



# UNFINISHED BUSINESS

ENDING CHILD PROSTITUTION, CHILD PORNOGRAPHY AND CHILD TRAFFICKING FOR SEXUAL PURPOSES

ECPAT is a global network of civil society organisations dedicated to ending the Commercial Sexual Exploitation of Children.



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Many experts both within ECPAT and beyond have informed the development of this document. In 2014, ECPAT International organised regional consultations across the world that provided vital inputs. We are grateful to our ECPAT member groups and partners who helped to map the key factors that have a major impact on the protection of children and on the continuing manifestations and emerging trends related to the commercial sexual exploitation of children around the world. We also acknowledge the many stakeholders and partners who provided their valuable input.

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## PREFACE

As the 25th Anniversary of ECPAT approaches, it is time to take stock of whether we, and the international community as a whole, are winning the battle against the sexual exploitation of children; and if not, why not?

For over a quarter of a century, ECPAT International has grown from its roots in Asia to become a global network of civil society organisations fighting against all forms of commercial sexual exploitation of children (CSEC); including child pornography, child prostitution, child trafficking for sexual purposes and the sexual exploitation of children in travel and tourism. To mark this milestone, this 'External Scan' of CSEC, aims to analyse the current situation worldwide, the achievements that have been made, the challenges we face and new ways to put an end to the sexual exploitation of children.

The Scan finds that this exploitation is a growing phenomenon, despite significant progress in the promotion of children's rights worldwide. While the rate of its growth can be debated – in large part due to a lack of reliable, evidence-based data, as well as its hidden and secret nature – the result seems indisputable: the vulnerability of children to sexual exploitation has increased. Their defences are being eroded by growing economic disparities, by gender inequity, and by the social norms that support tolerance and under-reporting of sexual exploitation. Poor legal frameworks, weak law enforcement, corruption and a chronic lack of resources for recovery and reintegration services remain serious barriers to the full protection of children from sexual exploitation. The opening up of new tourism destinations means the emergence of new locations for travelling child sex offenders, including those in more remote locations where there is less awareness about this form of exploitation, and where, in some cases, a traditional 'culture of silence' prevents its discussion. While children become more vulnerable to exploitation, the mechanisms to protect them remain insufficient, and their exploiters evade the authorities; the misuse of the Internet by those who wish to harm them accelerates, with massive increases in both the number of images of abuse and in their dissemination.

As a matter of urgency we need more effective strategies to protect children from the ever changing manifestations of sexual exploitation. From building more conceptual clarity on CSEC to addressing the persistent lack of hard evidence, and from a sharper focus on the demand factor – those who exploit children – to research on more 'hidden groups', the aim must be to reduce child vulnerability.

This paper reveals the clear need for more holistic, multi-sectoral and integrated responses, in particular for the development of effective child protection systems that benefit every child. These responses should include innovative approaches to recovery,

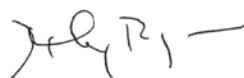
reintegration, access to justice for child victims and robust monitoring and evaluation to pinpoint what works.

Our work must be guided by the voices of children, including those who are victims – in our research, our prevention efforts and our governance – if we are to find effective solutions to the challenges we face.

This Scan aims to address the challenges, gaps and strategies of protecting children from sexual exploitation. It has been prepared to analyse the progress of the fight against CSEC, to identify new developments and to detail future strategies, forming a key part of ECPAT International's strategic planning process.

First, we examine the achievements of the 1990s and the 2000s in providing greater protection for children against sexual exploitation, asking whether the battle against CSEC is being won or lost. We then set out the global developments in CSEC manifestations, including changes in conceptual understanding and growing access to online child sexual abuse materials, setting out the obstacles to protection and recovery for victims of CSEC and analysing demand and offender profiles. After a discussion of the role of State and non-State actors in protecting the rights of children, strategies and recommendations are proposed for future action.

This External Scan not only strives to identify gaps and priorities in protecting children from sexual exploitation, but, after almost 25 years of work and commitment in the fight against CSEC, it also sets out ECPAT's vision for new ways to move forward. Having evolved from its humble beginnings to become a global network of 85 members in 77 countries, this is the moment to assess where we have been, learn from those experiences and map where we are going if we are to have any hope of ending the sexual exploitation of children.



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## 1

## INTRODUCTION

It is essential that the development of any new plans, strategies and programme interventions intended to combat the commercial sexual exploitation of children (CSEC) take into account a scan of the external environment within which relevant stakeholders work. Such an undertaking encourages us to challenge current assumptions of the evolving and complex CSEC context and to identify new trends, learning and perspectives. This paper therefore aims to map relevant external trends and identify areas where key duty-bearers may need to respond in order to make it more effective in the battle against the sexual exploitation of children worldwide.

Throughout 2014, ECPAT International organised regional consultations to listen and learn from our ECPAT member groups and partners in different parts of the world. In preparation for these meetings, Regional Overviews of the Commercial Sexual Exploitation of Children were drafted which map the key socio-economic factors impacting on the protection of children and the continuing manifestations and emerging trends related to CSEC. The identification of the necessary prevention, protection and recovery needs for child victims during those processes have helped to propose recommendations and strategies that have supported the drafting of this report. Other relevant on-line literature reviews of CSEC-related reports, research, academic articles and journals have supplemented this information. Expert panels, stakeholder consultations and a robust review by different ECPAT actors were utilised to systematically provide feedback, observations and judgments about important CSEC-related developments that are underway or expected.

In light of the limited scope of a relatively short paper, no external scan can expect to comprehensively or accurately map the current status and action against the commercial sexual exploitation of children globally. Studying the present context of a criminal and largely hidden global phenomenon is difficult enough but predicting future gaps and needs is extremely complex. There is a general lack of quality and reliable information in much of the available data (e.g. disaggregation of data by gender and age or in detailing children's own experiences, views and ideas). This paper therefore attempts to scan and describe the CSEC environment and identify at least the important new trends, emerging issues, obstacles, opportunities and the actors involved while sourcing the location of the information. It should be noted that it was not always possible to appraise objectively the accuracy of evidence and effectiveness due to the absence of recognised and uniform indicators and measures.



# 2

## GLOBAL MILLENNIUM DEVELOPMENTS AND THE SOCIO-ECONOMIC CONTEXT IMPACTING THE PROTECTION OF CHILDREN

### The Achievements of the 1990s

In the decade leading up to the new millennium a number of key milestones occurred acknowledging the scale and scope of the sexual exploitation of children and the need for strong international legislative measures. In 1990, an international campaign to End Child Prostitution in Asian Tourism (ECPAT) was born which has eventually evolved into the largest global network fighting CSEC (although in more recent years, financial and organisational capacity challenges have seen a number of other large INGOs coming in to work in the CSEC sector – see section four below). In the same year, the Convention on the Rights of the Child (CRC) came into force and remains the most ratified international treaty<sup>1</sup> guaranteeing the fundamental and special rights of children. Articles 34 and 35 of the Convention are the cornerstone of the international legal protection of children against abuse and exploitation. However, as the 25<sup>th</sup> anniversary of the CRC approaches, questions remain about the speed of implementation and enforcement of the Convention in light of the continuing human rights violations against children (Rojas, 2007; Stewart, 2013). Nevertheless, the CRC is the only international human rights treaty that specifically enables NGOs to have a role in monitoring its implementation although there remains no mechanism to enforce the recommendations of the Committee on the Rights of the Child (the monitoring body for the CRC). The appointment of the first Special Rapporteur on the sale of children, child prostitution and child pornography (1990)<sup>2</sup> played a key role in the drafting and entering into force of the first Optional Protocol to the CRC on the sale of children, child prostitution and child pornography (OPSC) which came into force in January 2002.

