who may engage in risky behaviour to obtain expensive clothing, gadgets and other material goods. Public officer respondents from this province and the Western Cape were of this same opinion but thought that most victims came from poor families. Some of these respondents also mentioned cases of children being forced into marriage and/or sent by their parents to live with relatives who, once in the city, meet people who exploit them. Others stated that children with single parents or with parents who work long hours may be vulnerable.

Public and tourism sector respondents in Gauteng, however, shared their perception that the majority of victims, predominantly teenage girls, come from rural areas. Additional risk factors identified by this group include: poverty, low education, dysfunctional families and children without caregivers. They also noted that some children involved in CSECTT do not perceive themselves as victims, which can have important implications for the design and approach of response services.

Tourism sector respondents from Gauteng, KwaZulu-Natal and the Western Cape also thought that some victims may come from wealthy families, indicating that poverty may not be the primary or predominant risk factor. Children with limited parental supervision were described as especially vulnerable. Although respondents thought that the majority of victims were girls, they noted that both men and women also sexually exploit boys.

The majority of tourist sector respondents identified similar risk factors as other respondent groups, including: poverty, abandonment or being ‘sold’ by parents, substance abuse problems and lack of education. In Mpumalanga, tourist sector respondents also noted consumerism and peer pressure as potential contributing factors, compounded by children’s lack of knowledge of what they are getting involved in or how to escape if they decide that they do not want to continue to be involved in CSECTT.

How children become involved

The majority of the respondents thought that children, predominantly teenagers, become involved in CSEC through the internet and/or other forums or situations in which they are persuaded and misled by sexual offenders. The majority of respondents understood sexual offenders to be adult CSECTT facilitators, including pimps, intermediaries and traffickers.

Explaining how children could become involved in CSECTT via the internet, public sector respondents in the Eastern Cape noted that traffickers may make contact on social media forums, such as Facebook. Respondents said children open links, accept invites and compete to see who has the most friends and

followers, which provides predators with opportunities to identify and begin communicating with them. Loneliness, curiosity and the desire to travel abroad were mentioned as potential contributing risk factors.

Respondents from the public sector in KwaZulu-Natal and Mpumalanga as well as the tourism sector from Mpumalanga agreed that children can become involved in CSEC through deception by sexual offenders in online forums.

Several respondents from the public sector in the Western Cape stated that CSECTT facilitators may offer children money, drugs, clothes and other material goods to encourage them to become involved in CSEC. Children may also be tricked by being offered modelling jobs and competitions that do not exist.

Tourism sector respondents in KwaZulu-Natal and the Western Cape thought that some teenagers may be groomed or victimised through social networks or at parties where they are encouraged to consume alcohol or are led to have high expectations from older boyfriends who make lucrative promises about future opportunities. Respondents noted that children from middle class and wealthy families could also be vulnerable to this type of grooming, especially with lack of parental supervision of their use of the internet and social media.

Respondents from Mpumalanga and Gauteng mentioned that some children travel from rural areas in South Africa or from overseas to urban areas in search of economic opportunities but end up working on the street where they are extremely vulnerable to being lured and recruited by pimps. Respondents explained that pimps show them how nice their life and home are and often encourage children to use drugs. These children ultimately become dependent on the pimp for drugs, food, money and all of their basic needs, which can be difficult to escape.

In Gauteng, reports from government officials and SAPS indicate that children become involved in CSEC because they are misled by predatory adults and then trafficked. Cases of victims from KwaZulu-Natal, the Eastern Cape and Mpumalanga as well as from other African countries, including Mozambique, Zimbabwe and Congo, were mentioned. Children are typically brought to Johannesburg by someone they know who promises them work or offers to take care of them. Parents, neighbours, friends or local drug dealers may be involved. Once in the city, children are introduced to pimps, who then 'own' them. According to one respondent, "Some of the girls say they deduct everything they provide from their pay, including food, board, drugs and clothes, to the point where they are left with nothing. They keep quiet because they don't want their family back home to know."

Child protection sector respondents from almost all provinces said children often become involved in CSEC through people they know.¹⁶ Children or their families may be promised money or a better life and agree to leave their home in search of these opportunities.

In addition to economic reasons, social and cultural factors are believed to put children at risk. As explained by a respondent from the tourism sector in the Western Cape, the cultural acceptance and tradition of selling, trading and giving children to (often older) men for sex, marriage and money is common all over South Africa, especially in rural areas.¹⁷

In conclusion, respondents identified poverty, contact via the internet, children being lured by CSECTT facilitators with promises of money or a better life as well as customs as key factors that increase children's vulnerability to involvement in CSEC in South Africa. Each of these factors merits further analysis and requires tailored prevention services to better protect children from becoming vulnerable to CSECTT.

16 The only exception was KwaZulu-Natal Province.

17 In South Africa, ukuthwala is the practice of abducting young girls and forcing them into marriage, often with the consent of their parents. The practice occurs mainly in rural parts of South Africa, in particular the Eastern Cape and KwaZulu-Natal. The girls who are involved are frequently underaged, including some as young as 8 years. The practice received negative publicity, with media reporting in 2009 that more than 20 Eastern Cape girls are forced to drop out of school every month because of ukuthwala. For more information: <https://en.wikipedia.org/wiki/Ukuthwala> (accessed 12 October 2015).

IDENTIFYING OFFENDERS

This subsection focuses on research participants' perspectives and opinions about CSECTT 'facilitators', although several terms are used to describe these individuals.

Sexual offenders, as already mentioned, are considered to be those who demand or promote, facilitate, develop or take advantage of any form of sexual activity involving children. They can be perceived as traveller and tourist offenders—those who during their travel

and tourism experience demand sexual relationships with children—and facilitators who satisfy the demand by enabling, promoting or selling children for their own profit. The former can be a situational offender who does not have an exclusive sexual inclination for children, a preferential offender who seeks out minors for sexual contact and paedophiles, who manifest an exclusive sexual inclination for prepubescent children.

Among the facilitators, there are two main profiles: pimps and intermediaries, as summarised in Table 3.

Table 3. Definition of pimps and intermediaries

PIMPS	INTERMEDIARIES
<p>A pimps' business and main income derives from the sexual exploitation of children. They contact and entice children, offer them to offenders who demand children and connect the victims with tourist and travel exploiters.</p> <p>Pimps may be owners of brothels who control income and businesses. Pimps may operate alone or as part of CSEC or trafficking networks. They may also be individuals, including peers of the victims and family members.¹⁸</p>	<p>Intermediaries provide information and facilitate contact between victims and traveller and tourist offenders, and the financial benefit they receive for doing so generally constitutes an extra source of income.¹⁹</p> <p>They tend to work in both the formal and informal sectors and receive a percentage of the profit from either the offenders or victims.</p> <p>Intermediaries include hotel staff, taxi drivers, formal and clandestine tourist guides, owners or housekeepers of residences, members of a community, police, etc.²⁰ It has been established that intermediaries contribute strongly to CSECTT without sometimes seeing themselves as offenders or in some cases even being aware that they are committing a crime.²¹</p>

18 ECPAT International (2015), *A Closer Look at Latin America*, op. cit., p. 56.

19 Instituto Interamericano del Niño, la Niña y Adolescentes, XIII Informe al Secretario General de la OEA, pp. 18–19, in *ibid.*

20 Marco Sotelo, *Experiencia de colaboración bilateral en el combate de la explotación sexual comercial de niños, niñas y adolescentes asociada al turismo en Costa*, p.17; Instituto Interamericano del Niño, la Niña y Adolescentes, XIII Informe al Secretario General de la OEA Sobre las Medidas, p. 18-19 in *ibid.*; Fundación Renacer – ECPAT Colombia, *Explotación Sexual Comercial de Niñas, Niños y Adolescentes en las Ciudades de Acacias, Cartagena y Leticia*, 12 in *ibid.*; ECPAT Brasil, *Relatório Sobre o Diagnóstico das Redes de Exploração*; and ECPAT International, *Informe de Monitoreo de País – Colombia*, p. 52, in *ibid.*

21 Fundación Renacer – Ecpat Colombia, 2015, *Explotación Sexual Comercial de Niñas, Niños y Adolescentes en las Ciudades de Acacias, Cartagena y Leticia*, Colombia. Unpublished, p.12; and ECPAT Brasil, *Relatório sobre o Diagnóstico das Redes de Exploração Sexual de Crianças e Adolescentes, Principalmente no Turismo nas Cidades de Fortaleza e Manaus*. Unpublished, p.122, in *ibid.*

Table 4 summarises the research respondents' perceptions on the identity of CSECTT perpetrators by sector in the five provinces.

Table 4. Respondents' perception of sexual offender identities, by sector and province

	CHILD PROTECTION SECTOR	PUBLIC SECTOR	TOURISM SECTOR
Eastern Cape	Traffickers Older men	Sex traders Traffickers International syndicates Parents Neighbours Community members	Teachers Parents Tourism workers Paedophiles Situational offenders
Gauteng	Syndicates SAPS Pimps	Parents Traffickers (foreign & South African) SAPS Pimps Paedophiles Rich people with families	Parents Criminals Paedophiles Rich men older than 40
KwaZulu-Natal	Drug-related gangs SAPS Community members Foreign shop owners South African political leaders Taxi drivers Truck drivers Old men	Drug dealers Pimps SAPS Rich people Famous people Taxi drivers Foreign landlords	Men and women Family Pimps Drug dealers International or national travellers & businessmen Tourist guides Car guards Rich old men
Mpumalanga	Illegal immigrants Traffickers (foreign & South African) Community members Parents Friends Foreign shop owners Old men	SAPS Employment agencies Family Community members	Friends Family Teachers Priests Traffickers (foreign & South African) Old men Rich business men
Western Cape	Traffickers (foreign & South African) Parents Neighbours Syndicates Drug lords SAPS Pimps Bar owners Wealthy people Influential people	Family Pimps Bar owners Traffickers (foreign & South African) Syndicates Influential people	Gangs People in power in South Africa Owners of entertainment areas Pimps Travel agents in country of origin Travel agencies Middle-aged to older men Middle to upper class men Wealthy tourists Paedophiles

Respondents across all sectors and provinces characterised CSECTT offenders as travellers, tourists and facilitators. The majority of respondents highlighted the role of facilitators, pimps and intermediaries. Offenders described as pimps were mostly considered to be persons a child knows and trusts. Most respondents indicated that intermediaries were usually people working within the tourism industry and police officers.

The great majority of respondents, however, referred to highly integrated and complex networks of intermediaries, involving both nationals and foreigners operating within and outside the country. These networks often include people who may also be involved in drug smuggling and trafficking of persons and those who make use of ICT to connect with victims while protecting themselves at the same time.

The information provided by respondents on traveller and tourist sexual offenders was not sufficient to infer whether the majority are situational or preferential offenders.

