



Tool 9.13 Commercial sexual exploitation of children

Overview

This tool looks at legislative and other measures, such as ethical guidelines and campaigns, that can be implemented in order to discourage the demand for trafficked persons by addressing the problem of sexual exploitation.

It is known that thousands of tourists and businessmen who travel internationally engage in sex, including with children, or make pornographic material. In general, sex tours are arranged informally among friends or colleagues; however, there have been cases of travel agents being prosecuted for supplying and arranging sex tours. In addition, buyers who travel to other countries to have sex with women or children often feel protected by a sense of anonymity and rationalize their behaviour in various ways to mitigate the sense of responsibility they may normally have in their home countries. They often justify their behaviour by claiming that it is culturally acceptable in that country or that they are helping the person by providing some money. Some of those who seek sex with a child mistakenly believe that they are less likely to contract HIV/AIDS. Much of the effort to combat child prostitution in developing countries concentrates on abuses committed by foreigners, for two reasons: the economic and social power of the foreign exploiter far exceeds that of the child; and the foreign exploiter can easily leave and avoid prosecution.

In response to the latter situation, many States have resorted to an extraterritorial jurisdiction over offences relating to the sexual exploitation of children committed by their nationals in other countries.



For more information visit:
www.humantrafficking.org

Promising practice

Legislation

Violent Crime Control and Law Enforcement Act of 1994 (United States)

Under the Crime Act it is illegal for United States citizens to travel abroad with intent to engage in any sexual act with a person under 18 years of age. The penalty for doing so is imprisonment for up to 10 years, a fine, or both. However, intent is hard to prove and to prosecute in this regard.

Sex Offenders Act (United Kingdom)

The United Kingdom Sex Offenders Act was passed in 1997 and makes sexual activity with a child, committed in an overseas country by a citizen or resident of the United Kingdom, a criminal offence punishable in the United Kingdom. It is also an offence to plan to travel overseas for sex with children.

Crimestoppers hotline (United Kingdom)

The United Kingdom Home Office provides a free “Crimestoppers” hotline for use by British tourists in Gambia to report child abuse abroad. Awareness-raising information about child prostitution was distributed to tourists by travel companies, informing tourists what to be alert to.

House Bill 2020/Act 82 (Hawaii, United States)

The Hawaii state legislature passed House Bill 2020 into law as Act 82 in May 2004, making the promotion of travel for the purpose of prostitution a felony and grounds for revoking the licence of an offending travel agent.



The full text of House Bill 2020 is available at:
www.capitol.hawaii.gov/session2004/bills/HB2020_cd1_.htm

Crimes (Child Sex Tourism) Amendment Act 1994 (Australia)

The Crimes (Child Sex Tourism) Amendment Act 1994 came into force in July 1994. This Act criminalizes in Australia any sexual activity with a child under the age of 16 years committed in an overseas country by an Australian citizen or Australian resident. This law applies to individuals, companies or corporations and provides for a term of imprisonment of up to 17 years and fines of up to 500,000 Australian dollars. The Act also makes it an offence to encourage, benefit or profit from any activity that promotes sexual activity with children.



This Act and other laws of the Commonwealth of Australia can be found at:
www.comlaw.gov.au/comlaw/comlaw.nsf/sh/homepage

Codes and Commitments*Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism*

The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism is a joint initiative of the tourism private sector and the children’s rights non-governmental organization ECPAT International, aimed at preventing sexual exploitation of children at tourism destinations. The code originated from an ECPAT project, funded by UNICEF and supported by the World Tourism Organization.

The tour operators and their umbrella organizations, travel agents, hotels, airlines, etc., that endorse the Code commit themselves to implementing the following measures:

1. To establish an ethical policy regarding commercial sexual exploitation of children
2. To train the personnel in the country of origin and travel destinations
3. To introduce a clause in contracts with suppliers, stating a common repudiation of commercial sexual exploitation of children
4. To provide information to travellers by means of catalogues, brochures, in-flight films, ticket-slips, home pages etc.
5. To provide information to local “key persons” at the destinations
6. To report annually



The Code and further information about it are available at:
www.thecode.org

Regional Commitment and Action Plan of the East Asia and Pacific Region against Commercial Sexual Exploitation of Children

Representatives of 25 Governments, in cooperation with United Nations agencies, international organizations, non-governmental organizations and representatives of young people, meeting at the East Asia and Pacific Regional Consultation held from 16 to 18 October 2001 in Bangkok in preparation for the Second World Congress against Commercial Sexual Exploitation of Children, committed themselves to taking action against the commercial sexual exploitation of children, including trafficking of children, in the areas of: children/young people’s participation; coordination and cooperation; prevention; protection; and recovery and reintegration.



