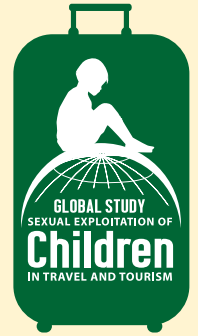


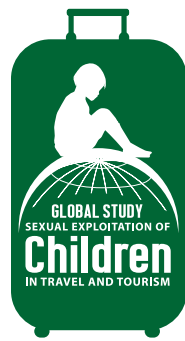
GLOBAL STUDY ON SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM

REGIONAL REPORT

MIDDLE EAST AND NORTH AFRICA

2016





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JUNE 2016

The regional desk review on Sexual Exploitation of Children in Travel and Tourism was written by Mark Erik Hecht with the assistance of Omar Albitar and Melody Burke.

The review was conducted in the framework of the Global Study on Sexual Exploitation of Children in Travel and Tourism. More information can be found in www.globalstudysectt.org.

The views expressed are those of the author and do not necessarily reflect those of ECPAT International.

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ECPAT International
328/1 Phayathai Road
Ratchathewi, Bangkok 10400
Thailand
Tel: +66 2 215 3388
Fax: +66 2 215 8272
Email: info@ecpat.net
Website: www.ecpat.net

Design by: QUO, Bangkok

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FOREWORD

More children than ever are at risk of being sexually exploited by travellers and tourists and no country is immune. Since the early 1990s when evidence came to light that European nationals were sexually abusing and exploiting children in developing countries, sharp increases in travel and tourism have multiplied the opportunities and venues available to travelling child sex offenders worldwide.

Despite the socioeconomic drawbacks, humanitarian catastrophes, and geopolitical conflicts that have beset the MENA region since the Arab Spring uprisings spread from Tunisia in 2010, short and long-term prospects of recovery of the region's travel and tourism sector are hopeful. Dr. Taleb Rifai, Secretary General of the UNWTO, expects the number of visitors to the region to reach 195 million by 2030; in 1990, that figure was 18 million. The huge displacement due to political instability and conflicts of people, have considerably increased the vulnerability of children to all forms of violence, including sexual exploitation. Furthermore, the explosion of the internet and mobile technology have afforded perpetrators new opportunities to get easily and anonymously access to children. Likewise, new travel and tourism services like home-stays, volun-tourism and the shareconomy have increased this anonymity and heightened children's vulnerability.

However, progress has been made since the First World Congress against Commercial Sexual Exploitation of Children held in Stockholm in 1996. Twenty years later, world leaders from nearly every country in the world have approved global targets to address the sexual exploitation of children in the Sustainable Development Goals, which replace the Millennium Development Goals from 2016 onwards. The world has recognised that we cannot allow children to fall victim to this devastating experience, which has life-long consequences on their mental and physical well-being.

This report provides an updated picture of the environment in which sexual exploitation of children in travel and tourism persists in the MENA region and proposes a set of recommendations to improve government, non-government and private sector responses to prevent and combat this crime. As such, it will assist in the realisation of the Sustainable Development Goals related to children's right to live free from sexual exploitation.

After many years of working on the issue, I cannot emphasise enough how important it is to join efforts and take advantage of multi-sector cooperation to fight this CRIME. This report is an open invitation to all the key stakeholders, including Governments, NGOs, Private sector, UN, Communities and children themselves to work more closely together in the fight against sexual exploitation of children in travel and tourism because together we can protect effectively all children from this crime.



Dr. Najat Maalla M'jid
Chair High-Level Taskforce to End Sexual
Exploitation of Children in Travel and
Tourism and former Special Rapporteur
on the sale of children, child prostitution
and child pornography 2008 - 2014

ACRONYMS

ACRWC	African Charter on the Rights and Welfare of the Child	MENA	Middle East and North Africa (In this report, the MENA region includes Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Palestine/Palestinian Territories, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, the United Arab Emirates, and Yemen.)
CHI	Child Helpline International	MSE	Major Sporting Event
The Code	The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism	NCCM	National Council of Childhood and Motherhood
The Committee	The Committee on the Rights of the Child	NGO	Non-Government Organisation
CSC	Consortium for Street Children	NPA	National Plan of Action
CSEC	Commercial Sexual Exploitation of Children	OHCHR	Office of the United Nations High Commission for Human Rights
CST	Child Sex Tourism	OPAC	Optional Protocol on the involvement of children in armed conflict
The Declaration	The Stockholm Declaration and Agenda for Action	OPSC	Optional Protocol on the sale of children, prostitution and pornography
ECPAT	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes	SECTT	Sexual Exploitation of Children in Travel and Tourism
FIFA	Fédération Internationale de Football Association	UN	United Nations
GCC	Cooperation Council for the Arab States of the Gulf	UNCRC	United Nations Convention on the Rights of the Child
ICT	Information and Communications Technology	UNCTOC	United Nations Convention against Transnational Organized Crime
ILO	International Labor Organization	UNICEF	United Nations Children's Fund
ITU	International Telecommunications Union	UNWTO	United Nations World Tourism Organization
LAS	League of Arab States	WEF	World Economic Forum
MDG	Millennium Development Goals	WHO	World Health Organization

EXECUTIVE SUMMARY

As part of the Global Study on the Sexual Exploitation of Children in Travel and Tourism (SECTT) being conducted by End Child Prostitution, Pornography and Trafficking (ECPAT) International and its partners, this report is produced to provide a geographic study of the phenomena of SECTT in the Middle East and North African (MENA) region. It aims to provide a comprehensive account of the state of SECTT in selected countries while exploring the determinants that lead to its occurrence, for both the offenders and the victims, and offer concrete recommendations for change.

The information in this report comes predominantly from the existing literature on SECTT in the MENA region produced over the past twenty years and includes research publications, news reports, interviews, official United Nations (UN) documents from State Parties and the Committee on the Rights of the Child, as well as Special Rapporteurs, non-government organisations' (NGOs) alternative/shadow reports, and other material from contributing stakeholders. It is important to note limitations in the accuracy of certain findings due to a serious lack of credible data on SECTT in the MENA region.

This report begins by examining SECTT as a social issue and exploring the international community's strategy for combating it, with particular attention paid to the UN Convention on the Rights of the Child (UNCRC) and the UN Optional Protocol on the sale of children, prostitution and pornography (OPSC). Despite the ratification of both international instruments by most countries in the MENA region, a review of UN reports on the CRC and OPSC, Special Rapporteurs and NGOs' alternative reports illustrate that current legislative and administrative efforts are not meeting the international standards. A major theme within the observations provided by the Committee on the Rights of the Child is that countries in the MENA region are not adequately collecting data with respect to the sexual exploitation of children generally and SECTT in particular. This lack of data collection results in a level of speculation in studying the indicators and determinants of SECTT.

The report then attempts to draw logical conclusions by identifying changes in the MENA tourism sector while highlighting complex and interacting social, economic, political and cultural factors that may lead to a higher risk of commercial sexual exploitation of children. This analysis includes an overview of core determinants that have historically been associated with the sexual harm of children: wealth disparities, disinhibition, lack of formal education, law and politics, culture and tradition, technological advances, homelessness and street children, demand and international events. By linking the

indicators with the redevelopment of the MENA region, certain assumptions can be put forward for discussion.

The report then conducts an in-depth look at the offenders, including travellers, tourists and intermediaries, involved in SECTT in the region. The study reveals that a major component of SECTT involves the status of a country in terms of its political stability or lack thereof, especially the presence of conflict, and its position as either a country of origin, a transit country through which SECTT victims are trafficked, or a destination country where children ultimately are sexually exploited. The report notes that in the MENA region, most countries fall into more than one of these categories. In addition, the social and cultural structures of destination countries also indicate risks for SECTT. In terms of victims, while several countries and NGOs have implemented initiatives to address the needs of SECTT victims, most countries in the MENA region appear to lack any form of rehabilitation and reintegration services for victims of sexual exploitation.

The report describes stakeholders in the MENA region that have been implicated in SECTT, including the travel and tourism industry, local NGOs, international NGOs, various human rights bodies and frontline service providers. The role and involvement of these stakeholders in the region serve to highlight the strategic role they can play in raising awareness, transforming collective attitudes and preventing the sexual exploitation of vulnerable children in local communities. The number of companies adopting The Code of Conduct of the Protection of Children from Sexual Exploitation in Travel and Tourism (The Code) and other protective mechanisms against SECTT is increasing, as is the number of civil society groups dedicated to advocating for child rights in the region. By cooperating with frontline service providers, the various stakeholders in the MENA region can create a united front in combating SECTT.

The report concludes by making the following recommendations to the countries in the MENA region in order to effectively combat SECTT: Implement national data collection systems; reform domestic and extraterritorial legislation; address the supply and demand of SECTT; develop travel and tourism industry standards and expectations; improve the treatment of victims; evaluate cultural attitudes that contribute to the prevalence of SECTT; raise awareness about SECTT in the MENA region; improve coordination with NGOs and other stakeholders; and prioritise the protection of children. The report concludes by urging governments and stakeholders in the MENA region to implement the recommendations in order to begin forming a more cohesive platform for combating and responding to SECTT.

CHAPTER 1

INTRODUCTION

BACKGROUND INFORMATION

Significant global milestones have been achieved since the First World Congress against the Commercial Sexual Exploitation of Children (CSEC) was held in Stockholm, Sweden. This landmark Congress almost two decades ago resulted in the adoption of the Stockholm Declaration and Agenda for Action, marking the beginning of a dedicated international movement towards a child's right to be free from sexual harm. The Declaration affirmed in a very concrete way that "every child is entitled to full protection from all forms of sexual exploitation and sexual abuse. States are required to protect the child from sexual exploitation and sexual abuse and promote physical and psychological recovery and social integration of the child victim".¹ At the Congress, the sexual exploiter was defined as an individual "who unjustly profits from a certain disequilibrium of power between himself and a person less than 18 years of age in the hope of sexually exploiting that person either for profit or for personal pleasure".²

Following the First World Congress, there were two further World Congresses on this topic; Yokohama in 2001 and Rio in 2008. Although progress was achieved at each subsequent Congress, recent trends reveal that CSEC continues to be one of the greatest challenges faced by the international children's rights community in the 21st century.³ ECPAT (End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes) International estimates that "there are as many as 1.8 million children exploited in prostitution or pornography worldwide and that human trafficking alone as an illegal industry generates billions of US dollars".⁴ The 2006 United Nations (UN) Global Study on Violence against Children, reporting on data from the World Health Organization (WHO), identifies that about 150 million girls and 73 million boys under 18 experienced violent sexual exploitation in one year alone.⁵

More recently in 2013, Dr. Najat Maalla M'jid, the former Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography and the Chair of the Task Force guiding this Global Study on the Sexual Exploitation of Children in Travel and Tourism (SECTT) remarked that "despite many commitments, despite many actions, and after three World Congresses, commercial sexual exploitation of children is increasing; each day that passes more children become victims of these crimes and have their childhoods stolen".⁶

CSEC is a globally developing phenomenon which manifests itself in various forms and degrees of complexity. Notably these include, inter alia, child prostitution, child pornography, child trafficking for sexual purposes, child marriage and the sexual exploitation of children in travel and tourism; the latter historically referred to as child sex tourism. It is noteworthy that the foregoing categorisations increasingly overlap in CSEC-related incidences.

According to the 2008 ECPAT Training Resource Kit, SECTT itself remains one of the more loosely defined and ambiguous forms of CSEC; it largely involves child prostitution.⁷ SECTT is tied to, and mostly facilitated by, a host of local factors and global trends, such as the developing infrastructure of the tourism industry, the rise of affordable international travel, inadequately regulated tourist visa procedures and lax cross-border security measures. Furthermore, SECTT-related crimes may take on very organised forms, where, for example, offending travellers or tourists may be implicated in crimes of child prostitution, child trafficking, child pornography, or some combination thereof. This serves to highlight the kind of challenges and difficulties that civil society, governments, non-governmental organizations (NGOs), international bodies and other stakeholders face in their concerted efforts to confront and eradicate this particular form of sexual harm.

¹ ECPAT International, "The Stockholm Declaration and Agenda for Action", accessed May 2015, (n.d.), http://www.ecpat.net/sites/default/files/stockholm_declaration_1996.pdf.

² Audrey Gigon, "Sexual Abuse of Children", Humanium, accessed May 2015, (October 2011), <http://www.humanium.org/en/sexual-abuse-children/>.

³ ECPAT International, Annual Report July 2012-June 2013 (Bangkok: ECPAT, 2014), 2-3.

⁴ ECPAT International, "What We Do", accessed 13 June 2015, (n.d.) <http://www.ecpat.net/what-we-do>.

⁵ United Nations General Assembly, "Global Study on Violence Against Children", UN Doc. A/61/299, (2006), 10.

⁶ ECPAT International, The Commercial Sexual Exploitation of Children in Africa (Bangkok: ECPAT, 2014), 1.

⁷ ECPAT International, Protecting Children from Sexual Exploitation in Tourism: An ECPAT Training Resource Kit (Bangkok: ECPAT, 2008).

In recent years, international travel and tourism has grown into a global conglomerate, stimulating social progress and spawning economic growth across continents, generating 6% of global export revenues, and creating a massive amount of jobs and other employment opportunities. The United Nations World Tourism Organization (UNWTO) recently reported that one in 11 jobs in the global job market belong to the tourism sector.⁸ The ongoing diversification, expansion, and development of the global tourism industry, specifically in developing and least developed regions, has had mixed impacts on local communities.

While a thriving tourism sector often serves as a key driver of social, economic and cross-cultural development, widely accessible travel networks and exploitable tourism infrastructures have also been a detriment to the integrity and safety of vulnerable children and young community members. Children living in or suffering from conditions of poverty, social exclusion, lack of educational and vocational opportunities, or racial discrimination are often the most vulnerable to being coerced or coaxed into being sexually abused for monetary or in-kind compensation. The increasing ubiquity and affordability of travel and tourism, coupled with social media partnerships that can offer protective anonymity, have facilitated the activities and crimes of child sex, and thus magnified the risks and threats to which marginalised children may already be exposed.

Despite the international recognition and ratification of a variety of international legal instruments, recommendations for best practices and codes of conduct aimed at upholding and preserving the rights of children in this context, the problem of SECTT remains a developing one and no child is unconditionally immune. That the global distribution of SECTT reveals differentially affected regions and countries in addition to recurring trends and patterns signals the need for the mobilisation of effective, multi-sectorial National Plans of Action (NPAs). A host of limitations, ranging from gaps in defining and interpreting SECTT to the relative scarcity of available data and gathered evidence on the matter, renders addressing this issue even more crucial. It

behooves the international children's rights community to shed light on a destructive issue of this magnitude.

Although quite broad, the comments above are reflective of the current state of affairs with respect to SECTT in the Middle East and North African (MENA) region. MENA is one of the archetypal cases of how the scarcity of reliable data and robust evidence on SECTT considerably hampers the initiatives and efforts towards its recognition and ultimate elimination. Additionally, civil society on the front lines and NGOs, such as ECPAT International and its partners, report that there is a discernible denial of CSEC across the region, coupled with prevalent social-cultural taboos that seem to limit the extent to which the issue can be addressed and publicly confronted.⁹ These obstacles, mixed with a push towards tourism expansion in the region, political unrest in some countries, and an unregulated Internet presence, suggest that the MENA region is an area with high risk but minimal action on the parts of governments and the private sector. Hence, among the objectives of this regional study is not only to collect, synthesise, and present the existing data on the scale and recent development of SECTT in the MENA region, but also to shed light on the obstacles that have narrowed the scope of knowledge about the issue, and thus on the urgent necessity of building dedicated research initiatives to fill the gaps in information across the region.

OBJECTIVES

The overall objective of this regional report is to provide a geographic study of SECTT in the MENA region for inclusion in the Global Study on the Sexual Exploitation of Children in Travel and Tourism. The objective will be achieved by presenting, to the greatest extent possible, a comprehensive and balanced account of the phenomena of SECTT inside the countries that comprise the region, along with the factors surrounding its existence. A secondary goal is to raise awareness of SECTT as a form of CSEC in the MENA region among the governments, NGOs, private actors, researchers and stakeholders that could be mobilised towards its eradication.

⁸ UNWTO, "Tourism Highlights, 2015 Edition" accessed April 2015, (2014), <http://www.e-unwto.org/doi/pdf/10.18111/9789284416899>.

⁹ ECPAT International, "Middle East and North Africa", accessed April 2015, (n.d.), http://resources.ecpat.net/EI/Regionals_MENA.asp.

The lack of a shared conception of SECTT among regional stakeholders constitutes a major problem and a clear and internationally-recognised framework through which SECTT may be consistently defined, jointly understood and precisely targeted, is needed. As a part of the Global Study, the following desk study aims to present and analyse the most recent data available on trends and patterns of SECTT in the MENA region, in hopes of tracing recent development of the issue and guiding effective decision-making and multi-sectorial action accordingly.

METHODOLOGY

This report is a desk study; the primary resource on which the information presented rely come from the existing literature on SECTT in the MENA region over the past twenty years.¹⁰ Countries in the MENA region included in this report are: Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Palestine/Palestinian Territories, Qatar, Saudi Arabia, Sudan, Syria/Syrian Arab Republic, Tunisia, the United Arab Emirates, and Yemen. In addition, research publications, news reports, interviews, and primary or secondary accounts obtained from child rights NGOs or other contributing stakeholders—through the Internet, voice call, email, or other communication media—are presented and synthesised. Finally, official UN reports, such as State Party reports to, and Concluding Observations from, the Committee on the Rights of the Child, Special Rapporteurs, and NGO shadow/alternative reports, were studied in detail for information pertinent to the subject.

The involvement of diverse actors in the forums and conversations pertaining to the pressing social, political, or economic issues in a particular region or state represents a staple of participatory democracy. Alongside the participation of governments and NGOs, the Global Study has also encouraged and sought the contribution of public and private sectors—tourism corporations, UN agencies, and survivors of commercial sexual exploitation—thereby refining potential national or regional trajectories of action towards responsible and sustainable tourism. To compliment this, efforts have therefore been made to be as inclusive as possible within the collection of data in the region.

LIMITATIONS

The data-collection methodology and geographical focus of this study impose substantial limitations on the fulfillment of its objectives. The relative inadequacy of the existing body of literature on SECTT in the MENA region not only limits the comprehensiveness of data collected, but may also affect the conclusions drawn by depicting an unrealistic picture of the scale of SECTT-related violations in the region. Global Monitoring Reports (GMR) on the status of action against CSEC in some countries of the MENA region corroborate the widespread presence of this problem. For example, ECPAT International has conducted situational analyses on CSEC in Chad, Egypt, Mauritania, Morocco, Tunisia, and Yemen; its reports face similar barriers when attempting to research SECTT within these countries.

The lack of cross-sector collaboration and sharing of relevant facts and figures among governments, law enforcement, NGOs, tourism industry, and other stakeholders in the region add another layer of cloudiness in accurately tracing the development of the tourism industry alongside the emergence of the sexual exploitation of children. Understanding the co-evolution of the two phenomena could help account for recurring trends and patterns of SECTT-related crimes and thus inform best practices and future directions directed towards a socially responsible tourism industry actively engaged in combating all forms of CSEC. This is yet another limitation in the report.

Finally, civil war and geopolitical instability currently plaguing different parts of the MENA region—mainly Syria, Iraq, Libya, and Yemen—can also be viewed as serious limitations to the accuracy of the most recent data available, given the rapidly changing social and demographic fabric in the afflicted countries. For example, the ongoing refugee crisis arising from the civil conflict in Syria has seen the fleeing of millions of children and their families into neighbouring countries, raising potentially dangerous opportunities for the sexual exploitation of child refugees living in sub-par conditions and in need of means of sustenance. Evidence of this is scarce and could not be captured in this report with any degree of credibility at the time of writing.

¹⁰ Dorine van der Keur, e-mail communication to author on “Study on Sexual Exploitation of Children in Travel and Tourism”, 3 April 2015.

CHAPTER 2

DEFINING SECTT

THE CHILD

The United Nations Convention on the Rights of the Child (UNCRC), first adopted by the General Assembly in 1989 and undoubtedly the chief international treaty enshrining the fundamental rights of all children, defines a child as a person below the age of 18, unless the age of majority is attained earlier under the domestic law to which that person is subject.

