



# THEIR PROTECTION IS IN OUR HANDS

THE STATE OF GLOBAL CHILD  
TRAFFICKING FOR SEXUAL PURPOSES



## ACKNOWLEDGEMENTS



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## The State of Global Child Trafficking for Sexual Purposes

This Global Report was compiled by a number of ECPAT International Secretariat staff (Alessia Altamura, Sendrine Constant, Patchareeboon Sakulpitakphon, Vimala Crispin, Manida Naebklang, Mark Capaldi and Carmen Madriñan).

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<b>PREFACE</b>	
<b>PREFACE BY THE BODY SHOP CEO</b>	<b>4</b>
<b>PREFACE BY ECPAT INTERNATIONAL PRESIDENT</b>	<b>5</b>
<b>INTRODUCTION</b>	<b>6</b>
<b>CHAPTER 1 – SEX TRAFFICKING OF CHILDREN - A GLOBAL OVERVIEW</b>	<b>8</b>
1.1. UNDERSTANDING CHILD TRAFFICKING FOR SEXUAL PURPOSES	8
1.2. SCALE OF THE PROBLEM: GLOBAL NUMBERS AND TRENDS	9
1.3. THE IMPACT OF THE ECONOMIC CRISIS	10
1.4. REGIONAL FLOWS, ROUTES AND CHANGES IN GEOGRAPHICAL PATTERNS	12
1.5. DOMESTIC VS. CROSS-BORDER TRAFFICKING	18
1.6. WHERE DOES IT START? MAPPING FACTORS MAKING CHILDREN VULNERABLE	20
1.7. PROFILING CHILDREN TRAFFICKED FOR SEXUAL EXPLOITATION: MAIN DEMOGRAPHIC CHARACTERISTICS	24
1.8. HOW ARE CHILDREN RECRUITED INTO TRAFFICKING FOR SEXUAL EXPLOITATION AND BY WHOM?	25
1.9. THE RULE OF LAW: PROGRESS AND REMAINING CHALLENGES	29
1.10. INTERNATIONAL LEGAL STANDARDS FOR PROTECTING CHILDREN FROM TRAFFICKING	30
1.11. CONCLUSION	32
<b>CHAPTER 2 – A CHILD’S JOURNEY TO SEX TRAFFICKING - TRAJECTORY OF INTERVENTIONS</b>	<b>33</b>
2.1. PREVENTION	33
2.2. PROTECTION	36
2.3. CARE AND REHABILITATION OF VICTIMS	39
2.4. CHILD AND YOUTH PARTICIPATION	43
2.5. CONCLUSION: THE IMPORTANCE OF A HOLISTIC AND INTEGRATED APPROACH	49
<b>CHAPTER 3 – SECURING A SAFER WORLD FOR CHILDREN - GLOBAL GOALS AND TARGETS</b>	<b>50</b>
3.1. FULFILLING COMMITMENTS TO OUR CHILDREN	50
3.2. GOAL 1	53
3.3. GOAL 2	54
3.4. GOAL 3	56
3.5. CONCLUSION: REALISING THE RIO DE JANEIRO DECLARATION AND PLAN FOR ACTION AGAINST SEXUAL EXPLOITATION OF CHILDREN AND ADOLESCENTS	58



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## **PREFACE FROM SOPHIE GASPERMENT, CHIEF EXECUTIVE OFFICER OF THE BODY SHOP INTERNATIONAL**

The Body Shop is the original natural and ethical beauty company. We create products using the finest natural ingredients sourced directly from communities all over the world. We run our business based on a belief that we can be both profitable and a force for positive social and environmental change. Our campaigns are at the forefront of our way of doing business.

Campaigning is not new to The Body Shop. For over twenty years, we have demonstrated our commitment to raising awareness and calling for change on many important social and environmental issues. Our campaign philosophy is based on the belief that change will only come when decision makers are informed and inspired to act in ways which deliver long lasting, permanent solutions. Through more than 2,500 stores in 64 countries, we can speak to millions of customers and make our collective voice heard where it will have the greatest impact.

We are pleased to be working with our new global partner, ECPAT International to launch the Stop Sex Trafficking of Children and Young People campaign.

Our original inspiration for the campaign came from The Body Shop Founder, the late Dame Anita Roddick, who in 2007, took great interest in the issue of human trafficking. Anita's passion and determination to make a difference led us to investigate the issue and discover the extent to which children and young people were affected. Despite the alarming number of children exposed to unimaginable acts of cruelty in every region and country in the world, public awareness appeared extremely low. It was clear the international community should be doing much more to protect children and young people.

For these reasons, we first approached ECPAT International to explore how we could use our respective organisational skills, knowledge and resources to work together to create change. Since our first meeting, we have spent a great deal of time listening and learning about the issue from the many experts within their global network and sharing our own experiences about our business and our campaigns. Our partnership led us to share a platform at the World Congress III against Sexual Exploitation of Children and Adolescents in Brazil in 2008, when we presented the campaign and announced our intention of creating this important global report for the first time.

We created the report for three reasons. Firstly, to provide a comprehensive, up to date briefing on the situation facing children and young people so that key stakeholders will be able to access reliable, accurate information to inform their work. Secondly, awareness of the prevalence of child trafficking for sexual purposes remains low both in the media and among many consumers and decision makers. The report will, we hope, enable those unfamiliar with the issue to start engaging in the fight against this terrible violation of children's rights. Thirdly, and finally, we wanted to proclaim that there is real cause for hope. By taking determined, systematic action we shall go a long way together towards stopping the Sex Trafficking of Children and Young People.

As we launch the campaign and start speaking out to a global audience of millions, I believe the dedication and determination of all The Body Shop employees will capture the hearts and minds of our customers and ensure that their call for change is heard and our campaign objectives become a reality.

A handwritten signature in black ink, appearing to read 'Sophie Gasperment', with a horizontal line underneath.

Sophie Gasperment, Chief Executive Officer, The Body Shop International



## PREFACE FROM MAUREEN CROMBIE, PRESIDENT OF ECPAT INTERNATIONAL

One of the most intolerable forms of violence is one perpetrated against our children. The criminals who are involved in trafficking children for sexual purposes inflict extreme violations of physical and emotional abuse which jeopardise the lives of millions of our children in all countries of the world. Our governments have the primary responsibility to safeguard and guarantee the basic rights of the child to protection from atrocities such as sexual exploitation. As such, the time has come for us to question when these commitments to stop child trafficking will be fully honoured by governments.

As a global network working in over 75 countries “to encourage the world community to ensure that children everywhere enjoy their fundamental rights, free and secure from all forms of sexual exploitation”, ECPAT International believes that this vision will only be achieved when all of society demonstrates zero tolerance for such abuses. This is why we are extremely pleased that The Body Shop, a private sector enterprise that has always shown a strong commitment to the promotion of social causes and human rights, has joined hands with us to mobilise wide public support for the realisation of a common vision of a safe world for children. This unique global partnership between ECPAT International and The Body Shop demonstrates that even when a business is not directly affected by a problem such as child trafficking, it can use its position to help bring change in the destiny and lives of millions of children worldwide. The long history of The Body Shop campaigns on social justice along with ECPAT International’s demonstrated global experience of protecting children from commercial sexual exploitation, is thus combined in this campaign to extend the voice and reach of a call to action that can bring long lasting change to ‘Stop Sex Trafficking of Children and Young People’.

In 1996, ECPAT International was a key protagonist in bringing about the first World Congress against Commercial Sexual Exploitation of Children (held in Stockholm, Sweden), which galvanised the world’s attention to the problem. Twelve years later as we co-organised the World Congress III in Rio de Janeiro, Brazil in late 2008, it was clear that much more concerted and comprehensive action is urgently needed as the effectiveness of measures in addressing specifically the trafficking of children for sexual purposes still remains too limited. The campaign “Stop Sex Trafficking of Children and Young People” will contribute to addressing this problem by drawing the attention of policy makers, public opinion, civil society organisations and other concerned stakeholders to the need for specialised responses to the complex phenomenon of child trafficking for sexual exploitation. While the initiative will contribute to raising awareness on this particular violation of children’s rights, it also aims to catalyse policy change and concrete action for greater protection of child victims and children at risk. The work at a global level will be reinforced and supported by the myriad of activities to be conducted at national and local levels. The ECPAT groups and The Body Shop markets will ensure that the interventions being carried out throughout the campaign period are tailored to the specific needs of those children experiencing harm or are at risk of child trafficking.

The report “Their Protection Is in Our Hands: The State of Global Child Trafficking For Sexual Purposes” presents an overview of the issue worldwide. The report points to a seemingly increasing number of children being trafficked for sexual purposes, many within the borders of their own countries, and provides an outline of the range of interventions and measures that must be implemented to prevent and stop the problem. With this initial baseline report and throughout the campaign, ECPAT International and The Body Shop will be monitoring State actions to fight child sex trafficking and will expose, in a final report, the progress made by governments across the world - as well as the gaps remaining - in ensuring the child’s right to protection from sexual exploitation.

The Body Shop and ECPAT International campaign is implemented with the firm belief that we can all make a difference in stopping trafficking of children for sexual purposes. By joining efforts and reaching out, we can create a united front so that these serious violations against children’s lives and dignity will no longer be tolerated and children can live free from sexual exploitation.

Maureen Crombie, President, ECPAT International



## INTRODUCTION

An estimated 1.2 million children are trafficked worldwide for sexual exploitation, including for prostitution or the production of sexually abusive images, as well as to be used as cheap labour.<sup>1</sup> Among the total victims of the global trafficking of human beings (which is believed to generate billions of US dollars annually), children count for over 20%.<sup>2</sup> To some, this may appear as a phenomenon mostly concerning less developed countries, but the fact is, even if many victims may originate from relatively underprivileged areas, these children are trafficked for sexual exploitation in or through virtually all countries in the world to meet the sexual desires of a large number of exploiters and abusers, and financial gain for traffickers.

Children have been afforded special rights by the UN *Convention on the Rights of the Child*, the mostly widely adopted international treaty to protect children in recognition that, due to their development stages, they need to receive particular attention and care and to be protected from very specific risks of abuse and exploitation. Unfortunately, despite commitments to addressing and preventing any form of violence against children and to upholding their rights that have been taken by almost all countries in the world, promises made have not yet been transformed into concrete and tangible actions and changes in the lives of children. This in turn results in the most horrific violations and heinous crimes, such as the recruitment and movement of a child from his or her place of origin to an environment where he or she is regularly subjected to sexual violence and exploitation.

Ensuring that children are protected from criminal practices which demean and threaten their full and harmonious development is primarily a State's duty, but it is also a shared responsibility of the entire society, at all levels, in order to secure a safe world for children everywhere. Living in a global environment of increased interconnectedness, it is also necessary for all actors of society to work together to prevent these horrific crimes against children and to combat trafficking of children for sexual purposes at various levels, from policy changes to actions that have a direct impact on the lives of vulnerable children and child victims.

The Body Shop has long been known for its campaigning on a range of social issues that other companies have not addressed. The Body Shop's passion for justice and social and human rights concerns has led it to campaign on issues where they believe they can make the biggest difference around the world. They now seek to launch a global campaign to shed light on this under-reported problem that affects the lives of millions of children and families every year. Through their campaigns, The Body Shop® stores reach out to their customers to inform them of the problem; they mobilise long-term changes for children by taking action, calling on decision-makers to guarantee the rights of all children to be protected from sexual exploitation and trafficking. The Body Shop chose ECPAT International as its global campaign partner.

**Through their campaigns, The Body Shop® stores reach out to their customers to inform them of the problem; they mobilise long-term changes for children by taking action, calling on decision-makers to guarantee the rights of all children to be protected from sexual exploitation and trafficking.**

The campaign also responds to the urgent call for action that was an outcome of the World Congress III against Sexual Exploitation of Children and Adolescents held in Rio de Janeiro, Brazil, in November 2008, where various representatives from governments, non-governmental organisations (NGOs), United Nations agencies, academics, child and adolescent activists, academics, and the private sector (including The Body Shop) agreed to take concerted action and adopted the *Rio Declaration and Plan of Action* outlining specific measures to be undertaken to enhance the protection of children and combat their sexual exploitation, including child sex trafficking.

For this global campaign, The Body Shop has entered into a partnership with ECPAT International, the only international network specifically focusing on combating all forms of commercial sexual exploitation of children, including the trafficking of children for sexual purposes, and one of the main co-organisers of the World Congress III. ECPAT International and the 81 member groups that are part of its network in 75 countries seeks to encourage the world community to ensure that children everywhere enjoy their fundamental rights, free and secure from all forms of commercial sexual exploitation. As a global network, ECPAT International works in collaboration with various partners for the elimination of child prostitution, child pornography and the trafficking of children for sexual purposes.

1. UNICEF, 2007. [http://www.unicef.org/media/media\\_40002.html](http://www.unicef.org/media/media_40002.html)

2. UNODC, 2009. <http://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>

ECPAT International is supporting this global campaign to ‘Stop the Sex Trafficking of Children and Young People’ through ongoing international and national advocacy activities conducted over the course of the three-year campaign. These activities will include regular and ongoing monitoring of States’ actions to combat child sex trafficking, supported and facilitated through the development of a structured database. The database will assess progress towards States’ commitments to ensuring the protection of children from all forms of sexual exploitation. The campaign will also be supported through regular releases of position papers, briefing notes and news alerts to capture and maintain the attention and focus of decision-makers on the high priority issues concerning child sex trafficking. There will also be specific lobbying and advocacy activities in conjunction with particular international and regional events and platforms for raising concerns and highlighting the problem. The ECPAT International network will also be instrumental in proactively contributing to an effective implementation of the campaign ‘Stop Sex Trafficking of Children and Young People’ in all the partner countries and supporting local advocacy activities and direct assistance to child victims of trafficking.

This report “Their Protection is in Your Hands: The State of Global Child Trafficking for Sexual Purposes” constitutes the first step of this global advocacy strategy through the compilation of specific baseline information and assessment of progress achieved by States in ensuring the protection of children from sex trafficking. The report provides an overview of the trends and manifestations of child sex trafficking across regions and the various combinations of factors putting children at risk of falling prey to the traffickers. It also examines the types of interventions and good practices that are necessary to prevent, protect and assist children in the trafficking process and proposes global goals and targets for securing a safer world for children.

**For the first time, a targeted and specific database is being established that assesses and grades country goals and commitments to stopping child sex trafficking. Through the three years of the ‘Stop Child Sex Trafficking’ campaign, a country-by-country score card assessment system will track internationally agreed goals and targets.**

In this report, and in agreement with the UN *Convention on the Rights of the Child*, we use the term “children” to refer to anyone under the age of 18. In our campaign title and materials, this is also referred to as “children and young people.”

By 2012, the results of the global monitoring of states’ actions to protect children from trafficking for sexual purposes will be documented in a final report. The Body Shop and ECPAT International will present the report to the UN Human Rights Council and in particular to the relevant UN Special Rapporteurs.

## CHAPTER 1

# SEX TRAFFICKING OF CHILDREN - A GLOBAL OVERVIEW

This chapter details:

- **Global figures and trends of child trafficking for sexual exploitation, highlighting the increasing incidents of children involved and the potential expansion of the sex trade as a result of the present worldwide economic crisis;**
- *The growing acknowledgement and detection of internal trafficking (within a country's borders) and the main routes and changes in geographical patterns of international trafficking (across borders) in the different regions of the world;*
- **The wide spectrum of push and pull factors behind child sex trafficking and a profile of children trafficked into the sex market (with a focus on age and gender);**
- *The various ways used to recruit children and the range of actors involved in trafficking children, including organised crime; and*
- **Analysis of progress made in the last few years in terms of legislation and law enforcement and identification of the main challenges that still need to be addressed in this area.**

### Article 3 – Trafficking Protocol

**The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means that define trafficking in adults.**

The trafficking in children for sexual purposes is a multifaceted violation of children’s rights and a challenge to address, largely due to the nature of the crime, its hidden form and to the numerous ramifications it involves. Numbers of the victims are mere estimates taken from the human trafficking numbers, the numbers of victims identified or traffickers prosecuted. These are likely to be only the tip of what is a much more complex global problem. While a lot of attention has focused on cross-border trafficking, it is now clearly being demonstrated that children are moved within a country to be sexually exploited and this is not yet adequately addressed by the concerned agencies. Children may also be trafficked for various reasons, including labour, begging, committing petty crimes or others and become victims of sexual exploitation as a result of these other exploitative practices.

Unlike adults, children do not yet have the maturity to fully comprehend all acts and decisions they make and therefore may be easier targets for traffickers who can trick them with false promises, manipulate them and control them more easily. Traffickers have developed various ways to recruit children and those involved in trafficking children are numerous and come from various backgrounds, although it is often more likely that they are persons from the same ethnic or national background or in some cases even familiar to the child, such as a neighbour or extended family member. Families, criminal networks, clients of prostitution or even some private sector companies that are used to facilitate the transport and harbour of child victims, compose the wide range of intermediaries, traffickers and exploiters who contribute to the trafficking of children for sexual purposes worldwide. Responses to combat child sex trafficking must therefore ensure that the entire process of combined acts and intermediaries leading to a child being trafficked and sexually exploited must be adequately criminalised. However, in spite of significant progress achieved in recent years to improve legislation, many countries still fail to provide a comprehensive framework of protection for children, and criminal convictions of traffickers do not reflect the severity and the scale of the problem.

## 1.1. UNDERSTANDING CHILD TRAFFICKING FOR SEXUAL PURPOSES

In the past decade, new international laws and protocols have provided a comprehensive framework to deal with child trafficking for sexual purposes. One of the most important international instruments regarding trafficking is the UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol)*.

This instrument, currently ratified by 124 States,<sup>3</sup> provides a standard definition of child trafficking, identified as a process where a child (who is defined as a person under 18 years of age) is recruited, transported, transferred, harboured or received for the purpose of exploitation, even if the child consented to these actions. The irrelevance of the consent of the child constitutes an important difference with the trafficking of adults, the latter of which requires the use of coercive means or trickery in order to consider them as victims of trafficking. When children are involved, it is recognised that due to their age and developmental stages, they cannot be considered willing participants to their own trafficking. In the specific case of child sex trafficking, this means that every time children are recruited, transported, etc., for sexual exploitation, including prostitution, the production of pornography and forced marriage, they should be considered as victims and afforded the necessary protection.

3. As of 14 April 2009 – See <http://www.unodc.org/unodc/en/frontpage/member-states-invited-to-deposit-ratification-instruments-for-crime-corruption-and-terrorism.html>



The *Trafficking Protocol* definition refers to cases when a child is trafficked either within a country (often referred to as internal or domestic trafficking) or across borders from one country to another. Whilst there may be different interpretations of trafficking, it is important to highlight that the notion of movement from one place to another is what distinguishes trafficking from other forms of sexual exploitation, such as some forms of prostitution, for instance. The movement has particular implications in terms of the type of needs and specific assistance required for child victims of trafficking who are exploited in an unfamiliar environment where they may have no reference point or person to turn to.

## TRAFFICKING VS. SMUGGLING

**Smuggling of migrants refers to the procurement, in order to obtain, directly or indirectly, a financial or other benefit, of the illegal entry of a person into a State [...] While smuggling does not inherently involve exploitation, smuggled persons are often at risk of injury or death. Trafficking on the other hand, specifically targets the trafficked person as an object of exploitation and inherently involves a violation of human rights.**

Stefánsson, Gudmundur Ámi. *The fight against Children Trafficking*. Nov 2004.

## 1.2. SCALE OF THE PROBLEM: GLOBAL NUMBERS AND TRENDS

Despite the large number of studies on human and child trafficking that have been published over the last few years, providing global statistics and identifying worldwide trends, specifically on child trafficking for sexual exploitation, is difficult.

In 2002, the International Labour Organisation presented a global figure, often cited, indicating that 1.2 million of the children involved in the worst forms of child labour, had been trafficked.<sup>4</sup> While this estimate has been repeated by several agencies in various reports, it does not quantify the number of children trafficked for sexual exploitation, as it refers to children trafficked for the various worst forms of child labour, of which sexual exploitation is only one element.

The available estimates and statistics refer mainly to human trafficking as a whole or collate women and children, without disaggregating data on the basis of age, gender or type of exploitation. The collection of specific data broken up by age and other relevant type of information is essential in order to guide policies and programmes and help governments focus their anti-trafficking efforts to better address the needs and rights of all the children trafficked.

**79% OF ALL GLOBAL  
TRAFFICKING IS FOR  
SEXUAL EXPLOITATION**

Data analysis and comparison is further complicated by the lack of a common understanding of the term “trafficking”. States have adopted different legislation with different definitions of trafficking in persons and have tended to limit data collection to cases of transnational trafficking, thus ignoring the magnitude of domestic trafficking, especially when children are involved. Confusion also exists between trafficking in persons and smuggling of migrants among concerned agencies. In addition, the illegal and clandestine nature of the trafficking in children, and the fact that this is a very under-reported crime with few victims being identified and receiving assistance, makes it difficult to draw a reliable picture of child sex trafficking and its dimension.<sup>5</sup>

It is equally difficult to assess the global percentage of minors being trafficked for sex. According to numbers recently released by the United Nations Office on Drugs and Crime, 79% of all trafficking worldwide is for sexual exploitation and the victims used for this purpose are predominantly women and girls. Similar concerns have been raised in the Philippines, Cambodia and other Asian countries.<sup>6</sup>

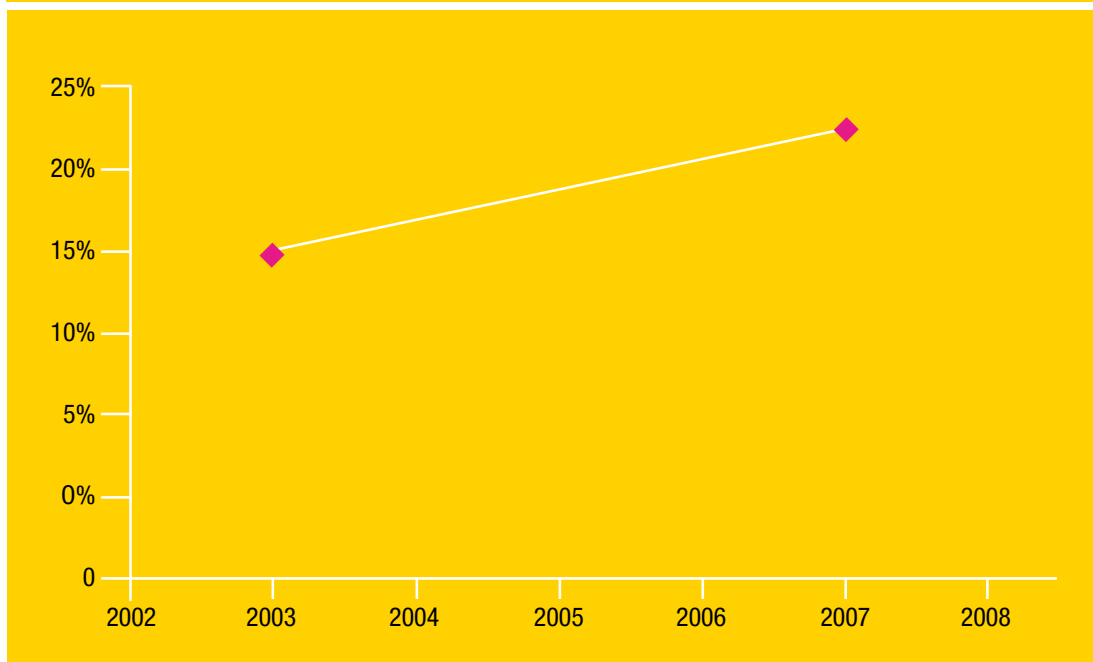
**Among identified cases, the proportion of minors involved in all forms of human trafficking has increased between 2003 and 2007 from about 15% to nearly 22%.<sup>7</sup>**

UNODC, *Global Report on Trafficking in Persons*, 2009, available from: <http://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>

The rise in numbers of trafficked children identified is particularly alarming and poses new challenges to child protection agencies. If from one side this can be the result of positive factors, such as a more widespread adoption and implementation of specific legislation on child trafficking, or of a better capacity to identify child victims, on the other side this growing trend shows that traffickers continue to go unpunished for their crimes, and that demand for sex services and/or labour from children continues unabated.