The First World Congress against the Commercial Sexual Exploitation of Children took place in Stockholm in 1996 and gave global visibility to this extreme violation of children's rights which was yet to be fully acknowledged by many States around the world. Breaking away from traditional international conferences, 122 governments, UN agencies, civil society and even child representatives worked side by side to develop the Stockholm Declaration and Agenda for Action, which was the first guidance document for action specifically against CSEC, anchored in the binding commitment

1 It has been ratified by all UN member states except the United States and South Sudan.

2 Since this time two further individuals have carried out the mandate. Dr. Najat Malla M'jid (2007-2013) and the recently appointed Maud de Boer-Buquicchio (2014). The role of the Special Rapporteur has increasingly become important in raising awareness of the issue, encouraging coordination and advocating for more effective international, regional and national responses and is a key ally of UN, IO and civil society agencies.

of the CRC (ECPAT International, 2009a). Attention on the existence of CSEC globally gained significant impetus, resulting in legal reform in many countries. As many States started to adopt National Plans of Action against CSEC there was a steady improvement worldwide in prevention campaigns, law enforcement and initial support services for victims (although these were often sporadic and not always differentiated from adult services or well resourced, see Warburton, 2001). Nevertheless, this progress was capitalised upon with the organisation of the Second World Congress against CSEC hosted by the government of Japan in Yokohama and the World Congress III in Rio de Janeiro, Brazil in 2008 (ECPAT International, 2009a). Looking back, the First World Congress was a pivotal turning point and the following Congresses gave continued impetus and commitment to intensify initiatives against CSEC. However, World Congresses are very expensive to organise and while there have been periods of increased state focus on CSEC, such periods are often ephemeral and time-bound to World Congress events (ECPAT International, 2014). Achieving sustained attention and a culture of responsibility for protecting children on an on-going basis has resulted in some arguing that there is a need for the implementation of a different approach to maintain the imperative and momentum to address the issue in light of the pressures of other emerging global social priorities.

## The New Millennium

The dawn of the new millennium saw the growth of the online risk of commercial sexual exploitation of children expand exponentially (especially child pornography/child abuse materials) with the advent of the Internet and related technologies (ECPAT International, 2005). Inter-linkages between the demand for child pornography and 'child sex tourism'<sup>3</sup> (with the growth of low-cost budget airlines and the opening up of new tourism destinations) revealed growing opportunities for abusers to make, trade or distribute child sexual abuse images (ECPAT International, 2010). Another key development was the growing movement of children within and across borders as globalisation and migration was resulting in child sex trafficking becoming an increasingly borderless crime affecting both developing and developed countries (ECPAT International, 2014). The international community responded with the adoption of greater legislative measures; more States harmonised their legal frameworks in line with the OPSC and at the international level, the Trafficking Protocol (2002) and ILO Convention 182 on the worst forms of child labour (2000) resulted in strengthened international obligations. Regional legal frameworks such as the adoption of the *Council of Europe Convention on Action against Trafficking of Human Beings* (2005) and the *Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse* (2007) were seen as the most advanced regional level instruments against the sexual exploitation of children. The *Council of Europe Convention on Cybercrime* (which entered into force in

<sup>3</sup> Note: Throughout this paper the 'traditional' terminology of the different manifestations of CSEC are used. However, as discussed in later sections, debates around definitions and concepts are resulting in new terminology being proposed that is now largely being adopted.

2004) has been ratified by 42 States including non-member States such as Canada, Japan, South Africa and the USA.<sup>4</sup> Nevertheless, the effectiveness of the legislation against the commercial sexual exploitation of children is still hampered by different interpretations of definitions and poor harmonisation in national law with most offenders continuing to go unpunished (ECPAT International, 2014).

The United Nations Secretary-General's Study on Violence against Children with its processes and outcomes generated significant knowledge, impetus and efforts to combat all forms of violence against children (Pinheiro, 2006). ECPAT International was instrumental in getting violence against children in cyberspace highlighted in the study and called for the online environment to be recognised as a crucial setting where various forms of sexual violence against children can take place (ECPAT International, 2005). The appointment in 2009 of a Special Representative on Violence against Children (SR-VAC), who has the mandate to promote and support State implementation of the recommendations of the Study, has strongly contributed to stepping up progress in children's protection from violence. One of the main achievements since her appointment has been the consolidation of the human rights foundation of children's freedom from violence through the ratification and implementation of international standards (UN General Assembly, 2013a).<sup>5</sup> ECPAT International has significantly supported the international human rights mechanisms, including the SR-VAC and Special Rapporteurs' mandates by contributing specific expertise and information on CSEC as well as by taking part in the NGO Advisory Council for follow-up of the UNSG's Study on Violence against Children. Some ECPAT members have also been leading the process or have been actively involved in drafting NGO alternative reports on the CRC, OPSC and Universal Periodic Reports (UPRs) around the world (ECPAT International, 2013a).

As such, it has long been recognised that there are important gains to be made by linking the fight against CSEC to broader agendas. While the Millennium Development Goals (MDGs) set in 2000 have galvanised the world's attention to the intolerable levels of poverty and deprivation in which children and adults continue to live, they were lacking in consideration of the human rights concerns of children, particularly their right to protection from abuse, neglect and exploitation. As such, many child protection NGOs struggled to engage with this lack of reference to human rights principles which weakened the ability to hold States accountable to their core human rights obligations (ECPAT International, 2013b). Highlighting the lack of concentration to date on children's right to protection, international agencies, civil society and representatives from the UN human rights mechanisms called for the prevention and protection of children from all forms of violence and abuse to be at the heart of the post-2015 agenda (UN General Assembly, 2013b). The lobbying was not easy. The reluctance of States to have strong human rights language in the new goals, plus challenges in defining clear and measurable targets,

<sup>4</sup> See: [conventions.coe.int/Treaty/Commun/print/ChercheSig.asp?NT=185&CL=ENG](http://conventions.coe.int/Treaty/Commun/print/ChercheSig.asp?NT=185&CL=ENG).

<sup>5</sup> Since its beginning in 2010 until July 2013, the campaign for the universal ratification of the Optional Protocols to the Convention on the Rights of the Child launched by the SR-VAC has led to 26 additional ratifications of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. See [http://srs.violenceagainstchildren.org/sites/default/files/documents/docs/A-68-274\\_EN\\_0.pdf](http://srs.violenceagainstchildren.org/sites/default/files/documents/docs/A-68-274_EN_0.pdf).

has so far resulted in only one target linked to child violence with measures yet to be defined (High-Level Panel of Eminent Persons on the Post-2015 Development Agenda, 2013).<sup>6</sup>

Even the progress of the MDGs in areas such as child survival, HIV/AIDS, education and gender inequalities was under threat towards the end of the last decade as the world became gripped by an unfolding global financial crisis which has become known as the ‘Great Recession’. Affecting the vulnerability of the most disadvantaged populations (with the poor and marginalised experiencing the most serious repercussions), children in these populations are significantly affected as they risk being pushed into abusive and exploitative situations (Brooks-Gunn et al., 2013). The food crisis witnessed in various regions of the world has already amplified generalised poverty leading to higher levels of economic insecurity, greater levels of inequalities, poverty and youth unemployment (United Nations, 2009). At the same time, governments, donor agencies and health and social welfare providers have been faced with the reality of decreased budgets and have had to make difficult decisions about funding priorities (Garbarino, 2013; ECPAT International, 2009b). Indeed, within the competing agendas and demands of globalisation and capitalism there is much disagreement over the sometimes contradictory impacts that can affect children; proponents of globalisation point to a rise in average incomes of families as a whole while opponents note the persistent inequality and poverty (Rifkin, 2014; Shelton, 2002). Children in these populations could be significantly affected as they are vulnerable to exploitative situations which could include greater risks to be exposed to commercial sexual exploitation.