The legal definition of childhood, however, varies considerably from one country to another, as individuals in some countries may be designated as adults before they turn 18 years old. In the context of the MENA region, for example, the age of majority in Iran varies by gender; whereas girls enter adulthood at the age of nine, boys in comparison are not considered legal adults until the age of 15.¹¹ In other countries in the region, the end of childhood is determined by physical maturation, particularly if there is no mandatory birth registration to confirm the child's actual biological age.

Such variations from the UNCRC's internationally recognised threshold of legal adulthood may place children and young individuals at risk of specific forms of CSEC like early child marriage, especially in situations in which available child protection programmes and policies exclude them at a very early age. Nevertheless, the MENA countries of Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Palestine/Palestinian Territories, Qatar, Saudi Arabia, Sudan, Syria, Tunisia, the United Arab Emirates and Yemen have all ratified the UNCRC "with no reservations on Articles 34 and 35, which

cover the right of children not to be exploited for sexual purposes".¹² Despite widespread ratification, it should be noted that historically activists have reported that the UNCRC is weakly implemented in most of the above-mentioned countries.¹³

In the MENA region in particular, the perception of childhood affects the treatment of child victims of SECTT as well as contributing to the various factors that may lead to vulnerability. In many countries of the region, pre-puberty signs constitute the passage to adulthood, thereby imposing the social expectations of adults onto children.¹⁴ Therefore, child victims of exploitation in the MENA region may be subjected to societal disapproval and with many being denied legal support and social services, thereby needing to rely on regional NGOs and child helplines for these resources to seek justice and rehabilitation.¹⁵

This perception of childhood is especially prevalent in cases involving girls.¹⁶ Girls in the MENA region may be subject to various forms of gender-based violence: seclusion of women from the public domain, hindering access to education and social resources, female genital mutilation and early marriages are only a few examples.¹⁷ In Arab society, "the loss of virginity of a girl victim of sexual abuse or exploitation is considered to dishonor the family" and there are serious repercussions for the child, including rejection, isolation, imprisonment, or even forced marriage to the perpetrator.¹⁸ The situation becomes grave if the girl becomes pregnant, as family and societal rejection is more profound with both the girl and the baby being rejected, abandoned, stigmatised or victimised.¹⁹

¹¹ The Civil Code of the Islamic Republic of Iran, Book 10, Article 1210, Note 1, accessed 22 July 2015, <http://www.alaviandassociates.com/documents/civilcode.pdf>.

¹² UNICEF, "Commercial Sexual Exploitation of Children: The Situation in the Middle East/North Africa Region", accessed April 2015, (n.d.), <http://www.unicef.org/events/yokohama/background8.html>. See also: United Nations Treaty Collection, "Convention on the Rights of the Child", accessed 22 July 2015, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en.

¹³ Ibid.

¹⁴ Farzaneh Roudi-Fahimi and Shereen El Feki, "Facts of Life: Youth Sexuality and Reproductive Health in the Middle East and North Africa", 3, accessed 5 July 2015, (Washington, DC: Population Reference Bureau, 2011), <http://www.prb.org/pdf11/facts-of-life-youth-in-middle-east.pdf>.

¹⁵ Child Helpline International, "RWD The Voices of Children and Young People in the Middle East and North Africa", 6, accessed 3 July 2015, (April 2013), http://www.childhelplineinternational.org/media/72248/mena_english.pdf.

¹⁶ Ibid.

THE SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM (SECTT)

Prior to seeking to report on SECTT in the MENA region, it is crucial to aptly define it and demarcate its boundaries, so as to differentiate it from other variants of CSEC. The plethora of determinants and actors involved in incidences of SECTT has often precipitated semantic confusion around its very definition: What exactly constitutes the phenomenon of SECTT, what are some of its defining characteristics, and where does it begin and end? Gaps in domestic legislation, neglect of child victims and survivors, and under-prosecution of perpetrators—be they domestic travellers, expatriates, foreign tourists, or otherwise—all reflect some of the ramifications of a missing consensus regarding the definition and interpretation of SECTT and CSEC more generally inside the region.

SECTT involves an act or acts of sexual abuse and violation of a child or young individual—either by a tourist visiting a foreign country, an expatriate residing outside his or her home country, or a domestic traveller on a trip within the borders of his or her home country or country of residence—undertaken in exchange for a monetary, in-kind, or other compensation given to the victim or to a third-party. Perpetrators either deliberately travel to seek sexual relations with vulnerable children, or find themselves engaging in the crime out of spontaneous temptation or a desire for experimentation. Thus, this kind of crime is not necessarily premeditated or organised in advance. In fact, most child sex offenders whose child rights violations fall under this category are so-called “situational child sex tourists.”²⁰

Notwithstanding the variation in intention among child sex abusers in travel and tourism, all incidences of SECTT encompass some form of sexual and commercial objectification of the child victim or victims that are in one way or another linked to travel-related opportunities,

tourism industry, or both. Child trafficking and prostitution are possible points of intersection between the generation of profit and the sexual exploitation of child victims under the facilitation of elements of tourism infrastructure, destinations tolerant or ambivalent towards child abuse, or favorable circumstances offering impunity. The Office of the United Nations High Commissioner for Human Rights (OHCHR) reports that global child sex tourism could be worth 20 billion USD per year. Case studies have also illustrated how some travelling child sex offenders have funded themselves through the sale of their photos and videos. The International Labor Organization (ILO) estimates that human trafficking has become a multi-billion dollar industry, generating more than US \$30 billion a year.²¹

Within the MENA region itself there are several different definitions of CSEC and SECTT, which is problematic when it comes to addressing the issue. Often legislation has overarching definitions of human trafficking and child exploitation but can have gaps in terms of defining CSEC and SECTT specifically. For example, in Bahrain, Act No. 1 of 2008, article 1(b), provides that “trafficking in persons means the recruitment, transportation, transfer, harbouring or receipt of a person under the age of 18 or a person whose general or personal circumstances preclude him or her from giving consent or making a free choice, for the purpose of exploiting that person, even if the act is not committed using any of the means specified in the preceding paragraph (involving the definition of human trafficking)”.²² Alternatively, Egypt has similar legislation with regards to human trafficking and exploitation of minors, but also includes The Suppression of Prostitution Act, No.10 of 1961, which renders anyone who engages in prostitution, no matter the age, liable to one to three years’ imprisonment (with a penalty increase if the victim is under the age of 21).²³ Therefore, while legislation in MENA does contain definitions of CSEC in terms of specific areas these definitions tend to be general definitions of major components rather than specific definitions regarding SECTT itself.

²⁰ ECPAT International, *Questions & Answers About the Commercial Sexual Exploitation of Children* (Bangkok: ECPAT, 2008), 14.

²¹ ILO, *ILO Action Against Trafficking in Human Beings*, Geneva, 2008, 1.

²² UN CRC, “Second and third periodic reports of States parties due in 1999: Bahrain”, UN Doc. (2010), CRC/C/BHR/2-3.

²³ UN CRC, “Periodic reports of States parties due in 1997: Addendum: Egypt”, UN Doc. (1998) CRC/C/65/Add.9.

CHOICE OF LANGUAGE: REPLACING CHILD SEX TOURISM WITH SECTT

There is a subtle yet crucial distinction between the concepts of child sex tourism (CST) and SECTT. The latter is more inclusive and hence representative of acts of commercial sexual exploitation that are embedded in a context of travel, tourism, or both. Albeit widely used in published reports and publications on the subject, CST appears not to explicitly incorporate the fact that child sex tourists may be domestic travellers moving around within the borders of their home country or that in which they reside temporarily (e.g., as expatriates). The conceptual difference between CST and SECTT can be surmised as follows: CST suggests that offenders must be tourists, whereas SECTT embodies travelling offenders both international and domestic, rather than the specific international element implied by CST.

Additionally, the use of CST raises the question of whether a foreign resident implicated in the sexual exploitation of children can be considered a “child sex tourist”, given that the term “tourist” is often associated with the notion of brief or temporary presence at a certain location (e.g., for purposes of business or leisure). The use of SECTT provides for a more nuanced representation of the different conditions under which CSEC may occur in these particular contexts. Domestic travel, not unlike tourism, is often concomitant with a change of socioeconomic, political, and cultural milieus, thereby potentially creating opportunity structures through which the traveller may seek sexual contact with children. While these nominal and semantic discussions may seem pedantic at first, they serve to underscore the importance of striving towards a precise and inclusive definition of the phenomenon in question, officially recognised and shared among governments, NGOs, tourism industry, researchers and experts, UN bodies and agencies, and others.

Social norms and attitudes towards matters of sexual violence, exploitation, and abuse in all their various manifestations across the MENA region have spawned a widespread culture of denial, severely hampering efforts and countermeasures to effectively address them in public and private spheres of action. Denying or turning a “blind eye” to issues of such gravity only serves to reinforce socio-cultural taboos. Situational analyses by ECPAT International of CSEC in the region often find a pervading “cultural resistance” towards related issues, which are often vaguely referred to as instances of “trauma” or “violence”. CSEC-related crimes are also differentially perceived, in some cases being labelled merely as “indecent acts” or “rape”. Such instances of misattribution considerably detract from the substantive features of CSEC, which in turn distorts the kind of legal action taken against child sex offenders and limits the scope of support and rehabilitation that child victims and survivors desperately need. While each of the 20 MENA countries has at least one section in its penal code that may be “invoked against sexual abuse and exploitation”, there has been no clear regional consensus on the legal definition of CSEC, CST or SECTT.

Marshalling a shared vocabulary of CSEC-related concepts encompassing the nuances of SECTT and other forms of CSEC is a necessary step towards understanding the vagaries of the phenomenon. Harmonising definitions and interpretations, for example, within the legal and medical domains, among countries in the MENA region is warranted for effective cross-country and cross-sector collaboration, NPAs, awareness-raising campaigns, and legislative and policy responses.

CHAPTER 3

CHALLENGES AND OPPORTUNITIES FOR ADDRESSING SECTT IN THE MENA REGION

For almost three decades, the international community has sought to find an overarching solution to CSEC and its multifaceted ramifications on children and communities worldwide. The UNCRC was among the first such attempt, after which followed a range of international instruments and tools that further demarcated boundaries of child protection and specified duties and obligations between a state and its children: Optional Protocols to the UNCRC on the involvement of children in armed conflict (OPAC), on the sale of children, child prostitution and child pornography (OPSC), and on a communications procedure; and the Convention against Transnational Organized Crime (UNTOC) and its Protocols to name but a few. The OPSC is of particular relevance here as it further specifies requirements for states to enhance protection of children from sexual exploitation, violence, and abuse, all of which fall within the purview of SECTT-related crimes.²⁴ The Protocol was initially adopted by the UN General Assembly in 2000, and entered into force in 2002. It has been ratified by all the aforementioned MENA countries except the United Arab Emirates and Palestine/Palestinian Territories.²⁵

While CSEC-related crime rates have relatively subsided in regions in which they have been recurring for more than a decade, nascent centres of CSEC are in turn rapidly emerging. CSEC remains a dynamically evolving problem on a global scale. It has not exactly been constrained by geographical bounds or regional transformations, and it continues to shift its operating centres in response to changing cycles of supply and demand, or tightened regulatory policies and enhanced law enforcement strategies. In the MENA region, governments have made efforts to align their domestic legislation on trafficking-in-persons with international instruments, so as to incorporate all forms of sexual

exploitation outlined in the Protocol to the UNTOC.²⁶ As previously mentioned, all governments in the region have also ratified the UNCRC and most have officially ratified the OPSC. In addition, Morocco recently ratified the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, also known (as the Lanzarote Convention).²⁷ That said, current domestic legislation in most MENA countries do not mirror these conventions. In fact, in several countries, certain legislation criminalises child victims of sexual exploitation, which has the opposite intent to these international standards.

COMMENTARY FROM THE INTERNATIONAL CHILDREN'S RIGHTS MONITORING BODIES

Perhaps the best source to uncover compliance between domestic law and international expectation is the reports provided to, and the feedback received from, the international monitoring bodies. All the reports generated from the MENA countries to the UN Committee on the Rights of the Child were studied in preparation for this paper and the relevant sections are summarised below.

UNCRC State Party Reports and Concluding Observations

Pursuant Article 44 of the UNCRC, States Parties that have ratified the Convention are expected to submit reports to the Committee on the Rights of the Child detailing measures they have adopted to adhere with the values and goals outlined in the convention.²⁸ The MENA countries in this report (excluding Palestine/Palestinian Territories) have all submitted reports and have received

²⁴ Office of the High Commissioner for Human Rights, "Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography", accessed 29 May 2015, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>.

²⁵ Office of the High Commissioner for Human Rights, "Status of Ratification Interactive Dashboard", accessed May 17, (n.d.) <http://indicators.ohchr.org>.

²⁶ United Nations Office on Drugs and Crime, "Country Profiles: Africa and the Middle East", (n.d.), accessed 10 June 2015, http://www.unodc.org/documents/data-and-analysis/glotip/Country_Profiles_Africa_Middle_East.pdf.

²⁷ Council of Europe, "Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse CETS No.: 201", accessed 14 June 2015, (2015), <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=201&CM=1&DF=&CL=ENG>.

²⁸ Office of the High Commissioner for Human Rights, "Convention on the Rights of the Child", accessed 29 May 2015, (n.d.), <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>.

feedback from the Committee in the form of Concluding Observations. Although the amount of detail with respect to CSEC generally, and SECTT in particular, on a country basis is limited, reviewing the reports and Concluding Observations does provide some insight.

Algeria, in addition to ratifying the UNCRC and its two Optional Protocols, has also ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons.²⁹ The Committee noted that to meet the international standard, national child protection squads had been established to protect children involved in various forms of exploitation, including SECTT.³⁰ The Committee was concerned that child prostitution is increasing in the country and that both girls and boys who work as vendors, couriers or domestic servants are particularly vulnerable to sexual exploitation.³¹

In Bahrain, the Committee noted that several legislative measures have been implemented to address child exploitation generally, namely Act No. 1 of 2008 on combating the trafficking of persons and the establishment of a national committee to combat trafficking in persons.³² The Committee noted Bahrain's lack of a framework for the business sector to operate in a way that takes into account child rights, and encouraged the country to give due consideration to the "best practices and lessons learnt from around the world in the application of the United Nations Business and Human Rights Framework to the operations of private and public corporations, particularly with respect to child rights".³³

The Committee expressed concern in 2000 about "the high and apparently increasing incidence of prostitution involving children, in particular girls, and about the lack

of facilities to provide services to sexually exploited children".³⁴ The Committee noted in 2008 Concluding Observations that Djibouti carried out a study in 2002 on "children in the street" and integrated several initiatives relating to street children and protecting them from various forms of sexual exploitation, including CSEC.³⁵

In 2006, the Committee commended Jordan on amending its Juveniles Act (Law No. 52 of 2002) to include a new definition of child beggars as children in need of protection and care (particularly from trafficking and sexual exploitation).³⁶ Jordan was also recognised for adjusting provisions of the Jordanian Penal Code relating to the sexual exploitation and abuse of children to include stiffer penalties and detailed descriptions of the various offences.³⁷ Libya³⁸ and Oman³⁹ both received similar positive feedback regarding their legislative modifications, which also included harsher penalties for offences involving the sexual exploitation of children, however all three countries were criticised for having a lack of research and information pertaining to the trafficking and sexual exploitation of children.⁴⁰ In 2000, Jordan was expressly critiqued for "having insufficient data on and awareness of the phenomenon of commercial sexual exploitation of children in Jordan, and the absence of a comprehensive and integrated approach to prevent and combat it... and insufficient legal protection of boys below the age of 18 against commercial sexual exploitation"⁴¹ and this was reiterated in a 2006 Concluding Observation as well.⁴²

In the early review of State Party Reports, the Committee expressed concerns about an absence or severe limitation of data in Kuwait,⁴³ Qatar,⁴⁴ Tunisia,⁴⁵ and Yemen⁴⁶ on the issue of sexual exploitation of children. Kuwait⁴⁷ and Lebanon⁴⁸ were both urged to continue

²⁹ Committee on the Rights of the Child, "Concluding observations: Algeria", UN Doc. CRC/C/15/Add.269, (2005), para. 78.

³⁰ Committee on the Rights of the Child, "Summary Record of the 1715th Meeting: Consideration of reports of State parties: Combined third and fourth periodic reports of Algeria", UN Doc. CRC/C/SR.1715, (2012), paras. 8, 15.

³¹ UNCRC, Committee on the Rights of the Child, Report on the Fortieth Session, 12 to 30 September 2005, 185.

³² Committee on the Rights of the Child, "Concluding observations: Bahrain", UN Doc. CRC/C/BHR/CO/2-3, (2011), paras. 3-4.

³³ Ibid at para. 21.

³⁴ Committee on the Rights of the Child, "Concluding observations of the Committee on the Rights of the Child: Djibouti", UN Doc. CRC/C/15/Add.131, (2000), para. 57.

³⁵ Committee on the Rights of the Child, "Concluding observations: Djibouti", UN Doc. CRC/C/DJI/CO/2, (2008), para. 68.

³⁶ Committee on the Rights of the Child, "Concluding observations: Jordan", UN Doc. CRC/C/JOR/CO/3, (2006), para. 90.

³⁷ Committee on the Rights of the Child, "Third periodic report of States parties due in 2003: Jordan", UN Doc. CRC/C/JOR/3, (2006), para. 298.

³⁸ Committee on the Rights of the Child, "Third and fourth periodic reports of States parties due in 2005: Libyan Arab Jamahiriya", UN Doc. CRC/C/LBY/3-4, (2010), para. 301.

³⁹ Committee on the Rights of the Child, "Concluding observations: Oman", UN Doc. CRC/C/OMN/CO/2, (2006), para. 65.

⁴⁰ Committee on the Rights of the Child, "Concluding observations: Libyan Arab Jamahiriya", UN Doc. CRC/C/15/Add.209, (2003), para. 43.

⁴¹ Committee on the Rights of the Child, "Concluding observations of the Committee on the Rights of the child: Jordan", UN Doc. CRC/C/15/Add.125, (2000), para. 61.

⁴² Committee on the Rights of the Child, "Concluding observations: Jordan", UN Doc. CRC/C/JOR/CO/3, (2006), para. 92.

⁴³ Committee on the Rights of the Child, "Concluding observations of the Committee on the Rights of the Child: Kuwait", UN Doc. CRC/C/15/Add.96, (1998), para. 31.

⁴⁴ Committee on the Rights of the Child, "Concluding observations: Qatar", UN Doc. CRC/C/QAT/CO/2, (2009), para. 64.

⁴⁵ Committee on the Rights of the Child, "Concluding observations of the Committee on the Rights of the Child: Tunisia", UN Doc. CRC/C/15/Add.181, (2002), para. 43.

⁴⁶ Committee on the Rights of the Child, "Concluding observations: Yemen", UN Doc. CRC/C/15/Add.102, (1999), para. 33.

⁴⁷ Committee on the Rights of the Child, "Concluding observations of the Committee on the Rights of the Child: Kuwait", UN Doc. CRC/C/15/Add.96, (1998), para. 31.

⁴⁸ Committee on the Rights of the Child, "Concluding observations: Lebanon", UN Doc. CRC/C/LBN/CO/3, (2006), para. 82.

implementing the recommendations formulated in the Agenda for Action adopted at the First World Congress. These countries have all strived to further the protection of children from CSEC and SECTT in various ways: Kuwait imposed heavier penalties in the Kuwaiti Penal Code in 1993,⁴⁹ Qatar established the National Office to Combat Human Trafficking in 2005,⁵⁰ Tunisia created strict criminal legislation regarding sexual abuse and exploitation of children (although failing to include provisions that protect boys as well as girls),⁵¹ and Yemen formed the Programme for the Protection and Rehabilitation of Street Children and constructed the Safe Childhood Centre to help street children vulnerable to sexual exploitation, as stated in 2005 Concluding Observations.⁵²

While Morocco was praised for hosting the Arab-African Forum Against Commercial Sexual Exploitation of Children in 2003⁵³ and in 2007, Sudan was commended for the implementation of the Committee for the Eradication of the Abduction of Women and Children, which targets abducted and exploited women and children in the South of Sudan,⁵⁴ the Committee noted with concern that both countries had increasing instances of sexual exploitation of children.⁵⁵ In 2006, the Committee also noted an increase in trafficking of children for the purposes of sexual exploitation in Saudi Arabia, and despite domestic legislation prohibiting the sale and trafficking of children, an increasing number of children are crossing the border from Yemen.⁵⁶ The Committee noted in 2008 that Egypt amended the Children's Act to include harsher penalties for child pornography offences as well as the adoption of a charter of honour by the National Commission against Violence for all workers in the tourism sector "containing all practices related to child trafficking including prostitution, perverse tendencies, abuse or exploitation".⁵⁷ In addition, hotel staff and tourism

support services workers were trained on how to respect the charter. Nonetheless, the Committee remained concerned at the insufficient information and awareness of commercial sexual exploitation of children in Egypt and the lack of support services available for victims of sexual abuse and exploitation.⁵⁸

While the most recent State Party Report for Syria is currently under embargo, a 2011 Report examined Legislative Decree No. 3 of 2010, which included human trafficking offences and the related penalties for these offences.⁵⁹ In 2006, the Committee acknowledged Lebanon for the establishment of a sub-commission on sexual exploitation but remained deeply concerned about the insufficient data and awareness of sexual exploitation of children.⁶⁰ The Committee also recommended that Lebanon undertake studies to assess the scope of commercial sexual exploitation of children, including prostitution and pornography, and implement appropriate policies and programmes for preventing such exploitation.⁶¹

Iraq and the United Arab Emirates have each only submitted one State Party Report (in 1996 and 2001, respectively) and received Concluding Observations on those reports, none of which addressed CSEC or SECTT. Similarly, Iran submitted two State Party Reports (one in 1997 and another in 2002) and neither of those reports, nor the Concluding Observations divulged in 2000, revealed any information about CSEC or SECTT initiatives or information in the country.