4. ILO 2002 <http://www.ilo.org/pecinfo/product/product/download.dotype=document&id=742>  
5. Dottridge, Mike. *Child Trafficking for Sexual Purposes*. ECPAT International. Bangkok. 2008. PP. 17-18.  
6. UNODC, 2009, see: <http://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-ersons.html>.P.6  
7. *Ibid.*, P.49

**Figure 1: Percentage of children among identified victims of trafficking**



UNODC, 2009, see: <http://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html> P49

### **1.3. THE IMPACT OF THE GLOBAL ECONOMIC CRISIS ON CHILD TRAFFICKING FOR SEXUAL PURPOSES AND ANTI-TRAFFICKING EFFORT: WILL THE SEX TRAFFICKING IN CHILDREN FURTHER INCREASE?**

With the current worldwide economic downturn, a number of anti-trafficking agencies and analysts have begun to look at the potential impact of the recession on the phenomenon of human trafficking. In Eastern Europe, for example, government officials and international organisations have warned of a possible increase of the problem as a result of the present financial crisis.<sup>8</sup> Similar concerns have been raised in the Philippines, Cambodia and other Asian countries.<sup>9</sup>

**Despite the fact that the extent of the crisis will vary according to geographical region, country and the type of policy responses that governments will put in place, some alarming negative effects are likely to occur across different contexts, affecting the well-being of children and increasing their exposure to trafficking for sexual exploitation:**

8. J. Lowry, Eastern Europe: human trafficking "set to rise". 12 March 2009. Accessed on 6 May 2009 from: <http://us.oneworld.net/article/361063-human-trafficking-eastern-europe-set-rise>

9. PHILIPPINES: Concerns grow over human trafficking as financial crisis deepens. 15 March 2009. Accessed on 6 May 2009 from: <http://africanpress.wordpress.com/2009/03/15/financial-crisis-is-causing-hinches-over-human-trafficking/>; L. Cochrane, Warnings Financial Crisis Could Prompt Human Trafficking. 21st March 2009. Accessed on 6 May 2009 from: <http://asiacalling.kbr68h.com/index.php/archives/2542>.



- **Poverty, which is one of the main push factors behind child trafficking, will grow significantly. According to the World Bank, in 2009, 65 million people will fall below the \$2-a-day poverty line and 53 million will be pushed below the level of absolute poverty, which is \$1.25 a day.<sup>10</sup> This widespread impoverishment is already being accompanied by a fall in world exports, a rise in unemployment and consumer prices, returns of unemployed migrants to countries of origin and a decline in remittances, with the consequent deterioration of living conditions of entire households, thus making them more vulnerable to trafficking.**
- To protect the local labour market, some governments tend to adopt more restrictive immigration policies towards foreign workers which in turn results in more irregular migration and strengthening of the informal labour market.<sup>11</sup> This situation further exacerbates vulnerability to unsafe migration and trafficking not only for adults but also for young people, who may decide to leave on their own to support their families.
- **In a national economic crisis, budget spending for social services, child protection and child care often decreases. Educational attendance usually declines, while lower parental incomes increase the value of the money that children can bring to the household budget if they work. Feeling the pressure of the family and the need to assist bringing in income, children may be easily propelled into exploitative situations, including the sex trade.**
- As shown by previous downturns in Asia, the percentage of children living or spending a long time on the streets often increases. Similarly, violence against women and children, including sexual abuse and exploitation, usually rises under conditions of economic stress. Depression and violence in the household may impact on the emotional, physical and developmental well-being of children, leaving them without the necessary parental nurture and care and therefore increasing the risk that they would run away from home and be trafficked.<sup>12</sup>
- **It has been noted that past economic crises have had more negative consequences on women and girls' employment, "frequently leading to greater working hours and a move into riskier and lower status forms of employment, including commercial sex. [...] In some societies, resources to girls may be the first to be taken away",<sup>13</sup> which may lead, for example, to their dropping out of school.**
- The commercial sex market is also being affected by the recession, with "clients" of prostitution having less disposable income for buying sex either at home or during trips abroad. This could mean for many parts of the world, that the exploiters will look for "cheaper" options, and considering that the children trafficked and involved in prostitution (who are already in extremely vulnerable situations) have few options and little negotiation power, they may be pushed into even more exploitative situations, in an attempt to maintain their level of income.
- **Growing attention has also been given to the effects that the global financial crisis will have on development aid and anti-trafficking efforts. For this year, Britain's Overseas Development Institute has foreseen a fall in official aid of about a fifth and other countries such as Italy and Ireland are following the same pattern.<sup>14</sup> This reduction has much to do with the recession in donor countries but is also linked to the recent currency fluctuations. Existing pledges will be automatically decreased by exchange rate variations, especially in the case of European Union aid, which is affected by the strong devaluation of sterling and the Euro against the US dollar. The global financial crisis is also expected to have an impact on the work of many anti-trafficking agencies. With the cut in funding, projects addressing phenomenon of child sex trafficking are likely to be reduced in number and size, with the consequence that services to be provided to victims and beneficiaries of these programmes will decrease.<sup>15</sup>**

In light of this critical situation affecting the lives of millions of children and families and the likelihood that traffickers will take advantage by pushing more children into the sex industry, ECPAT International believes it is of the utmost importance that appropriate and comprehensive measures to face the economic crisis and ensure protection of children from their increased vulnerability to sex trafficking are designed and implemented as a matter of urgency. This requires not only the contribution of many actors - from government agencies to international organisations and the private sector - but also a prioritisation of the well-being of children in national and international agendas.

10. The toxins trickle downward. From <<The Economist>> print edition, 12 March 2009. Accessed on 6 May 2009 from: [http://www.economist.com/world/international/displaystory.cfm?story\\_id=13278585&CFID=46578828&CFTOKEN=85726850](http://www.economist.com/world/international/displaystory.cfm?story_id=13278585&CFID=46578828&CFTOKEN=85726850)

11. IOM. The impact of financial crises on migration. IOM Policy Brief. January 2009. P. 2. Accessed on 6 May 2009 from: [http://www.iom.int/jahia/webdav/shared/shared/main/website/policy\\_and\\_research/policy\\_documents/policy\\_brief\\_jan2009.pdf](http://www.iom.int/jahia/webdav/shared/shared/main/website/policy_and_research/policy_documents/policy_brief_jan2009.pdf)

12. C. Harper, N. Jones, A. McKay, J. Espey. Children in Times of economic crisis: past lessons, future policies. Background note. Overseas Development Institute. March 2009. P. 3. Accessed on 6 May 2009 from: <http://www.odi.org.uk/resources/download/2865.pdf>

13. Ibidem, P. 6.

14. The toxins trickle downward. From <<The Economist>> print edition, 12 March 2009. Accessed on 6 May 2009 from: [http://www.economist.com/world/international/displaystory.cfm?story\\_id=13278585&CFID=46578828&CFTOKEN=85726850](http://www.economist.com/world/international/displaystory.cfm?story_id=13278585&CFID=46578828&CFTOKEN=85726850)

15. AFESIP Laos. Feeling the credit crunch. 26 November 2008. Accessed on 6 May 2009 from: [http://www.afesiplaos.org/news\\_detail.php?rid=6&pid=10&aid=11](http://www.afesiplaos.org/news_detail.php?rid=6&pid=10&aid=11)



Countries can at the same time be sending, transit and receiving and evolve over time and this needs to be recognised when developing anti-trafficking measures. Existing research in different countries and regions have demonstrated that flows in child trafficking for sexual purposes are constantly changing due to various interrelated factors such as an expansion of local sex markets and demand for sex (including child sex-tourism), reinforced controls and law enforcement efforts, as well as political circumstances. Preferred routes vary depending upon visa requirements, the length and porosity of borders, the links among various trafficking networks and changes in the transport and communication sectors.

Many routes are used for trafficking children around the world. Some flows reflect nothing more than the geographical proximity of source and destination countries; others are more far-reaching. A global pattern substantiated by studies and some evidence suggests that most child trafficking for sexual exploitation takes place over short distances, either within regions and sub-regions or within a country.

**Most child trafficking for sexual exploitation takes place over short distances, either within regions and sub-regions or within a country.**

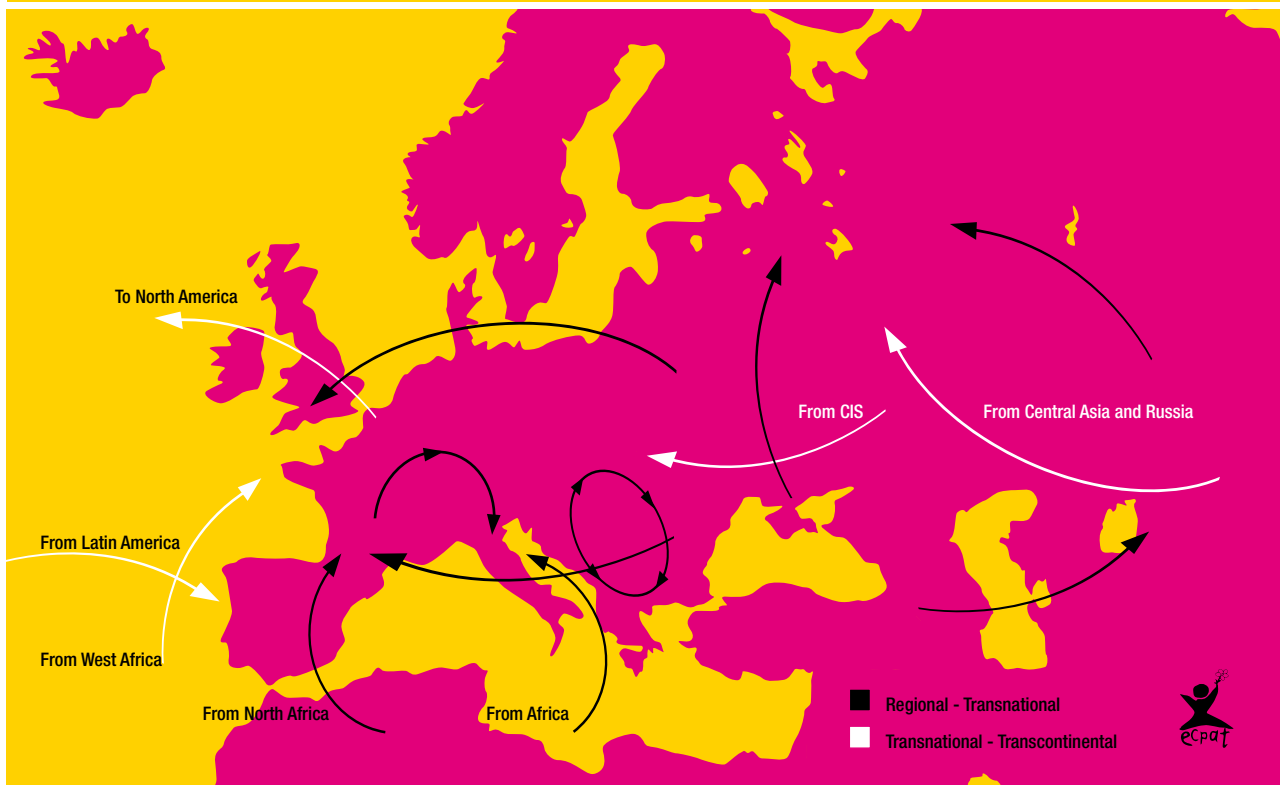
Trafficking children across continents requires the involvement of large-scale criminal networks across different countries and is generally more risky due to the stricter checks and travelling rules required when children and young people leave their own country. On the other hand, the existence of free movement agreements among countries in a region or sub-region, while creating possibilities for people to migrate legally and find job opportunities, may facilitate the transport of children within these areas, thus potentially increasing the risk for children to be trafficked.

An overview of region and sub-regions of origin and destination and an analysis of the main geographical patterns of children trafficked for sexual purposes around the world confirm all these elements.

### 1.4.1. Regional flows, routes and changes in geographical patterns: Europe

A major trend that was observed over the last years is that while child trafficking continues to go from Eastern to Western Europe, consistent flows within the European sub-regions also exist.

**Figure 3: Regional Flows: Europe**



- Almost all Western, Southern and Northern European countries are destinations for human trafficking, including child trafficking for sexual exploitation. Victims trafficked to these countries are reported to come from all major regions of the world (including East Asia, South America and West Africa, especially Nigeria) but mainly from Central and South Eastern Europe (Albania, Romania, Lithuania, Bulgaria, among others). Cases of child victims trafficked to Western Europe from CIS countries such as Ukraine, Moldova and Russia have additionally been identified.
- Child trafficking for sexual exploitation also occurs regionally in Central and South Eastern European countries, with the main destinations being Bosnia and Herzegovina, Czech Republic, Kosovo, Serbia and Montenegro, and Poland. Victims trafficked into this sub-region come from other South East European countries and Eastern Europe, as well as from the CIS.
- Finally, a large problem of child trafficking exists in Central Asian countries, with Central Asian countries being mainly a region of origin and Russia the main final destination.<sup>17</sup>

Several experts have stressed that the extension of the European Union to 27 members, with the inclusion of 12 new Southern and Central/Eastern European (CEE) states, has impacted on trafficking patterns. As was underlined already in 2004, “while the original fifteen member-states were countries of destination and transit and rarely of origin, many countries of CEE combine all three characteristics. With the borders of the EU moving further east, the European Union now constitutes more countries of origin, and trafficking has thus become a true problem.”<sup>18</sup> While accession to the EU will likely result in better cooperation between Eastern and Western countries, increased opportunities to migrate legally and a process for new member states to align their legislation to the EU standards, it is generally expected that there will be a shift in the roles of the countries that have become the new EU border States, especially after they will join the Schengen area. Most probably countries such as Poland and Czech Republic or Slovakia will be predominately transit, and to a smaller degree, destination countries in the EU.<sup>19</sup>

17. UNODC, *Trafficking in Persons Global Patterns*, UNODC, 2006, pp. 94-95.

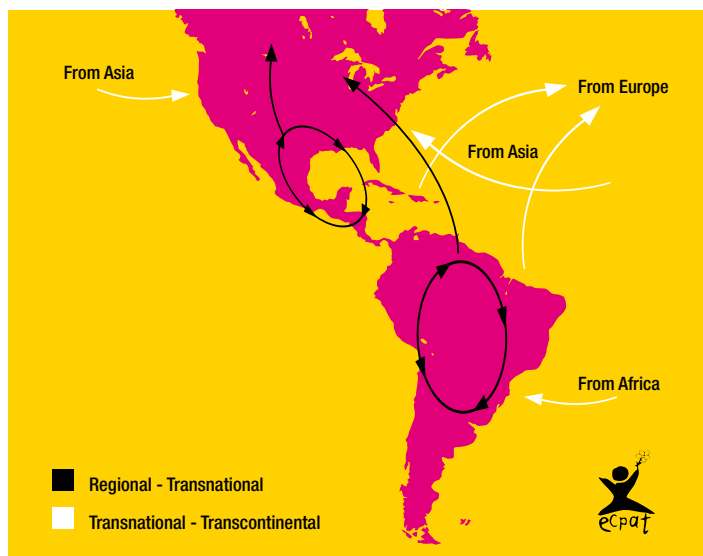
18. Ngalkpima Matiada, *Sexual slavery : Challenge to Europe*, Fondation Scelles, Paris, 2005, p.25.

19. *Reigning in child trafficking in the new EU*, 2 July 2004, accessed on 25 March 2009 from: <http://www.euractiv.com/en/security/reigning-child-trafficking-new-eu/article-128554>

### 1.4.2. Regional flows, routes and changes in geographical patterns: Americas

Efforts to map trafficking routes in the Americas have been promoted in a number of countries, including Brazil, Costa Rica, Argentina, Chile and Colombia. While detailed information about the geographical patterns identified has not been released for security reasons, data from these mapping exercises and from studies on human and child trafficking confirm that most of child trafficking for sexual purposes takes place internally or within the whole Americas region.<sup>20</sup> Instances where minors are trafficked across regions to long-distance destinations are rare. Examples include Brazilians and Colombians trafficked to Spain<sup>21</sup> or to Portugal as an entry point to European countries, and Chileans and Colombians trafficked to Japan.<sup>22</sup>

Figure 4: Regional Flows: Americas



- Within the region, a major traditional trafficking route is from Latin American countries to the US. The US Government estimates that 14,500 to 17,500 persons are trafficked to the US each year and some experts estimate that one third of the victims trafficked to the US are children, but internal trafficking within the US is also a major challenge, with up to 300,000 American children said to also be at risk of sexual exploitation and trafficking within the country.<sup>23</sup>
- Border crossings throughout Central America and Mexico are used to bring children illegally into the US and to Canada. It has been reported that many undocumented women and girls who have not been able to get to the United States end up being forced into prostitution in Mexico, throughout the country and along the borders, including along the Mexico-Guatemala border which is a key crossing point.<sup>24</sup>
- The Caribbean region, namely the Bahamas, St. Lucia, Jamaica, Guyana and Suriname is an area of trafficking for sexual exploitation and other purposes. A 2005 report by the International Organisation for Migration (IOM) found that the Caribbean's relatively permeable borders, lax enforcement of entertainment visa and work permit rules, legalised prostitution, and burgeoning tourism industry have contributed to the problem of trafficking there.<sup>25</sup>
- In Central America, a major child trafficking hub is Costa Rica, which receives girls from neighbouring countries (Nicaragua, the Dominican Republic, Colombia, and Panama) and serves additionally as a transit point for victims trafficked to the United States, Mexico, Canada, and Europe.<sup>26</sup> It must be stressed that sub-regional trafficking throughout Central America is facilitated by the free transit agreement between El Salvador, Guatemala, Honduras, and Nicaragua, accompanied by weak border monitoring. Additionally, truck drivers traveling along the Pan-American Highway contribute to the demand for prostituted women and children.<sup>27</sup>
- Child trafficking for sexual exploitation is a reality also in the Mercosur area,<sup>28</sup> again partly aided by free trade agreements which have liberalised the movement of people across State members' borders. A particularly hot spot for child trafficking is the tri-national border between Argentina, Paraguay and Brazil.<sup>29</sup>

Changes in flows have occurred in the Latin American region, mostly following the ups and downs of national economies and of the tourism industry. An example is Argentina where the peso's devaluation of 2000, which made of the country a cheap tourism destination, resulted in an exponential increase of the offer of sex from vulnerable girls from Argentina and neighbouring countries in the South (Rio Negro and all the ski and winter sport area) and along the river in the East (that attracts a lot of men doing sport fishing).<sup>30</sup>

20. Clare M. Ribando, *Trafficking in Persons in Latin America and the Caribbean*, OAS, 2007, p. 5.

21. U.S. Department of State, *Trafficking in Person's Report*, 2008.

22. OIM, *Estudio exploratorio sobre trata de personas con fines de explotación sexual en Argentina, Chile y Uruguay*, 2007, p. 191. And ECPAT International, *Global monitoring report on Colombia*, 2006.

23. New York Juvenile Justice Coalition, *Stop the Prosecution of Sexually Exploited Youth: FAQ's and Facts*

24. Clare M. Ribando, *Trafficking in Persons in Latin America and the Caribbean*, OAS, 2007, p. 6.

25. OIM, *Exploratory assessment of trafficking in persons in the Caribbean region*, 2005, pp.154-156.

26. U.S. Department of State, *Trafficking in Person's Report*, 2008.

27. Protection Project, *Overview on Trafficking in Guatemala*, available at: [www.protectionproject.org/human\\_rights\\_reports/report\\_documents/guatemala.doc](http://www.protectionproject.org/human_rights_reports/report_documents/guatemala.doc)

28. *Regional Trade including Argentina, Brazil, Paraguay and Uruguay*

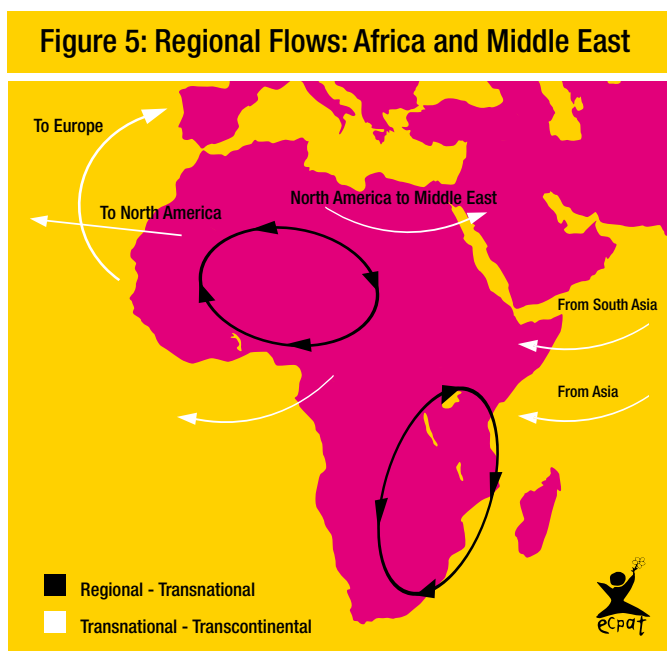
29. ECPAT International, *Global Monitoring report on Argentina*, 2006, p. 12.

