



International
Labour
Organization

Commercial sexual exploitation of children and adolescents

The ILO's response

Commercial sexual exploitation of children is the sexual exploitation by an adult of a child or adolescent below 18 years of age that involves a transaction in cash or in kind to the child or to one or more third parties. It is an abhorrent violation of the human rights of children and is without question one of the worst forms of child labour. The ILO stands shoulder to shoulder with the rest of the international community in the firm belief that children have the right to be protected against sexual violence and that those involved in using and recruiting persons under 18 for commercial sexual activities should be denounced, prosecuted and penalized.

Commercial sexual exploitation of children includes:

- the use of girls and boys in sexual activities remunerated in cash or in kind;
- trafficking of girls and boys and adolescents for the sex trade;
- child sex tourism;
- the production, promotion and distribution of pornography involving children; and,
- the use of children in sex shows (public or private).

ILO Worst Forms of Child Labour Convention, 1999 (No. 182) specifically refers to “the use, procuring or offering a child for prostitution, for the production of pornography or for pornographic purposes” as a worst form of child labour that ILO member States must prohibit and eliminate without delay. All children below the age of 18 are covered without exception and regardless of the existence of a lower age for sexual consent or legalized adult prostitution or pornography.

As the definitions above imply, there are a number of ways children become victims of commercial sexual exploitation. They fall prey to local inhabitants who exploit children as clients or intermediaries. They are trafficked for the sex trade across international borders or within the child's own country. They become victims of predators who take advantage of impunity or weak law enforcement to sexually abuse children during their visit to a region or country. They are used for live sex shows or pornography that may get sold over the internet.

Child victims of commercial sexual exploitation suffer severe physical and psychological harm. They not only risk injuries from physical violence, unwanted pregnancies, and HIV/AIDS and other sexually transmitted diseases, they also lose self-esteem, feel humiliation, guilt and sadness, and may develop problems with verbal and written communication. Once entrapped in the sex trade, it is

difficult for them to break loose. They may live in fear of retribution and have to bear the additional traumas of social stigmatization, marginalization and even rejection by their families and communities. At this point, their prospects for decent work as adults are limited.

While it is practically impossible to know the true extent of the problem given its illegal nature, the ILO global child labour figures for the year 2000 estimate that there are as many as 1.8 million children exploited in commercial sex or pornography worldwide, while UNICEF's report *State of the World's Children* for 2006 give an estimate of 2 million children currently enslaved in the global commercial sex trade.

Which children are most at risk?

Some children are more at risk of becoming victims than others, so in finding solutions it is essential to take into account a variety of risk factors found in families, communities and societies that create vulnerability. Children who are particularly at risk include runaways, children from dysfunctional families, children of sex workers, homeless children, AIDS orphans, migrant children, children from ethnic minorities and out-of-school children. ILO experience has also shown that children, particularly girls, involved in other forms of child labour – notably child domestic labour, street vending, and scavenging – are at high risk of being pulled into commercial sexual exploitation. Children and adolescents who have been trafficked or who have migrated on their own for work are also especially vulnerable because they are cut off from their families and communities. Therefore, a comprehensive response to prevent commercial sexual exploitation should include a focus on fighting all forms of child labour.

The ILO's role in combating commercial sexual exploitation of children and adolescents

The ILO brings its long experience in combating all forms of child labour to the global fight to end commercial sexual exploitation of children. The ILO believes that initiatives must take a comprehensive approach aimed at both the supply and demand sides of exploitation as well as providing victims with the care and services they need to enjoy their rights and to get on track to a productive adulthood. This means confronting social exclusion and lack of educational opportunities that push children into exploitative situations, fighting poverty, and promoting opportunities for decent work for adult caregivers. It also includes strengthening and enforcing laws and raising awareness about social and cultural norms that make children vulnerable to sexual abuse and violence. The ILO, through its International Programme on the Elimination of Child Labour (IPEC), provides extensive technical cooperation and advice to countries to prevent children from becoming victims of commercial sexual exploitation as well as to withdraw and rehabilitate children who have become victims.

