



International
Labour
Organization

A shared responsibility

Workers organizations in the fight against the
commercial sexual exploitation of children and
adolescents

International
Programme
on the Elimination
of Child Labour
(IPEC)

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IPEC

A shared responsibility: Workers organizations in the fight against the commercial sexual exploitation of children and adolescents

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// The involvement of boys, girls and adolescents in the sex industry cannot be considered a valid form of income. On the contrary, it is a form of abuse, economic exploitation and a crime //

Commercial sexual exploitation of children and adolescents

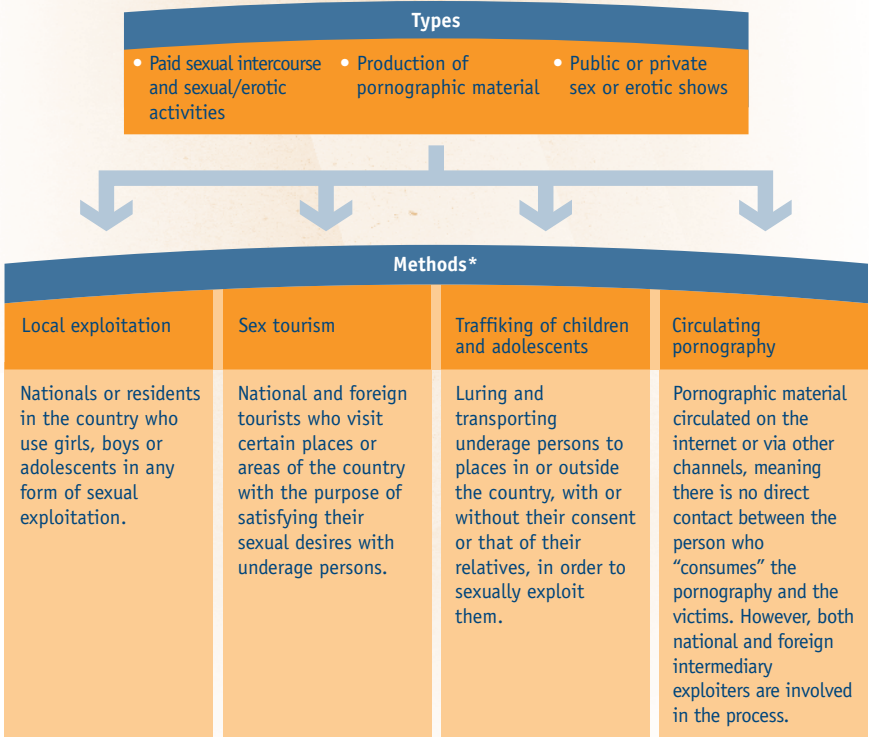
The ratification of ILO Convention No. 182 on the worst forms of child labour by all countries in Central America has contributed to advancing the fight against the commercial sexual exploitation of underage persons due to the fact that, through this international instrument, ILO member States, employers' organizations and workers' organizations have committed to adopting an active and forceful role in preventing, punishing and dealing with this form of sexual violence.

Thousands of children and adolescents are currently caught in the clutches of commercial sexual exploitation, which is one of the most severe violations of human rights, given that almost all rights are violated, in particular, the rights to education, health, living with a family, justice, State protection, healthy development, and sometimes even the right to life.

This form of economic exploitation, similar to slavery and forced labour, occurs when:

a person uses or lures a person under 18 years of age into sexual, erotic or pornographic activities in order to satisfy the interests and desires of other individuals, or their own, with promises of a monetary reward, payment in kind (clothes, food, accommodation, etc.

The types and methods of commercial sexual exploitation of underage persons are:



* The different methods of exploitation depend on the place of origin of both the exploiter and the underage person.