30. Information provided by Maricruz Tabbia, Regional Associate for Americas, ECPAT International.



**1.4.3. Regional flows, route and changes in geographical patterns: Africa and Middle East**

According to various researches, although the majority of women and children trafficked in Africa are moved internally or within a region, flows linking Africa to other regions also exist, with the main destinations being Europe (e.g. Nigerians trafficked for sexual exploitation to Western Europe),<sup>31</sup> Middle East (e.g. Moroccan women and girls trafficked for sexual purposes to Saudi Arabia, Qatar, Syria, and U.A.E)<sup>32</sup> and South East Asia.<sup>33</sup> On the other hand, some parts of Africa have also been reported to be a destination for women and children from other continents (e.g. Thai girls trafficked to South Africa for sexual exploitation).<sup>34</sup> In Northern Africa, information on trafficking routes is scarce but it is possible that women and children from Sub-Saharan Africa are trafficked there in transit to Europe and the Middle East.<sup>35</sup> Cases of sexually exploited Moroccan children identified in the Netherlands and France suggest that this country is also a source for trafficked children.<sup>36</sup>



Trafficking within Africa affects more than 90% of countries of the same sub-region (e.g. within Western African countries, within Central African countries, etc.) while flows between sub-regions (e.g. from Eastern to Southern African countries) are less common.<sup>37</sup>

- **Particularly affected are Western and Central African countries. As pointed out in a UNICEF research, many countries are both sending and receiving and such flows are complex.<sup>38</sup> In a number of instances, neighbouring countries are engaged in child trafficking in both directions across a common border. For example, children are trafficked from Ghana to Togo and Ivory Coast or from Benin to Nigeria, and vice versa.<sup>39</sup>**
- It has been noted that that cross-border trafficking in children within the Economic Community of West African States (ECOWAS) sub-region has been on the increase recently, partly due to the high level of corruption among immigration officials and to an agreement between members of ECOWAS which facilitates the movement of people and goods across borders in this region. Although the agreement stipulates that nationals of the ECOWAS countries must produce a valid travel certificate or an ID when crossing the borders, a relatively high level of corruption is reported and leads to many officials turning a blind eye when people cross the borders with children who are not in possession of such documents.<sup>40</sup>
- **A major route of child trafficking for sexual exploitation goes from Eastern and Southern African countries (including Uganda, Ethiopia, Mozambique, Malawi and Zambia among others) to South Africa.<sup>41</sup>**

Very limited data is available about trafficking flows in the Middle East, especially with regard to children exploited for sexual purposes. A review of the trafficking situation in Middle Eastern countries based on the latest US Department of State *Report on Trafficking in Persons* seem to suggest that this is mainly a region of transit and destination, with trafficking for sexual exploitation involving primarily women (e.g. from CIS countries and Southeast Asia) rather than children. However, cases of child trafficking for sexual purposes have also been identified. In Syria, for example, a significant number of women and children from the large and expanding Iraqi refugee community are reportedly forced into commercial sexual exploitation by Iraqi gangs or, in some cases, their families.<sup>42</sup> Similarly, women and children migrating to Jordan from Indonesia, the Philippines and Sri Lanka to work as domestic maids have been forced to provide sexual services to their employers.<sup>43</sup>

31. U.S. Department of State. *Trafficking in Person's Report*. 2008.  
 32. U.S. Department of State. *Trafficking in Person's Report*. 2008.  
 33. UNICEF Innocenti Research Institute, *Trafficking in human beings, especially women and children, in Africa*, 2005, second edition, p. 15.  
 34. *Ibidem*.  
 35. *Ibidem*, p.11.  
 36. Van den Borne, Anke and Kloosterboer, Karin, *Investigating Exploitation: Research into Trafficking in Children in the Netherlands*, ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL, Amsterdam, 2005. And Sendrine Fabie, *Trafficking in Children for Sexual Purposes: Update Country Report—France*, Joint East–West Project on Trafficking in Children for Sexual Purposes in Europe, September 2003.  
 37. *Ibidem*, p. 14.  
 38. UNICEF Innocenti Research Institute, *Trafficking in human beings, especially women and children, in Africa*, 2005, second edition, p. 15.  
 39. ECPAT International, *Global Monitoring Reports on Ghana, Benin, Togo, Nigeria and Ghana*, 2007.  
 40. ECPAT International, *Global Monitoring Reports on Benin and Nigeria*, 2006.  
 41. For a more detailed description of child trafficking flows for sexual exploitation from these countries to South Africa see the related Global Monitoring Reports on CSEC produced by ECPAT International and available at: [http://www.ecpat.net/A4A\\_2005/africa.html](http://www.ecpat.net/A4A_2005/africa.html)  
 42. U.S. Department of State. *Trafficking in Person's Report*. 2008.  
 43. ECPAT International, *Global Monitoring Report on Jordan*, 2007.



#### 1.4.4. Regional flows, routes and changes in geographical patterns: Asia and Pacific

The UNODC report published in 2009 has found that victims from Asia are trafficked to the widest range of destinations, including far away locations in other continents. Although trafficking across regions concerns mainly women and men, cases of Asian minors identified in the US (e.g. Thai girls) or in the Middle East show that child trafficking routes towards long distance destinations also exist. Very often, sexual exploitation is associated with other forms of exploitation rather than being the primary purpose of child trafficking. It has been reported, for instance, that each year children as young as two years old are trafficked from Bangladesh and Pakistan to be used as camel jockeys in the Persian Gulf States, where they are often subjected to sexual exploitation.<sup>44</sup>

Another well known international route across regions goes from Asia to countries in Oceania, such as Australia<sup>45</sup> (e.g. Thai children trafficked there through Malaysia).<sup>46</sup> An example worth mentioning is Papua New Guinea, which has been identified as a country of destination for women and children from Malaysia, the Philippines, Thailand, and the People's Republic of China (PRC), trafficked for the purpose of commercial sexual exploitation to brothels in the capital and at isolated logging and mining camps.<sup>47</sup>

**Figure 6. Regional Flow: Asia and Pacific**



Intra-regional child trafficking flows for sexual exploitation have been identified both between and within Asian sub-regions.

- **A consistent pattern concerns women and children trafficked from Southeast Asia to China for forced marriage or sexual exploitation (see, especially, the case of Burmese and Vietnamese girls)<sup>48</sup> or to Japan (e.g. Thai children trafficked there through Hong Kong).**
- **In Southeast Asia, one of the main hubs for trafficking is the Greater Mekong Sub-region, with Thailand being the main destination. Boys and girls trafficked to Thai cities for sexual exploitation come from Cambodia, China (Yunnan Province), Lao PDR, Myanmar, and Vietnam, as well as from ethnic minority groups living in northern Thailand. Trafficking of Vietnamese boys and girls for sexual exploitation to Cambodia has also emerged as a huge problem.<sup>49</sup>**
- **Alarming flows of child trafficking for sexual exploitation exist in South Asia, with India being the main destination from neighbouring countries. It is estimated that between 5,000 and 7,000 Nepalese girls are trafficked into India for sexual exploitation every year. The open borders between the neighbouring countries make it easy for traffickers to infiltrate the entry points (Raxaoul, Bairgania, Motihari, Jogbani, Madhuvani) along the Bihar State of India. Similarly, it is estimated that 200,000 Bangladeshi children have been trafficked for sexual exploitation through the borders of West Bengal and Assam States. India is also used as a transit country for children trafficked from Nepal and Bangladesh to Pakistan.**

44. ECPAT International, Global Monitoring Report on Bangladesh, 2006.

45. ECPAT International, Global Monitoring Report on Australia, 2006. At P. 13 it is stressed that: "current evidence suggests that most of the victims of trafficking for sexual purposes are women although the Australian Centre for the Study of Sexual Assault has noted that a number of children are also trafficked into sexual exploitation for debt-bonded prostitution."

46. ECPAT International, Global Monitoring Report on Thailand, 2006. P. 12.

47. U.S. Department of State, Trafficking in Person's Report, 2008.

48. Kachin Women's Association Thailand (KWAT), Driven Away: Trafficking of Kachin Women on the China-Burma Border, (2005). And Oxfam Quebec, Anti-Human Trafficking Program in Vietnam, Trafficking in Women and Children from Vietnam to China: Legal Framework and Government Responses, 2005.

49. Chab Dai Coalition, At What Price, Honour?: Research into domestic trafficking of Vietnamese (girl) children for sexual exploitation, from slums in Phnom Penh, Cambodia, 2006.



## 1.5. DOMESTIC VS. CROSS-BORDER TRAFFICKING

For several years, anti-trafficking measures and agencies have put a big emphasis on transnational trafficking, thus focusing on cases in which a child was trafficked from one country to another. This was not only due to a restricted interpretation of the *Trafficking Protocol*, which supplements the main Convention that targets transnational organised crime, but also to a tendency common among States to consider trafficking as an illegal migration issue connected to border control and to violation of immigration laws.

In the last few years, there has been a realisation in various regions that a significant proportion of trafficking cases concern children or adults trafficked within the borders of their own country, i.e., internal or domestic trafficking.

### WHAT IS INTERNAL TRAFFICKING AND WHO ARE THE VICTIMS?

**Internal trafficking occurs within a country's own borders and usually involves movement from rural to urban areas or from one city to another. Finding oneself in unfamiliar surroundings increases the vulnerability to trafficking, especially for children. The victims of internal trafficking may include nationals of the country in which they are being trafficked, migrants with or without legal status who reside in the country, refugees, asylum seekers and stateless persons.**

At the global level, the growing attention devoted to domestic trafficking and the increased perception that sex trafficking also affects children living in their own countries is attested by a number of studies on the issue. In research on trafficking patterns published by UNODC in 2006, it was found that only four of the 113 countries examined in the study clearly identified or generated information on domestic trafficking. The widespread under-reporting of domestic trafficking was linked to the application of other (i.e., non-human trafficking) laws to this crime resulting in a failure to categorise people involved in the internal trade as victims of trafficking.<sup>50</sup> For example, in cases where a child was moved from one place to another to be exploited in prostitution, countries may have tended to apply laws against child prostitution rather than apply the legal provisions against human trafficking.

UNODC's 2009 report on human trafficking demonstrates that the reporting of internal trafficking has increased significantly compared to 2006. "The data collected shows that domestic trafficking was detected in at least 32 countries among those where information was available, and in some countries, it is a major issue. [...] Interestingly, evidence indicates that domestic trafficking does not occur only in large transitional countries, such as India and Brazil, where the dimensions of the country can explain the existence of trafficking internally between poor and rich areas. Domestic trafficking also exists in relatively small and wealthy countries, such as those in Europe."<sup>51</sup>

A review of trafficking flows based on the latest US State Department report on trafficking in persons confirms this trend and shows that domestic trafficking has been identified as a problem in most of the countries analysed (more than 110 out of 170 countries). In several states in Central and South America and in Africa, internal trafficking appears to be more prevalent than cross-border trafficking, especially when children are involved (see table below). Anecdotal evidence also suggests that in regions such as Latin America, internal trafficking is frequently a first step to cross-border trafficking.

50. UNODC. *Trafficking in Persons: global patterns*. 2006. P. 46.

51. UNODC. *Global Report on Trafficking in Persons*. 2009. P. 57.

**Figure 7. Domestic/Internal Trafficking<sup>52</sup>**

Region/Sub-region	Countries where internal trafficking is a recognised problem (total)	Countries where internal trafficking is more prevalent than cross-border trafficking
Europe	19 countries	–
CIS	5 countries	–
North America	2 countries	–
Central and South America	15 countries	Argentina, Chile, Cuba, Ecuador, El Salvador, Jamaica, Panama, Peru and Uruguay
East Asia and Pacific	13 countries	China
South Asia	5 countries	India
Africa	23 countries	Benin, Cameroon, Central Africa Republic, Chad, Cote d'Ivoire, Ghana, Guinea, Liberia, Malawi, Mauritius, Senegal, Sierra Leone and Togo
Middle East	6 countries	–

In line with these findings, research conducted in Europe has shown that internal trafficking occurs in about half of the countries in the region. However, while information on this phenomenon in South Eastern Europe and CIS is available from studies and reports on trafficking, in the European Union and other Western countries the issue of internal trafficking has not yet received enough attention. Furthermore, the debate and research efforts have revolved around trafficking of nationals within their own country; there is a knowledge gap with regard to the internal trafficking of non-national children, separated or asylum seekers, for instance.<sup>53</sup>

The apparent increase in the number of victims of internal trafficking is likely to be the result of various interrelated factors. It may be partly due to an improved capacity of law enforcers to trace and identify victims of this form of trafficking and to the implementation of legislation addressing this crime. However, it may also be due to the reduced risks associated with domestic trafficking as opposed to international trafficking: in the absence of a border crossing, the child may not need to have travel identification documents and will probably speak the language. It must also be stressed that with States focused on enhancing judicial and police cooperation and law enforcement against transnational trafficking, traffickers may have turned to internal sex trafficking as a profitable and less risky criminal business.

Internal trafficking may involve movement from rural to urban areas or from one city to another. In many cases, children are moved from poor and unprivileged places to tourist locations or to places where there is a concentration of male workers. In Guyana, for example, Amerindian girls are trafficked to brothels near the mining camps and to coastal areas for sexual exploitation and domestic servitude. Similarly, in Madagascar, some children are recruited in the capital Antananarivo under false pretenses of employment as waitresses and maids before being exploited in the commercial sex trade in coastal cities such as Tamatave, Nosy Be, and Diego Suarez.<sup>54</sup> Such patterns have been identified in countries in all regions of the world.

Internal travel will generally be by train, truck, taxi, bus or private car; occasionally people are also taken on foot. It is important to note that as with cases of cross-border trafficking, sometimes travel expenses can also be incurred and paid for by traffickers for the internal movement of the child,<sup>55</sup> which is then used as debt bondage.

Factors making children vulnerable to domestic sex trafficking may be similar to those fueling international trafficking, but may also be more context specific. For example, reports of internal human trafficking in Western European countries, including trafficking in children for sexual purposes, have led to a “reassessment of the traditional understanding of the root causes of trafficking.” Even though socio-economic factors such as poverty are still identified as significant driving forces, these studies have shown that personal and family backgrounds also play a determinant role. In the Netherlands, for instance, research suggests that personal factors, such as low self-esteem or family dysfunction, heighten a child’s vulnerability to internal trafficking,<sup>56</sup> making girls particularly exposed to the “lover boy” phenomenon (see below and section C).

52. U.S. Department of State. Trafficking in Person’s Report. 2008.

53. UNICEF Innocenti Research Centre, Child trafficking in Europe. A broad vision to put children first, 2008. P. 9.

54. U.S. Department of State. Trafficking in Persons report 2008.

55. IOM. Resource book for law enforcement officers on good practices in combating child trafficking. 2007. P.41.

56. UNICEF Innocenti Research Centre, Child trafficking in Europe. A broad vision to put children first, 2008. P. 9.

## Domestic Trafficking Around the World

### Domestic trafficking alarming in India

In India, the majority of trafficking in underage girls for sexual exploitation happens within the country. Children are trafficked to and from states such as Andhra Pradesh, Bihar, Karnataka, Uttar Pradesh, Maharashtra, Madhya Pradesh, Rajasthan and West Bengal. For instance, among the 23 districts of the State of Andhra Pradesh, 16 are identified as sending districts. Similarly, in the State of Bihar, 24 out of 37 districts are highly affected by trafficking in women and children. Rajasthan is also a major source state, where 27 out of 32 districts are found to be affected.<sup>57</sup>

### Internal trafficking prevailing in Benin

The International Labour Organisation (ILO) estimates that 90 per cent of all victims are trafficked within Benin, with girls trafficked primarily for domestic servitude and sexual exploitation, while boys are mainly trafficked for forced labour as plantation workers, street hawkers and construction workers.<sup>58</sup>

### International and domestic trafficking routes in Brazil

An investigation conducted in 2002 by CECRIA, a NGO member of ECPAT Brazil, identified 110 routes of internal trafficking of women and children for sexual exploitation and 131 routes of international trafficking. On the domestic routes there was a prevalence of minors among the victims while cross border routes were used mainly for the trafficking of women. Most of the trafficking routes are concentrated in the North and North east regions which are the poorest in the country.<sup>59</sup>

### Internal sex trade in the Netherlands

Research published in 2005 by ECPAT Netherlands found that most of the 230 child trafficking victims examined in the study had been trafficked within the country's own borders (in the South East Brabant region, for example, almost 95% of the trafficking cases were internal). More specifically, almost 30% of the minors trafficked for sexual exploitation were from the Netherlands and another 30% originated from Morocco, Turkey, Suriname and the Netherlands Antilles. The balance mostly came from countries in Africa and Eastern Europe. While a number of methods are used by traffickers to entrap girls, the phenomenon of "lover boys" whereby men seduce young girls by posing as boyfriends and then force them into providing sexual services is particularly common.<sup>60</sup>

## 1.6. WHERE DOES IT START? MAPPING FACTORS MAKING CHILDREN VULNERABLE

The knowledge base on risk factors associated with child trafficking for sexual purposes has greatly improved in the last decade. However, if from one side studies and reports have contributed to identify particular vulnerabilities, on the other they have pointed to a great diversity in the profile of child victims which makes it impossible to generalise. Any effort to understand and reduce risk factors should therefore be based on specific assessments at country and local level, taking into account the complexity of root causes involved and the combination of multiple socio-cultural, economical, interpersonal and individual circumstances contributing to child trafficking for sexual exploitation.

**Figure 8. Risk Factors for Child Trafficking**



The reasons contributing to children and young people falling victims of traffickers are often similar to those of adults. However, children are more susceptible to the pressures of their situation and can be more easily persuaded and tricked. This is also why special protection must be afforded to children.

Graph extrapolated from: Zosa De Sas Kropiwnicki, Children speak out. Trafficking Risk and Resilience in Southeast Europe, Save the Children, 2007.

57. ECPAT International, Global Monitoring Report on India, p.12.

58. ECPAT International, Global Monitoring Report - Benin, p.12.

59. ECPAT International, Global Monitoring Report - Brazil, p.11.

60. Van den Borne, Anke and Kloosterboer, Karin. Investigating Exploitation: Research into Trafficking in Children in the Netherlands. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005.

### 1.6.1. Socio-economic factors

A great pressure for many children and young people is to help their families by contributing financially to domestic incomes or by being more financially independent. This often happens in contexts of low levels of education and school abandonment, poverty, and lack of employment opportunities for the adult members of the household or for the young person.

### 1.6.2. Family

The family environment can also put a child at risk through domestic abuse and violence or through substance and alcohol addictions which may reduce the parents' ability to provide adequate care to their children. On the other hand, the lack of family protection and parental care may leave children without an essential safety net and under these circumstances, children may be placed in institutions with low care standards or may be pushed to live and work on the streets where they can be easily deceived by traffickers' promises of employment and gifts.

### 1.6.3. Reduced awareness of trafficking risks and lack of adequate care

These socio-economic and interpersonal driving forces may also induce children to leave on their own and migrate to another country or city. Idealised perceptions of a better lifestyle abroad and success stories from people who have been abroad further encourage risk-taking among youth. Combined with a lack of information on legal procedures for travelling to a foreign country and a limited awareness of the dangers connected with migration, this situation may enhance the risk for young people to be lured into sexual exploitation during the move or once at the destination. In this sense, particularly vulnerable groups include asylum seekers and separated children (i.e. minors who are outside their country of origin and separated from both parents, or from their legal/customary primary caregiver). As various examples in Western Europe demonstrate, migrant children who are without parental care may be placed within residential structures or in foster families which do not necessarily provide adequate protection and care, thus increasing their exposure to trafficking.

#### Children going missing from care in Ireland vulnerable to trafficking

As reported in a study published by IOM in 2005, "the Dublin unit of the Health Service Executive (HSE) for separated children seeking asylum estimate that approximately 20 children in their care in 2005 were trafficked, the majority of these for the purpose of sexual exploitation."<sup>61</sup> This trend has been confirmed by recent reports appearing in the Irish media. According to a senior Garda source, human trafficking gangs are increasingly organising the trafficking of separated children<sup>62</sup> who are taken into the care of the HSE on arrival in Ireland, from which they often go missing due to a lack of proper supervision.<sup>63</sup> Child protection agencies believe that most of the 441 separated migrant children disappeared from care structures since 2000 have ended up in the sex trade in Ireland and abroad.<sup>64</sup>

### 1.6.4. HIV epidemic

In several countries in Africa, Asia and Eastern Europe, children's vulnerability to trafficking may increase as a result of the HIV/AIDS epidemic. When caregivers become sick or die, older children may be removed from school and forced to supplement the family's income while also being exposed to stigmatisation, rejection, or marginalisation by their communities. On the other hand, in contexts where HIV/AIDS is particularly widespread, men who pay for sexual intercourse may be induced to prefer a child under the false belief that children are free from the disease.

#### Myth on HIV/AIDS contributing to trafficking in Kenya

In Kenya, a number of investigations have revealed that there is a category of regional tourists and locals who travel to the country looking solely for virgins, encouraged by the myth that sex with a virgin may cure terminal conditions such as HIV/AIDS.<sup>65</sup> This practice has favoured the trafficking of young girls to major child sex tourist destinations.

### 1.6.5. Lack of birth registration

Lack of birth registration may further exacerbate the situation. Children who have no official recognition of their names and nationality and no official registration of birth are more difficult to trace in disappearance cases, making it easier for traffickers to "hide" them. When trafficked between countries, lack of legal identity also impacts on the repatriation process of the child as it complicates country of origin identification and family tracing.

61. Jyothi Kanics. Child trafficking and Ireland. <<Studies. An Irish Quarterly Review>>. Issue 388, vol. 97, Winter 2008.

62. Separated children are children under 18 years of age who are outside their country of origin and separated from both parents, or their legal/customary primary caregiver.

63. "One fifth of foreign children in care go missing". Irish <http://www.independent.ie/national-news/one-fifth-of-foreign-children-in-care-go-missing-1353867.html>

64. ECRAN Weekly Update. 15 September 2008. <http://www.ecre.org/files/ECRAN%20Weekly%20Update%2015th%20September.pdf>

65. ECPAT International, Global Monitoring report on Kenya, 2007. p. 15.

### 1.6.6. Armed conflicts and natural disasters

Protracted armed conflicts often determine a rise in demand of sexual services from troops, peacekeepers and humanitarian workers, and traffickers that can take advantage of this by luring and selling children into prostitution. Local wars also force populations to flee across or within national borders. In this context, children may be particularly exposed to violence, sexual exploitation and harmful working conditions, and may also be induced to trade sex for survival and protection. Similarly, natural disasters such as earthquakes, flood or famine crises may disrupt entire families and communities, leaving children without necessary protection.

#### Armed conflict in Colombia resulting in child trafficking for sexual exploitation

A study conducted in 2005 by Fundación Renacer - ECPAT Colombia, Fundación Restrepo Barco, and Plan has revealed that the civil conflict which has affected Colombia for more than four decades has impacted in several ways on the condition of children and their risk to being trafficked for sexual exploitation. Connections between traffickers and members of the illegal armed groups active in the country aimed at moving children from cities to locations where such groups are settled have been identified. Once in the hands of guerrilla armies, children are not only sexually abused and exploited but are also forced to use drugs.

