

**World Congress Against
Commercial Sexual Exploitation of Children
Stockholm, Sweden, 27 - 31 August 1996**

BACKGROUND DOCUMENT¹

1. THE CONGRESS: An international response to an inhuman growth industry

Each year, more than 1 million children worldwide are reportedly forced into child prostitution, trafficked and sold for sexual purposes or used in child pornography.

Coerced or lured into the world's sex market -- a multi-billion dollar industry -- children are denied their rights, their dignity and their childhood. Commercial sexual exploitation subjects children to one of the most hazardous forms of child labour, endangers their mental and physical health and undermines all aspects of their development.

To develop strategies that will combat this fundamental violation of children's rights, the World Congress against Commercial Sexual Exploitation of Children will convene in Stockholm, Sweden, from 27-31 August 1996. The first global meeting of its kind, the Congress was initiated by the international non-governmental organization, (NGO), End Child Prostitution in Asian Tourism (ECPAT) and will be hosted by the Government of Sweden in collaboration with the NGO Group for the Convention on the Rights of the Child, ECPAT and the United Nations Children's Fund, (UNICEF).

The Congress will bring together a wide range of national and international leaders, professionals and activists, representatives of governments, inter-governmental and non-governmental organizations, law enforcement agencies, academic institutions, health professionals and members of the media from all regions of the world. The participation of several UN and other international bodies and agencies, including the High Commissioner for Human Rights Office, the Centre for Human Rights, ILO, WHO, UNESCO, UNAIDS, UNHCR and INTERPOL, attests to the broad scope of commercial sexual exploitation as a human rights', labour, health, education and law enforcement problem.

2. THE TASKS OF THE CONGRESS

The Congress will focus on three elements of the commercial sexual exploitation of children: child prostitution, the trafficking and sale of children for sexual purposes, and child pornography. Its primary purpose is to create awareness and to draw international attention to the problems of commercial sexual exploitation of children and to promote the development of national plans to combat all forms of such abuse in the specific contexts in which they occur. To this end the Congress will consider a Declaration and develop an Agenda for Action.

The Congress will provide an open forum for discussion through workshops and presentation of case studies, in which all segments of society can exchange experiences. It will define the scope of the problem, explore the underlying causes and the specific forms of commercial sexual exploitation of children in different countries and regions.

The Congress will also consider nine themes which cover major forms of child prostitution, trafficking and child pornography. They deal with the various categories of Sex Exploiters, Children in Pornography, Tourism and Sexual Exploitation, Health Matters, Legal Reform and Law Enforcement, and the issues of Prevention and Psycho-social Rehabilitation, the role of

Education, the Media and Human Values.

3. THE CONGRESS AND THE CONVENTION ON THE RIGHTS OF THE CHILD

The Congress will be guided by the Convention on the Rights of the Child and other international instruments. One hundred and eighty seven governments have ratified the Convention to date.

Many articles of the Convention apply to sexual exploitation and its consequences. These require that countries that have ratified the Convention take appropriate action to protect children from "all forms of physical or mental violence, injury or abuse, including sexual abuse" by parent(s), guardian(s) or caretaker (19); from "economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development" (32); from the "inducement or coercion of a child to engage in any unlawful sexual activity"; from "the exploitative use of children in prostitution or other unlawful sexual practices"; from the "exploitative use of children in pornographic performances and materials" (34) and from "the abduction of, sale of, or traffic in children for any purpose" (35).

The Convention protects the rights of children in conflict with the law, ensuring that "no child shall be deprived of his or her liberty unlawfully or arbitrarily" (37); it provides for the "physical and psychological recovery and social reintegration of a child victim of any form of neglect, exploitation, or abuse" (39). It recognizes the right of every accused child "to be treated in a manner consistent with the promotion of the child's sense of dignity and worth ... and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society" (40).

Other rights abrogated by commercial sexual exploitation of children include: the right to health, to education, to a family, name, culture, the right to play, and to a "standard of living adequate for the child's physical, mental, spiritual, social and moral development" A fundamental premise of the Convention is that no single article or group of articles can be interpreted independently and that the entire Convention must be seen as indivisible. The Convention also suggests an integrated and comprehensive approach to action which can guide and unify priorities, policies and programmes.

4. WHAT IS "COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN"?

The Convention on the Rights of the Child defines a "child" as anyone below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

Commercial sexual exploitation of children is the use of a child for sexual purposes in exchange for cash or in-kind favours between the child her or himself, the customer, intermediary or agent and others who profit from the trade in children for these purposes.

The three forms of commercial sexual exploitation, that the Congress will address, have been defined by the United Nations, as follows:

1. Child Prostitution:

"Child prostitution is the act of engaging or offering the services of a child to perform sexual acts for money or other consideration with that person or any other person".²

2. Trafficking and sale of children across borders and within countries for sexual

purposes:

The 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery defines the sale of children as "the transfer of a child from one party to another for whatever purpose in exchange for financial or other reward compensation." Sexual trafficking is the profitable business of transporting children for commercial sexual purposes. It can be across borders or within countries, across State lines, from city to city, or from rural to urban centre.