The Palestinian National Authority did release an unofficial report on the implementation of the UNCRC in the Occupied Palestinian Territory. This report detailed several initiatives to combat the sexual exploitation of children, including the revision of the draft penal code, which would impose severe penalties for CSEC-related

⁴⁹ Committee on the Rights of the Child, "Initial reports of States parties due in 1993: Addendum: State of Kuwait", UN Doc. CRC/C/8/Add.35, (1996), para. 249.

⁵⁰ Committee on the Rights of the Child, "Concluding observations: Qatar", UN Doc. CRC/C/QAT/CO/2, (2009), para. 66.

⁵¹ Committee on the Rights of the Child, "Concluding observations of the Committee on the Rights of the Child: Tunisia", UN Doc. CRC/C/TUN/CO/3, (2010), para. 61.

⁵² Committee on the Rights of the Child, "Concluding observations: Yemen", UN Doc. CRC/C/15/Add.267, (2005), para. 73.

⁵³ Committee on the Rights of the Child, "Concluding observations: Morocco", UN Doc. CRC/C/15/Add.211, (2003), para. 62.

⁵⁴ Committee on the Rights of the Child, "Consideration of Reports Submitted by States Parties Under Article 12(1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography: Concluding observations: Sudan", UN Doc. CRC/C/OPSC/SDN/CO/1, (2007), para. 37.

⁵⁵ Committee on the Rights of the Child, "Concluding observations: the Sudan". UN Doc. CRC/C/15/Add.190, (2002), para. 65 & Committee on the Rights of the Child, "Concluding observations: Morocco", UN Doc. CRC/C/15/Add.211, (2003), para. 62.

⁵⁶ Committee on the Rights of the Child, "Concluding observations: Saudi Arabia", UN Doc. CRC/C/SAU/CO/2, (2006), para. 71.

⁵⁷ Committee on the Rights of the Child, "Third and fourth periodic reports of States parties due in 2007: Egypt", UN Doc. CRC/C/EGY/3-4, (2008), para. 397.

⁵⁸ Committee on the Rights of the Child, "Concluding observations of the Committee on the Rights of the Child: Egypt". UN Doc. CRC/C/15/Add.145, (2001), para. 51 & Committee on the Rights of the Child, "Concluding observations: Egypt", UN Doc. CRC/C/EGY/CO/3-4, (2011), para. 82.

⁵⁹ Committee on the Rights of the Child, "Third and fourth periodic reports due in 2009: Addendum: Syrian Arab Republic". UN Doc. CRC/C/SYR/3-4/Add.1, (2011), para. 60.

⁶⁰ Committee on the Rights of the Child, "Concluding observations: Lebanon". UN Doc. CRC/C/LBN/CO/3, (2006), para. 81.

⁶¹ Ibid.

offences, the drafting of child protection protocols, the amended Basic Law of 2003, and the establishment of the MOSA Child Protection System Referral Network. It was also mentioned that Palestinian children who cross over into Israel are found on the streets begging and there have been reported cases of sexual exploitation and forced prostitution.⁶²

OPSC State Party Reports and Concluding Observations

Despite having been ratified by all the aforementioned MENA countries, except the United Arab Emirates and Palestine/Palestinian Territories, only nine countries have submitted reports pursuant to Article 12 of the OPSC to the Committee providing comprehensive information on the measures they have taken to implement the provisions of the Protocol.⁶³ Egypt, Jordan, Kuwait, Morocco, Oman, Qatar, Sudan, Syria, and Yemen.

Aside from implementing the charter of honour for tourist workers, Egypt has also fought CSEC through efforts in the Office of the Public Prosecutor, which include indictments in Case No. 2490 of 2009 concerning the commercial and sexual exploitation of street children by adults.⁶⁴ In addition, governmental bodies in cooperation with the private sector and the NGO FACE in Egypt have begun an initiative to establish integrated care homes for street children, who are particularly vulnerable to CSEC and SECTT.⁶⁵ The Committee was concerned about the lack of adequate legislative and administrative procedures, the lack of awareness of SECTT, and the fact that no company had signed up for the travel and tourism code of conduct as of 2011.⁶⁶ While Jordan⁶⁷ and Qatar⁶⁸ were both commended for implementing

training sessions and awareness campaigns about the sexual exploitation of children, both were criticised for having no specific national plan of action to target CSEC or SECTT.

The Committee recognised efforts in Kuwait, Morocco, and Oman to change their penal codes and implement provisions against the sexual exploitation of children, specifically SECTT, yet remained concerned about the inadequate implementation of these laws. Similarly, in Sudan and Syria, severe penalties for sexual exploitation of children were in force but there remained high reports of children being abducted for the purposes of sexual exploitation in Darfur and South Sudan in 2007⁶⁹ and Iraqi girls being trafficked into Syria for the purpose of sexual exploitation in 2006.⁷⁰ In 2009, the Committee recognised legislative efforts in Yemen to prescribe harsher penalties for subjecting children to any form of sexual exploitation, but encouraged the country to undertake research on CSEC and further develop legislation to address the problem of sexual exploitation by prohibiting “tourist marriages” or “temporary marriages”.⁷¹

Reports of the Special Rapporteur

According to the OHCHR, a Special Rapporteur is “an independent expert appointed by the Human Rights Council to examine and report back on a country situation or a specific human rights theme”.⁷² Several MENA countries have been the subjects of Special Rapporteur reports over the years. In March 2006, Sigma Huda, the-then Special Rapporteur on trafficking in persons, especially women and children, investigated the implementation of a General Assembly Resolution

⁶² Palestinian Central Bureau of Statistics (2010). “The Palestinian National Authority on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”. Accessed 29 May 2015: <http://resourcecentre.savethechildren.se/library/palestinian-national-authority-report-implementation-convention-rights-child-occupied>.

⁶³ Office of the High Commissioner for Human Rights, “Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography”, accessed 29 May 2015, (n.d.), <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>.

⁶⁴ Committee on the Rights of the Child, “Consideration of reports submitted by States parties under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography: Initial reports of States due in 2004: Egypt”, UN Doc. CRC/C/OPSC/EGY/1, (2010), paras. 76, 132.

⁶⁵ Ibid. para. 141.

⁶⁶ Committee on the Rights of the Child, “Consideration of reports submitted by States parties under article 12, paragraph 1 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography: Concluding observations: Egypt”, UN Doc. CRC/C/OPSC/EGY/CO/1, (2011), para. 25.

⁶⁷ Committee on the Rights of the Child, “Consideration of reports submitted by States parties under article 12, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography: Initial reports of States parties due in 2009: Jordan”, UN Doc. CRC/C/OPSC/JOR/1, (2013), para. 46.

⁶⁸ Committee on the Rights of the Child, “Consideration of Reports Submitted by States Parties Under Article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography: Concluding observations: Qatar”. UN Doc. CRC/C/OPSC/QAT/CO/1, (2006), paras. 14-15.

⁶⁹ Committee on the Rights of the Child, “Consideration of Reports Submitted by States Parties Under Article 12(1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography: Concluding observations: Sudan”. UN Doc. CRC/C/OPSC/SDN/CO/1, (2007), para. 37.

⁷⁰ Committee on the Rights of the Child, “Consideration of Reports Submitted by States Parties Under Article 12, Paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography: Concluding observations: Syrian Arab Republic”. UN Doc. CRC/C/OPSC/SYR/CO/1, (2006), para. 27.

⁷¹ Committee on the Rights of the Child, “Consideration of reports submitted by States parties under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography: Concluding observations: Yemen”, UN Doc. CRC/C/OPSC/YEM/CO/1, (2009), paras. 8, 30.

⁷² Office of the High Commissioner for Human Rights, “Special Rapporteur on the Right to Education”, accessed 3 June 2015, (n.d.), <http://www.ohchr.org/EN/Issues/Education/SREducation/Pages/SREducationIndex.aspx>.

in many countries, including Bahrain, Oman, and Qatar. The Special Rapporteur noted that Bahrain's Criminal Code encompassed many forms of child exploitation⁷³ and Qatar's Law No. 22 of 2005 on children and camel races⁷⁴ prohibiting all forms of child participation protected children from an increased vulnerability to the world of CSEC. While authorities in Bahrain were highly responsive to public sector complaints concerning child exploitation, the response to private sector complaints remained ineffective as of 2005.⁷⁵ No further data is available for Bahrain's private sector complaints and responses. The Special Rapporteur noted, however, that all complaints in Oman were taken seriously in 2005. Further, the establishment of a task force in Oman to monitor children in camel racing was welcomed, but hindered by the lack of support or shelters for child victims of exploitation.⁷⁶ No follow-up Special Rapporteur reports in these regions have occurred thus far.

In 2000, Ms. Ofelia Calcetas-Santos, the-then Special Rapporteur on the sale of children, child prostitution and child pornography, visited Morocco to report on the issue of CSEC. She noted that despite the establishment of a "tourist police" to protect nationals from tourists (as well as protect tourists from aggressive vendors), Morocco still had rampant issues involving SECTT, with many Europeans and others from Western countries visiting to seek out boys, whereas men from other Arab countries were visiting to look for girl prostitutes.⁷⁷ In addition, the Special Rapporteur identified the sexual exploitation of young girls working in factories of the industrial zone in Marrakech and as household maids (*"petites bonnes"*) as some of the most serious problems confronting Moroccan children.⁷⁸

A 2006 Special Rapporteur report by the-then Special Rapporteur Juan Miguel Petit mentioned Lebanon's efforts to initiate public awareness campaigns through media outlets about the sexual exploitation of children,

but critiqued the criminal sanctions surrounding prostitution for punishing both the exploiter and the exploited.⁷⁹

More recently, the Special Rapporteur on the sale of children, child prostitution and child pornography in 2010, Najat Maalla M'jid, went on a mission to the United Arab Emirates.⁸⁰ Her report observed that there was "a lack of a centralised and standardised information system" and recommended legislative and administrative adjustments in order to protect children vulnerable to various forms of exploitation.⁸¹ The Special Rapporteur did acknowledge successful operations to dismantle trafficking networks and welcomed a wide range of initiatives undertaken by the United Arab Emirates to guarantee the rights of the child.⁸²

Supplementary Reports

In addition to receiving State Party reports, the Committee on the Rights of the Child also accepts information from non-state actors, including NGOs (particularly where they have consultative status), UN agencies, national human rights institutions and children themselves.⁸³ The following reports were submitted to the Committee by NGOs in the MENA region, with emphasis on information that was not present in the official State Party report, Concluding Observations, or the Special Rapporteur reports.

From 2006 to 2009, Child Helpline International (CHI) made several recommendations to the Committee concerning the implementation or improvement of child helpline services in MENA countries, which would assist children in vulnerable situations at risk of falling prey to CSEC and SECTT to seek the aid they need to avoid dangerous situations. CHI noted that Syria has the potential to reach over 109,708 children annually,⁸⁴ Jordan over 61,343 children annually,⁸⁵ Kuwait over 67,677 children annually,⁸⁶ Lebanon over 30,619 children

⁷³ Human Rights Council, "Implementation of General Assembly Resolution 60/251 of 15 March 2006 Entitled 'Human Rights Council': Report of the Special Rapporteur on trafficking in persons, especially women and children, Sigma Huda", UN Doc. A/HRC/4/23/Add.2, (2007), para. 24-25.

⁷⁴ Ibid. para. 42.

⁷⁵ Ibid. para. 25.

⁷⁶ Ibid. paras. 34-36.

⁷⁷ Commission on Human Rights, "Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Ms. Ofelia Calcetas-Santos: Report on the mission of the Special Rapporteur on the issue of commercial sexual exploitation of children to the Kingdom of Morocco". UN Doc. E/CN.4/2001/78/Add.1, (2000), paras. 40-42.

⁷⁸ Ibid. paras. 10, 17, 66.

⁷⁹ Commission on Human Rights, "Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Juan Miguel Petit", UN Doc. E/CN.4/2006/67, (2006), paras. 106, 94.

⁸⁰ Human Rights Council, "Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M'jid: Mission to the United Arab Emirates", UN Doc. A/HRC/16/57/Add.2, (2010).

⁸¹ Ibid. para. 24.

⁸² Ibid. para. 20.

⁸³ Child Rights Connect, "CRC Reporting", accessed 3 June 2015, (n.d.), <http://www.childrightsconnect.org/connect-with-the-un-2/crc-reporting/>.

⁸⁴ Child Helpline International, "Recommendations to the UN Committee on the Rights of the Child - Syria", accessed 29 May 2015, (n.d.), http://www.crin.org/docs/Syria_CHI_NGO_report.doc.

⁸⁵ Child Helpline International, "Recommendations to the UN Committee on the Rights of the Child - Jordan", accessed 29 May 2015, (2006) http://www.crin.org/docs/Jordan_CHI_NGO_report.doc.

⁸⁶ Child Helpline International, "Recommendations to the Committee on the Rights of the Child - Kuwait", accessed 29 May 2015, (2008), http://www.crin.org/docs/kuwait_CHI_NGO_Report.doc.

annually,⁸⁷ and Oman over 26,281 children annually.⁸⁸ None of these countries have a helpline established, nor does Djibouti.⁸⁹ Similarly, it was noted that Tunisia does not have a helpline, but the Tunisian Association for Child Rights called for a stakeholders meeting in 2008 to discuss establishing one.⁹⁰ It was noted that Yemen has a child helpline that is operated by the Arab Human Rights Foundation⁹¹ and Qatar has a child helpline that is operated by the Qatar Foundation for the Protection of Women and Children,⁹² but neither of those countries has a toll free number, unlike Sudan's child helpline launched under the Family and Child Protection Unit in 2009.⁹³

In Iran, the Society for Protecting the Rights of the Child in Iran submitted a paper on the State Report of the Islamic Republic of Iran about UNCRC in 2004, critiquing the report for: failing to identify between completed project, current projects, and future plans; failing to highlight the inefficient administration of laws and regulations relating to children's rights; and exaggerating the attempts to raise awareness of the UNCRC to the public.⁹⁴

Human Rights Watch in Jordan submitted a 2006 report discussing the Government of Jordan's failure to ensure the rights of the children of Iraqi refugees and migrants to the country.⁹⁵

The Coordination Forum of the NGO's Working among the Palestinian Community presented a paper on Lebanon in 2006, indicating the lack of progress in the protection of Palestinian refugee children in Lebanon.⁹⁶

The Friends of Children Society submitted a 2007 paper on Sudan's initial report on the OPSC, commenting on: vast differences between the effectiveness of legislative efforts and the grossly outnumbered violations of children's rights; the failure of the government to prioritise the creation of a national policy for children; and the lack of coordination and effectiveness of the National Council of Child Welfare.⁹⁷

In a study concerning sexual violence of children in Morocco, a paper prepared by Hynd Ayoubi Idrissi emphasised that awareness and prevention were insufficient in Morocco, particularly in the tourism industry, despite the adoption of national charter of responsible tourism developed by the Moroccan Committee of Responsible Tourism.⁹⁸

Equality Now submitted a report discussing efforts in Yemen, expressing concern about the discrimination and inequality faced by Yemeni women and girls, particularly in terms of the legal practice of child marriage.⁹⁹ ECPAT France did acknowledge Yemen's efforts in creating a Democracy School that raises awareness about the need for the protection of children, which handed out 1,000 posters and 5,000 brochures and held five awareness sessions with children concerning sexual exploitation.¹⁰⁰

Finally, it is important to note that Child Rights Connect, formerly the NGO Group for the Convention on the Rights of the Child, prepared multiple examination reports that summarise the key comments and findings made in State Party reports and Concluding Observations.

⁸⁷ Child Helpline International and Member Helplines, "Recommendations to the UN Committee on the Rights of the Child - Lebanon", (2006), accessed 29 May 2015, <http://www.crin.org/docs/42nd%20session%20Lebanon.doc>.

⁸⁸ Child Helpline International, "Recommendations to the UN Committee on the Rights of the Child - Oman" (2006), accessed 29 May 2015, http://www.crin.org/docs/Oman_CHI_NGO_report.doc.

⁸⁹ Child Helpline International (2008). "Recommendations to the Committee on the Rights of the Child - Djibouti". Accessed 29 May 2015. http://www.crin.org/docs/Djibouti_CHI_NGO_Report.doc.

⁹⁰ Child Helpline International, "Recommendations made under the Convention on the Rights of the Child - Tunisia", (2010), accessed 29 May 2015. http://www.crin.org/docs/Tunisia_CHI_NGO_Report.doc.

⁹¹ Child Helpline International and Arab Human Rights Foundation, "52nd Session - Yemen: Recommendations to the UN Committee on the Rights of the Child", (2009), accessed 29 May 2015, http://www.crin.org/docs/Yemen_CHI_NGO_Report.doc.

⁹² Child Helpline International, "Recommendations to the UN Committee on the Rights of the Child - Qatar", (2009), accessed 29 May 2015, http://www.crin.org/docs/Qatar_CHI_NGO_Report.doc.

⁹³ Child Helpline International, "Recommendations to the UN Committee on the Rights of the Child - Sudan", (2010), accessed 29 May 2015, http://www.crin.org/docs/Sudan_CHI_CRC_NGO_Report.pdf.

⁹⁴ Society for Protecting the Rights of the Child in Iran, "Supplementary Report on the State Report of the Islamic Republic of Iran about CRC", (2004), accessed 29 May 2015, www.crin.org/docs/resources/treaties/crc.37/Iran_SPRC_ngo_report.pdf.

⁹⁵ Human Rights Watch, "A Submission to the Committee on the Rights of the Child Regarding Jordan's Third Periodic Report to the Committee", 2006, accessed 29 May 2015, http://www.crin.org/docs/Jordan_HRW_NGO_Report.pdf.

⁹⁶ Coordination Forum of the NGO's Working Among the Palestinian Community, "Rights of the Palestinian Child in Lebanon, Third Supplementary Report", accessed 29 May 2015, (2006), http://www.crin.org/docs/Lebanon_NGO_Report_CFNWPC.doc.

⁹⁷ Friends of Children Society, "Remarks of the NGOs on Sudan's Initial Report on the OPSC", (2007), accessed 29 May 2015, http://www.crin.org/docs/Sudan_OPSC_Amal_NGO_Report.doc.

⁹⁸ Hynd Ayoubi Idrissi, "Etude sur la violence sexuelle à l'encontre des enfants au Maroc: Rapport final", (Rabat, Morocco: ECPAT France and l'Agence Française de Développement, 2014), accessed 22 July 2015, http://www.unicef.org/morocco/french/Etude_sur_la_VS_2014.pdf.

⁹⁹ Equality Now, "Equality Now Submission in advance to the CRC Committee's Discussion of Yemen (65th Session)", (2013), accessed 29 May 2015, https://www.crin.org/docs/Yemen_Equality%20Now_CRC%20Report.pdf.

¹⁰⁰ ECPAT France, Rapport 2012, 32.

A review of the reports above highlight that there is much work being done in the region by countries attempting to meet their international obligations under the UNCRC, however, many of these efforts are not specific to CSEC or SECTT. Of particular concern is that some of the domestic legislation seems actually to contradict the spirit or language of the UNCRC. Further, the Committee on the Rights of the Child has consistently noted that State Parties in the MENA region are not adequately collecting information or holding data with respect to the sexual exploitation of children or the circumstances that could lead to sexual harm. As a result, some level of speculation is necessary to be achieved by exploring travel and tourism in the region generally and then by studying the indicators and determinant of SECTT in the MENA region more specifically.