Vulnerability factors

Family-related risk factors

- Poverty
- Social exclusion, including being from an ethnic minority
- Weakening of family and community networks
- Absence of parental figures
- History of sexual abuse within families
- Witnessing or being victims of domestic violence
- HIV/AIDS infection in the family
- Practices of prostitution among family members
- Gender inequalities and discrimination
- Low educational levels of caregivers and low value attached to education
- Prejudice against homosexuality

Child-specific risk factors

- Absence of legal identity or documentation, lack of citizenship
- Need to earn money to survive
- Homelessness, living on the street
- Expulsion or exclusion from school
- Child pregnancy and maternity
- Consumerism
- Low self-esteem
- History of drug and alcohol abuse
- Cultural obligation to help support the family
- Negative peer pressure
- Being a victim of domestic violence and/or sexual abuse
- Being a victim of other forms of child labour
- Having been trafficked for other forms of child labour

Socio-economic related risk factors

- High population density
- Working or living in or near risk environments:
 - streets or slums
 - concentration of night entertainment (bars, discos, brothels)
- High poverty and unemployment levels
- Movements of people
- Access to highways, ports or borders

Environment-related risk factors

- Existence of child labour
- Tolerance of prostitution at community or national level
- Existence of sex tourism
- Consumerism
- Irresponsible exercise of sexuality, especially male sexuality
- Perpetrator preferences for young children and adolescents
- Perpetrator preferences for young children in the context of HIV/AIDS
- Proximity to military camps, large public works, mining camps
- Proximity to armed conflict zones
- Impunity caused by weak laws and law enforcement
- Corruption, organized crime

The ILO assists its member States to implement the Worst Forms of Child Labour Convention No. 182, which is one of several important international standards that call for the urgent elimination of commercial sexual exploitation of children. The Convention explicitly covers to the use, procuring or offering of children for prostitution, for the production of pornography or for pornographic performances (art. 3(b)) and child trafficking (art. 3(a)) as worst forms of child labour that must be prohibited and eliminated without delay. The Convention defines a child as any person under the age of 18 years. This age limit contains no exceptions: even countries that have legalized or condoned prostitution must effectively prohibit the commercial sexual exploitation of any person below the age of 18 years. One hundred and sixty-nine out of a total of 181 ILO member States have ratified Convention No. 182 since its adoption in 1999 and by so doing have committed to undertake immediate and effective measures to prohibit and eliminate all worst forms of child labour. Moreover, the ILO's Global Action Plan against child labour, formally endorsed by the ILO's Governing Body in November 2006, commits member States to put in place time bound measures and develop national action plans to eliminate all worst forms of child labour by 2016.

The international legal framework to fight commercial sexual exploitation of children

- United Nations Convention on the Rights of the Child
- Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
- ILO Worst Forms of Child Labour Convention, 1999 (No. 182) and Recommendation (No. 190)
- United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children

All these agreements establish that:

- All underage persons should be protected against commercial sexual exploitation, regardless whether they are boys or girls; and regardless of their nationality or any other discriminatory consideration.
- Adults who are directly responsible for the exploitation should be punished by law and with sentences that are appropriate to the severity of the damage caused.
- It is the responsibility of the State to ensure that the victims are protected.
- The "consent" of persons under the age of 18 to participating in commercial sexual activities cannot lift the illegality of the exploitation; children are seen as victims and any so-called consent does not waive their right to protection.
- Boys and girls have the right to live with their family. Their relatives are not guilty of exploitation, unless a member of the family has become an abuser, exploiter, procurer or intermediary for exploitation.

Putting ILO Worst Forms of Child Labour Convention, 1999 (No. 182) to work in the fight against commercial sexual exploitation of children and adolescents

The specific definitions of exploitation found in the Convention make it a powerful tool for upholding children's rights to protection in a work environment. Convention No. 182 emphasizes the importance of education, direct care and the rehabilitation and reintegration of the children into society while attending to the needs of families. It requires countries to take all necessary measures to ensure programmes designed to eliminate the worst forms of child labour, including those concerning legal reform and enforcement, are carried out. The Convention provides significant detail concerning the policy and operational aspects of the fight against child sexual exploitation and other worst forms. It requires ratifying States to design and implement programmes of action (art. 6) to eliminate it as a priority and establish or designate appropriate mechanisms for monitoring implementation of the Convention (art. 5). It also calls for time-bound measures for prevention; support for the removal of children from sexual exploitation and their rehabilitation (art. 7); access to free basic education or vocational training for all children removed; identification of children at special risk. All measures should take account of the special situation of girls.