CAUSES

The commercial sexual exploitation of children and adolescents is a complex and multicausal phenomenon; however, there is worldwide consensus that the causes of the problem are socio-cultural, economic and institutional. Among the main causes of sexual exploitation are:

- **Economic:** the commercial exploitation of bodies and images of boys, girls and adolescents for commercial sexual purposes; the existence of organized and, in some cases, family networks or next of kin, who profit and obtain substantial incomes from this “business”; the sex tourism boom; the inappropriate use of technological advances in, for example, the worldwide distribution of child pornography, and consumerism. It is worth noting that poverty itself does not generate or lead to exploitation, but, rather, constitutes a risk factor that, coupled with other situations such as the weakening of family ties, makes the person more vulnerable to being lured into the sex trade.
- **Institutional:** social and legal impunity of the exploiters; weak child and adolescent protection systems.
- **Socio-cultural:** gender discrimination; sexist and patriarchal behaviour patterns, in particular, a male sexuality construct based on the idea of women and underage persons as objects or goods that are at their disposal; social tolerance and indifference towards violence and abuse of people in less powerful positions.

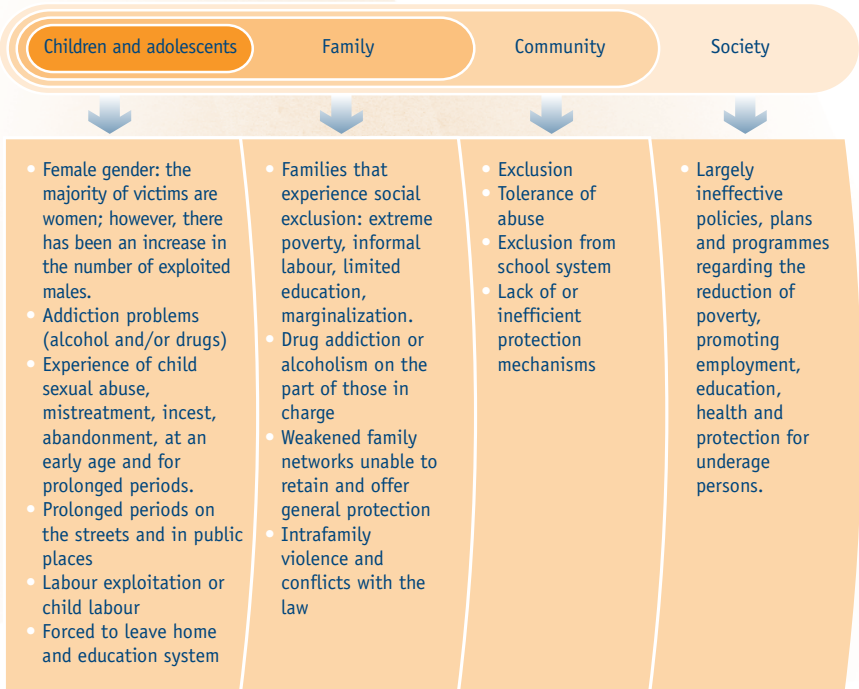
RISK FACTORS AND VULNERABILITY

Risk factors are individual or circumstantial characteristics that make boys, girls and adolescents more vulnerable to sex exploiters.

Some of the conditions that make girls, boys and adolescents more vulnerable to being lured into sexual exploitation networks are:

CONSEQUENCES

Every aspect of the lives of the girls, boys and adolescents who are victims suffers as a result of commercial sexual exploitation. Some of the more marked consequences are:



- **Physical:** early and unwanted pregnancies, sexually-transmitted diseases, HIV/AIDS, addiction to alcohol or other drugs, injuries caused by physical and sexual violence, or even death.
- **Emotional:** psychological violence, loss of self-esteem, guilt, sadness, mistrust, helplessness, suicide attempts and self-mutilation, depression.
- **Social:** humiliation, stigmatization, rejection and blame by society, marginalization and social exclusion.
- **Loss of opportunity for future wellbeing**

“THEY ARE PROSTITUTES AND THAT’S THEIR JOB”

False: THEY ARE NOT PROSTITUTES; they are victims of a form of sexual abuse, because adults take advantage of their vulnerable condition. IT IS NOT A JOB; it is a form of economic exploitation because they do not benefit at all from this situation, and they endure much physical, social and psychological suffering.