In response to these global challenges and pressures, many child rights agencies are now promoting the establishment of comprehensive, multi-sector systems of protection as an essential element and more sustainable foundations for upholding all the rights of the child. UNICEF’s Child Protection Strategy evolved from such a concern and is based on the principle that a comprehensive Child Protection System is required to address all the needs and rights of the child (UNICEF, 2008). The implementation of this UN strategy at the global level has percolated down to a number of other large INGOs (such as Save the Children, Plan International and World Vision International). As global responses move away from ‘thematic’ child protection interventions addressing specific violations, concern has been raised that ‘single issue’ problems may fall through the net, particularly where national child protection systems are too nascent or weak (Terre des Hommes Netherlands, 2014). Nevertheless, opportunities exist for ECPAT to link its work and demonstrate the specific measures that the system must put in place at different levels to ensure the appropriate response to prevent and combat CSEC.

<sup>6</sup> Information about the lobbying work currently being conducted may be found in the series of updates tracking progress towards the inclusion of child protection in the Post-2015 framework provided by Save the Children and other international NGOs (see for example <http://resourcecentre.savethechildren.se/library/violence-against-children-and-post2015-framework>).

## The Socio-Economic Predictors Remain Largely the Same

Many underlying factors contribute to make children vulnerable to sexual exploitation and the inter-linkages between socio-economic and cultural factors which converge to deny children their basic rights are similar to the push and pull factors of the last few decades. Unfortunately, many of these ‘traditional’ risk factors which undermine the protective environment around children are still seldom conceptualised or clearly articulated (particularly those at the transnational level) and thus remain largely unaddressed through holistic, long-term and comprehensive programmes (ECPAT International, 2008a). However, as detailed below, the multi-dimensional effect of serious disruptions to children’s safety and well-being plus the identification of new risk factors are believed to be increasing the vulnerability of children to various forms of sexual violence (UN General Assembly, 2013a).

Poverty has long been identified as a root cause that can exacerbate vulnerability and push children into commercial sexual exploitation. However, the need to support family income and survival strategies is more nuanced as it is often an array of socio-economic circumstances (such as economic inequalities, migration, absentee parents, lack of birth registration, low education and early school drop-out rates, loss of parental employment) that undermine parents’ and families’ abilities to prevent CSEC. States’ inability to provide social services to these families and children in need threatens safety nets, particularly during times of global financial crises.

Child migrants make up a disproportionate rate of the total migration flow worldwide (Committee on the Rights of the Child, 2012). In the majority of cases, families and migrant children cross borders without legal documents (Van de Glind, 2010). Children (especially those moving on their own) who are undocumented or irregular migrants are particularly vulnerable to coercion, deception and violence through child labour or commercial sexual exploitation (IOM, 2013; ECPAT International, 2013c).

Conflicts and natural disasters can also break down normal family and community structures and push children to leave home (where they are at risk of sexual or gender based violence) or propel them into adopting dangerous survival strategies such as selling sex in order to secure basic needs such as food, water and shelter (ECPAT International, 2012a).

Many children living or working on the streets around the world are victims of violence and abuse. Often these children survive by moving between different forms of informal work in precarious conditions. This makes them particularly vulnerable to victimisation since they often lack responsible adult care and can be lured into commercial sex and other exploitative situations by the promise of a higher income to meet their needs (ECPAT International, 2013d).

Strong traditional social and gendered norms may mean that girls in particular drop out from school and seek work to support their parents and younger siblings (fulfilling strong cultural expectations in many regions of the world of being 'dutiful daughters'); their vulnerabilities, coupled with the pressure to earn, place them at high risk of being tricked and lured into exploitative or abusive situations.<sup>7</sup> Girl victims significantly outnumber boys and the risk for girls rises with age (Finkelhor, 2009).

Children who are missed by HIV/AIDS mainstream or specialised prevention and protection programmes also have specific vulnerabilities. Various studies have examined children and youth at higher risk for exposure to AIDS. Most of these are of children *affected* by AIDS (Lancet, 2006): infected with HIV from birth through Parent-to-Child Transmission of HIV; or from impoverished families where at least one of the parents is either sick or has died from AIDS which drives the child into risky behaviour (ECPAT International and CGHD, 2012). Children who are vulnerable to commercial sexual exploitation are especially vulnerable to infection with HIV due to both biological and social factors. However, because they often live on the margins of society and outside of the health system, they are rarely identified as at risk for HIV and are rarely measured for HIV infection. Research carried out by ECPAT International in partnership with the Centre for Global Health and Development (in Nepal and Togo) found that prevalence levels of HIV infection were alarmingly high in children at risk of sexual exploitation. It thus highlighted that this group of vulnerable children needs to be considered as a key population at higher risk for HIV (similar to adult sex workers, males who have sex with males and intravenous drug users) and should be included as a priority group in local and national HIV/AIDS programmes as well as programmes for prevention of commercial sexual exploitation of children (ECPAT International and CGHD, 2012). This is, however, causing tensions between broader rights-based approaches advocating children involved in prostitution proactively receiving condoms and proponents of child protection who fear such measures could condone commercial sex with children.<sup>8</sup>

In addition to all of the socio-economic factors mentioned above, poor legal frameworks, weak law enforcement, corruption and the under-resourcing of social welfare services and capacity building of service providers further obstruct the ability to uphold the right of children to protection from sexual exploitation. Other regional intersecting vulnerabilities can include gangs and guerrilla forces (e.g. Latin America), being indigenous (all regions), the low status of women and children (e.g. Middle East and Asia), children in institutional care or without parental care (seen as particularly high in the Commonwealth of Independent States), early marriage and other harmful practices and changing traditions (e.g. Africa).<sup>9</sup>

7 See 2<sup>nd</sup> Edition ECPAT International Country Monitoring Reports available at: <http://www.ecpat.net/resources>.

8 Concept note for an expert's group meeting on child rights-based measures to address HIV vulnerabilities amongst sexually exploited children.

9 For more details see ECPAT International's Regional Overviews and Countering Strategies to combat the Commercial Sexual Exploitation of Children (produced in late 2013 and 2014).

## Are We Winning the Battle or is the Problem Getting Worse?

There is little doubt that the commercial sexual exploitation of children remains a significant and widespread global problem. Over the past 20 years, many agencies – including ECPAT – have generated a huge amount of policy and public attention on how to tackle the issue. Yet much of the discourse and activism has lacked empirical data and a sound researched evidence-base resulting in a danger of more anecdotal or sensationalist portrayals of the more graphically violent and particularly disturbing cases which are then presented as atypical (Snajdr, 2013; Weitzer, 2014). It has been generally recognised that widely circulated figures on the global scale of CSEC are frequently little more than ‘guesstimates’ that through frequent use have been accepted as ‘fact’, despite the lack of references, verification and explanations on how these figures were calculated (ECPAT International 2008a and 2008b; Weitzer, 2014).

The global-scale CSEC estimates that are still frequently used appear to stem from statistics contributed by the International Labour Organization (ILO). A year 2000 estimate from the ILO suggests that 1.8 million children are exploited in commercial sex or pornography globally, while a 2002 ILO report suggests that 1.2 million children worldwide are trafficked every year (Hagemann, 2002). UNICEF reports have frequently used this figure – although it is often erroneously cited as stating that 2 million children are victims of CSEC.<sup>10</sup>

Without a reliable or scientifically derived base-line, it is thus more challenging to justify claims that the scale of CSEC is increasing and certain duty-bearers and donors are starting to ask probing questions about the use of dubious data. However, there are some new global trends emerging that can certainly lead to a very strong hypothesis that the magnitude and scope of CSEC is expanding.