#### Peacekeepers fueling the child sex trade in Kosovo

Until at least 2003, UN Interim Administration Mission in Kosovo (UNMIK) police and peacekeepers were alleged to have been involved in the trafficking of women and girls for sexual purposes and in sexually victimising girls in Kosovo. In a documentary shown on German television in December 2002, a member of the German Kosovo Force (KFOR), who had been stationed in Macedonia, provided credible evidence that members of German KFOR were using the services of trafficked women and children. Although both local and foreign men take advantage of prostitution in Kosovo, it is clear that prostitution grew initially out of post-conflict militarisation and the presence of a highly-paid international military and civilian community. It seems, therefore, that the UN administration in Kosovo has facilitated exploitation of trafficked women. Furthermore, there are concerns that UNMIK failed to prosecute international personnel suspected of involvement in trafficking, or of knowingly exploiting trafficked women and girls, which has created a climate of impunity in relation to abuse of and violations against trafficked victims.<sup>66</sup>

#### Civil war in Uganda raises levels of children's vulnerability

A distinctive feature of commercial sexual exploitation of children in Uganda is the violations perpetrated by rebel forces in the north of the country and in camps for internally displaced persons (IDP). Since 1986, a civil war between the Lord's Resistance Army (LRA) and Government forces has raged in northern Uganda. The LRA has conducted several attacks on civilians and abducted children to be used for sexual servitude as well as for military purposes. Younger girls are particularly favoured as it is believed that they are less likely to be HIV-positive. More than 30,000 children are thought to have been abducted by the LRA in the 20-year period of the civil war. Because of the frequency and brutality of the attacks and abductions by the rebel forces, tens of thousands of children would leave their villages (especially in the districts of Gulu, Kitgum and Pader) in a process called 'night commuting', to spend the night in larger and supposedly safer towns. These children would leave their homes and walk to urban centres every evening without parental guidance, and many individuals took advantage of their difficult situation to lure them into trading sex for money, food or other necessities. A study conducted in the Gulu region found that 41 per cent of night commuting children knew someone who had been offered money for sex. Fortunately, the situation has improved dramatically as a result of the ongoing peace process, which began in October 2006 and night commuting by children has now come to a halt.<sup>67</sup> Nevertheless, protection of the population in the conflict areas is still required, as past violations usually occurred due to laxity in security.

Local wars also force populations to flee across or within national borders. In this context, children may be particularly exposed to violence, sexual exploitation and harmful working conditions, and may also be induced to trade sex for survival and protection.

#### Trading sex with refugee children in Congo, Guinea and other West African countries

Reports from Guinea and Congo have shown that refugee women and children were coerced into sex in exchange for food and shelter for themselves and their families. Sexual exploitation was found to be endemic in refugee camps in West Africa in 2002, with the exploiters mainly being men in positions of power, money, and influence. These included camp leaders, casual labourers, teachers, security forces, traders, humanitarian workers and peacekeepers who were found to be trading sex with refugee children between 13-18 years old for desperately needed supplies such as biscuits, soap, medicines and tarpaulin or meagre sums of money.<sup>68</sup>

66. ECPAT International, Global Monitoring report on Serbia, 2006. pp. 11-12.

67. ECPAT International, Global Monitoring report on Uganda, 2007. pp. 13-14.

68. S. Delaney, Protecting children from sexual exploitation and sexual violence in emergency situations. ECPAT International. 2006. PP. 35-36.



### 1.6.7. Natural Disasters

Similarly, natural disasters such as earthquake, floods or famine crises may disrupt entire families and communities, leaving children without the necessary protection.

#### **Floods in India push children into trafficking**

A media article recently released has reported that hundreds of children left vulnerable after devastating floods in eastern India are being trafficked to work as bricklayers, domestic servants and even sold as brides. Monsoon rains and burst dams in August 2008 unleashed major flooding in South Asia, killing about 1,500 people, mostly in India but also in Nepal. Aid workers found that in the aftermath of the disaster - Bihar's worst floods in recent years - there has been a spurt in human trafficking from the region. Children, who are mostly between seven and 14 years old, are brought to India's urban centres. Most end up as domestic workers or bricklayers or are employed in roadside restaurants or small textile units embroidering expensive fabrics. Many girls are sent to work in brothels or sold as brides in regions such as Punjab and Haryana where sex ratios are skewed in favour of men due to the practice of female feticide and infanticide. Experts highlighted that post-disaster human trafficking has become common in the region as increasing man-made conflicts and natural disasters leave the already poor even more vulnerable. The breakdown of social institutions in devastated areas creates difficulties in securing food and humanitarian supplies, leaving women and children vulnerable to kidnapping, sexual exploitation and trafficking.<sup>69</sup>

#### **Increased child trafficking and sexual exploitation as a result of drought in Swaziland**

In 2007, Swaziland experienced an acute drought which resulted in higher levels of child abuse, sexual exploitation and trafficking. To face the food and water shortages affecting nearly 40 percent of Swaziland's one million people, poor households were reported to have engaged in negative coping strategies, including transactional sex, leading to a higher incidence of sexually transmitted infections and HIV. Children were particularly vulnerable to exploitation with many of them pulled out from school and sold into the sex trade in exchange for food.<sup>70</sup>

### 1.6.8. Gender and minority discrimination

The influence of gender and minority discrimination, as well as of traditional practices and cultural values in determining a child's vulnerability to trafficking for sexual exploitation has been highlighted in various studies. Children from marginalised groups, such as those from minority ethnic, tribal and religious communities, are often left unprotected by weak legal and policy frameworks and may suffer different types of discrimination, including limited or no access to education and employment. In some communities, children, especially girls, are objectified and seen as commodities which can be exchanged to improve family living conditions (the custom of early marriage is only one example of how in some contexts, gender discrimination combined with a traditional practice may expose a girl to trafficking). In other cases, children are expected to grow up and start working early to support the household.

#### **'Vidomegon', a traditional practice being used by child traffickers in Benin**

The term 'vidomegon' refers to the practice of sending children away from home to live with wealthier families that could provide them a better start in life. As parents increasingly see their children as a potential source of income, such a practice is now being used by trafficking networks to obtain children for exploitation, including commercial sex. While in the past this was a traditional manifestation of solidarity among members of the same family, these days it consists of the placement of a child, directly or through an intermediate, with a third party that may or may not be a family member, and may even receive some kind of remuneration for taking the child. The issue is currently being debated in Benin, as 'vidomegon' and has been increasingly used by traffickers, who go to villages and make false promises to parents, that their children, most between the ages of five and fifteen, can be placed with masons, carpenters, welders and others to learn their skills, as well as placed with families or in apprenticeships in larger cities and will be able to send them money. However, these children are severely exploited in such work settings and suffer all types of physical, psychological and sexual abuse, whose after-effects continue throughout their lives. The practice has thus become a new form of child slavery and sale of children.

An additional circumstance that may increase children's vulnerability to trafficking for sexual exploitation is their actual involvement in prostitution when they are recruited. Young people who are already exploited in prostitution in their own country or close to home where there has been no movement (e.g. children working on the streets) are easy targets for traffickers, especially when their level of awareness of trafficking is very low.

69. N. Bhalla. Traffickers prey on disaster-hit children in India. Reuters AlertNet. 23 March 2009. Accessed on 7 May 2009 from: [http://www.alertnet.org/db/an\\_art/55867/2009/02/23-145911-1.htm](http://www.alertnet.org/db/an_art/55867/2009/02/23-145911-1.htm)

70. SWAZILAND: Hard times raise levels of abuse. 1 August 2007. Accessed on 7 May 2009 from: <http://www.irinnews.org/Report.aspx?ReportId=73530>.

### 1.6.9. Demand

While all these factors play an important role in pushing children into trafficking for sexual purposes, the existence of trafficking cannot be explained without analysing and understanding the problem of demand at destination. Underlying attitudes about male entitlement can foster a perverse notion that it is acceptable for men to sexually exploit children, either in their own countries or abroad (as in the phenomenon of child-sex tourism). Such attitudes are further reinforced when buying sex from a child appears to be socially acceptable and does not lead to important social stigma and serious legal punishment. Contrary to popular misconceptions, the demand for sex with children does not only come from paedophiles but is actually mostly generated by people who pay for sex. Persons (nationals and foreigners) who patronise the commercial sex market may end up sexually exploiting a child. There is therefore no specific profile of the child sex exploiters as they can be young, married, and from different socio-economic backgrounds and professions. Unfortunately, the issue of demand remains largely unaddressed by governments and requires the implementation of urgent measures.

### 1.7. PROFILING CHILDREN TRAFFICKED FOR SEXUAL EXPLOITATION: MAIN DEMOGRAPHIC CHARACTERISTICS

There is not one typical “child” victim of trafficking for sexual exploitation but rather a range of scenarios in which children are more vulnerable to this crime. To help identify children who are more at risk and exposed to being trafficked, research carried out in different countries and regions has focused on understanding distinguishing elements of trafficked children who have already been victimised. Apart from contributing to identifying the main push and pull factors leading to child trafficking and sexual exploitation, these studies have provided information on the demographic characteristics of child trafficked victims, such as age and sex.

- In Southern and Eastern Europe and the CIS, research has shown that in countries such as Albania, Belarus, Czech Republic, Estonia, Kosovo, Moldova, Romania, Russia and Ukraine, the large majority of children trafficked were teenage girls, mostly between 15 and 17 years old. Some boys from Romania or Russia were also identified.<sup>71</sup> The need to contribute to the family income, domestic violence and abuse, parental alcohol addiction, the lack of information on trafficking and risks in migrating and working abroad,<sup>72</sup> but also living in children’s homes, being involved in prostitution or being unaccompanied were all considered as factors of the high vulnerability of children. In the Caribbean region, including in the Bahamas, St. Lucia, Jamaica, Guyana and Suriname, girl victims of trafficking between 12 and 17 years old face a lack of educational or job opportunities, the low social and cultural status of women, sexual abuse within the family, a lack of parental care consequent to parents’ migration, are all elements reported to expose children to high risks of trafficking.<sup>73</sup>
- In Paraguay, teenage girls but also boys, in particular transsexuals, have mentioned social exclusion or involvement in prostitution as the only survival strategy in the country of origin, especially for transsexuals, being highly contributing factors to children’s vulnerability to trafficking.<sup>74</sup>
- In Lesotho, living on the streets, being orphaned by AIDS or victim of sexual and physical abuse, and dropping out of school exposes children to the risk of trafficking.<sup>75</sup>
- In Mozambique where girls as young as 12 are victims of trafficking for sexual purposes, the early sexualisation of girls in a matriarchal culture or the practice of giving children to wealthier families in exchange for educational and other support constitute push factors.<sup>76</sup>
- In India, some teenage boys face social stigma and discrimination for being ‘gender variant’ or with feminine demeanor or traits. The demand from both women and men, or specific traditions facilitating child sexual exploitation, are additional factors exposing them to trafficking risks.<sup>77</sup>
- In Denmark, teenagers trafficked for sexual exploitation are mainly girls (but cases of boys also exist) aged between 15 and 17 years who originate from a number of countries, including Latvia, Lithuania, Poland, Romania and the Czech Republic. Factors common to most of the children trafficked to Denmark are an upbringing in relative poverty (often due to parental unemployment) and a family structure in total or partial disintegration, typically on account of alcohol or drug abuse by one or both parents. Children in children’s homes and street children, some of whom are already involved in prostitution, are also at risk of being trafficked.<sup>78</sup>

71. ECPAT Europe Law Enforcement Group, Joint East West research on trafficking in children for sexual purposes in Europe, 2004.

72. M. Dottridge, Young People’s Voices on Child Trafficking: Experiences from South Eastern Europe, UNICEF Innocenti working paper, 2008.

73. IOM, Exploratory assessment of trafficking in persons in the Caribbean region, 2005.

74. OIM, La trata de personas en el Paraguay. Diagnóstico exploratorio sobre el tráfico y/o la trata de personas con fines de explotación sexual, 2005.

75. IOM, Seduction, sale and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa, 2003.

76. IOM, Seduction, sale and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa, 2003.

77. Lahiri Agniva, Kar Sarika, Dancing boys: traditional prostitution of young males in India. Situational Assessment report on adolescents and young boys vulnerable to forced migration, trafficking and sexual exploitation in India, 2007.

78. Save the Children Denmark. Trafficking in children in Denmark. 2003. The report can be accessed at: <http://www.childcentre.info/projects/trafficking/denmark/dbaFile11026.pdf>



### 1.7.1. Age

Existing knowledge shows that children can become victims of a trafficking operation at any time of their life but that the form of exploitation to which they are subjected varies according to their age. While younger children are frequently trafficked for begging, child labour or involvement in criminal activities, teenagers mainly aged between 14 and 17 years are often trafficked for sexual exploitation. In contexts where children are considered to be sexually mature at a younger age (for example, in some Latin American or African countries), trafficking for exploitation in prostitution may affect children of 11-12 years or even younger.

### 1.7.2. Gender

Despite evidence suggesting that boys are mainly trafficked for labour exploitation, boys may also be trafficked for sexual exploitation. Cases of boys who received money for commercial sex after moving away from home have emerged in several countries though not enough information is available to establish whether these children were trafficked or not. Rooted in myths around male roles and masculinity as well as in the mistaken perception that boy prostitution is linked exclusively to homosexuality, the widespread social denial of the sexual exploitation of boys explains not only the limited knowledge, awareness and reports of trafficking in boys for sexual purposes but also the gender biases in existing victim assistance structures and the consequent lack of support services targeted specifically at boy victims.

## 1.8. HOW ARE CHILDREN RECRUITED INTO TRAFFICKING FOR SEXUAL EXPLOITATION AND BY WHOM?

Child trafficking for sexual purposes begins when a child is recruited by a third person or, in some cases, when family members or children themselves approach a “recruiter” to find out how to move to another place to find better living opportunities. “A recruiter may be the person who actually exploits the child, or an intermediary who is part of a chain of people involved in the trafficking”.<sup>79</sup> Recruitment usually takes place in the community/country of origin but may also occur during the journey or at the destination point, as it might be in the case of a child who initiates the move her/himself.

### FORMS OF RECRUITMENT OF CHILD TRAFFICKING

**Debt bondage, trickery, manipulation, false promises, coercion, mistrust, abuse of power from parents, lovers, women, peers, acquaintances, strangers, criminal networks and various intermediaries. The ways developed by exploiters to recruit children for sex trafficking are diverse and may involve various actors.**

### 1.8.1. Family and other trusted people

Recruitment happens in many different ways. The involvement of the family in some trafficking cases is attested by several researches. In Nigeria, for example, parents who are unable to feed and care for their children may send them to work in larger towns or to live with wealthier relatives, and trafficking gangs exploit these situations to recruit children. While a certain percentage of parents are likely to be aware of the impending exploitation and may voluntarily place their children with traffickers or even sell them,<sup>80</sup> many others are not. In some South Asian countries, cases of parents or guardians who have accepted a payment in advance from a trafficker, thus putting the child into “debt bondage” for either a specific or unspecified period of time, have been frequently reported. In India, for instance, a study by Terre des Hommes in 2005, showed that most of the brothel-based Nepalese trafficked persons in prostitution entered into slavery or debt bondage on average between 14 and 16 years of age and the length of time spent in these conditions ranged from two to ten years.<sup>81</sup>

Often, there may be a relationship of trust involved with the recruiter being someone known to the victims or their families. It can be a relative, a friend, a person from the same ethnic group, a community leader, or an older peer who “has returned from being trafficked and may encourage another child to follow the same path.”<sup>82</sup> In the context of child trafficking for sexual purposes, the involvement of women or girls previously engaged in commercial sex either in the recruitment or in another phase of the trafficking process is particularly widespread. As shown by a UNODC report recently published, “In 30% of the countries which provided information on the gender of traffickers, women make up the largest proportion of traffickers. [...] In Eastern Europe and Central Asia, females account for more than 60% of convictions for trafficking in persons.”<sup>83</sup>

79. ILO-IPEC. Combating trafficking of children for labour exploitation. A resource kit for policy-makers and practitioners. 2008. P. 13.

80. ECPAT International. Global Monitoring Report on Nigeria. 2006. PP. 12-13.

81. ECPAT International. Global Monitoring Report on Nepal. 2006. P. 11.

82. ILO-IPEC. Combating trafficking of children for labour exploitation. A resource kit for policy-makers and practitioners. 2008. P. 13.

83. UNODC. <<“Denial and Neglect Undermine the Fight against Human Trafficking”, says UNODC Director>>. Press release dated 12 February 2009. Accessed on 7 April 2009 from: <http://www.unodc.org/unodc/en/press/releases/2009-02.12.html>

### 1.8.2. “Lover boy” phenomenon

Trust is also often broken when girls are lured into trafficking by men who pretend to fall in love with them, sometimes promising marriage, to finally exploit them in prostitution. This way of recruitment, known as the “lover boy” method, has been identified in the Netherlands but is presently known to be used in a number of countries including the UK, Albania, Belarus, Moldova and Morocco, among others.<sup>84</sup>

#### HOW THE INTERNET AND NEW INFORMATION TECHNOLOGIES HAVE FACILITATED TRAFFICKING

In recent years, the use of the Internet and other new information and communication technologies (ICTs), primarily mobile phones, has become very common during the different phases of the trafficking process. As stressed by several studies, ICTs have the advantage of guaranteeing anonymity and making the organisation of criminal activities easier, while also leaving the related offences unpunished. Internet is used by traffickers in several ways. First of all, it is employed as a marketing method to sell sex services and access sex buyers through ad hoc websites, chat rooms and discussion forums. Secondly, it is utilised to recruit individuals in their country or community of origin with the intent of exploiting them. Sometimes recruitment agencies disseminate advertisements online for various types of employment, thus concealing the real purpose of their activity. ICTs have also contributed to the creation of real environments where children congregate and may be exposed to the risk of being lured into trafficking. For example, a study conducted in the Zambia has revealed that reports of traffickers using Internet cafés to recruit children had been heard by the researchers.

ECPAT International, Global Monitoring Report – Zambia, 2007

### 1.8.3. False job offers

While abduction and kidnapping are not as common as certain stereotypes about child trafficking suggest, deception about job opportunities available in other cities or countries is often used by traffickers as a means to get hold of children and young people. For example, a young person might answer an advertisement for work in a hotel or bar, but find him/herself prostituted in such a place or might be promised work as a model, but be used to produce pornographic materials instead. Sometimes young people may be aware that they will engage in prostitution when arriving at a destination; nonetheless they always ignore the abusive and exploitative living conditions awaiting them and are too young to fully comprehend the implications of this choice.

### 1.8.4. Mail-order bride

Another form of recruitment in child trafficking for sexual purposes mentioned in a study by IOM is what is called the “mail-order bride” system. In this case, women with children are recruited to marry foreign men, and the children are later sexually exploited by their “step-parents” and/or others. Some men may also adopt the children to increase the level of control over them.

A criminal group or even two/three persons may be involved into a trafficking operation either by organising the whole process from recruitment to exploitation or by participating in one part of the trafficking chain. In case of cross-border trafficking, for example, forged documents are usually required and some traffickers may bribe immigration officials to obtain documents showing a false age. Similarly, they may corrupt border police to ensure an easy border crossing.

The movement of the child may be facilitated by a gamut of transport workers, from lorry drivers to personnel of ferry and airline companies. A study on human trafficking in Sweden, Estonia and Finland has shown that taxi drivers were frequently involved both as organisers of the entire trade and as transport facilitators (they drove the girls to the customers in exchange for free sexual services or took customers to trading places, for example brothels or central streets of prostitution).<sup>85</sup>

84. IOM. Resource book for law enforcement officers on good practices in combating child trafficking. 2006. P.28.

85. Swedish National Council for Crime Prevention. The Organisation of Human Trafficking. A study of Criminal Involvement in Sexual Exploitation in Sweden, Finland and Estonia. 2008. P. 12. Accessed on 8 April 2009 from: <http://www.jure.se/ie/default.asp?url=visatitel.asp?uid=12681>

### 1.8.5. Private sector intermediaries

A number of individuals and organisations may also contribute to the sexual exploitation of the child at any phase of the trafficking process, including pimps controlling street prostitution and owners of brothels, massage parlours, night clubs, apartment brothels and any other type of establishment where sex is traded. Research also shows that the tourism industry may sometimes be engaged in the child sex trade. In Ethiopia, for example, child recruiters were reported to work in collaboration with tour operators and travel agencies;<sup>86</sup> in other countries hotel staff have facilitated the use of hotels as intermediary places or places of exploitation.

### 1.8.6. Organised crime

Various studies have pointed to the involvement of organised crime in human trafficking. The multi-billion dollar profits generated by this trafficking have induced some mafia-type organisations such as the Chinese Triads and the Japanese Yakuza to expand their illicit activities beyond trafficking in drugs and weapons or money laundering among others, thus turning to the human trafficking as an additional source of income. Research on how traffickers operate has revealed that the level of organisation of criminal groups may vary to include: small-scale organisations made up of individuals who provide one or more services on a spontaneous basis and exploit few victims; medium-scale networks that may involve more people and victims and are characterised by a higher level of organisation and; large-scale criminal groups and networks which manage trafficking as a big professional business, with a clear division of labour among several individuals and a high number of people victimised.<sup>87</sup>

**While the participation of large-scale criminal groups, such as mafia-type organisations, into child sex trafficking should be acknowledged and further analysed, evidence collected over the years suggests that most of the trafficking operations are run by individuals and small groups that collaborate on an ad-hoc basis to take children from places where they exist in ready supply to locations where there is a demand for them.**

UNODC research shed light on the nationalities of traffickers and the nature of the transnational networks involved. From the data collected, it was found that:

*“most of the offenders were citizens of the country where they were arrested. This suggests that local criminal networks acquire the victims and sell them to criminal networks based in destination countries. [...] Offenders often endeavour to win the trust of the victims and use their local connections to threaten retaliation against family members if victims resist. [...] However, in cases where the arrest took place in a high-income destination country, the offenders were more likely to be foreign than when the arrest took place in a source country.”<sup>88</sup>*

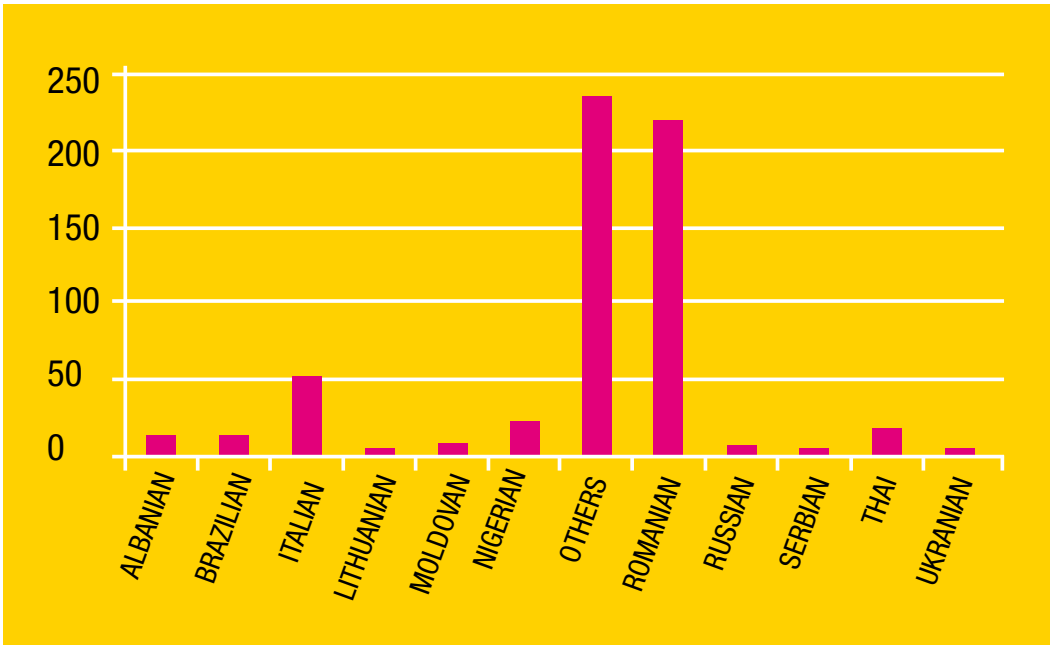
This confirms that in many instances, traffickers come from the same ethnic and national background as the children recruited into the sex trafficking.

