



COMPENDIUM OF ARTICLES:

**RIGHTS IN PRACTICE
IN COMBATING
SEXUAL EXPLOITATION
OF CHILDREN**



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PREFACE

Since 2011, ECPAT International has been releasing 2nd Edition Country Monitoring Reports on the status of action against commercial sexual exploitation. These country-by-country reports present a systematic assessment of the policies, legislation, prevention activities and protection responses of the state and other key duty-bearers in their efforts to eliminate this serious human rights violation against children. The country reports utilize the Stockholm Declaration and Agenda for Action framework (which has now been endorsed by three World Congresses) and conclude with specific priority actions that should be immediately taken up by the state to strengthen protection measures and to promote more holistic and comprehensive programmes. ECPAT International's "Agenda for Action" (A4A) Journals seek to learn from the collective, comparative study of the different 2nd Edition Country Monitoring Reports (and other relevant secondary research data) to help identify lessons learnt and good practice initiatives. It is the aim of these Journals to identify effective actions and expose new trends and manifestations of CSEC, as well as to highlight gaps in implementation that can be filled and replicated.

The first article in this A4A Journal examines the major challenges and shortcomings that hinder the full implementation of the rights of sexually exploited children across the European Union (EU). It recognizes the significant progress that has been made within the EU to prioritise policies and to establish a protective framework for child victims of sexual exploitation. However, despite numerous examples of good practice initiatives and models, consistent implementation across the region remains weak and key principles set forth in international and regional instruments are being

insufficiently enforced.

A setting for one of the most horrific and systematic forms of sexual violation of women and children takes place in war contexts and humanitarian disasters. The second article of this Journal examines the difficulties of researching sexual violence and exploitation of children in armed conflict but exposes empirical evidence to suggest that it must always be presumed to be present in all emergency situations. A human security framework approach is proposed as the most effective mechanism for establishing an integrated, child-centred protective environment for children caught up in conflicts or other humanitarian crises.

The third Journal article looks at the obligations and duties of states to uphold the rights of children to be protected from sexual exploitation through the specific country example of Thailand. Still struggling to shake off its 'infamous reputation as a 'commercial sex paradise' the political will of the government to deal with corruption is seen as a major challenge to the country's efforts to address commercial sexual exploitation of children. The article calls on the private sector to join the fight in protecting children to help strengthen the accountability of all duty-bearers.

Finally, another group of sexually exploited children frequently overlooked and hence often denied the realization of their right to live free from sexual violence and exploitation is boys. The stigma and shame faced by boy victims, compounded by the lack of awareness of the problem by service providers and law enforcement officials, has meant that the sexual exploitation of boys is a form of 'hidden violence'. This fourth article presents key data and findings of the sexual abuse and exploitation of boys

uncovered through an 11 country initiative in the Global South led by Instituto Promundo and funded by the Oak Foundation.

Whilst the compilation of a variety of articles for this Journal has examined some of the obstacles impeding the full realization of children's rights and their vulnerability to sexual exploitation, it

has also highlighted some of the key lessons learnt and innovative strategies and practices that can enhance cooperation and counteraction. It is hoped that the recommendations and strategic actions identified in this Journal will be of assistance in advocacy and programming work across the regions of the world.

The rights of child victims of commercial sexual exploitation in practice at EU and Member States' Levels

By Alessia Altamura

Introduction

Over the last two decades, there has been wide recognition that children and youth entering the justice system as victims and witnesses of crimes are more vulnerable than adults and therefore must be entitled to additional protection and rights. Special consideration must be afforded to children involved in all types of crimes, including commercial sexual exploitation (UNICEF, 2001). Since the First World Congress against Commercial Sexual Exploitation of Children (CSEC) held in Stockholm in 1996, the international community has emphasized that a non-punitive approach to children subjected to these serious sexual offences must be applied “taking particular care that judicial procedures do not aggravate the trauma already experienced by the child and that the response of the system be coupled with legal aid assistance [...] and provision of judicial remedies to the child victims”.¹ The importance of guaranteeing child victims’ rights has been reiterated in the Yokohama Global Commitment 2001 and further highlighted in The Rio de Janeiro Declaration and Call for Action adopted in 2008. Among measures on child protection that were considered paramount, States gathered in Brazil committed to “promote and defend the privacy of the child victims and child

perpetrators of sexual exploitation [...] to protect their identity in investigatory or court proceedings or from disclosure by the media and ensure that these proceedings are child friendly and allow the child to participate in a meaningful way in the process of bringing the perpetrator to justice”.²

The European Union (EU), a unique economic and political partnership comprising of 27 member states, has placed the protection of victims of crimes high on its agenda and has adopted a number of legislative acts, soft law instruments and policy documents in this area. The *Council Framework Decision 2001/220/JHA of 15 March 2001 on the standing of victims in criminal proceedings* lists several basic rights for victims of crime and, whilst not explicitly mentioning children, specifies that “Each member state shall ensure that victims who are particularly vulnerable can benefit from specific treatment best suited to their circumstances” (APAV, 2009). More recently, the *Proposal for a Directive of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime of May 2011* provides for comprehensive measures for improving the protective environment for adult and child victims of all crimes.³

¹ Stockholm Declaration and Agenda for Action. 1996. Available at: http://www.kinderrechte.gv.at/home/upload/downloads/internationales/agenda_for_action_stockholm-1996.pdf

² Rio de Janeiro Declaration and Call for Action. 2008. Available at: http://www.unicef.org/protection/Rio_Declaration_and_Call_for_Action.pdf

³ Proposal for a Directive of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime of May 2011. Available at: http://ec.europa.eu/justice/policies/criminal/victims/docs/com_2011_275_en.pdf

Besides calling for holistic protection of all child victims and witnesses of crimes, the EU has recently approved legislative provisions to address the special needs of groups of children that are most at risk, notably children who are victims of sexual exploitation and abuse as well as children that are subjected to trafficking. The *EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims of April 2011*⁴, and the *EU Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography of December 2011*⁵ both recognize that child victims of these offences shall be considered as particularly vulnerable in line with *Council Framework Decision 2001/220/JHA*. Moreover, child victims of sexual exploitation and trafficking are entitled to a number of special protection measures in criminal investigations and proceedings ranging from legal counselling and representation to child-sensitive interviews and protection of children's privacy and identity.

Whilst protection of child victims of crime is recognised as a central concern in the European Union and increasing efforts have been bolstered to enhance the legal framework on this matter at regional level, there is very limited knowledge on how legislation and policies to promote and protect the rights of sexually exploited children are put into practice in EU countries. This makes it particularly difficult to assess the overall application of international and regional obligations and commitments that EU States have taken towards children. This paper will seek to address this dearth of evidence-based research by analysing some of the achievements in safeguarding the rights of child survivors of sexual exploitation in EU member states, focusing on selected children's rights and related aspects. The paper will showcase examples of good practice models and discuss the major challenges and shortcomings that hinder the full implementation of the rights of sexually exploited children while also proposing a list

of recommendations for possible improvements and future actions at EU member state level.

Reporting child victimisation to police

One of the outstanding issues on child victims' rights is the level of protection and support allowing victims to effectively report their victimisation to the police. A number of children may feel threatened or intimidated when reporting commercial sexual exploitation and as a consequence may find it difficult to articulate what has happened to them. There are various strategies and mechanisms that states can implement to help overcome this difficulty. One of the key measures to support filing of complaints is the creation of a child-friendly, free, and anonymous emergency phone or Internet-based service, accessible by all children who are at risk or who are victims of sexual exploitation on a 24-hour basis. This service should not only receive complaints but also provide information on victims' rights and specialised counselling as well as facilitate access to relevant services to assist and protect the child. Helplines/hotlines should be managed either by a state agency (including police) or an NGO, but public funds should be allocated to ensure their constant functioning. Awareness raising about their existence should also be promoted and financially supported (ECPAT International, 2009).

To minimise the potential trauma that child victims may face in their first contact with police authorities, another tactic that states should adopt is establishing appropriately trained police units that can respond to crimes against children in a child-friendly manner. These units should be gender-sensitive, be present all over the national territory and ideally, cooperate with a national child welfare system comprised of multi-disciplinary professionals who can give guidance on appropriate housing and follow up care (ECPAT International, 2009).

⁴ EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims of April 2011. Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:EN:PDF>

⁵ EU Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography of December 2011. Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:335:0001:0014:EN:PDF>

With regard to the system of reporting sexual exploitation of children and helping those in need at EU level, the 2011 *EU Directive on combating the sexual abuse and sexual exploitation of children and child pornography* has called on Member States to further promote the harmonised numbers for services of social value “116 – xxx” introduced by *Commission Decision 2007/116/EC* of February 2007. Established in a number of EU states but not yet fully implemented, these services provide an essential channel for making complaints and providing support as required. A survey conducted in 2011 to examine the level of awareness among European citizens and the usefulness of this initiative has however exposed a lack of information about the hotlines/helplines that are available, confirming that publicising these tools is a necessary strategy for ensuring their full use (Eurobarometer, 2011). The final ECPAT-The Body Shop “Stop Sex Trafficking of Children and Young People Campaign” impact report that was recently published highlighted similar challenges (ECPAT International, 2012a). According to this review, in 86% of the 21 EU member states analysed, helplines are not staffed with personnel adequately trained to handle cases of child trafficking and sexual exploitation. Moreover, many of these helplines are not fully accessible to children due to limited advertising, language barriers and cost of the service. The lack of specialisation affects both the “116-xxx” numbers that the EU has recommended to expand as well as the hotlines to report human trafficking that have been set up across several EU countries (see, for example, the newly established anti-trafficking hotlines in Sweden⁶ and Austria⁷) (ECPAT International, 2012a; 2012b). An exception is the national 116000 hotline created in April 2009 by the Belgian government and operated by the child rights NGO, Child Focus, which provides support to parents of missing children but also to children at risk or victims of trafficking and sexual exploitation, 24 hours, 7 days a week (ECPAT International, 2010a). Child Focus works closely with the Belgian

police and has conducted several awareness raising activities to inform children and other target groups about this service.⁸

Hotlines to report suspected cases of sexual exploitation of children in tourism have also been recently created in some EU countries as a result of collaboration between police and NGOs, especially ECPAT member groups, including Netherlands, Denmark,⁹ Austria, Switzerland,¹⁰ Belgium¹¹ and Germany (ECPAT International, 2011a; 2012b, 2012c). Similarly a wide network of hotlines and helplines to file complaints about online child sexual abuse material and to provide information and advice to children, young people, parents and teachers about how to stay safe online has been established all over Europe as part of the EU Safer Internet Programme.¹²

A child-friendly reporting mechanism

The website www.helpwanted.nl established at the end of 2007 by the private Hotline combating Child Pornography on the Internet is specifically for young people between 12 and 18 years old to report online sexual abuse and receive advice directly from employees. Parents and caregivers can also find information about the safe use of Internet. In 2010, the Hotline received 327 reports through www.helpwanted.nl, the majority referring to sexual abuse by means of webcam. Several activities have contributed to the greater public awareness of Helpwanted. Besides the ‘Cyberlokker’ (cyber groomer) video that was broadcasted in September 2010 reaching more than 300,000 young

⁶ <http://safetrip.se>

⁷ http://www.iomvienna.at/index.php?option=com_content&view=article&id=451&Itemid=168&lang=en

⁸ <http://www.childfocus.be/fr/organisation-2/communication/campagnes> and <http://www.childfocus.be/fr/disparitions/la-ligne-d-urgence-116-000>

⁹ www.stopsexturisme.dk

¹⁰ <http://www.fedpol.admin.ch/content/fedpol/en/home/themen/kriminalitaet/kindersextourismus0/formular.html>

¹¹ <http://www.childprostitution.be/02.php>

¹² <http://www.saferinternet.org/web/guest/helplines>

people on TV Stations TMF, MTV or Comedy Central, Microsoft promoted Helpwanted through the youth channel RU Live TV. In addition 100,000 free cards (so-called Boomerang cards) were distributed to over 200 schools and 2,000 Hyves pages also received digital cards. Thanks to support from partner organisations and private enterprises, the Hotline was able to distribute educational material free of charge (ECPAT International, 2011a).

No major progress has been achieved in EU member states since 2009 with regard to the establishment of specialised child protection units to investigate child trafficking for sexual exploitation and to ensure protection and assistance to victims. The final ECPAT-The Body Shop “Stop Sex Trafficking of children and Young People Campaign” impact report found that all 21 EU countries reviewed have set up law enforcement divisions to investigate cases of human trafficking, child trafficking or sexual offences against children (ECPAT International, 2012a). There is however a continuous and alarming lack of specialised training on child-sensitive approaches and CSEC crimes for law enforcers employed within these units (due generally to limited financial resources and high turnover of personnel) and the existing structures are mainly concentrated in major cities (ECPAT International, 2011d). Also, in some countries, governments rely on NGOs for delivering training to police staff without ensuring constant funding (ECPAT International, 2010d; 2012b) while in others capacity building does not reach the full range of law enforcers who may come into contact with CSEC victims (ECPAT International, 2010b). In this context, the situation of Romania appears to be exemplary. According to the ECPAT member group in the country, all cases of trafficking in children and CSEC are investigated by the Direction of Combating Organised Crime, which has trained policemen who are specialised in working with children

in Bucharest and in all their regional offices. Half of these police staff are women (ECPAT International, 2012d).