ILO members must report on their progress in eliminating commercial sexual exploitation of children

In accordance with the ILO Constitution, governments who have ratified Convention No. 182 must report every two years to the ILO on the legislative, policy and practical measures taken to implement it. The application of the Convention is monitored by ILO bodies. For example, the reports by governments are examined by an independent Committee of Experts on the Application of Conventions and Recommendations, which address comments to governments in order to strengthen implementation. Furthermore, Recommendation No. 190 that complements Convention No. 182 calls on member States to collect data on commercial sexual exploitation and all other worst forms of child labour and these data should be standardized by age group and disaggregated by age and sex.

International cooperation and partnerships

A key provision in the elimination of the worst forms of child labour is Article 8 of Convention No. 182 that requires international cooperation and assistance in efforts to ensure the effective implementation of the Conventions provisions, including support for social and economic development, poverty eradication and education. International cooperation is of particular significance in the elimination of worst forms of child labour of a transnational nature, such as the trafficking of children for the purpose of sexual exploitation or the worldwide distribution or child pornography. Mutual legal assistance can be critical in identifying and prosecuting perpetrators. Extra-territorial application of laws on commercial sexual exploitation of children is another important tool, which

is specifically mentioned in ILO Recommendation 190.

In addition to its technical cooperation and labour standards work under Convention No. 182, the ILO also participates in global forums focusing on the elimination of commercial sexual exploitation of children and trafficking for labour exploitation. For example, the ILO participated in, supported and supplied input to the World Congresses against commercial sexual exploitation of children convened by concerned governments, UNICEF, ECPAT (End Child Prostitution, Pornography and Trafficking), and the NGO group on the Convention on the Rights of the Child. The ILO is also a member of the interagency Steering Committee of the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT), an initiative which mobilizes state and non-state actors to eradicate human trafficking by reducing both the vulnerability of potential victims and the demand for exploitation in all its forms; by ensuring adequate protection and support to those who fall victim; and through supporting the efficient prosecution of the criminals involved. The ILO also sits on the Executive Committee of the Task Force to Protect Children from Exploitation in Tourism, which is led by the World Tourism Organization. This platform is supported by employers' and workers' organizations and includes many representatives of the tourism industry as well as international NGOs. Joint activities with other agencies have also been promoted, such as two regional forums co-organized with ECPAT International in Lima, Peru and contributions to organization of several of the regional preparatory meetings for the World Congress III in Rio de Janeiro in November 2008.

World Congresses on Commercial Sexual Exploitation of Children and Adolescents

- **Stockholm (1996):** The Stockholm Declaration and Agenda of Action adopted at the first World Congress obliges all participating countries in the meeting to draw up a National Plan of Action to eliminate the commercial exploitation of children. The ILO has assisted with the mechanism set up to follow up on the development and implementation of the national plans.
- **Yokohama (2001):** The Yokohama Global Commitment 2001 adopted at the World Congress II welcomed the involvement of the private sector, such as the workers' and employers' organizations, members of the travel and tourist industry, including internet providers and other businesses in eliminating commercial sexual exploitation of children.
- **Rio de Janeiro (November 2008):** the World Congress III will address the increasing problem of sexual exploitation of children and adolescents. The Congress will, among others, examine the role of the private sector and corporate social responsibility, issues related to demand side of sexual exploitation of children, and is structured around five themes, including emerging challenges, which will look at the part played by masculinity in commercial sexual exploitation.