<sup>86</sup> ECPAT International. Global Monitoring report on Ethiopia. 2006.

<sup>87</sup> Swedish National Council for Crime Prevention. The Organisation of Human Trafficking. A study of Criminal Involvement in Sexual Exploitation in Sweden, Finland and Estonia. 2008. PP. 131-137. Accessed on 8 April 2009 from: <http://www.jure.se/ie/default.asp?url=visatitel.asp?tuid=12681>

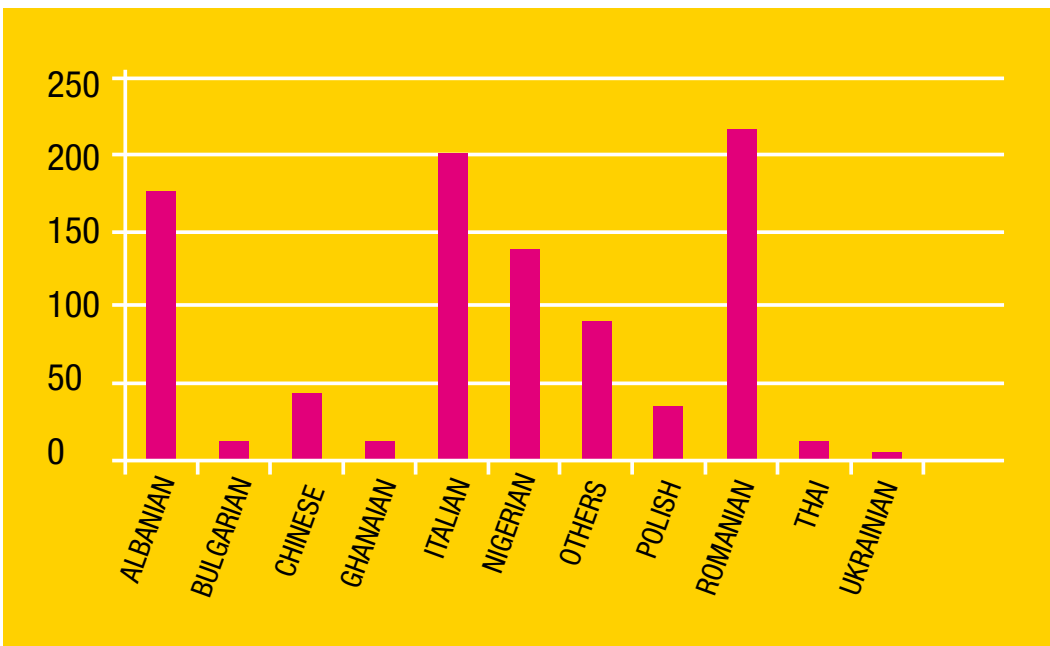
<sup>88</sup> UNODC. Global Report on Trafficking in Persons. 2009. P. 10.

**Figure 9. Persons against whom prosecutions were initiated for “trafficking in persons” in Italy by citizenship (2003-2007)**



UNODC. *Global Report on Trafficking in Persons*. 2009. P.258.

**Figure 10. Victims of trafficking in persons identified by law enforcement authorities in Italy by citizenship (2003-2007)**



Ibid., P.260.

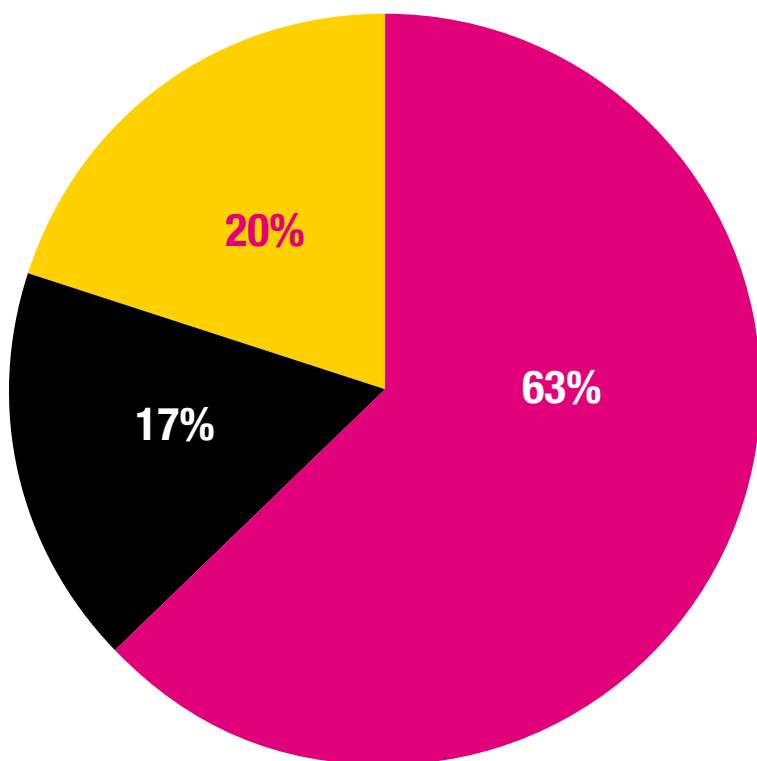
## 1.9. THE RULE OF LAW: PROGRESS AND REMAINING CHALLENGES




In order to successfully address child trafficking for sexual purposes, it is of the utmost importance that countries adopt and implement comprehensive and standard legislation which enables sanctioning and prosecution of traffickers and those who facilitate their criminal activities, while also ensuring protection of the child victims.

### 1.9.1. Trafficking Protocol and anti-trafficking legislation

The entering into force of the *Trafficking Protocol* in December 2003 has had a positive impact on the strengthening of national legal frameworks against human trafficking. Most of the current laws criminalising this offence were established after 2003, especially in East Asia and the Pacific, Central America and the Caribbean, and West Africa.<sup>89</sup> The percentage of countries without a specific human trafficking offence has greatly decreased in the last few years, from 65% in 2003 to 20% in November 2008.<sup>90</sup> However, the new legislations are not consistently harmonised with the international standards; this can result in legal gaps and challenges that hinder the effective prosecution of traffickers and the protection of victims, in particular in cases of transnational crime.

**Figure 11. The status of anti-trafficking legislation around the world**



-  Countries with specific and comprehensive legislation against trafficking
-  Countries with legislation punishing only some forms of trafficking or without a clear definition of the offence
-  Countries without specific legislation on trafficking

Graph based on data included in UNODC. *Global Report on Trafficking in Persons*. 2009. P. 22-25.

89. UNODC. *Global Report on Trafficking in Persons*. 2009. P. 22-25.

90. *Ibid.*

### 1.9.2. Shortcomings and challenges in the implementation of international legal standards

A comparative analysis of national legislations against international legal standards has revealed that a number of shortcomings should urgently be reviewed to increase the protection of children from sex trafficking. The main legal loopholes identified are as follows:

- **Some countries do not clearly define trafficking in their legislation in line with the Trafficking Protocol and limit their jurisdiction to cover only part of the phenomenon.**<sup>91</sup>
- Any intention to traffic children should be a criminal offence, even if the ultimate intended exploitation does not actually take place. This allows punishing all persons in the chain of trafficking as accessories to the crime. Unfortunately, only a few countries' national law reflects this important principle.
- **In several states, legal provisions on human trafficking do not cover all forms of exploitation to which children are subjected, including sexual exploitation.**
- Although the *Trafficking Protocol* states that the consent of a child or the means used to obtain such consent is irrelevant when children are involved, some countries do not adequately reflect the difference between the trafficking of adults and the trafficking of children.
- **In a number of countries, legislation on human trafficking is weak as a result of a narrow interpretation of the scope of the Trafficking Protocol; some countries limit their jurisdiction to cases of human trafficking committed internationally and by an organised criminal group, and do not cover domestic trafficking as an offence.**

Strong anti-trafficking laws in line with international instruments, together with effective enforcement procedures which are child sensitive, are of crucial importance to protect children from child trafficking for sexual purposes. States need to increase their efforts to enhance their legal frameworks against child sex trade and ensure that no legal loopholes exist. The specialised and targeted database which is being established as part of The Body Shop and ECPAT International campaign (see Chapter 3 for more details) will monitor and assess progress made in the next three years in achieving this goal in a sample of 40 countries, measuring the changes and improvements made in aligning national legislation to international standards.

## 1.10. INTERNATIONAL LEGAL STANDARDS FOR PROTECTING CHILDREN FROM TRAFFICKING HAVE BEEN INCLUDED IN THE NATIONAL LEGAL FRAMEWORK

### 1.10.1. The UN Optional Protocol to the Convention on the Rights of the Child on sale of children, child prostitution and child pornography – another comprehensive instrument to protect children.

The *Trafficking Protocol* has had the greatest impact on the wording of national laws that make it an offence to traffic children for sexual purposes. However, ECPAT International and other child protection agencies have also strongly advocated for the adoption and enforcement of another important international legal instrument addressing the different forms of commercial sexual exploitation of children: the *Optional Protocol on the sale of children, child prostitution and child pornography* (OPSC).

In force since January 2002, the *Optional Protocol* requires State parties to prohibit forms of abuse associated with trafficking - i.e. the sale of children - and ensure that certain acts and activities are fully covered under criminal law, whether committed domestically or internationally, and whether on an individual or an organised basis. As far as 'sale' of children is concerned, such acts/activities include 'offering, delivering or accepting....a child for the purpose of: a) sexual exploitation, b) transfer of organs of the child for profit, c) engagement of the child in forced labour (Article 3.1). Also included under 'sale' is the improper inducement of consent for the adoption of a child, an offence not covered by the *Trafficking Protocol*.

**As of 22 March 2009, the Optional Protocol had been ratified by 131 States.**

States are also required to provide penalties for the offences that amount to the 'sale' of a child so as to reflect their grave nature and must also provide for the liability of legal entities while punishing complicity or participation in the crime.

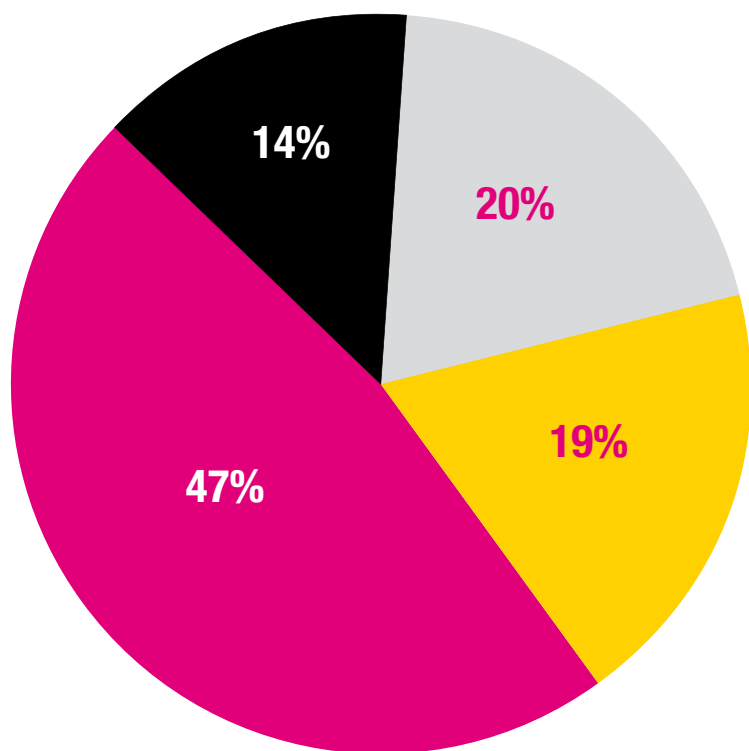
91. UNODC. Global Report on Trafficking in Persons. 2009. P. 22.

As with the *Trafficking Protocol*, there are measures in the OPSC on protecting and assisting child victims. However, while these provisions are discretionary in the Trafficking Protocol, Article 9.3 of the OPSC makes it mandatory for State parties to “take all feasible measures with the aim of ensuring all appropriate assistance to victims, including their full social reintegration and their full physical and psychological recovery.” It must also be noted that unlike the *Trafficking Protocol* whose enforcement is not monitored by any ad hoc body, the implementation of the anti-child trafficking provisions in the OPSC is pursued through reporting mechanisms to the Committee on the Rights of the Child, as well as through the Human Rights Commission of the United Nations, and the UN Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography.

**1.10.2. Criminal justice response and difficulties in quantifying convictions and prosecutions for child trafficking for sexual exploitation: a failure towards our children**

The *Global Report on Trafficking in Persons*, compiled by UNODC, provides comprehensive data on the implementation of legislation on human trafficking worldwide. Not surprisingly, the report shows that the number of prosecutions and convictions recorded in large parts of the world was very limited. More than 30% of the 155 countries examined recorded no prosecutions for this specific offence, with the ratio being particularly high in Southern and East Africa and in the Middle East and North Africa. Similarly, nearly 40% of countries recorded no convictions for trafficking in persons, with this percentage being lower in Western and Central Europe, Eastern Europe and Central Asia, and South America.<sup>92</sup>

**Figure 12. Prosecutions for Trafficking in Persons Worldwide**



- Countries with at least one recorded conviction of TIP
- Countries where information on convictions was not available
- Countries with no TIP offence and no recorded convictions
- Countries with TIP offence but no recorded convictions

Graph based on data included in UNODC. *Global Report on Trafficking in Persons*. 2009. P. 38.

92. UNODC. *Global Report on Trafficking in Persons*. 2009. P. 22.



If from one side the absence or the fairly recent status of most of the legislation addressing trafficking in persons in many countries explains the low enforcement level of anti-trafficking measures, on the other hand the small number of prosecutions and convictions may be attributed to the lack of expertise of law enforcers in detecting the crime and identifying child victims, as well as to the paucity of human and financial resources allocated by States for the detection and prosecution of this crime. It must also be stressed that trafficking is a complex crime difficult to prove, and many States use other offences to prosecute suspected traffickers (pandering, facilitating illegal entry into another State etc.) even when they have a specific anti-trafficking legislation. Apart from resulting in lenient punishment for traffickers and facilitators, this type of criminal justice response impacts on the protection of trafficked children, as usually the laws which are not related to trafficking have no provision for assisting child victims, including access to compensation.

In almost all countries covered by the UNODC report, information on prosecutions and convictions specifically for child trafficking for sexual exploitation was not available. While in some countries this is due to the lack of legislation distinguishing trafficking in children and trafficking in adults, in the majority of cases it points to the absence of data collection systems which disaggregate recorded cases of human trafficking on the basis of age of the victims and the type of exploitation to which they were subjected. Considering that child trafficking for sexual purposes constitutes a very particular manifestation of human trafficking, requiring tailored measures, especially in terms of prevention and assistance and protection to child victims, the development and implementation of databases within the justice system able to capture information on this specific crime remains a high priority to ensure effective responses to this CSEC manifestation.

### **1.11. CONCLUSION: ADDRESSING THE EMERGING CHALLENGES OF A COMPLEX AND MULTIFACETED PHENOMENON**

Child trafficking for sexual purposes is a serious violation of children's rights and a heinous crime committed against the most vulnerable and least protected members of society. It reduces victims to "commodities" to be bought, sold, transported and resold for sexual exploitation, including for prostitution, the making of pornography and forced marriages. While the real extent of this criminal practice is unknown, evidence shows that the number of children identified as trafficked victims is increasing, especially in some regions of the world. Equally of concern is the heightened internal child sex trade which requires specific and targeted measures, unfortunately not yet implemented in most countries. The economic crisis affecting the world is further increasing the vulnerability of children.

Any effort to reduce child sex trafficking needs to take into consideration the evolving nature of this form of sexual exploitation of children and be based on an in-depth understanding of the emerging challenges to the wide range of stakeholders involved in the fight against it. Through the development of comprehensive and targeted interventions, The Body Shop and ECPAT International campaign will address the many manifestations of child sex trafficking, thus contributing to strengthening the protection of children from this modern day form of slavery.



## CHAPTER 2

# A CHILD'S JOURNEY TO SEX TRAFFICKING - TRAJECTORY OF INTERVENTIONS

This chapter details:

- **Prevention:** The importance of effective strategies to prevent child trafficking for sexual purposes and how to reduce the vulnerability of children to this form of sexual exploitation;
- **Protection:** The necessary comprehensive protective environment, including an appropriate legal framework and child-friendly legal assistance, which needs to be ensured to any trafficked child;
- **Care and Rehabilitation:** The wide range of support measures and services required, from the post-rescue phase, through the recovery and repatriation/reintegration phase, and various good practices identified in terms of care and rehabilitation of children trafficked for sexual purposes.
- **Participation:** The various ways in which children and young people themselves can contribute to the prevention of child sex trade and to the protection and rehabilitation of child victims.

### 2.1. PREVENTION

Financial profits for those involved in trafficking children into commercial sex are substantial and benefit both those that facilitate as well as those who control such activities. Individuals and groups involved in the chain of trafficking are both locals and outsiders who share linkages through various criminal and non criminal activities that are of mutual benefit. They work closely together to avoid detection and any disruption that may compromise their interests. The elements of illegality, profit, and the clandestine nature of such operations bring great risk and danger for children that are drawn into and entrapped in such activities.

#### CONDITIONAL CASH TRANSFERS TO ASSIST FAMILIES IN DIFFICULTIES

Many families cannot support children to attend school, yet school participation is regarded as an important measure for the protection of children which reduces the risks to abuse and exploitation which are encountered by children out of school. The use of Conditional Cash Transfers (CCT) strategies, which assist poor families with financial resources on condition that they keep children in school, were introduced more than a decade ago and time has proved them effective in supporting vulnerable children and their families. For example, conditions for the family receiving a direct cash transfer would generally stipulate a maximum number of days that the child can be absent from school, without the loss of the transfer, requiring families to support their attendance. Across many countries where these strategies have been used, CCTs have increased participation of poor children and reduced differences in the rate of school participation between poor and non poor children.

Schultz, T.P. 2000 Final Report: Impact of PROGRESA on School Enrollment. International Food Policy Research Institute, Washington, D.C.  
See also, Conditional Cash Transfers: Reducing Present and Future Poverty, World Bank Report, 2009.

As previously discussed, traffickers often target individual children to ensnare them through the use of precise tactics and modes of influence, exploiting adverse personal situations or difficult socio-economic circumstances that may be affecting them. Irrespective of the causal factors that have made particular children more vulnerable, traffickers detect and use them to full advantage.

Preventing children from falling victim to traffickers requires the mobilisation and participation of those responsible for their protection, such as, family, community, relevant actors and groups in society and importantly the State through its systems of child protection, social welfare and justice. Articulation across and between those responses ensures that they all contribute to promote and uphold the rights of children in a sustained and equitable way and that they address, on a priority basis, the gaps that make particular children or groups of children vulnerable, preventing the full enjoyment of their rights.

Parents and others responsible adults have the primary responsibility for the overall development and protection of a child. According to the Convention on the Rights of the Child, States should assist them to implement this obligation through the provision of social safety nets wherever such are needed to underpin and bolster family capacity for protection of children. Interventions that support families can empower them in their role, particularly at times of crisis when they experience changes in circumstances that weaken their protective capacity and intensify their need for support. Loss of livelihood and income earning opportunities, emergencies caused by ill health, political and social disasters or other forms of insecurity are factors which can erode families' coping mechanisms and heighten vulnerability of children to exploitation.



Interventions with families can be undertaken directly or through community, social service or other structures. Such support may involve material, social or economic assistance the aim of which is to strengthen or restore the capacity of the family for protection of children.

Prevention strategies that put family at the centre of intervention will also aim to impact on the broader framework of support needed to guarantee children protection from trafficking and sexual exploitation. This can be achieved through comprehensive and integrated plans which coordinate actions across the key institutions that impact on children's lives. It must begin with the mobilisation of other responsible actors within the community to create a base of awareness and to bring focus to the problem. As important is the need to enlist the participation of community leaders and members providing concrete channels for their involvement which will enable them to transform the climate of social tolerance and indifference that often surrounds environments in the grasp of criminal elements, to one that demonstrates capacity for social action against child exploiters.

### SCHOOL-BASED INTERVENTIONS

Linking schools with other agencies that provide services for children can provide a framework for these institutions to strengthen their individual and collective role to safeguard the rights of children from sexual exploitation. Such linkages allow schools and other children's agencies to exchange knowledge resources, share professional codes of conduct and provide access to specialised services outside their own realm of expertise. In this way establishing schools becomes part of a system that can effectively respond to address the needs of vulnerable children to prevent sexual exploitation. The UK Every Child Matters programme provides a valuable example of how schools have been brought into such a system through a range of initiatives including tools such as special guidance documents that outline the specific responsibilities of schools as well as practical materials for teachers such as resource packs on child protection and teacher training modules to build child protection awareness specific to the various types of actors involved in education.

*Source: NSPCC 2003, Learning to protect: a child protection resource pack for teacher training, NSPCC; EduCare, 2002, Child protection awareness in education*

In this regard, prevention strategies will include targeted efforts to engage different actors and institutions which will capitalise on the specific means available to them to contribute and participate in prevention initiatives. For example, schools may integrate curriculum introducing concepts of children's rights, self esteem and skills for self protection from trafficking while teachers may also learn skills to assess signs and levels of risk and changes in the status of individual children that require the support of other relevant actors: health personnel to address persisting physical and psychological illness or substance abuse, social workers to address social or economic needs.


In this way, different members and agencies in the community will bring the resources and services of their agencies or departments and participate in prevention initiatives for child protection. The participation of different actors will not be solely institutional but will aim for the broadest reach. It will include, for example, health centres, vendors and restaurant staff in establishments in the community who may come in contact with children in conditions of vulnerability and can assist to alert authorities to situations of risk; building inspectors who issue licenses to establishments where children may be exploited; or border patrol personnel who review and approve travel documents for children migrating across borders and can be alerted to detect and protect children vulnerable to trafficking.

In all instances, a key responsibility in planning prevention initiatives is to ensure that the manner and conditions under which these are undertaken reflect the best interest of the child and respect for his/her rights and meet the standards and minimum requirements as set out in international instruments such as the Optional Protocol and the Trafficking Protocol.

