

## Stockholm Congress Panel Report: The sex exploiter

The panel was chaired by Senator Landon Pearson (Canada) and presentations were given by Dr Julia O'Connell Davidson, Leicester University (UK); Lalitha Nayak, Regional Coordinator of the Joint Women's Programme in New Delhi (India); Judith Karp, Deputy Attorney General and Member of the Committee on the Rights of the Child (Israel); and Ray Wyre, Sexual Crime Consultant, the Lucy Faithfull Foundation (UK). The panel Rapporteur was Anne Badger, Campaign Coordinator for the Coalition on Child Prostitution and Tourism/ECPAT, (UK).

Dr O'Connell Davidson stressed two main points about the link between prostitute use in general and child sexual abuse, based on research conducted on behalf of ECPAT in a number of destination countries:

One: If we are concerned about CSEC, we are going to have to concern ourselves with all prostitute users rather than imagining that child sex exploiters are necessarily a small demarcated sub-group of such men. Some of these men are paedophiles who exploit child prostitutes, but we can't assume every client of every prostituted child is a paedophile or preferential child abuser. The vast majority of prostituted children are integrated into the mainstream sex industry which serves all those who purchase commercial sex, rather than working in some isolated 'market niche' which caters solely to the desires of paedophiles and preferential abusers. In both affluent and poor countries, research suggests that a significant percentage of prostitutes are under the age of 18 years and that younger prostitutes tend to be concentrated in the cheaper end of the prostitute market where conditions are worse and 'throughput' of customers is highest. Therefore any questions about the identity and motivations of child sex exploiter are also necessarily questions about prostitute users in general.

Two: The commonly accepted and widely endorsed attitudes towards prostitutes are used by child sex exploiters to justify their abuse. One of the main characteristics exhibited by child sexual abusers are distorted patterns of thinking whereby the abusers tell themselves that the children they abuse are in some way responsible for their own abuse, that the child is not harmed by the abuse but in fact consents and benefits from the abuse. Prostitute users (sex tourists, locals, expats etc) use the same cognitive distortions in relation to the prostituted children they sexually exploit at home and abroad. The child is identified as 'a prostitute' rather than 'a prostituted child' and prostitute users tell themselves the child approached them, the child is inviting his/her own abuse. As one sex tourist said of a 13 year-old child he prostituted: "She was expecting something and it wasn't a lollipop".

Abusers of child prostitutes typically express either highly sexualized forms of racism or extreme forms of hostility towards prostitutes. The abusers of child prostitutes without exception referred to the cultures of the countries they visited to sexually exploit children as more 'sexually open and free' than their own Western culture. This allowed them to delude themselves about the meanings attached to sexual behaviour in the countries they visited – one child sex exploiter even referred to the way a six year-old girl danced as proof that children in the Caribbean are more physical and sexual than Western children. Local men use similar reasoning to justify their sexual exploitation of children as very often the children do not necessarily share common racialized, ethnic, regional/national identities; the prostituted children have either migrated or been trafficked from other countries or other regions of the same country. Even when the children share a common social identity with local men, the local abuser will often focus on the sexual 'looseness' and 'immorality' of the individual child, arguing they are already 'dirty' and 'spoiled'. To quote one man who abused girls aged 10-12 years: *'The little girls...I wouldn't describe them as innocent; they're not innocent but they're fresh...the little girls are not hardened, they want to please you...you get a...better service from them'*. Furthermore, they will use the fact that the child prostitutes' desperate need for money is further evidence that the children both consent and benefit from sexual contacts with adults.

All these cognitive distortions allow exploiters to convince themselves that no physical or emotional harm will result from their act of abuse, and that the child consented or benefited. Dr

O'Connell Davidson's final point was that child sex exploiters are not alone in holding these attitudes, and that they do not invent the ideas they express. Rather they draw on existing and widely endorsed racist ideas. Many people attach more value to the life chances and lives of white children over black children, of the life chances and lives of high caste and high class children over lower caste and poorer children. As well as thinking about individual offenders, Dr O'Connell Davidson called on the Congress to challenge the wider ideologies that sex exploiters call on to rationalize and justify their behaviour.