IPEC's activities aimed at eliminating commercial sexual exploitation of children

Since its creation in 1992, IPEC has implemented over 70 projects on four continents that have targeted commercial sexual exploitation of children or trafficking in children for the sex trade. IPEC's work on these topics has been especially well developed in Asia and Latin America where several large-scale multi-country and cross-border regional programmes have been carried out and from which many good practices and lessons have been learned on legal reform, awareness raising, social mobilization, capacity building as well as on direct assistance to children and their families. In these efforts, IPEC has teamed up with numerous implementing partners including other international agencies, international and grass-roots NGOs and agencies and organizations representing the ILO's tripartite membership – governments, employers and workers.

Focus on the demand side – Men and masculinities studies in Latin America have opened new avenues to prevent commercial sexual exploitation of children and adolescents

In 2004 IPEC's project on commercial sexual exploitation in Central America carried out a pioneer study in Central America and the Dominican Republic on masculinity and commercial sexual exploitation of children. This study provided important information on the factors that influence persons – in this case men – to utilize children and adolescents for commercial sex, even though they risk criminal prosecution. The study showed a surprisingly high tolerance among men of all social classes, educational levels, ages and places of residence in the countries covered. This finding has been invaluable in developing intervention strategies, including creating awareness raising campaigns aimed specifically at men and developing better tools for prevention. The study fed into the development of specific training of trainers activities and capacity building for organizations that have a role in prevention, such as public institutions, workers' organizations, NGOs, and the media. In 2006, a separate quantitative study on demand was carried out by the Tejiendo Redes Project in South America covering Chile, Colombia, Paraguay and Peru that also helped in the development of tools and activities focussing on the role of masculinity. Multiple training and awareness raising activities have been carried out focusing on issues related to masculinity in several countries in Latin America and men from a number of different sectors have participated: including representatives from trade unions, law enforcement, the military, public institutions and NGOs.

National level efforts

At the national level, IPEC programmes assist ILO member States to put in place policies to protect children, particularly in the area of legal reform and law enforcement, with a focus on stricter sanctions of exploiters; better protection of victims and improved law enforcement mechanisms. In the past three years, IPEC has provided assistance for the reform of criminal codes to the Governments of Belize, Bolivia, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Moldova, Nicaragua, Kenya, Panama, Peru, South Africa

and Sri Lanka. IPEC projects also seek to build the capacity of law enforcement bodies as well as encourage cooperation and dialogue among institutions. To this end, IPEC has supported numerous law enforcement training activities in Latin America, Africa, Asia, and Europe.

IPEC also supports the participatory formulation of national action plans to eliminate commercial sexual exploitation of children, and in countries where plans are already in existence, IPEC supports their implementation. In Ukraine, for example, IPEC collaborated with ECPAT and LaStrada-Ukraine for the inclusion of victim concerns and needs into the National Action Plan to Implement the UN Convention on the Rights of the Child by 2016. Similarly, Botswana, Lesotho, Namibia, South Africa, Swaziland and many countries in Latin America have received support to draft national plans addressing commercial sexual exploitation and other forms of child labour.

Employers' and workers' organizations can make a difference

In several parts of the world, the participation of employers' and workers' organizations has had a significant impact. The ILO encourages its member organizations to use their strengths in the areas of awareness raising and mobilization to fight sexual exploitation of children and to involve their memberships to reduce public tolerance and indifference. Their experience with dialogue and their access to the high levels of government make them well placed to advocate for policies to eliminate commercial sexual exploitation. For example, employers' organizations in the tourism and transport sectors have become increasingly active in helping to raise awareness and strengthen institutional responses through participating in codes of conduct and monitoring.

For their part, workers' organizations have been active in social mobilization, awareness raising and training. Sometimes these efforts even take on a regional character. This is the case in South America where the International Federation of Waterways Transportation Workers led by the Brazilian Federation (FNTTAA) has been raising awareness and conducting training activities since 2006 to stop trafficking of children for sexual exploitation in the continent's major river basins. The campaign has benefited from support of governmental and non-governmental partners and has created an international network transportation workers engaged in protecting children. An assessments and referral system that covers key transit points where trafficking occurs has been created. Originally involving waterways workers in eight countries – Argentina, Bolivia, Brazil, Colombia, Guyana, Paraguay, Uruguay and Venezuela – workers in Peru have recently joined the effort.