“IT’S EASY WORK”

False: IT IS A FORM OF EXPLOITATION. The victims do not decide to be sexually exploited. They do not have the capacity to fully understand the consequences and implications of their actions, and that is why they deserve our protection.

“THEY ARE INVOLVED IN IT BECAUSE THEY LIKE IT”

False: these underage persons have been lured into the sex trade by exploiters and/or networks run by procurers. THEY ARE NOT INVOLVED IN IT BECAUSE THEY WANT TO BE OR BECAUSE THEY LIKE IT; they are victims of a modern form of slavery. They live under threat and suffer all kinds of abuse. The underage persons cannot consent to being exploited, nor do they renounce their rights.

“NOTHING CAN BE DONE ABOUT IT. THERE IS NO WAY OUT FOR THEM. NOBODY CAN HELP THEM”

False: COMMERCIAL SEXUAL EXPLOITATION IS A MATTER THAT CONCERNS ALL OF US AND WHICH WE SHOULD ALL BE COMMITTED AGAINST. The victims may be reintegrated into society if the state fulfils its obligation to create comprehensive programmes that respond to their varied needs. Economic support should be provided for the victims and their families, as well as legal and psychological aid, and education, and those who are over the minimum work age should be given training and job options that allow them to better themselves and overcome the situation they find themselves in. It is possible to have a positive impact on the lives of these girls, boys and adolescents in order to help them to build relations free of violence, and to learn to share, play and be happy.

“THE PROBLEM IS CAUSED ONLY BY TOURISTS”

False: CSE is an issue that affects all the countries and regions throughout the world. IT RESPONDS TO THE DEMAND OF LOCAL SEXUAL EXPLOITERS, both national and foreign. The problem is not caused only by tourism, since it is based on social and cultural factors that tolerate this social scourge.

Those responsible for commercial sexual exploitation

Those directly responsible for sexual exploitation are the people who profit from the children and adolescents:

- **The client-exploiters**

In the majority of cases, they are adult male nationals from any social class, who manipulate boys, girls and adolescents into having sexual intercourse or use them in sex shows, in exchange for monetary or any other form of payment. There are also client-exploiters who are foreigners.

- **The procurers**

These are the people who instigate, coerce, involve or lure the victims into sexual or erotic activities. There are both men and women who become exploiters in their eagerness to profit from these illicit acts.

- **The intermediaries**

Some taxi drivers, hotel owners and staff, hostels, massage parlours and photography studios, form part of the criminal activities by covering up and facilitating the sexual exploitation, in exchange for the financial profit they receive from the client-exploiters.

The underage persons involved in commercial sexual exploitation are not responsible or guilty of their situation. Even if they have given their consent, this cannot be accepted and is invalid because an underage person is not able to consent to an abuse committed against them.

Responsibilities of workers' organizations

The fight against the commercial sexual exploitation of children and adolescents requires the support of all sectors of society. There are at least three spheres of action in which an impact should be made jointly in order to eliminate the problem:

- ILO Convention No.182 on the Elimination of the Worst Forms of Child Labour
- Convention on the Rights of the Child
- Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Pornography and Child Prostitution
- OAS Inter-American Convention on International Trafficking in Minors
- 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 of whether they are boys, girls or adolescents; their nationality and their sex.
- The adults who are directly responsible for the exploitation should be punished by law and with sentences that are appropriate to the severity of the damages caused.
- It is the responsibility of the State to ensure the victims are protected.
- Persons under 18 years of age cannot consent to participating in commercial sexual activities; they cannot waive their right to protection.
- The boys, girls and adolescents have the right to live with their family. Their relatives are not guilty of the exploitation, unless a member of the family has become an abuser, exploiter, procurer or intermediary for exploitation.