Alongside the limited presence of child-sensitive reporting mechanisms and police units in most EU states, another shortcoming that should be urgently addressed to ensure that children feel protected when reporting commercial sexual exploitation and trafficking to police is the non-prosecution and non-application of penalties to the victims for their involvement in criminal activities committed as a result of being subjected to these crimes. This is expressly required by the new EU Directives on trafficking and sexual exploitation of children. Regrettably, there are still a number of countries in the EU that criminalise children for offences relating to prostitution (Levy, 2004; ECPAT International, 2012b); furthermore, in half of the Member States child victims of trafficking can be potentially prosecuted for border offences due to the absence of a formalised policy on non-punishment (FRA, 2009). Equally worrying is the absence in several EU countries of effective witness protection programmes for child victims and, when required, for their families, which contribute to discouraging the filing of complaints (FRA, 2009).

The right to information and children’s participation in criminal proceedings

Since their first contact with the justice process and throughout judicial proceedings, one of the fundamental rights of child victims of crimes, including commercial sexual exploitation, is to be informed about certain aspects such as the legal process, existing protective measures and the different services they can access. The right to information is a necessary pre-condition for empowering child victims to participate in criminal proceedings and should be enforced through a variety of means, including education materials produced for and with children.

In recent years, a number of countries in Europe have adopted measures to enhance the rights of child victims of crimes to obtain information. In Germany, for example, with the Second Victims' Rights Reform Act enacted in October 2009, an obligation was introduced for the criminal prosecution authorities to inform victims of the possibility of receiving assistance from support organisations. In addition, the victims of crimes have to be notified as early as possible, in writing on a regular basis and in a language they can understand. As a result of these new provisions, the local authorities have produced and translated an informative leaflet into numerous languages and have begun to distribute it to victims when they report crimes or when they are interrogated for the first time.¹³ However, the leaflets do not appear to specifically target children and young people.

There are countries that have established measures to ensure the right of information specifically for child survivors of sexual exploitation. For example, in the Netherlands, a legal obligation has been introduced to inform child victims of trafficking of their rights to actively participate in criminal proceedings. More specifically, child victims need to be informed of their right: a) to have an interview with the Public Prosecutor; b) to speak in court; and c) to submit a written statement (Lawson, et al., 2009).

The adoption of provisions for informing victims of crime of relevant information is a positive measure but is not necessarily followed by concrete implementation. In the UK, for example, the ECPAT group has noted that professionals dealing with victims of trafficking are often unaware of the Code of Practice for Victims of Crime issued by the Criminal Justice System in 2005. Consequently, child victims are not being made aware of their rights and special entitlements contained in the Code. Furthermore, in several EU states there is a lack of qualified interpretation services for children, which makes it impossible for

child victims to be informed in their native language, to express their views and to actively participate in legal proceedings (UNICEF, 2011). The result is that children continue to be treated as objects of protection rather than as stakeholders.

Whilst there are limited examples of EU member states providing child-specific information to victims of crimes, in some countries civil society organisations have developed promising practices to ensure the realisation of this right. As part of the "Child Abuse and Neglect in Eastern Europe" multi-partner project coordinated by Nobody's Children Foundation Poland (ECPAT member group in the country) implemented in a number of central and eastern EU countries, a publication entitled "I am going to court" was designed and distributed which helps children get ready to testify and clearly explains the court procedures. As part of the same initiative, an awareness raising campaign called "Child as a Witness" was designed to improve the situation of children who participate in legal procedures. The programme, which is still running, is targeted at child victims, their parents and caregivers and provides information on relevant legal regulations, the scope of competence of the police, the prosecutor, and the court, as well as interviewing procedures. The campaign is also addressed to professionals - judges, prosecutors, police officers, and psychologists acting as court experts - participating in legal interventions or helping children throughout the process (www.canee.net).

To ensure that child victims are informed, their views heard and taken into account, and their best interests respected in the legal process, legal assistance should be provided, including through the adoption of a strong guardianship system. This is particularly relevant for unaccompanied minors who are victims of trafficking for sexual exploitation. The legal guardian has several responsibilities and tasks, including appointing a lawyer, acting as

¹³ German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, Plan of Action 2011 of the Federal Government of Germany for the Protection of Children and Teenagers from Sexual Violence and Exploitation. Available at http://www.dji.de/izkKE/BMFSFJ_Aktionsplan%202011_engl.pdf.

a legal representative in all proceedings, assisting the child during the hearing/interview, explaining the judicial decisions to the child and ensuring the child fully understands all processes. Whilst this institution plays a key role in protecting the child and guaranteeing his/her participation in criminal proceedings, research conducted in 11 EU countries found that guardianship is not common practice in the EU and that in countries where it is not in place problems have emerged concerning responsibility for the child and the independence of representation. Furthermore, in cases of child trafficking victims, the chances of early recognition of the signs and the offer of specialised protection are much lower, compared to countries with a guardianship system (Nidos Foundation, 2010). The absence of specialised training specifically on representing child victims of trafficking for legal guardians constitutes a major challenge in several countries and is often coupled with a limited implementation of existing provisions on guardianship. The limited application of measures in place is due to several factors, including the lack of a national referral system for child victims and the absence of a responsible institution to fulfill such a role (FRA, 2009; National Coalition for the Implementation of the UN Convention on the Rights of the Child in Austria, 2011; Greek NGO Network for Child Rights, 2011).

Some models of good practice in the area of guardianship do however exist. In the Netherlands, for example, the Foundation Nidos has the responsibility to ensure that unaccompanied minors (including possible victims of child trafficking) receive the services they are entitled to. Besides providing support in finding a place to stay and monitoring their supervision, Nidos acts as guardian for these minors, taking care of their education and best interest, acting as legal representatives, and assisting children until their repatriation (www.nidos.nl). Since 2005, Nidos has also been implementing the “Schiphol Project”, in which a team is based at Schiphol airport in Amsterdam to provide unaccompanied minors

with temporary guardianship within several hours of their arrival, i.e. almost immediately after the unaccompanied minor has entered the country (Nidos Foundation, 2007).

Preventing secondary victimisation

Secondary victimisation refers to “the victimisation that occurs not as a direct result of the criminal act but through the response of institutions and individuals to the victim”.¹⁴ As far as secondary victimisation in the justice system is concerned, several international and regional legal instruments set forth standards to protect children from unnecessary hardship during the criminal justice process and recommend a number of child-sensitive procedures, including: providing interview rooms designed for children; ensuring interdisciplinary services for child victims integrated in the same location; reducing the number of interviews; and eliminating unnecessary direct contact with the justice process, for example by videotaping children’s statements.

At EU member state level, a study conducted in 2010 has found that the discourse on the status and rights of child victims in the context of criminal justice processes has been limited, but certain groups of child victims, in particular victims of sexual offences and trafficking in human beings, have received more attention than others (Crime Victim Compensation and Support Authority, 2010). In terms of child-sensitive measures, it appears that the majority of member states have adopted special provisions for the hearing of children in criminal proceedings (e.g. written interviews/ statements, audiovisual recording, in-camera hearings, etc.), especially with a view to protect them from repeated interviews. Also, in several EU states, child witnesses are automatically interviewed by or in the presence of an expert, either a social

¹⁴ Council of Europe Recommendation Rec (2006)8 of the Committee of Ministers to member states on assistance to crime victims. Available at: <https://wcd.coe.int/View-Doc.jsp?id=1011109&Site=CM>

worker, a pedagogue or a child psychologist (FRA, 2009). Child-friendly interview rooms do also appear to be available throughout the EU though in a scattered manner (Crime Victim Compensation and Support Authority, 2010).

Some countries have been particularly effective in protecting child victims of crime through child-sensitive procedures and a number of models of good practice at EU member state level have been established. In the Netherlands, for example, the child is interviewed only once by a trained police officer (who has special certification). Interviews are held in special rooms that are suitable as places to question young children, and the transcripts and the tape are available as supporting evidence that can be shown to the prosecutor, defence lawyer or the judge in court (ECPAT Europe Law Enforcement Group, 2006). In Poland, the Ministry of Justice in cooperation with Nobody's Children Foundation and other NGOs has set up a system for certifying child-friendly rooms and standards for interviewing child victims (Polish Government, 2008). In several EU Nordic states, including Sweden, Norway and Denmark, the Children's House model (initially developed in Iceland) plays a significant role in avoiding secondary victimisation. Involving police, public prosecutors, forensic doctors, social workers and child psychologists, the Children's House is a cooperative initiative aimed at providing child victims with one place to go for legal and other support services. To prevent subjecting the child to multiple interviews by different persons in a multitude of locations, the model facilitates taped testimony with investigators, which can later be used in court (Guðbrandsson, 2010; ECPAT International, 2011b). Despite these promising practices have contributed to reducing hardship during criminal proceedings, it remains unclear whether they are specialized enough to meet the special support needs of sexually exploited children.

The importance of a multi-disciplinary and child rights based approach

Co-operation among the different professionals involved in managing cases of commercial sexual exploitation of children is essential to avoid the re-victimisation of children in the judicial process. If concerned institutions do not collaborate with one another, the child may be subjected to several interviews and forced to re-live the abuse repeatedly. Coordination also ensures that the child receives adequate protection and effective individual assistance as required, from reporting of the crime/child victim's identification to social reintegration. Whilst efforts promoted by EU Members States to promote a holistic approach to child protection remain isolated, a promising practice that should be further extended and used is the multi-disciplinary training tools and training sessions on child trafficking for sexual purposes developed by 16 ECPAT European groups as part of a project funded by the EU. Targeting law enforcement personnel, social workers and caregivers, the training places special emphasis on protecting the rights and best interests of trafficked children and provides practitioners with specialised knowledge and skills, including advice on how to investigate child trafficking offences and interviewing child victims, e.g. guidelines on questioning children, location and preparation for the interview, preparation of a child witness for court, etc. (ECPAT Europe Law Enforcement Group, 2006).

Although some progress has been noted in the adoption of provisions for making the justice system more child-friendly at EU member states level, there are still several challenges and factors adversely impacting the protection of child victims of sexual exploitation before, during and after criminal proceedings. In a number of countries, properly equipped child-friendly interview rooms and personnel trained to carry out child interviews are not available throughout the state's territory; mainly due to a lack of financial resources. Furthermore, even when child-friendly rooms and other protective procedures do exist, their use is often not mandatory and left to the discretion of judges and prosecutors with the result that some children are subjected to unnecessary repeat examination by different agencies. In many EU states judicial proceedings relating to trafficking and CSEC cases are unduly long while in others child-sensitive measures are not applied to foreign unaccompanied children or to all children (regardless of age) up to 18 years old (Committee on the Rights of the Child, 2009, 2010, 2010a, 2011; National Coalition for the Implementation of the UN Convention on the Rights of the Child in Austria, 2011; ECPAT International, 2012c).

Secondary victimisation by the media

Privacy and data protection are core rights for child victims of crimes. One of the key strategies to ensure the enforcement of this right is the prevention of unwanted publicity and media attention and the dissemination of personal data of child victims without their consent. This is particularly relevant for children involved in commercial sexual exploitation, especially due to the social stigma attached to prostitution and other forms of sexual abuse common in many countries. Provisions for protecting children from secondary victimization by the media have not yet been adopted throughout the Union. For example, in reviewing the implementation of the OPSC Protocol by

Estonia, the Committee on the Rights of the Child expressed concern about instances of media revealing information on sexually exploited children which could lead to their identification. On the other hand, some countries have adopted specific provisions in this regard. In Italy, for instance, the Law 269/1998 on *Provisions against child prostitution, pornography and sex tourism against minors*¹⁵ protects the personal data and the image of the victim by explicitly punishing those who disseminate pictures of the victim, without his/her consent, to the mass media (ECPAT International, 2011c). In Ireland, the Criminal Law (Human Trafficking) Act 2008 provides, inter alia, for the anonymity of victims of trafficking, including children.¹⁶ Nevertheless the implementation of existing procedures remains challenging, especially due to a lack of constant monitoring and awareness and training for media professionals.

The right to compensation

Financial reparation by the state or by the offender is a fundamental right of child victims of crimes, including sexual exploitation and trafficking. For child survivors of sexual exploitation compensation is not only an important aspect to have justice done for the injuries and losses suffered, but is also an essential step for rebuilding their lives and being successfully re-integrated into society.