Ms Nayak's presentation was based on her experience in the field in India. However she stressed that the problem of commercial sexual exploitation is usually raised as a problem for developing countries but it is also a problem for 'developed' countries. With particular relevance to the Asian context, the term 'sex exploiter' must be made more comprehensive and include not only the prostitute user but other sectors both before and after the child has entered into prostitution. Prior to entry into prostitution, society – that is those who have the political and economic power – and the family are also 'exploiters'. After entry into prostitution, the 'exploiters' include the collective of traffickers, pimps, brothel keepers and clients who perpetuate the exploitation and violence. Other groups of exploiters include the employers who sexually abuse domestic servants and those who traffic children to other countries for 'camel racing'. In her view the increase in demand for young girls arises from: (1) prevalent myths and beliefs in South Asia such as the belief that sex with virgins cures STDs; (2) young girls are more submissive to the customers' kinks and fancies and, if they refuse, they can be physically assaulted by both the brothel keeper and the client into submission.

In terms of providing a profile of the child prostitute user, no one group of men – truck drivers, migrant labourers, tourists – can be singled out. In her experience men, irrespective of class or social status, have the potential to become child prostitute users given the opportunity. The increased reporting of child sexual abuse and incestuous rape in the Indian media does not mean it is a new phenomenon but reflects growing awareness about the problem among those who now feel able to speak out against it.

Ms Nayak concluded with the following suggestions for preventative action:

1. Stricter enforcement of laws such as the Immoral Traffic Prevention Act and the Juvenile Justice Act to target both the brothel keepers and prostitute users, whether local or foreign.
2. Community awareness programmes targeting both adults and children. The media can play a role here in terms of warning children about child sex abusers.
3. Allocation of responsibility and accountability to Panchayats (village committees) and other local self-government units regarding missing and trafficked children.
4. A sincere implementation of primary education programmes which, in terms of South Asia, are still not a reality.
5. The creation of effective rehabilitation programmes for rescued prostituted children.
6. A political commitment by state authorities to combat child sexual exploitation.

Ms Judith Karp chose to focus on the customers of child prostitutes and social attitudes concerning them. Her presentation came from a legal perspective using the UN Convention on the Rights of the Child (CRC) as her starting point. She began by questioning prevalent public attitudes today, including those held among law enforcement officials who tend to regard perpetrators/customers of prostitutes as human beings with human needs rather than as a target of action in law enforcement activities against illegal prostitution. Although most societies in the developed and in the developing world prohibit sexual relationships with children below a certain age, the age of 'consent' adopted in most countries is set too low. This means that a large proportion of child prostitution (ie prostitution by those below the age of 18 years) is considered 'legitimate', with the young prostitute perceived and treated as an adult. Her concern is therefore

that these public attitudes which accept prostitution as unavoidable and legitimate serve as psychological obstacles to the internalization of some of the basic principles of the CRC.

She referred to a number of Articles found in the Convention which oblige States Party to act to positively protect children from sexual abuse and exploitation (Article 34); to take all measures to prevent the abduction and trafficking in children (Article 35); to act for the rehabilitation and reintegration of child victims of any form of exploitation (Article 39); and to act to protect children from exploitation in work (Article 32). With regard to the Convention, there should be no doubt that the description of risks, from which the child has the right to be protected and against which States Party have the obligation to protect, precisely fits the risks faced by the child who is a prostitute.

In her opinion, a customer using the sexual services of a child under the age of 18 years is forbidden as such under Article 34, irrespective of whether the use is voluntary/coercive or not, or whether it is an 'unlawful sexual practice'. Article 34 clearly states that the exploitative use of children in prostitution is a danger in itself, from which the child should be protected and should not be qualified by the condition of being 'unlawful'. The age of sexual consent therefore has no meaning in the context of the use of children in prostitution.

A child may be seen as being mature enough to use his/her autonomy of free will to have a consensual and a mutual sexual relationship. Nevertheless, this assumption of free choice has no relevance to situations that are inherently exploitative, degrading and dangerous to the child, like prostitution. She therefore suggests that the legal option given to the State Party under Article 1 of the Convention – to define an age of majority which is earlier than 18 years – does not authorize the removing of a child from the scope of protection by the State and the negation of the right of a child to be protected.

Ms Karp stressed that the criminalization of all acts of prostitution with children under the age of 18 years is therefore the only possible conclusion and that this should be made known both to potential customers and to law enforcement officers. International cooperation to combat CSEC can be much more effective if the prohibiting laws are based on a universal model, a model that reflects the universal principles and the holistic spirit of the CRC.