The Regional Commitment and Action Plan is available at:
www.unicef.org/events/yokohama/easia-pac-reg-outcome.html

Projects

Campaigns aimed at lessening demand

The End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT) campaign is an international movement to raise awareness of these issues. ECPAT International is a network of organizations and individuals working to eliminate the commercial sexual exploitation of children. Local campaigns highlighting extraterritorial jurisdiction and warning that engaging in sex with minors is a criminal offence have been

successful in many Western countries. In Europe, Australia, New Zealand and Asia, ECPAT has succeeded in getting airlines and travel agents to post signs in airports warning people that engaging in sex with minors is illegal and to distribute fliers about the brutal nature of the trade. ECPAT International has special consultative status with the Economic and Social Council.

Every year, ECPAT International collaborates with other non-governmental organizations, governments and UNICEF to organize a World Congress against the Sexual Exploitation of Children and Adolescents.



More information about ECPAT is available at:

www.ecpat.net

More information about the World Congress against the Sexual Exploitation of Children and Adolescents is available at:

www.ecpat.net/World_Congress/

Child Sex Tourism Prevention Project

The Child Sex Tourism Prevention Project is a joint effort of World Vision, the United States Department of State and the United States Bureau of Immigration and Customs Enforcement. The project has a three-pronged strategy:

1. A deterrent media campaign for would-be child-sex tourists in Cambodia, Costa Rica, Thailand and the United States
2. Law enforcement assistance in order to help identify child-sex tourists
3. Prevention programmes through interventions such as education, advocacy and creation of other means to make a living



For more information, see:

www.worldvision.org/worldvision/wvusufso.nsf/stable/globalissues_stp

ChildSafe (Cambodia)

ChildSafe is a non-governmental organization-operated campaign in Cambodia which brings various actors to the fight against sexual exploitation of children. By eliciting the help of taxi, tuk-tuk and motorcycle taxi drivers, staff of hotels, guesthouses and restaurants, and tourists in Cambodia, ChildSafe creates a network of key people who receive ongoing training in child protection. These persons are able to identify children at risk and suspicious behaviour of tourists in Cambodia so that appropriate action can be taken.



More information about the ChildSafe programme is available at:

www.childsafe-cambodia.org/index.asp

Recommended resource

Combating the Trafficking in Children for Sexual Purposes: a Training Guide

ECPAT International, 2006

Intended for the training of multi-stakeholder groups consisting of law enforcement personnel, social workers and caregivers, this resource provides training guidelines and resource materials, including fact sheets to hand out, on the specific issue of combating trafficking in children for sexual purposes.



This training guide is available at:
www.ecpat.net/eng/pdf/Trafficking_Report.pdf

Distilling Elements of Good Practice: the Action Programme against Trafficking in Minors for Sexual Purposes

ECPAT International, 2007

This publication analyses three examples of successful efforts against trafficking in children:

- An awareness-raising campaign implemented by Paniamor in Costa Rica, as an example of reaching a target audience
- The multi-disciplinary training manual and training sessions on human trafficking developed and implemented by FACE in Thailand as an example of building on existing resources
- La Strada's hotline in Ukraine, as an example of preventing child trafficking and commercial sexual exploitation of children while providing assistance to child survivors



This publication is available at:
www.ecpat.net/eng/pdf/Trafficking%20Action%20Programme.pdf

Toolkit for Implementing and Monitoring the East Asia and Pacific Regional Commitment and Action Plan against Commercial Sexual Exploitation of Children

This toolkit (United Nations publication, Sales No. E.06.II.F.17), compiled in 2006 by the Emerging Social Issues Division of the Economic and Social Commission for Asia and the Pacific of the United Nations, is composed of three chapters:

1. Tools for developing national plans of action against commercial sexual exploitation of children
2. Situational analysis of research into commercial sexual exploitation of children: basic approaches and tools

3. Piloting information on the commercial sexual exploitation of Children: experiences from East Asia

The toolkit provides experience, good practice and practice tools and can serve as a practical reference for key actors seeking to learn from past practice and to adapt lessons to fit their local and national contexts, particularly in the East Asia and Pacific region.



The toolkit is available at:

www.unescap.org/publications/detail.asp?id=1156