¹⁵ Legge 3 agosto 1998, n. 269. Norme contro lo sfruttamento della prostituzione, della pornografia, del turismo sessuale in danno di minori, quali nuove forme di riduzione in schiavitù. Available at: <http://www.camera.it/parlam/leggi/98269l.htm>

¹⁶ Criminal Law Human Trafficking Act 2008. Available at: <http://www.irishstatutebook.ie/pdf/2008/en.act.2008.0008.pdf>

Several EU instruments relate to the compensation of adult and child victims of crimes. Article 9 of *Framework Decision 2001/220/JHA* of 15 March 2001 (that applies also to child victims of sexual exploitation, child pornography and trafficking), provides for the right to compensation in the course of criminal proceedings, thus implying that reparation is not offered to victims that do not want to participate in the judicial process. The EU Directive on trafficking contains a specific obligation for member states to ensure that trafficking victims have access to existing schemes of compensation for victims of violent crimes. The *Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims*¹⁷ focuses on compensation for victims of crimes in cross-border situations, such as trafficking, requesting member states to establish a national scheme on compensation and set up structures to facilitate access of victims of other EU states to schemes in their home country.

Some EU States are taking steps to improve compensation payments for child victims of sexual exploitation. In Germany, for example, the Draft Law for Fortifying the Rights of Victims of Sexual Violence provides for the extension of the statute of limitations (from 3 to 30 years) for claiming compensation from sex offenders.¹⁸ In Austria, in November 2010, the Austrian National Assembly enacted the so-called “criminal law competence package” which provides for the strengthening of the system of confiscation entered into force on 1 January 2011. According to the Austrian authorities, the Federal Ministry of Justice will establish specialised public prosecutors for the confiscation of profits of crime and this new measure will contribute to support victims of trafficking in human beings, including trafficked children, to claim compensation from confiscated assets (GRETA, 2011; ECPAT International, 2012b). There are no comprehensive numbers and statistics about

access to redress by child victims of sexual exploitation of children in EU member states, especially for children exploited in prostitution or victims of pornography related offences, but the increasing attention devoted to victims of trafficking allows for an assessment of the situation of child sex trafficking survivors. A study in eight Organization for Security and Co-operation in Europe (OSCE) States obtained little information about compensation paid to trafficked children but concluded that, “[...] wherever problems exist for trafficked persons they are probably amplified in the case of child victims”. The problems experienced by adult victims included compensation being awarded by courts but never paid (Office for Democratic Institutions and Human Rights/OSCE, 2008). Another study on child trafficking in EU states has identified several options for trafficked children to claim for compensation (e.g. obtaining reparation from the offenders or the state by joining the criminal proceedings, court imposing an order for compensation regardless of child participation in the legal process, applying to a state compensation fund for crime victims, etc.). However, access to compensation may be subject to several criteria and limitations such as: it may only be available for nationals and EU citizens or apply to crimes committed on the territory of the member state concerned; it may require the final conviction of perpetrators or the cooperation of the applicant with law enforcement agencies (FRA, 2009). In many EU countries, children are not informed of their right to access compensation and relevant actors involved (judges, prosecutors, etc.) appear not to be very familiar with the details of legislation on victims’ redress.¹⁹

As confirmed by recent research in a number of EU countries, although there is an emerging awareness about the right to compensation for trafficked persons and despite the existence of compensation schemes in the legal frameworks of European

¹⁷ Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims. Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:261:0015:0018:en:PDF>

¹⁸ German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, Plan of Action 2011 of the Federal Government of Germany for the Protection of Children and Teenagers from Sexual Violence and Exploitation. Available at http://www.dji.de/izkkE/BMFSFJ_Aktionsplan%202011_engl.pdf.

¹⁹ <http://www.compactproject.org/documents/Leaflet.pdf>

countries, receiving compensation remains problematic for adult and child victims of trafficking because the mechanisms that are in place for redress are seldom used and many barriers discourage survivors from applying for compensation (De Weerd, 2011). In Austria, for example, a study on compensation for trafficking victims found that the possibilities to receive redress are in practice very limited, especially for child victims. This is due to several factors, including difficulties in accessing appropriate psycho-social and legal accompaniment in court cases, in the securing and confiscation of assets of the accused persons, and in informing victims on their rights. Also, the right to receive payments applies to non-EU citizens only if they are legally residing in Austria (Planitzer, et al., 2011; National Coalition for the Implementation of the UN Convention on the Rights of the Child in Austria, 2011). Similarly, in Germany, only a few child trafficking victims apply for compensation and usually the amounts paid are significantly lower than the claims initially pursued and in most cases they only represent a very small portion of the assets gained by the perpetrator through the exploitation of the victim (ECPAT International, 2012c).

NGO efforts to improve access to compensation for child sex trafficking survivors

In an effort to enhance access to financial redress, ECPAT UK, in collaboration with the international law firm Hogan Lovells, has recently launched an initiative to inform trafficked children about their right to compensation. An information leaflet for distribution was published in 12 languages – Arabic, Chinese, Czech, Edo, English, Farsi, French, Kurdish, Pashto, Romanian, Slovakian and Vietnamese – to reflect some of the most common countries where children are trafficked from into the UK. The leaflet gives invaluable advice on obtaining compensation for children who have been

trafficked into the United Kingdom. It explains clearly, and in a language that children can understand, who is eligible for compensation under the scheme, and how to go about getting more information and applying for the money.²⁰

Although not focused specifically on trafficked children, another initiative worth noting is the COMPACT project. Launched in 2010 by La Strada International and Anti-Slavery International to promote the right to compensation for trafficked persons including children, it was initiated to overcome the problems related to the implementation of compensation measures for trafficked persons and to raise awareness and mainstream the issue of compensation within the international anti-trafficking agenda. The initiative currently involves nine EU member states.²¹

Support services and prevention of repeat victimisation

It is well known that for a wide variety of offences being a victim on one occasion significantly increases the possibility of being a victim again some time in the future (Smallbone, et al, 2008) and children who have been commercially sexually exploited may be exposed to repeat victimisation due to a combination of factors. Even after being rescued from traffickers or exploiters, children may return to exploitative situations as a result of their low self esteem and a sense of hopelessness they feel gives them the impression that working in prostitution is the only way to survive

²⁰ The leaflet is available at: http://www.ecpat.org.uk/sites/default/files/lwdlib02-2722882-v7-ecpat_leaflet_on_cica_claim_english.pdf

²¹ See <http://www.compactproject.org/?main=home>

or to have control over their lives. When effective social and psychological recovery and reintegration programmes are not available, sexually exploited children may go missing from care, fall back into prostitution or be re-trafficked (ECPAT Europe Law Enforcement Group, 2006a). Re-victimisation is also common among children made the subject of abuse images. The Internet, in particular, provides a source for repeated, long-term victimisation of a child that can last for years. Once a child's picture is displayed on the Internet, it can remain there forever causing several traumatic effects on the victim (Baines, 2008).

As required by international standards, EU states have a responsibility to include measures to prevent repeat victimisation of child survivors of sexual exploitation and this should ideally be achieved through the adoption of multi-faceted strategies targeting both the victims and offenders (Bolling, & Harper, 2007). A first key intervention to reduce the chances that children involved in trafficking and sexual exploitation are revictimised is to offer them comprehensive specialised support services, including: accommodation; therapeutic services to heal the trauma; education; job opportunities; and adequate follow up after reintegration. For foreign victims, it is also important that child victims are not repatriated or subjected to deportation or forced to return without safeguards and other protective measures in place in their home country.

Despite specialised child victim assistance being paramount for preventing re-victimisation, recent progress in this area at EU member States remains generally unsatisfactory. The final ECPAT-The Body Shop "Stop Sex Trafficking of children and Young People Campaign" impact report, which assessed four key indicators on victims assistance (help-lines, shelters, medical

services and psycho-social support), revealed that nearly 85% of the 21 countries examined are providing limited, unspecialised and inadequate support services.²² The economic downturn combined with political instability in many countries in Europe has resulted in large cuts in public expenditure for social services, including for the care and support of child victims of trafficking and sexual exploitation (for example, some shelters in Greece and France were shut down due to lack of funds).²³ It should be noted that none of the EU states analysed has been assessed as offering specialised shelters for child sex trafficking survivors and that only one country (Denmark) appears to ensure sustained counseling services delivered by trained and experienced professionals (ECPAT International, 2012e). Besides a lack of funding for service providers (of both state agencies and civil society organisations), information obtained from ECPAT groups and partner organisations highlighted a number of gaps in the area of support services which should be urgently addressed by EU member states, including: a) assistance is offered only upon certain conditions (i.e. if the child victim collaborates in the legal proceedings, is identified as a victim of trafficking or is legally resident in the country); b) victims are not identified and therefore cannot access assistance; c) there are difficulties in delivering culturally and age appropriate services and specialised assistance for boys; d) national referral mechanisms to coordinate the provision of support and specialised multi-disciplinary training are lacking in most of the countries; e) provision of specialist support varies among regions (especially in federal states) and is usually concentrated in capital cities; f) follow up services for foreign victims of trafficking who returned back to their home countries and long-term care for CSEC victims are still limited, if not totally absent.

²² Data based on responses provided by ECPAT groups and partner organizations.

²³ Information provided by ECPAT France and the NGO "Obrela".

Successful models for supporting victims

Italy stands as a good example for its support system for child victims of trafficking for sexual exploitation. As a result of Art. 18 of Legislative Decree No. 286/98 victims benefit from social protection projects which enable them to access several services. Besides being entitled to a special residence permit or a stay permit as unaccompanied children, child victims are provided with shelter, education, social and health services, medical and psychological care, assistance in finding employment, vocational training, legal advice, and the services of a competent translator during legal proceedings. Support is provided both by NGOs and state social services regardless of children's collaboration in the prosecution of traffickers (ECPAT International, 2011c). A number of child victims of trafficking have been successfully reintegrated thanks to these projects and re-victimisation in the short and long term has been reduced.

Several initiatives designed and implemented by ECPAT show that the level of re-victimisation significantly decreases if children have a voice in decision-making and developing a reintegration plan. Child participation is therefore an important component of a successful recovery and rehabilitation process. A good example in this regard is the ECPAT UK Youth Group, a peer support group for child victims of trafficking, specifically females aged 15-21. The group meets on a weekly basis and undertakes activities such as skills workshops, creative projects and social activities. The participation in this initiative allows survivors to transform the negative image of themselves, build self-confidence, and focus on their personal development.²⁴

On the other hand, some advancement has been recently made at EU member state level in addressing the problem of children going missing from care who are particularly exposed to the risk of being further exploited and victimised. In Ireland, for example, the number of children going missing from care in 2011 has decreased as a result of the "Equity of Care Policy" (implemented since 2009 by the Health Service Executive), which ensures that separated children, including trafficked children, receive the same level of care as Irish children in care. More specifically, they are placed in foster care rather than in hostels (Barnardo, 2011). Similarly, in Poland a new act on foster care was adopted (it will come into effect this year) which allows for foreign minor victims of trafficking to be placed directly in foster families and not in orphanages.²⁵

With regard to child pornography and sexual exploitation of children on the Internet, EU member states have adopted several measures to reduce repeat victimisation. These range from developing filtering systems and tools to block access to child abuse images to implementing projects and programmes to enhance child victims' identification and promote a safer use of new ICTs by children and adolescents. Through the Safer Internet Plus Programme, the EC has funded the CIRCAMP ('Cospol Internet Related Child Abusive Material Project') police network to promote blocking and the sharing of national blocklists; CIRCAMP has established systems to prevent access to child sexual abuse material in six EU countries (Denmark, Finland, Italy, Malta, Norway and Sweden) and is expected to further grow in the near future.²⁶ To fight online commercial sexual exploitation of children, a European Financial Coalition (<http://www.europeanfinancialcoalition.eu/>) was also created in 2009 to

²⁴ <http://www.ecpat.org.uk/content/working-with-young-people>

²⁵ Information provided by Nobody's Children Foundation, ECPAT member group in Poland.

²⁶ http://www.circamp.eu/index.php?view=items&cid=1%3Ageneral&cid=17%3Ahow-many-countries-are-blocking-child-pornography-on-the-internet&format=pdf&option=com_quickfaq&Itemid=9

disrupt the trade in child abuse images and eventually confiscate the proceeds of such crime. Composed of all stakeholder groups concerned (providers of online financial payment systems, banks, ISPs, law enforcement bodies, data protection agencies and child protection NGOs), it has been operational in only a few EU countries to date. Whilst these initiatives are successfully targeting offenders by reducing access and dissemination of abuse materials, more should be done at EU member state level to rapidly identify child victims and halt their repeated victimisation, including through the creation of central child abuse image databases in each country and enhancing information sharing on sex offenders via Interpol. Recent figures show that the percentage of children identified continues to be very low in EU member states (ranging from 33 victims per million inhabitants in Norway to 1.5 victims in the UK).²⁷ At the same time, increased efforts should be made by EU member states on the recovery of children sexually exploited through their involvement in the production of Internet abuse images as, with the exception of some countries such as Sweden, there is a general lack of expertise and experience amongst professionals wishing to meet the needs of children abused and exploited in this way (ECPAT International, 2011b, 2011c, 2012c).