## CHAPTER 2 A CHILD'S JOURNEY TO SEX TRAFFICKING - TRAJECTORY OF INTERVENTIONS



**Figure 13. Examples of Good Practice in Prevention**

A Child's Journey	Good Practice Interventions	Concrete Examples
<p>Aliyah, 13 years old, lives with her parents and siblings in a small village. Her family raises sheep to generate a small but insufficient income.</p> <p>The impoverished village community has heard about human trafficking but does not consider this to be a problem that directly affects them.</p>	<p>Targeted awareness-raising activities to share information about child trafficking for sexual exploitation with local communities can protect children, especially in high-risk areas.</p> <p>Awareness-raising initiatives developed from a sound understanding of the local context can provide important information using local examples to help children and their parents understand the dangers of trafficking and how to protect themselves.</p>	 <p>Bus with awareness-raising message circulating in at-risk trafficking routes in Costa Rica</p> <p>Fundacion Paniamor: <a href="http://www.paniamor.or.cr/">http://www.paniamor.or.cr/</a>            Trafficking Action Programme Booklet:  <a href="http://www.ecpat.net/EI/Publications/Trafficking/Trafficking_Action_Programme.pdf">http://www.ecpat.net/EI/Publications/Trafficking/Trafficking_Action_Programme.pdf</a></p>
<p>A female recruiter came to the village to find maids for wealthy families in a neighbouring country. She assured the villagers that the girls would receive a good salary, decent living conditions and possible education opportunities. Aliyah's parents urged Aliyah to go in order to help the family. Aliyah left with the woman.</p>	<p>Free hotlines, consultations or services can provide valuable information about human trafficking, safe migration and working abroad to children and the public. Possible 'disguises' of child trafficking should be explained, such as false offers of work, child marriage or education opportunities, as well as the different strategies employed by traffickers to deceive their victims.</p>	 <p>Banner advertising the hotline on human trafficking in Ukraine - All Ukrainian Network against CSEC</p> <p><a href="http://www.lastrada.org.ua/?lng=en">http://www.lastrada.org.ua/?lng=en</a>            Trafficking Action Programme Booklet:  <a href="http://www.ecpat.net/EI/Publications/Trafficking/Trafficking_Action_Programme.pdf">http://www.ecpat.net/EI/Publications/Trafficking/Trafficking_Action_Programme.pdf</a></p>
<p>At the border, the woman talked to a guard in a foreign language, gave him some money and false documents and they were allowed to cross. The woman took Aliyah to a house in an urban area.</p>	<p>Border patrol officials must be trained to actively identify at risk children and victims of trafficking. This includes screening for child victims among young workers, child migrants and unaccompanied minors, as well as children not traveling with immediate family members.</p> <p>Efforts should also be made to verify travel documents and identification and effective measures taken to prevent corruption and bribery.</p>	 <p>ECPAT Europe Law Enforcement Group's Training Guide and FAQ Booklet to Combat Child Trafficking for Sexual Exploitation* - <a href="http://www.ecpat.net/EI/EI_publications.asp">http://www.ecpat.net/EI/EI_publications.asp</a>            *Training Guide is available in English, Spanish, Russian and Dutch. FAQ Booklet is available in English, Spanish, French and Russian.</p>
<p>In the house, Aliyah was locked up. She was forced to work under harsh conditions over 20 hours a day and was sexually exploited by the owner and his friends. Aliyah was afraid to seek help because the owner threatened to harm her and her family.</p>	<p>Information and materials in relevant languages must be created and distributed via appropriate forms of media so that victims can learn where and how to seek help.</p> <p>Safe houses or shelters providing protection and services to vulnerable children should be established in high risk locations.</p>	 <p>Awareness-raising poster on child sex trafficking in Guatemala.</p> <p>ECPAT Guatemala:  <a href="http://www.ecpatguatemala.org/">http://www.ecpatguatemala.org/</a></p>



## 2.2. PROTECTION

The growing number of States that have ratified the UN Trafficking Protocol is an important sign of the political will of countries to combat human trafficking. However, ratification itself is not sufficient to protect against trafficking and countries need to adopt and implement comprehensive national legislation that is harmonised with international standards and ensure its effective implementation and impact on the ground (as detailed in section III). International standards and guidelines have also been developed for protecting children who have been trafficked, in particular by UNICEF in 2003 and updated in 2006<sup>93</sup> with regional variations such as those adopted by ASEAN Ministers for Social Welfare and Development in 2007.<sup>94</sup> Unfortunately, states have so far not been proactive in implementing such guidelines.

### 2.2.1. The importance of a protective environment

To ensure the protection of a child victim to trafficking for sexual purposes, it is essential that a comprehensive protective environment be in place which encompasses an appropriate legal framework, policies and programmes that prohibit child trafficking and ensure that child victims are not penalised as criminals or further victimised through the justice system and that they have access to appropriately trained personnel that will ensure that the system of protection will respond to support the child in recovery of capacities (physical and psychological health, social and emotional wellbeing, educational skills, material needs) required to pursue full enjoyment of her/ his rights. This is the responsibility of the State and protection interventions should be available within the social welfare and justice systems.

### 2.2.2. The right to special protection

Trafficked children have special needs and are therefore entitled to special protection measures. This is in recognition of the special circumstances of trafficked children, their vulnerabilities and the context within which they have been trafficked (as mentioned previously in Chapter 1). Special protection measures (beyond the necessary child specific legislation) may include, but are not limited to, proactive identification, protection, shelter and temporary care, legal assistance and a child-friendly judicial system.

### 2.2.3. Proactive identification

Many victims of trafficking are not identified and therefore remain unprotected. It is therefore essential that trafficked children are identified at the earliest possible time so that assistance and protection is provided. In some cases, this can start at the home/source country of the child and in the communities where they live.

Community education programmes and systems of reporting and referral for children in difficult circumstances such as telephone or internet hotlines/helplines, directories of support agencies and quick response teams can ensure a quick response to a concern for a child. Such interventions can allow for interception in the occurrence of a crime as well as acting as a referral system for identifying and providing assistance to children being trafficked or in assisting relatives searching for missing children. Depending upon the specific needs of a child victim, a helpline can provide emergency psychological counselling, legal assistance and/or refer the case to an agency that offers shelter, medical aid and rehabilitation services.

Border crossings are particular flash points in the trafficking journey and various checklists of warning signs and indicators on identifying a trafficked child exist for use by immigration and law enforcement officials. In cases of cross border trafficking, a trafficked child should be differentiated from that of an illegal migrant. A systematic procedure should be in place to guide law enforcement and other governmental and non-governmental agencies to facilitate the identification of trafficked children. Key indicators of a child being trafficked can include illegal entry into the country or large amount of money to be paid back for arranging travel costs. Training materials for law enforcement officials in the Netherlands, for example, list 26 indicators that can help identify a young person trafficked for sexual purposes.<sup>95</sup> Sharing of information among relevant agencies may also facilitate the identification of trafficked children and could include listing of children missing, children under care and case management as well as information about suspected or convicted traffickers operating in the area.

If law enforcement officials, or others, incorrectly identify a trafficked child as an adult, the young person is unlikely to be accorded the protection to which she or he is entitled. As trafficked children often travel with false documentation, mistakes about age are often made while the child is in transit. In the destination areas of trafficking, this can also be true where trafficked children have been forced into activities such as begging, petty theft or prostitution with the result that they may be criminalised rather than treated as victims of crime. The legislative guide for the implementation of the UN Trafficking Protocol states that where the age of a victim is uncertain and there are reasons to believe the victim is a child, the State should treat the victim as a child (in accordance with the Convention on the Rights of the Child) until the age of the child is verified.<sup>96</sup>

93. [http://www.unicef.org/cecis/GUIDELINES\\_Protection\\_of\\_Trafficking.pdf](http://www.unicef.org/cecis/GUIDELINES_Protection_of_Trafficking.pdf)

94. Asia ACTs Against Child Trafficking. Protecting the Rights and Dignity of the Trafficked Children in South East Asia. Philippines, 2007.

95. ECPAT Europe Law Enforcement Group. Combating the Trafficking in Children for Sexual Purposes. Questions and Answers. Amsterdam and Bangkok, 2006.

96. UNODC. Legislative Guide for the Implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organised Crime. 2004.

### INDICATORS FOR IDENTIFYING VICTIMS OF CHILD TRAFFICKING

Trafficked children may be identified through specific indicators that can be characteristic of trafficking such as:

- The young person does not have possession of his/her own travel documents
- Illegal entry into the country
- False papers are being used and have been provided by another person
- The young person is afraid of being expelled
- The young person is required to earn a minimum amount of money every day
- The young person has to pay off an exorbitant debt, perhaps the travel costs, before being able to control his/her own earnings
- A large part of the earnings is handed over to another person
- The young person has limited freedom of movement
- The young person has been abused or works under threat of violence

#### 2.2.4. Shelter and temporary care

Whether within the initial short term or for a longer time period (during judicial proceedings or repatriation processes) trafficked children, once identified, are often placed in some form of residential care where special services for care and assistance should be available. The necessary care standards and services are discussed in more detail in the next section. However, the assistance practices within these institutions are uniformly reported across the world as inadequate and in some instances can place children in situations of further harm. As a result, agencies whose personnel come into direct contact with children who may have been trafficked (e.g. law enforcement agencies, those responsible for immigration, other statutory agencies and NGOs) are urged to adopt codes of conduct, implement child protection policies and ensure child safe training to safeguard children and young people within their care.

Although States have the responsibility to oversee the way that children who are deprived of parental care are looked after, shelter and assistance can, and very often is, provided in cooperation with NGOs or by NGOs alone. Child victims of trafficking should not be held in immigration detention centres, jails or other institutions of detention (unless protection concerns are evident and the threat from the children's traffickers means that children need to be kept in 'closed' institutions which the children cannot leave and which members of the public cannot freely enter).<sup>97</sup>

#### 2.2.5. Child-friendly legal assistance

Governments should ensure that child victims are provided with legal assistance that respects child victims' rights, dignity and psychological well being. Children who have been trafficked for sexual purposes will have suffered serious abuse at the hands of their exploiters. The child may be terrified by threats of reprisals by the traffickers against his/her family, or the possibility of shame and rejection by family members. The child may also be afraid of being prosecuted for criminal offenses. Access to care services and permission to stay in a receiving country should not be contingent upon the child agreeing to testify in legal cases against traffickers. Where children are willing to testify in court against perpetrators, child-friendly judicial processes should be followed so that a child is not re-victimised through repeated interviewing and recounting of traumatic experiences; measures should be in place that allow privacy to the child and avoid unnecessary contact with the perpetrators (e.g. testimony provided under protective conditions, such as video-conferencing). Legal processes should be fast-tracked through child-friendly courts, particularly where repatriation is contingent upon the conclusion of a court case.

The importance of training law enforcement officials to ensure child-friendly proceedings is increasingly being recognised.<sup>98</sup> Guidelines and training materials emphasise the benefits of law enforcement specialists working together with social workers and others who are responsible for the care of sexually exploited children to form a 'multi-stakeholder group' and ensure the provision of appropriate care and support to child victims as well as the filing of charges and eventual prosecution of the perpetrators.<sup>99</sup> Less progress however is reported on ensuring justice is delivered for trafficked children either through appropriate punishments for those responsible for trafficking of children or in providing an appropriate remedy for the child who has been a victim of crime (such as payments for damages or compensation).<sup>100</sup>

Victims of child trafficking should not be repatriated or subjected to deportation or forced return without safeguards and other protective measures being put in place to avoid the risk of re-victimisation, hardship, retribution or re-trafficking (see section on Care and Rehabilitation for more details).

<sup>97</sup> Around the world, unaccompanied and separated children who are referred to residential centres for protection and assistance, including children believed to have been trafficked for sexual purposes, are reported to walk out of 'open' residential centres to which they have been sent and to 'disappear' without a trace; the fear is that they return back into the control of traffickers.

<sup>98</sup> ECPAT Europe Law Enforcement Group. Combating the Trafficking in Children for Sexual Purposes. Questions and Answers. Amsterdam and Bangkok, 2006.

<sup>99</sup> ECPAT International. Distilling Elements of Good Practice: The Action Programme against Trafficking in Minors for Sexual Purposes. Bangkok, 2007.

<sup>100</sup> Mike Dottridge. Child Trafficking for Sexual Purposes. ECPAT International, 2008.



**Figure 14. Examples of Good Practice in Prevention**

A Child's Journey	Good Practice Interventions	Concrete Examples
<p>Sia, 13 years old from Nigeria, was promised a new life in Europe with relatives but upon arriving in the airport in Rome, her adult travelling companion suddenly disappeared. After questioning, authorities took Sia to a shelter as an "unaccompanied minor". A few days later, the criminal gang that trafficked her from Nigeria kidnapped her from the shelter.</p>	<p>Once identified, child victims are entitled to protection and services.</p> <p>Within 24 hours, legal guardians/ representatives should be appointed to protect the rights of child victims and support them in a child-friendly way.</p> <p>Shelters or care facilities must be secure and children well supervised and protected with robust child protection policies and practices.</p>	 <p>Child Safe Organisations Training Toolkit &amp; Self-Study Manual (Toolkit available in English, Russian, Spanish and Thai while the Self-Study Manual is available in English and Thai)  <a href="http://www.ecpat.net/EI/EI_publications.asp">http://www.ecpat.net/EI/EI_publications.asp</a></p>
<p>Following a raid on the brothel where she had been imprisoned for three years, Sia was returned to the shelter.</p> <p>Afraid for her safety, Sia told the authorities that she did not want to return to Africa.</p>	<p>Authorities must consult and involve child victims in decisions that concern them.</p> <p>If they choose to do so, child trafficking victims should be permitted to remain in the country and should not be further traumatised by automatic deportation.</p>	 <p>Hernan Fernandez, renowned lawyer and member of ONGs Raices, conducts a media interview to advocate for child victim's rights, "The protection of child victims and their families must be real."</p> <p>ONGs Raices, an affiliate group of ECPAT, works with child victims by providing legal counsel and assistance on issues of repatriation to ensure that child victims are properly protected.</p>
<p>The police arrested Sia's traffickers and interviewed Sia to obtain evidence and information to support the prosecution.</p> <p>Sia does not understand the legal procedures or her role in the process and is reluctant to participate.</p>	<p>Interviews with child victims should follow established guidelines to avoid causing further emotional harm.</p> <p>Interviews should be conducted by well trained and certified experts in interviewing children and/or young people.</p>	 <p>A poster and child-friendly interview room by Nobody's Children Foundation, an ECPAT affiliate, which says "Your Honour, I'm Scared. A child is a witness with special needs."          Nobody's Children Foundation: <a href="http://www.fdn.pl/">http://www.fdn.pl/</a></p>
<p>The police rescue of children from the brothel was widely reported in the media.</p> <p>Journalists reporting on the police raid published pictures of Sia and re-counted her experiences.</p>	<p>Media guidelines and a strong child protection policy are critical for ensuring confidentiality and protecting the identity of child victims.</p> <p>Child victims should not be recognisable or portrayed in a negative or stereotypical manner.</p>	 <p>Media guidelines from the Youth Partnership Project:  <a href="http://www.yppsa.org/">http://www.yppsa.org/</a></p>

## 2.3. CARE AND REHABILITATION OF VICTIMS

Care and rehabilitation usually refers to the 'helping' phase of child survivors of trafficking for sexual exploitation<sup>101</sup> and includes different stages along the line of services provided such as post-rescue (after the removal or escape of the child from the trafficking/exploitative situation), recovery (a phase during which the child receives the support and assistance for restitution of rights and to reconstruct the means to face the situation), and reintegration or integration (usually comes after the recovery process when the child returns to a community-based life, either in their place of origin, in the place where the child was rescued or in another environment).

**“States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of [...] exploitation [...]. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.”**

**Art. 39 of the Convention on the Rights of the Child**

Children who have been trafficked for sexual exploitation have suffered a number of violations of their rights and are in need for immediate care and special protection. Removing the child from the exploitative situation (the rescue stage) is only one link in the chain towards the full recovery of the child's well-being in a sustainable situation with restoration of the child's rights. For this, the care and recovery phase includes a 'package' of appropriate services to respond to the different needs of the child trafficked for sexual exploitation in the child's best interest and in consultation with the child.

### **IN ANY CARE AND RECOVERY PROCESS, CHILD RIGHTS PRINCIPLES MUST BE PARAMOUNT. THIS INCLUDES:**

- **The best interests of the child, which shall be the primary consideration (Art 3 of the CRC)**
- The right to special protection and assistance
- **The principle of non-discrimination: children shall be treated equally and without discrimination of their origin or immigration status**
- Respect for the views of the child, which shall be sought and given due weight in accordance with the child's age and maturity (Art 12 of the CRC)
- **The right to privacy and confidentiality which implies that the privacy and identity of the child victim must be protected for the child's safety and the safety of his/her family**

### 2.3.1. The post 'rescue' phase

Once the child has been removed from the trafficking situation, one of the first priorities will then be to ensure the child's safety and security from the traffickers and to proceed to a complete assessment of the situation. This will include collecting all the relevant information, facts and evidence through child-friendly and gender-sensitive interviews. A care plan will then need to be developed in consultation with the child and with the assistance of appropriate professionals and immediate care and protection will have to be provided including security, food, accommodation in a safe place, access to social and health services, psychosocial support, legal assistance (including the appointment of a legal guardian representing the child and the regularisation of the child's status) and education.<sup>102</sup>

101. J. Frederick, Standards and Guidelines for the Care of the Sexually Abused and Sexually Exploited, Ray of Hope, Nepal, June 2002

102. Trafficking Protocol, Article 6

#### 2.3.2. The recovery phase

The recovery needs of the child victim of trafficking are varied and will depend upon each child's experience; this is why special attention must be paid to the unique circumstances and situations of the child and responses must be tailored to reflect these. In general the needs of trafficked children range from safety and security, not only physically to be protected from potential immediate threats from exploiters, but also emotionally as trafficked children have experienced betrayal and will need therapeutic support to rebuild their confidence and self-esteem; the need for political support including access to justice, to have a legal representative (see section on protection); the need for health care, as trafficked victims will have suffered sexual and other physical abuse, for which they will need specific assistance to heal. Potentially they may have contracted diseases, including sexually transmitted infections and HIV/AIDS or they may be addicted to substances which will need to be addressed appropriately; the need for psycho-social care, as any support programme should address the psychological and social issues that are affecting the trafficked child, including the impact of the trafficking and sexual abuse experiences on the child's emotional well-being, self-respect and confidence and on his/her socialisation. In order to provide a durable solution for the child, the care and rehabilitation process also needs to look at providing sustainable opportunities for the child survivor, including education, life-skills, and vocational training so that the child has alternative livelihood opportunities.<sup>103</sup>

#### EFFECTS OF TRAFFICKING FOR SEXUAL PURPOSES ON THE CHILD VICTIM

Children victims of trafficking for sexual purposes suffer physical, sexual, psychological abuses. While many children are resilient and have a high capacity to heal after abuse if given the care and support they need, the harmful consequences of sex trafficking are numerous and can lead to long-term illness called Post Traumatic Stress Disorder. Among these consequences:

- **EFFECTS ON PHYSICAL HEALTH** which may include various diseases, including Sexually Transmitted Diseases and HIV/AIDS infections, physical abuses and deprivations, child pregnancy and the related complications, and various other symptoms such as stomach or abdominal pain.
- **EFFECTS ON PSYCHOLOGICAL HEALTH** including depression, suicidal thoughts, feelings of hopelessness, guilt and shame, anxiety, inability to concentrate, low self-esteem, low self-confidence, emotional withdrawal, nervous breakdowns, anger
- **EFFECTS ON BEHAVIOUR** can include mistrust in adults, anti-social behaviour, addiction problems, difficulty to relate to others, dependant relationships with their abusers, self-inflicted harm, anger, aggressiveness, flirtatious and sexually provocative.

Source: ECPAT Europe Law Enforcement Group, *Combating the Trafficking in Children for Sexual Purposes - Questions and Answers*, 2006. <http://www.ecpat.net>

This wide range of services therefore requires that a large number of different partners are involved, implying that effective cooperation among the stakeholders must be developed to ensure that the child is referred to the appropriate services and institutions in due time.

Failing to provide adequate care to the trafficked child is a violation of the child's rights and cannot be tolerated. Specialised training on working with children victims of trafficking for sexual exploitation is therefore necessary for all staff and services concerned, but all too often this is not the case and the child is re-victimised from a lack of knowledge and skills by personnel working with related services.

#### 2.3.3. Repatriation and reintegration

The repatriation and reintegration phase will be composed of three potential options: voluntary repatriation of the child to the place of origin, local integration in the place of the trafficking destination, or resettlement and integration in a third country.

In cases of cross-border trafficking, the return of the child to his/her family in the country of origin will be favored if such return is in the best interest of the child and if family reunification can be arranged in optimal conditions of safety, security and durable protection. The child's view regarding his/her future needs to be given due consideration and appropriate care upon arrival needs to be ensured.<sup>104</sup>

The repatriation process being a joint effort between two countries, cooperation procedures should be in place to contribute to the successful and safe return of the child victim of trafficking. For this purpose, States shall promote the conclusion of bilateral and multilateral agreements or accession to existing agreements.<sup>105</sup>

103. ECPAT International, *The Psychosocial Rehabilitation of Children who have been Commercially Sexually Exploited*, 2005

104. UNICEF, *Guidelines on the protection of child victims of trafficking*, September 2006

105. Article 11 of the Convention on the Rights of the Child



#### BASIC CARE STANDARDS

- Trafficked children who are foreign nationals should enjoy the same level of protection as nationals
- Care services should be appropriate to the child's cultural identity and origin, ethnicity, migratory background, religion, gender and age
- The additional trauma and harm linked to the sexual exploitation of the child trafficked need to be addressed specifically
- Long-term care arrangements should favour family and community-based arrangements rather than residential/ institutional care
- Basic standards of care must be provided by qualified personnel

Priorities to consider at this stage will consist of ensuring the safety of the child; carrying out a proper investigation in the country of origin including a social enquiry into the situation and an assessment of the parents' capacity to care for the child or any other services which will be available; elaborating a plan for social and psychosocial reintegration offering the support needed in terms of care and recovery. Making suitable preparations for departure from the country of destination and arranging suitable reception in the country of origin are essential and should be coordinated by the competent authorities in the two concerned countries, including accompanying the child until destination. The reintegration process will be a long-term one which will require that the pre-existing problems to the trafficking situation and the effects of the exploitation are addressed adequately so that the child can move on to a safe life and "harmonious development" supported to prevent the risks of re-trafficking.<sup>106</sup>






In cases where repatriation is not possible, then local integration would be the primary option and local authorities need to find adequate and durable arrangements for the child favouring family- and community-based solutions, and including full care, regardless of whether the child is a national of the country where s/he is located. In this case, to be able to ensure a long-term perspective, the child should be allowed to remain in the host country after the age of majority is attained with a secure status.