3. Child Pornography:

Child pornography is any visual or audio material which uses children in a sexual context. It consists of "the visual depiction of a child engaged in explicit sexual conduct, real or simulated, or the lewd exhibition of the genitals intended for the sexual gratification of the user, and involves the production, distribution and/or use of such material"³. The purpose of audio pornography is similar. Because of easy and inexpensive access through computer based information networks, child pornography has increased in recent years and appropriate legislative remedies have become increasingly difficult.

Child prostitution, sale and trafficking, and child pornography are closely linked. Trafficking for sexual purposes implies prostitution as a consequence and prostitution is frequently combined with the production of pictures, videos and other forms of sexually explicit visual materials involving children.

5. THE SCOPE OF THE PROBLEM: A mirror of society

Commercial sexual exploitation today is an industry built on the abuse of power, that buys and sells, and in other ways treats children as sexual and economic commodities rather than human beings. Its scope is transnational, its impact transgenerational.

Commercial sexual exploitation of children exists in virtually every country in the world. It connects small villages with large urban centres, developing countries to each other and to the industrialized countries. Presently, the majority of published studies are from Asia. In other regions, the availability of information is scattered or non-existent, especially in Africa and the Middle East. The need for more accurate data is acute.

Although the vast majority are exploited children are girls, victims include a growing number of boys. They are mostly children from poor families; they come from both urban and rural areas. The majority are between the ages of 14 and 18, although there is evidence that the fear of AIDS in some countries has caused a greater demand for ever younger girls. These children are deceived, kidnaped and sold; they are also runaways or children who turn to prostitution on their own to survive, to improve their standard of living, or to increase their access to consumer goods.

Those responsible for sexually exploiting children represent a wide variety of behaviours, origins, and motives, and constitute a wide range of persons, customers, intermediaries, recruiters and other perpetrators who profit from the commercial exploitation of children for sex. The vast majority of customers are local inhabitants for whom sex with a child may often be a question of availability rather than preference. During the last decade, it seems that international tourism for sexual purposes has grown and consequently in a number of countries an increasing proportion of the exploiters are foreigners.

The complex web of illegal transactions that constitute sale and trafficking frequently include bribery and abduction, false identification and documentation, sham marriages and adoptions, illegal immigrations, violence and bonded labour. Many trafficked children are from impoverished rural and remote areas where they and their families are least likely to understand the true nature of the risks and consequences involved and to be more easily deceived. Trafficked to an unfamiliar area, such children are completely dependent on the trafficker and, thus, are easier to control. Isolated by language and without identity papers, they are vulnerable to exposure and arrest as illegal immigrants if they try to escape.

The negative impact of commercial sexual exploitation on children is profound and often permanent. For those who survive, and some don't, it may cause irreparable damage to their physical and mental health. Child victims, inadequately protected by loopholes in legislation or inadequate implementation of laws, are often treated as criminals and left with little recourse other than to re-enter the vicious cycle of abuse and exploitation at a constantly increasing level of risk to their very existence.

Commercial sexual exploitation of children must be analyzed, understood and confronted in the societal context in which it occurs. Although it may be tempting to place the blame mainly on criminal syndicates, to reduce exploiters to pimps and individual perpetrators, to disparage the children themselves as promiscuous or sexually irresponsible, no sector of society can escape responsibility for the sexual exploitation of children.

The variations in types of backgrounds and situations in which children are victimized are manifold and intricately linked. The underlying causes are numerous and complex. They range from the expansion of global market forces and a growing materialism perpetuated by the media, to rapid social transformation and the erosion of values, nationally and locally. They encompass economic and political injustice and the resulting disparities between rich and poor, discrimination against minorities and indigenous people, resulting in large scale migration, urbanization, and family disintegration. They also include historic and continuing cultural attitudes which place a low value on girls and women, and the skewed interpretation of traditional norms such as duty and obligation to parents. Together with the behaviour of unscrupulous exploiters, these forces combine to trap children into suffering one of humankind's cruelest abuses.

6. THE CONGRESS AS A STEP TOWARD THE FUTURE

The Congress is part of the broader process to implement children's rights. Its planning has assured preparations for future work at the country and regional level. The Declaration and Agenda for Action to be considered by the Congress will be translated into concrete recommendations through action-oriented workshops at the Congress itself. This will facilitate the formulation of National Plans of Action at the country level. The involvement of governments, non-governmental organizations and international agencies as equally responsible partners promotes strong alliances for decisive follow-up. The Congress will be a milestone in the continuing effort to combat commercial sexual exploitation and realize the rights of all children.

¹ This document is dated 11 March 1996.

² Document A/50/456, Promotion and protection of the rights of children: Sale of children, child prostitution and child pornography, *Note by the Secretary-General*, 20 September 1995, p.5.

³ UN General assembly Document A/50/456, Page 6.