DEVELOPMENTS IN THE MENA TOURISM SECTOR AND ITS POTENTIAL IMPACT ON SECTT IN THE REGION

In the aftermath of the global economic recession, international tourism has enjoyed consistent growth and development, creating a wide variety of jobs and stimulating economic development in urban and rural communities. In 2014, international tourism receipts increased by US\$ 48 billion, reaching a record US\$ 1,245 billion; a total of US\$ 221 billion was generated from international passenger transport, lifting total exports from international tourism up to US\$ 1.5 trillion— an average of US\$ 4 billion a day; and the number of international tourist arrivals amounted to 1,135 million, a 4.4% increase in comparison with the 1,087 million recorded in 2013.¹⁰¹ By 2030, the total number of international tourists is estimated to reach 1.8 billion.¹⁰² Clearly, tourism continues to be one of the most prominent economic endeavors for people around the world. Albeit to different degrees, the geographic range of growth in the preceding year spanned tourism sectors in all regions, including MENA deemed a global tourism destination during the first decade of this century.

Despite the socioeconomic drawbacks, humanitarian catastrophes, and geopolitical conflicts that have beset the MENA region since the Arab Spring uprisings spread

from Tunisia in 2010, short and long-term prospects of recovery of the region's tourism sector are hopeful. Taleb Rifai, Secretary General of the UNWTO, expects the number of visitors to the region to reach 195 million by 2030; in 1990, that figure was 18 million.¹⁰³ Further, it is estimated that in 2014 tourism receipts increased by US\$ 4 billion to US\$ 49 billion in the Middle East, and by US\$ 1 billion to US\$ 36 billion in Africa; the former reportedly ranked among the sub-regions having experienced the fastest growth, relatively speaking.

CSEC in the contexts of travel and tourism has proven to be difficult to closely monitor report and appraise in the region. These constraints are even more pronounced as the state of knowledge on the geographic distribution and severity of SECTT-related phenomena has been alarmingly inadequate. It would not be unreasonable, however to speculate that the current and projected degrees of growth and development of the region's tourism sector will be accompanied by novel risks to vulnerable children, women, and other segments of local communities.

During their trip, a child sex offender may take advantage of travel agencies and tourism-related services, such as tour operators, transportation services, and hotel facilities that enable them to covertly seek and gain access to vulnerable children. Yet, the tourism sector is hardly the only enabler of CSEC in these cases. It has also been speculated that family members, parents, friends or trusted acquaintances have been complicit in numerous arranged child marriages to foreigners, a dangerous phenomenon from which many young girls in MENA continue to suffer. According to a field study by the National Council of Childhood and Motherhood (NCCM) Child Trafficking Unit in Egypt, for example, child marriages often takes place because of high bridal prices paid by non-Egyptian grooms, therefore becoming a commercial transaction and sometimes leading to the transport of the purchased bride.¹⁰⁴ In Yemen, since 2009 there has been increasing concerns that SECTT is being conducted under the guise of tourist marriages or temporary marriages.¹⁰⁵ Some actors lend a complex and possibly transnational organisation to CSEC-related crimes, such as recruiters, traffickers, pimps, and brothel owners. Such actors employ manipulative tactics that may involve deception, violence, drugs, or blackmail, so

¹⁰¹ World Tourism Organization, "Exports from international tourism rise to US\$ 1.5 trillion in 2014", accessed April 2015, (2014), <http://media.unwto.org/press-release/2015-04-15/exports-international-tourism-rise-us-15-trillion-2014>

¹⁰² Office of the High Commissioner for Human Rights, "Combating child sex tourism", accessed April 2015, (n.d.), <http://www.ohchr.org/EN/NewsEvents/Pages/ChildSexTourism.aspx>

¹⁰³ R. Bundhun, "Unrest spurs tourism challenges for Middle East and North Africa", *The National*, 1 May 2012, accessed April 2015 from: <http://www.thenational.ae/business/industry-insights/tourism/unrest-spurs-tourism-challenges-for-middle-east-and-north-africa>

¹⁰⁴ Committee on the Rights of the Child, (2010) UN Doc. CRC/C/OPSC/EGY/1, para. 56.

¹⁰⁵ Committee on the Rights of the Child, "Consideration of reports submitted by States parties under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography: Concluding observations: Yemen", (2009), UN Doc. CRC/C/OPSC/YEM/CO/1, paras. 29-30.

as to lure or coerce marginalised and often displaced segments of youth into sexual exploitation, in exchange for money, goods, or in-kind compensation. On the other hand, the demand for SECTT may arise from different categories of child sex offenders. Contrary to popular misconception, child sex offenders who travel make up a diverse pool of individuals: they can be males or females, married or single, young or old, wealthy or budget travellers, travelling for business, leisure, or otherwise, foreign visitors, expatriates, or domestic nationals.¹⁰⁶

While fostering a rich spectrum of local and regional growth opportunities for communities, the tourism industry may also be capitalised by incoming child sex offenders, organised networks of traffickers, previously convicted offenders, or tempted travellers. It is paramount then to at least consider the pivotal role of the tourism industry in the protection of children, predominantly those belonging to poor families in marginalised communities. Today's currents of mass-tourism and globalisation lead us to also posit that even in countries where children in local communities are not significantly vulnerable to child sex tourism, due to their relative inaccessibility or low tourist arrival rates, the potential risks and threats of victimisation are volatile and thus may rapidly surface were these trends to reverse.¹⁰⁷ Unfortunately, official figures on SECTT, whether in emerging or recurring contexts, can seldom be found.

The ongoing development and revival of the tourism sector in MENA warrant the mobilisation of multi-stakeholder efforts directed toward ensuring that companies and agencies adopt and support ethical standards of operation that explicitly endorse child protection policies and measures. In many MENA countries, the tourism industry's strategies and operations are heavily dominated by the public sector, which limits the scope of cross-sector collaborations, multi-stakeholder initiatives, and sectorial reform more generally. In some countries, such as Jordan, there are intimations of progress in this domain. The Jordanian government appointed the Royal Society for the Conservation of Nature, an independent nonprofit organisation, to oversee the country's ecological infrastructure. This example, while only indirectly tied to SECTT, demonstrates a willingness to decentralise control over a component of the country's tourism infrastructure.¹⁰⁸

In the MENA region, the private tourism industry often finds itself confined by governmental regulation, which stifles potential trajectories in these directions. This not only limits potentially transformative plans of action and reform, but also restrains the full involvement of tourism companies—being integral stakeholders given their unique position—in combating and mitigating CSEC on their premises. The regional prevalence of SECTT in MENA countries derives from an intricate web of causal forces, embedded both within and beyond the tourism domain. Interacting social, economic, political, and cultural factors directly and indirectly shape the overall outcomes of tourism development policies. This will be discussed in the next section.

OTHER INDICATORS AND DETERMINANTS OF SECTT IN THE REGION

While trends in tourism and their linkages to sexual harm against children may provide some indication of SECTT in the MENA region, other determinants exist. It is difficult to trace the multifaceted phenomenon of SECTT in the MENA region back to a specific cause; instead, there is an evolving plethora of factors interlaced at multiple stages, beginning from the tourist's country of origin, continuing into the interposed duration of transportation (by land, sea, or air), and ending at the touristic destination itself. Often factors underlying SECTT are overlapping and intersect in many ways (such as gender discrimination, which links to unemployment and lack of education).

Wealth Disparities

A central feature of SECTT often lies in the wealth disparities between the victim(s) and the child sex offender(s).¹⁰⁹ Given the larger context of global SECTT, these inequalities in wealth between local and tourist may be accounted for by looking at what distinguishes tourist-sending countries or areas from tourist-receiving ones. As reported in 2007 by the Protection Project, most child sex offenders who travel depart from developed and often industrialised countries or home geographical areas; tourist destinations, on the other hand, are developing, less developed, or even impoverished in comparison.¹¹⁰ This distinction has characterised the travel patterns of child sex offenders, between tourist-sending and destination countries or geographical areas.

¹⁰⁶ World Vision, "No Child for Sale: Child Sexual Exploitation in Travel and Tourism", accessed April 2015 from: <https://nochildforsale.ca/resource/infographic-child-sexual-exploitation-in-travel-and-tourism/>

¹⁰⁷ ECPAT France, Rapport 2012 (Paris: ECPAT, 2012).

¹⁰⁸ World Bank, "Tourism in the Arab World can mean more than Sun, Sand and Beaches", 11 February 2013, accessed April 2015, <http://www.worldbank.org/en/news/feature/2013/02/11/tourism-in-the-arab-world-can-mean-more-than-sun-sand-and-beaches>

¹⁰⁹ Sara Andrews, US Domestic Prosecution of the American International Sex Tourist: Efforts to Protect Children from Sexual Exploitation, 94 *J Crim L & Criminology* 415, (224), 1, accessed April 2015, (2004), <http://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=7153&context=jclc>.

¹¹⁰ The Protection Project, International Child Sex Tourism: Scope of the Problem and Comparative Case Studies, (2007), 21.

The sub-regions of the Middle East and North Africa comprise, to varying degrees, developing countries that explain the region's historically rooted classification as a transit or destination for point for child sex offenders. In 2005, 17% or around 50 million people of the MENA region's population lived below two dollars a day.¹¹¹ Tunisia and Egypt are currently undergoing political transitions that have slowed economic growth and worsened macroeconomic balances.¹¹² The low social status of women and girls, combined with a lack of opportunities for youth, creates a larger divide between the economic classes in the MENA region.¹¹³ Large families with many dependents are those most susceptible to poverty,¹¹⁴ hence why children are either sent by family members to procure money or find themselves seeking financial security and trying to survive on their own.¹¹⁵

During their time away from home, child sex offenders are often in an economically advantaged position among local communities in the vicinity.¹¹⁶ This acts as an enabling factor, often allowing perpetrators to deceptively entice poor and disadvantaged children into sexual exploitation. In a 2009 report, ECPAT International revealed that in some cases, dysfunctional families in severe poverty encourage or even prostitute their children in order to benefit from the remuneration, thus exacerbating their children's vulnerability to SECTT and maintaining a supply of child victims.¹¹⁷ Contrary to popular misconception, poverty is not the main cause behind SECTT - it is one among many underlying causes.¹¹⁸ Notwithstanding, the achievement of the anti-poverty Millennium Development Goals (MDGs) in the MENA region remains a challenge of foremost importance on the post-2015 agenda.¹¹⁹ It is noteworthy to mention that some victims of SECTT come from middle-class families,¹²⁰ yet it is not clear if such cases feature at all in the MENA region.

Disinhibition

On an individual level, tourists who travel to sexually exploit a child, specifically situational offenders, may also be driven by the social and moral disinhibition that arises from their sense of anonymity away from their everyday communities at home.¹²¹ There is a documented relationship between such situational factors and deviant behaviors, mediated through a psychological process known as deindividuation.¹²² Furthermore, if the perpetrator happens to bear any repressed or hidden predilections toward children, they are more likely to surface while he/she is away from home.¹²³ Programmes that prioritise child-safety, inclusivity, and responsibility in travel and tourism are needed to counteract that of impunity and lawlessness. Unfortunately, there appears to be few such programmes in the region.

Lack of Formal Education

Lack of formal education and the vocational skills concomitant with it are additional factors that further compound the risks children face from individual child sex offenders or more organised forms of child sex trafficking.¹²⁴ Disadvantaged children in the MENA region who, for varying reasons, do not have access to education not only face economic vulnerability due to scant occupational prospects but also often lack a basic level of understanding of the kinds of dangers that commercial sexual exploitation poses.

A 2012 study by the UN Children's Fund (UNICEF) indicated that an estimated 7.2 million children in the MENA region were out of school, comprising 4.3 million primary school aged children and 2.9 million of lower secondary age.¹²⁵ Household wealth is closely linked to schooling decisions, and often families living in financial difficulty do not send their children to school.¹²⁶ Girls within the region are more likely than boys to suffer a lack of education for several reasons, including social norms

¹¹¹ The World Bank, "Recent Trends of Poverty in the Middle East and North Africa", accessed 10 June 2015, (last updated April 2010), <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/MENAEXT/EXTMNAREGTOPPOVRED/0,,contentMDK:22475121~pagePK:34004173~piPK:34003707~theSitePK:497110,00.html>.

¹¹² The World Bank, "Middle East and North Africa Overview", accessed 10 June 2015, (last updated 31 March 2015), <http://www.worldbank.org/en/region/mena/overview#1>.

¹¹³ Roberto Benes, "Policy Challenges and Opportunities for Children in MENA," (Florence: UNICEF, 2012), accessed 10 June 2015, http://www.unicef.org/socialpolicy/files/Presentation_MENA.pdf.

¹¹⁴ Supra, note 111.

¹¹⁵ The Code, "Understanding Child Sex Tourism".

¹¹⁶ ECPAT, Questions & Answers, (2008), 15

¹¹⁷ ECPAT International, The Protection of Children from Sexual Exploitation in Tourism and the Role of Tourism Professionals, NGOs and Law Enforcement, (Amsterdam: ECPAT, 2009), 3, accessed 10 June 2015, <http://www.defenceforchildren.nl/images/13/1400.pdf>.

¹¹⁸ The Code, "Understanding Child Sex Tourism".

¹¹⁹ Farzaneh Roudi-Fahimi, "Progress Toward the Millennium Development Goals in the Middle East and North Africa", Population Reference Bureau, (2004), <http://www.prb.org/pdf04/ProgressToMillDev.pdf>.

¹²⁰ ECPAT, An ECPAT Training Resource Kit.

¹²¹ The Code, "Understanding Child Sex Tourism".

¹²² Kevin Ireland, "Sexual Exploitation of Children and International Travel and Tourism", Child Abuse Review 2 (1993), 265.

¹²³ Ibid.

¹²⁴ Humanium, "Child Trafficking", accessed 22 July 2015, <http://www.humanium.org/en/child-trafficking/>.

¹²⁵ UNICEF MENA Regional Office, Regional Report on Out-of-School Children, (2014), 1.

¹²⁶ Ibid.

and traditions that deem education more important for males than females.¹²⁷ In addition, the practice of early marriage can serve as a barrier for girls schooling and is a major cause of early school leaving in Djibouti, Egypt, Iraq, Jordan, Sudan and Yemen.¹²⁸ Some efforts have been made to improve girls' participation in schools, such as the Ishraq Programme in Egypt, but the divide between the genders in terms of education could be a factor in addressing SECTT.¹²⁹

Law and Politics

While SECTT “occurs in any country or tourism destination”,¹³⁰ the MENA region is not selectively marked as a “hotspot” for the phenomenon.¹³¹ This does not detract from the value and urgency of calling for the scrutiny and, ultimately, remedy of the devastating consequences it has on children's lives. In spite of the lack of reliable information on the magnitude of the phenomenon - both regionally and nationally - there seems to be a debilitating schism between the political and legal spheres of action in the region. This is primarily reflected in the discrepancy between legal child protection mechanisms through national legislation and ratification of international instruments and the full implementation of ensuing child-safe standards and measures of prevention, investigation, prosecution of offenders, and social-psychological reintegration of child victims.¹³²

Concerns of lack of political will or domestic legal infrastructure have also been raised by the Committee on the Rights of the Child in various Concluding Observations reports. The Committee noted the absence of a comprehensive and integrated approach to prevent and combat CSEC in Jordan,¹³³ for example, and was concerned that Tunisia's criminal legislation regarding sexual abuse and exploitation of children did not include

protection for boys.¹³⁴ While Kuwait,¹³⁵ Morocco,¹³⁶ and Oman¹³⁷ had made efforts to change penal codes and implement provisions against the sexual exploitation of children, specifically SECTT, the Committee remained concerned about the inadequate implementation of these laws. This is also highlighted in a 2008 Child Rights Situational Analysis for the Middle East and North Africa Region, which states: “...despite progress in the legislative and programmatic fronts – with many of the governments of MENA countries working with civil society groups, international NGOs, regional bodies, donors and United Nations agencies to better protect children – child protection remains a serious issue in every country of the region.”¹³⁸

Political conflict in a region is also a determinant of SECTT.¹³⁹ Since the uprisings of the Arab Spring progressively spread across the region, the vicissitudes of the political and legal infrastructures have debilitated both of them.¹⁴⁰ Civil and proxy wars, most notably in Syria, Iraq, Libya, and Yemen, have displaced millions of innocent civilians, precipitating humanitarian and refugee crises.¹⁴¹ These lamentable circumstances of social, geopolitical, and economic instability are considered among the principal causes of child sexual exploitation. Although credible evidence is lacking, the risks for a child in these circumstances cannot be ignored.

States in the MENA region have only just begun recognising the urgency of CSEC-related problems on their political agendas. While all countries have ratified (almost all) major international treaties pertaining to child protection, legal loopholes in domestic legislation and inadequate implementation are widely discernible.¹⁴² The adoption of extraterritorial legislation, an effect legal tool to capture and prosecute child sex offenders who travel, is remarkably absent from most MENA countries.¹⁴³

¹²⁷ UNICEF MENA Regional Office, Regional Report on Out-of-School Children, (2014), 5.

¹²⁸ Ibid.

¹²⁹ Ibid.

¹³⁰ Office of the High Commissioner for Human Rights, “Combating Child Sex Tourism”.

¹³¹ ECPAT, An ECPAT Training Resource Kit.

¹³² Protection Project, International Child Sex Tourism, 22.

¹³³ Supra, note 34, para. 61.

¹³⁴ Supra, note 51, para. 61.

¹³⁵ Committee on the Rights of the Child, “Consideration of Reports Submitted by States Parties under Article 12, Paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography: Concluding Observations: Kuwait”, (2008), UN Doc. CRC/C/OPSC/KWT/CO/1, paras. 17, 23.

¹³⁶ Committee on the Rights of the Child, “Consideration of Reports Submitted by States Parties Under Article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography: Concluding observations: Morocco”, (2006), UN Doc. CRC/C/OPSC/MAR/CO/1, para. 4.

¹³⁷ Committee on the Rights of the Child, “Concluding observations of the Committee on the Rights of the Child: Oman”, (2001), UN Doc. CRC/C/15/Add.161, para. 10.

¹³⁸ Save the Children Sweden, “Child Rights Situation Analysis for North Africa and Middle East” (2008), 8.

¹³⁹ ECPAT, Questions & Answer, 27.

¹⁴⁰ Roberto Benes, “Policy Challenges and Opportunities”.

¹⁴¹ The World Bank, “Middle East and North Africa Overview”, accessed 10 June 2015, (last updated 31 March 2015), <http://www.worldbank.org/en/region/mena/overview#1>.

¹⁴² ECPAT, Questions & Answers, 32.

¹⁴³ Ibid.

Unfortunately, as observed by Daniel Edelson in 2001, even in states with this kind of legislation, double criminality requirements and other legal-bureaucratic costs and limitations often underlie its rare application.¹⁴⁴

Culture and Tradition

The social determinants of SECTT in the MENA region seem to be largely rooted in traditionally held cultural beliefs and mores towards sex, sexuality, and the myriad issues and topics arising thereof, almost all of which have been taboo, though not to equal degrees in all countries within the region.¹⁴⁵ Gender discrimination in particular is highlighted as a major social constraint within the MENA region. The gender roles and dynamics are shaped by four elements of a traditional gender paradigm: the centrality of the family rather than the individual; the assumption that the man is the sole breadwinner of the family; a code of modesty in which family honour and dignity rest on the reputation of the woman; and an unequal balance of power in the private sphere that affects women's access to the public sphere.¹⁴⁶ That the public examination of such matters often falls outside the boundaries of acceptability has considerably restricted the reporting of SECTT-related crimes and further aggravated confusion, denial, neglect, and lack of available data.¹⁴⁷ In addition, the subject of CSEC is largely taboo in the MENA region, making it difficult to prepare national plans of action and address the needs of child victims.¹⁴⁸

In the MENA region, traditional patriarchy is reflected in the existing power distribution in both social and political spheres.¹⁴⁹ Public policies and social programmes are often discriminatory against women, particularly in terms of economic opportunities, social participation and the justice system.¹⁵⁰ It has been noted that the cultural nature of patriarchy in the Arab world is different than Western patriarchy: it is spatial, meaning that the social hierarchy permits men to dominate the public domain whereas women are confined to living in private spaces (the home).¹⁵¹ Throughout the MENA region, women's

fulfillment of their 'natural role' associated with the reproductive process may become compulsory and coercive, whereas men are largely given power and legitimacy to control women in all aspects of life.¹⁵² Male dominance is a major facet of the MENA region, and perpetuates gender discrimination that increases the vulnerability of girl victims of SECTT.