Only one respondent from the tourism sector in Gauteng Province referred to situational offenders. Preferential offenders were identified by a respondent from the tourism sector in the Western Cape as mostly overseas visitors, particularly Europeans, but also a few from African countries who “book a holiday singly with the purpose of finding a girl or boy for their stay. For some of these travellers, an underage girl or boy is their target.”

Several police officers from Gauteng also described national and international offenders as being preferential. This included South Africans who ‘live well’ and specifically demand children’s ‘services’, with some requesting virgins. German and Belgian tourists reportedly also enter the country with ‘specific requests’. It was noted that facilitators often prefer to deal with foreign sexual

offenders because it can be more lucrative than national exploiters who have less money to spend.

Paedophiles were identified by SAPS and tourism sector participants in Gauteng and the Eastern Cape. The majority of respondents described traveller and tourist sexual offenders as predominantly older men, although they noted that sometimes women can be perpetrators. A respondent from the tourism industry in KwaZulu-Natal stated that sexual offenders have to have sufficient funds to keep the children, pay intermediaries, pay for transport and bribe those who may witness this criminal activity.

Wealthy and influential people were mentioned by all stakeholders and described by some child protection sector respondents from the Western Cape as people who have ‘the right contacts’ and who move ‘in high circles’. In this same province, participants from the tourism sector referred to national and international businessmen, government officials and other people in power in South Africa. This has important implications for combatting the problem.

A KwaZulu-Natal police officer noted that “rich and famous people” may be perpetrators and intermediary offenders who “initiate” children. The same respondent referred to the high level of confidentiality that is available for CSECTT perpetrators, both in “uptown and downtown brothels”, citing this as a reason why offenders can repeatedly commit this crime. Privacy was mentioned in the same province by a respondent from the child protection sector, who described sexual offenders as “normal people” with families, some who are married, but maintain anonymity among themselves “like a secret club”. These findings, while based on perceptions, indicate the possibility that CSECTT may be a problem at many levels of South African society, not only isolated to the criminal or fringe elements but also perpetrated by persons with social respectability and power.

Respondents from sectors in Gauteng, KwaZulu-Natal and the Western Cape identified pimps as sexual offenders. A police official in Gauteng noted that pimps are sometimes foreigners from other countries in the region who own brothels as well as South African club owners.

A child protection sector respondent from Gauteng explained that pimps recruit children to exploit by contacting a prominent person in the community under the guise of someone wanting to help children in the city. The pimps send a 2,000–3,000 rand (ZAR) donation,²² which leads the community to think this person has good intentions and thus makes them more willing to send their children with them.

Family members, including parents, were also identified as facilitators in all provinces across all sectors, mainly due to the poverty and hardship some of them experience.²³ Traditional cultural factors, as mentioned previously, were also identified as a factor prompting family members to subject their children to CSEC. In the Eastern Cape, for example, a respondent from the child protection sector suggested that offenders take advantage of families suffering from poverty, offering them money to take their child. Exploiters often trick family members, and some may think that what they are doing is in the best interest of their child. Friends were identified by Mpumalanga child protection and tourism sector respondents as convincing their peers to become involved in CSECTT in the hope of living a 'glamorous life'.

Respondents from all provinces, especially tourism sector respondents in the Western Cape, identified intermediary offenders as working within the tourism industry. Although the information provided was limited, it can be inferred that travel agents in countries of origin discreetly coordinate with South African pimps and travel agencies, as well as tourist guides, taxi drivers, landlords and car guards.²⁴ In this way, potential offenders, tourists and travellers are put in contact with pimps and/or children in South Africa.

Respondents in all sectors in the Western Cape identified owners of entertainment areas, such as bars, as intermediaries. KwaZulu-Natal respondents also explained that taxi drivers and landlords help to identify victims and know where to find them. A police officer noted that children are often exploited in rented flats, which offer a secluded location to protect the identity of perpetrators.

SAPS were recognised as sexual offender intermediaries by both the child protection and public sector respondents in all provinces apart from the Eastern Cape. In Gauteng, both child protection and public sector respondents as well as a government official from Mpumalanga thought customs officers allow children to cross the border illegally in exchange for money.

A police officer from Gauteng also pointed out that corrupt SAPS accept money from brothel owners to keep silent, because prostitution is illegal in South Africa. A KwaZulu-Natal government official noted links between police officers, drug dealers and people involved in the prostitution industry. This type of collaboration is an example of pimps and intermediaries working together to provide an infrastructure that facilitates access to children for sexual purposes by travellers and tourist offenders, a phenomenon observed in other regions of the world, including Latin America.²⁵

Literature on the origins of traveller and tourist sexual offenders in South Africa, suggests that these individuals come primarily from European countries such as Germany, UK and Switzerland, as well as from the USA and other countries.²⁶ Public sector respondents in Gauteng and respondents from both the child protection and public sectors in Western Cape noted that offenders were of German and Belgian nationalities. None of the other participants, with the exception of KwaZulu-Natal public officer respondents who identified Pakistanis, specified any other international nationalities of offenders.

22 The equivalent of EUR130–EUR200.

23 Also thought to be due to cultural factors, as mentioned in the previous subsection.

24 At sporting events and concerts, shopping malls and pub crawls, car guards are a ubiquitous breed: self-appointed car guards who direct drivers into parking spaces and ask for money in exchange for watching the vehicles while the drivers are gone. Car guards portray their work as essential, given South Africa's high crime rate. They take great pains to appear legitimate—wearing neon work vests, ordering cars to halt as if it were a requirement, confidently directing traffic and even issuing parking stubs to drivers. Those unfamiliar with the culture might think the guards were hired by local businesses to monitor parking lots. Few, in fact, are. Some drivers are grateful for the help, but others resent being coerced into paying for a public parking spot. Available at: www.nytimes.com/2012/01/16/world/africa/south-african-car-guards-part-valet-part-hustler.html?_r=0 (accessed 13 October 2015).

25 ECPAT International (2015), *A Closer Look at Latin America*, op. cit., p. 57.

26 "ICE warns child sex tourists: we are watching". 31 October 2012. Available at: www.endslaveryandtrafficking.org/ice-warns-child-sex-tourists-we-are-watching (accessed 2 December 2012), in *ibid*.

Table 5. Respondents' perception on the origins of sexual offenders

	NATIONAL	REGIONAL	INTERNATIONAL	FOREIGNER (NOT SPECIFIED)
Eastern Cape	CP: x PO: x x TI: x	CP: Nigerians PO: x TI: -----	CP: ----- PO: x TI: x	CP: x PO: x TI: -----
Gauteng	CP: x PO: x TI: x	CP: x x PO: Nigerians x TI: x	CP: PO: Germany, Belgium TI: x Tourists	CP: ----- PO: ----- TI: -----
KZN	CP: N/A PO: x TI: x	CP: N/A PO: Nigerians TI: Nigerians	CP: N/A PO: x Pakistanis TI: x	CP: N/A PO: TI: -----
Mpumalanga	CP: x PO: Durban, Cape Town, East London* x TI: Johannesburg	CP: Swaziland, Ethiopians, Mozambique, Somalis PO: Mozambique, Somalis TI: Nigerians	CP: ----- PO: ----- TI: -----	CP: x PO: ----- TI: x
Western Cape	CP: x PO: x TI: x	CP: PO: Nigeria TI: x, Eastern Countries**	CP: Germany PO: Germany TI: x	CP: x PO: ----- TI: x

Notes:

CP = child protection; PO = public officers; TI = tourism industry; N/A = no answer.

* = These places have harbours and are where these children are taken to other countries with promises of jobs in ships and cruise ship to then be sold to others.

** = Intermediaries recruit victims and traffic them to their countries

It can be concluded that a large majority of sexual offenders are likely to be South African, as well as from other African countries. This is reinforced by information released in the United States Department of State 2015 report on trafficking in South Africa.²⁷ The report also corroborates perceptions of the majority of respondents that CSECTT is often linked to

child trafficking, although questions remain about the dynamics of the relationship between child trafficking for sexual purposes and CSECTT in South Africa. In considering perceptions from respondents regarding foreign offenders, xenophobia occurrences should be taken into account.²⁸

27 US Department of State (2015), op. cit.

28 Prior to 1994, immigrants from elsewhere faced discrimination and even violence in South Africa, though much of that risk stemmed from the institutionalised racism of the time due to apartheid. After democratisation in 1994, contrary to expectations, the incidence of xenophobia increased. Between 2000 and March 2008, at least 67 people died in what were identified as xenophobic attacks. In May 2008, a series of riots left 62 people dead; although 21 of those killed were South African citizens. The attacks were apparently motivated by xenophobia. In 2015, another nationwide spike in xenophobic attacks against immigrants in general prompted a number of foreign governments to begin repatriating their citizens. Available at: https://en.wikipedia.org/wiki/Xenophobia_in_South_Africa (accessed 14 October 2015).

THE ROLE OF TECHNOLOGY AND CSECTT

The expansion in ICT, combined with increased popularity and accessibility of the internet, 3G mobile networks and the general lack of online child protection measures have led to increasing numbers of South African children to be vulnerable to harm in relation to ICT use.²⁹

All of the participants in this study shared the opinion that technology is making children more vulnerable to CSECTT. Increasing smart phone use as opposed to cyber cafes was highlighted as a contributing factor, along with the increasing number of available Wi-Fi spots across the country.

Social media websites, such as Facebook, were mentioned by many respondents as something used by both offenders to attract children and by children eager to meet people, thus increasing their risk of being sexually exploited when making friendships with unknown persons who may be sexual offenders.

Most respondents—including from all sectors in the Western Cape and SAPS from the Eastern Cape and KwaZulu-Natal—reported that the internet has an important role in facilitating CSECTT by allowing access to children by traveller and tourist offenders as well as facilitators. Without being identified, pimps and intermediaries can easily and effectively ‘advertise’ children, while traveller and tourist offenders can obtain information online about where to go and how to access children. Additionally, they can also directly communicate with children on online platforms, avoiding the need to use an intermediary.

The majority of respondents across all sectors and provinces described children as often naïve and easily deceived, manipulated and groomed by offenders. Some of these offenders advertise and send e-mails with fake jobs (such as work for TV shows) to recruit children. A respondent from the private sector in Gauteng gave an example of a girl who travelled from the Eastern Cape to participate in auditions for a television show who was later sexually exploited.

Sexual offenders were also described by respondents as using the internet to lure children to meet them in unknown locations where the children are then abused. Children, especially teenagers, were described as often willing to chat and connect with anyone, even strangers, on Facebook and mobile phone applications, such as WhatsApp. A child protection sector respondent in KwaZulu-Natal shared a case of a 15-year-old who was nearly recruited into Boko Haram through a chatting channel. Another child protection respondent from Gauteng recounted that before cell phones were banned at their shelter, the staff learned that children were receiving presents from people on the streets.