Another essential strategy that EU states should adopt to prevent further victimisation are sex offender management measures, including offender registration, community notification, mandatory background checks, mental treatment, residency restrictions, community reintegration and supervision etc. Current national systems dealing with sex offenders vary greatly across EU member states. Whilst some states already have comprehensive management systems to deal with such offenders, other states have no such arrangements (Council of Europe Parliamentary

Assembly/Committee on Legal Affairs and Human Rights, 2010). In recent years, some EU countries such as Malta²⁸ have made efforts to develop “sex offenders registers” while others have adopted barring systems to prevent offenders from working with children and other vulnerable people (for example, Germany and Denmark) (ECPAT International, 2012c, 2012e). In the UK, an important measure has been recently announced by the government which will be aimed at preventing reoffending during travels abroad. More specifically, the ‘3-day loophole’ in the Sexual Offences Act (2003) will be closed with the result that registered British sex offenders will no longer be entitled to travel abroad for up to three days without having to notify the authorities of their intention to do so²⁹ (ECPAT UK, 2011). This provision is particularly relevant as, according to CEOP, the vast majority of missing sex offenders are believed to be abroad (Council of Europe Parliamentary Assembly/Committee on Legal Affairs and Human Rights, 2010).

Preventing repeat victimization by stopping transactions related to online child pornography

The Swedish Financial Coalition Against Child Pornography was announced in February 2009 by the Swedish Banking Association following a two-year collaborative effort between ECPAT Sweden, the Swedish banks, Skandiabanken, and national law enforcement agencies. As a result of the coalition, all national banks have committed to preventing and stopping transactions related to commercial child pornography websites. Payments have successfully been hindered by Skandiabanken since mid-2008 and attempts to access child abuse materials have decreased radically (ECPAT International, 2011b).

²⁷ <http://news.bbc.co.uk/2/hi/programmes/newsnight/9532058.stm>

²⁸ <http://www.timesofmalta.com/articles/view/20120118/local/child-offenders-register-comes-into-force-this-week.402874>

²⁹ <http://www.ecpat.org.uk/media/ecpat-uk-campaign-success-%E2%80%93-uk-government-close-%E2%80%93-983-day-loophole%E2%80%99-overseas-travel-british-sex-o>

Conclusions and Recommendations

The review of efforts in safeguarding the rights of child survivors of sexual exploitation conducted as part of this paper is far from being comprehensive; further and more in-depth research would be required to assess the level of implementation of legal provisions and policies adopted over the last years throughout the EU. Some general conclusions and observations can, however, be drawn from this initial examination.

If it is true that at EU state level children subjected to trafficking and sexual crimes have been prioritised as being particularly vulnerable, it is nonetheless evident that the protective framework available for them remains weak and is affected by a number of challenges and obstacles. A continuing issue which appears in many contexts of this paper is the lack of trained personnel in the justice system and victims' support services. The dearth of specialised capacity building increases the chances that victims are exposed to repeated and secondary victimisation and hinders the possibility for children to exercise the different rights they are entitled to. In this sense, actions promoted by EU states to empower victims of commercial sexual exploitation in the criminal justice process appear overall limited with the result that in most of the cases CSEC survivors remain unaware of their rights. Equally insufficient are the mechanisms set up to ensure co-operation between various professional groups dealing with sexually exploited children which limits the benefits that a multi-disciplinary approach usually implies. More importantly, in the majority of EU states "the best interest of the child" and the child-rights perspective is not consistently taken into consideration and applied. A number of restrictions in existing legislation, policies and practices show that the key principles set forth in international

and regional instruments, especially the Convention on the Rights of the Child and the OPSC, are being disregarded and insufficiently enforced.

To comply with their international and regional obligations towards sexually exploited children, EU member states should urgently undertake steps to remove these obstacles and further prioritise the implementation of child victims rights. Whilst some EU states have made more progress than others some general and overarching recommendations can be addressed to all EU members countries for their consideration in the future. These include:

- Urgently transpose the *EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims of April 2011*, and the *EU Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography of December 2011* into domestic legislation and promote their prompt implementation;
- Conduct awareness raising activities on the rights of sexually exploited children and deliver specialised, sustained and comprehensive training on child sensitive approaches and CSEC crimes for all professionals that may come into contact with child survivors of sexual exploitation (taking care to cover the whole state's territory). Such capacity building should be developed from a multi-disciplinary perspective while also being targeted to specific categories of professionals (judges, prosecutors, police officers, professionals responsible for victims assistance and rehabilitation, etc.);
- Allocate human and financial resources for creating and maintaining police child protection units, which are accessible throughout the country and staffed with personnel that

are able to identify and deal with child victims of sexual exploitation in a child-sensitive manner;

- Promote the establishment of toll-free specialised helplines/hotlines to report CSEC crimes, provide information in different languages and support their advertising. In countries where the harmonised Europe wide telephone number 116 111 for child help-lines is in operation, ensure that dedicated services and staff specialized on CSEC are available;
- Implement measures to enhance access to information by child survivors of sexual exploitation. This may include: introducing a legal obligation to inform child victims; developing and distributing child-friendly information about the justice process, legal rights, actors involved etc. for various age groups using different means (e.g. e- games, interactive e-tools, etc.); facilitating the provision of information to child victims by ensuring legal assistance (including through the appointment of legal guardians);
- Adopt strategies to reduce repeat victimization including: providing support services tailored to meet the special needs of sexually exploited children; enhancing prompt victims' identification (especially for trafficked children and those used in production of abuse images) by police, social workers and other actors such as teachers; developing and implementing sex offenders management mechanisms and other protective measures (e.g. offenders registers, barring sex offenders from working with children etc.);
- Develop protocols, memorandum of understanding, and multi-disciplinary structures for co-operation between institutions of the criminal justice system, social authorities, the health care system and non-governmental organisations, to ensure the effective management of CSEC cases and to prevent children from being repeatedly victimised;
- Protect child survivors from being victimised in the justice process by adopting and ensuring the implementation of child-friendly procedures in the investigative stage and during the other phases of proceedings in line with international legal standards;
- Remove all barriers that limit the chances for child victims of sexual exploitation to obtain compensation;
- Ensure that "the best interest of the child" and other child rights principles enshrined in the CRC are consistently integrated (and enforced) in all legislation, policies, and practices affecting sexually exploited children. In this framework, EU states should give high priority to the application of the principle of non-discrimination by ensuring protection of all child victims up to 18 years old, regardless of their age, gender, ethnicity, and legal status in the country;

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Protecting children from sexual violence during armed conflicts

By Mark Capaldi

Introduction

Women and children are frequently the targets of sexual violence before, during and after armed conflict situations as rape, sexual slavery and other forms of sexual abuse and exploitation have been closely associated with war and humanitarian emergencies throughout history (Marsh et al., 2006). Whilst sexual violence in times of conflict has often been regarded as an inevitable aspect of gender-based violence in war contexts, a greater focus on international humanitarian action from the mid 1990s has still failed to protect women and children from horrific violations such as rape, sexual mutilation and the commoditisation of their bodies in exchange for protection, shelter or supplies.

There is universal consensus that sexual violence against children in armed conflicts is a grave crime. The Geneva Conventions, the Convention on the Rights of the Child (and the Optional Protocol to the CRC on the involvement of children in armed conflict), the International Criminal Tribunals for the former Yugoslavia and Rwanda and the Rome Statute of the International Criminal Court (ICC) have all been important milestones in the development of international humanitarian and human rights law on the issue of sexual violence against women and girls (Acirokop, 2005).

The sexual abuse and exploitation experienced by women and children does not arise solely because of conditions of war. This form of gender-based violence is deeply rooted in male and female roles that violate the rights of women and children in peace time

too (Report of the Special Rapporteur on Violence Against Women, 2001; Rehn and Sirleaf, 2002). Furthermore, the highly militarised presence of armed forces and peacekeepers can also interfere with the traditional societal structures and safety nets which can result in increased sexual violence and exploitation (Kirby, 2008). Whilst a movement to professionalise humanitarian action emerged from scandals of child sexual abuse and exploitation in the late 1990s (UNHCR and Save the Children UK, 2002; Walker and Purdin, 2004) the issue of sexual violence against children in situations of armed conflict has received limited attention from academia, as primarily, the focus has been more on political, security and economic issues of the general population at large (Hart, 2002). This may be partly due to the fact that societies experiencing violent turmoil and the instability of armed conflict may be considered unsuitable for research as data collection is fraught with challenges (Ward and Brewer, 2004). At the best of times it is difficult to quantify levels of child sexual abuse, let alone in humanitarian crises as such violations are significantly under reported. Survivors of sexual abuse and exploitation often suffer from shame and guilt from their experiences and thus are reluctant to report for fear of stigmatization or reprisals. Furthermore, governments and other armed entities often have political reasons for hiding or denying the incidence of sexual violence and carrying out such research in these contexts can also put both the researchers and the respondents at great risk (Marsh, et al., 2008). Nevertheless, a few empirical studies have been carried out such as during conflicts in the former Yugoslavia, Uganda and Sierra Leone for example (Amowitz, 2002; McKay and

Mazurana, 2004; Ward and Brewer, 2004). The United Nations has also repeatedly investigated and researched large scale child sexual exploitation by peacekeepers across the African continent and other regions of the world (UNHCR and Save the Children UK, 2002; UN, 2005; IRIN, 2005).

This paper will utilize a human security approach to analyse the nature and vulnerability of children to sexual violence and exploitation as either a weapon of war or as a form of abuse systematically perpetrated in an environment of impunity and gender-power imbalances. The paper will examine the need for the establishment of an integrated child-centred protective framework, which aims to restore and strengthen traditional socio-cultural community structures as a basis for multi-stakeholder analysis, planning and preventative action.

Human security and children

Since the dawn of the new millennia, the term 'human security' as a conceptual framework has begun to appear in academic works and research projects (Hampson, 2001). Whilst the concept appears to lack a precise definition (often appearing too broad and all-encompassing), it is the notion that it goes beyond national security, by arguing that the proper reference for security should be the individual rather than the state, that makes it a useful framework for research and policy making (Paris, 2001). As such, a human security focus is not a transposition of the same concern of the state for security (i.e. sovereignty and the viability of the state) but it encompasses a broader notion of the individual having access to opportunities to realize all rights - economic, social, cultural and civil and political - to achieve human security. Human

security from this perspective is only achieved when conditions are available for the realization of rights, i.e. freedom from need and violence. As situations of conflict threaten such conditions they put human security (in this broader sense) at great risk. Human security thus seeks to protect the safety and freedom of individuals (and their communities) rather than to defend state borders from external threats. This is particularly relevant in today's world where over 90% of conflicts and wars take place within borders rather than between states (Stickhick and Bruderlein, 2001). Children are highly vulnerable at this macro level and as conditions and protection of their rights is tenuous even at the best of times, they are also more susceptible to interpersonal and group dynamics of dominance and exploitation that conflict and instability trigger.

The changing nature of threats against children in contemporary conflicts is central to the human security discourse. The United Nations Convention on the Rights of the Child (CRC) is an essential part of a human security approach to protecting children as it lays out the inherent rights and conditions necessary to respect, protect and fulfil the rights of children and the basic conditions required to ensure their survival, safety and development. A number of the Articles of the CRC are relevant to children's security with some specifically mentioning the protection of children who are refugees (Article 22) or affected by armed conflict (Article 38).¹

The interdependence of children's security needs requires a model or framework within which strategies to address children's specific vulnerability to sexual violence and exploitation can be developed. One model traditionally used in situations of populations facing difficult circumstances is Maslow's 1954 'hierarchy of needs' which is based on basic survival and safety as the most

¹ Many other articles of the CRC are also relevant in this context. For example, the child's right to life, survival and development (Art. 6); protection from all forms of violence (Art. 19) and exploitation (Art. 34-36); the right to an adequate standard of living (Art. 27), etc.

fundamental needs (Maslow cited in Stickhick and Bruderlein, 2001). More recently, UNICEF has developed a 'protective environment' framework to guide international and national stakeholders in protecting children from risks and vulnerabilities in any particular environment, including emergency settings (Langren, 2005; UNICEF, 2007).² Eight key elements needed for a protective environment were identified, which although work independently are significantly enhanced by their collective action.³

Importantly, human security strategies for children are proactive. They stress conflict prevention, and peace-building rather than the sole, traditional humanitarian emergency response so as to help children heal in the long term (Stickhick and Bruderlein, 2001). It also enables non-conflict factors (that are exacerbated in humanitarian crises) to be analysed, including other structural and cultural factors that contribute to children's vulnerability to sexual violence so that the protective environment can be extended beyond the end of that particular conflict into reconstruction processes (Ager et al., 2009).