- **Prevention:** to reduce the vulnerability of children and adolescents by promoting universal social policies and the elimination of the illicit economy that centres around sexual exploitation, and by generating a culture of social rejection of the exploiters.
- **Prosecution:** in order to put a stop to the existing problem the criminal responsibilities of the client-exploiters, procurers and intermediaries involved need to be established in order that society may ensure they do not continue to commit this crime.
- **Care:** for restoring the exercising of the human rights that have been violated in the case of these boys, girls and adolescents victims of exploitation, and supporting both them and their families in order that they may build a dignified life free of violence.

In this context, the role of the trade unions is fundamental in **prevention actions**, since they have the possibility of directly influencing the social policies that are designed and implemented in the country, thanks to their **power of negotiation**. Furthermore, their **capacity for convening, and the legitimacy they hold in the eyes of their members and of society** allows them to disseminate the **NO TOLERANCE** message for an activity that constitutes a violation of human rights.

Some of the actions that the workers' organizations can take on in order to contribute to the elimination of this problem are:

- **Placing the issue on the trade union agenda:** workers' organizations have a history of making the elimination of all forms of child labour one of its main priorities. Although commercial sexual exploitation of children is not an area where trade unions traditionally have play a role, they can make a difference by including concerns about this form of violence and severe economic exploitation against children and adolescents by putting it on their agenda.
- **Demonstrate the negative effects** at the social, economic and cultural levels that the sex trade's activities have on

boys, girls and adolescents, through **public declarations, demonstrations, pro non-violence** marches, and the signing of commitments regarding the problem.

- **Take part in discussions** for preparing and putting into practice **programmes of action** for eliminating commercial sexual exploitation. Moreover, watch over their effective implementation.
- **Analyze and make statements, from the trade union perspective, on the steps that governments have taken to combat commercial sexual exploitation of children and adolescents.** In accordance with the Declaration on principles and rights at work and their follow-up, governments regularly present a national report to the ILO on the legislative and political measures taken in order to implement Convention 182, which explicitly states that Members need to take urgent steps to combat commercial sexual exploitation. The trade unions may gather information on the situation of commercial sexual exploitation in order to compare data and the analysis presented by the government.
- **Inform their members of the problem** of sexual exploitation, the legislation on and their duty to report cases of exploitation, in particular the responsibility of public officials.
- **Support the tourism sector in drawing up and disseminating a code of ethics for preventing and penalizing sex tourism.** In the countries where these self-regulating actions exist, the codes of conduct involve training all those who work in this sector with a view to preventing them from consciously or unconsciously facilitating exploitation, as well as supervising the fulfilment of these codes. Taxi drivers, hotel staff, tourist operators, migration officials and other workers' groups form part of these efforts, and the trade unions can inform them of these efforts.
- **Continue to promote public policies at all levels aimed at the fair distribution of wealth and creating decent employment and a dignified income for families, based on**

the fulfilment of the fundamental principles and rights at work. One of the factors that make children and adolescent vulnerable is the situation of poverty in which their nuclear family lives. It is essential to take into account gender conditions when formulating and measuring the impact of these policies.

- **Promote and support actions aimed at reducing unemployment and creating decent sources of income in order that fathers and mothers with limited means of support** may also support their children without resorting to generating income within the framework of the “illegal economy” (theft, commercial sexual exploitation, selling drugs and other illegal forms of income-generating)
- **Strengthen the policies and actions aimed at gender equality** since commercial sexual exploitation is rooted in patriarchal society. In this sense, **opportunities for discussions on masculinity** may be created for the organization’s male workers in order that they may reflect on how to deal with their sexuality and the human rights of others. This is important for preventing members from committing exploitation crimes and being punished with a prison sentence due to ignorance of the law.
- **Sensitize, promote and supervise** the fulfilment of fundamental principles and rights at work and their importance for economic and social development.