Although perhaps no reliable data is available on the extent of the phenomenon, studies indicate that the *root causes* of child prostitution have become worse in recent years. They include early or over sexualisation of children and the dissemination of sexualised images of children through new ICTs (often by young people themselves). Indeed, few could argue that the growth of the Internet and the misuse of evolving technologies have not led to a significant multiplying effect of the opportunities to produce, obtain and disseminate child sexual abuse material and to facilitate access to vulnerable children (Internet Watch Foundation, 2013; INHOPE, 2014).

Some studies also point to consumerism and the attractiveness of some goods for children as an incentive for transactional sex (ECPAT International, 2014). The phenomenon, first identified in East Asia (known often as ‘compensated dating’) has been seen to quickly

<sup>10</sup> UNICEF quoted the “2 million figure” in its own press release of the report (<http://www.unicef.org/sowc06/press/release.php>). UNICEF also gives the 2 million figure in other documents without a source. For example, see: [http://www.unicef.org/indonesia/Factsheet\\_CSEC\\_trafficking\\_Indonesia.pdf](http://www.unicef.org/indonesia/Factsheet_CSEC_trafficking_Indonesia.pdf); <http://www.unicef.org/sowc05/english/povertyissue3.html>, [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A.HRC.22.54\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A.HRC.22.54_en.pdf).

spread to all regions of the world where peer pressure or a desire to conform sees young people aspiring to purchase goods and services that they otherwise couldn't normally afford.<sup>11</sup>

In 2005, the ILO estimated that 1.39 million people were victims of commercial sexual exploitation at any given time and that 40-50% were minors (ILO, 2005). Specific information was given as to how this figure was arrived at (as well as an acknowledgement of the research limitations). In more recent years, other agencies that have published data have avoided giving global estimates and have focused more on trends and changes over time. For example, the 2012 Global Report on Trafficking in Persons released by UNODC detected a 7% increase in the number of children trafficked globally with a specific increase noted in girl victims (UNODC, 2012).

An increase in migration, conflicts and violence, as well as natural disasters have all contributed to heightening the risk for children to be sexually exploited. Migration has increased rapidly in the past few years with the International Organization for Migration's (IOM) 2010 estimate of 214 million migrants expected to double by 2050 (IOM, 2010). More countries are falling into conflict (Harrison and Wolf, 2011) and the current nature of what is primarily civil wars means that civilians are more affected with women and children counting for 80% of the world's refugees or internally displaced persons (UN General Assembly, 2013a). UNICEF (2011) claims that "climate related hazards are increasing, accounting for 70% of all disasters today compared to 50% two decades ago [...] projected to affect hundreds of millions every year as early as 2015".

What would seem indisputable therefore is that the *vulnerability* of children to sexual exploitation has increased in recent years. Vulnerability is exacerbated by the child's exposure to risk. For many children in the margins, the family's ability to provide a protective environment is being eroded by many of the factors described above. Growing economic disparities associated with globalisation and unregulated economic growth has negatively impacted the well-being of many children putting more at risk of sexual exploitation than was previously the case (UN General Assembly, 2013a). Vulnerability and economic, gender and ethnic inequity are increasingly linked in certain groups of populations. For example, a recent UNICEF study analysing multi-dimensional poverty in seven countries in the Southeast Asia and Pacific region estimated that over 30 million children out of 93 million were unable to go to school, access basic services, receive adequate nutrition or avoid child labour, including the worst forms (Minujin, 2011). Adding to this is a growing urban – rural divide and evolving social norms found in many countries worldwide that is supporting (some argue increasing) social tolerance, complicity and impunity and the under-reporting of sexual violations of children (UN General Assembly, 2013a). While empirical data is supporting claims that child trafficking and the sexual exploitation of children on-line is increasing, the gravity of the combined inter-dependent effects described above points to the demand for sexual exploitation of children to be persistent and likely growing.

<sup>11</sup> A 2002 study by ILO/IPEC in Vietnam found that 50% of children in Hanoi and 84% in South Vietnam in the sample size had reported having offered sexual favours for money (ILO/IPEC, 2002).



# 3

## GLOBAL DEVELOPMENTS IN CSEC MANIFESTATIONS

### The Changing Face of CSEC

The definitional differences and the relationship between ‘commercial sexual exploitation of children’ (CSEC) and ‘child sexual abuse’ (CSA) have been much debated within the ECPAT network over the years. In reality, the former is generally viewed as a sub-set of the latter with the differentiation that CSA is when an older child or adult takes advantage of a power imbalance in order to sexually abuse a child (more often than not within the family circle). Commercial sexual exploitation is when there is an *additional* gain or profit over and above the sexual arousal (either by a third person(s) or by the abuser through remuneration, in-kind or the trading of an image for example). At the World Congress III, the word ‘commercial’ was dropped from the title of the event – in part because it was felt that the use of the word ‘exploitation’ was sufficiently clear about the abuse of the child for another person’s gain but also because it was felt to primarily portray the involvement of older children/adolescence in more formal and organised venues where sex is sold. This distinction though remains at the core of a new emerging tension that challenges traditional boundaries where organisations such as ECPAT have worked. There are still very strong advocates within the sector who feel that the focus on the commercial element is important as it emphasizes the ‘commodification’ of the child whereby the child is treated as a sexual and a commercial object (ECPAT Sweden, 2011). However, it has long been recognised that there is also strong overlap between children who are sexually abused and those who end up in commercial sexual exploitation (Finkelhor and Browne, 1985; Gal and Hoge, n.d.). The differentiation can also have implications on the age of the victim involved as the continuum between CSA and CSEC can often involve young children at the most vulnerable end of the spectrum while there may be a tendency for older children and adolescents involved in CSEC to be viewed as ‘less deserving’ or more responsible for their own predicament (Warburton, 2001). The implications of these conceptual differences are that distinct situations may require different responses – measures against organised crime may require different resources and capacities than child sexual abuse that occurs within the family but the relevant linkages also need to be taken into account .

In many ways, it is the rapid and exponential increase in the production of child sexual abuse materials through ICT in a *non-commercial* context but later shared, traded or sold on the Internet that is challenging the basis from which anti-CSEC organisations have traditionally chosen to intervene. Around the world there are rapidly expanding spaces and innovations that have resulted in the circulation of unprecedented volumes

and types of child pornography.<sup>12</sup> Recent data from INHOPE indicates that 87% of child sexual abuse materials are non-commercial or shared online at no cost through file sharing networks (INHOPE, 2014). The increased use of mobile devices, cloud-based services, the 'Darknet' and live streaming of child sexual abuse make it more difficult for law enforcement to investigate and collect evidence as the content is not usually stored by the Internet Service Providers (ECPAT International, 2014). A trend is also noted of sexual abuse of younger children: in 2013, INHOPE revealed that 10% of the victims were infants, compared to 6% in 2011 (INHOPE, 2014); whereas the Internet Watch Foundation has noted that children of ages 10 years or younger had risen to 81% of the victims (Internet Watch Foundation, 2013). NGO and media attention around such cases has rightly caused moral outrage among the general public but some also argue at the expense of the victimisation of older children in many other forms of exploitation (Huijsmans and Baker, 2012). It has also kept the spotlight on paedophilic behaviour, which in fact accounts for the smaller percentage of child sexual exploitation (ECPAT International, 2008a).

The use of new ICTs and other technical and socio-economic developments have also contributed in recent years to a boom in the travel and tourism industries in many regions of the world. Despite a growing awareness of the sexual exploitation of children in travel and tourism, the opening up of new tourism destinations such as in Southeast Asia, Eastern Europe and Latin America is providing new locations for child sex offenders (including the prostitution of street-based boys which is often found as a significant problem in certain tourist resorts).<sup>13</sup> Recent research has shown that travelling sex offenders are moving away from major cities to more remote locations where awareness about sexual abuse and exploitation is lower and a traditional 'culture of silence' can contribute to victims and their families not speaking out (APLE, 2014).