Mr Ray Wyre began his presentation by referring to the recent case in Belgium and his concerns about the stereotyping and language commonly used to describe the perpetrator/abuser as 'monsters' or 'perverts'. After all, he pointed out, "monsters don't get close to children; nice men do". Mr Wyre referred to the case of a man who, while working for an aid agency in Bangladesh, ended up abusing 50-60 children in the village and not one of them told on him. The perpetrator will always make the child feel that they are responsible for the abuse and in many cases the perpetrator will seek to get a child to go and abuse another child. Mr Wyre referred to the case of Robert Black, who abused and killed a number of young girls in the UK, France and in Germany. Black abducted a baby for the first time when he was only nine years old and, at the age of 15, he sexually abused a child. The authorities did not recognize the need to give him treatment but 'hoped he would grow out of it'. "If we care about children and if we want to protect children," Wyre said, "we must work with the abusers who abuse them".

Black, who was sentenced eventually to 10 life sentences for child murder, stated: *"My choice of holiday destination was partly determined by my sexual interest in children. Initially to Denmark and Holland. At the time of my arrest, I was saving for a trip to Bangkok, Thailand. Countries which had liberal pornography laws, especially access to child pornography, was also a deciding factor."*

In order to help us understand why the children in Bangladesh did not speak out against their abuse, Ray Wyre quoted the following from an interview with a man who had sexually abused and corrupted Susan, who is not a child prostitute: *"With Susan, I had been giving her sweets and money. I began to give her more expensive presents so that I could touch her sexually. In the end, she would lie on the bed and ask me how much I was going to give her. On one occasion when she wanted 20 pounds, she undressed and said I could do anything."*

Mr Wyre referred to the 'paedophile cycle' of operation. Paedophiles often target children who are vulnerable and who often have unmet emotional needs. This has to be looked at in the context of the role of men and of fathers in our societies. *"Many fathers know more about cars than they do about children."* The paedophile goes on to groom, seduce, coach and condition the child until, by the time the offence is committed, the child feels responsible, which then fuels the cycle as the child feels guilty and unable to disclose. It is usually the offender who will give out the information about the abuse. We need to understand more about the abuse and causes of the abuse and what happens to children afterwards. He cited the example of two boys who were both sadistically abused by a priest: one is now running an agency for the victims of child abuse by priests, and the other is now an abuser. The second child's belief system became: *"I am evil if this priest is evil."*

Ray Wyre concluded with two points:

1. It is vital that we learn more about the 'abusive relationship' which corrupts and violates.
2. Most men who abuse children Thailand and the Philippines are not paedophiles but are ordinary people like you and I.

***Points arising from the panel discussion following the presentations:***

1. Is it helpful to have separate classifications for the 'sex exploiter', ie paedophile, preferential child abuser etc? One view was that such classifications are needed in a legal context. Another view questioned whether or not these were realistic distinctions. One suggestion was it was better to talk in terms of child molesters and child molestation.
2. There is still not enough information about prostitute users. The Congress paper on the 'sex exploiter' was welcomed by a participant from San Francisco who runs a programme for customers of child prostitutes. She felt the paper confirmed her experience that men use the same cognitive distortions and share the same denial systems of silence, collusion and secrecy whether they are sexually exploiting children or general prostitute users.
3. Sexual abuse is about corruption. Not all victims go on to become abusers or career criminals.
4. The National Institute of Minors and Families in Argentina is organizing a day against CSEC next month (ie September 1996). There was a proposal that this date could be adopted by other countries within the Americas and around the world.
5. A participant from Togo raised concern that children are still being imprisoned alongside adult prisoners, which increases their vulnerability to sexual exploitation. Ms Karp pointed out that the CRC specifically refers to the rights of the child to be kept separate from adults in prison.
6. Women are also 'sex exploiters'. Very often it is women who are involved in procuring and trafficking children.
7. A participant from Zambia asked how we can identify who is a paedophile and who is not. How can we ensure men are not recruited into positions where they are able to sexually exploit children? Ray Wyre suggested we need to look more at organizations, at regimes and at attitudes. He gave the example of a teacher arrested after he had sexually abused children for 15 years in the UK. His nickname, given to him by the children, was 'Mr Feeler' – but no adult had ever considered why he had been given that name. As societies and communities, we can all be held hostage by abusers: we must start addressing this and ensuring we don't continue to get rid of the problem by forcing someone to resign so they can then go on and gain employment elsewhere.