Some respondents mentioned that offenders send children sexual media, such as pictures and videos, to lure or groom them. Other respondents, predominantly from the child protection sector, said that some children, in addition to being exposed to pornography on the internet, also create and share images and videos of other children and/or themselves online. This obviously makes children extremely vulnerable to offenders aiming to recruit minors to be sexually exploited.

Overall, corresponding with the findings of the ECPAT Germany report, the research respondents thought that increased exposure to ICT is undeniably increasing children’s vulnerability to CSEC.³⁰

29 The Film and Publications Board has recently published a draft policy on online regulation that aims to control online spaces, Available at: www.fpb.org.za/profile-fpb/legislation1/514-draft-online-regulation-policy-2014/file; This policy, while noble in intent, has been met with opposition and tagged as unrealistic. For more information on this regulation see: www.biznews.com/knowledge/2015/03/11/why-we-all-need-to-fight-film-and-publications-boards-online-regulation-policy/; 03www.sabc.co.za/news/a/54e60f804785cccba836ee42d945d4b0/FPB-drafts-'problematic'-online-regulation-policy-201504; www.politicsweb.co.za/opinion/overwhelming-opposition-to-fpbs-draft-online-regul (accessed 26 September 2015).

30 ECPAT Germany (2013), op. cit., p.16.

CHAPTER 4

CONCEPTS AND DEFINITIONS

This section presents an overview of the level of awareness and opinion of respondents in this study on services available to protect and assist victims, their perceptions on the strengths and weaknesses of current responses to reports of CSECTT and the role of the criminal justice system.

Table 6. Respondent perceptions on current services to protect and assist CSECTT victims

	EASTERN CAPE	GAUTENG	KWAZULU-NATAL	MPUMALANGA	WESTERN CAPE
Protection services	<p>GO/SAPS: NGOs, SAPS, Social and Workers</p> <p>CP: Government, NGOs, schools, CW organisations³¹</p> <p>TI: The Code, national legislation, NGOs</p>	<p>GO/SAPS: Safe Houses, health services/ Government, NGOs</p> <p>CP: NPOs, CWSA, DSD</p> <p>TI: unabridged birth certificate (UBC), NGOs, SAPS, The Code, TSI, Church, community</p>	<p>GO/SAPS: NGOs and Government</p> <p>CP: Government, NGOs, Police, Open Door Crisis Line, Childline</p> <p>TI: N/Q</p>	<p>GO/SAPS: NGOs and Government</p> <p>CP: CWSA, health services, social workers, SAPS and teachers</p> <p>TI: social workers, UBC, The Code, TSI, NGOs, SAPS, church, community</p>	<p>GO/SAPS: not assisted, Child Line SA & Pink Ladies/ Government and NGOs</p> <p>CP: SAPS</p> <p>TI: national legislation, police, UBC, The Code, SATSA, DSD, NGOs, TSI, SATSA, SAPS</p>
Supportive therapeutic social services for victims	<p>GO/SAPS: counselling by social workers NGOs</p> <p>CP: counselling by social workers</p> <p>TI: NGOs</p>	<p>GO/SAPS: NGO, health services/ counselling by social workers, NGOs, NPOs</p> <p>CP: NGOs, health services</p> <p>TI: N/Q³²</p>	<p>GO/SAPS: Social workers/ Government, NGOs</p> <p>CP: Government and NGOs, Childline counselling through toll free number</p> <p>TI: NGOs, Government, health services ;</p>	<p>GO/SAPS: Government and NGOs' social workers, health services</p> <p>CP: Government and NGOs' social workers, health services</p> <p>TI: counselling by social workers; Victim empowerment and social workers provide therapeutic services</p>	<p>GO/SAPS: Nothing I know of; don't know/ Government and NGOs</p> <p>CP: NGOs and Government</p> <p>TI: NGOs</p>

Note: GO/SAPS = government officials and South Africa Police Services; CP = child protection sector; TI = tourism industry sector.

PERCEPTIONS OF RESPONDENTS ON THE ACTUAL SERVICES TO PROTECT AND ASSIST VICTIMS

As illustrated in the 2013 ECPAT Germany report, over the past two decades, government, NGOs and tourism industry in South Africa have implemented several measures that contributed for a better children protection system in the country.³³

Government responses

In addition to existing mechanisms to protect children from CSECTT reported by ECPAT Germany in its 2013 report, the South African Government enacted Immigration Directive No. 11 of 2015 in June 2015.³⁴ This new legislation affects anyone wanting to travel from or to South Africa with a child younger than 18 years, parents who are travelling with their child but not their spouse and those who want to send their child on a trip accompanied by someone other than a parent or unaccompanied. It does not affect those travelling within South Africa. The ripple effect on visa requirements sees new biometric visa requirements in relation to travel to South Africa for countries without visa exemption. Visa applications for applicants from these countries now need to be made in person at relevant official locations in sending countries. Also, adults traveling with children need to carry unabridged birth certificates with them on journeys to and from South Africa.³⁵

Virtually all respondents demonstrated knowledge in relation to government responses to protect and assist victims of CSECTT. The most mentioned were:

- national legislation, with respondents from the tourism sector in Gauteng and the Western Cape

referring to the newly introduced immigration legislation and associated visa requirements; and

- public sector representatives in KwaZulu-Natal referred to legislative provisions, including the Children's Act and the Sexual Offences Act.

The vast majority of respondents, however, indicated knowledge of legislative provisions but did not specify the services offered.

SAPS ranked second in relation to identified services available regarding protecting children from CSECTT. Focus group discussion participants from the child protection sector in the Eastern and Western Cape considered SAPS to be a service capable of providing protection to victims. Justifications for this included:

- Children are able to report offences in police stations and could be provided with protection (such as safe houses) during the process through which offenders are prosecuted.
- SAPS can arrest sex offenders, subsequent to which they can be judged (if taken to court) and sentenced.
- SAPS can provide referrals for after-care psychological assistance.
- Trauma counselling provided by volunteers at police stations were mentioned by the Western Cape and Mpumalanga SAPS respondents along with educational programmes from government departments.

In Gauteng, SAPS was recognised as providing services on child protection but had no specific programmes for CSECTT victims, despite it being possible to call the police Child Protection and Sexual Offences Unit, which is mandated to fulfil an investigative function. KwaZulu-Natal SAPS respondents also referred the police hotline.

31 "Child Welfare South Africa is an umbrella body that represents more than 263 member organisations and outreach projects in communities throughout South Africa. Together with its members, it forms the largest non-profit, non-governmental organisation in the country, providing services in the fields of child protection; child protection and child and family care and development." More information available at: www.childwelfare.org.za/ (accessed 18 August 2015).

32 No question was included in the surveys about this issue.

33 Detailed information on all the relevant key responses to protect children from CSECTT in South Africa is given from page 20 to 28 in the ECPAT Germany (2013), *op. cit.*

34 Home Affairs Republic of South Africa (2015), "Immigration Directive No. 09 of 2015, new documents required for minors". Available at: www.southafrica.be/wp-content/uploads/2015/05/Immigration-Directive-No-09-of-2015-_1.pdf (accessed 15 September 2015).

35 See www.dha.gov.za/index.php/statements-speeches/646-statement-by-minister-gigaba-on-the-meeting-with-child-advocacy-groups-held-in-rosebank-on-02-july-2015 (accessed 13 October 2015).

Additional services mentioned:

- The Department of Social Development's counselling and therapy services provided by social workers and psychologists were recognised by respondents from the child protection sector across four provinces (with the exception of the Eastern Cape) and one police officer from Gauteng.
- Health services were mentioned by respondents from the child protection sector (both NGO and public sector) in Mpumalanga and in Gauteng as protecting and assisting children victims with health care interventions provided by local hospitals.
- A few respondents mentioned the following services: family reunification programmes; schools, in terms of education and awareness raising on CSECTT; victim-offender dialogue programmes by Crime Prevention and Victim Empowerment; and drug rehabilitation programmes.

NGO and UN responses

Childline South Africa

Childline South Africa is a national, non-profit organisation, headquartered in Durban, with offices in all of South Africa's nine provinces that aims to uphold the rights of all children and to respond appropriately in situations where children's rights are violated.

The Childline movement in South Africa was initiated in 1986 after paediatric staff at Addington Hospital in KwaZulu-Natal noted, with concern, the great number of children attending clinics or hospitalised with non-accidental injury. By that time, children have disclosed that they had no one to turn to or to report abuse and the need for a call centre

to which children could resort whenever they needed help was then obvious. In that same year, Childline KwaZulu-Natal was founded. Gauteng, the Eastern Cape and the Western Cape Childlines were established two years after, in 1988, followed in subsequent years by Childlines Free State, Northwest, Mpumalanga, Limpopo and the Northern Cape.

In 2003, the need for a coordinating and representative structure became clear and thus the Childline South Africa National Office was established in August of the same year in Durban. Among other functions, the National Office coordinates and supports the service delivery of the provincial offices to which calls to the toll-free telephone line (08000 55555) are directed.³⁶

The hotline is a 24-hour service that operates seven days a week, 365 days a year to people who have concerns about children. Childline has counsellors available to provide a variety of child protection services. Its decentralised service is able to provide suitable language services³⁷ and to dedicate attention to key needs in each province (health, welfare and social services and education). According to the latest Childline annual report, "It is often the first place children in need and adults who require assistance with children's issues, including those related with CSEC, turn to".³⁸

Its counsellors "are recruited, screened and trained to communicate with children and how to assist with a broad spectrum of challenges that impact on children's lives,"³⁹ providing counselling, information and support services to children and their families who are sometimes in urgent need of assistance.⁴⁰ The line has a strong preventive function,⁴¹ and cases can also be referred to other stakeholders, depending on a child's needs and the availability of services in a local area. Counsellors also facilitate a tracking process to ensure that cases are effectively managed.⁴²

36 *ibid.*, pp. 1 and 4.

37 Childline provides services in all eleven official languages, including English, isiZulu, isiXhosa, Sesotho, isiNdebele, Sipeedi, Tsetswana, Siswati, Tshvenda, Xitsonga, Afrikaans and also Portuguese.

38 Childline South Africa, "Annual General Report 2013/2014–2015 Calendar", p. 13.

39 ECPAT Germany (2013), *op. cit.*, p. 31.

40 Childline South Africa, "Annual General Report 2013/2014–2015 Calendar", p. 13.

41 ECPAT Germany (2013), *op. cit.* p. 31, illustrates, Childline counsellors' preventive role: "If a counsellor successfully counsels a child who is considering running away, their advice may also successfully prevent that child from entering a situation where they are at risk of CSEC. While child callers may not be in a position to clearly articulate the form of abuse or exploitation they are experiencing, operators are trained to recognise potential risks. For example, a child might explain that she is prevented from going to school by her 'uncle'. Through further discussion, the operator might learn that the child has been trafficked into the care of an unrelated adult who is sexually exploiting the child in exchange for a home, food and clothing."