Cultural taboos often underlie stigmatisation. It is possible that child victims of SECTT (or other forms of commercial sexual exploitation) in the MENA region struggle with openly discussing their emotional problems and reporting the incident to local authorities or staff and personnel in the tourism industry, in fear of being stigmatised, judged, labeled, or even ostracised by their families and social circles. For example, in the Special Rapporteur's report of CSEC in Morocco, it notes that child maids who endure sexual abuse at their employment are unlikely to file a complaint with the authorities because they fear the implications of declaring that one is no longer a virgin, which is extremely daunting for most unmarried women in Morocco.¹⁵³

Similarly, some of the prevailing customs and norms in certain communities pose dangers to the physical and mental health, integrity, and development of their children. Especially pertinent is the perception of child marriage in some areas in MENA.¹⁵⁴ Susanne Mikhail speculated in a 2002 article that child marriage has been sanctioned by many families, tribes, and religious groups in some parts of the region.¹⁵⁵

Historically, the betrothal has been valued by many as an honourable and even desirable undertaking, one which allegedly preserves a girl's chastity, upholds family honour, and maintains communal loyalties.¹⁵⁶ While the discourse around such attitudes and beliefs has certainly been shifting,¹⁵⁷ they potentially influence SECTT in two ways. First, they may form a basis of child sex offenders' self-justification of their sexual exploitation of children given the cultural milieu surrounding them and second,

¹⁴⁴ Daniel Edelson, "The Prosecution of Persons Who Sexually Exploit Children in Other Countries than Their Own: A Model for Amending Existing Legislation", 25 *Fordham International Law Journal* 2, (2001), 495-97, accessed 10 June 2015, <http://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1820&context=ilj>.

¹⁴⁵ Polonki, "Child Sexual Abuse in the Middle East and North Africa: A Review", (2010), 6.

¹⁴⁶ The World Bank, "Gender and Development in the Middle East and North Africa", 10, accessed 10 June 2015, (n.d.), <http://siteresources.worldbank.org/INTMENA/Publications/20262206/genderoverview.pdf>.

¹⁴⁷ Polonko, "Child Sexual Abuse", 4.

¹⁴⁸ UNICEF, "CSEC: The Situation in the Middle East/North Africa Region".

¹⁴⁹ Nader Said-Foqahaa, "Arab Women: Duality of Deprivation in Decision-making under Patriarchal Authority", 235, accessed 2 July 2013, *Journal of Women of the Middle East and the Islamic World* (2011) <http://www.genderclearinghouse.org/upload/Assets/Documents/pdf/Arab-Women-Duality-of-%20Deprivation-in-decision-making%20-under%20-patriarchal%20-authority.pdf>.

¹⁵⁰ *Ibid.*

¹⁵¹ Fatima Sadiqi and Moha Ennaji, *Women in the Middle East and North Africa: Agents of Change*, (Routledge: 2013), 3.

¹⁵² Said-Foqahaa, "Arab Women", 236.

¹⁵³ Commission on Human Rights, "Ofelia Calcetas-Santos: Report".

¹⁵⁴ Susanne Mikhail, "Child Marriage and Child Prostitution: Two Forms of Sexual Exploitation", *Gender and Development* 10 (2002), 43, accessed 10 June 2015, <http://policy-practice.oxfam.org.uk/publications/child-marriage-and-child-prostitution-two-forms-of-sexual-exploitation-131475>.

¹⁵⁵ *Ibid.*

¹⁵⁶ *Ibid.*, 45.

¹⁵⁷ *Ibid.*, 43-49.

they disproportionately endanger underage girls, who are often the victims of this branch of SECTT. In these cases, a wealthy, male tourist may enter into a temporary marriage arrangement with an underage girl, whereby the child victim's dowry is offered in exchange for a short-lived period during which the child may be sexually exploited. At the end of the commercialised affair, the offender often disappears and never returns to the same country or area.¹⁵⁸ In Egypt, for example, a number of cases have been reported in which underage girls from poor families are betrothed for a brief period of time to wealthy men from various Gulf countries.¹⁵⁹

Technological Advances

The technological advancements of a globalised information age have also played a prominent role in the nature and development of SECTT. The rapidly expanding reach and accessibility of the Internet and social media have enabled itinerant tourists who travel to sexually exploit a child not only to network with one another and assemble organised groups in cyberspace, but also to sexually victimise and/or abuse vulnerable children online—a “virtual” form of child sexual exploitation.¹⁶⁰

In its most recently published forecast, *The World in 2014*, the International Telecommunications Union (ITU) estimated that by the end of the foregoing year the number of Internet users around the world would approximate three billion or about 40% of the world's total population at the time of publication; two-thirds of whom are located in the developing world.¹⁶¹ As for mobile-broadband subscriptions, the UN agency projected that the total number of subscribers would reach 2.3 billion, 55% of whom are likewise in the developing world.¹⁶² The latter was also expected to make up 78% of the seven billion global mobile-cellular subscriptions.¹⁶³

In the Middle East and Africa, ITU projections augur continued growth rates in the adoption and use of Information and Communications Technologies (ICTs). For example, 36% and 11% of households were expected to have Internet access by the end of 2014 in the Arab States and Africa, respectively.¹⁶⁴ By and large, the sub-regions of the Middle East and North Africa seem to be experiencing transformative changes in telecommunication and, to that effect, interconnectedness.

The potential impacts that such changes may have are for the most part advantageous, as ICTs are being utilised as child protection tools.¹⁶⁵ UNICEF reports, “they can be used to seek information on services, collect, document and share data, and report abuse. Furthermore, ICTs can have an enormous potential to overcome many of the challenges vulnerable children face in the offline world”.¹⁶⁶ Yet, and as with most developments in technology, their misuse can also be a source of insecurity vis-à-vis the evolving trajectory of SECTT in the region, particularly given the documented fact that ICTs have been conducive to the dynamic acclimation of the global problem of SECTT to the international countermeasures aimed at its elimination.¹⁶⁷ For example, the increased use of ITC and social networking sites is prevalent among children's own communities through communication with their peers. This poses significant risk factors, since many young people are sharing self-generated indecent images online, in what is deemed “developmentally appropriate behavior not involving coercive or exploitative conduct by an adult”.¹⁶⁸ However, in sharing these images, children are making themselves vulnerable through this online behavior, only to be exploited by online predators grooming on the internet and blackmailing online.¹⁶⁹ The impact of ICTs on children in the MENA region, or their prevalence in the tourism industry in the region, has not been measured.

¹⁵⁸ ECPAT, Questions & Answers.

¹⁵⁹ Mikhail, “Child Marriage”, 43-49.

¹⁶⁰ “Virtual Depravity”, *Economist*, 26 July 2014, accessed 13 May 2015, <http://www.economist.com/news/asia/21608805-paedophilia-moves-vid-eo-chat-rooms-virtual-depravity>.

¹⁶¹ International Telecommunications Union (ITU), “ITU releases 2014 ICT figures”, 5 May 2014, accessed May 2015, http://www.itu.int/net/pressoffice/press_releases/2014/23.aspx#.VUpFds74tFI.

¹⁶² *Ibid.*

¹⁶³ *Ibid.*

¹⁶⁴ *Ibid.*

¹⁶⁵ UNICEF, “Child Protection and Information and Communication Technologies (ICTs)”, 26 February 2015, accessed May 2015, http://www.unicef.org/protection/57929_79672.html.

¹⁶⁶ *Ibid.*

¹⁶⁷ *Ibid.*

¹⁶⁸ Child Exploitation and Online Protection Centre, “Threat Assessment of Child Sexual Exploitation and Abuse”, (2013), 12, accessed on 10 June 2015, http://ceop.police.uk/Documents/ceopdocs/CEOP_TACSEA2013_240613%20FINAL.pdf.

¹⁶⁹ UNICEF Innocenti Research Centre, “Child Safety Online: Global Challenges and Strategies”, (2012), 37-40, accessed 10 June 2015, http://www.unicef-irc.org/publications/pdf/ict_techreport3_eng.pdf.

Homelessness and Street Children

Another known determinant of SECTT is homelessness, particularly the presence of large populations of street children.¹⁷⁰ Homelessness deprives a child from a safe shelter in which he or she can be better protected from child sex offenders. According to ECPAT International, children on the street or beach, in addition to working children (particularly those who work in the tourism industry) are at high risk of falling victim to commercial sexual exploitation.¹⁷¹ Some societies use the term “homeless child” instead of “street child”, but reflect a similar that these are “children whose family and community have been unable to meet their basic needs”.¹⁷² Some countries in the region have been highlighted for their populations of homeless children. In Egypt’s 2007 State Party Report to the Committee on the Rights of the Child, it notes that at least half of the street children in Egypt are exposed to sexual exploitation and prostitution.¹⁷³ In Gaza, 54,000 Palestinian children became homeless after the recent escalation of hostilities lasting from 7 July until 26 August 2014.¹⁷⁴

In 2004, the Consortium for Street Children (CSC) introduced a report on street children in the MENA region after holding a Civil Society Forum for North Africa and the Middle East on Promoting and Protecting the Rights of Street Children.¹⁷⁵ The report is a compilation of data supplied by MENA regional governments and local NGOs. Similar factors were echoed by the participating countries for an increase in the population of street children: socio-economic and cultural factors such as poor housing, weak social and education services, rise of unemployment and poverty; family difficulties (with over 60% in Algeria reporting violence in the family dynamic);¹⁷⁶ and the increase in drop out rates from school.¹⁷⁷ Morocco identified rapid urbanisation and a change in the structure of the Moroccan family unit due to increasing poverty as two factors contributing to the increase in the number of children living on the streets.¹⁷⁸ In Lebanon, the spread of slums was also a factor.¹⁷⁹

Sudan and Palestine emphasised that house demolition due to war and conflict was a major reason for the increase in the population of street children in those regions.¹⁸⁰

Several efforts have been made to prevent, protect, rehabilitate and reintegrate street children in the MENA region. A National Strategy to Protect, Integrate and Rehabilitate Street Children was launched in 2003 by the NCCM in Egypt to address the issue of street children.¹⁸¹ The Jordan River Foundation launched the Child Protection Programme and established the Safety Home for the Protection and Rehabilitation of Abused and Neglected Children.¹⁸² The CSC commended the establishment of a National Program for Combating Homelessness and Restless Wandering in Tunisia¹⁸³ and the creation of a special unit to combat the exploitation of street children in Morocco.¹⁸⁴

While these achievements are to be congratulated, the CSC made several further recommendations concerning street children to the MENA region. With regards to prevention, the CSC recommends that countries develop policies to ensure basic social services such as water, education and healthcare are provided to all and that each country address social inequalities by enabling access to these services for all.¹⁸⁵ In terms of protection, creating more drop-in centres for street children, establishing summer camps to transfer street children from urban settings to safer and more relaxing environments,¹⁸⁶ and forming a special police force for children were all suggested. The CSC also recommended that countries in the MENA region improve the rehabilitation and reintegration of street children into society by monitoring existing programmes to ensure holistic treatment of children and offering educational opportunities to street children in drop-in centres and shelters because programmes should treat street children as responsible members of society rather than passive recipients of services, and should equip

¹⁷⁰ The Protection Project, *International Child Sex Tourism*, 22.

¹⁷¹ ECPAT, *Questions & Answers*, 14.

¹⁷² Consortium for Street Children, “A Civil Society Forum for North Africa and the Middle East on Promoting and Protecting the Rights of Street Children”, (Cairo: March 2004), 9, accessed 16 June 2015, <http://www.streetchildrenresources.org/wp-content/uploads/2013/01/a-civil-society-forum-for-north-africa-and-the-middle-east.pdf>.

¹⁷³ Committee on the Rights of the Child, “Third and fourth periodic reports of States parties due in 2007: Egypt”, UN Doc. CRC/C/EGY/3-4, (2008), para. 397.

¹⁷⁴ UNICEF, “Humanitarian Action for Children 2015: Middle East and North Africa”, accessed 10 June 2015, (2015), <http://www.unicef.org/appeals/mena.html>.

¹⁷⁵ *Supra*, note 172.

¹⁷⁶ *Ibid*, 8-9.

¹⁷⁷ *Ibid*, 12-13.

¹⁷⁸ *Ibid*, 14-15.

¹⁷⁹ *Ibid*, 12-13.

¹⁸⁰ Consortium for Street Children, “A Civil Society Forum”, 16-19.

¹⁸¹ *Ibid*, 9-10.

¹⁸² *Ibid*, 10-11.

¹⁸³ *Ibid*, 22.

¹⁸⁴ *Ibid*, 14-15.

¹⁸⁵ *Ibid*, 15.

¹⁸⁶ *Ibid*, 13.

them with life skills and the ability to think critically in order to protect themselves on the streets.¹⁸⁷

The “Demand”

Undoubtedly, one major factor that drives SECTT is the demand for sexual contact with children.¹⁸⁸ Opportunistic individuals and organised criminals “take advantage of the demand for child sex by generating a constant supply of vulnerable children” by identifying potential victims - vulnerable and victimised children - and bringing the supply to the demand.¹⁸⁹ A way to combat demand is by holding “buyers” of commercial sex accountable.¹⁹⁰ The UN Global Plan of Action of August 2010 indicates a direction to “promote awareness-raising campaigns aimed at persons at risk of being trafficking and at the general public through education and the effective involvement of the mass media, non-governmental organisations, the private sector and community leaders with a view to discouraging the demand”.¹⁹¹

It was noted in a 2009 ECPAT International report that child sex offenders often choose destinations that have a reputation for lenient laws concerning CSEC.¹⁹² In the MENA region, there appears to be just three groups of countries based on the status of their laws addressing demand.¹⁹³ The first group comprised of Algeria, Bahrain, Djibouti, Egypt, Lebanon, Iraq, Jordan, Kuwait, Oman, Qatar, Saudi Arabia, Syria and the United Arab Emirates have enacted comprehensive legislation that includes the sexual exploitation of children.¹⁹⁴ The second group includes countries such as Kuwait, who are in the process of drafting these comprehensive laws. The third group consisting of Libya, Morocco, the Palestinian Authority, Sudan, Tunisia, and Yemen are countries that still rely on existing provisions in penal codes to prosecute child sex crimes.¹⁹⁵ In order to combat SECTT, it is crucial that the MENA region create a united front by introducing legislation that specifically criminalises the sexual exploitation of children and effectively employing those laws.

Countries that disregard the need to focus on the demand that fuels SECTT witness increased prostitution and greater numbers of trafficked girls to meet a greater demand from international child sex offenders as well as an increase in demand locally.¹⁹⁶ Many child sex offenders are domestic travellers within their own country of residence that visit more urban and cities with higher populations of street children in order to sexually exploit them.¹⁹⁷ Child sex offenders can also be international tourists, who come into the country to exploit children.¹⁹⁸ As discussed earlier in this report, foreign offenders are often described as “situational child sex tourists”, tourists who abuse children as a means of experimentation.¹⁹⁹ It is important to note that there are other motives behind the demand for the sex with children. According to ECPAT-USA in 1999, some offenders believed that sex with children was safer, whereas others prized virginity.²⁰⁰ In certain areas, ignorance and myths about HIV and AIDS transmission and the healing powers of virginity have contributed to the demand for sex with young virginal girls.²⁰¹ Furthermore, some scholars claim that the demand for sex trafficking is “fueled by a patriarchal world system, in which international subcultures of submissive women from poor states are desired”, making the demand for sex with girls an extreme form of submission.²⁰²

There are various methods to address demand in addition to legal reforms that target child sex offenders. Collaboration with Internet service providers to block access to commercial child pornography Websites to prevent the creation of new victims, integration of The Code within the travel and tourism industry, as well as creating legislation that also targets the mediators of SECTT (the pimps, profiteers, organised criminal groups) are just a few ways that have been identified.²⁰³

¹⁸⁷ Consortium for Street Children, “A Civil Society Forum”, 10.

¹⁸⁸ The Code, “Understanding Child Sex Tourism”.

¹⁸⁹ Ibid.

¹⁹⁰ Equality Now, “Global Sex Trafficking Fact Sheet”, accessed 10 June 2015, (n.d.), <http://www.equalitynow.org/node/1010>.

¹⁹¹ The Protection Project, “Understanding Trafficking in Persons in the MENA Region: the Causes, the Forms, the Routes and the Measures to Combat a Serious Violation of Human Rights - Training Manual to Combat Trafficking in Persons”, (2012), 46, accessed 10 June 2015, <http://www.protectionproject.org/wp-content/uploads/2012/10/TIP-MENA-UNODC-QFCHT.pdf>.

¹⁹² ECPAT International, “Creating a United Front against the Sexual Exploitation of Children in Travel and Tourism”, (Bangkok: June 2009), 4, accessed 16 June 2015, <http://www.ecpat.net/sites/default/files/ecpatjournaljune2009.pdf>.

¹⁹³ Protection Project, “Understanding Trafficking”, 60.

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

¹⁹⁶ Nomi Levenkron, *The Legalization of Prostitution: Myth and Reality, The Hotline for Migrant Workers*, 2007, 61-3, 68-9.

¹⁹⁷ The Code, “Understanding Child Sex Tourism”.

¹⁹⁸ Ibid.

¹⁹⁹ Ibid.

²⁰⁰ Maj-Lis Voss, “The Commercial Sexual Exploitation of Children: An Overview”, (ECPAT-USA: 1999), 1-9.

²⁰¹ World Vision Australia and Don't Trade Lives (2012). “Trafficking and Sexual Exploitation”. <http://campaign.worldvision.com.au/wp-content/uploads/2013/04/Trafficking-and-sexual-exploitation-fact-sheet.pdf>.

²⁰² Andrea Marie Bertone, “Sex Trafficking in Women: International Political Economy and the Politics of Sex”, *Gender Issues* 18, (1999), 4-22.

²⁰³ ECPAT International, “Report of the World Congress Against Sexual Exploitation of Children & Adolescents”, (Bangkok: September 2009), 14, 78, accessed 16 June 2015, http://www.ecpat.net/sites/default/files/ECPATWCIIIReport_FINAL.pdf.

International Events

At the 28th meeting of the World Tourism Network on Child Protection, the Chief Executive Officer of ECPAT UK suggested that Major Sporting Events (MSE) can be a magnet for the global sex and trafficking industry, particularly due to the short term increased demand for prostitution.²⁰⁴ In a 2013 report titled *Child Exploitation and the FIFA World Cup: A review of risks and protective interventions* suggests that factors such as unemployment, poverty, conflict, poor law enforcement, forced displacement and migration, gender inequality are indicators of risks to children at World Cups and other MSEs.²⁰⁵

In an ECPAT France analysis of the “Don’t Look Away” campaign, MSEs such as the 2014 FIFA World Cup and the 2016 Olympic Games were identified as additional risk factors for increased incidence of SECTT.²⁰⁶

Although there is no definitive evidence linking an increase in CSEC with sporting events, the risk undoubtedly increases due to the following: the drastic increase in the number of tourists, the socio-economic situation of many local communities emphasise the wealth disparities that make generating income through exploitation of vulnerable children desirable and temptation for child sex offenders increase in a particularly festive environment.²⁰⁷ The “Don’t Look Away” campaign intends to “prevent sexual abuses by casual sex tourists” and raise awareness of the issue to the extended target of travellers to destinations at risk, especially host countries of international sporting events.²⁰⁸

Other MSEs have illustrated a spike in child trafficking and exploitation. There were multiple instances reported of children being exploited for sex trafficking in Russia during the Olympic Games.²⁰⁹ At the 2014 Super Bowl, the Federal Bureau of Investigation (FBI) in the United States successfully recovered 16 children during an enforcement action on commercial child sex trafficking and arrested over 45 pimps and their associates who traveled to New Jersey specifically for the purpose of prostituting children at the Super Bowl.²¹⁰ In addition, the 2014 Masters sparked a large sex trafficking sting that saved three child victims.²¹¹ Given that Qatar will be hosting the 2022 FIFA World Cup,²¹² it is important that the MENA region be cognisant of the possible linkage between MSEs and SECTT.²¹³

²⁰⁴ World Tourism Organization UNWTO, “28th Meeting of the World Tourism Network on Child Protection”, (8 March 2013), accessed 10 June 2015, <http://www2.unwto.org/event/28th-meeting-world-tourism-network-child-protection>.