Dimensions of children's security in relation to sexual violence during conflict

The dimensions of children's security in relation to sexual violence in situations of conflict are often mutually connected or reliant. Reducing the exposure to violence is at the core of all human security strategies. The degree that children experience direct violence in conflict situations can vary depending upon their

socioeconomic status, gender, age or ethnic background. Girls are more likely to face sexual violence and exploitation whereas boys tend to be victimised through other forms of direct physical violence. Sexual violence against boys does occur but is rarely reported.⁴

Sexual violence has long been used as a weapon of war and children are often directly targeted through systematic campaigns of rape and forced prostitution. In Tanzania, Burundian girls between the ages of 12 and 18 reported the highest incidence of sexual abuse amongst refugees (Nduna and Goodyear, 1997) and rebel forces in Northern Uganda regularly abducted young girls and subjected them to sexual violence (McKay and Mazurana, 2004).

Economic instability and the destruction of livelihoods are immediate consequences of war and conflict and children are often the first to feel the consequences as they drop out of school and are propelled into dangerous survival strategies (as experienced in Mozambique and Nicaragua, see Stewart et al., 2000). To secure basic needs such as food, water and shelter, children are often forced to generate income or create political alliances, ending up in various forms of prostitution or as trafficked victims as seen in some of the conflict affected countries of South East Asia such as Vietnam, Cambodia, Myanmar and Sri Lanka (Stewart and Boyden, 2001; Farr, 2005). Sexual violence and exploitation in conflict situations is also seen to have a strong correlation with the vulnerability of children and youth to sexually transmitted diseases, particularly HIV/AIDS (Report of the UN Secretary General, 2001; Muriuki, 2008). Children may also seek to protect themselves by actually joining armed groups. This coping

² Maslow's Hierarchy of Needs is can be shown diagrammatically as a pyramid with a base of physiological needs (for food, water and shelter). The second level is safety and security needs as a basis for a higher form of development (e.g. social needs). The highest levels of the pyramid are for personal integrity and include esteem and at the pinnacle, self-actualisation.

³ The eight key elements of the UNICEF protective environment include: 1. Monitoring and reporting; 2. Governmental commitment to fulfilling protection rights; 3. Protective legislation and enforcement; 4. Attitudes, traditions, customs, behavior and practices; 5. Open discussion of and engagement with child protection issues; 6. Children's life skills, knowledge and participation; 7. The capacity to protect among those around children; and 8. Services for recovery and reintegration.

⁴ Whilst the predominant scale and scope of sexual violence in conflict situations is directed primarily at women and girls insufficient attention has been paid to the victimisation of boys. Some reports indicate that boys can be vulnerable to sexual violence during military presence in civilian areas, during military conscription or abduction into paramilitary forces (Marsh et al., 2006; Kirby, 2008).

strategy often sees children being forced into roles of sex slaves as a form of survival (Stewart and Boyden, 2001).

The impact of displacement and separation, either as refugees or internally displaced persons (IDPs) also poses significant risks of sexual abuse to children resulting from the collapse of normal social and community protection networks. Government services are weakened or collapse and families and communities become dispersed as people focus on their own survival (Marsh et al. 2006). Overcrowded or badly organised camps, competition for scarce basic needs, all increase the risk of sexual assault or exploitation (ECPAT International, 2006). Even international peacekeeping forces, military contractors or humanitarian workers, who are deployed to protect those in conflict affected zones, have themselves become perpetrators of child sexual exploitation. The mushrooming of the commercial sex sector in areas of longer term humanitarian relief is well established in the history of UN missions (UNHCR and Save the Children, 2002; Martin, 2005; Kirby, 2008). The large presence of a primarily male dominated, militarised population has been seen to fuel a demand for sex workers which creates a vacuum filled with impoverished women, trafficked victims and children exploited through prostitution (Khaleeli, 2004; Kirby, 2008). Commercial sex establishments frequently border military camps and bases. Rebel fighters may also keep 'bush wives' as sexual slaves (Kirby, 2008).

The strong culture of prostitution and sexual exploitation within any militarised presence speaks to the masculine indoctrination and deep rooted gender biases and patriarchy that exists in human society in general, which is only exacerbated in gender-based violence during times of war and conflict (Kirby, 2008). Johan Galtung (1969 and 1990) is widely acknowledged for his famous characterisation of three main categories of violence: direct,

structural and cultural violence, all of which are closely interlinked by gender inequalities, discrimination and male-dominated power. In times of war, group bonding and comradeship is heightened as male sexuality and male aggressiveness are socialised within concepts of masculinity and manliness, which in its worst manifestation, becomes egregious sexual violence against women and children (Marsh, et al., 2006).

Underlying all of these dimensions and direct forms of conflict related sexual violence and exploitation against children are structural and cultural factors that lead to patterns of pervasive and systematic exploitation. Those who hold power perpetuate structural violence and they use that power to oppress and exploit the powerless (Galtung, 1996). As such, children, by virtue of their vulnerability and/or gender, are subject to unimaginable forms of sexual violence in situations of conflict which require the most urgent and systemic policy and practice responses.

Protecting children from sexual violence in humanitarian contexts

The international human rights regime and international humanitarian law (IHL) has established standards and obligations that should promote and uphold human rights in times of both war and peace. Furthermore, states have the responsibility to ensure that the rules of conduct of IHL are upheld during times of armed conflict. Indeed, IHL reflects the importance of protecting civilians during armed conflicts, particularly women and children and specifically from sexual violence.⁵ The International Criminal Court (ICC) also defines rape, sexual slavery, enforced prostitution and any form of sexual violence as a war crime and crimes

⁵ See Rules 87, 90, 93 and 94 of the Customary International Humanitarian Law as set forth by the ICRC which cover the prohibition of inhumane treatment, rape and other forms of sexual violence and slavery. The Geneva Convention (IV) and the Additional Protocols make general prohibitions against rape, indecent assault and enforced prostitution.

against humanity and thus it falls within the jurisdiction of the court (Acirokop, 2005).⁶ Clearly though, whilst the presence of international law and institutions such as the ICC and the Rome Statutes convey the message that the perpetrators of such atrocities can be held to account, it is the implementation and enforcement aspects which strengthen the impact of relevant law, a particular concern where the state may not be willing to prosecute its own forces or rebel factions are ignorant or do not pay credence to the law. The UN recognises the need therefore to create the best political climate to promote the better treatment of children in armed conflict as evidenced by various Security Council resolutions⁷ – and in particular, UN Security Council Resolution 1612 (2005) which established a monitoring and reporting mechanism on sexual and other violations against children in conflict whereby offending countries can be named and sanctioned against. Reporting of atrocities can also be made by the UN Special Representative to the Secretary General for Children and Armed Conflict and there are various UN programmes to train military and humanitarian personnel (before deployment or in times of peace), of the criminal liability of ill treatment of children in conflict situations (Acirokop, 2005).

A recent development for the UN Committee on the Rights of the Child is the passing of a new Optional Protocol for a Communications Procedure which will allow the Committee to receive reports on behalf of children affected by armed conflict as well as in times of peace. The new treaty will enable children (or representatives on behalf of children), who have been victims of sexual violence (or any rights violation) to bring a complaint to the Committee if they have not been able to get remedies for these violations in their own countries (Human Rights Law Centre, 2012).

Nevertheless, UN legal frameworks and the enforcement of international laws are fraught with complexities and in reality, few violators have been brought to justice (Muriuki, 2008). More therefore needs to be done to ensure that laws protect children before and during conflicts and that they cover the broad range of duty-bearers and perpetrators (civilian, military personnel and non-state actors) who do not consider themselves bound by state ratified conventions. Early warning indicators should be identified of children's insecurity that addresses the manipulation of children's coping strategies and holds offenders of sexual abuse and exploitation of children accountable.

Where the international protection regime is failing, family and local communities may still be the best immediate line of defense for children during conflicts (Stewart and Boyden, 2001). However, the effect of economic pressures and loss of livelihood directly contributes to the stress on families and the breakdown of traditional community-based protection strategies. Where possible, the preservation of local social, cultural and spiritual norms and resources can have the most appropriate and sustained impact on children caught up in conflict through the prioritisation of links to family, community, peers and normal patterns of life. A sense of a return to 'normalcy' such as attendance at school or through the provision of 'safe zones' for children can also be used to facilitate access to health care, psychosocial support and nutritional services (Ager et al., 2008). Gender sensitive recovery and reintegration programmes for children affected by sexual exploitation and violence should address physical, psychological and livelihood needs.

Local agencies and NGOs often have a very crucial role in these

⁶ See the 'Lubanga Chronicles' which documents the first ever trial at the International Criminal Court. On 26 January 2009, the Chief Prosecutor announced to the Judges that his team would prove that between 2002 and 2003, Thomas Lubanga Dyilo recruited children under the age of 15 as soldiers for his political military movement, the Union des Patriotes Congolais (UPC), and its armed militia the Forces Patriotiques pour la Liberation du Congo (FPLC). Since the trial started, 30 witnesses have testified before the ICC and they told of how children were abducted and transported to military camps, how they were trained to kill, how they were punished, and how they were raped. Lubanga was found guilty in March 2012 and is awaiting sentencing (<http://www.lubangatrial.org/>).

⁷ See various examples of Resolutions such as 1306 (2000); 1314 (2000); 1379 (2001); 1460 (2003); 1820 (2008).

conflict affected contexts through the formation of a protective environment as they may be best suited to provide some of these essential services and programmes due to their local knowledge and appreciation of pre-existing circumstances, cultural norms and practices (ECPAT International, 2006). However, local organisations may lack the necessary resources to provide these services or worse, be seen as bias or actually targeted by armed groups within a war or conflict situation. The support of outside agencies and international NGOs, who are often viewed as more impartial, can often be important in these instances to safely channel assistance or to act in a monitoring role as national and global advocates. They can also support capacity building in child rights monitoring of grassroots organisations and local NGOs (Stewart and Boyden, 2001).

Children themselves should also be seen as active agents bearing rights and entitlements to be involved in decisions and strategies to protect their security.⁸ The resilience and coping strategies of children and youth can form important peer to peer protection networks and there have been successful initiatives where violence affected children have helped evaluate and improve programmes for children and contributed to peace processes, conflict resolution and reconstruction processes (Stichick and Bruderlein, 2001; ECPAT International, 2011).

The above review indicates that the components of a protective human security framework for children affected by conflict and gender-based violence must integrate legal, political and socio-cultural concerns within a multi-stakeholder approach. These agendas need to be long term (including through peace and reconstruction processes) and focused on children's holistic well-

being and development rather than purely reactive to immediate vulnerabilities and violations (Ager, et al., 2009).

Conclusion

Sexual violence against children in humanitarian conflicts and emergencies has been frequently documented, if not well researched and appropriately addressed. Children, especially girls, whilst caught amidst war or displaced and separated from their normal community environments, are subject to severe sexual violations and exploitation.

Sexual violence is just one aspect of a broader issue of gender-based violence which exists in society generally in both peace and war time. Such a gender perspective allows us to see how Galtung's three forms of violence (direct, structural and cultural violence) are linked to each other and are perpetuated and sustained in societies that demonstrate poor gender equality and low respect for women's rights. Gender and peace activists all over the world have been raising awareness and advocating against gendered injustices and the various forms of sexual violence against both women and children. The international human rights regime and international humanitarian law have highlighted the importance of gender and protection issues in the field of peace and conflict but when international norms and the state fail to protect children, urgent action is required. The international community has a clear obligation and duty to prevent and protect children from all forms of violence, including sexual violence in war and conflict situations, as the evidence to date

⁸ Children's participation is a basic tenet of the UN CRC (see Articles 12 to 15).

suggests that the humanitarian sector must presume that sexual violence against children will be present in all emergency settings.

Many factors contribute to increased sexual violence against children during humanitarian emergencies which require analysis and holistic interventions as armed conflicts lead to the breakdown of normal social protection mechanisms and the collapse of other forms of family and community support. This is best done through a gender sensitive human security framework that aims to protect

the physical wellbeing and integrity of children and communities in a proactive and preventative approach (integrating legal, political and socio-cultural aspects) to restore local and traditional child protection structures. Children's agency and participation is one key aspect that must not be overlooked. Children themselves, especially adolescents, can play a key role in strengthening and building their basic human security. Failure to engage them, or ignoring the perils that they face, can force them into dangerous coping strategies and cycles of re-victimisation in order to survive.