42 Childline South Africa, "Annual General Report 2013/2014–2015 Calendar", p. 13; ECPAT Germany (2013), *op. cit.*, p. 31.

The toll-free crisis telephone counselling line receives calls relating to a variety of issues and problems, dealing with approximately 60,000–90,000 queries per month across all the provinces.⁴³

Despite efficiently handling their enormous call volume, Childline contends with the following challenges:

- Community members are sometimes afraid to give their details, and even though counsellors explain the ‘confidentiality’ clause and encourage them to make themselves available to the statutory social worker, they are fearful.
- There is often no feedback provided on referrals from statutory organizations.
- There is a lack of funding to open an additional line and lack of volunteer crisis counsellors to staff the line when others are on sick or annual leave.⁴⁴

In addition to responsibilities of coordinating all provincial affiliates and partners, the Childline National Office also runs an online counselling service, using MXit chat rooms, in response to the growing use of the internet and the increasing popularity of online communication, particularly by adolescents. Combining technology with assistance, the online counselling service complements the Childline crisis and counselling telephone service, extending the organisation’s reach to children and adults with speech and hearing disabilities.

Currently the online counselling service, operated from the Childline National Office in Durban, runs from 2 p.m. to 6 p.m. daily—and is available at no cost to South African youth younger than 21 years as well as adults with concerns about children. As with the hotline, it provides a safe and confidential medium, allowing

people to access counselling and information from trained counsellors on topics they might find difficult to discuss and works closely with all Childline provincial offices.⁴⁵

Volunteers trained on counselling, child law, child protection, HIV and AIDS provide a large component of the online counselling. Childline also trains health and social service professionals and SAPS officers and provides psychological support and skills development for community caregivers.

Childline also offers therapy for abused and traumatised children as well as court preparation for child witnesses who need to testify, many of them victims of sexual violence. In some cases, Childline is asked to interview a child on camera in a separate room, where questions are received from the magistrate, prosecutor and defence lawyers. Therapeutic services are one of the main focus areas of Childline, rendering treatment to children who have been sexually abused and in some cases also to their caregivers.

The National Office also the function of networking and collaborating with other organizations and professionals, acting as a referral source to the provincial Childline offices. Additionally, the organisation contributes—whether by research, clinical practice or otherwise—to the body of empirical knowledge on issues relating to prevention and treatment in the field of child abuse and providing support and coordination where appropriate to research in the provincial offices.

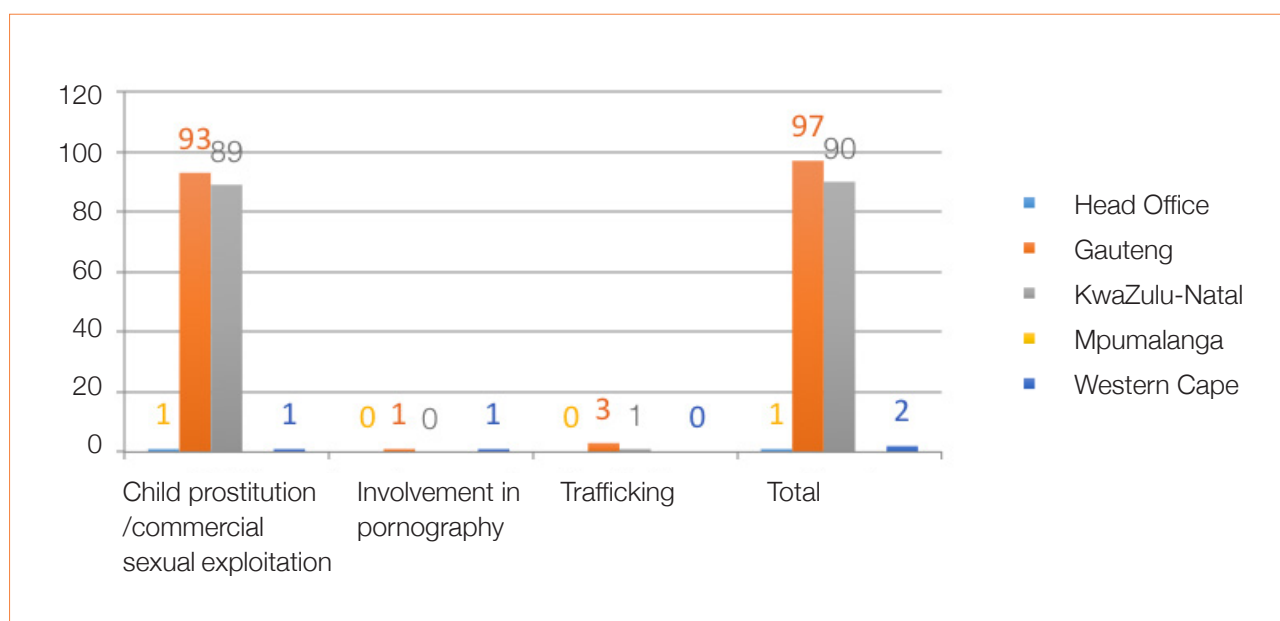
Finally, the National Office has also a strong advocacy role and lobbies actively with key decision makers from all spheres of government for a reinforced and more effective child protection system.

43 Childline South Africa, “Annual General Report 2013/2014–2015 Calendar”, p. 4.

44 *ibid.*, p. 14.

45 Childline SA, “Funding Proposal 2014”, p. 1; Childline SA “Annual General Report 2013/2014 - 2015 Calendar”, p. 6; Childline, “Online Counselling”. Available at: www.childlinesa.org.za/index.php/how-we-help/63-uncategorised/115-online-counselling (accessed 24 August 2015).

Figure 1. CSEC cases reported to Childline South Africa Crisis Line, 2014–2015



As mentioned previously, the Crisis Line does not have a separate category for CSECTT as a manifestation of CSEC. Thus, the statistics presented in Figure 1 are of reports received on child prostitution, child pornography and child trafficking for sexual purposes in four of the five provinces studied.⁴⁶

According to these figures, Gauteng and KwaZulu-Natal provinces received far more reports on the three manifestations of CSEC than other locations—a total of 97 and 90 annual calls, respectively. In contrast, the Western Cape received only two reports, and only one call was received in Mpumalanga Province.

In terms of reports received directly from children, the statistics collected from the 24-hour Crisis Line indicate that the majority of calls received during 2014–2015 were made from children aged 13–15 (9,000 calls), followed by children aged 10–12 (7,000) and children aged 16–18 (2,000). A total of 2,329 persons aged 16–18 years predominantly called in to the Crisis Line.⁴⁷

Subsequent to the review of statistical data collected from the 24-hour reporting hotline by the National Steering Committee⁴⁸ established to review findings of this study, the following considerations were noted:

- The marked divergence in the number of reports received may reflect awareness of Childline’s 24-hour hotline in the selected provinces. It is likely that the amount of cases reported in KwaZulu-Natal and Gauteng provinces might be explained by more successful awareness raising and/or outreach activities by Childline, coupled with better public awareness of the hotline service. Alternative reporting hotlines may be better known or preferred in other provinces.
- Social media platforms are increasingly used in the selected provinces to report offences. It may therefore be possible that recent trends indicating an increase in the use of social media reporting may be coupled with a parallel decrease in the 24-hour hotline reports received. Reporting mechanisms used (telephone versus online platforms) may also be influenced by the geographic location of individuals making the report (rural versus urban location). More research is required to look into these considerations.
- The Childline Crisis Line is in a challenging position when looking at CSECTT. It is the first point of call, and information gathered is currently limited. The call centre agent receives a call and directs the case to the appropriate handler. Currently,

46 There is no data from the Eastern Cape Childline office because the Crisis Line was not in place at the time of the study.

47 Childline South Africa, “Annual General Report – 2015 Calendar”, pp. 8 and 14.

48 The National Steering Committee comprised representation from Fair Trade Tourism, Childline South Africa, Molo Songololo, the Tourism Safety Initiative and the South African National Department of Tourism.

it is only at the 'handling' phase of the report (where follow-up consultations and investigations into the offence and next steps are put in place) that sufficient information is gathered that would allow, for example, identification of whether a case is CSECTT or not. It is for this reason that information was limited with regards to the attached Crisis Line statistics and, as such, the raw data reviewer was unable to obtain sufficient information on whether a case is CSECTT-related or not (based on supporting information provided against each report listed).

- Genuine (non-hoax) reports received by the Crisis Line can last up to 15 minutes. This is sufficient time, if the call centre staff member taking the call is trained, to determine whether the case is CSECTT-related and, if provided with appropriate questions in advance, necessary information to make this deduction can be obtained.

UNICEF Red Card Campaign

As part of its communication strategy, UNICEF developed a series of advocacy materials, such as posters, leaflets and electronic messaging, with the theme Give The Red Card. The objective was to:

- make children aware of risks of exploitation by adults;
- provide safety tips and advice to children and parents;
- inform tourists and visitors that child sexual exploitation and trafficking are against the law;
- make the public aware of child trafficking and how to prevent or act against it; and
- provide emergency numbers to report incidents of child sexual exploitation and abuse.

The Give The Red Card initiative originated in 2002 when UNICEF sister development organisation, the International Labour Organization (ILO), used the well-known football symbol of the 'red card' to raise awareness in preventing and eliminating child labour. It was also used during the 2006 World Cup in Germany, the African Cup of Nations in 2009 and the FIFA World Cup in South Africa in 2010.

Respondents' perceptions on responses

Although it is the government's responsibility for the criminal justice response, NGOs also have a crucial function across all levels of the child protection system in South Africa. According to ECPAT Germany, they are often responsible for activities that include "prevention (awareness campaigns), protection (reporting hotlines, counselling services, rescue processes) and recovery and rehabilitation (safe houses, victim support, welfare provisions support, child participation in court processes, reintegration services)."⁴⁹

Services provided by NGOs on the protection and assistance of victims from CSECTT, along with government services, were also mentioned by nearly all respondents. The most mentioned, across all the five provinces and sectors, was Childline, followed by Child Welfare South Africa. Others cited included Salvation Army Therapy at Strathyre⁵⁰ and Teddy Bear Clinic,⁵¹ which one respondent from the child protection sector and two participants from the public sector in Gauteng mentioned, with one government official also referring to safe houses and the services that children can access there, such as therapy from psychologists. In Mpumalanga, Love Life was recognised from respondents in all sectors for its awareness campaigns and counselling services, with the tourism sector also referring services provided by the Victim Empowerment Programme. Services offered by the Open Door Crisis Centre, along with safe houses and therapy provided by psychologists, was noted by a SAPS respondent in KwaZulu-Natal. In the Western Cape, the SAPS respondents pointed out the PATCH Child Abuse Centre in the Helderberg area, A21,⁵² Safe Havens and the 24-hour helplines. In the Eastern Cape, a SAPS respondent remarked that services vary "from location to location and in provinces. Gauteng or Western Cape has several of NGOs that assists, while in other provinces it is not in existence."