²⁰⁵ Celia Brackenridge et. al., “Child Exploitation and the FIFA World Cup: A Review of Risks and Protective Interventions”, (Uxbridge: Brunel University London, 2013), 12, accessed 10 June 2015, <http://www.ohchr.org/Documents/Issues/Children/SR/HRC25/FlorenceBruce.pdf>,

²⁰⁶ ECPAT France, “Don’t Look Away! Campaign”, (2013), accessed 16 June 2015, http://www.ecpat.at/fileadmin/download/Dont_look_away-Warschau.pdf.

²⁰⁷ Ibid.

²⁰⁸ Ibid.

²⁰⁹ Sarah Parvini, “Is There a Link Between Major Sports Events and Sex Trafficking?”, TakePart, 7 February 2014, accessed 16 June 2015, <http://www.takepart.com/article/2014/02/07/there-link-between-major-sporting-events-and-human-trafficking>.

²¹⁰ Federal Bureau of Investigation, “Sixteen Juveniles Recovered in Joint Super Bowl Operation Targeting Underage Prostitution”, 4 February 2014, accessed 16 June 2015, <https://www.fbi.gov/news/pressrel/press-releases/sixteen-juveniles-recovered-in-joint-super-bowl-operation-targeting-underage-prostitution>.

²¹¹ Thorn, “Child Sex Trafficking at the World Cup”, 9 July 2014, accessed 16 June 2015, <https://www.wearethorn.org/child-sex-trafficking-world-cup/>.

²¹² 2022 FIFA World Cup Qatar, “FIFA and Qatar Sign Award Agreement”, 16 December 2010, accessed 10 June 2015, <http://www.fifa.com/world-cup/news/y=2010/m=12/news=fifa-and-qatar-sign-award-agreement-1353004.html>.

²¹³ Brackenridge et. al., “Child Exploitation and the FIFA World Cup”, 7.

CHAPTER 4

PARTICIPANTS IMPLICATED IN SECTT IN THE MENA REGION

THE OFFENDERS: TRAVELLERS, TOURISTS AND INTERMEDIARIES

In spite of the widespread political instability, the UNWTO has reported that the MENA region is a rapidly growing – and, in view of recent events, recovering – tourism destination, with the United Arab Emirates, Saudi Arabia and Qatar taking the lead.²¹⁴ While countries like Lebanon and Syria were once considered popular touristic destinations, there is ample reason to expect that the extensive civil conflict in Syria, in which Lebanon has been implicated in various ways, has stymied the rate of tourist arrivals in both countries. The sub-regions of Middle East and North Africa have not been designated as regional or global hubs of SECTT; this may be due to the alarming lack of official documentation and systematic investigation of the prevalence of the phenomenon in the region, its domestic and/or foreign perpetrators, its child victims, their families and local communities, the nature of tourism infrastructure and its relation to CSEC, and the tourism industry across the region.

Consistent with this, the UNWTO predicted that in 2015 international tourist arrivals would grow three to five percent in Africa and two to five percent in the Middle East.²¹⁵ Notwithstanding the challenges of predicting fluctuating market conditions, consumer demand seems to be slowly resurfacing as the region's tourism sector recovers, raising prospects of regional stability, new employment opportunities for youth and women, and improved quality of life indicators. Positive trends and expectations like these, however, should be critically

examined, as “data for Africa and the Middle East should be read with caution as it is based on limited and volatile data”.²¹⁶

The World Economic Forum (WEF) recently published the 2015 Travel & Tourism Competitiveness Index, which presents regional and international rankings comparing different dimensions of travel and tourism sectors. In the MENA region, the report concluded that most countries are “price-competitive destinations and several have built significant travel and tourism industries (T&T) in recent years”.²¹⁷ The major concerns vis-à-vis tourism in the region have been related to terrorism and political instability, as ongoing civil and proxy wars in countries like Syria, Yemen, and Iraq have resulted in the death of thousands of innocent civilians, and brought about unprecedented demographic transformations. While such catastrophes have certainly reduced international tourist arrivals to MENA, countries like the United Arab Emirates (UAE) lead the region as the most popular tourist destination, receiving over 10 million tourists in 2013.²¹⁸ The WEF report divides MENA countries into three groups:

“(i) those which have created a strong business environment, developed sound infrastructure, grown specific niches and remained relatively safe as destinations (the top five countries in the list Bahrain, Morocco, Qatar, Saudi Arabia, UAE); (ii) those that maintain great tourism attractiveness, but have experienced safety and security concerns or infrastructure limitations (Egypt, Tunisia, Jordan and Lebanon); and (iii) those that are not leveraging enough their T&T capacity (all the others)”.²¹⁹

²¹⁴ World Economic Forum, *The Travel & Tourism Competitiveness Report 2015* (Geneva: WEF, 2015).

²¹⁵ World Tourism Organization, “Over 1.1 billion tourists travelled abroad in 2014”, 27 January 2015, accessed April 2015 from: <http://media.unwto.org/press-release/2015-01-27/over-11-billion-tourists-travelled-abroad-2014>

²¹⁶ *Ibid.*

²¹⁷ World Economic Forum, *Competitiveness Report 2015*.

²¹⁸ *Ibid.*

²¹⁹ *Ibid.*

The statistics above only provide a picture of the MENA region as a destination for tourists. While it may be accurate that inter-regional patterns reveal that countries within the MENA region have predominantly been either a transit or destination for child sex offenders who travel, arriving from developed countries in, for example, Europe, North America, or Southeast Asia, some countries of the MENA region were also identified in a 2006 Trafficking in Persons report as being considered countries of origin for tourists (namely, Yemen, Jordan, Lebanon, Iran, Egypt, and Sudan).²²⁰ It has also been noted, many of these sex offenders who travel are from the wealthier countries in the Middle East, namely men from Saudi Arabia.²²¹ Information concerning offenders originating from countries in the MENA region is rather sparse and it is necessary for tourist-sending countries to share information on the movements of sex offenders who travel to help destination countries monitor tourists who pose a risk to vulnerable children.²²²

As stated elsewhere, data on SECTT is rather limited, however, trafficking is a crime closely associated with SECTT, and some information is available on trafficking patterns in the region. In trafficking, children may be abducted or recruited in a country of origin, transferred through transit regions and then sexually exploited in the destination country.²²³ Countries in the MENA region seem to fall into one or several of these categories. Yemen is primarily an origin country.²²⁴ Yemeni children, mostly boys, have been known to move to the major cities of Aden and Sana'a in Yemen or traverse the northern border to Saudi Arabia, and forced into prostitution by traffickers, border patrols, and sometimes

their employers upon arrival in Saudi Arabia.²²⁵ Algeria is both an origin and transit country, with victims from Sub-Saharan Africa entering Algeria voluntarily only to be trafficked to Europe. Algerian girls have been trafficked to Israel, Italy and other Western countries where they are forced into prostitution or early marriage.²²⁶ Bahrain is a transit country since many trafficking routes connect Bahrain with other countries.²²⁷ Djibouti is mainly a transit country, with large numbers of migrants passing through the country on the way to Yemen and other Middle Eastern countries, with a small number of girls falling victim to forced commercial sexual exploitation after reaching Djibouti City or the Ethiopia-Djibouti trucking corridor.²²⁸

Kuwait,²²⁹ Saudi Arabia,²³⁰ Syria,²³¹ and the United Arab Emirates²³² are all predominantly destination countries. Many MENA region countries are both destination countries and either origin or transit countries. Iraq,²³³ Occupied Palestinian Territory²³⁴ and Lebanon²³⁵ are all origin and destination countries. For example, Iraqi women and children are kidnapped and trafficked to Syria and Jordan, or to Gulf regions, and Iraq is also a destination country for "victims trafficked from low-wage Asian countries such as the Philippines, India, Pakistan, Sri Lanka, Nepal and Pakistan".²³⁶ Other countries, such as Jordan, Libya, Oman, and Qatar,²³⁷ are both transit and destination countries. In Jordan, people being trafficked from Asia to Iraq for sexual exploitation either travel through or end up staying in the country.²³⁸ The majority of children trafficked into Libya are from Sub-Saharan African countries en route to Europe,²³⁹ whereas children trafficked into Oman are often from developing countries in South East Asia.²⁴⁰

²²⁰ United Nations Office on Drugs and Crime, "Trafficking in Persons: Global Patterns", (2006), 57, accessed 14 June 2015, http://www.unodc.org/pdf/traffickinginpersons_report_2006ver2.pdf.

²²¹ ECPAT International, "Sex Trafficking of Children in the Middle East", 6, accessed 2 July 2015, (n.d.), http://www.ecpat.net/sites/default/files/Factsheet_Middle_East.pdf.

²²² ECPAT International, "Report of the World Congress", 38.

²²³ United Nations Office on Drugs and Crime, "Trafficking in Persons: Global Patterns", 57.

²²⁴ US Department of State: Office to Monitor and Combat Trafficking in Persons, "2014 Trafficking in Persons Report", (2014), 410, accessed 14 June 2015, <http://www.state.gov/documents/organization/226849.pdf>.

²²⁵ *Ibid.*

²²⁶ The Protection Project, "A Human Rights Report on Trafficking in Persons, Especially Women and Children: Algeria", accessed 14 June 2015, (2010), <http://www.protectionproject.org/wp-content/uploads/2010/09/Algeria.pdf>.

²²⁷ The Protection Project, "A Human Rights Report on Trafficking in Persons, Especially Women and Children: Bahrain", accessed 14 June 2015, (2010), <http://www.protectionproject.org/wp-content/uploads/2010/09/Bahrain.pdf>.

²²⁸ US Department of State, "2014 Trafficking in Persons Report", 158.

²²⁹ *Ibid.*, 235.

²³⁰ *Ibid.*, 332.

²³¹ *Ibid.*, 366.

²³² *Ibid.*, 392.

²³³ The Protection Project, "A Human Rights Report on Trafficking in Persons, Especially Women and Children: Iraq", accessed 14 June 2015, (2010), <http://www.protectionproject.org/wp-content/uploads/2010/09/Iraq.pdf>.

²³⁴ The Protection Project, "A Human Rights Report on Trafficking in Persons, Especially Women and Children: The Occupied Palestinian Territory: West Bank and Gaza Strip", accessed 14 June 2015, (2010), <http://www.protectionproject.org/wp-content/uploads/2010/09/Palestine-FINAL-2012.pdf>.

²³⁵ US Department of State, "2014 Trafficking in Persons Report", 242.

²³⁶ Protection Project, "A Human Rights Report: Iraq".

²³⁷ US Department of State, "2014 Trafficking in Persons Report", 320.

²³⁸ The Protection Project, "A Human Rights Report on Trafficking in Persons, Especially Women and Children: Jordan", accessed 14 June 2015, (2010), <http://www.protectionproject.org/wp-content/uploads/2010/09/Jordan-FINAL.pdf>.

²³⁹ The Protection Project, "A Human Rights Report on Trafficking in Persons, Especially Women and Children: Libya", accessed 14 June 2015, (2010), <http://www.protectionproject.org/wp-content/uploads/2010/09/Libya.pdf>.

²⁴⁰ The Protection Project, "A Human Rights Report on Trafficking in Persons, Especially Women and Children: Oman", accessed 14 June 2015, (2010), <http://www.protectionproject.org/wp-content/uploads/2010/09/Oman.pdf>.

Certain countries in the MENA region embody all three forms of trafficking - origin, transit, and destination; these include Egypt, Iran, Morocco, Tunisia, and Sudan. Egypt's large population of street children constitutes the largest source of Egyptian victims of trafficking in children, and there has also been an increase in "temporary" marriages, leading Egypt into fast becoming an origin country.²⁴¹ On the other hand, Bangladeshi women are often trafficked into Egypt to be sexually exploited, or they are heading to Commonwealth of Independent States countries.²⁴² Children from Iran are trafficked to Afghanistan, the United Arab Emirates, Britain, France, Pakistan and Turkey, whereas those trafficked into Iran come from Central and South East Asian countries.²⁴³ In Morocco, children are trafficked from within rural areas of the country to the urban centres to work as maids or for commercial sexual exploitation, while others are exploited for prostitution in European and Middle Eastern countries.²⁴⁴

THE DESTINATIONS

There can be little doubt that incidences of SECTT have been and continue to take place in MENA, as instances of child sex tourism in Yemen and Syria, for example, have been reported.²⁴⁵ What is scarce is reliable data on the prevalence, nature, and exact form of these incidences, and how they relate to and are facilitated by infrastructural constituents of the tourism industry and the lack of reporting and thorough legal investigation and prosecution of offenders.

Although very little country-specific research has been prepared on SECTT in the MENA region, some studies can be located. A 2007 study conducted in Morocco

by Johns Hopkins University concluded that the country is one of the top emerging destinations for child sex tourism in the region.²⁴⁶ Two years later in 2009, Morocco experienced a 6% rise in tourism arrivals, placing it among the top touristic destinations in North Africa.²⁴⁷ It is through such identification of intersecting patterns between annual tourist arrival rates and the prevalence of child sexual exploitation that a more informed and comparable conceptualisation of SECTT across either sub-region can be proposed.

Although Morocco appears to be in the forefront of researching this issue, collaborative awareness-raising initiatives drawing reliable data and expertise on SECTT at the national level from government, existing NGOs, research institutions, and other stakeholders is still limited. In 2007, the Ministry of Tourism in Morocco adopted a national charter espousing responsible tourism throughout the country.²⁴⁸ In 2009, SOS Morocco held a "White March" in Marrakesh and collected signatures for a petition against SECTT.²⁴⁹ More recently this year, the Minister of Justice and Freedoms, raised the issue of child safety in his remarks on the problem of child marriage in the country: "Eradicating underage marriage in Morocco requires serious changes to the socioeconomic situation throughout the country, the legal provisions and people's mentalities".²⁵⁰ It has been speculated that child marriage is a form of CSEC and is a very pertinent issue to raise in the region given the traditionally rooted social tolerance and cultural norms that sometimes create favorable conditions and motivations for child sex offenders travelling to the MENA region to sexually exploit children under the auspices of the institution of marriage (as short-lived as the latter may be).

²⁴¹ The Protection Project, "A Human Rights Report on Trafficking in Persons, Especially Women and Children: Egypt", accessed 14 June 2015, (2010), <http://www.protectionproject.org/wp-content/uploads/2010/09/Egypt.pdf>.

²⁴² ECPAT International, "Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children: Egypt", (Bangkok: 2008), 13.

²⁴³ The Protection Project, "A Human Rights Report on Trafficking in Persons, Especially Women and Children: Iran", accessed 14 June 2015, (2010), <http://www.protectionproject.org/wp-content/uploads/2010/09/Iran.pdf>.

²⁴⁴ US Department of State, "2014 Trafficking in Persons Report", 281.

²⁴⁵ ECPAT International, "WC III follow up mtg CST_(2).doc (Bangkok; ECPAT Drop Box 2015).

²⁴⁶ The Protection Project, The Johns Hopkins University (2007), International Child Sex Tourism, 23. Accessed 14 June 2015, http://passthrough.fw-notify.net/download/754149/http://www.protectionproject.org/wp-content/uploads/2010/09/JHU_Report.pdf

²⁴⁷ Ibid.

²⁴⁸ UNICEF, AMANE, Conseil National des Droits de l'Homme, Etude sur la violence sexuelle à l'encontre des enfants au Maroc, accessed May 2015, (2014), http://www.unicef.org/morocco/french/Etude_sur_la_VS_2014.pdf

²⁴⁹ Child Rights International Network, "Morocco: White March".

²⁵⁰ A. Ferdaws, "Eradicating underage Marriage Cant' Be Achieved Without a Change in Mentalities: Minister", Morocco World News, 29 January 2015, accessed May 2015, <http://www.morocroworldnews.com/2015/01/150587/eradicating-underage-marriage-cant-achieved-without-change-mentalities-minister/>

A 2010 State Party report on Egypt examines the results of several reports received by the Child Helpline and Family Advice Line concerning offences covered by the Optional Protocol on the sale of children, child prostitution and child pornography.²⁵¹ While SECTT in particular is not among the forms discussed, the findings are relevant to the discussion. The data suggests that since 2004, there have been a total of 187 reports of sexual harassment and sexual exploitation of children and eight incidences of child prostitution.²⁵² Of the 187 reports of sexual harassment and sexual exploitation of children, 90 were female and 97 were male.²⁵³ With regards to the incidences of child prostitution, five were female and three were male.²⁵⁴ The report notes that while many incidences likely go unreported, the high number of reports coming from the governorates of Greater Cairo and Alexandria are “a result of the high public awareness and the positive response to the services of the Child Helpline and the Family Advice Line and the concentration of slums”.²⁵⁵

Not unlike the relatively well-understood routes between tourist-sending and receiving countries, it has been reported that certain countries in the region are becoming popular destinations for child sex offenders travelling from wealthier countries in the Gulf region. By and large, this sheds light on the existence of intra-regional patterns of supply and demand, ones that seem to corroborate the socioeconomic gap that separates the child sex offender from his or her victim(s) in most cases of SECTT worldwide. Wealthy men from Saudi Arabia and other Gulf countries have been implicated in child sex offences in Egypt, particularly in the aforementioned form of temporary child marriage that seems to increasingly occur in the MENA region.²⁵⁶ In these incidents, child sex offenders who travel offer high prices for virgins, which may be accounted for by cultural perceptions that highly value chastity and/or purity, alongside the perpetrators’ fear of contracting HIV or other sexually transmitted infections (STIs).

That such temporary child marriages seem to feature repetitively among the sparse bits of data raises speculations as to whether it is a travelling child sex offender’s primary method of commercially exploiting children for self-gratification in the region. In the MENA region, approximately 1 out of 5 girls are married before the age of 18.²⁵⁷ Frequency varies across the region, with rates such as 32% in Yemen and only 2% in Algeria.²⁵⁸ According to UNICEF, the MENA region has made the quickest progress in reducing child marriage, from 34 to 18% over the last three decades.²⁵⁹ In Iran, there has been an increase in the number of girls married off under the age of 15 and adoptive parents can now marry their adopted children.²⁶⁰ There is discussion in Egypt of lowering the minimum age of marriage to nine years old, while there are no minimum age for marriage laws in Saudi Arabia or Yemen.²⁶¹ Denying children their right to consent to marriage is a violation of their human rights and even considered a criminal act in some international declarations.

THE VICTIMS

A 2014 study by UNICEF on the various forms of violence committed against children presents evidence that the short and long-term effects of sexual violence affect not only child victims but also their families and local communities. The study also points to victims’ subsequent vulnerability to “illness, unwanted pregnancy, psychological distress, stigma, discrimination and difficulties at school”.²⁶² In attempt to cope with or overcome these afflictions, some children resort either to suicide or to drug abuse;²⁶³ others develop eating disorders like anorexia and bulimia. In short, sexual violence interferes with the processes of child development in their entirety.²⁶⁴ Given that SECTT is one of the many forms of CSEC—often involving overlapping phenomena (known as “poly-victimisation”) and thus increasingly difficult for researchers to study in isolation—it can be deduced that children vulnerable and exposed to SECTT are at risk of the foregoing consequences.

²⁵¹ Committee on the Rights of the Child, “Consideration of reports submitted by States parties under article 12(1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography: Initial reports of States parties due in 2004: Egypt”, 5 February 2010, distributed 17 March 2010, UN Doc. CRC/C/OPSC/EGY/1, pp. 15-16.

²⁵² *Ibid.*

²⁵³ *Ibid.*

²⁵⁴ *Ibid.*

²⁵⁵ *Ibid.*

²⁵⁶ *Supra*, note 230.

²⁵⁷ Girls Not Brides, “Child Marriage in: Middle East and North Africa”, (2015), accessed 16 June 2015, <http://www.girlsnotbrides.org/region/middle-east-and-north-africa/>.

²⁵⁸ *Ibid.*

²⁵⁹ UNICEF, “Ending Child Marriage: Progress and Prospects”, (New York: 2014), accessed 16 June 2015, http://www.unicef.org/media/files/Child_Marriage_Report_7_17_LR..pdf.

²⁶⁰ Equality Now, “Protecting the Girl Child: Using the Law to End Child, Early and Forced Marriage and Related Human Rights Violations”, (January 2014), 10, accessed 16 June 2015, http://www.equalitynow.org/sites/default/files/Protecting_the_Girl_Child.pdf.

²⁶¹ *Ibid.*

²⁶² UNICEF, “Sexual violence against children”, 2 February 2015, accessed May 2015, http://www.unicef.org/protection/57929_58006.html.