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Challenges in protecting children from commercial sexual exploitation: the example of Thailand

By Kritsana Pimonsaengsuriya

Introduction

In most countries, all of the manifestations¹ of commercial sexual exploitation of children (CSEC) generally exist, but often in different degrees. For example, child pornography appears to be less prevalent in certain countries in Africa and South Asia than in other parts of the world whilst child sex tourism is predominantly worse in those countries that are popular tourist destinations but also have a burgeoning commercial sex sector. Commercial sexual exploitation of children is a gross human rights violation and the continuing persistence of CSEC in each of its forms is testimony to the fact that the state is failing to meet its basic obligation to protect the human rights of children. In Thailand, despite the state being a signatory to the Convention on the Rights of the Child and its Optional Protocol on the Sale of children, child prostitution and child pornography, efforts to protect children from commercial sexual exploitation by the Thai governmental agencies and non-governmental organisations have not been successful in significantly addressing most of the manifestations of CSEC which continue to persist in the country (ECPAT International, 2011).

There are many factors contributing to children's vulnerability to sexual exploitation. For example, children prematurely enter labour markets to provide economic support to their families which can lead them to become a target for labour and sexual exploitation

due to their lack of power to negotiate or make an informed decision about the risks and dangers inherent in certain situations. Some children are employed in tourism-related businesses without adequate protection (for example, as waiters/waitresses or kitchen staff in restaurants or karaoke, as masseuses in massage parlours, or staff in entertainment settings, etc) where they are therefore placed at a high risk of being approached or lured into prostitution within and outside the context of human trafficking. Similar situations are faced by children who are forced to leave home and find themselves living on the street (due to domestic violence, abuse or negligent at home), fending for their survival. Furthermore, demands for sex with children, social inequality, a culture of consumerism, gender discrimination, etc are also contributing factors to CSEC. While holistic and long term plans are needed to tackle the root causes of the problems, state and key non-state actors, who are duty bearers of the rights of children, are in an important position to provide the immediate protection that children most need.

Nevertheless, numerous vulnerable children are still being sexually and commercially exploited due to various underlining factors that undermine the roles of those key actors. Firstly, the political will of the state as a prime duty bearer of children's rights to combat the problem must be concretely demonstrated while corruption (committed by state actors) must be seriously tackled. Moreover,

¹ The manifestations of commercial sexual exploitation of children include: child prostitution, child pornography, trafficking of children for sexual purpose, child sex tourism, and child marriage in some cases (ECPAT International 2006a).

the proactive roles of non-state actors, both civil society and the private sector, as duty bearers of children's rights need to be proactively taken up so as to contribute to the better protection of children. As an example, this paper will present three key challenges underlining the persistence of commercial sexual exploitation of children (CSEC) in Thailand. It will include key state actions in protecting children from CSEC at global and national levels, the proactive roles of civil society and the private sector in particular, and the pressing problem of corruption and its impact on children's lives.

States actions to protect children from CSEC: from global to national level

Thailand has been actively engaged in the international community's actions to protect children from CSEC for over fifteen years. The government of Thailand adopted the country's 'National Policy and Plan of Action for the Prevention and Eradication of the Commercial Sexual Exploitation of Children' in July 1996 - two months before the First World Congress against Commercial Sexual Exploitation of Children was organised and hosted by the Government of Sweden in October 1996.² This was a clear signal of the state's intention to address the problem, while the state also avoided criticism and enjoyed international acceptance³ of its political will to better realise the children's rights and increase the protection of children in its jurisdiction from CSEC (Simmons, 2009). In 2004, in light of the world's increased attention on human trafficking, the Thai Prime Minister declared human trafficking as a national priority in response to the seriousness of

the problem in Thailand, an origin, transit and destination country of human trafficking (ECPAT International, 2006b). Subsequently, a large amount of the national budget was made available to relevant government agencies and civil society to work and join actions together to address issues of human trafficking. Moreover, in 2005, the National Policy and Plan of Action on CSEC 1996 was succeeded by the 'National Plan and Policy on Prevention, Suppression and Combating Domestic and Transnational Trafficking in Children and Women'. Unfortunately, since then, the state has primarily focused its efforts to address the problems of CSEC in the context of human trafficking only and, in effect, ignores the problems related to other forms of CSEC that exists in the country.

In response to pressure from civil society for the ratification of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children of (2000), the Royal Government of Thailand maintains that its' domestic law on human trafficking not only follows the international standards stated in the Trafficking Protocol but was further developed in 2008 to provide even better protection to rights holders by also including boys and men in its legal protection. This move of the state is seen as a substantive effort to rise beyond the minimum legal standards required by the Trafficking Protocol without actually ratifying it. While the move would benefit the rights holders once the law is effectively enforced, it also gives the state a justifiable counter-response to any advocacy that pressures the state to (formally) legally bind itself to more treaties of international human rights law. Although the state has delayed its intention to ratify the Trafficking Protocol (that it signed in 2001), in 2006, the state ratified the Optional Protocol to the CRC on Sale of children, child prostitution and child pornography (2000).⁴ According to a

² The event was organised by the Government of Sweden in collaboration with ECPAT, UNICEF and the NGO Group for the Convention on the Rights of the Child and honourably supported by the Royal Patronage from Her Majesty Queen Silvia of Sweden (source: ECPAT International 2009).

³ A Bangkok-based campaign against sexual exploitation of children in tourism was launched in 1990, based on the findings of studies undertaken by civil society groups in four countries in Asia, including Thailand. The campaign was effective and led to the organisation of the First World Congress against Commercial Sexual Exploitation of Children in 1996 (source: ECPAT International 2009).

⁴ The Optional Protocol provides protection to commercial sexual exploitation of children (CSEC) in all forms, while also distinguishes the CSEC in the context of human trafficking and outside.

report of the CRC Committee reviewing the initial state report to the Optional Protocol⁵ (produced by the NGO Group for the CRC), the Committee notes the need for the state to 'distinguish between laws on [human] trafficking and laws on the sale of children, prostitution of children and child pornography' as defined by the Protocol and 'the rise of sale of children and prostitution of children due to the increase in sex tourism and underlined the negative impact of corruption of authorities and police on children's rights'. Furthermore, the Committee also observed that 'the domestic text implementing the [Protocol] was a ministerial decree issued in 2005' rather than a legal framework. According to the CRC Committee's observation above, it appears that the state has so far focused its attention and measures in addressing CSEC only on issues related to human trafficking. The move of the state to ratify the Optional Protocol was thus seen by some as a political one rather than a desire to increase the protection of children as defined by the Optional Protocol. Consequently, the implementation of the Optional Protocol is inadequate and significantly lacking - especially on issues of child pornography due to a lack of national law on this issue (ECPAT International 2011).

Corruption: the pressing factor for the protection of children from CSEC

Corruption is often closely linked to human rights abuses although 'not all acts of corruption imply a violation of [human] rights' (International Council on Human Rights Policy 2009). In the context of CSEC in Thailand, as observed by the CRC Committee⁶, the corruption of authorities and police contributes to the rise

of the sale and prostitution of children which in turn causes the violations of children's rights. Although it is impossible to find a definition of corruption that is universally accepted (Philps, 1997, cited in Farrales 2005), one core component of corruption may be referred to as the 'abuse of power' (Anukansai, n.d.). Corruption committed by state actors in particular creates and/or facilitates an environment where human rights violations are 'allowed' to take place (Anukansai, n.d.). It therefore not only denies the human rights for all, but also denies justice and remedies to redress human rights violations (Article 2, 2010; International Council on Human Rights Policy, 2009). In this regard, human rights are seen to swiftly deteriorate where children are the right holders, due to the fact that the level of vulnerability between children and adults in taking actions to protect and claim for their rights are widely different. Furthermore, in a country such as Thailand, where there is a lack of an effective national human rights institution (specifically mandated to act as a 'check and balance' to state actions in the implementation of children's rights and to provide a channel for remedies and justice when their rights are violated), children are inevitably left without any protection from CSEC and in effect, are forced to 'accept' the plight of their situations. While corruption promotes the existence of CSEC in the country, it also contributes to the country's inability to shake off its image that it has long been associated with prostitution, including prostitution of children (Nattavuthisit, 2006). There is a need for collective action from different sectors to combat corruption (International Council on Human Rights Policy, 2009), thus the state must have sufficient political will to address the problem so as to better guarantee the protection of children from CSEC and fully redeem the positive image of the country.

⁵ 'State Party Examination of Thailand's Initial Report on the Optional Protocol on the sale of children, child prostitution and child pornography, The 59th session to the Committee on the Rights of the Child, 16 January - 3 February 2012. (source: the report was produced by the NGO group for the CRC (2012)

⁶ during their deliberation of the state party examination of the country's initial report on the Optional Protocol, 16 January - 3 February 2012

Proactive roles of non-state actors, especially the private sector, in protecting children from CSEC

Thailand may be regarded as a state in a ‘weak governance zone’ where the rule of law to protect the children’s rights are not adequately respected, implemented and enforced (IOE, ICC, BIAC, 2006). In light of the lack of state political will and ability to sustainably address violations of children’s rights, there is an urgent need for all relevant non-state actors to proactively step up their roles as duty bearers of children’s rights to support and improve the protection of children from CSEC. Although the Thai state has legally bound itself to the international law to take actions to prevent and protect children as defined by the Optional Protocol, the compliance of any state to a legally binding treaty is nevertheless based upon the good faith of the state (Byrnes, Graterol, and Chartres, 2007). As urged by Rajapopal (2010), the ‘axiomatic in human-rights theory that the state is the primary duty-holder against its citizens who are the primary rights-holders [has] serious political consequence’. The state⁷ can easily ignore the voices of the rights holders when they claim their rights, therefore, the implementation of the international law cannot be solely left to the state to oversee. The inaction of the Thai state to enact and harmonise the domestic laws as defined by the Optional Protocol⁸ after over five years of its ratification⁹ needs urgent efforts and proactive actions from non-state actors, civil society and the private sector (tourism and IT sectors) to actively support and monitor the implementation of the Optional Protocol

by the state as well as to support children to claim for their rights themselves.

This does not mean that the non-state actors are expected to ‘become a surrogate government’ (IOE, ICC, BIAC 2006).¹⁰ On the contrary, non-state actors, especially the private sector, are in a good position to play a key role in their own obligations to promote the respect and protection of children and to prevent violations of children’s rights that may occur within their operations by those who abusively use the facilities developed and available in their sectors to exploit children.¹¹ For example, the self-regulation of individual business or by business associations under the framework of Cooperate Social Responsibility (CSR), not only makes positive impacts on the human rights environments of children but also helps prevent the violations of children’s rights from worsening further. Furthermore, as urged by IOE, ICC, BIAC (2006), the collective actions of the private sector and its engagement with the state and civil society ‘can help to provide an impetus to make governments more accountable to their own citizens [including children]’.

Conclusion

Recognising the degree of seriousness and sense of urgency to tackle the commercial sexual exploitation of children, in 2000, the UN General Assembly adopted the Optional Protocol to the CRC to specifically provide a minimum legal standard for the state

⁷ The right of State to rule, which may come through a democratic election where its citizen giving the right to rule to the state, or by force, e.g. coup d etat where the legitimacy of the state to rule is in question but in some cases, e.g. Thailand, is nevertheless accepted by the international community based on a principle of non-intervention or sovereignty.

⁸ The three offences as defined in the Article 3 and 4 of the Optional Protocol to the CRC.

⁹ Thailand acceded to the Optional Protocol on 11 January 2006, which became effective in February 2006.

¹⁰ Business proposals for effective ways of addressing dilemma situations in weak governance zones, the response to the invitation from Professor John Ruggie, the Special Representative of the UN Secretary-General (SRSG)

¹¹ For example, the development of computer/online games that exposes children to sexual violence; the abusive use of facilities developed in the information communication technology to approach and groom children; the development of transportation in tourism industry that connects people around

parties to increase the protection of children and better prevent the violation of children's rights. In order to effectively protect children from CSEC as defined by the Optional Protocol, there is a need for the country not only to harmonise its domestic policy and legislation with the international legal standards but also to look at the underlining factors that contribute to the continued persistence of the problem. Full commitment and political will of the state to see through the implementation process of the international law as well as the proactive actions and efforts of all relevant non-state actors to support and contribute to the respect of children's rights and the protection of children must be included as key

strategies to combat CSEC. Corruption in a country dramatically violates the rights of children and negatively impacts their lives on many fronts so it must be seriously tackled by the state and challenged through coordinated efforts of all duty bearers of children's rights. Power and resources attached to the positions of all duty bearers of children's rights enables them to fulfil the functions of their working operations or positively influence certain factors within society. These must be exercised and monitored with the recognition of their own duties and responsibilities to protect children from all harm and violations, including from the commercial sexual exploitation in all its forms.

