



**Contribution to the UNHCHR
Report on Children living and/or
working on the street and the
links to sexual exploitation**

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ECPAT International

**End Child Prostitution, Child Pornography and Trafficking of children for sexual
purposes**

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Introduction

Securing daily basic needs and protection from the hostilities and violence on the street is a perpetual fight, and it often means enduring sexual abuse and exploitation. The spectre of neglect evidenced by the alarmingly high number of children surviving on the street across the world runs counter to the principles enshrined in the CRC, which provide for the protection of children's overall well being, human dignity and mental and physical integrity. Children living and working on the streets are part of the most excluded and at-risk persons in the world, and living on the streets deprive them of a safe environment, comfort and education.

The commercial sexual exploitation of children (CSEC) is defined by the ILO Convention 182 as one of the worst forms of child labour and means the sexual abuse of a child in exchange of money or other form of remuneration. This includes child prostitution, pornography, sex tourism and trafficking for sexual purposes. It is commonly accepted that a child cannot consent freely to have sexual intercourse with an adult, including children surviving on the street. Therefore, in such cases, they should be considered victims and afforded the necessary protection.

Sexual exploitation on the street takes place, by definition, in public areas, like roads, beaches, markets or parks; usually the sex offender approaches the young victim in order to have a sexual relationship. More boys are thought to be involved in street-based sexual exploitation than girls, as opposed to the higher number of girls that are exploited in private places, such as brothels or other establishments¹.

Public places are common contact sites for sexual exploitation. For example, in Pakistan, transport hubs are often linked with the sexual exploitation of children.² In fact, bus terminals serve as both a congregating point for street and runaway children as well as a venue to sell sex. Public female prostitution is almost non-existent, but boys as young as 7 years old can be seen at bus stands scouring for passengers in search of lodging for the night. It is well known that men at this public places are looking for boys to have sexual intercourses with them in exchange of money. The boys are usually staying in hotels near the bus stands, where they are also abused by the owner or other customers³. Clients prefer young boys since they are easily available and cheaper than women. Children are also exploited by bus and truck drivers, in trucks or hotel rooms, in exchange for money, food or hashish⁴.

Contrary to stereotypes, the problem of street children is not only prevalent in the Global South. In fact, many children in the Global North are also working and living in the streets, such as the Roma population or children fleeing from oppressive conditions in their families and communities. More attention has to be given to this issue, since it affects children all over the world who are deprived of basic fundamental rights and protection.

¹ *Survey on street-based Child Sexual Exploitation in Cambodia*, Action pour les enfants, Raphaël Renault, March 2006:

http://endexploitation.org/resources/2006_action_pour_les_enfants_child_sexual_exploitation_in_cambodia.pdf

² See, ECPAT International, *Global Monitoring on the status of action against commercial sexual exploitation of children: Pakistan* (2nd Edition), publication expected: October 2011. Available at: http://www.ecpat.net/EI/index_A4A.asp

³ *The other Side of Childhood, Male Child Prostitution at a Bus Stand in Pakistan*, Sahil, September 2004

⁴ *Commercial sexual exploitation of children: a situational analysis of Pakistan*, Save the Children and the Working Group against Child Sexual Abuse and Exploitation, 2005

Street children, orphans, children running away from domestic abuse, child victims of armed conflict or natural disaster, children coming from poor families with low level of education, from marginalised society and minorities are more vulnerable to street sexual exploitation. Many of them, lacking parental or community support, are pushed to the streets to contribute to household income, to escape neglect or to provide for themselves or family members. Street children are even more vulnerable to victimisation since they are unsupervised and the idea that commercial sex could generate a higher income can draw them into such exploitative situations. Clearly, children lack the necessary knowledge or experience to anticipate dangers and isolation from family and a care system renders them easily manipulated. Children might also become victims of sexual exploitation because of peers pressure, threats or violence.

It is difficult to estimate the number of child victims of sexual exploitation, who are often rendered invisible by the underground nature of the crime and the lack of surveillance mechanisms. In fact, exploited children are usually removed from public view in brothels or hotel rooms, car or trucks and hidden so they can be exploited freely by the perpetrators. The gathering of data available is based on “children on the surface;” this includes street children or runaways, who may join other children seeking welfare shelters or halfway homes. This group of children also feeds into criminal statistics, as they are also more likely to be arrested, treated as criminals and thereby re-victimized⁵. Such data, even when available, are unlikely to be representative of the true extent of the phenomena and in most cases underestimate the number of victims of CSEC.

HIV/AIDS is an important issue to consider while discussing the effect of sexual exploitation of children. In some situations, children are themselves victims of the disease or may have parents who have struggled with or succumbed to AIDS, leaving them alone. They risk discrimination and exclusion from their communities, schools or extended families, and finally become homeless. Such situations leave children alone in an unfriendly environment and thereby more vulnerable to further abuse or exploitation. Children involved in sexual exploitation aren't aware of the risks and dangers of HIV/AIDS and are more vulnerable to catching the illness due to their physical development. Special care and attention must be provided to them through child-friendly services.