In short, most respondents recognised, in order of importance, counselling, therapy to victims and awareness programmes to be the available services from NGOs to protect and assist victims of CSECTT. Awareness projects organised by community and churches were also mentioned by a few respondents from the tourism and child protection sectors.

49 ECPAT Germany (2013), op. cit., p. 25.

50 Strathyre, one of the Salvation Army's child and youth care centres, is home to 50 girls aged 3–18, who come to us through the Children's Court after suffering varying degrees of abuse, neglect, poverty and/or abandonment. Available at: www.strathyre.co.za/#secondPage, (accessed 18 August 2015).

51 For more information, see: <http://ttbc.org.za/what-we-do/>

52 For more information, see: www.a21.org/content/change-in-south-africa/gjdpid?permcode=gjdpid

Tourism stakeholders' responses

Implementation of the Tourism Child Protection Code of Conduct in South African Travel and Tourism by Fair Trade Tourism

Fair Trade Tourism (FTT) is a leading southern African non-profit company registered in South Africa that works broadly in the field of regional sustainable tourism development. FTT engages in awareness raising, capacity building, research and advocacy. In addition, FTT operates a ground-breaking responsible tourism certification scheme that helps enterprises, including community-owned ventures, to meet required national and international standards in relation to business compliance and sustainable operations. It also helps them to optimise the environmental, social and economic impacts of tourism and facilitates improved access to domestic and international tourism markets. The Tourism Child Protection Code of Conduct is an international industry-driven initiative with a mission to provide awareness, tools and support to the tourism industry to prevent CSECTT. The goal of the Code is to work with travel and tourism companies to combat CSECTT.

As southern Africa's leading responsible tourism non-profit organisation and the officially appointed Local Code Representative for South Africa, FTT has been mandated by local and international stakeholders to drive the Code's implementation in South Africa. Against this backdrop and with support from the tourism private sector, public sector and civil society, FTT has been using a collaborative approach to raise awareness on the imperative to combat CSECTT in South Africa. The Code has been used as one mechanism for awareness raising and capacity building.

During 2014–2015, FTT made significant strides in securing commitment of leading South African tourism associations to raising awareness of the imperative to mobilise the travel and tourism industry to proactively combat CSECTT among their respective members.

Tourism Safety Initiative

The Tourism Business Council of South Africa (TBCSA)⁵³ is a member-based organisation consisting of tourism associations as well as leading businesses operating in the travel and tourism sector. It is an umbrella body for leading tourism associations in South Africa. TBCSA seeks to ensure that the industry is unified and speaks with one voice when engaging relevant stakeholders on macroeconomic issues affecting the sector.

The Tourism Safety Initiative (TSI)⁵⁴ is an established project of the TBCSA. It serves as a tourism safety information portal and trade support programme for the travel and tourism industry. It is a private sector initiative and a vehicle through which TBCSA aims to address safety and security challenges affecting the South African travel and tourism industry. The main objectives of the TSI are to empower business to prevent and manage issues of safety and security, to apply pressure on government and law enforcement agencies to address crime in the tourism industry and to provide a national safety advisory and support service for tourists.

TSI has two main focal areas:

- **Preventative measures:** Use of statistical data and reports to inform the travel and tourism industry of identified risks and trends, with the objective of preventing potential crimes from occurring.
- **Reactive measures:** This relates to crisis management in response to reports received from the travel and tourism industry on a case-by-case basis.

TSI currently does not have a 24/7 hotline for receiving reports and thus is only available during business hours. It is working to establish a reporting hotline during 2016. TSI staff indicated that they preferred to have the Childline 24/7 Crisis Line communicated to the travel and tourism industry for reporting of CSECTT

53 See: www.tbcsa.travel/about-tbcsa (accessed 14 October 2015).

54 See: www.tourismsafety.co.za (accessed 14 October 2015).

cases on the basis that Childline is better equipped and positioned to handle reports of this nature. In addition to the TSI reporting hotline, an incident reporting website was recently launched. The hotline aims to increase the flow of information in relation to crimes committed in the tourism sector, including those related with CSEC.

While research respondents from all sectors mentioned government and NGO services to protect and assist CSECTT victims, only respondents from the tourism sector recognised the current protection role of tourism organisations. This may be attributed to the insufficiently addressed imperative to improve communication and coordination between relevant tourism industry and child protection stakeholders to improve the impact of awareness-raising and capacity-building interventions to combat CSECTT in South African travel and tourism. Tourism and travel sector respondents identified The Code and TSI as two measures that have been put in place to protect children from CSEC in the tourism and travel sector.

The majority of the interviewees, however, demonstrated limited knowledge about TSI when questioned further on the themes and key findings emerging from reports made to the TSI database; concrete steps that should be taken to ensure that TSI can effectively handle CSECTT reports; or what additional tools and training are required. Only one of the seven respondents expressed the need for ongoing training and the importance of maintaining contact with people who deal with CSECTT nationwide.⁵⁵ Other interviewees recommended that the tourism industry would benefit from more awareness on TSI initiatives. This may indicate that the tourism industry is open to improving efforts on child protection, and thus raising awareness within the sector is critical.

The study interviews clearly indicated that awareness-raising with all stakeholders is needed. For example, half of the government officials interviewed in the Western Cape did not recognise any services to protect or assist CSECTT victims. This may reflect either lack of awareness of services or that specific services are in fact not available or functioning. For example, a child protection sector respondent in the Eastern Cape did not know of any services, saying that they are not “advertised or talked about a lot, so we really don’t know”.

South African law mandates reporting of all forms of child sexual exploitation. Yet, respondents were generally unable to identify appropriate reporting hotlines. This indicates a detrimental gap in relation to reporting capacity. Services identified included the SAPS Crime Stop hotline, the Childline Crisis Line and the IOM toll-free hotlines (noting IOM is known as a line for reporting child trafficking). In KwaZulu-Natal, four respondents from the tourism sector mentioned LifeLine.

Upon review of child protection and tourism sector responses, it is clear that the Childline 24/7 reporting hotline is the most well-known among respondents, receiving more than one million calls each year for a range of issues relating to children. Reporting categories currently do not allow for identification of CSECTT cases, as noted. Also, the majority of calls received by Childline are from children, highlighting a need to raise community awareness on the availability of this hotline to encourage adults to report CSEC cases. The majority of respondents demonstrated a general lack of awareness of appropriate hotlines, particularly in the Eastern Cape, Mpumalanga and to a degree in Gauteng.

55 Respondent was from the Western Cape.

PERCEPTION OF THE STRENGTHS AND WEAKNESSES OF CURRENT RESPONSES TO REPORTS ON CSECTT CASES

The majority of respondents were unable to identify many strengths in relation to current responses to reports of CSECTT.⁵⁶ The few strengths identified were mostly contradictory. For instance, some respondents stated that services to report cases are available to anyone, including children, while others indicated a general lack of awareness of reporting mechanisms among the general public. Child protection organisation respondents stated that they were reporting cases and receiving support from stakeholders, but they also highlighted the challenge of inefficient collaboration to respond to CSECTT cases. Respondents noted the availability of professionals to assist with reported cases while also flagging concerns about the limited resources within institutions to enable action to be taken.

Lack of resources to provide adequate services was the weakness most frequently recognised and was identified by respondents from all five provinces studied, particularly from the public sector. Inefficiencies in the justice system were also noted as a challenge by stakeholders from the child protection and public sectors in all five provinces.

Respondents from all sectors, apart from child protection, mentioned lack of awareness of CSECTT as a weakness. Respondents from the child protection section highlighted lack of reporting as a significant challenge. Respondents from the public and tourism sectors noted that to improve responses on CSECTT cases, more awareness is needed on this specific manifestation of CSEC. Finally, respondents from multiple sectors and provinces identified lack of training for stakeholders as a challenge.

Table 7 provides a summary of the weaknesses in relation to current responses to reports of CSECTT

Table 7. Summary of the weaknesses in relation to current responses to reports of CSECTT

WEAKNESS		
1	Lack of resources	Insufficient workforce for the volume of cases—cases without feedback. Insufficient state resources to deliver child protection services. Absence of structures to deliver effective services to victims (secure care). Absence of proper rehabilitation services for CSEC victims. Absence of specialized units to deal with cases of CSECTT.
2	Inefficient justice system	Ineffective state policies resulting in poor implementation by stakeholders. CSEC cases not always given continuity. Many offenders are not prosecuted due to corruption from public officials. Lack of regular police raids.
3	Lack of awareness of CSEC	Insufficient recognition of the complexities and difficulties of dealing with CSEC by the relevant stakeholders. Lack of awareness among the general public with regard to the manifestations of CSEC and how to report cases.
4	Lack of reporting	General unawareness of the available reporting systems. Manipulation of victims to prevent them from reporting by offenders. Inadequate referral of cases from service providers and incorrect recording.
5	Lack of training	Insufficient training for nurses, social workers, teachers and tourism stakeholders. Recognised lack of training of police officers to differentiate CSEC cases, treat cases as urgent (SAPS are slow to respond) and on awareness of procedures for providing services to CSEC victims.

⁵⁶ As already mentioned in the limitations section of this report, responses from the tourism sector participants are scarce due to a bad formulation of the question on this topic.

Overall, the respondents substantiated the 2013 ECPAT Germany report findings on the “need for funds and other resources to be allocated to implement existing legislation” in order to allow for the effective protection of victims. The “need to clarify roles and responsibilities between stakeholders and promote inter-sector working together” was also highlighted as well as a need for training stakeholders on legislation and on CSECTT as a manifestation of CSEC. The need for greater accountability of role-players and “more diligent enforcement” of the law were also highlighted.⁵⁷

Corruption in SAPS was mentioned by all participants, including representatives from SAPS. A police officer respondent, for example, disclosed that some policemen, when responding to CSEC crimes, use the victims for sex instead of enforcing the law. Many mentioned their involvement with CSECTT facilitators/sexual offenders, noting that police accept bribes in exchange for not reporting crimes. This was also supported by the ECPAT Germany report, which noted the National Human Rights Committee suggestion that “corrupt police also help perpetrators to ‘squash cases’ thereby ensuring that these dangerous people continue defiling children in families and communities”.⁵⁸ These practices contribute to the general perception of respondents that the judicial system in South Africa is not effective or credible, as described in Table 8.