Costa Rican employers in the tourism sector help to protect children by adhering to a code of conduct

A good practice model in the tourism industry comes from Costa Rica. Since 2003 local companies and international employers operating in the tourism sector have been applying the *Code of Conduct for the Protection of Children and Adolescents from Commercial Sexual Exploitation Associated with Travel and Tourism*. Created under the impetus of the World Tourism Organization's partnership platform, in which the ILO participates, the Code has been embraced by a growing number of companies in the tourism sector, ranging from hotels, to tour operators to taxi companies. It has created a win-win process where the interests of all parties are addressed. First and foremost, the rights of children and adolescents are protected; second, Costa Rica's image as a promoter of responsible and sustainable tourism is enhanced; and third, companies are given a concrete means to participate to demonstrate their social responsibility.

In accordance with the Code, each commercial enterprise commits to put in place policies to actively prevent commercial sexual exploitation of children on their premises or in the course of their business, to raise awareness among clients and business partners and train staff to identify suspicious activity and alert authorities when necessary. Each member business is encouraged to display recognized logo showing their participation, which most do enthusiastically. To date, participation among employers' organizations is nearly universal. For example, all 295 members of the *Cámara Costarricense de Hoteles* (the Costa Rica Hotels Association) adhere to the Code as do the 250 members of the United Taxis Company in San Jose.

Mirroring the success of this approach, Brazilian employers have undertaken a similar initiative covering road transport networks. Numerous organizations in the transport sector are currently participating in a programme called *Na Mão Certa* (On the Right Lane). This programme, spearheaded by the World Childhood Foundation, involves industry associations, toll companies, insurance companies, transport logistics companies, truck drivers' unions, distributors and other related enterprises. It works with law enforcement to sensitize and train individuals who work in this sector to recognize, monitor and report evidence of child trafficking on Brazilian highways.

Assistance to victims, their families and their communities

On the ground, IPEC projects provide technical and financial assistance to the design and pilot testing of intervention activities that focus on prevention, withdrawal, rehabilitation and reintegration. The aim is to identify sustainable models which can then be replicated in a wider context and be carried forward by national institutions. Thus, IPEC field projects include capacity-building components and the development of tools and guidelines to help ensure long-term impact and sustainability. Direct action on commercial sexual exploitation is a complex problem, requiring attention from different institutions operating in the spheres of physical and mental health, education, law enforcement and the judiciary, all of whom must be vigilant to uphold the basic rights of the child victims during the process. IPEC experience has shown that the forging of

strong cooperative networks can make a great difference in these efforts. This model developed in South America and South-East Asia since the mid-90s has influenced IPEC's work in other regions and countries.

IPEC regional project in Africa creates local vigilance committees to prevent trafficking and repatriate victims of commercial sexual exploitation and other worst forms of child labour

Since July 2001, nine countries (Benin, Burkina Faso, Cameroon, Côte d'Ivoire, Gabon, Ghana, Mali, Nigeria and Togo) have joined together to fight child trafficking through IPEC's Subregional Project to Combat Trafficking in Children for Labor Exploitation in West and Central Africa (LUTRENA).

One of the most important of LUTRENA's strategies has been the creation of local vigilance committees (LVCs) to stop trafficking in sending areas. LVCs, which are composed of trained community volunteers, play a primary role in preventing trafficking by identifying and tracking traffickers, repatriating trafficked children and organizing educational alternatives and other activities to keep children in their homes and villages. In some cases, the LVCs also monitor borders for cross-border movement of children. In Mali, for example, LVC's set up in the towns of Kolondieba and Koutiala have been instrumental in curbing trafficking of girls to larger cities in Mali and across the border to Côte d'Ivoire and to Burkina Faso to work as domestics, market porters, and vendors. These girls are often sexually abused and face an important additional risk of being pulled into the sex trade.

To organize the LVCs, the LUTRENA team turned to child protection and community development NGOs with proven track records and long experience in the target areas. Today, 26 LVCs with 222 members are strategically located in communities around Kolondieba and Koutiala. Since 2005, they have repatriated 430 children and more than 3,500 children have been re-enrolled in public school or vocational centres. The committees have worked with school boards, teachers, journalists, parent/teacher associations and government officials to monitor children and provide meaningful alternatives for them and their families. By bringing needy families into contact with NGOs, the LVCs have successfully aided more than a thousand families to access assistance in starting up small income-generating activities.