In the last couple of years, there have been particular attempts to delineate and link the exploitation of children in prostitution with the philosophical debates and legal frameworks surrounding adult prostitution. While the empirical evidence surrounding the discourse may at times be unreliable, there is some verifiable justification to suggest that the legalisation of adult prostitution can bring a switch away from trafficking in women and girls, but that the corresponding rise in demand can result in an overall increase in trafficking and sexual exploitation (ECPAT International, 2013e; Cho et al., 2012).

Research into the exploitation of children in prostitution still tends to occur within general (and often poorly designed) qualitative CSEC research or child trafficking or sex tourism (ECPAT International, 2008; Huijsmans and Baker, 2012). This can unintentionally bring in bias resulting in little information available on more hidden groups such as

12 The National Center for Missing and Exploited Children in the USA (NCMEC) indicates that, as of March 2014, the CyberTip line has received more than 2.3 million reports of suspected child sexual exploitation since it was launched in 1998. Furthermore, their Child Victim Identification Programme has reviewed and analysed more than 108 million child pornography images since it was created in 2002 – see: <http://www.missingkids.com/KeyFacts>.

13 See ECPAT Global Monitoring Reports on the status of action against CSEC related to these countries available at: [http://www.ecpat.net/EI/index\\_A4A.asp](http://www.ecpat.net/EI/index_A4A.asp).

transgender children selling sex and the exploitation of adolescent boys (MenCare, 2012; ECPAT International, 2012b). Similarly, an over focus on assumptions of ‘survival sex’ as fuelling child prostitution is at risk of avoiding potential rises in maladaptive behaviours such as children selling sex for consumerism, homeless children in the Global North, youth affected by addictions such as substance abuse and those children who only occasionally engage in prostitution. These other social problems may render them less deserving in the eyes of the media and general public and less likely to appear on the radar screens of government, donor and NGO concerns.

The trafficking in children for sexual purposes is a multifaceted violation of children’s rights that can be challenging to address due to the transnational nature of this hidden crime and the wide range of potential intermediaries, traffickers and exploiters (such as families, criminal networks, people smugglers, clients of prostitution, the private sector, corrupt government officials, workers in the transport and entertainment sector, etc.). However, while important progress has been made worldwide in recent years to strengthen legal frameworks and legislation to protect children, many States are still failing to provide sufficient comprehensive prevention and protection services for children. The rate of criminal convictions of traffickers remains low (ECPAT International and The Body Shop International, 2009; UNODC, 2012) while a number of recent UN estimates indicate that “child trafficking is on the rise as a proportion of all human trafficking” (UN Special Procedures, 2013a), particularly intra-regionally where around half of all human trafficking reportedly takes place (UNODC, 2012).<sup>14</sup>

A potential new and emerging threat that has been voiced over recent years is the use of large-scale global sporting events that could lead to heightened demand for sex workers which could then contribute to increases in trafficking in women and children (UN Special Procedures, 2013a). Recent empirical research on this issue has differed somewhat in its findings. While some studies identified anecdotal reports of child exploitation increasing during some world sporting events, the cases still highlighted the universal lack of reliable empirical data concerning child exploitation (Brunel Centre for Sports, Health and Wellbeing, 2013; Weitzer, 2014). Some argue that this is in fact a result of successful prevention work at some of these events while others point out that we should not equate the absence of data with no problem (Hayes, 2010). Regardless, more robust research designs, focused specifically on children, are essential in order to verify what has often been viewed as a growing risk.

Finally, academic research carried out very recently in the United States is also leading to a newly coined term: ‘trafficking of child pornography’ whereby the authors found that of all computers found to be involved in the sharing of child pornography in the United States over a one year period, only 1% made high annual circulations of the number of known child pornography images suggesting that such data shows law enforcement officers whom to prioritise in targeting (Wolak, et al., 2014). While the link to ‘trafficking’ is apparent

<sup>14</sup> The Middle East has most trafficked victims from South and Southeast Asia; victims from East Asia have been detected in over 60 countries reportedly making them the most geographically dispersed group globally (UNODC, 2012).

in this approach, others may fear that various interpretations of such terminology and definitions can create challenges in the development of legislation, poor data collection, flawed responses and the varying understanding and assumptions of key duty-bearers as discussed below.

## Obstacles to Protection and Recovery for CSEC Victims

Since the advent of the new millennium and the strengthened international legal frameworks and universal definitions that came into force, the nuances and distinctions around terminology related to CSEC come under increased scrutiny by a number of agencies who have raised concerns that the lack of conceptual understanding is resulting in the abusive elements related to manifestations of CSEC not being sufficiently captured and that even in some cases, the terminology used is in danger of misperceptions or worse, legitimising the issue (ECPAT International and the NGO CRC, 2005; Jones and Zeuthen Jeppesen, 2009; CEOP, 2013; Interpol<sup>15</sup>).<sup>16</sup> Even the anti-human trafficking sector still struggles with definitional challenges. In the first instance, this relates to the outcome of a trafficking process, in which a child or adult is *moved* from one place to another for the purpose of exploitation. For example, the US government's interpretation of the Trafficking Protocol, determines that "trafficking is slavery and need not involve any movement at all".<sup>17</sup> This means that the US would regard and treat many children who are commercially sexually exploited in any manifestation as victims of trafficking whether or not the child has been transferred from one place to another. However, the conflation of all manifestations of CSEC under the phenomenon of 'trafficking' could result in less differentiated and nuanced interventions to address all of the different forms of commercial sexual exploitation of children (ECPAT International, 2007). Similarly, where blanket anti-trafficking interventions conflict with certain groups of child migrants' best interests (particularly in relation to resilience, capacity and agency of children wishing to undertake gainful employment), children's risk of falling into sexual exploitation may actually be heightened (Huijsmans and Baker, 2012; Capaldi, 2014).

Likewise, the gaps between conceptual clarity, rhetoric and programmatic intervention are also sometimes perceived as a barrier to developing and delivering more effective CSEC policies and interventions (Asquith and Turner, 2008). There remains a lack of emphasis on evidence-based research systematically informing advocacy, with a greater share of donor priorities and resources still provided to programmes on trafficking and child

15 Interpol's recommendations for the use of appropriate terminology can be found at <http://www.interpol.int/Crime-areas/Crimes-against-children/Appropriate-terminology>.

16 For example, the term 'child sex tourism' is often felt not to sufficiently capture the abuse by the perpetrator nor the different settings and contexts where this crime can occur (other terms such as 'travelling child sex offending' or the 'sexual exploitation of children in travel and tourism' are becoming more preferable). Similarly, 'child pornography' is increasingly being replaced by 'child abuse materials' as it has been argued that as 'pornography' is seen as a legitimate adult activity, the use of the term 'child pornography' does not adequately reflect the recording and sharing of an act of abuse against a child.

17 The highly influential US TIP Office argues in its 'Dispelling Common Misperceptions' paper that "[A] child involved in prostitution is presumed to be a trafficking victim unless post has clear evidence that the child is prostituting him/herself without the involvement of a third party."

sex tourism (Weitzer, 2014). Efforts to ensure child protection actors and components work together more effectively through strengthened child protection systems is being thwarted by the dynamic and changing needs of these systems which is requiring a conceptual shift away from the 'building block' approach most recently used (UNICEF, 2013).

Advocacy and targeted programme services in the area of recovery, reintegration and justice for children who have been sexually exploited are limited with most interventions focusing on prevention and rescue (ECPAT International, 2010). Such services are very costly in financial and human resources (requiring a wide range of capacity building) and it is difficult for civil society to get funding due the high cost per child and sustainability concerns (ECPAT International, 2008a). The Office of the High Commissioner for Human Rights noted in its 2013 report that the provision of comprehensive services to child victims is essential, ensuring accountability mechanisms such as effective remedies, including compensation (OHCHR, 2013). There has been little replication of sustainable and realistic alternative or exit strategies for children involved in sexual exploitation. Beyond earning a sufficient income, exit opportunities need to address issues such as self-esteem and future life-enhancing prospects (UN Special Procedures, 2013a).