When neither repatriation, nor local integration can be considered or are not in the best interest of the child, resettlement and integration in a third country needs to be facilitated. This option is particularly called for if it serves family reunification in the resettlement country or if it is the only mean to effectively and durably protect the child from violation of his/her rights.<sup>107</sup>

106. UNDDC. Global Report on Trafficking in Persons. 2009.

107. ECPAT Europe Law Enforcement Group, Combating the Trafficking in Children for Sexual Purposes - Questions and Answers, 2006

**Figure 15. Examples of Good Practice in Care and Rehabilitation**

A Child's Journey	Good Practice Interventions	Concrete Examples
<p>14 year old Alexandru lives on the streets of Bucharest. In search of work, he was trafficked to the city by an older boy. For survival, he and other street children are forced into petty theft and prostitution by their gang leader.</p>	<p>Drop-in-centres that work with at risk and experiential youths to conduct outreach and counselling can successfully assist street and other at-risk children. Support for basic needs such as hot meals, shelter and medical care may also be provided.</p>	 <p>Shelter for child victims of sexual exploitation in Chile                      ONG Paicabi: <a href="http://www.paicabi.cl/index.html">http://www.paicabi.cl/index.html</a></p>
<p>Addicted to sniffing glue, Alexandru did not make enough money to satisfy the gang leader. He was severely beaten and kicked out of the group. The police picked up Alexandru as a delinquent and took him to a detention centre.</p>	<p>Child victims of trafficking are vulnerable and require special services and education. Child protection agency workers, social workers and legal advisors should assist child trafficking victims to seek justice and ensure that their rights are protected.</p> <p>Child victims of trafficking should not be treated like criminals and as such should be accommodated in specialised children's care/ shelter homes or in appropriate alternative care.</p>	 <p>Action pour les Enfants (APLE), member of ECPAT Cambodia, works to provide legal services and justice for child victims of commercial sexual exploitation                      APLE: <a href="http://www.aplecambodia.org/index.php">http://www.aplecambodia.org/index.php</a></p>
<p>Alexandru was eventually placed in a shelter for children. The shelter provided basic health care for his injuries but Alexandru still suffered from addiction. Several friends that he met at the shelter have HIV and STIs as a result of commercial sexual exploitation.</p>	<p>Health care services for victims of child trafficking should include personal hygiene, nutrition, sex education, as well as aftercare to combat the effects of drugs and alcohol addictions. Moreover, special services must be provided for victims that are HIV+ and those with other STIs.</p>	 <p>ECPAT International Journal on the linkages between HIV/AIDS and the Commercial Sexual Exploitation of Children in Africa (available in English &amp; French)  <a href="http://www.ecpat.net/EI/EI_publications.asp">http://www.ecpat.net/EI/EI_publications.asp</a></p>
<p>At Alexandru's shelter, there were no caregivers who have experience in working with child victims of trafficking for sexual exploitation.</p>	<p>A multi-disciplinary team should be trained to provide the necessary integrated interventions/ services to the trafficked child. Each professional should play a specific role in the care and rehabilitation of a trafficked child.</p>	 <p>Distilling Elements of Good Practice: The Action Programme against Trafficking in Minors for Sexual Purposes [Costa Rica, Thailand, Ukraine]  <a href="http://www.ecpat.net/EI/EI_publications.asp">http://www.ecpat.net/EI/EI_publications.asp</a></p>
<p>Also at the shelter, Alexandru was offered basic educational opportunities and a chance to learn how to read and write.</p>	<p>In addition to educational opportunities, child victims of trafficking should also be provided vocational and livelihood training so that they have viable and sustainable opportunities to earn an income. It is important to encourage independence and build skills, experience and plan for the future.</p>	 <p>ECPAT Taiwan's "Girl Independent Programme" provides vocational skills and career planning to child victims of trafficking and CSEC.                      ECPAT Taiwan: <a href="http://www.ecpat.org.tw/">http://www.ecpat.org.tw/</a></p>

## **2.4. CHILD AND YOUTH PARTICIPATION**

### **2.4.1. The Child's Right to Participation**

The UN Secretary General's report on Violence against Children<sup>108</sup> highlighted the alarming extent to which children and young people are socially, economically, legally and politically disempowered. The report documents the ways in which this lack of power manifests and impacts on children, making them vulnerable to abuse and exploitation, limiting their education and livelihood opportunities, forming the basis of gender inequality and discrimination and excluding them from public decision-making processes that shape their lives. Although the United Nations Convention on the Rights of the Child (CRC), commits governments to undertake special measures to safeguard and uphold the rights of children, few of the channels through which children can claim of their rights, be they legal, political, social and economic structures, are open for their participation or influence. Thus often the very structures responsible to guarantee children protection from sexual exploitation and trafficking are out of reach, out of touch and unresponsive to their needs and realities.

The capacity of the individual to claim his or her rights and to demand justice throughout his or her lifetime, while also learning to fulfill corresponding obligations as part of society, is developed in early life with durable lifelong patterns. The lack of opportunities for young people to participate in productive civic interactions that open channels for them to constructively engage to influence social processes or claim accountability from public officials on matters that affect their lives, can create a long simmering feeling of disenfranchisement among youth that may be carried to adulthood.

Ensuring avenues are open for the participation of children and young people in these processes is therefore essential to guarantee that children can participate through relevant mechanisms as full members of society but also to promote the long term working of a society in which they are active citizens. Concrete measures are thus required to facilitate their participation, for example to ensure that children are consulted on issues that concern them, that their voices are heard and their suggestions taken into consideration. These steps must be taken at different levels, with family and community, within the structures of society responsible for the welfare and protection of children, as well as in the mechanisms of governance at national and international level. By soliciting the participation and input of children in their deliberations and planning, functionaries responsible for the provision of services due to children, policymakers and other officials can learn and benefit from the experiences of children to inform their work and ensure it promotes the best interests of the child. In relation to strategies for preventing child sex trafficking, children can provide a deeper understanding about what they experience as the greatest threats to their security and how these can be addressed. Such consultation results in better policies for protecting children and their rights, particularly when survivors and children at-risk are given a voice in planning action to prevent child sex trafficking. Creating mechanisms for children to participate and opportunities for them to contribute to their own protection empowers them to demand socially responsible behaviour in their societies.

### **2.4.2. Children's participation in preventing child trafficking**

Projects working with children and youth in participatory ways have shown children can effectively articulate issues important to them. When provided with appropriate tools and training, children can communicate and share information with other children in interesting and meaningful ways, whilst building trust and confidence amongst their peers. It is important for children to have access to accurate information, particularly on traditionally taboo subjects related to commercial sexual exploitation, so that they are familiar with these topics and can talk openly with their friends and peers in an environment of mutual support and understanding. Child and youth participation begins with their right to know about issues that affect their lives, including the right to live free from abuse and exploitation.

Building children's communication and advocacy skills through capacity building creates opportunities to share opinions that would otherwise not be voiced. Utilising cultural and creative communication mediums, youth can incite change through community awareness initiatives to improve understanding about the commercial sexual exploitation of children. These types of initiatives can result in increased awareness about the risks of sexual exploitation and trafficking, the rights of children, and HIV/AIDS prevention and care, especially in high risk areas and amongst vulnerable groups such as street children and children with disabilities. Increased awareness of sexual exploitation and trafficking of children amongst law reformers, the judiciary and the police, as well as formal recognition of the need for child-friendly policies, legislation and procedures can also be brought about by targeted youth-led awareness raising efforts.

108. UN Secretary General Report on Violence Against Children, 2006.



#### PEER SUPPORT PROGRAMMES

Peer Support Programmes can represent an effective way to provide support and awareness raising to children and young people who may be vulnerable to child trafficking. Peer Support is a process by which a young person trained in listening and communication and support skills helps another child or youth of similar age, background and experiences feel safe and more informed of the dangers of trafficking. These types of programmes also empower young Peer Supporters, who have an opportunity to develop their understanding of these issues and build self-confidence through helping their peers.

Young people's attitudes are highly influenced by their perception of what their peers do and think. Peer Support makes use of peer influence in a positive way. Young people who have taken part in peer support initiatives often praise the fact that information is transmitted more easily because of their shared background, use of language and interests. Peer supporters are less likely to be seen as authority figures 'preaching' about how others should behave from a judgmental position. Rather, the process of peer support is perceived more like receiving advice from a friend 'in the know' with similar concerns and an understanding of what it is like to be a young person. Young people get a great deal of information from their peers on issues, especially with regard to topics that may be sensitive or culturally taboo such as CSEC.

*Source: ECPAT International. Peer Support Programme Guidelines. March, 2009*

By interacting with decision-makers and other representatives, children have an opportunity to advocate policy and legislative changes on issues directly affecting their lives, including human trafficking and sexual exploitation. Youth-led advocacy campaigns to lobby governments to enact and enforce effective legislation against child sex trafficking and other forms of CSEC can result in change at the national, regional and international policy levels. This can be done by inviting policymakers, legislators and decision-makers to actively participate in youth-led advocacy events, which can also generate more constructive media coverage of CSEC-related issues. Children and youth who have been trafficked for sexual purposes are uniquely placed to call on their government leaders to recognise their responsibility to provide specialised care and services for survivors. Children can and should play a role in the preparation of government standards and guidelines to combat child sex trafficking. States should also encourage the participation of children in both the development and implementation of government policies, programmes and other initiatives against the sexual exploitation of children.

#### 2.4.3. Protecting children through participation

The CRC recognises the special needs of children and their basic right to protection. One way to protect the rights of children is to empower them through participation at all levels of decision-making. A trafficked child should enjoy the right to express his or her views freely in all matters related to their specific protection, including in relation to the legal process, interim care and protection and the identification and implementation of a sustainable case management plan.

The child's access to information on all matters affecting him/her relating to the trafficking situation is necessary to enable the child to have a meaningful participation in planning and decision-making about his/her life. The information must include the entitlements and services available, various options/plans he/she can choose such as return to his/her family, whether to cooperate as a witness in any legal case and/or repatriation and the process involved. Such information and participation hastens the healing process as the child is aware of the measures being undertaken and the progress and as such can gain a sense of control about his/her life which enhances self confidence. The establishment of children's clubs and youth groups within interim care facilities can act as an important mechanism to assist children to learn about child rights, empowerment and basic health issues. This knowledge helps them to better protect themselves, make more informed decisions and provides valuable linkages to critical services that they can turn to in times of need. As a result of the greater confidence built through these types of experiences, children and youth may be empowered to defend and speak up for themselves.

By engaging in high-level advocacy initiatives to lobby their governments and international bodies for improved legislation to better protect children, young people can also play an important role in ensuring the protection of all children and building a stronger protective environment to stop child trafficking. This is not limited to the drafting and ratification of laws, but children and youth can also target relevant government agencies and law enforcement officials through advocacy and awareness-raising campaigns to ensure effective implementation.



#### SURVIVORS' PARTICIPATION

While it might seem obvious that children who have been trafficked should be a primary source of information on which to base preventive actions, as well as assessments of the effectiveness of existing measures to protect children or stop trafficking, this is often not the case.

It can initially be more challenging to engage and involve CSEC survivors in activities and projects than youth from more privileged backgrounds. CSEC survivors require extra support and encouragement to strengthen their confidence, sense of self-worth and positive outlook. However, if given the opportunity, they have shown that they can play an important role in combating CSEC. The contributions that they can make in ensuring effective and practical project design that genuinely meets the needs of target beneficiaries cannot be underestimated.

When approaching CSEC survivors and at-risk children and youth, it is important to be very clear about the proposed activity and what their participation will involve in order to avoid creating false expectations. It is essential to establish trust and to demonstrate by doing that the initiative will be truly led by youth. Participating youth should also have reached a sufficiently advanced stage in their recovery where they are able to talk about sexual exploitation and related issues without this being traumatic for them. Children and youth involved in the project should not be explicitly identified as sex trafficking survivors under any circumstances and should never be pressured to discuss their personal experiences.

#### 2.4.4. Rehabilitation

A supportive environment is essential for an exploited child to develop into a confident adult. Efforts to understand and identify a child's potential are critical. The success of reintegration increases significantly if children have a voice in decision-making and the development of a reintegration plan. Child participation is therefore an important component of a successful recovery and rehabilitation process.

Children can identify and participate in creative therapeutic activities, such as dance, music, art and theatre. Children should be given opportunities to choose areas of interest and develop skills through vocational training rather than having these decisions made for them. Some children who had limited educational opportunities are often reluctant to return to school as an adolescent. They may prefer to learn technical or practical skills and these opportunities should be made available.

By taking on shelter or organisational management responsibilities, children and youth can develop valuable social, communication and project management skills. Assisting adult staff and aiding in the recovery of their peers can also positively impact the rehabilitation process. These new roles help survivors to shift their self-image from that of victim to that of valued community member. In many shelters, basic needs are addressed but there is little focus on psychosocial rehabilitation of the child. Due to the trauma of their experiences, the path to recovery for trafficked children must necessarily be designed differently and trafficking survivors can provide valuable insight and recommendations on effective outreach and rehabilitation strategies.

It is important to ensure the rights of children to play a role in their own protection, recovery and rehabilitation and governments and organisations working for youth must be held responsible for providing adequate and appropriate support for this process. The level of child and youth participation will invariably be affected by political will, differences in understanding, capacities of both adults and children, as well as availability of resources, but should always be promoted as best practice when working with and for child trafficking survivors.

**Figure 16. Examples of Good Practice in Child and Youth Participation**

A Child's Journey	Good Practice Interventions	Concrete Examples
<p>When Anjali was 12, a relative offered her a job in the city to earn money to help support her family. She was taken to Kolkata where she was supposed to work in a restaurant, but was sold to a brothel instead.</p>	<p>After Anjali was rescued from child prostitution and brought to a children's shelter, she became a Youth Peer Supporter and now leads community awareness campaigns and peer support sessions in schools located in high-risk areas like her home village to share information about the dangers of trafficking.</p>	 <p>Youth-Led Community Awareness Campaign in Dhaka, Bangladesh</p>
<p>Using false travel documents, traffickers transported Anjali to a Kolkata brothel. Anjali was afraid that she would go to jail if the authorities were to find her.</p>	<p>Anjali now participates in government advocacy campaigns to ensure child victims of trafficking are not criminalised or deported. She is also involved in trainings for police and immigration officials on child-friendly techniques and providing appropriate care and protection</p>	 <p>YPP Youth present their regional policy recommendations to the Prime Minister of Nepal</p>
<p>At age 17 Anjali was rescued by Maiti Nepal, a Nepali NGO, and returned to Nepal. Due to the social stigma and trauma, Anjali felt she could not return to her village and be happy there.</p>	<p>An assessment of the home situation should be conducted as part of the reintegration process in order to ensure safety and prevent re-victimisation.</p>	 <p>Youth depiction of leaving police custody into the care of NGO / YPP staff and peer supporters</p>
<p>At the shelter Anjali met girls who had been sent back home to unsafe conditions and were unable to reintegrate into society due to stigma and discrimination.</p>	<p>Awareness-raising for local communities is important to help generate support and understanding for survivors of trafficking.</p>	 <p>Sharing information through Youth Wall Magazines</p>
<p>Anjali began living at Maiti Nepal and joined the Youth Partnership Project (YPP) working to promote child and youth participation in advocacy against CSEC.</p>	<p>Opportunities to take action and learn how to protect themselves and their peers from CSEC can be empowering for survivors.</p>	 <p>The YPP is an innovative initiative designed to empower and build the capacity of experiential youth to take the lead in the fight against CSEC. <a href="http://www.yppsa.org">www.yppsa.org</a></p>







**Figure 16. Examples of Good Practice in Child and Youth Participation (continued)**

A Child's Journey	Good Practice Interventions	Concrete Examples
<p>Anjali was initially very shy. However, she gradually began to participate in YPP activities and discussion sessions since many of her peers were doing so and she began to learn ways that young people can help each other.</p>	<p>It can be helpful for youth to participate in therapeutic &amp; creative activities with other young survivors to develop positive relationships, build support networks and understand that they are not alone.</p>	 <p>SANLAAP's 'Another Me' Project gives survivors opportunities to express themselves in artistic and creative ways.  <a href="http://www.anotherme.org">www.anotherme.org</a></p>
<p>As Anjali became more involved with the project, she began to realise that other children and youth depended on her for guidance and leadership. Anjali was then nominated and elected by her peers to become a YPP Youth Motivator.</p>	<p>Highlighting positive roles as peer supporters, youth advocates and community leaders can help survivors transform negative self-images, as well as change negative public perceptions.</p>	 <p>Transforming identity and self-image from negative to positive helps build confidence and hope for the future.</p>
<p>Anjali provided assistance to YPP Peer Supporters working in the drop-in-centres and schools located in high-risk and red light areas. Many of her peers came to her to ask for guidance and Anjali became increasingly confident.</p>	<p>Training youth in peer support techniques and providing opportunities for leadership roles can help build self-confidence.</p>	 <p>Youth depiction of a YPP Peer Supporter at work in the community</p>
<p>She helped other children and youth lead community awareness raising activities and establish peer to peer counselling programmes in schools and shelters.</p>	<p>Opportunities for young people to develop &amp; lead awareness campaigns can help them see how they can make a difference in their communities. Experiential youth can also provide valuable ideas for conducting outreach to their peers &amp; other at-risk youth.</p>	 <p>Youth-Led World AIDS Day Community Awareness Initiative in Kolkata</p>
<p>Anjali developed and performed dramatic skits and puppet shows on child sex trafficking, HIV and child rights with her friends in high-risk villages in border areas.</p>	<p>Drama, poetry, puppetry and music can offer creative ways for survivors to express themselves while sharing important information about child protection with local communities.</p>	 <p>Puppetry Performance on the protection of children from Child Sex Trafficking</p>



**Figure 16. Examples of Good Practice in Child and Youth Participation (continued)**

A Child's Journey	Good Practice Interventions	Concrete Examples
<p>Anjali was able to reach out to children, especially other survivors, who were unwilling to interact with others. She was able to engage unresponsive or aggressive youth by involving them in participatory activities.</p>	<p>Youth can be given capacity-building training to assist shelter staff in providing orientation for newcomers. This type of peer support can reduce fear and help girls who have just been rescued adjust to a new environment.</p>	 <p>YPP Peer Supporter leading a shelter-based group discussion session.</p>
<p>Anjali began to speak up at meetings with adult YPP staff and NGO senior management, realising she had an important responsibility to represent her peers and ensure that their views were heard. She regularly collected youth input and presented their feedback confidently at meetings with adult staff members.</p>	<p>Children have the right to be involved in matters that concern them directly.</p> <p>Opportunities to support project management to plan and implement activities build leadership and other useful skills that can be helpful to youth in the future.</p> <p>Adequate adult support and training is important.</p>	 <p>YPP Youth Motivators play important roles in the planning, management &amp; implementation of project activities.</p>
<p>Anjali began to appreciate the importance of working with youth as equals and listening to their views. Based on the suggestions of her peers, she helped set up a library in the shelter that everyone was able to enjoy and benefit from.</p>	<p>Encouraging youth to identify ways in which they can positively impact their immediate surroundings, such as creating libraries, recreation areas and establishing child and youth clubs, can facilitate recovery and rehabilitation.</p>	 <p>Working together to set up a youth managed shelter library</p>
<p>Anjali continues to take on new responsibilities previously managed by adult staff, such as facilitating youth workshops, organising and leading trainings and meeting with community leaders and law enforcement officers.</p>	<p>Youth can effectively lead local, national and international advocacy initiatives promoting child protection strategies to national policymakers and local community members. Positive partnerships with trusted police officials and local government leaders help reduce fear of authority figures.</p>	 <p>A YPP Regional Consultation was held from December 14-17, 2007 in Katmandu. The RC was led by youth representatives from the three project countries and attended by senior government officials and the media.</p>
<p>Anjali is now living independently and working on an issue that is important to her. She is hopeful about the future and is eager to continue her involvement in efforts to end the commercial sexual exploitation of children.</p>	<p>Youth should be encouraged and supported to think about and plan for their future, developing vocational and life skills that will enable them to live independently and pursue their dreams.</p>	 <p>Thinking about the future using art.</p>



## **2.5. CONCLUSION: THE IMPORTANCE OF A HOLISTIC AND INTEGRATED APPROACH**

Good practices and lessons learned accumulated in the last decade show that the complex and multifaceted nature of child trafficking for sexual purposes requires an integrated and holistic approach to addressing the problem. Comprehensive measures need to be developed and implemented through a wide collaboration between countries of origin, transit and destination, and effective cooperation and coordination among relevant stakeholders (such as governmental institutions - including law enforcement agencies, judicial authorities, labour inspectorates, immigration and asylum authorities - non-governmental organisations, victim service providers, child protection institutions, communities, the private sector and children themselves).

An integrated approach also means that policies and programmes developed by states must be aimed not only at preventing children from being trafficked but also at ensuring prosecution of traffickers and adequate protection, care and assistance for child victims. In order to be effective, such measures must be developed at different levels (local, national, regional and international) and be targeted to the special needs and rights of child victims.

In recognising the importance and effectiveness of this strategy, the Body Shop and ECPAT International's 'Stop Sex Trafficking of Children and Young People' campaign will promote specific actions to reduce the vulnerability of children to the sex trafficking while also enhancing the protective environment for trafficked children and the assistance measures to which any child victim is entitled. This work on prevention, protection and rehabilitation will be implemented in both countries of destination and of origin, will be conducted at various levels and will involve all actors concerned, including children and young people themselves.

## CHAPTER 3

# SECURING A SAFER WORLD FOR CHILDREN - GLOBAL GOALS AND TARGETS

### This chapter details:

- *The strategy adopted by the campaign to improve application of national and international laws to protect children from trafficking and sexual exploitation;*
- *The specific goals and indicators that will be used to measure and monitor states' progress in meeting their obligations to prevent, prohibit and stop sex trafficking of children and young people; and*
- **The tools the campaign will utilise to monitor the implementation of government actions to prevent, prohibit and stop sex trafficking of children and young people.**

### 3.1. FULFILLING COMMITMENTS TO OUR CHILDREN

Specific commitments and promises have been made by states to uphold the rights of the child and to protect children from sex trafficking and all forms of commercial sexual exploitation. Whilst progress can be noted in many areas and in several countries of the world, significant efforts are still urgently required to secure a safe environment and guarantee protection for children. Major gaps and areas for improvement are highlighted in this section.

**States owe the maximum level of protection to the children of the world. A specific monitoring of progress is crucial for ensuring that the promises made are transformed into concrete and tangible changes in the lives of vulnerable children and child victims of trafficking.**

In 1996, the First World Congress against the Commercial Sexual Exploitation of Children (CSEC), organised in Stockholm, Sweden, called on governments, in collaboration with NGOs, private sector partners and children to prioritise action against CSEC, including the trafficking in children for sexual purposes. It detailed an 'Agenda for Action' to be implemented by states and all sectors of society to ensure the protection of children. One hundred and sixty one governments have signed the Stockholm Declaration and Agenda for Action and committed to undertake specific measures in the areas of Coordination, Prevention, Protection, Recovery and Reintegration and Child Participation to guarantee the right of the child to live free from sexual exploitation. The degree to which governments take concrete action to fulfill these responsibilities is monitored through the review process under the Convention on the Rights of the Child conducted by the Committee on the Rights of the Child. ECPAT groups in countries around the world monitor the situation of children in their countries, in relation to their protection from sexual exploitation, and prepare independent reports for the Committee's review, which supplement information available in state reports. ECPAT also issues periodic Agenda for Action Monitoring Reports<sup>109</sup> detailing actions taken to combat CSEC in countries around the world. The information supports the global monitoring of the states' efforts to counteract violations of sexual exploitation against children in various countries. It also serves as a basis for analysis in the World Congress process (1996, 2001, 2008) which furthers these efforts.