IPEC's strategy on commercial sexual exploitation of children stresses that integrated services should go beyond addressing the consequences of exploitation on children to include their economic reintegration in society. Older children are always offered educational alternatives, including vocational training and, where appropriate, adult caregivers are offered the possibility of training and income generating activities. Interventions also seek to ensure that the right of children to express their opinions is respected and promoted.

Community hearts: A Sri lankan trade union's initiative to reduce trafficking of children for commercial sexual exploitation

In Sri Lanka, the plantation sector has been identified as a sending area for trafficking of children into worst forms of child labour, particularly child domestic work and commercial sexual exploitation. In 2004-06 as part of IPEC's Regional Project on Combating Child Trafficking for Labour and Sexual Exploitation the Ceylon Workers' Congress (CWC), Sri Lanka's largest trade union, implemented an action programme to prevent children from being trafficked. The programme "Community Hearts" focussed on mobilizing the plantation communities to monitor at-risk children and families and provide needed services to them. The project created community centres for prevention and rehabilitation activities, including non-formal education (NFE), catch-up education, remedial classes, recreational activities, and more. The CWC created a network of social mobilizers and NFE teachers who were members of the plantation communities and who knew and understood the local families. The programme was successful for several reasons: it brought education to the doorstep of vulnerable children; it motivated the children by offering educational options and helping many of them to improve their academic performance, and it raised the awareness of parents and community members about the reality of what happens to trafficked children. In addition, the fact that many of the social mobilizers were plantation supervisors and members of the CWC with strong social and political positions in the community and links to law enforcement had a deterrent effect on traffickers. As opinion leaders in the community, their awareness-raising efforts were particularly effective with the parents of children.

Resources

IPEC's experience in fighting commercial sexual exploitation, child trafficking and related worst forms of child labour has been documented in numerous guidelines and reports, which are available from the IPEC website.

For more information on **commercial sexual exploitation of children**:

- *Guidelines on design of direct action strategies to combat CSEC* (Geneva, ILO, 2007).
- *The demand side of the commercial sexual exploitation of adolescents: Qualitative study in South America (Chile, Colombia, Paraguay y Peru) - Summary of results* (Lima, ILO, 2007).
- *Child and adolescent victims of commercial sexual exploitation. A care model for institutions and organizations* (San Jose, ILO, 2007).
- *A shared responsibility: Workers' organizations in the fight against the commercial sexual exploitation of children and adolescents* (San Jose, ILO, 2007).

- *Specialized training manual on psychosocial counselling for trafficked youth: Handling the trauma of sexual exploitation* (Kathmandu, ILO, 2002).
- *Publications and audiovisual resources guide for sharing information on strategies for the prevention and elimination of commercial sexual exploitation of children and adolescents - Latin America 1998-2008* (in Spanish only) (San Jose, ILO, 2008).
- ▶ IPEC website: www.ilo.org/ipec/areas/CSEC
- ▶ IPEC Latin America website: www.oit.org.pe/ipec/esci

For more information on **child trafficking for commercial sexual exploitation** and **other worst forms of child labour**:

- IPEC: *Combating trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners* (Geneva, ILO, 2008).
- IPEC: *Child Trafficking: The ILO's response through IPEC* (Geneva, ILO, 2007).
- IPEC: *Combating child trafficking in Asia: Good practices on prevention and rehabilitation* (Bangkok, ILO, 2007).
- *Child-friendly standards and guidelines for the recovery and integration of trafficked children* (Bangkok, ILO, 2006).
- *Meeting the challenge: Proven practices for Human trafficking prevention in the greater Mekong Sub-Region* (Bangkok, ILO, 2008).
- ▶ IPEC website: www.ilo.org/ipec/areas/traffickingofchildren
- ▶ IPEC Latin America website: www.oit.org.pe/ipec/trata
- ▶ IPEC South-East Asia website: www.ilo.org/public/english/region/asro/bangkok/child/trafficking

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