8. A participant from Argentina stressed the importance of understanding corruption and exploitation as being unilateral. *“When you corrupt and violate children, there are consequences for all societies.”*
9. There are problems inherent in legal systems which mean the complain has to be made by the child victim. Complaints about child prostitution and exploitation should be able to be made by communities in general.
10. In terms of trafficking, ie the large numbers of girls trafficked from Nepal to India, who should be held responsible? Should the Indian Government be responsible? Ms Nayak responded that, in her opinion, the responsibility lies with the global community to ensure there is a global commitment to end trafficking. The responsibility should not remain with the countries concerned because it is part of a much wider problem of who has the power and the economic dominance that other countries have over developing countries.

### ***Summaries of the workshop reports:***

#### **The sex exploiter in Latin America (chaired by Jackie Sanchez Taylor)**

##### *Summary and highlights*

Representatives from Latin America drew attention to the role of traffickers and pimps and also to the fiscal benefits that some Latin American countries derive from taxing legal brothels. They also stressed the uniqueness and diversity of the Latin American situation, and argued that the Congress' focus upon paedophiles and sex tourists is of little relevance for Latin American countries, where they claim that the bulk of demand for prostituted children comes from local men. Representatives also united in their condemnation of the Congress agenda as 'eurocentric' and registered their dissatisfaction with the lack of opportunities for Spanish and Portuguese speakers to participate fully in the Congress.

##### *Current situation*

A Nicaraguan representative stated that street children in Nicaragua do not view their exploiters as exploiters but instead return to them over and over again 'to obtain love and affection'. She did not feel that the term 'paedophilia' could encompass this phenomenon. A Cuban representative stated that Cuba cares for its children in terms of health and social policies and that stringent laws to prevent child sexual exploitation are in place. A representative from the Dominican Republic stated that tourists are involved in the sexual exploitation of children in her country but that wealthy Dominicans are also exploiters, especially of male children.

##### *Problems and challenges*

Representatives felt that the information presented at this Congress has in the main been eurocentric and insufficient attention has been given to existing research by Latin American researchers and organizations.

#### **Local and foreign exploiters in Eastern Europe (chaired by Helena Karlén)**

##### *Discussion*

Participants decided not to focus on the problems of local and foreign sex exploiters but rather on what actions to take against these exploiters. Eastern European countries differ but as they have, on the whole, a specific problem in comparison to Western Europe, the following suggestions and recommendations can refer to all of Eastern Europe:

##### *Recommendations and suggestions for the future*

1. Representatives from a number of different Eastern European nations stressed the need for the collection of data and statistics.

2. Awareness raising, education and information are all important preventative measures. Education should be targeted at both local and foreign child sex exploiters. Leaflets informing on CSEC and responsible behaviour should be given to all incoming visitors.
3. Cooperation should be encouraged between all sectors in the society on a national and international level, including governments, NGOs, police, customs, the tourism sector, social service sector and other relevant sectors.
4. Improved training for social workers, the police and customs officers about the behaviour of child sex exploiters and on trafficking.
5. There should be representatives from the police of all Eastern European countries on the Interpol Standing Working Party on Offences Against Minors.
6. International registers of convicted perpetrators should be developed by the police and customs to help prevent trafficking and stop paedophiles posing as aid workers in other countries.
7. Treatment for perpetrators should be given both in prison and in the community.
8. All legislation and enforcement of that legislation should correspond fully to the UN CRC. Legislation to protect children from all forms of commercial sexual exploitation should be complete, ie the criminalization of possession of child pornography and the adoption of extraterritorial legislation. Police and customs should be given increased resources to combat the problem of CSEC: one effective way is to establish special police units working on crimes against children.

A memorable quote from this workshop was made by an English participant to his colleagues in Eastern Europe: *"We have made loads of mistakes during the past 20 years: please see to it that you don't repeat them."*

### **Treatment of child sex abusers (chaired by Eva Hedlund and Ray Wyre)**

#### *Current programmes*

Two treatment programmes were introduced in this workshop: the programme run by RFSU (Swedish Association of Sex Education), which works therapeutically with sex offenders while they are in prison; and the programme run by the Lucy Faithfull Foundation in the UK, which is a residential integrated programme which works with the offender, the victim and the non-offending partner using a cognitive and behavioural approach. Both workshop presenters stressed the need for treatment programmes in order to offer better protection for children.