Let us begin by reporting these crimes

Although there are many strategies for combating this problem, one of the most effective mechanisms for preventing exploitation is that of reporting it.

If you witness to a situation of commercial sexual exploitation

of a girl, boy or adolescent or if you suspect this crime is being committed, report it to the State Prosecutor, a specialized unit or any other legal branch competent in processing reports of these types of crimes.

YOU MAY REPORT THEM TO:

Belize:

- Department of Human Services
Belize City, Belize:
Tel: 227 7451 or 227 7452
Fax: 227 1276
- National Committee for
Families and Children (NCFC):
223 0059

Guatemala

- Policía Nacional Civil: 110 y
120
- Juzgados de Paz y Juzgados
de Instancia de Niñez y
Adolescencia: PBX 2248 7000
- Fiscalía de Niñez y
Adolescencia: 2230 6037
2220 5577 / 2230 5579
- Oficina de Atención
Permanente del Ministerio
Público: PBX 2411 9191.
Ext. 1015

El Salvador

- Policía Nacional Civil: 911
- División de Servicio Juveniles
y Familia de la PNC:
2279 3262
- Departamento de Trata de
Personas de la PNC:
2298 3168 / 2298 3177
- Fiscalía General de la
República:
 - Unidad de Delitos contra el
Menor y la Mujer:
2346 0824 / 2523 7210
2523 7211
 - Unidad de Trata de
Personas: 2223 4891
 - Dirección General de
Migración y Extranjería:
2555 7777

Honduras

- Ministerio Público:
 - Fiscalía Especial de la Niñez: 221 3099 / 221 5620
 - Fiscalía de Turno: 237 6830 237 6908
- Secretaría de Seguridad – Policía Nacional:
 - Dirección General de Investigación Criminal (DGIC): 225 5764 225 5882 / 225 5428 225 5505
 - Dirección contra el abuso, tráfico y explotación sexual infantil (DATESI): 220 5374

Nicaragua

- Ministerio de la Familia: 133
- Comisarías de la Mujer, Niñez y Adolescencia (Policía Nacional): 118
- Ministerio Público: 255 6800
- Procuraduría para la Defensa de los Derechos Humanos: 266 3257 / 266 3258 268 2789

Costa Rica

- Emergency line: 911
- OIJ, Sección de Delitos Sexuales: 2295 3315 2296 3316
- Fiscalías de Delitos Sexuales y Violencia Doméstica: 2295 3554 / 2295 4951

Panama

- PTJ – Centro de Recepción de Denuncias: 262 6979 512 2232
- Policía Nacional: 104
- MIDES: Help line: 147

Dominican Republic

- Departamento contra el Tráfico Ilícito de Migrantes y Trata de personas de la Procuraduría de la República (Santo Domingo y Santiago): 1 809 200 7393
- Unidad de Violencia de Género y Abuso Sexual de la Procuraduría Fiscal del Distrito Nacional: 809 533 6668
- Línea de Auxilio: 1 200 6767

There is an urgent need for all sectors of society to take immediate and effective measures to ensure the prevention, prohibition and elimination of commercial sexual exploitation of children and adolescents.

The ILO is participating in this fight in Central America, Panama and the Dominican Republic by supporting these countries in the implementation of Convention No. 182 on the elimination of the worst forms of child labour.

The ILO believes that commercial sexual exploitation is a crime similar to slavery and forced labour; it recognizes the right of girls, boys and adolescents to be protected against this type of sexual violence and urges the search for, prosecution, and penalization of those who are involved in using and recruiting boys, girls and adolescents into commercial sexual activities.

“Persons under 18 years of age who are involved in commercial sexual activities are not child sex workers. They are victims of a form of sexual violence”

This leaflet describes the characteristics, causes and consequences of commercial sexual exploitation of children and is directed at workers’ organizations throughout Central America, including both trade union leaders and their respective unions, with the aim of creating an alliance in the fight against this crime against children.

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