One further reason identified for the continuing lack of appropriate forms of assistance and support to child victims of sexual exploitation is the lack of objective evidence of what sort of interventions work. Strategy and practice at best is often based on 'good practice' examples that are not founded on agreed criteria or robust analysis that includes accurate data, longitudinal studies, age and gender specific approaches or what children consider effective (Asquith and Turner, 2008). Similar concerns exist for the persistent lack of reliable research that can help in bench-mark and baseline setting and identification of concrete indicators and targets so that monitoring and evaluation of good practice interventions and number of children victimised or helped can be transparent and reliably measured (Weitzer, 2014).

## Demand and Offender Profiles

Unfortunately, there have been few projects which have focused comprehensively on reducing the demand for sex with children (ECPAT Sweden, 2011). It is increasingly necessary to recognise the distinction between those who directly sexually abuse a child and those who indirectly benefit from his or her sexual exploitation. While both are child exploiters, the 'intermediaries' (often women<sup>18</sup>) and other facilitators who are involved indirectly are part of the cycle of demand and are supporting social tolerance to the violation but are often ignored in the interventions to eliminate CSEC.

<sup>18</sup> Research carried out in Cambodia showed that the proportion of accomplices to sexual exploitation of children that were women was as high as 69.2% which was significantly higher than the males at 30.8% (APLE, 2014). These findings are similar to other research across Asia concerning the involvement of women intermediaries (see relevant 2<sup>nd</sup> Edition ECPAT International Country Monitoring Reports).

Regardless of the lack of adequate data or baselines concerning demand, most analysts would still surmise from the available research that while paedophile and preferential abusers still attract the majority of media (and often law enforcement) attention, most child sexual exploitation of post-pubertal adolescents is by men who are not paedophiles nor have specifically sought children for sex (ECPAT International, 2008a; Finkelhor, 2009). While the global toolbox of laws addressing the sexual exploitation of children may seem relatively robust, law enforcement remains a major challenge in many countries, particularly in light of the increasingly transnational nature of CSEC-related crimes resulting in many abusers and facilitators escaping prosecution and fewer victims identified (GRETA, 2012).

Emerging offender profiling that remains controversial is the relationship between childhood sexual abuse and its role in adolescent sexual offending which although not yet having been statistically proved, the prevalence suggests that the issue cannot be ignored (Veneziano and Veneziano, 2002; Gal and Hoge, n.d.).

Overly stereotyped characteristics of child sexual abusers as paedophiles or predators, while appealing to the public and policy makers, means that the effectiveness of offender management initiatives (such as registering sex offenders, community notifications, controlling where they live after their sentence is completed, etc.) is untested and even discouraged (Finkelhor, 2009). A further complication is that potentially up to a third of child sexual abusers and exploiters are reportedly juveniles (through 'sexting',<sup>19</sup> consumption of child pornography or direct physical interactions). Labelling juveniles as sex offenders has potentially negative consequences while alternative treatments than just incarceration and other punitive measures have been found to reduce the risk of recidivism, particularly in young offenders and require further exploration (Veneziano and Veneziano, 2002; Gavin, 2005; Wolak et.al., 2012).

While offenders are overwhelmingly male some commentary is emerging suggesting that female offending is on the rise, possibly facilitated by the levels of child pornography on the Internet. While until recently there has been historical societal and professional denial of the problem, some cases have exposed females initiating abuse or to being co-perpetrators with a male co-offender (Bexson, 2011).

<sup>19</sup> An increasing phenomenon whereby adolescents willingly produce pornographic images of themselves to perhaps share with their partner, only to find them disseminated and uploaded on different Internet sites (UNODC, 2014).

# 4

## STAKEHOLDER SCANNING AND THE THREE 'A'S: ACCOUNTABILITY, ALLIES AND ALLIANCES

### The Role of the State and Non-State Political Actors: Accountability to Human Rights

By signing and ratifying international and regional treaties, States are committing to protect children's rights from all forms of sexual exploitation. The various international and regional instruments provide strong and comprehensive frameworks to ensure the protection of children from various forms of commercial sexual exploitation and universal ratification of the CRC Optional Protocols is a current major initiative of the Special Representative of the Secretary-General on Violence against Children (UN General Assembly, 2013a). However, it is the political space and policy environment at the national level which directly influences actions that are or could be taken to safeguard the child's right to protection from commercial sexual exploitation. Political instability and government changes are constant risks for maintaining momentum in combating CSEC as political shifts often open up breaches in child protection systems and government changes can divert the focus on the issue away from previously agreed commitments. Similarly, many are critical of the failure of the international human rights mechanisms and specifically inter-governmental bodies such as the United Nations for weak monitoring and not expressing strong enough condemnation or enforcing sanctions and remedies when States allow serious child rights violations (Rojas, 2007; Hodgson, n.d.). Some have argued that torture, forced labour, slavery and trafficking constitute serious enough crimes against children that the Rome Statue 1998 of the International Criminal Tribunal should be amended to cover all manifestations of commercial sexual exploitation of children (Shelton, 2002; Hodgson, n.d.).

Although international human rights law is intended to protect individuals and groups from failure to protect or abuse from States, the international human rights instruments also recognise that child rights violations can occur by non-state actors (such as the private sector in child labour and trafficking). Non-state actors also have obligations, including transnational corporations although recent efforts to bring in international regulation and standards were thwarted with present global initiatives remaining at the level of 'principles' (see the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, A/HRC/17/31) or 'standards-to-aim-for' such as the UN Global Compact (Fall and Zahran, 2010).<sup>20</sup> While there are examples of the positive impact the private sector can make

<sup>20</sup> UNICEF, the Global Compact and Save the Children also joined forces to create 10 principles to specifically assist businesses to incorporate child rights (UNICEF, 2012).

in efforts to stop CSEC,<sup>21</sup> the gaps and discrepancies that still exist are most likely attributable to the voluntary nature of corporate social responsibility, ‘codes of conduct’ and the overall lack of accountability (ECPAT International, 2012a). In the absence of international regulatory mechanisms, greater pressure should be put on companies to respect national law and to join relevant codes. For those voluntary, self-regulatory codes that do exist, much greater attention is needed on more rigorous and transparent monitoring (Deane and Holder, 2007) otherwise companies can join codes yet continue to provide frameworks for the exploitation of children.

The growing awareness and public demand for the protection of children from sexual exploitation is testament to a stronger international social movement demanding greater accountability from both state and non-state actors as is visible by the potential of campaigning and public ‘calls to action’ (see for example ECPAT International and The Body Shop International, 2011) and the greater visibility of corporate social responsibility (ECPAT International, 2012a). Similarly, awareness raising campaigns and media attention can contribute to positive changes in public perceptions, policy and behaviour that can address social tolerance and increase reporting.<sup>22</sup> However, inaccurate, sensationalised or generalised information (such as through the conflation of all forms sexual violence) can mislead and misshape public opinion, government policies and divert attention and resources (Victims of Violence, 2008; Huijsman and Baker, 2012; Weitzer, 2014).

## Allies and Alliances

The engagement of a wide range of NGOs and other civil society organisations in work against CSEC is also evident providing opportunities for new forms of collaboration between different types of organisations (such as child-rights and women-rights organisations, faith-based groups, labour unions and business associations, academia, youth clubs and others). This is best illustrated by the significant rise in civil society groups participating in the World Congress III as compared to the First World Congress (ECPAT International, 2009a). The membership and institutional base of the ECPAT network has remained fairly static over recent years – partly due to a difficult funding climate and different organisational and network development challenges.