CRIMINAL JUSTICE RESPONSE IN PREVENTING AND RESPONDING TO CSECTT CASES

South Africa has progressive laws and policies in place to protect children, and this was recognised by the research respondents. Nonetheless, as already reported by ECPAT Germany and verified by this study, implementation of these legal frameworks remains a significant challenge.⁵⁹

Although the research respondents acknowledged the importance of the criminal justice system in preventing and responding to cases of CSECTT, virtually all respondents were of the opinion that the system is failing to fulfil its role. A respondent from the tourism sector in the Western Cape remarked: “Government has strict rules and regulations, as well as a policy in place to prevent this, but execution of the laws and prosecution of perpetrators does not have a high priority. I don’t think better laws are needed, I think better execution of existing laws is needed.” Table 8 summarises participants’ criticisms of the South African criminal justice system.

57 ECPAT Germany (2013), op. cit., p. 24.

58 *ibid.*

59 *ibid.*, p. 23.

Table 8. Challenges in relation to the criminal justice system, according to respondents

	EASTERN CAPE	GAUTENG	KWAZULU-NATAL	MPUMALANGA	WESTERN CAPE
Child protection	Prosecution Testimony of child	Prosecution Testimony of child	Implementation of the law	Prosecution Testimony of child	Prosecution
Government	Slowness of judicial processes Light sentences	Prosecution Testimony of child	Prosecution Testimony of child	Light sentences Prosecution	Prosecution Implementation of the law
SAPS	Discredited judicial system	Prosecution Discredited judicial system (SAP involvement)	Light sentences Prosecution	Light sentences Prosecution	Light sentences Prosecution Nothing!
Tourism industry	Don't know	-----	Police to do their job. Light sentences Protection for witnesses	Light sentences	Play a role investigating the crime

Overall, respondents were of the opinion that effective law enforcement in South Africa is critical to addressing CSECTT. Most think that CSECTT cases are underreported, that few cases reach the court and, in the rare instances that cases do result in convictions, the sentences issued are not harsh. As highlighted in 2013 research conducted by the Helen Suzman Foundation: “Conviction rates need to be improved, prosecution needs to be stream-lined, and sentencing should be dispensed appropriately.”⁶⁰

Table 9 provides an overview of the available statistics—child pornography only—on cases of sexual offences reported to SAPS in the five provinces of this study. As already noted, statistics provided on CSEC cases reported to SAPS are only disaggregated by child pornography and child prostitution, grouping other crimes of CSEC under the broad category of sexual offence crimes.

60 *ibid.*, p. 24.

Table 9. Number of child pornography cases reported to SAPS, referred to court and resulting in conviction, 2013–2014

	REPORTED CHILD PORNOGRAPHY CASE	CHILD PORNOGRAPHY CASE REFERRED TO COURT	CHILD PORNOGRAPHY CASE RESULTING IN CONVICTION
Eastern Cape	6	1	0
Gauteng	18	7	2
KwaZulu-Natal	9	8	5
Mpumalanga	4	3	0
Western Cape	12	7	2
TOTAL	49	26	9

Source: *National South African Police Statistics, 2014.*

Despite the limitations of this data, the data illustrate and corroborate research respondents' opinions on the discrepancy between the number of cases reported and the number that result in conviction, contributing to respondents' view of an ineffective judicial system with many child sexual offenders remaining unpunished.

The lack of prosecution of CSECTT cases, which was respondents' primary criticism of the criminal justice system, is attributed to the corruption of some officials as well as refusal of victims to testify. Respondents reported that many children think that they are to blame and are scared to talk in court. Some fear that if they do testify, "they will be killed" and therefore refuse to testify. CSEC victims often suffer several physical and psychological harm, resulting in loss of self-esteem, and they "often feel humiliation, guilt and sadness, and may develop problems with verbal and written communication".⁶¹ Sexual offenders frequently expose children to substance abuse, which can affect their memory. Furthermore, the act of testimony requires

the child to identify themselves as a victim, which is a common argument for not legally processing cases of CSEC.

The legal system places the responsibility on the child or their family to report the crime—not on the legal institutions that should be responsible for investigating cases and holding offenders accountable. As previously mentioned, sometimes Childline is asked to interview a child that needs to testify on camera in a separate room, in response to questions from the magistrate, prosecutor and defence lawyers.

As suggested by one respondent, this could help set "an example for people that come to South Africa and think that the law is as lenient as the past has shown". According to the 2013 ECPAT Germany report, "the light sentences handed to child sex offenders highlights deficiencies in the South African judicial system, such as lack of awareness, training and resources to properly deal with CSEC cases."⁶²

61 International Labour Organisation (2008), "Commercial sexual exploitation of children and adolescents. The ILO's response", p. 2. Available at: www.ilo.org/global/docs/WCMS_100740/lang--en/index.htm (accessed 26 September 2015).

62 ECPAT Germany (2013), *op. cit.*, 24.

CHAPTER 5

CONCLUSION

Table 10 outlines the main conclusions of this study.

Table 10. Main research conclusions

CONCLUSION		
1	Research limitations	<p>Key research limitations should be taken into account when considering research findings, including:</p> <ul style="list-style-type: none"> (i) There is limited quantitative data available on the extent of CSECTT in South Africa. (ii) Information collected through surveys, interviews and focus groups was largely perception-based. The information collected could have been biased and/or based on respondents' impressions and/or beliefs as opposed to factual data and/or experiences. (iii) Data provided by Childline South Africa was limited and insufficient to conduct a critical analysis of reports on CSEC reports received by the Childline 24/7 hotline. Even less data was available from Childline regarding CSECTT because this manifestation is not a category in relation to Childline's data-capturing system.
2	Identifying CSECTT	All respondents to the study considered CSECTT to be an issue in South Africa. However, a considerable number of respondents misunderstood the concept, conflating CSECTT with trafficking of children for sexual purposes.
3	Identifying victims	<p>Although it was noted that boys are also sexually exploited by both men and women, victims were perceived to be primarily girls from poor and/or single-parent families or orphaned.</p> <p>Additional risk factors included: prior history of abuse; low levels of education; poor parental relationships; limited parental supervision and abandonment. Mention was also made of children being forced into marriage or being sent away by their parents to live with relatives. Children with limited parental supervision were also cited as vulnerable.</p>
4	How children get involved	Use of internet, social media and/or other forums or situations in which victims are persuaded and misled by sexual offenders.
5	Identifying the offenders	Travellers, tourists and facilitators. Pimps were mostly considered to be people a child knows and trusts. Intermediaries were usually people working within the tourism industry and police officers. Significant reference was made to highly integrated and complex networks of intermediaries involving both nationals and foreigners operating within and outside of South Africa.
6	Role of technology in CSECTT	The expansion of ICT, combined with increased popularity and accessibility of the internet, 3G mobile networks and the general lack of online child protection measures have caused increasing numbers of South African children to be vulnerable to harm in relation to ICT use.
7	Responses to CSECTT	All respondents demonstrated awareness of national legislation as a measure to protect children from CSECTT. The Code, SAPS and NGOs, such as Childline, were singled out in several responses. The imperative for better implementation of existing legislative provisions was stressed. Social services, SAPS, NGOs and their counselling and legal services provided by social workers were the most cited services to assist CSECTT victims.

CHAPTER 6

RECOMMENDATIONS

The following recommendations are suggested when considering how to approach the problem of CSECTT.

Table 11. Recommendations

RECOMMENDATION		
1.	Develop a risk factor document	A short and succinct 'risk factors' document should be established, based on research findings and existing information that can be used as a preventive measure for awareness-raising and capacity-building interventions for all stakeholder groups (public and private sector and civil society, including TSI and Childline 24/7 hotline call centre agents).
2.	Raise awareness among children of the dangers of ICT	Establish and roll out awareness-raising campaigns that engage children and build their capacity to protect themselves from CSECTT when using ICT, including social media platforms.
3.	Improve communication and collaboration between child protection and tourism sectors	A collaborative approach should be taken to enhance or improve collaboration between the child protection and tourism sectors, with the overall objective of enhancing capacity to combat CSECTT.
4.	Build capacity of Childline's 24/7 hotline to identify CSECTT cases	<p>A collaborative approach should be undertaken that includes Childline, TSI and FTT to develop and incorporate an additional reporting category for CSECTT cases, encompassing various forms of CSEC in travel and tourism, including child sex tourism, child prostitution, child trafficking, child pornography and early marriage. This will support generation of essential CSECTT-specific data.</p> <p>Once a sufficient sample of statistics (over a 12-month period) has been collected:</p> <p>Follow-up research may be conducted to analyse Childline's capacity to appropriately follow up on and handle reported cases.</p> <p>Follow up research on engagement and collaboration between Childline and SAPS can be conducted.</p> <p>Follow-up research to establish new information on victims and offender profile is recommended, based on the Childline reports received and processed.</p> <p>Develop case studies to analyse more precisely what is needed and how reporting and the handling of cases can work. The case studies should also to show evidence that CSEC exists in South Africa and that there are links with the tourism industry. This will demonstrably establish the tourism private sector as a critical stakeholder in prevention but also in reporting and obtaining convictions of offenders.</p>
5.	Build capacity of TSI to adequately identify and refer CSECTT cases to Childline	A collaborative approach should be undertaken to build the capacity of TSI to appropriately handle and refer CSECTT cases to Childline.

RECOMMENDATION

6.	Increase awareness of Childline's Crisis Line among travel and tourism stakeholders	A collaborative effort should be undertaken involving TSI, Childline, Molo Songololo and FTT to raise awareness of Childline's 24/7 hotline as THE hotline to be used by tourism industry stakeholders and community members to report suspected CSECTT cases.
7.	Awareness raising and capacity building of the tourism and child protection sectors on CSECTT in tourism	Awareness raising and capacity building on CSECTT should be facilitated for key stakeholder groups, including the tourism private sector and the child protection sector.
8.	Enforcement of harsher penalties for CSECTT offences	Advocacy efforts are required to support the establishment of harsher penalties for CSECTT offenders.
9.	Review functionality of existing reporting mechanisms to inform the development of new functionalities and reporting mechanisms for CSECTT	Research has highlighted clear and available data on child pornography. There seems to be functional reporting, referrals and convictions for child pornography. Research could be conducted to identify why and how the system functions in order to inform the development of reporting and referral mechanisms for CSECTT.

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ANNEX I

Semi structured interview research questions: Child protection, government officials, South African Police Services

The objective of this study is to collect as much information as possible about the dynamics and manifestations of the sexual exploitation of children in travel and tourism in South Africa.