The global economic crisis has doubtless impacted the situation of sexual exploitation of children. A slower economy will increase the number of poor people, and, as a consequence, more people will work on the streets to earn their living. In time of crisis, children are also more likely to drop out of school and might not even return once the situation has improved. Their quality of life declines as they have to reduce their food consumption, healthcare or education. Following this, children become first choice victims for sexual exploiters⁶. In fact, they are more susceptible to pressures and can be easily persuaded and tricked.

⁵ *Facts and figures : even one child is one too many,*

http://www.ecpat.net/worldcongressIII/PDF/Background/Briefing%20notes_2001/Note%20%20statistics.pdf

⁶ *Children in times of economic crisis: Past lessons, future policies,* Caroline Harper, Nicola Jones, Andy McKay, Jessica Espey, March 2009, <http://www.odi.org.uk/resources/download/2865.pdf>

Prostitution:

Prostitution of children in the streets is usually “survival sex,” generally meaning occasional sex activities in exchange of money or when sex is exchanged for food, shelter or protection⁷. This phenomenon of child street prostitution is observed in the Global North in communities of homeless children as well as street children in the South.

Once on the street, this particular vulnerable group of people is more at risk to engage in dangerous behaviours, such as becoming involved in prostitution or trusting persons who wish to exploit them. They also often have other problems like drug addiction or abusive home backgrounds. Nevertheless, selling sex in the streets is used as the last option by many street children, who try first other activities before being pushed into selling sex⁸.

The various forms of CSEC are closely interlinked and impact on one another. Moreover, in the case of prostitution, the purchase can include a whole variety of exploitative sex acts. The ‘sex’ purchased may include touching, talking, looking, feeling as well as posing for/looking at ‘pornography’, or ‘Cybersex’, or sex tourism. It is, though, very important to differentiate the criminal acts from the other, in order to identify and put in place the best protection and appropriate support for the children and to penalize offenders to the maximum extent.

Trafficking for sexual purposes:

Child trafficking refers to the movement of a person under 18 years old from one place to another for the purpose of exploitation. Exploitation is defined at article 3.a of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children as “*at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.*”

This practice reduces the victims to simple commodities to be bought, sold, and transported from one place to another only for sexual exploitation.

Trafficking in human beings can take place inside a country or cross-border. Reliable data and estimates on child trafficking are difficult to find. Data rarely distinguish between all forms of trafficking, but refer only to the worst forms of child labour. Nevertheless, the ILO made an estimate of 1.2 million children involved in the worst forms of child trafficking, including sexual exploitation, which represent an average of 20% of the total of human beings trafficking. The UNODC in its global report on trafficking of 2009 states that 79% of all global trafficking is for sexual exploitation⁹.

⁷ HIV/AIDS, Gender and Sex Work, UNAIDS, http://www.unfpa.org/hiv/docs/factsheet_genderwork.pdf

⁸ *Exploitation of children in prostitution*, World Congress III, November 2008, file:///D:/Thematic_Papers/Prostitution_of_Children/Thematic%20Paper_Prostitution_ENG.pdf

⁹ *Their Protection is in our Hands, the state of global child trafficking for sexual purposes*, ECPAT and The Body Shop, 2009, http://www.thebodyshop.com/en/ww/services/pdfs/Values/Global_Child_Trafficking.pdf.

Child trafficking is a serious violation of children's rights and a horrific crime committed against the most vulnerable members of the society. Unfortunately the real extent of this practice is unknown, but emerging evidence suggests that the number of trafficked children is increasing¹⁰.

Child sex tourism:

Child sex tourism is the sexual exploitation of children by a person who travels in order to have sexual contact with children. This prevalent phenomenon occurs both domestically as well as trans-nationally. It occurs in many places, such as hotels, brothels or even beaches. Many children exploited by tourists are street children or children living without community protection. One of the main issues contributing to continuing high incidences of child sex tourism is lack of prosecution. Child sex tourists will more likely travel to places where they have less chance of being detected by authorities, because of weak law enforcement agencies or high levels of corruption. In many countries where child prostitution is ignored, there is also more chance for tourists to find a victim to abuse. In these circumstances, street children are again more vulnerable since they lack protection and advices. Even if children might be identified as victims, there is a huge lack of structures to keep them secure. Also, criminal authorities lack the resources to pursue the majority of child sex tourists. Consequently, most tourists remain free of prosecution and justice won't be done for the victim¹¹.

It is estimated that 24,000 children are living and/or working on the streets in Cambodia, including in conditions of sexual exploitation. Child sexual exploitation in this country exists not only because of fragile government institutions, corruption, inadequate child protection mechanisms, and massive tourism development, but also because of cultural and sociological factors, which play a significant role in contributing to child abuse.¹² For example, it's socially unacceptable in Cambodia for a child to say "no" to an adult, which make them particularly vulnerable when interacting with foreigners. In fact, an increase in child sexual exploitation since the 1990s can be attributed to increasing numbers of foreigner tourists¹³.

Protection/Care Services:

Children living and working on the streets need recognition of their rights, access to public services and legal protection. It's essential that States meet their obligation under international instruments and assure children's welfare in preserving their rights.