21 The travel and tourism sector has a number of examples: Air France shows in-flight videos and disseminates information on the sexual exploitation of children by travellers and The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism is now an independent organisation (although originally created in 1998 by ECPAT Sweden). In relation to sexual exploitation of children on line, the Financial Coalition Against Child Pornography (FCACP) has been formed in various regions of the world.

22 However, the spread of nation-wide helplines or hotlines to report crimes against children or to seek services are patchy globally and notoriously under-resourced. An assessment by ECPAT International of 42 countries showed that only 14% provided specialised assistance to children at risk or involved in CSEC via helplines (ECPAT International and The Body Shop International, 2011).



ECPAT International and its members are not the only agencies to feel a recent squeeze on donor support. In 2012, UNICEF experienced a ‘disconcerting decline’ in funds for child protection thematic programming and they note that the sector as a whole is inadequately funded (UNICEF, 2012). Child trafficking programmes have been reportedly suffering from donor fatigue – possibly because the results have not seemed as impressive as expected due to poor data collection, weak monitoring and evaluation and the lack of impact assessments of anti-trafficking initiatives. Competition for funds also affects the potential for broader collaboration (Terre des Hommes Netherlands, 2014).

Nevertheless, most regions of the world are able to report some level of bilateral, regional or international cooperation which can lead to joint advocacy initiatives, joint research and capacity building or collaborative programming.<sup>23</sup> The South Asia Initiative to End Violence against Children (SAIEVAC) and its previous Ministerial mechanism has long held a wide ranging focus on various manifestations of CSEC. Most of the work in Southeast Asia has been focused on anti-human trafficking (e.g. COMMIT – the Coordinated Mekong Ministerial Initiative against Trafficking and the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime). However, the intergovernmental body ASEAN has been collaborating with a wide range of stakeholders to protect children vulnerable to exploitation in tourism. A similar focus is found in Latin America where there are a number of institutions impacting the right of the child to protection from CSEC (such as the Organisation of American States, the Inter-American Children’s Institute and Mercosur, an economic and political bloc of 12 South American States); most of the regional initiatives are focused on reducing the incidence of trafficking in persons with some bilateral cooperation on addressing child sex tourism. The inter-governmental bodies in Africa (the African Union, ECOWAS and ECCAS) have primarily focused on combating trafficking and child marriage (and other harmful traditional practices) as is also the case in the Middle East. The most comprehensive cooperation through various programmes, strategies and initiatives is probably found within Europe which has strong regional forums (the European Union and the Council of Europe) and related mechanisms which have contributed extensively to the protection against all forms of CSEC. Some areas require greater attention in Eastern Europe (such as online child sexual exploitation) which is a concern extended to the Commonwealth of Independent States where the focus has been primarily on child victims of trafficking. As can be seen from this brief overview, there is a lack of regional cooperation and initiatives on new and emerging manifestations of CSEC such as online sexual exploitation of children which is a growing concern in all regions. There is also a lack of information and knowledge on CSEC from regions where ECPAT does not have active members or partners such as the Middle East, the Caribbean, Central Africa and the Pacific Islands.

<sup>23</sup> The following information is extracted from ECPAT International’s recently produced Regional Overviews and Counteracting Strategies which are currently being reviewed during ECPAT Regional Consultations.

An important area for collaboration and a very beneficial ally in policy and programme development is child and youth participation. Children can be active social agents and they should be given the opportunity to have their voices heard. However, a recent literature review carried out by ECPAT International (2011) concluded that it was necessary to identify more innovative and grounded mechanisms to involve children (especially CSEC survivors) in the development and implementation of policies. James (2011) argues that children's participation has yet to be contextualised in the changing public arenas of their daily life. Many child rights agencies are still trying to experiment and identify ways that young people can also engage in organisational governance to support meaningful decision making in the organisation's direction, policies, hiring and other major functions (Murdoch et al., 2009).<sup>24</sup>

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24 EICYAC (ECPAT International Child and Youth Advisory Committee) is used by ECPAT as one of the instruments of involving children and young people in its governance. There were several strategies in the past trying to bring different young activists to EICYAC – starting with the involvement of general child & youth advocates, and then narrowing the focus to a group of advocates made up of child survivors and children and young people believed to be at risk of sexual exploitation. However, there are still many structural and practical difficulties in involving young people in the governance of both ECPAT International and ECPAT Network members as their participation needs to become less 'event' or project driven and more systematically mainstreamed (Chowdhury, 2008).

# 5

## A STRATEGY AND TECHNICAL SCAN FOR THE FUTURE

The commercial sexual exploitation of children is clearly too complex to be addressed from a single perspective and strategies and technical innovations need to take into account the multi-dimensional nature of this phenomenon. This paper has already highlighted some of the multi-disciplinary approaches of a more comprehensive child protection system that are necessary to strengthen protection factors and mitigate against vulnerability and risk. While undoubtedly more countries have now prioritised or developed national action plans for children, the country monitoring reports undertaken by ECPAT International have consistently identified the inadequate allocations of budget and qualified human resources, poor coordination and the absence of effective monitoring and evaluation mechanisms. International legislation provides important standards but these are hampered by limited harmonisation and imprecise definitions at the national level.<sup>25</sup>

In such a short paper, it is not possible to give justice to the many priorities needed to respond to the emerging threats and opportunities for more effective action against child sexual exploitation. Nevertheless, the literature reviewed has clearly articulated the need for more inter-sectoral and integrated approaches that better respond to the multi-faceted and complex nature of CSEC. Recovery, reintegration and child-sensitive justice have yet to be developed such that child victims are able to claim their rights to special protection. Innovative approaches are just starting to be explored that look at community connections and structures and supporting children's resilience (in conjunction with other strategies), particularly where national child protection systems are not sufficiently developed, and there is a need for more dependence on informal sources (ECPAT International, et al., 2014). Child helplines and reporting hotlines are increasingly becoming a frontline support (UN Special Procedures, 2013a) but as each child's experience is different there is no singular formula for response and there is a need to develop more flexible rather than standardised approaches (Cody, 2012). Growing levels of migration, youth mobility, the negative effects of globalisation and the rapidly expanding ICT advances have increased potential vulnerability. Yet technological advances such as ICTs are also integral and positive components of modern life and their potential for providing child friendly information, awareness raising e-support services, counselling or on-line social network support groups has yet to be explored (Plan International, 2013). Corporate social responsibility is still in its infancy and the business sector's role in upholding and promoting human rights has yet to garner sufficient momentum or measurable impact. More efforts are need to consolidate and expand the application of private sector instruments and initiatives (UN Special Procedures, 2013a).

<sup>25</sup> See 2<sup>nd</sup> Edition ECPAT International Country Monitoring Reports available at: <http://www.ecpat.net/resources>.

A serious challenge in measuring impact and identifying good practice and lessons learned is the continuing lack of quality data and reliable analysis of information. As highlighted throughout this paper, the bulk of research produced over the last decade has been undertaken outside peer-reviewed academic circles, and is therefore often unscientific or not subjected to quality checks. Overcoming the lack of quantitative and qualitative information on the phenomenon and supporting rigorous processes of information gathering, analysis, evaluation, (including through scientifically sound and evidence based research), remains a priority for more effective response to CSEC (ECPAT International, 2013f). As such, there are a number of strategies that relevant civil society agencies may consider pursuing in the years to come to respond to this concern. Alliances with key international agencies committed to macrolevel research (e.g. UNICEF, ILO, World Bank, European Commission/Eurostat) could be fostered as this can not only help fill in the gap in global level statistics and trends but also contribute to raising awareness of the problem and the need for national data collection systems (ILO, n.d.).<sup>26</sup> At the national level, more effective use of the existing data sources should be made for the systematic analysis of CSEC and the evaluation of policy interventions. Quantitative information can be obtained from data collected by different authorities in the field (government agencies and civil society organisations) at national, local and even household levels while qualitative information can be elicited by combining and comparing data from selected qualitative research studies or other sources focusing specifically on CSEC (so called qualitative meta-data-analysis). Rapid assessments, though limited in their scope and findings, also provide qualitative information that is very useful in planning and starting programmes and projects at local or community level to help vulnerable children and survivors (Henschel, 2003). The need to develop more rigorous qualitative and quantitative research based on scientific methodology requires increased partnerships with academics and research institutes (ECPAT International, 2009b). At the same time, further efforts should be bolstered to ensure that children and young people are meaningfully involved in research on CSEC as, despite some promising initiatives (such as the youth-led studies undertaken by ECPAT in a number of countries), a better understanding of their perceptions, opinions and experience of CSEC, and what are the most effective solutions to the problem, is still needed (OAK, 2011). Giving voice to the child's perspective through child-centred research (with ethical strategies built in to the protocol to ensure child protection throughout the research process) forms an important basis for better targeted and less 'top down' protection and welfare policies and programmes.