QUESTION GUIDE

1. Is commercial sexual exploitation of children in travel and tourism an issue in the country? If so, where/in which contexts? Which children are victims of commercial sexual exploitation?
 - a. What factors cause them to be especially vulnerable? (Probe: gender, age, class, level of education, family size, relationships with parents/caregivers, etc.).
 - b. How do they get involved?
2. Which children are victims of CST? What factors render them especially vulnerable? How do they get involved?
3. Who is organising and exploiting the victims of CST?
4. Who are the offenders?
 - a. Are offenders from other countries and if so, where?
 - b. Are offenders from this country? If so, in what contexts are they exploiting children?
 - c. Who is else is involved?
5. What role, if any, does modern technology such as the internet, particularly social media, play?
 - a. Do people under 18 use internet cafes in this area?
 - b. If so, what do they use them for?
 - c. How has this changed in recent years?
 - d. What role, if any, do mobile phones play in the sexual exploitation of children for travel and tourism?
6. What services are available to protect children from CST in the country? Who provides these? What services are available to assist child victims of CST?
7. What types of supportive therapeutic social services are available for CSEC victims? Who provides these services?
8. What are the strengths and weaknesses of the current responses to reports of CSEC/CST?
9. What concrete improvements are required to improve the quality and effectiveness of these services?
10. What role does the criminal justice system and other actors play in preventing and responding to CST cases?
11. From your perspective, what is a best way to combat CST in South Africa? Do you have any other recommendations for strengthening the protection of children from commercial sexual exploitation of children in travel and tourism?
12. Is there anyone else you would recommend that we speak with to learn more about this issue?

ANNEX II

Semi-structured interview research questions tourism industry

QUESTION GUIDE

1. Is commercial sexual exploitation of children in travel and tourism an issue in the country? If so, where/in which contexts? Is this an issue in your province? Which children are victims of commercial sexual exploitation?
 - a. What factors cause them to be especially vulnerable? (Probe: gender, age, class, level of education, family size, relationships with parents/caregivers, etc.).
 - b. How do they get involved?
2. Which children are victims of CST? What factors render them especially vulnerable? How do they get involved?
3. Who is organising and exploiting the victims of CST?
4. Who are the offenders?
 - a. Are offenders from other countries and if so, where?
 - b. Are offenders from this country? If so, in what contexts are they exploiting children?
 - c. Who else is involved?
5. What role, if any, does modern technology such as the internet, particularly social media, play?
 - a. Do people under 18 use internet cafes in this area?
 - b. How has this changed in recent years?
 - c. What role, if any, do mobile phones play in the sexual exploitation of children for travel and tourism?
6. What types of supportive therapeutic social services are available for CSEC victims? Who provides these services?
7. What are the strengths and weaknesses of the current responses to reports of CSEC/CST?
8. What concrete improvements are required to improve the quality and effectiveness of these services?
9. What role does the criminal justice system and other actors play in preventing and responding to CST cases?
10. What themes and key findings emerge from reports made to the Tourism Safety Initiative database?
11. What concrete steps should be taken to ensure that the Tourism Safety Initiative (TSI) can effectively handle CSEC/CST reports? What tools and training are required by TSI?
12. From your perspective, what is a best way to combat CST in South Africa? Do you have any other recommendations for strengthening the protection of children from commercial sexual exploitation of children in travel and tourism?
13. Is there anyone else you would recommend that we speak with to learn more about this issue?

ANNEX III

Focus group discussion: Tourism industry

QUESTION GUIDE

1. Is commercial sexual exploitation of children in travel and tourism an issue in the country? If so, where/in which contexts?
2. Which children are victims of CST? What factors render them especially vulnerable? How do they get involved?
3. What factors cause children to be especially vulnerable? (Probe: gender, age, class, level of education, family size, relationships with parents/caregivers, etc.).
4. How do they get involved?
5. Who is organising and exploiting the victims of CST?
6. Who are the offenders?
 - a. Are offenders from other countries and if so, where?
 - b. Are offenders from this country? If so, in what contexts are they exploiting children?
 - c. Who is else is involved?
7. What role, if any, does modern technology such as the internet, particularly social media, play in the exploitation of children?
 - a. Do people under 18 use internet cafes in this area?
 - b. If so, what do they use them for?
 - c. How has this changed in recent years?
 - d. What role, if any, do mobile phones play in the sexual exploitation of children for travel and tourism?
8. What services are available to protect children from CST in the country? Who provides these? What services are available to assist child victims of CST?
9. What are the strengths and weaknesses of the current responses to reports of CSEC/CST?
10. What concrete improvements are required to improve the quality and effectiveness of these services?
11. What role does the criminal justice system and other actors play in preventing and responding to CST cases?
12. What concrete steps should be taken to ensure that the Tourism Safety Initiative (TSI) can effectively handle CSEC/CST reports? What tools and training are required by TSI?
13. From your perspective, what is a best way to combat CST in South Africa?
14. Do you have any other comments or suggestions in relation to CST in South Africa?
15. Is there anyone you would recommend that we speak with to learn more about this issue?

ANNEX IV

Quantitative Online Survey for Adults Who Work in the Tourist Industry, Government Officials, Police and Child Protection Service Providers

QUESTION GUIDE

1. Is commercial sexual exploitation of children in travel and tourism an issue in the country?
2. Which children are victims of CST? What factors render them especially vulnerable? How do they get involved?
3. Who are the offenders?
 - a. Are offenders from other countries and if so, where?
 - b. Are offenders from this country? If so, in what contexts are they exploiting children?
 - c. Who else is involved?
4. What role, if any, does modern technology such as the internet, particularly social media, play?
 - a. What role, if any, do mobile phones play in the sexual exploitation of children for travel and tourism?
5. What types of supportive therapeutic social services are available for CSEC victims? Who provides these services?
6. What services are available to protect children from CST in the country? Who provides these? What services are available to assist child victims of CST?
7. What are the strengths and weaknesses of the current responses to reports of CSEC/CST?
8. What concrete improvements are required to improve the quality and effectiveness of these services?
9. What role does the criminal justice system and other actors play in preventing and responding to CST cases?
10. Do you have any other recommendations for strengthening the protection of children from commercial sexual exploitation of children in travel and tourism in your country?

ANNEX V

Participant Consent Form for Adults

I, _____ hereby agree to participate in the research conducted by Childline South Africa and Fair Trade Tourism entitled Commercial Sexual Exploitation of Children in Travel & Tourism in South Africa.

I have received a briefing on the project and understand the purposes and methods of the research. I have been given the opportunity to ask any questions regarding the project before consenting to it.

I agree to participate in an interview/ focus group discussion with the researcher.

I understand that the nature of this interview/ focus group discussion is confidential between me, the researcher and other participants, where necessary. Therefore, I understand that my identity will be protected and not made public without my prior consent in writing. I also understand that this consent form, with my name and signature on it, will be kept confidential and will not be used to divulge my identity.

I reserve the right to withdraw from the project at any stage and I reserve the right not to answer any questions without giving reasons for doing so.

I understand that I will not receive any form of payment or other direct benefit from my participation in this project.

I have been provided with the contact details of the Project Coordinator and the Principal Researcher at Childline South Africa in the event that I wish to lodge a complaint or raise any other matter related to the way in which the research is conducted. I understand that should I lodge a complaint, this will hold no negative consequences for me.

Name (print)

Signature

_____ 2015
Date

If you would like further information about this project, you may contact the project coordinator at Childline South Africa:

*Kudzai Muhwati
031 201 2059
Email: programmemanager@childlinesa.org.za*

ANNEX VI

Participant Information Form – Adults *(Research participant to receive copy)*

1. The purpose of this interview is to gather information on the commercial exploitation of children in travel and tourism in South Africa.
2. The interview is part of research being done by Childline South Africa and Fair Trade Tourism.
3. Our aim with the research is to document the current situation of commercial sexual exploitation of children in South Africa, and to make useful recommendations to improve laws, policies and implementation of these where we identify gaps.
4. The research project is being sponsored by Fair Trade Tourism.
5. The information you give will remain confidential. Your name will not be on the interview form, and when we write up the report, we will do it in a way that will protect your anonymity and privacy and that of your organization and clients.
6. You may refuse to participate in the interview, and you may also stop the interview at any time if you wish to do so. You may choose not to answer specific questions, without having to give any reasons.
7. If you have any questions about the research or the information you are being asked to provide, you may ask the interviewer for clarification at any time during the interview.
8. Should you be a participant in a focus group discussion, please note that the information shared in such discussion should remain privileged and may not be mentioned outside of this meeting room.
9. Childline South Africa and Fair Trade Tourism are not in any way connected to the national government of South Africa.
10. The information that you give in this interview will be included in a research report that will be submitted to decision-makers and international stakeholders.
11. The questions you will be asked refer to your knowledge and experiences of the commercial sexual exploitation of children in South Africa. You do not have to speak about any personal experiences relating to any incidents that you may have been a participant in or victim of unless you choose to do so.
12. If you agree to go ahead, we will ask you to write your name on and sign a consent form. Once you have done this, the consent form will be locked away in order not to divulge your identity. We will give you a copy of this consent form.

If you would like further information about this project, you may contact the project coordinator, Kudzai Muhwati, as follows:

*Childline South Africa
24 Stephen Dlamini Road
Musgrave, Durban
Tel: +27 31 201 2059 (W), +27 865110032 (F)
Email: programmamanager@childlinesa.org.za*

If you think that you have been harmed in any way by participating in this study, please contact:

*Lorenzo Wakefield
Principal Researcher
Tel: (078) 2222 144
Email: Lorenzo@apcof.org.za ink*

ANNEX VII

TERMINOLOGY

While there is little consensus regarding the terms to describe different aspects of CSECTT, despite general agreement on the eradication of this crime, it is better to clarify concepts adopted to achieve a shared understanding of the phenomenon. The terms used in this study combine both international and South African definitions and are described in this annex. A brief discussion on how some of these concepts have evolved is important for the purpose of this research and also introduced here.

CHILD

The South African Children's Act 38 of 2005⁶³ (SA Children's Act) defines a child as a person younger than 18. This is in line with the United Nations Convention on the Rights of the Child (CRC)⁶⁴ and the African Charter on the Rights and Welfare of the Child,⁶⁵ ratified by South Africa in 1995 and 2000, respectively. As defined in the South African Criminal Law Amendment (Sexual Offences and Related Matters) Act 32 of 2007,⁶⁶ the minimum age of sexual consent is 16 years.

Throughout this report, the terms 'child' and 'children' are used regardless of the age or sex. The terms 'teenager', 'girl' and 'boy' will apply when they are in the empirical data or literature.

COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN

At the First World Congress against CSEC in Stockholm in 1996, the term CSEC was defined by the Declaration and Agenda for Action as:

"A fundamental violation of children's rights. It comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery."⁶⁷

ECPAT International defines the primary interrelated forms of commercial sexual exploitation of children as: child prostitution, child pornography and trafficking of children for sexual purposes,⁶⁸ with other forms including child sex tourism and in some cases, child marriage.⁶⁹

63 Republic of South Africa (2006), The Children's Act, Act No. 38 of 2005, section 1, 19 June 2006, Cape Town, South Africa. Available at: www.justice.gov.za/legislation/acts/2005-038%20childrensact.pdf (accessed 21 August 2015)

64 UN (1989), Convention on the Rights of the Child. Available at: www.ohchr.org/en/professionalinterest/pages/crc.aspx (accessed 21 August 2015).