#### *Problems and difficulties*

1. Not all people believe in treatment programmes for offenders, with popular demands for life sentences. This raises problems for offenders who start offending as children; surely it is better to provide treatment, as they are likely to be out of prison at some stage?
2. Poorer countries lack the resources to put treatment programmes high on their agenda.
3. How do we give rights to children when we don't even give women rights? If women's voices are not heard, their abuse will be silenced.
4. The media prefer to sensationalize failures rather than highlight the successes. We need to show the media that offenders go on to re-offend because they were not helped earlier.

#### *Recommendations*

1. Treatment of offenders needs to be seen in the context of control issues rather than solely in terms of sexual problems: "Outside the home I was quiet; inside I had to be in control." This quote is from a man who sexually abused his daughter from the age of nine years.

2. We need research into why some victims do not become offenders – this will help with ideas for the treatment of offenders.
3. We need to distinguish between children abused pre-puberty and those abused post-puberty, to develop appropriate treatment programmes, particularly as regards boundary and control issues.
4. The relationship between the treatment of offenders and gender issues needs to be highlighted.

## **Detection and prosecution of paedophiles (chaired by Detective Inspector Bob McLachlan)**

### *Presentations*

DI McLachlan (UK) gave an outline description of what in general terms constituted child erotica, child pornography and child sexual abuse.

DCI Seddon (UK) stressed the need to use every traditional means of investigation when dealing with the detection and prosecution of paedophiles. However, covert policing techniques have led to a number of successful prosecutions in the UK.

Inspector Ray Smith (US) gave details of Operation Special Delivery, which involved the identification and prosecution of more than 60 paedophiles throughout the US and led to the recovery of a large amount of child pornography (enquiries still ongoing at that time).

Ms Young (Canadian customs) outlined the organizational implications, problems and solutions encountered in Canada.

### *Issues and problems: general points arising from the discussion*

1. A database exists within Interpol which holds details of all missing children. This database is supplemented by the Interpol 'yellow notice' system of circulation and notification.
2. DS Heslop from Australia raised the issue of the duty of law enforcement agencies to care for those they arrest. Eight out of 12 people arrested recently in Australia for child abuse offences had committed suicide while in custody.
3. Extraterritorial legislation was discussed at length. The Senior State Prosecutor from the Philippines gave details of a number of difficulties he had encountered regarding extraterritorial issues, but all had now been resolved and he expressed optimism for the future.

## **The sex exploiter (chaired by Dr Coutanceau)**

This workshop focused on making distinctions between the judicial, correctional and/or therapeutic response to the sex offender, primarily paedophiles.

### *Recommendations*

1. Need to develop a more sophisticated approach to evaluate and change sex exploiters in view of their ability to be manipulative.
2. Need to adapt laws so that it will be possible to follow high-risk individuals for a long time while still respecting their rights.
3. Need to raise the legal age of access to pornography to 18 years to conform with the UN CRC.
4. Need to develop a mechanism to enable authorities to identify the actors in pornographic commercials and videos to determine their actual age.

## **Sexual exploitation of children in times of armed conflict (chaired by Thomas Hammarberg)**

### *Current situation/problems*

1. Armed conflict has an enormous impact on sexual exploitation of children even after the conflict is over. Vulnerable groups of children include refugee children, internally displaced children, returnees, children separated from their families, children from particular ethnic groups, child soldiers, disabled children and children living in extreme poverty. Most are girls.
2. Accurate information on the scope of the problem is limited; further research is needed.
3. Reports clearly indicate the military, on all sides of conflict, are the main perpetrators.

### *Recommendations*

1. Training for all military personnel on the rights of the child and how to deal with the situation when these rights are under threat. Training should also address their responsibilities towards civilian communities and, in particular, towards women and children.
2. A clear and easily accessible system should be established for complaints and the reporting of sexual abuse. The military and security forces should establish effective procedures to monitor the conduct of personnel both in and out of service, and resources should be allocated to investigate allegations and to sanction abuses.
3. Codes of Conduct should be reviewed and enforced in the spirit of the UN CRC, backed up by clear complaint systems, investigation procedures, a system of ombudsmen and the establishment of clear sanctions on violations.
4. The UN should take measures to ensure all UN personnel – military, police, civilians – adhere to the rights of the child.
5. UN staff should be given training/instruction on standards of behaviour, reporting obligations and on the cultural environment in which they function.
6. The UN is urged to undertake a detailed internal review on the impact of the presence of its peacekeeping forces on the development of child prostitution, and to urgently take necessary measures to end any abuses.
7. National and international programmes on rehabilitation and reintegration should focus more on the situation of adolescents. Any health and education programmes should include and target children and adolescents and victims of armed conflict.