**Figure 17.**



Queen Silvia of Sweden and President of Brazil, Lula da Silva, opening the World Congress III

**Figure 18.**



Presentation of 'The Body Shop Global Campaign against child trafficking for sexual purposes: a call for action from the NGO and the private sector' in the workshop on "Corporate Engagement for Child and Adolescent Protection" at the World Congress III, Rio, 2008

109. For more information, please consult [www.ecpat.net](http://www.ecpat.net)



The World Congress III against Sexual Exploitation of Children and Adolescents was convened at the end of 2008 to examine the progress that has been made globally to combat sexual exploitation of children. Participants from around the world urged all states and other stakeholders to ensure more consistent and concerted action to prevent, prohibit and stop all forms of sexual exploitation of children. The World Congress III defined new goals and targets to ensure that this grave violation of child rights is adequately addressed.<sup>110</sup>

The World Congress III also gave specific attention to the role of the private sector in protecting children from sexual exploitation including child trafficking, by 'encouraging the private sector, employers' and workers' organisations, to proactively engage in all efforts to prevent and stop the sexual exploitation of children and adolescents and to use their know-how, human and financial resources, networks, structures and leveraging power to [...] among others, integrate child protection into corporate social responsibility policies.'<sup>111</sup> Various private sector companies participated in the World Congress III, mostly related to the travel and transport industry, the hospitality sector or information and communication technologies. The Body Shop took part in the World Congress III and introduced the forthcoming campaign on child sex trafficking and shared company experiences in social campaigning and in mobilising customers to inspire long-term social change. The Body Shop's interest and commitment to actively play a role in the protection of children from sexual exploitation through its global partnership with ECPAT International was a unique experience, welcomed at the World Congress III. It provided an example of an industry initiative taken by a partner that, though not directly affected by these crimes in its services and structures, is still ready to take action.

**“The work we have begun here must not end here today [...]. We must not allow the discussion of children’s rights particularly in the matter of sexual exploitation to ever go silent again but we must evoke calls of change throughout the world like we have never done before.”**

Children and Adolescents Closing Statement at the World Congress III against Sexual Exploitation

A key element of the World Congress III was the participation of 282 children and adolescents who strongly advocated for constant attention on the counteraction needed to end sexual exploitation of children.

They asked governments to allocate resources to ensure the most appropriate actions to end these violations of children's rights. Their call confirmed the importance of continuously monitoring the situation of child protection from sex trafficking so as to identify the main breaches and obstacles where attention and endeavors must be focused to improve the fight against this inhuman crime against children.

Specific priorities to combat sexual exploitation of children and trafficking were identified during the World Congress III. These are outlined in the *Rio de Janeiro Declaration and Plan for Action against Sexual Exploitation of Children and Adolescents*.

Developed at the World Congress III by the 137 participating governments and derived from extensive consultations prior to and during the Congress, it outlines the key priorities that are to be the focus of global follow up. The actions reflect and support those specified in international legal instruments that states are party to, such as the *Convention on the Rights of the Child, the Optional Protocol on the sale of children, child prostitution and child pornography* and the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*. The *Rio Declaration and Plan for Action* specifies concrete and urgent actions to help states fulfill their existing commitments to ensure the right of each child to protection from sexual exploitation.

Monitoring performance against specific goals enables all stakeholders, including the general public, to be better informed and hold governments accountable for policies and actions they take to meet their obligations to children. In light of the complex nature of these crimes, actions must promote and uphold the child's right to live free from sexual exploitation and trafficking and be deployed at multiple levels. For example, in prevention at family and community level, enhancement of the legislative framework and of law enforcement, services for physical-psychological care and support for social reintegration and overall restoration of rights need to be addressed. While such actions are set out in international instruments, the World Congress III has shown they remain largely sporadic and isolated rather than permanent measures that work in an integrated way, through the structures of the State, to ensure child rights and full delivery of justice.

The 'Stop Sex Trafficking of Children and Young People' campaign seeks to bring public focus to three specific tactical goals which are essential to improve child protection against crimes of trafficking and sexual exploitation and require sustained government action. To achieve this, the campaign will focus on key initiatives seen as fundamental for achieving the selected goals and will scrutinise the level of action taken and progress made on their concrete implementation. Achieving these three goals will have a significant impact on the prevention of trafficking and the protection of children, and ensure that the care and support children need when they fall victim to these violations is provided.

110. The Rio Declaration and Plan for Action available at [www.ecpat.net/WorldCongressIII/index.php](http://www.ecpat.net/WorldCongressIII/index.php)

111. The Rio Declaration and Plan for Action available at [www.ecpat.net/WorldCongressIII/index.php](http://www.ecpat.net/WorldCongressIII/index.php)



The three goals are as follows:

<b>GOAL 1</b> ▶	Community-based prevention programmes to stop child trafficking are reaching at-risk populations
<b>GOAL 2</b> ▶	International legal standards for protecting children from trafficking have been incorporated in the national legal framework
<b>GOAL 3</b> ▶	Specialised government services for child victims of trafficking are integrated in national policies

The level of progress toward achieving these goals will be monitored systematically throughout the campaign ensuring stakeholders follow the advancements made toward their full implementation on a country by country basis. To provide for a more robust analysis of developments and progress four indicators have been defined under each of the goals. These will be used as measures (or ‘milestones’) to gauge forward movement on implementation as each contributes to the overall achievement of each of the set goals.

Data relevant to each of the indicators will be collected on a periodic basis and integrated in a database which will be used to measure and score progress. It should be noted that the availability and quality of data in each of the 40 countries<sup>112</sup> included under the monitoring initiative of the campaign is highly uneven. In many countries data on sexual exploitation of children and trafficking are not systematically collected, are localised to project areas rather than having national scope, or fall outside an established management information system and are thus inconsistent. This implies that data sources, definitions and classifications may vary from country to country. However every effort to define parameters to minimise differences has been made and ECPAT will work with its partners in each of the countries to identify the optimal data sources. Taking these factors into consideration, indicators have been selected on the basis of the following criteria: availability and ease of access to information and level of relevance of the action for achievement of the goal.

**Figure 20. Progress Cards Measuring State Action**

Countries	Ratified the Trafficking Protocol	Ratified the Optional Protocol	National legislation harmonised with the Trafficking Protocol	Special Police Unit
<b>Czech Republic</b>	Progress	Progress	No Progress	Compliance
<b>Thailand</b>	Progress	Compliance	No Progress	Progress

■ Compliance ■ Progress ■ No Progress

The presentation of findings will be made through use of a “progress card” (the baseline of which will be available in late 2009) which will serve to provide a visual index of progress on achievement of goals, throughout the campaign. The “progress cards” will use a color code to visually illustrate action taken against the specific indicators on a country-by-country basis.

It is also necessary to note that these indicators are assessing measures directly undertaken or supported by states and do not necessarily reflect the large amount of work undertaken by many NGOs around the world, often in order to compensate for a lack of adequate action on the part of government. The decision to assess only state-supported measures is based on the fundamental principle that, while the protection of children is a shared responsibility of all actors of society, the obligation to guarantee that children can fully enjoy their fundamental rights is borne by the state. The assessment of the progress made by countries is therefore undertaken in this perspective and can lead to specific advocacy messages for specific measures in identified countries or regions.

112. The 40 countries initially selected have The Body Shop outlets and will be proactively implementing the campaign

In order to establish a baseline of information, initial data will be collected through various sources, focusing mainly on ECPAT's experiences in monitoring progress on the implementation of the Agenda for Action against commercial sexual exploitation of children.<sup>113</sup> Data will also be sourced from UN bodies, governmental, non-governmental organisations and other stakeholders involved in anti-trafficking measures. As noted above, due to the complexity and scope of the issue and the inter-relationship between state and non-state actions, some measures assessed through baseline indicators may not be fully comparable between states and will relate to the time of accessing the information. Notes and references will be provided in an attempt to clarify classification of some actions.

Whilst this campaign constitutes an innovative attempt to track and assess the progress of states' implementation of specific international commitments to protect children from sex trafficking, tracking three key goals and 12 specific indicators will demonstrate the analysis which is needed to show the targeted and comprehensive efforts that are required to address the complexities of international and domestic child sex trafficking. Therefore, during the next three years of The Body Shop-ECPAT Stop Child Sex Trafficking campaign, ECPAT International will develop and expand the database and data collection process, further elaborating indicators that will enrich understanding of child protection from sex trafficking, while highlighting further advocacy calls towards fulfilling commitments to the world's children. This database will be used throughout The Body Shop-ECPAT campaign and monitoring and progress reports will be periodically published.

A brief explanation of each of the goals and corresponding indicators is provided below.

### 3.2. GOAL 1

#### GOAL 1 ▶

**Community-based prevention programmes to stop child trafficking are reaching at-risk populations.**

Preventing children from falling prey to sex traffickers is the first step that must be taken in the range of comprehensive measures needed to guarantee the protection of children. Prevention encompasses a broad range of multi-dimensional interventions from mobilisation and awareness building among families and the general public to more targeted and specific interventions that reach children at risk and vulnerable due to specific conditions in their lives.

#### FACT ▶

**In 56% of countries assessed, prevention campaigns were organised by NGOs without any state support.**

### Measures of Progress on Goal 1

#### ■ Indicator 1 – Goal 1

**The state legislation and/or policy provides for implementation of community-based programs to prevent child trafficking.**

This indicator will examine national policy and legislation specifically to establish existing provisions to prevent trafficking of children and sexual exploitation. The degree to which governments have taken steps to prevent trafficking of children, will be examined by analysing the extent to which each state has prioritised such efforts in its legislation and policies. Analysis of national legislation and policies will help determine the nature of directives set in each country for prevention of child trafficking. Legislation and policy are key measures because it is through them that a state signals its prioritisation of specific agendas and provides directives for action to the relevant implementing bodies.

These directives can in turn be transformed into fully resourced and accountable national programs or projects. While non-state actors such as NGOs implement a wide range of programmes, this measure focuses attention on government led or supported initiatives since it is the state that has the duty and corresponding power to undertake national level initiatives that can influence and shift the public ethos to take greater responsibility to prevent such crimes.



### ■ Indicator 2 – Goal 1

**The state legislation and/or policy provides for implementation of community-based programmes to prevent child trafficking with wide stakeholder collaboration.**

Wide stakeholder collaboration would imply that, at the minimum, partnership is planned to be established between two Ministerial agencies with at least two other partners, including NGOs, inter-governmental organisations, private sector, children, academia or others.

This collaborative approach, also called multi-stakeholder collaboration, can ensure a more accurate analysis of the potential victims' profile and a better identification of the most vulnerable children, all leading to greater relevance and larger reach of the prevention measures. This indicator does not attempt to assess the efficiency or impact of this collaboration but rather the existence of such provision within national policies or programmes.

### ■ Indicator 3 – Goal 1

**The state must implement or fully support awareness-raising programmes on child trafficking.**

Public education and awareness about the existence of child trafficking either through direct implementation of activities or by fully supporting other actors conducting such activities is crucial. Awareness-raising programmes can include any visual, audio or written information and sensitisation activities for the public which increases their knowledge about the causes, risks and methods of child trafficking. Ideally, these activities would also offer information to engage the public in counteraction. Awareness raising activities should be developed from a good knowledge base of the context of the problem. They should identify the key target groups and at risk areas that the awareness raising activities need to reach.

In order to effectively reach the largest possible section of the target population, a multi-media approach using audio-visual products should be employed via various communication channels. Explicit in this indicator is the importance attributed to it by the State. Most current campaigns are NGO driven and thus may lack the national reach and sustainability for which the State has primary responsibility.

### ■ Indicator 4 – Goal 1

**The state has established policy provision for teacher training curriculum to include information on child victims of sexual exploitation, including trafficking.**

School is one of the main loci for prevention and awareness raising activities on specific risks and social problems at an early stage of childhood. It is therefore essential that the state has established policy provision for the teacher training curriculum to include information on child victims of sexual exploitation, including trafficking. Teacher training is where all essential information and capacity building is delivered to new teachers and where child trafficking prevention must be integrated in order to provide the basis for facilitating the implementation of preventive activities to school children. As such, the Education Policy of the Central Government should contain provisions for teacher training curriculum to include content on child trafficking, including prevention. A key follow up activity would be to measure actual implementation of activities.

## 3.3. GOAL 2

### GOAL 2 ▶

**International legal standards for protecting children from trafficking have been incorporated in the national legal framework.**

Strong laws in line with international instruments, together with effective enforcement procedures which are child sensitive, are of crucial importance to protect children from all forms of sexual exploitation including child trafficking for sexual purposes.<sup>114</sup> Progress made towards this goal is assessed through a tripartite framework of international/national standards and their enforcement through a child and gender sensitive process which avoids any possible re-traumatisation or re-victimisation of the child.

### FACT ▶

**58% of the countries considered in Asia Pacific have not ratified the *Optional Protocol*. Similarly, 22% countries have not ratified it in the European region.**

114. ECPAT International, Strengthening laws addressing child sexual exploitation, Thailand, 2008. Available at [www.ecpat.net](http://www.ecpat.net)



**FACT** ▶

66% of the countries in Asia Pacific have not ratified the *Trafficking Protocol*; 18% have not ratified it in the European region. In North America, Canada, Mexico and USA were examined; they all have ratified both Protocols. However, Mexico still has not fully harmonised its national legislation.

The legal framework is one area where good progress can be noted in all regions examined, but in spite of a relatively good level of ratification of international instruments, there has not been adequate harmonisation of national legislations; urgent efforts are still required to ensure an absence of legal loopholes and that all children can enjoy their right to complete protection. In the European region where relatively strong legal frameworks have been adopted, disparities remain and the penalties available do not always reflect the severity of the crime of trafficking. It is also urgent for all countries to establish specialised law enforcement units to investigate serious crimes against children, including child trafficking.

## Measures of Progress on Goal 2

### ■ Indicator 1 – Goal 2

**The state has ratified the *Optional Protocol on the sale of children, child prostitution and child pornography*.**

Once a state has ratified the *Optional Protocol*, it is required to fully cover under its criminal or penal law the necessary obligations set forth in the *Optional Protocol*. It should define and criminalise the different forms of child sexual exploitation that are the sale of children, child prostitution and child pornography. It should provide support to child survivors of commercial sexual exploitation; encourage international cooperation between states in pursuing offenders; and promote preventive measures through education, training and appropriate information means. Within two years of ratifying the *Optional Protocol*, the state is required to submit a comprehensive initial report detailing its implementation of the *Optional Protocol* and thereafter must report on progress every five years. The UN Committee on the Rights of the Child considers the state report and then publishes its recommendations on aspects of implementation as well as suggestions on how to improve the condition of children within the country.

### ■ Indicator 2 – Goal 2

**The state has ratified the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Trafficking Protocol)*.**

Once a state has ratified the *Trafficking Protocol*, it is obliged by its provisions to criminalise all acts related to the trafficking process based on a common definition. This instrument contributes to creating a common ground for counter-trafficking activities among ratifying states and provides an essential international framework to guide national action on the issue

Once an international convention has been ratified by a state, it becomes a legally-binding instrument for that state. All states should ratify the *Protocol*, as it demonstrates the State's engagement to comply with internationally recognised values and agreed child protection measures among uniform standards applicable to all trafficked victims irrespective of their nationality, sex, place of residence or any other consideration of status.



**Indicator 3 – Goal 2**

**State has harmonised national law in line with the Trafficking Protocol.**

The *Trafficking Protocol* expressly mentions a range of activities in the chain of trafficking that must be made criminal under national law where the ultimate purpose is exploitation. These include recruitment, transportation, transfer, harbouring and receipt of the victim. National legislation should also recognise that the intent to exploit is sufficient for a prosecution of human trafficking to be brought. Importantly, the *Trafficking Protocol* considers children to be victims of trafficking from the moment they are recruited, transported, transferred, harboured or received for the purposes of exploitation. In the case of children, the use of coercion or deceit does not need to be proved as long as the overall objective of the operation is the exploitation of the child. Few countries’ national laws yet reflect these important principles. National legislation should also ensure that a country’s anti-trafficking laws cover both internal and cross-border trafficking.

While the *Trafficking Protocol* creates a common ground for counter-trafficking responses, it lacks an enforcement or monitoring mechanism. As a result, the UN Committee on the Rights of the Child has indicated that reports on the implementation of the OPSC should also include information on trafficking in children and show that the State has harmonised national law in line with the *Trafficking Protocol*.

**Indicator 4 – Goal 2**

**State to establish appropriately trained police units that can respond to crimes against children, including trafficking and sexual exploitation.**

There are many challenges to investigating and prosecuting sexual crimes against children: difficulties in gathering material evidence and testimony (particularly where the crime crosses borders), difficulties to identify victims or witnesses and the additional protection needed where the victim is a child. The two Protocols related to child trafficking therefore oblige the state to establish a special police unit to combat crimes against children, including trafficking and sexual exploitation. Such a unit would be specifically trained to investigate these crimes with a child-sensitive approach. Indeed, experiences have repeatedly shown that the judicial proceedings for investigating and prosecuting sexual crimes against children can be traumatic for child victims and it is therefore crucial that law enforcement investigations are conducted by specialised officers in a child-friendly manner to avoid ‘re-victimisation’ of the child. A legal guardian should be appointed at the earliest possible time who then protects the child through the criminal justice system. The special police unit should ideally cooperate with a national child welfare system comprising of multi-disciplinary professionals who can give guidance on appropriate housing and follow up care.

**3.4. GOAL 3**

<b>GOAL 3</b> ▶	<b>Specialised government services for child victims of trafficking are integrated in national policies</b>
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Child victims of trafficking for sexual purposes should enjoy specific rights to protection from sexual exploitation which entail receiving appropriate care and assistance to provide for their special needs. Throughout the process of sex trafficking and sometimes even before, trafficked children suffer numerous abuses and violations; these require that the state takes a systematic integrated approach for the delivery of comprehensive and specialised services to restore the rights of the victims and support a long-term and effective recovery.

<b>FACT</b> ▶	<b>In 82% of countries studied in all regions, shelters and accommodation services are run by NGOs and other partners with no or little support from the State.</b>
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<b>FACT</b> ▶	<b>In 41% of countries examined in Asia Pacific, in 50% of countries examined in the European region, and in 2 out of the 3 countries examined in North America, States have established helplines to assist victims of trafficking.</b>
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Quality and specialised services which address the basic needs of child victims of trafficking are minimum requirements to support an effective recovery process for child victims who will have been subjected to hideous forms of abuse. However, most States have not prioritised their efforts to ensure that victims receive comprehensive assistance and care. Whilst some efforts can be noted in the establishment of child helplines in general or for victims of trafficking, states must urgently ensure the delivery of comprehensive support and assistance services to child victims of trafficking through multi-disciplinary measures fully integrated in their policies.

The needs of child victims of trafficking are multiple and adequate services should be built around them. Whilst not exhaustive, establishing mechanisms for child victims to access support, and delivering basic but specialised services to ensure that the physical and psychosocial needs of the child are met are essential to adequately support child victims. states' efforts are assessed in this regard through the four indicators presented below.

### Measures of Progress on Goal 3

#### ■ Indicator 1 – Goal 3

##### **The state has established a helpline for child victims of trafficking.**

It is essential that states establish a helpline for child victims of trafficking. A helpline is an emergency phone or internet-based service that provides assistance and facilitates access to other relevant services for child victims of trafficking. It should be free, anonymous and confidential and accessible by all children at risk or victims of trafficking. A specific helpline is necessary as children, and in particular child victims of trafficking, are not aware of their rights and do not know about the services available to them. In addition trafficked victims may not speak the local language and a specific hotline would ideally be able to operate in the main languages of countries from where the child trafficked victims originate in cases of transnational trafficking.

Helplines should be staffed by trained personnel and operational 24 hours a day. National promotion and raising awareness about the helpline through the use of leaflets, stickers, posters and other popular forms of media should be developed. Due to the qualitative nature of these elements, promotional activities are not explicitly being monitored by the campaign under this indicator.

#### ■ Indicator 2 – Goal 3

##### **The state establishes shelters for child victims of sexual exploitation, including trafficking.**

Shelters are a common form of accommodation for child victims of trafficking and provide a place of safety where care and support services can be given in a structured way. It is essential that the state establishes shelters for child victims of sexual exploitation, including trafficking. Children's shelters may include emergency accommodation providing basic needs such as immediate protection from physical harm and personal safety, food and other services, temporary refuges or 'move on' units where child victims are placed for a transit period, and residential facilities that house children on a long-term or permanent basis while receiving on-going support and care. It is crucial that children be separated from adults while in care so they receive the specialised assistance they require and are entitled to.

Facilities restrictive of the child's movement, such as detention centres and prison cells are not considered adequate accommodation for child victims of trafficking. Due to challenges in accurate qualitative data collection, foster care arrangements are not considered under this indicator whilst alternative models of care are recognised to be particularly useful.

Recognising that in most cases, states have limited capacity, financial support to shelters for child trafficked victims established by other child protection partners is also considered under this indicator. Often this type of assistance is provided directly by competent NGOs and intergovernmental agencies such as IOM but the state must shoulder its responsibility to support them.

#### ■ Indicator 3 – Goal 3

##### **The state to establish medical services for child victims of sexual exploitation, including trafficking.**

Child trafficked victims have suffered various forms of physical and sexual abuse and require specialised medical support, including: a) sexual health services such as sexually-transmitted infections check ups and treatment, HIV testing, pregnancy testing, potentially pre-natal services and sexual health awareness and sensitisation; b) immunisation vaccinations; c) drug rehabilitation services; d) emergency first aid; e) appropriate medical examinations for child victims of sexual crimes.



Medical services can be provided in collaboration with specialised medical units from hospitals or NGOs but the overall responsibility lies with the state to establish medical services for child victims of sexual exploitation, including trafficking, and to ensure that they are freely offered and available to all identified trafficked children and delivered in a child sensitive way by specifically trained personnel.

#### ■ Indicator 4 – Goal 3

**The state must have established psychological counselling services for child victims of sexual exploitation, including trafficking.**

Children who have been the victims of trafficking for sexual purposes have suffered physical and emotional abuse of an extreme kind. When such trauma occurs at a young age, the consequences are devastating and can affect many aspects of their lives. Recognising that child victims of trafficking have endured particular trauma and emotionally harmful experiences that require specialised psychological support through counselling services delivered by trained professionals to assist the child in recovery, the state must have established psychological counselling services for child victims of sexual exploitation, including trafficking. Psychological support can be provided in different forms, including individual counselling or group therapeutic approaches, and can be facilitated by NGOs through specially trained professionals, but the state should be providing full financial support when it is not in a position to organise these services itself.

Psychological treatment and support can take time to have the desired effect (which is one reason why trafficked children are often put in residential care).

### 3.5. CONCLUSION: REALISING THE RIO CALL TO ACTION

The World Congress III Against the Sexual Exploitation of Children and Adolescents held in late 2008 and the subsequent “*Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents*” has called upon states to uphold the child’s right to protection and to establish and implement robust frameworks for the protection of children and adolescents from all forms of sexual exploitation. The Body Shop - ECPAT Stop Sex Trafficking of Children and Young People Campaign joins this call by raising awareness of the problem of trafficking of children for sexual purposes and by facilitating the voice of the public to be heard by those with decision making power to bring change.

Over the next three years, the extent of progress in achieving these key goals will be monitored systematically on a country-by-country basis against specific indicators, and progress reports published periodically. By 2012, the results of the global monitoring of States’ actions to protect children from trafficking for sexual purposes will be documented in a final report. The Body Shop and ECPAT International will present the report to the UN Human Rights Council, and in particular to the relevant UN Special Rapporteurs. The Council itself has also recently instigated a specific day of discussion on children’s issues - a key opportunity for child rights advocacy within the larger body of the human rights structure. At the Council meeting, The Body Shop and ECPAT International will present the campaign’s monitoring outcomes of the extent to which states are honouring their commitments to protect all children from trafficking for sexual purposes.