65 The African Charter on the Rights and Welfare of the Child (1990). Available at: <http://acerwc.org/?wpdmdl=8410> (accessed 21 August 2015).

66 Republic of South Africa (2007), Criminal Law (sexual offences and related matters), Amendment Act, No 32. Available at: www.saps.gov.za/resource_centre/acts/downloads/sexual_offences/sexual_offences_act32_2007_eng.pdf (accessed 21 August 2015).

67 First World Congress against Commercial Sexual Exploitation of Children, Declaration and Agenda for Action, (Stockholm. 27-31 August 1996), Article 5.

68 The SA Children's Act also recognises, in the section 1, these three primary forms of CSEC in its definition. However, the definition of Sexual Exploitation of Children in the Sexual Offences Act 32 of 2007, section 17, goes far beyond providing a more detailed overview of what can be constituted as a crime. For more information, see: www.saps.gov.za/resource_centre/acts/downloads/sexual_offences/sexual_offences_act32_2007_eng.pdf (accessed 21 August 2015).

69 ECPAT International (2008), Questions and Answers about the Commercial Exploitation of Children. Available at: www.ecpat.net/sites/default/files/faq_eng_2008.pdf (accessed 23 August 2015).

CHILD PROSTITUTION

According to the International Labour Organisation, child prostitution involves “the use of a child in sexual activities for remuneration or any other form of consideration”.⁷⁰ A more complete definition is provided by ECPAT International as follows:

“The prostitution of children occurs when someone benefits from a commercial transaction in which a child is made available for sexual purposes. Children may be controlled by an intermediary who manages or oversees the transaction, or by a sex exploiter, who negotiates directly with the child. Child prostitution may occur in many different locations, such as brothels, bars, clubs, homes, hotels or on the street.”⁷¹

In South Africa, the term prostitution is not applied to children. The Sexual Offences Act 32 (2007) rather uses the term victims of sexual exploitation. Taking in consideration South African legislation, along with the assumption that a child can never give consent to be sexually exploited, the use of the term ‘sexual exploitation of children in prostitution’ will be preferred to ‘prostitution of children’ or ‘child prostitution’, unless otherwise stated in empirical data or literature.

CHILD PORNOGRAPHY

As specified in the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Pornography,⁷² child pornography involves “any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes” (Article 2(c), 2002).

In South Africa, the Films and Publications Act 65 of 1996⁷³ is incorporated in the abovementioned Sexual Offences Act who states that a person who unlawfully and intentionally, whether for its own sexual gratification or of a third person or not, exposes or displays or causes the exposure or display of child pornography to a complainant 18 years or older, with or without consent, is guilty of the offence of exposing or displaying or causing the exposure or display of child pornography to a person 18 years or older.

As with other terms, child rights advocates are continually reflecting on the most appropriate terminology to describe what is commonly referred to as child pornography. The use of term **child abuse images**, as opposed to child pornography, is gaining traction as it is seen to more accurately describe the phenomenon. This term is explicit about the fact that such images are inextricably linked to the sexual abuse and exploitation of children. Children experience direct sexual exploitation by those who make child pornography whether it is for private or wider consumption. The dissemination of this material both in a physical and/or in a digital format also represents sexual exploitation of such children that may endure as long as these images remain in circulation. Those who purchase, consume and/or possess child pornography participate in the sexual exploitation of children and serve to create demand for child pornography and thereby contribute to furthering the sexual exploitation of children. It is also suggested that the consumption of child pornography serves to incite some individuals to later directly sexually exploit children.⁷⁴

70 International Labour Organisation (2007), Guidelines on the Design of Direct Action Strategies to Combat Commercial Sexual Exploitation of Children, Geneva, Switzerland, p. 7. In ECPAT Germany (2013) op. cit., p. 5.

71 ECPAT International (2008), Questions and Answers, op. cit.

72 UN (2002), Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. Available at: www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx (accessed 26 August 2015).

73 The Films and Publications Act 65 of 1996. Available at: www.fpb.org.za/profile-fpb/legislation/1/293-films-and-publications-act-no-65/file. (accessed 26 August 2015).

74 Kylie Miller, “Paedophilia: Policy and Prevention: Detection and Reporting of Paedophilia: A Law Enforcement Perspective”. (s/d), p. 2. Available at: www.aic.gov.au/media_library/conferences/paedophilia/miller.pdf, (Accessed 26 August 2015)

Child pornography is often reportedly used by those who make such materials and those seeking to directly sexually abuse a child, as a tool to normalise the type of sexual behaviour that is demanded of children whom they intend to exploit. Forcing children to view such images is, in and of itself, a form of sexual exploitation.⁷⁵

CHILD TRAFFICKING

According to the Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation is considered as trafficking, even in the absence of any of the conditions that characterise trafficking among adults including by means of threat, force or other means of coercion, abduction, fraud, deception, abuse of power, position of vulnerability or giving and receiving of payments or benefits to achieve consent.⁷⁶

Chapter 2 (2-a, b) of South Africa's Prevention and Combating of Trafficking in Person Act, 2013 states that “any person who adopts a child, facilitated or secured through legal or illegal means; or concludes a forced marriage with another person, within or across the borders of the Republic, for the purpose of the exploitations of that child or other person in any form or manner, is guilty of an offence”.⁷⁷

COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM

This report is specifically about the commercial sexual exploitation of children in travel and tourism (CSECTT). However, unlike other abovementioned manifestations of CSEC, its definition is not derived from an international legal instrument. The term child sex tourism has been used to describe the phenomenon and defined by ECPAT International as:

“The sexual exploitation of children by a person or persons who travel from their home district, home geographical region, or home country in order to have sexual contact with children. Child sex tourists can be domestic travellers or they can be international tourists. Child sex tourism often involves the use of accommodation, transportation and other tourism-related services that facilitate contact with children and enable the perpetrator to remain fairly inconspicuous in the surrounding population and environment.”⁷⁸

In 2014, ECPAT International launched a Global Study on Sexual Exploitation of Children in Travel and Tourism. Soon after, a High-Level Taskforce to oversee the Study was appointed.⁷⁹ The Global Study Taskforce has suggested that the term *sexual exploitation of children in travel and tourism* (SECTT) be used as a replacement for the term *child sex tourism* (CST). The Taskforce has found the term “child sex tourism” to be inadequate for a number of reasons. First, the term seems to refer to a type of tourism or a niche in the tourism sector, when in fact it describes a criminal activity. Second, the term “tourist” excludes other traveling individuals who may engage in CSECTT, such as business travellers, expatriates or those travellers who, for their job, may remain in one place for a brief or extended period of time.

75 ECPAT International (2015), Global Study on the Sexual Exploitation of Children in Travel and Tourism Regional Report for South Asia, unpublished, p. 20.

76 UN (2000), Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. Available at: www.osce.org/odihr/19223 (accessed 26 August 2015).

77 Government Gazette (2013), Prevention and Combating of Trafficking in Person Act, 2013, Act No. 7. Available at: www.justice.gov.za/legislation/acts/2013-007.pdf (accessed 26 August 2015).

78 ECPAT International (2008), Combating Child Sex Tourism: Questions and Answers (Bangkok, Thailand: ECPAT International). Available at: http://ecpat.net/sites/default/files/cst_faq_eng.pdf, (accessed 21 August 2015).

79 For more information, see: “New Global Taskforce Launched to End Child Sex Tourism”. Available at: <http://ecpat.net/news/announcement-global-study-and-its-taskforce-end-sexual-exploitation-children-travel-and-tourism> (accessed 23 August 2015).

TOURIST AND TRAVELLER

South Africa has broadened the term tourist to include those who travel with their jobs. Tourist has been defined by the government of this country as a person who travels away from home, staying away for at least one night, for different purposes, including business, leisure, conference and other incentives. Classifications recognised in South Africa as follows.

CLASSIFICATION		DEFINITION
1.	International tourists	International (overseas) tourists are those who travel to a country other than in which they usually reside for at least one night but less than one year (e.g. a resident of Germany staying one or more nights in South Africa).
2.	Regional tourists	International tourists from the rest of Africa (e.g. a visitor from Zimbabwe spending one or more nights in South Africa).
3.	Domestic tourists	Residents of South Africa who travel within the country (e.g. a resident of Johannesburg staying one night in Durban).

SEXUAL OFFENDERS

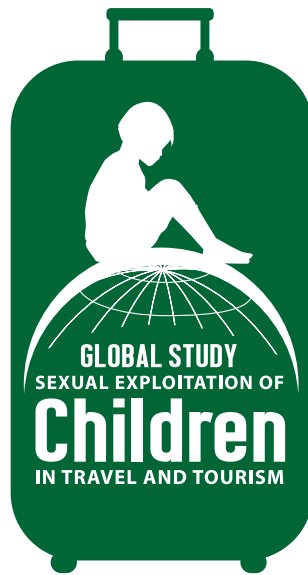
The term used to address those who sexually exploit children during travel and tourism is also used inconsistently, as observed in literature on the issue.⁸⁰ To avoid confusion, the term *offenders* will be used in alignment with the terminology employed by the research team (See guidelines in Annexes I–IV).

Travel and tourist sexual offenders are considered to be those who demand or promote, facilitate, develop or take advantage of any form of sexual activity involving children. ECPAT has made a distinction between ‘situational’ and ‘preferential’ child sex tourists and travellers. The *situational child sex tourist and traveller* does not have an exclusive sexual inclination for children, but if presented with the opportunity to interact sexually with a person under 18 will do it, not have an exclusive sexual inclination for children, but if presented with the opportunity.

The *preferential child sex tourist and traveller* “displays an active sexual preference for children.” He or she may still have the capacity to experience sexual attraction for adults but will actively seek out minors for sexual contact. The preferential child sex tourist will generally search for pubescent or adolescent children”. Generally, they use all available means (internet, magazines, contacts) to obtain information about destinations around the world where they can get access to children. Among these exploiters it is possible to find *the paedophile*, who “manifests an exclusive sexual inclination for pre-pubescent children. Usually considered as someone suffering from a clinical disorder, the paedophile may not show any preference for the gender of children and may not view sexual contact with children as harmful.” ‘Preferential’ exploiters tend to be a minority among the traveller and tourist offenders but can be harmful for the children because they visit countries expressly for sexual encounters with children.⁸¹

80 Child sex tourist, sex abusers, sex offenders, sexual exploiters and perpetrators, just to mention a few, are examples of the lack of agreement towards a set of shared terminology.

81 ECPAT International (2008), Questions and Answers, op. cit, p. 21.



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Ministry of Foreign Affairs of the Netherlands