²⁶³ *Ibid.*

²⁶⁴ UNICEF, *Hidden in Plain Sight: A Statistical Analysis of Violence Against Children*, (New York: UNICEF, 2014).

According to ECPAT International, CSEC “can result in serious, lifelong, even life-threatening consequences for the physical, psychological, spiritual, emotional and social development and well-being of a child”.²⁶⁵ Additionally, the traumatic experience of victims of sexual exploitation has involved shame, guilt, low self-esteem, worthlessness, mistrustfulness, stigmatisation, nightmares, sleeplessness, and hopelessness.²⁶⁶ In the MENA region, some of the deeply entrenched social and cultural norms render secrecy and, therefore, underreporting much more probable—many children never report the abuses inflicted upon them;²⁶⁷ most delay seeking the assistance of others. Further, where patriarchal values predominate, consequences are differentially distributed by gender, and girls disproportionately suffer from powerlessness in such milieus. Paradoxically, however, such male-centric environments also discourage boys from openly discussing their feelings and reporting being victimised—in this context by child sex offenders who travel.²⁶⁸

Many regional studies focusing on MENA countries have attempted to study violence against children, which would include, *inter alia*, sexual violence. It should be noted that while all forms of CSEC, including SECTT, involve some form and degree of sexual violence, the converse is not necessarily true. A local Yemeni news source, citing a UN report, writes that sexual violence against women and children has been located in Yemen, Syria, Libya, Iraq, Sudan, and Somalia, between January and December of 2014.²⁶⁹ While girls in certain regions or countries face a heightened risk compared to boys, boys could also be endangered disproportionately. In Lebanon, for example, a 2005 Global School-based Health Survey (GSHS) revealed that 20% of adolescent boys (aged 13-15) reported being “exposed to sexual comments, touched in a sexual way, or the victim of an attempted force sexual relationship”,²⁷⁰ in comparison to 15% of girls of the same age. In Syria, similar studies conducted in 2002, and collected in a paper by researchers from Damascus University, reveal not only the existence of different forms of sexual harm of children—e.g., inappropriate touching—but also that both boys and girls are targets of sexual victimisation.²⁷¹ On a global scale, however, adolescent boys are relatively less vulnerable in this regard, as they are more likely

to experience physical forms of violence.²⁷² Contrary to popular misconceptions, boys in some countries or regions were found to be less likely than girls to seek assistance—this is possibly relevant in patriarchal societies, in which physical strength and emotional self-control are central to perceptions and definitions of masculinity.

The MENA region, like other regions in which SECTT is either an emerging or recurrent problem, has been facing a crisis in incident reporting. In Jordan, for instance, it is estimated that more than half of all adolescent girls who experienced physical and/or sexual abuse have never sought help. There are multiple reasons, primarily stemming from the character of the relationship between the perpetrator and the child victim that may underlie underreporting. Many child victims are either afraid of reprisal, fear embarrassment and stigma, or lack a legitimate source of assistance. The cause and prevalence of SECTT should not be attributed to individual-level misconduct on the part of the child victim. If anything, this misattribution of blame often leads to an additional set of problems such as under-prosecution of child sex offenders who travel and child neglect; the former reinforces impunity and demand for commercial sexual exploitation in travel and tourism, the latter leaves traumatised children without appropriate rehabilitation and/or reintegration measures.

Most countries in the MENA region also lack any form of rehabilitation and reintegration services for victims of sexual exploitation, particularly SECTT. In several of the Concluding Observations reports from the Committee on the Rights of the Child, it was noted that child victims of sexual exploitation and abuse are often discouraged or afraid of reporting rape, ostracised and stigmatised by the community and law enforcement officials often fail to take accusations from child victims seriously.²⁷³ In some countries, such as Bahrain, marriage between a child victim and their sexual abuser is actually encouraged and child victims of sexual abuse are treated as offenders rather than victims.²⁷⁴ The Committee noted in 2000 that socio-cultural barriers exist in the MENA region that inhibit victims from seeking assistance, due to shame or fear of social embarrassment, or even punishment.²⁷⁵

²⁶⁵ ECPAT International, Questions & Answers.

²⁶⁶ *Ibid.*

²⁶⁷ UNICEF, Hidden in Plain Sight.

²⁶⁸ *Ibid.*

²⁶⁹ Six Arab Countries Including Yemen on “Ki Moon’s” List of Countries with Sexual Violence, accessed April 2015, (n.d.), <http://www.newsyemen.net/news13931.html>.

²⁷⁰ UNICEF, Hidden in Plain Sight.

²⁷¹ Nesasy.org, لالغسلتسالايسنجالا لافطالال (Sexual exploitation of children), accessed May 2015, (n.d.), https://www.crin.org/docs/Sexual_Exploitation_study_ara.pdf.

²⁷² UNICEF, Hidden in Plain Sight.

²⁷³ Committee on the Rights of the Child, “Concluding observations: Algeria”, UN Doc. CRC/C/DZA/CO/3-4, (2012), para. 75.

²⁷⁴ Committee on the Rights of the Child, “Concluding observations: Bahrain”, UN Doc. CRC/C/BHR/CO/2-3, (2011), para. 67.

²⁷⁵ Committee on the Rights of the Child, “Concluding observations of the Committee on the Rights of the Child: Islamic Republic of Iran”, UN Doc. CRC/C/15/Add.123, (2000), para. 40.

Although the current outlook on victim treatment and availability of support services in the MENA region is poor, there have been positive initiatives that will hopefully inspire other countries to follow suit. In 2006, the Algerian government provided the first witness protection programmes for a victim of trafficking.²⁷⁶ In Bahrain, victims of sexual exploitation have access to the services provided by the Bahrain Child Protection Centre, such as conducting assessments, providing treatments, and offering rehabilitation services to victims.²⁷⁷ Egypt established a child rehabilitation centre for child victims of trafficking in Al-Salam city in cooperation with FACE, an international civil society

organisation.²⁷⁸ Jordan implemented the Child Protection Programme, dedicated to providing child victims of sexual exploitation psychological rehabilitation and social, health, and educational follow-up services.²⁷⁹ In Yemen, the establishment of the Programme for the Protection and Rehabilitation of Street Children in 2005 has provided services and support to especially vulnerable children.²⁸⁰ These various initiatives illustrate a shift in the MENA region attitudes towards child victims of sexual exploitation, particularly SECTT.

²⁷⁶ International Bureau for Children's Rights, "Making Children's Rights Work in North Africa: Country Profiles on Algeria, Egypt, Libya, Morocco and Tunisia", accessed 30 May 2015, (2007), <http://www.ibcr.org/images/contenu/publications/Nouvelle-version-en.pdf>.

²⁷⁷ UN CRC, "Second and third periodic reports of States parties due in 1999: Bahrain", UN Doc, (2010), CRC/C/BHR/2-3, para. 508.

²⁷⁸ Committee on the Rights of the Child, UN Doc. CRC/C/EGY/3-4, para. 402.

²⁷⁹ Committee on the Rights of the Child, "Third periodic report of States parties due in 2003: Jordan", UN Doc. CRC/C/JOR/3, (2006), para. 300.

²⁸⁰ Committee on the Rights of the Child, "Concluding observations: Yemen", UN Doc. CRC/C/15/Add.267, (2005), para. 73.

CHAPTER 5

STAKEHOLDERS INVOLVED IN ERADICATING SECTT IN THE MENA REGION

TRAVEL AND TOURISM SECTORS

The role and involvement of travel agencies, tourism sectors, and other private corporations in incidences of SECTT highlights the strategic role they can play in raising awareness, transforming collective attitudes, and preventing the sexual exploitation of vulnerable children in local communities. Established by the UNWTO, ECPAT International, and Nordic tour operators in 1998, the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (The Code) has been striving to create a globally recognised industry standard by fostering sustainable and responsible tourism among its members in the travel and tourism industry across the world.²⁸¹ To that end, joining member companies commit themselves to implementing a specific set of criteria known as “the six criteria of The Code”.²⁸²

Over the years, the member base of the The Code has grown into an international multi-stakeholder network, with over 1200 signatories from 42 countries.²⁸³ Fortunately, child protection programmes and policies are increasingly becoming part and parcel of corporate social responsibility-related practices in travel and tourism. Travel and tourism companies in many countries in the MENA region are members of The Code network, and are thereby committed to taking a proactive stance in protecting children in local communities from sexual exploitation; these countries include Morocco, Algeria, Tunisia, Egypt, Jordan, Lebanon, Palestine/Palestinian Territories, Iran, Saudi Arabia, Kuwait, Bahrain, Qatar, United Arab Emirates, Libya, and Oman.²⁸⁴ The private

sector in some countries like Syria, Iraq, and Sudan, Yemen, and Djibouti is yet to take on such initiatives for a variety of political and economic reasons, such as conflict or lack of funding. As The Code is voluntary with minimal accountability mechanisms, the private sector in the region has done little to actively address SECTT despite having signed the document.

The Code has been successful in marshaling informed tourism staff and personnel, and directly immersing tourism industries in the protection of children in local communities from the many forms of commercial sexual exploitation.²⁸⁵ In today’s widespread ethos of responsible consumption and ethical tourism, any tourism sector would draw sizeable benefits from integrating the now widely adopted philosophy of corporate social responsibility into its everyday operations.²⁸⁶ The regulatory mechanisms the public sector imposes on private tourism companies should allow for a degree of freedom such that they are able to sign and mainstream internationally approved codes of conduct and CSR programmes. This has also just started in the region with some local businesses having signed onto The Code.

Further, public-private partnerships between governments and tourism companies will doubtless refine awareness-raising programmes and educational workshops and make for the exchange of useful statistics and relevant information.²⁸⁷ Youth representatives and members of civil society should be included as stakeholders in the national plans of action for the welfare and safety of children and against SECTT.

²⁸¹ The Code, “About”, accessed April 2015, (n.d.), <http://www.thecode.org/about/>.

²⁸² *Ibid.*

²⁸³ World Tourism Organization, “15 Years of the UNWTO World Tourism Network on Child Protection: A Compilation of Good Practices”, (Madrid: 2014), 1, accessed 12 June 2015, <http://dtxtq4w60xqpw.cloudfront.net/sites/all/files/pdf/15-yrs-of-unwto-wtn-child-protection.pdf>.

²⁸⁴ The Code, “Members of The Code”, accessed April 2015, (n.d.), <http://www.thecode.org/who-have-signed/>.

²⁸⁵ The Code, “Child protection as CSR”, accessed April 2015, (n.d.), <http://www.thecode.org/csec/child-protection-as-corporate-social-responsibility/>.

²⁸⁶ Philip Kotler and Nancy Lee. “Corporate social responsibility”, *Doing the Most Good for Your Company and Your Cause*, (New Jersey: 2005), 10-11.

²⁸⁷ *Supra*, note 280.

By and large, companies in the travel and tourism industry in the MENA region would benefit from leveraging their strategic position in this context by actively partaking in multi-stakeholder efforts to preserve the dignity and integrity of all children, through the adoption and implementation of corporate social responsibility-oriented industry toolkits like The Code. Harmonising ethical standards of operation across the tourism sector in the region facilitates opportunities for cross-sector collaboration in the form of public-private partnerships, which in turn present new avenues for adequately addressing and attending to SECTT crimes in the region.

Prominent tourism destinations in MENA, such as the United Arab Emirates, have also commenced child protection initiatives on their own. At the 34th meeting of the National Committee to Combat Human Trafficking, the Minister of State for Foreign Affairs, Minister of State for Federal National Council Affairs and Chairman of the National Committee to Combat Human Trafficking, announced a set of “child safety measures” in the country, ranging from a fund dedicated to victims of human trafficking, to preventative measures implemented by the state.²⁸⁸ The United Arab Emirates, being a top tourism destination in the region, would additionally benefit from mobilising multi-sectorial teams tasked with assessing not only the economic and environmental consequences of the development of the country’s tourism industry, but also the social impacts of international tourist arrivals on local communities - with special regard to vulnerable women and children. Other MENA countries have made strides towards implementing preventative measures in the travel and tourism industry - Egypt implemented a charter of honour for tourist workers²⁸⁹ and the Moroccan Committee of Responsible Tourism adopted a national charter of responsible tourism.²⁹⁰

INTERNATIONAL AND REGIONAL NGOS

A 2008 Child Rights Situation Analysis for the MENA region by Save the Children Sweden indicated that the number of NGOs dedicated to advocating for child rights in the MENA region is growing.²⁹¹ Within each country in the MENA region, there are multiple regional and international NGOs fighting against child exploitation and SECTT. While several countries in the MENA region are constrained in the formation of NGOs due to the suppression of the establishment of civil society by withholding licenses or refusing to give State approval, such as Tunisia, Kuwait, Qatar, the United Arab Emirates, Libya and Oman,²⁹² many other countries have NGOs that have a strong presence and are successfully combating child exploitation.

The Algerian Network for the Defence of Children (Nada Network) advocates for responses to violations of children’s rights and the Fondation pour la Promotion de la Santé et le Développement de la Recherche (FOREM) is a leading local NGO in Algeria that established the Observatory on Children Rights to monitor child exploitation.²⁹³ The Bahrain Child Society raises awareness among children about their rights²⁹⁴ and the Bahrain Youth Society for Human Rights is a youth-oriented human rights organisation that attempted to register as an NGO but was refused by the state²⁹⁵ - together, these organisations work directly with vulnerable children, particularly street children and children who have been exploited.²⁹⁶ In Egypt, the Coalition on Child Rights and the Arab Council for Childhood and Development are two of the leading organisations that promote and monitor the progress of child rights;²⁹⁷ whereas Hope Village Society actively works with children on the streets, and is currently working to open a centre for young street mothers who are often victims of sexual exploitation.²⁹⁸

²⁸⁸ “Gargash calls for concerted efforts to protect victims of trafficking”, Khaleej Times, 16 November 2014, accessed April 2015 from: http://www.khaleejtimes.com/kt-article-display-1.asp?xfile=data/nationgeneral/2014/November/nationgeneral_November148.xml§ion=nationgeneral&utm_content=bufferf20f7&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer.

²⁸⁹ Committee on the Rights of the Child, UN Doc. CRC/C/OPSC/EGY/1, para. 102.

²⁹⁰ Idrissi, “Rapport final”.

²⁹¹ Save the Children Sweden, “Child Rights Situation Analysis for Middle East and North Africa Region”, (2008), accessed 12 June 2015, https://www.essex.ac.uk/armedcon/story_id/Child%20Rights%20Situation%20Analysis%20for%20Middle%20East%20and%20North%20Africa1.pdf.

²⁹² Ibid.

²⁹³ Ibid, 20.

²⁹⁴ Nakhweh, “Bahrain Child Society”, accessed 12 June 2015, (n.d.), <http://www.nakhweh.org/en/organizations/716-Bahrain-Child-Society>.

²⁹⁵ Bahrain Youth Society For Human Rights, “About us”, accessed 12 June 2015, (n.d.), http://www.bysnr.org/?page_id=1677.

²⁹⁶ Save the Children Sweden, “Situation Analysis”, 28.

²⁹⁷ Ibid, 38.

²⁹⁸ Family for Every Child, “Hope Village Society”, accessed 15 June 2015, (n.d.), <http://www.hopevillagesociety.moonfruit.com/>

Morocco has several credible NGOs that combat CSEC and other forms of sexual exploitation. Association Bayti is a leading organisation in Morocco that runs a “streetkids” programme and works with sexually exploited children, Association marocaine d’aide à l’enfant et la famille (AMAEF) created a specialised centre to handle cases involving violations of children’s rights, and Association Dama in Tangier works with street children.²⁹⁹ The Association Ennakhil pour la femme et l’enfant in Marrakech provides basic informal education to street children and works to reintegrate them into society in the hopes of protecting them from SECTT,³⁰⁰ while The Moroccan League for the Protection of Children created Children’s Clubs with a similar premise.³⁰¹ Other Moroccan NGOs include L’Heure Joyeuse, Al Karam, Touch Pas a Mon Enfant, Association Marocaine d’aide aux Enfants en Situation Precaire, Fondation Marrakech, Association Sauvegarde de l’enfant, and Assistantes sociales.³⁰²

In Jordan, the National Centre for Human Rights³⁰³ and the Jordan River Foundation are two NGOs that fight for social justice, especially for children and against child abuse.³⁰⁴ Dar Al-Amal is a Lebanese NGO that supports young girls in situations of exploitation and prostitution, to help empower them and reintegrate them into society.³⁰⁵ The Syrian NGO Rainbow for a Better Childhood Foundation held a Symposium on Child Protection in 2004³⁰⁶ and the Palestinian organisation Ibdaa provides social and educational programmes for youth in the Deheisheh Refugee Camp and the surrounding areas.³⁰⁷ Street Children Aid in Sudan,³⁰⁸ the Participation for the Community Foundation in Yemen,³⁰⁹ and the

Association pour la Protection et l’Epanouissement de la Famille in Djibouti all target displaced persons,³¹⁰ specifically street children, in order to provide community services and support and prevent vulnerable children from exploitation. The Iranian Life Quality Improvement Association³¹¹ and the Iraqi Child Rights Network³¹² both focus mainly on improving the lives of local street children through life skills training and providing food and medical care. Other Iraqi NGOs combating child exploitation include Al-Mahaba for Orphans Organization³¹³ and the NGO Coordination Committee for Iraq (NCCI).³¹⁴ In Saudi Arabia, several organisations have initiatives to target the exploitation of children, such as the National Society for Human Rights³¹⁵ and the Al-Birr Charity Society.³¹⁶

Numerous international NGOs are also present as stakeholders in the MENA region. Save the Children is an organisation dedicated to fighting for children’s rights,³¹⁷ with active branches in the MENA countries of Egypt, Iraq, Jordan, Lebanon, Occupied Palestinian Territory, Sudan, and Yemen.³¹⁸ Terre des Hommes’ International Federation supports and implements development and humanitarian aid projects designed to supplement the Convention on the Rights of the Child³¹⁹ and has operations in Morocco, Sudan, Tunisia, Egypt, Iraq, Jordan, Lebanon, Palestinian Territories, and Syria.³²⁰ Similarly, Plan International is a community development organisation linked to the UNCRC that aims to protect children from harmful influences, abuse and exploitation.³²¹ Plan International is involved specifically in the MENA countries of Egypt and Sudan.³²² The International Committee of the Red Cross formed the Red Crescent Movement to “alleviate human suffering,

²⁹⁹ Commission on Human Rights, “Ofelia Calcetas-Santos: Report”, paras. 119-160.

³⁰⁰ *Ibid.*, paras. 147-151.

³⁰¹ Save the Children Sweden, “Situation Analysis”, 84.

³⁰² Commission on Human Rights, “Ofelia Calcetas-Santos: Report”, paras. 119-160.

³⁰³ The National Centre for Human Rights, “About Us”, accessed 12 June 2015, (n.d.), <http://www.nchr.org.jo/english/Aboutus.aspx>.

³⁰⁴ Jordan River Foundation, “Overview”, accessed 12 June 2015, (n.d.), <http://www.jordanriver.jo/?q=content/overview-2>.

³⁰⁵ Dar Al Amal, “Mission”, accessed 12 June 2015, (n.d.), <http://dar-al-amal.org/index.php/dar-al-amal/mission>.

³⁰⁶ International Society for Prevention of Child Abuse and Neglect, “Review of Current Global Trends in Child Protection Policy and Legislation”, (West Chicago: 2005), <http://c.ymcdn.com/sites/www.ispcan.org/resource/resmgr/link/link.13.3-14.1.english.pdf>

³⁰⁷ Ibdaa Dheisheh, “History”, accessed 13 June 2015, (n.d.), <http://ibdaa48.weebly.com/about-us.html>.

³⁰⁸ Street Children Aid, “The Project”, accessed 13 June 2015, <http://streetchildrenaid.org/the-project.html>.

³⁰⁹ Global Hand, “Participation for the Community Foundation (PCF Yemen)”, accessed 13 June 2015, (n.d.), <http://www.globalhand.org/en/organisations/42539>.

³¹⁰ International Refugee Rights Initiative, “Association pour la Protection et l’Epanouissement de la Famille”, accessed 13 June 2015, (n.d.), <http://www.refugee-rights.org/African%20NGO%20directory/North%20Africa/Djibouti-APEF.html>.

³¹¹ United Nations Office on Drugs and Crime, “Iranian Life Quality Improvement Association (ILIA), accessed 13 June 2015, (n.d.), https://www.unodc.org/ngo/showSingleDetailed.do?req_org_uid=21440.