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Hidden Violence: Preventing and responding to sexual exploitation and sexual abuse of adolescent boys¹

By Piotr Pawlak²

This paper presents some emerging data about sexual exploitation and abuse of boys and men and outlines conclusions and emerging issues from a two-year effort to build knowledge and improve practice in research and programming in addressing sexual exploitation and sexual violence of adolescent boys. This 11-country initiative in the Global South was led by Instituto Promundo³ (www.promundo.org.br/en) and funded by Oak Foundation⁴ (www.oakfnd.org). This paper is a summary paper, based on the Promundo's upcoming publication, *"Hidden Violence: Preventing and responding to sexual exploitation and sexual abuse of adolescent boys. Case Studies and Directions for Action"* prepared for Oak Foundation by Gary Barker and Piotr Pawlak⁵

Introduction

Numerous national-level surveys have found that boys experience sexual violence and sexual exploitation at rates lower than girls but at rates that merit greater attention. Numerous studies have also found that boys are less likely to seek help, in particular formal services, when they experience sexual violence. Boys' experiences of sexual violence are also bound up in feelings of shame, uncertainty, confusion and homophobic attitudes on the part of parents, service providers and justice/police officials. It is in this context that this paper discusses "hidden violence." In calling attention to experiences of sexual violence by boys this

¹ Sexual violence can take many forms including both mental and physical violence. Research into the sexual violence experienced by boys and men situates the forms of violence into three categories (SVRI 2011): "Forcing a man or boy to take part in sexual acts, often humiliating ones; Inflicting pain and/or damage to the genitals with the overt or covert threat of interfering with future sexual pleasure; Inflicting damage to the genitals designed to prevent future reproduction." This paper refers to sexual violence against boys by using both sexual exploitation and sexual abuse and will specify when referring to one or the other.

² This summary was written by Piotr Pawlak. It is based on the institutional project publication authored by Gary Barker and Piotr Pawlak. Suggested citation: Instituto Promundo. 2012. *Hidden Violence: Preventing and responding to sexual exploitation and sexual abuse of adolescent boys. Case Studies and Directions for Action*. Prepared for OAK Foundation. Washington, DC: Promundo.

³ Instituto Promundo is a Brazilian non-governmental organization, with offices in Rio de Janeiro, Brazil, and Washington DC, USA, and representation in Rwanda, that seeks to promote gender equality and end violence against women, children and youth through research, programmes that seek to promote positive changes in gender norms, and advocacy. Promundo works locally in Rio de Janeiro, nationally throughout Brazil, and internationally. Promundo's three areas of focus include research on gender equity and health, implementing and evaluating programmes that promote positive changes in individual behavior and gender norms, and advocating for the integration of gender equality initiatives in public policy

⁴ Oak Foundation commits its resources to address issues of global, social and environmental concern, particularly those that have a major impact on the lives of the disadvantaged. Oak Foundation was formally established in 1998 in Geneva, Switzerland. The first two programmes to get underway were Environment and Child Abuse, followed by four other substantive programmes — Housing and Homelessness, International Human Rights, Issues Affecting Women and Learning Differences. There is also a Special Interest Grants Programme, which funds a range of efforts identified by the Trustees that do not fall into the other programme areas, and two national programmes in Denmark and Zimbabwe. Oak Foundation is an international foundation that has made more than 2,100 grants to not-for-profit organizations across the globe since its establishment in 1998. While Oak Foundation's headquarters remain in Geneva, the Foundation operates offices in seven other countries, including Belize, Bulgaria, Denmark, Ethiopia, the UK, the US and Zimbabwe.

⁵ For more information or questions about the main publication, or to receive a copy, please contact authors of the publication: Gary Barker, International Director at g.barker@promundo.org.br.

paper is in no way minimizing the experiences of girls and women. This paper, instead, is seeking to apply a gender lens to boys' experiences of sexual violence and exploitation and to both call attention to it and, as in the case of the sexual violence against girls, to improve and enhance prevention and protection efforts. Too much of the discussion around sexual violence against boys and men – including in conflict settings – has led to debates about whether women and girls or men and boys suffer sexual violence at higher rates. In most settings, it does happen with more frequency to women and girls. In all settings, it also happens to men and boys. The important point is this: sexual violence against boys and against girls and women emerges from the same array of abuses of power, and the same gender hierarchies in which some men have power over other women and girls, and over other men and boys.

What do we know about sexual exploitation and abuse of boys and men

The sexual exploitation of and sexual violence against boys is a relatively under-recognized and under-studied issue. Numerous researchers affirm: (1) a lack of recognition of the scope and pervasiveness of male victimization from sexual exploitation and abuse, (2) a failure to appropriately recognize and address the causes of exploitation and sexual abuse of boys, and (3) limited attention on barriers to reporting and seeking help on the part of boys and men survivors of sexual violence. More recently researchers are acknowledging how gender is part of the sexual abuse and exploitation of boys and men. In particular, stereotypical

notions of masculinity are beginning to be discussed in greater detail. Numerous studies affirm how boys are frequently socialized to believe that they need to be strong, protectors, providers and ultimately “real men” (Ricardo and Barker 2008; WHO 2010). The pressure to embody these qualities often leaves boys and young men feeling that reporting sexual exploitation or asking for help when they have experienced sexual violence makes them weak or “non-masculine”. Similarly, parents, health care workers, teachers and other duty bearers may harbor overt or hidden prejudices related to sexual violence and boys.

Globally, the World Health Organization estimates that 150 million girls and 73 million boys under the age of 18 have experienced sexual violence involving physical contact (UNICEF Tanzania, 2011). Data from the US suggests that one in six boys and one in four girls will be sexually abused in their lifetime (National Center for PTSD 2007). Recent studies by Together for Girls in sub-Saharan Africa, UNICEF in South East Asia, IMAGES data (Barker, et al 2011), and North American and European data all find higher rates of sexual exploitation of and sexual violence against girls but significantly high rates of exploitation of boys as well. International Men and Gender Equality Survey⁶ (IMAGES) data from 6 countries found that between 1-21% of men experienced sexual violence growing up, with the highest rates in Rwanda and India.

According to UNICEF's 2006 *State of the World's Children* report, approximately 2 million children worldwide are involved in commercial sexual exploitation (cited in ILO 2012). The underlying factors in the commercial sexual exploitation of boys and girls are similar, including unequal power relations between children and adults, poverty and the need for self-sustenance and violence in

⁶ The International Men and Gender Equality Survey (IMAGES) is a comprehensive household questionnaire on men's attitudes and practices — along with women's opinions and reports of men's practices — on a wide variety of topics related to gender equality. From 2009 to 2010, household surveys were administered to more than 8,000 men and 3,500 women aged 18–59 in Brazil, Chile, Croatia, India, Mexico, and Rwanda. Topics in the questionnaire included: gender-based violence; health and health-related practices; household division of labor; men's participation in caregiving and as fathers; men's and women's attitudes about gender and gender-related policies; transactional sex; men's reports of criminal behavior; and quality of life. Initial findings from the IMAGES survey are available at: <http://www.promundo.org.br/en/wp-content/uploads/2011/01/Evolving-Men-IMAGES-1.pdf>

the home (Ricardo and Barker, 2008; Lillywhite and Skidmore, 2006; ILO, 2012). Indeed, various underlying factors contribute to the vulnerability of communities and individual children, and these vulnerability factors vary by circumstance and location, but are equally pertinent to both boys and girls' risks of sexual abuse and exploitation. The family-related risk factors are of particular importance because recent evidence from the US has shown that in 3 out of 10 cases of sexual abuse the perpetrator is a relative of the victim. Additionally, in 6 out of 10 cases of sexual abuse the victim knows their perpetrator but the abuser is not a family member. In only 1 out of 10 cases is the abuser a stranger (National Center for PTSD, 2007).

It is a misconception to equate sexual exploitation of boys with only same-sex relationships or to assume that boys who are involved in commercial sexual exploitation are homosexual (Ricardo and Barker, 2008; Masud Ali, 2006). Boys who have been sexually exploited span the gamete in their sexual orientations, socioeconomic backgrounds and ethnicities. Similarly, it would be a misconception to equate perpetrators of sexual abuse – especially child sexual abuse – with homosexuality. Many perpetrators identify as heterosexual. Most abusers are men – with women only perpetrating sexual abuse against boys in 14 percent of cases and against girls in 6 percent of cases in the US (National Center for PTSD, 2007). Most abusers are from the same communities as the victims rather than being strangers or tourists. In countries where there are strong policies regarding the separation of sexes, men may engage in the commercial sexual exploitation of boys and other men more frequently (Ricardo and Barker 2008). Additional contexts where men and boys are commonly sexual exploited include conflict situations and heavily male-prevalent environments such as prisons and juvenile detention centers. Specifically, in terms of sexual exploitation, notions of masculinity and socially appropriate roles for boys and men – such as being tough and unemotional – as well as stigma around same-sex sexual relations can lead to underreporting and limited attention or services for male victims of sexual exploitation.

Furthermore, what little is known suggests that boys face many of the same challenges as girls including difficulty in negotiating condom use and other issues of self-protection. Similarly, the consequences of this commercial sexual exploitation – both physical and mental – can be long standing (WHO, 2000).

Research by the UNICEF Innocenti Research Centre into child trafficking in South Asia has found that boys often have less legal protection from sexual abuse than girls do, and as a consequence have limited access to services for survivors. Additional social pressure for boys to assert their masculinity can lead to both the denial of abuse as well as the perpetration of abuse. UNICEF's research in South East Asia illustrates how rape and other forms of sexual abuse are used by street children and gangs to establish dominance and protect territory such as sleeping places (Frederick, 2009).

In terms of the perpetrators of sexual exploitation against underage boys and girls, relatively little is known. A qualitative and quantitative study by Instituto Promundo in Brazil found that 14% of men said they had paid for sex with a girl they believed was under the age of 14, with less than 1% reporting ever having paid for sex with a boy under age 18 (Segundo, et al., 2012). This suggests that sexual exploitation of boys is less prevalent or that men are much less likely to report having paid for sex with boys. Furthermore, both men and women were much more likely to "blame the victim" in the case of boys, believing that boys had more agency or freedom of choice to become involved in sex work.

The consequences of childhood sexual exploitation for both boys and girls can be longstanding and severe. Short-term impacts can include academic problems, behavioral problems, low self-esteem, delinquency, depression, increased risk for suicide, high-risk sexual behavior, poor physical health, post-traumatic stress disorder and higher rates of substance abuse (Knerr, 2011, Contreras et al., 2012). Additional consequences can include obesity, attempted

suicide, sexual dysfunction or excessive sexual activity resulting in the acquisition of sexually transmitted infections (Nielsen, 1983, Knerr, 2011). A more detailed look at the psychosocial and physical consequences of childhood exploitation shows that experiencing violence or abuse can have a strong impact on an individual's identity. Specific social consequences for male survivors of sexual exploitation can include (Knerr, 2011): **Demoralization and destruction:** Sexual violence is often used in conflict settings as a tool of war to threaten individuals and weaken social and familial cohesion; **Emasculation:** Sexual violence can be used against boys and men as a tool to make them feel less masculine. **Feminization:** Sexual violence can be used against boys and men to make them feel more feminine, compounding feelings of emasculation; **Homosexualization:** Sexual violence can be used against boys and men to try to strip them of their heterosexual status and feel stigmatized by same-sex relations; **Stigmatization:** Sexual violence against boys and men can be highly stigmatized, particularly because of biases against homosexuality.

Project experiences

Between January 2010 and December 2011, Instituto Promundo coordinated a global project to address the research and program gaps in the prevention of the sexual exploitation of adolescent boys (10-19 years old). The aim of the project was to facilitate the development of a network of organizations working on this issue. The project *“Preventing the sexual exploitation of adolescent boys: A Global Proposal for Building Knowledge and Improving Practice in Research and Programming.”* included three main objectives, including: (a) Support a group of pilot projects related to the

prevention of sexual exploitation of adolescent boys; (b) Develop research and programming guidelines for the prevention of sexual exploitation of adolescent boys; and, (c) Coordinate a portfolio of gender-focused programs and advocacy efforts in Brazil and internationally.