26 For example, the abovementioned ILO global estimates on forced labour and human trafficking have been largely quoted in the media and have helped to raise global awareness. The global figures have also been used to draw attention to the urgency of developing more reliable statistics at the national level, providing guidance to policy-makers as well as benchmarks for measuring progress over time. See ILO, Decent work indicators: towards better statistics on forced labour and human trafficking, available at [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/newsitem/wcms\\_084005.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/newsitem/wcms_084005.pdf).

Finally, a persisting gap that must be urgently addressed is the lack of reliable information gathered through continuous rigorous monitoring and thorough evaluations of interventions to address CSEC. Despite the increasing focus on results and impact, conclusions continue to be often derived from anecdotal assessments rather than being based on evidence from rigorous monitoring and evaluation and hence do not also allow meaningful targets to be identified. Yet systematic monitoring and evaluation of interventions and effects at all levels represents the prerequisite for drawing lessons learned and the setting of meaningful targets. Moreover, the ability to provide evidence of successful strategies in the fight against CSEC is a matter of credibility towards potential funders of interventions and projects. Developing and conducting pertinent and systematic procedures for monitoring the results and impact of the work undertaken at all levels requires the adoption of a systematic approach since the outset of each programme, with the development of baseline surveys as point of departure and the formulation of indicators as yardsticks for measuring progress (Tautz, 2007). Involving children and young people in monitoring and evaluation at all stages is also essential to ensure that interventions are really making a difference to them (OAK, 2011).

# 6

## CONCLUSION

Although its true scope is still unknown, it is indisputable that the commercial sexual exploitation of children remains a significant and widespread global problem. Likewise, there is no doubt that its complexity and children's exposure to this violation have increased in recent years as a result of multifarious interconnected factors. While many of the socio-economic predictors remain largely the same, the literature reveals that situations and contexts in which children can become sexually exploited are diverse and that vulnerabilities have multiplied going beyond the traditional drivers. The continued expansion of the use of the Internet (including in developing countries), increased migration - either internationally or domestically, in particular due to urbanisation, the economic and financial crisis, the exponential increase in tourism flows, natural disasters, conflicts and climate-related changes have all affected children's vulnerability in the last decade. Globalisation has also impacted on children's wellbeing, although there is still considerable disagreement over whether it brings overall benefits or represents a threat to human rights, particularly of the most vulnerable. The increasingly complex, multidimensional and evolving nature of CSEC makes counteraction particularly challenging and is one of the main reasons why the international community has so far failed to eradicate this violation.

As an organisation such as ECPAT moves forward in its battle against the sexual exploitation of children worldwide it is essential that its strategies be refined to better respond to these new developments and the various challenges and concerns identified throughout this paper. A first key area where future efforts must focus is on building more conceptual clarity on CSEC. It has been noted that "battles over concepts (and data) between researchers still tend to be almost more notable than attempts to do anything about the exploitation of children, and to promote parallel competition between NGOs providing services and projects" (ECPAT International, 2008a). How the issue of sexual exploitation is framed and defined is particularly important and while it seems evident that changes in language, attitudes and perceptions about the sexual exploitation of children are inter-twined, how this potentially affects responses and reactions still needs to be explicitly explored. Besides investing in clarifying concepts, more emphasis should also be put on addressing the persisting lack of empirical evidence and reliable research to inform advocacy and programming, as well as on the best way to use available data and current knowledge.

An aspect which requires further scrutiny and clarity is the demand factor. As existing literature clearly shows, the child sex offender population is diverse and includes men and sometimes women and adolescent offenders. Contrary to common perceptions

and stereotypes, there are indications that most child sexual exploitation of post-pubertal adolescents is by men who are not paedophiles nor have specifically sought children for sex. Nevertheless, attention devoted to demand to date has focused mainly on paedophilia and this has often resulted in unsuitable interventions to address the crime with all age groups of children. Along with the need for more appropriate strategies reflecting the complexity of the demand side of child sexual exploitation, it is increasingly necessary to recognise the distinction between those who directly sexually abuse a child and those who indirectly benefit from their sexual exploitation. While both are child exploiters, the 'intermediaries' (often women) and other facilitators who are involved indirectly are part of the cycle of demand and are supporting social tolerance to the violation but are often ignored in the interventions to eliminate CSEC.

A persistent area of concern is the use and repetition of unsubstantiated, misleading and exaggerated figures for the number of children involved in sexual exploitation, particularly in prostitution, provided by a range of sources. This dearth of reliable and accurate figures makes it more challenging to justify claims that the scale of CSEC is increasing and certain duty-bearers and donors are starting to question such dubious data. The absence of substantiated quantitative information is compounded by the lack of data disaggregated by age with the result that the distinctions between pre-pubertal children, adolescent children and adults are persistently blurred; this impacts negatively on the design and effectiveness of interventions which are rarely tailored to meet the different needs that pre-pubertal and adolescent children may have.

The emphasis placed on paedophilic behaviour and the increasing exploitation of younger children in pornography has rendered the victimisation of older children in many other forms of exploitation more invisible. Additional research should be conducted on more hidden groups such as transgender children selling sex and the exploitation of adolescent boys as well as on youth engaging in transactional sex (including through the Internet) so that targeted interventions can be developed to support their recovery and to reduce their vulnerability.

This paper has also exposed the need for more holistic, multi-sectoral and integrated responses, particularly the need to support the development of effective child protection systems that are able to benefit simultaneously all children in various situations such as children at risk or subjected to sexual exploitation. Innovative approaches to improve recovery, reintegration and access to justice for child victims need to be further explored and expanded, taking into account the individual and unique experience and needs of each child. The monitoring and evaluation of interventions, based on reliable research that can help in baseline setting and identification of concrete indicators and targets, needs to be enhanced so that good practice examples and the number of children victimised or helped can be transparently and reliably measured. The private sector engagement in upholding child rights to protection from sexual exploitation and applying current standards and instruments of corporate social responsibility requires consolidation as does meaningful participation of children and youth, particularly those at-risk and survivors, in efforts against CSEC.

These are only some of the many gaps and priorities identified to better respond to the emerging threats and opportunities for more effective action against child sexual exploitation. As this contribution correctly highlights, it is undeniable that the three world congresses gave continued impetus and commitment to intensify initiatives to address CSEC yet they have proved costly and time-bound in impact. After twenty years of relentless work and commitment against this children's rights violation, it has become clear that to achieve sustained attention and a culture of responsibility for protecting children on an on-going basis it is necessary to adopt various approaches in light of the pressures of other emerging global social priorities. Identifying new ways and making a genuine attempt to address recurrent and emerging gaps rather than proposing the same remedies represents the main challenge facing organisations such as ECPAT but is also a necessary step towards achieving the ambitious goal of putting an end to the commercial sexual exploitation of children.



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