³¹² International Bureau for Children’s Rights, “Iraqi Child Rights Network”, accessed 13 June 2015, (n.d.), <http://www.ibcr.org/editor/assets/ICRN%20-%20English%20FINAL1.pdf>.

³¹³ Child Rights International Network, “Al-Mahaba for Orphans Organization”, accessed 13 June 2015, (n.d.), <https://www.crin.org/en/library/organisations/al-mahaba-orphans-organization>.

³¹⁴ NGO Coordination Committee for Iraq, “Introduction to NCCI”, accessed 13 June 2015, (n.d.), <http://www.ncciraq.org/en/about/about-ncci>.

³¹⁵ National Society for Human Rights, “The Objectives and Functions of the Society”, accessed 13 June 2015, (n.d.), http://nshr.org.sa/en/?page_id=55.

³¹⁶ Arab News, “Al-Birr volunteers’ efforts praised”, 27 December 2012, accessed 13 June 2015, <http://www.arabnews.com/al-birr-volunteers%E2%80%99-efforts-praised>.

³¹⁷ Save the Children, “Save the Children”, accessed 13 June 2015, (n.d.), <https://www.savethechildren.net/>.

³¹⁸ Save the Children, “Where We Work”, accessed 13 June 2015, (n.d.), <https://www.savethechildren.net/where-we-work>.

³¹⁹ Terre des Hommes International Federation, “Mission”, accessed 13 June 2015, (n.d.), <http://www.terredeshommes.org/about/mission/>.

³²⁰ Terre des Hommes International Federation, “Where We Work”, accessed 13 June 2015, (n.d.), <http://www.terredeshommes.org/projects/>.

³²¹ Plan International, “How We Work”, accessed 13 June 2015, (n.d.), <https://plan-international.org/about-plan/how-we-work>.

³²² Plan International, “Where We Work”, accessed 13 June 2015, (n.d.), <https://plan-international.org/where-we-work>.

protect life and health, and uphold human dignity” and has a programme that addresses sexual exploitation.³²³ The Red Crescent Movement currently has seven countries with key operations, which include four countries from the MENA region: Iraq, Sudan, Syria, and Yemen.³²⁴ Another international NGO is Human Rights Watch, which “defends the rights of people worldwide” by exposing facts and pressuring those with power to respect rights.³²⁵ Human Rights Watch has chapters in the following MENA countries: Sudan, Algeria, Bahrain, Egypt, Iran, Iraq, Jordan, Palestine, Kuwait, Lebanon, Libya, Morocco, Qatar, Saudi Arabia, Syria, Tunisia, United Arab Emirates and Yemen.³²⁶

The International Bureau for Children’s Rights is an international NGO dedicated to promoting and protecting children’s rights around the world, using the UNCRC as a foundation for their work.³²⁷ In terms of specifically addressing CSEC, ECPAT International “seeks to ensure that children everywhere enjoy their fundamental rights free and secure from all forms of commercial sexual exploitation” and works to eliminate child prostitution, child pornography and the trafficking of children for sexual purposes.³²⁸ ECPAT International works with the Jordan River Foundation, Dar Al-Amal in Lebanon, and ONDE, Association Bayti, and AMANE in Morocco.³²⁹

With the growth of engaged civil society organisations, the more the issue of CSEC and its related forms will be placed on the governmental agendas within the MENA region. The lack of knowledge on the vagaries of CSEC dynamics, however, highlights the need for further cross-sector collaboration and cross-national sharing of data and knowledge on the matter.

HUMAN RIGHTS BODIES

The main international human rights bodies that address children’s rights, including protection from sexual exploitation, comprise various UN agencies: the United Nations Educational, Scientific and Cultural Organization

(UNESCO), the World Tourism Organization (UNWTO), the International Labour Organization (ILO), the United Nations Children’s Fund (UNICEF), the United Nations Human Rights Council (UNHCR), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the United Nations Development Programme (UNDP), and the World Health Organization (WHO). Other international human rights bodies include The World Bank, which conducts research and analysis and prioritises results, reform and open development³³⁰ and the European Commission, whose various agreements with MENA countries specifically mention child rights programmes and child protection.³³¹

There are several regional human rights bodies in MENA, as well. The African Charter on Human and Peoples’ Rights is a human rights instrument introduced by the African Commission on Human and Peoples’ Rights that is intended promote and protect human rights and basic freedoms in the African continent.³³² It came into effect in January 2005.³³³ Algeria, Djibouti, Egypt, Libya, Sudan and Tunisia have all ratified the African Charter on Human and Peoples’ Rights.³³⁴ The League of Arab States (LAS) was formed by Egypt, Iraq, Jordan, Lebanon, Syria and Saudi Arabia in March 1945.³³⁵ It now has 22 members - with the addition of MENA region countries Algeria, Bahrain, Djibouti, Kuwait, Morocco, Oman, Palestine, Qatar, Sudan, Tunisia, the United Arab Emirates, and Yemen - and has implemented various initiatives to promote child protection, including the formation of the Arab Charter on Children’s Rights of 1983 and convening the first Arab High Level Conference on Children (which produced the Arab Plan for Child Survival, Protection and Development).³³⁶ LAS also formed a framework for action on the rights of children after the Second Arab High Level Conference on the Rights of the Children in the Arab World called “An Arab World Fit for Children”.³³⁷

Another regional human rights body is the African Union, which presented the African Charter on the Rights and Welfare of the Child (ACRWC) to recognise the need to take appropriate measures to promote and protect the

³²³ International Committee of the Red Cross, “The Red Cross and Red Crescent Movement”, accessed 13 June 2015, (n.d.), <https://www.icrc.org/en/who-we-are/movement>.

³²⁴ International Committee of the Red Cross, “Current Key Operations”, accessed 13 June 2015, (n.d.), <https://www.icrc.org/en/where-we-work>.

³²⁵ Human Rights Watch, “About Us”, accessed 13 June 2015, (n.d.), <http://www.hrw.org/about>.

³²⁶ Human Rights Watch, “Regions”, accessed 13 June 2015, (n.d.), <http://www.hrw.org/regions>.

³²⁷ International Bureau of Children’s Rights, “Our Mission”, accessed 13 June 2015, (n.d.), <http://www.ibcr.org/en/who-we-are/our-mission>.

³²⁸ ECPAT International, “What We Do”.

³²⁹ ECPAT International, “Where We Are”, accessed 13 June 2015, (n.d.), <http://www.ecpat.net/where-we-are>.

³³⁰ The World Bank, “What We Do”, accessed 12 June 2015, (n.d.), <http://www.worldbank.org/en/about/what-we-do>.

³³¹ Save the Children Sweden, “Situation Analysis”, 154.

³³² African Commission on Human and Peoples’ Rights, “African Charter on Human and Peoples’ Rights”, accessed 14 June 2015, (n.d.), <http://www.achpr.org/instruments/achpr/>.

³³³ Ibid.

³³⁴ African Commission on Human and Peoples’ Rights, “Ratification Table: African Charter on Human and Peoples’ Rights”, accessed 14 June 2015, (n.d.), <http://www.achpr.org/instruments/achpr/ratification/>.

³³⁵ League of Arab States, “League of Arab States”, accessed 14 June 2015, (n.d.), <http://www.lasportal.org/Pages/Welcome.aspx>.

³³⁶ Save the Children Sweden, “Situation Analysis”, 135.

³³⁷ Ibid, 136.

rights and welfare of children.³³⁸ The ACRWC has been ratified by Algeria, Egypt, Libya, and Sudan and has been signed but is yet to be ratified by Djibouti and Tunisia.³³⁹ In terms of unification, the Cooperation Council for the Arab States of the Gulf (GCC) Charter was formed by the United Arab Emirates, Bahrain, Saudi Arabia, Oman, Qatar and Kuwait in 1981 to “facilitate coordination, integration and inter-connection”, and formed the GCC Childhood Coordination Committee to improve child rights and study the situation of children in the MENA region.³⁴⁰ Similarly, the Organisation of the Islamic Conference, which is “the collective voice of the Muslim world” and aims to protect the interests of the Muslim world and promote international peace and harmony,³⁴¹ issued resolutions on Child Care and Protection in the Islamic World at the Ninth Session of the Islamic Summit and issued the Covenant on the Rights of the Child in Islam, which was adopted by the 32nd Islamic Conference of Foreign Ministers.³⁴²

Specific countries have also included leading human rights bodies within government structures: Algeria has the National Committee for the Protection and Wellbeing of the Child and the Inter-Ministerial Committee for the Protection and Development of the Child, Bahrain organised the National Commission for Children, Egypt formed the NCCM and the National Council for Human Rights, Jordan established the National Task Force for Children and the Directorate of Social Defence and the Child Labour Unit, Kuwait implemented the Higher Council for the Family and Children, Libya created the Higher Committee for Children, Morocco has the National Observatory for Children’s Rights, Oman has the National Follow-Up Commission on Implementation of the Convention on the Rights of the Child, Saudi Arabia and Syria have both formed National Committees for Children, and Tunisia has the Higher Council for Childhood.³⁴³

FRONTLINE SERVICE PROVIDERS

Several frontline service providers in the MENA region have made efforts to address and improve approaches towards CSEC and incidences of SECTT. The establishment of Qatar’s House for Lodging and Human Care in 2005, for example, provides social, legal, psychological and medical assistance to victims of sexual abuse and liaises with local police, the courts and the Director of the Human Rights Unit to facilitate protection for children.³⁴⁴ Kuwait has formed a special police force to investigate offences against minors, including CSEC offences.³⁴⁵ In Morocco, the Listening and Protection Centre receives children of physical, sexual and psychological violence, listens to the children in person, intervenes with judicial authorities, and coordinates with lawyers and health care providers.³⁴⁶

Additionally, Child Protection Units in Morocco offer child victims of violence, including sexual violence and exploitation, medical and social assistance.³⁴⁷ The Ministry of Health and the Royal Oman Police also joined in efforts to reduce sexual violence and abuse against children by launching public awareness campaigns via radio and television.³⁴⁸ Furthermore, Jordan launched the first regional training on child safety in 2004 through the Queen Rania Family and Child Centre with a specialised area of child safety, called the Professional Training Centre.³⁴⁹ The Professional Training Centre aims to “enhance the capacity of national and regional professionals to address child abuse and promote child safety in their own fields and communities”.³⁵⁰ Jordan was also a pioneer in establishing the Family Protection Department, which is a protection system that has allowed for the investigation and follow up of cases involving CSEC, as well as referring victims to appropriate rehabilitation services.³⁵¹

While several countries in the MENA region have active frontline service providers engaged in combating CSEC and SECTT, the overall lack of participation in the rest of the MENA region is concerning.

³³⁸African Union, “African Charter on the Rights and Welfare of the Child”, accessed 14 June 2015, (n.d.), <http://pages.au.int/acerwc/documents/african-charter-rights-and-welfare-child-acerwc>.

³³⁹African Union, “Ratifications Table”, accessed 14 June 2015, (n.d.), <http://pages.au.int/acerwc/pages/acerwc-ratifications-table>.

³⁴⁰Save the Children Sweden, “Situation Analysis”, 139.

³⁴¹Organisation of Islamic Cooperation, “About OIC”, accessed 15 June 2015, (n.d.), http://www.oic-oci.org/oicv2/page/?p_id=52&p_ref=26&lan=en.

³⁴²Save the Children Sweden, “Situation Analysis”, 145.

³⁴³Ibid, 19-123.

³⁴⁴Ibid, 97.

³⁴⁵Ibid, 64.

³⁴⁶Ibid, 80.

³⁴⁷Ibid.

³⁴⁸Ibid, 90.

³⁴⁹ECPAT International, “Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children”, (Bangkok: 2008), 17, accessed 17 June 2015, http://resources.ecpat.net/A4A_2005/PDF/AF/Global_Monitoring_Report-JORDAN.pdf.

³⁵⁰Ibid.

³⁵¹Ibid, 18.

CHAPTER 6

RECOMMENDATIONS

COLLECT THE DATA

The relative stagnation and overall gaps in the state of knowledge on SECTT in the Middle East and North Africa warrant a united and diverse regional front in response. If countries do have a national data collection system in place, the information relied upon is overly descriptive with a lack of credible statistics to support policy or assess progress in combating SECTT. Countries must implement independent monitoring structures to receive and address reports of SECTT and establish national, comprehensive and centralised data collection systems that focus on CSEC and factors that may lead to SECTT (such as street children and MSEs). These mechanisms must be implemented immediately in order to begin collecting the information that can be used to indicate the strengths and weaknesses of a country's approach to CSEC and SECTT and inform law reform and the other recommendations offered.

Beyond national data collection systems, it is essential that regional and international NGOs as well as other like-minded stakeholders collect more information and conduct updated research on SECTT and the MENA region. In order to address the issues in the various approaches to SECTT in the MENA region and to identify best practices, it is crucial that better quality research is pursued to improve information gathering.

REFORM THE LAW

Legal reforms vis-à-vis domestic and extraterritorial legislation would allow states to effectively and legally prosecute child sex offenders who travel both locally and abroad; in addition, domestic legislation reforms that better address child protection and safety would gradually ameliorate the currently existing requirements of double criminality in many countries worldwide. As stated earlier, the majority of MENA countries have acceded to the OPSC. According to the Committee on the Rights of the Child's most recently published considerations of States' submitted reports, the governments have taken a wide range of measures across different sectors which demonstrate an interest, at least on paper. These include, inter alia, revisions in domestic legislation, multi-stakeholder collaborations, public-private partnerships,

educational and awareness-raising programmes (e.g., in schools), calls for youth participation, and specialised institutions for rehabilitation and social-psychological support of child victims.³⁵² At the regional level, instruments have also included the League of Arab States' Arab Charter on Human Rights and the African Union's African Charter on the Rights and Welfare of the Child.³⁵³

ADDRESS "DEMAND"

In addition to legal reforms that hold buyers of commercial sex accountable, states can address demand by reducing the number of tourists who visit the MENA region for the purpose of CSEC and by collaborating with local industries. By facilitating the adoption of The Code by more companies in the MENA region and highlighting the legislation that criminalises sexual exploitation of children and its effective enforcement, the number of tourists who visit the MENA region will decrease. Governments and regional NGOs should endeavor to raise awareness of new legal reforms and other methods of enforcement, such as implementation of The Code's procedures in the tourism industry of a particular country.

Another method for reducing the demand side of SECTT is by dispelling myths surrounding sex with children, including that it is safer or that virginity provides protection from HIV and AIDS. The demand side of SECTT needs urgent attention and the MENA countries should begin to take action against offenders.

ADDRESS "SUPPLY"

Several determinants involving the supply aspect of SECTT are a lack of formal education, poverty, homelessness and a large population of street children. Countries should ensure that all children have access to free education as well as vocational training and programmes for adults and children alike to reduce poverty. Furthermore, countries should develop policies to guarantee the existence of basic social services, such as water and healthcare, and inclusive access of these services. The implementation of drop-in centres for street children and the establishment of summer

³⁵² Office of the High Commissioner for Human Rights (OHCHR), "Treaty bodies search", accessed May 2015, (n.d.), http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=5&TreatyID=10&TreatyID=11&DocTypeID=29&DocTypeCategoryID=4

³⁵³ Save the Children Sweden, "Situation Analysis".

camps to send street children to a safer environment will provide protection to children with increased vulnerability to SECTT. These recommendations, alongside improvements in the treatment of child victims, will address the supply side of SECTT.

DEVELOP TRAVEL AND TOURISM INDUSTRY STANDARDS AND EXPECTATIONS

More businesses within the travel and tourism industry, such as hotels, transport companies and tourist companies, should sign and implement The Code. Governments and NGOs should closely monitor these companies to ensure that the six essential steps to help protect children from CSEC are being followed, especially the establishment of a policy and procedures that protect children from sexual exploitation and the commitment to train employees in children's rights, the prevention of sexual exploitation and how to report suspected cases. Members should provide annual reports on the implementation of The Code, which should be verified by stakeholders in the MENA region. By creating a highly aware and well-trained tourism industry, the MENA region can adequately recognise and prevent potential abuse and build zero tolerance environments where offenders will be held accountable, thereby reducing demand.

IMPROVE TREATMENT OF VICTIMS

The MENA region must strive to improve the treatment of victims, particularly in terms of facilitating recovery and reintegration into society. While some countries have implemented pilot programmes for the care of child victims of sexual exploitation, there is still a severe lack of rehabilitation services and treatment for victims. Professionals and frontline service providers working with children should receive specialised training in order to appropriately identify, protect and work therapeutically with sexually exploited children. Increased cooperation with NGOs for the detection and monitoring of incidences of CSEC, as well as the implementation of child-friendly procedures that allow victims to report incidences of SECTT without fear of punishment or social embarrassment, will empower victims of SECTT and allow them to access the social services they need for recovery and rehabilitation. States should ensure that victims of sexual exploitation are not criminalised and are provided with recovery and social reintegration services and programmes.

EVALUATE CULTURAL ATTITUDES

In order to address the cultural attitudes that make the MENA region susceptible to SECTT, mainly those towards children and gender inequality, it is crucial to involve the public sphere alongside state leadership. A traditional gender paradigm prevails in the MENA region and contributes to the gender inequalities prevalent in the community, such as early marriages and increased risk for girls to CSEC. Therefore, the public sphere must evaluate gender normative cultural attitudes by supporting the inclusion of women in political and economic decision-making and by advocating for greater accountability within various industries to advance fairness and equality. Additionally, education should be mandatory for both males and females, and vocational training should be provided for girls who are forced into early marriages. Local law enforcement should be trained to take reports of abuse from both boys and girls seriously, and should encourage child victims to report these incidences by providing a safe environment where traditional gender expectations, such as the emotional self-control expected of boys and the virginal purity expected of girls, do not exist.

RAISE AWARENESS

A major theme in the UNCRC's Concluding Observations of the MENA countries was the concern for a lack of awareness within the MENA countries of SECTT and other forms of sexual exploitation of children. The most effective way to raise awareness is through an increase in media engagement towards the Convention on the Rights of the Child and other awareness-raising activities that enhance the understanding of children's rights and SECTT in the MENA region. Transmitting relevant information through the use of the press, radio, television and other media technologies is crucial for widespread awareness. In addition, children should be actively involved in public outreach activities to ensure that the possible victims, as well as the general public, are aware of CSEC and know where to seek help or report incidences of SECTT.

IMPROVE COORDINATION WITH NGOS AND OTHER STAKEHOLDERS

Despite an increase in the number of NGOs present in the MENA region dedicated to advocating for child rights, several countries suppress the establishment and involvement of civil society. NGOs that are critical of state policies and structures in certain countries are denied licences or face obstacles in participating in the formation of policies and the planning and budgeting of government programmes. States should embrace the participation of NGOs and other stakeholders by removing obstacles to NGO formation and encouraging the involvement of all NGOs, including children's organisations and independent NGOs, in the development of new mechanisms and policies to address CSEC, specifically SECTT. Improved coordination with NGOs and other stakeholders will encourage collaboration and allow civil society to play an active role in the implementation of a long term national strategy to combat the sexual exploitation of children.

PRIORITISE THE PROTECTION OF CHILDREN

Countries in the MENA region face many different challenges, such as conflict, political unrest, economic difficulties, hosting MSEs and strong cultural values that propagate gender inequality and other social injustices. Given that each of these challenges involves increasing the vulnerability of children in a region to sexual exploitation, it is crucial that the protection of these children be prioritised and considered when organising strategies to face the challenges. Government bodies should strive to work with NGOs in order to form NPAs for these incidents and the protection of children from sexual exploitation should be a priority in policy discussions and plans.

The consideration and implementation of the foregoing recommendations, imperfect as they may be, should at least set a transparent foundation for responding to and coping with SECTT, particularly with the political instability and developing refugee crisis in mind. Generally, the main targets of response measures and strategies, whether locally or transnationally, are underreporting, under-investigation and prosecution of sex offenders, and inadequate or misguided reintegration of child victims into society.

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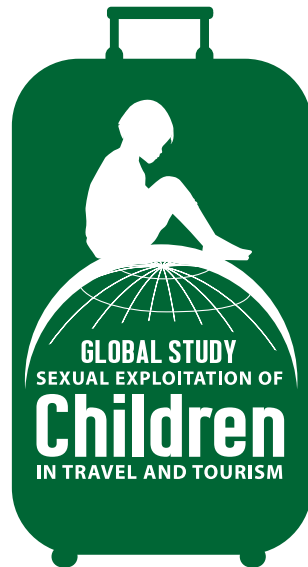
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