¹⁰ *Their Protection is in our Hands, the state of global child trafficking for sexual purposes*, ECPAT and The Body Shop, 2009, http://www.thebodyshop.com/en/ww/services/pdfs/Values/Global_Child_Trafficking.pdf.

¹¹ *Sexual exploitation of children and adolescents in Tourism, A contribution of ECPAT to the World Congress III*, ECPAT, November 2008

¹² *See*, ECPAT International, *Global Monitoring on the status of action against commercial sexual exploitation of children: Cambodia* (2nd Edition), 2011. Available at: http://www.ecpat.net/EI/Pdf/A4A_II/A4A2011_EAP_CAMBODIA_FINAL.pdf

¹³ *Exploitation of children in prostitution, A contribution of ECPAT to the World Congress III*, ECPAT International, November 2008

Drop-in centers and other institutions can provide an entry point to basic services, including shelter, food, medical and psychological assistance, education, and reintegration projects. These projects can help sustain children on the street and protect them from high risk behaviours as well as raise awareness and work in a preventive way in order to prevent children from ending up homeless¹⁴.

Prevention begins with clearly understanding the causes pushing children to leave their homes, identifying the most at-risk children and adopting strategies to support family and community placements. It is also a key issue to teach children how to avoid risks and give them strategies to protect themselves and indicate where they can obtain help. In developing these strategies, it's essential to involve the child survivors in the process.

Child and youth participation is crucial to creating change in the lives of victims and other vulnerable children as well as changing social attitudes. It is a key tool for assessing the needs, perspectives, and interests of children and formulates good policy responses to problems affecting children, accelerates recovery and furnishes children with a sense of empowerment as social actors¹⁵. Child participation can take place in peer support programmes, survivor's participation or awareness raising projects. Youth and children's clubs are also effective mechanisms to assist children to learn about their rights and basic health issues. Survivors, once they have rebuilt confidence and gain self-esteem, are invaluable participants for prevention and protection programs¹⁶.

For example, former street children conducted research in the Philippines on youth pimps in the community of Malate, in Manila. They planned a project, conducted interviews and produced documentation. According to the team, children are the best interlocutor to inform people of the problems they are facing. Through this research, the young pimps interviewed shared their hopes that their dignity and self-esteem would be restored. The problems that youth pimps are facing can only be addressed through concerted efforts of young people, adults and the pimps themselves. The research team defends that to ensure children rights, the family system and the community has to be strengthened. This publication shows that children can contribute in the struggle to change society¹⁷.

Recommendations:

Preventive and protective actions are critical, to guarantee the wellbeing and protection of children sexually exploited. So states have to provide an efficient legal framework and legal assistance in order to offer proper protection to vulnerable children and take measures to reduce their vulnerability. Most of all, they must ensure that their rights to live, to protection, to participate and to develop freely are respected.

¹⁴ *Children Living or Working on the Street*, http://www.crin.org/bcn/topic_more.asp?topicID=1027&themeID=1004

¹⁵ *Ensuring Meaningful Child and Youth Participation in the fight against Sexual Exploitation of Children : The ECPAT experience*, ECPAT International, October 2007

¹⁶ *Their Protection is in our Hands, the state of global child trafficking for sexual purposes*, ECPAT and The Body Shop, 2009, http://www.thebodyshop.com/en/ww/services/pdfs/Values/Global_Child_Trafficking.pdf.

¹⁷ *Youth Pimps of Malate*, Terre de Hommes and Bahaytuluyan, 2006, <http://www.bahaytuluyan.org/uploads/youthpimps.pdf>

Preventing children from becoming victims of sexual exploitation requires the active mobilisation of persons responsible for their protection, such as family, community and the State, through its system of child protection, social welfare and justice. For example, communities must work to lower high school drop-out rates. Education is an important means to protect children and at the same time reduce the risk for them to be abused or exploited. While at school, children aren't on the streets risking abuse and most of all it gives them sufficient knowledge and skills to face future difficulties. To ensure the presence of children at school, States must provide the appropriate amount of financial aid to keep children going to school.

Participation and awareness raising activities should not only be directed to families but to the community as a whole. Health centers, vendors, restaurant staff, anybody who may come in contact with children in conditions of vulnerability should assist in alerting authorities of at-risk situations.

Inside governmental agencies, it's essential that persons who come in contact with exploited children adopt codes of conduct, implement child protection policies and ensure child safe training to safeguard children and youth, and avoid putting them in situation of further harm. It's also essential to ensure that victims of sexual exploitation are not considered as criminals. Law enforcement institutions have to provide special procedures in order to protect victims of exploitation. As mentioned above, children do not consent to be sexually abused and should receive adequate attention to avoid additional stigmatisation.

Comprehensive measures must be developed and implemented through a wide collaboration of stakeholders (governmental institutions, non-governmental organisations, victim service providers, child protection institutions, communities, private sector and the children themselves) but also between states, as these phenomena have an important international dimension. It's also essential to establish referral mechanisms so children can receive adequate care and assistance.

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