Implementation of 11 pilot-scale research studies⁷, workshops, training or direct interventions took place in diverse settings in Asia, Africa, Central and South America, and the Caribbean. Activities were carried out in Brazil, in Costa Rica, Cambodia, Guatemala, India, Jamaica, Nepal, Nicaragua and South Africa. Target groups included at-risk adolescents; young men who have experienced sexual exploitation or perpetuated sexual violence against others; stakeholders, service providers, social workers, journalists and media representatives, judges and police, fathers, brothers and male family members, among others. Where there was no previous existing research on the topic, country projects included formative research (e.g. focus groups with target groups, key informants or stakeholders, community needs assessments, literature review etc.), consultations with adolescents (whether they are direct or indirect beneficiaries of the project activities) and pre and post-research and interviews with direct beneficiaries of activities. Additional activities varied by country and included group education exercises, workshops and trainings with adolescents or adults, community outreach and social media campaigns. Specifically⁸, in Rio de Janeiro, Brazil, a qualitative study was conducted to understand the perceptions of professionals working in the national network to prevent involvement of adolescent boys and young men in commercial sexual exploitation. In Natal, Brazil, workshops with adolescent boys and girls were conducted to raise their awareness around the issue of sexual exploitation. In Phnom Penh, Cambodia, efforts were made to strengthen prevention and

⁷ Project partners included: in Brazil: Instituto Promundo and Resposta; in Cambodia: Chab Dai; in Costa Rica: Costa Rican Association for Action, Education, and Research on Masculinity, Family and Sexuality (WEM Institute); in Guatemala: ECPAT International; in India: Anyay Rahit Zindagi and International Center for Research on Women; in Jamaica: Children First Agency; in Nepal: Save the Children Nepal; in Nicaragua: Puntos de Encuentro; and in South Africa: RAPCAN.

⁸ Detailed description of each country project as well as findings and conclusions from the projects are presented in the upcoming publication: Instituto Promundo. 2012. Hidden Violence: Preventing and responding to sexual exploitation and sexual abuse of adolescent boys. Case Studies and Directions for Action. Prepared for OAK Foundation. Washington, DC: Promundo.

protection mechanisms, partnerships, and advocacy and education efforts among partner organizations. In San Juan, Costa Rica, workshops with adolescent boys were conducted, and a research to explore and systemize the perception and understanding of sexual exploitation of adolescent boys among professional in the public institutions in three Central American countries was conducted. In Guatemala City, Guatemala, workshops with non-governmental organizations, employees of the Guatemalan judiciary system, media and journalists were conducted to strengthen their capacity in preventing sexual exploitation of adolescent boys. In Goa, India, a participatory research was conducted to explore experiences and coping mechanisms of boys, survivors of sexual exploitation. In New Delhi, India, a study was undertaken to learn the extent and context of sexual exploitation of boys as well as the reasons and processes of boys' socialization in perpetrating violence on younger peers, including girls and women. In, Kingston, Jamaica, an interactive approach with young men in correctional institutions, family members, communities and other stakeholders was adopted to address the impact of culture and the need for re-socialization of young men's behavior and attitudes around male sexual exploitation. In Kathmandu, Nepal, the aim was to understand the different dimensions and risks of sexual violence against street boys. In Managua, Nicaragua, a participatory action research with young men was conducted and life stories of young men were used to raise public awareness around sexual abuse and exploitation. In Cape Town, South Africa, a mapping exercise was conducted to explore how ordinary service providers understand and engage with cases of sexual exploitation of adolescent boys.

What did we learn?

Literature reviewed, field visits to project partners and associated organizations including local state or federal government agencies, in-person interviews and consultation with concerned

key informants, as well as in-depth analysis of each project conclusions provided invaluable information and insights.

Social service providers and professionals working in the civil society and public sector institutions addressing the rights of children have often a limited background in gender, masculinities, sexuality, sexual diversity, sexual orientation as well as addressing issues such as homophobia and stigma around same-sex sexual experiences. Service providers show a clear bias in their views of sexual exploitation. These views reflected hetero-normative conceptualisations of sexual victimisation. In referring to cases of victimisation, the victim is usually seen as a girl, being victimised by an adult male (Ennew, 2008), and when referring to a boy, sexual exploitation among boys involved older men, and to a much lesser degree older women.

Stereotypical gender bias is also expressed in terms of not acknowledging the possibility of boys as victims. The perception is that boys are tough and able to take care of themselves. In the same vein, women are expected to be more caring and nurturing and abuse by an adult female perpetrator was argued to potentially have a more serious impact on the boy. Female perpetrators may also not be detected because they hide behind stereotypes of nurturance. Another gender bias related to the blaming of mothers in not fulfilling their roles as protector and nurturer, as a contributing factor in the sexual exploitation. This perception seemed to emanate from a belief that mothers are solely responsible for child rearing and nurturing of the child's development (Miller, 2005; Nicolson, 1993). In this social construction of motherhood, mothers shoulder the blame if anything happens to the child and are frowned upon by society for not doing a "good enough job" (Nicolson, 1993). Combating these bias notions and perceptions must be part of advocacy and education strategy.

National agencies and civil society organizations working with abused children are often inexperienced in working with

adolescent boys, and lack sufficient data on the magnitude and scope of the problem, which puts boys in a position of perpetrators rather than survivors of sexual exploitation and directly affects their decision-making processes to seek and access available care and treatment services. To change the attitudes about working with men and boys, service providers must confront their own biases. It is essential that service providers have a deep understanding of gender, masculinity, and male sexual violence, how boys are biologically different from girls, and what factors influence their sexual behavior – such exposure is an important step in reflecting on personal views and attitudes, and perhaps a way to review institutional practices in addressing sexual exploitation of boys. Techniques and methodology to work with at-risk boys must be developed and implemented as part of the efforts to address childhood sexual violence.

Service providers often have difficulty in distinguishing between sexual autonomy and exploitation in the case of boys (and girls). Some service providers consider it normal that adolescents exchange sex for favors and may only consider this situation “abusive” or “exploitative” when the age difference is particularly pronounced, for example. Reflections about autonomy and power in adolescent relationships are complex but must be discussed among service providers. Ultimately, an awareness of the power imbalances in adolescent relationships and the potential for the weaker, vulnerable child to be exploited and/or abused, should always be borne in mind. At the same time, care should be taken that protection does not take away from adolescents their autonomy for mutually non-coerced or consensual sex.

Most respondents held the view that due to their intake of cases, girls are at higher risk of being sexually exploited which is generally the case. However, this differed in respect of street children, where it was observed that cases of sexual exploitation involved mostly boys. This could be related to the orientation of parents to keep girl children in or close to the household, while boys are generally encouraged to venture out of domestic domains, or are

expected to be more adventurous (Frederick, 2009). Conservative views about religion, sexuality and sexual autonomy rights are directly linked with the inability to separate personally held views in relation to childhood sexuality from the programming methods. Many professional working in the field of child rights believe that boys are to blame due to the perceived acquiescence, silence and cooperation in relation to the acceptance of money and gifts.

The project confirmed that with regard to sexual orientation, and homosexuality in particular, there are contrasting opinions, ranging from the view that homosexuality is “unnatural” to an acceptance that this is a personal choice. Some views suggested that individuals could adjust and better their lifestyles if channeled through religion and that the spiritual guidance received would “remedy” the situation. Respondents attached much importance to the role of religion in how such cases are handled by parents. In addition, religious values appear to have an influence on personal and professional attitudes and ideas on how the matter of homosexuality should be dealt with. With respect to the ages of boy survivors of sexual violence, the project affirmed there is a lack of coherence in approaches to adolescents and of age-appropriate practice. Some service providers perceive that male children require protection due to increased vulnerability at this stage, while others consider that they do not need protection at all and that they can take care of themselves. While children are recognized as developing at different paces, this nuanced understanding reflects a gender bias that males should be able to take care of themselves. This suggests that service providers need training and sensitisation around gender issues but also about developmental issues.

While the Promundo-led project represents a small investigation into the sexual exploitation of boys, it reflects the difficulties experienced by professionals regarding what constitutes the sexual exploitation of boys and how these understandings are influenced by stereotyped gender constructions of male and female roles in society as well as constructions of child sexuality.

Findings suggest that training on existing children's rights legislation is required with service providers and professional from civil society who deal with children and family as well as a more reflection and understanding about gender norms and sexuality, including frank discussions and critiques of homophobic attitudes. In addition, more public education and awareness leading to social change is required in the area of challenging gender stereotypes and acknowledging child sexuality, in order to create a society that promotes protection and participation rights of children and promotes gender parity. It is clear that while the laws and policies on protection of children from sexual exploitation and abuse are in place, the implementation aspect, especially in regards to adolescent boys and young men, is challenging and often isolated with only a few successful results.

Results from workshops and training initiatives with professionals from faith-based development organizations as well as police, military, judiciary and media show that those institutions do not work with adolescent boys or marginalized populations of young men directly. They lack awareness and knowledge about the issue of sexual exploitation of adolescent boys, gender and masculinity and show a strong apprehension to discuss those subjects and to recognize the scale and magnitude of the problem. Powerful cultural and social gender stereotypes strongly influence their misbeliefs around sexual exploitation of boys and girls. In addition, strong and conservative personal views, religious beliefs, stigma and homophobia, are shown to be the most prevalent challenges in engaging parents and community members on the topic. Many of them believe male sexual exploitation is a non-existing subject, and perceive it unimportant and unrelated. Several direct interventions with boys affirmed their multiple vulnerabilities -- homelessness and hunger, stigma and prevalent violence, fear of discrimination from peers, family and community members – and confirmed that many of them appear hopeless and believe that they had been prescribed certain roles as young men and must 'fit in' their communities, groups, and families, while others believe

that they 'must' participate in certain sexual activities in order to provide for their families, regardless of any injury or emotional harm that they may face. Young men blame themselves for having been sexually exploited, and struggle with poor self-esteem, which in turn, puts them again at-risk. In order to combat this and other misperceptions, programs must provide relevant information to the young men to enable them understanding of their self-worth and the role they can play in their communities.

Emerging issues

The general blindness to boys' experiences of sexual violence in the sexual violence and children's rights field has been noted across the countries that participated in the initiative. This blindness stems from multiple issues, including stereotypes that men and boys are only perpetrators of sexual violence and never victims, and deep-seated discomfort in discussing homosexual contact (either consensual or coerced) in all the contexts. The same "blindness" and denial that surrounds sexual violence against girls - that it happens in the home as much as outside, that it involves questioning men with power, that it affects those who are the most powerless - also affects sexual violence against boys. All of these reasons suggest that organizations providing services related to boys (and girls) who have survived sexual violence and exploitation should be "gender aware" and thoroughly coached in gender-inclusive practices.

To avoid the risk of "ghettozing" sexual violence against boys the topic must be part of existing GBV, child abuse/sexual abuse and sexual violence prevention efforts. Moreover, the topic must be pushed forward in the context of child abuse/maltreatment, as a way of bringing greater attention and sensitivity to the gender differences in the dynamics of prevention, perpetration and victimisation, among others.

There is also the need to show the links between boys' experiences of violence and violence against women and girls. Part of the resistance in the GBV field to talking about violence against men and boys has been the belief that it would take resources and attention away from the limited and slowly growing attention to GBV against women and girls. By analyzing existing data from IMAGES, it is clear that such linkages exist: that boys who witness violence as children and/or who experience sexual violence growing up are more likely to use physical and sexual violence against women and girls later in their adult lives. In this way, the data is clear that calling attention to boys' experiences of sexual violence is both about achieving boys' rights but also should be a part of ending violence against women and girls. Moreover, there is the need to address boys' experiences of sexual exploitation through a gender lens. Part of the problem is the fact that the sexual violence work and child protection efforts too often see children as genderless, and boys perhaps more so. Attention in recent years (Together for Girls, the Girl Effect, Because I Am a Girl, the Adolescent Girls Coalition for example), has called attention to girls' specific vulnerabilities, including vulnerabilities to sexual violence, because of being girls in terms of how they are treated based on gender in the home, in school, in their communities, and the specific ways they are disempowered (or empowered) based on gender. Similar discussions about the gendered nature of sexual violence against boys have seldom been discussed nor adequately included in efforts to prevent and mitigate sexual violence against

boys. In other words, as numerous studies have confirmed, boys and young men (and adult men) are often far less likely to tell someone about their experiences or seek support services when experiencing sexual violence in part because of their reluctance to seek help and admit vulnerability and probably more so to fear of being labeled homosexual. It is essential to address the inadequate protection, programming and policy in regards to sexual violence against boys and men as well as to advocate for informed and adequate implementation of existing efforts.

The Promundo-led initiative showed that addressing the sexual exploitation of boys is incomplete without addressing the stigmatization of boys' same-sex experiences, and the link between sexual violence against boys and men and homophobia must be taken into consideration when addressing the problem. It is essential to address boys' experiences of sexual exploitation in connection with homophobia, as well as stigma, discrimination and stereotyping around same-sex experiences. Finally, it is crucial to build a global platform for information exchange, knowledge, skills and experiences sharing and continue building the evidence-base of efforts addressing sexual violence against boys - sharing program tools, research results and advocacy materials and promoting exchange between all sectors including civil society and governmental institutions to help more adequately address the problem.

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