

## **Press kit background paper 2**

### **Who is ‘the sex exploiter’?<sup>1</sup>**

There is no ‘sex exploiter’, as such. Rather there are people (adult and child, male and female) who sexually exploit children in many different ways, for many different reasons, and in many different social contexts. If there is to be real progress in eliminating commercial sexual exploitation of children (CSEC) and indeed non-commercial forms, then this diversity must be recognized, understood and used as a basis for programming.

Although the complexity of CSEC has been better understood and acknowledged by many people working in this area since the first World Congress against Commercial Sexual Exploitation of Children in 1996, it has remained largely absent from public and policy debate regarding those who commercially sexually exploit children.

Instead, there has been a continued tendency to assume that the demand side of CSEC consists of ‘paedophiles’ and the criminals who supply them with children to abuse. In fact, it extends far beyond.

#### **Paedophiles: a specific category**

‘Paedophilia’ is a clinical diagnostic category with a very specific and limited meaning. According to the American Psychiatric Association, it refers to a person aged over 16 who ‘has had repeated, intense, sexually exciting fantasies for a period of at least six months, has had sexual urges or has carried out behaviours involving sexual acts with one or more children (usually under the age of 13)’. Furthermore, ‘the fantasies, the sexual urges or behaviours act as considerable impairments in the individual’s ability to function socially, professionally or within other important spheres’.

Some of those who conform to this definition pose a very serious risk to children and can be individually responsible for the sexual abuse of large numbers of children. But to be clinically diagnosed as ‘paedophile’, a person need not necessarily have committed any act of child sexual abuse, so it cannot be said that all paedophiles are sex exploiters.

It would be still more wrong to claim that all sex exploiters are paedophiles, and this would remain the case even if the term were more loosely used to refer to adults with a sexual interest in young children (as it is popularly used).

One further point. Those who conform to clinical definitions of paedophilia can display a focused sexual interest in either male or female children, or in both. Paedophiles have sometimes been stereotyped as men with a fixed interest in boys, and homophobic individuals and groups have asserted that there is a relationship between homosexuality and child sexual abuse. In reality, statistical evidence on child sexual exploitation points only to the conclusion that there is a relationship between gender and abuse, in the sense that (a) girl children are more likely to be victims of sexual exploitation than boy children; and (b) males are far more likely than females to commit sexually exploitative acts for personal pleasure.

Certainly, some men who self-identify as homosexual sexually exploit boys under the age of 18, just as some men who self-identify as heterosexual exploit girls under the age of 18, but it does not follow that all homosexual men are potential sex exploiters any more than it follows that all heterosexual men pose a threat to girl children.

## Exploiters: a wider group

A wide range of non-paedophiles also sexually exploit children, for a number of different reasons. Sex exploiters<sup>2</sup> who are involved as third-party beneficiaries of CSEC, for example, are rarely motivated by personal sexual desire or obsessive fantasies. They sexually exploit children for profit, not because their acts of exploitation bring them psychic relief or sexual gratification.

There are also those who sexually exploit children if and when they find themselves in situations where a child is more readily or cheaply available for sexual use than an adult, but whose satisfaction does not hinge on the physical or emotional immaturity of the individual they exploit.

There are also adult men who choose young children as sexual partners primarily on the basis of misconceptions about sexual health, or because they uncritically accept myths about virgins being able to restore potency, bring luck to new business ventures, and so on.

None of these people are driven by sexual fantasies about children *per se*.

Furthermore, if children are defined as people under 18, it is necessary to recognize that adult/child sexual contact is rarely completely proscribed. In most countries, it is legal for an adult to marry, co-habit with or date a person below the age of 18. Meanwhile, most societies attach a good deal of aesthetic and erotic value to youthful bodies. Adults who seek out younger and more attractive sexual partners, including those under the age of 18, are not necessarily transgressing the socially agreed parameters of acceptable sexual desires and therefore cannot be automatically described as sexually 'deviant' or psychologically 'abnormal'.

In short, to use the terms 'paedophile' and 'sex exploiter' interchangeably is to grossly oversimplify the phenomenon of child sexual exploitation. Though it is vital to urgently address the existence of, and harm caused by those who consistently and consciously seek out young children to abuse, questions about why children are sexually exploited and by whom do not end there. There is a need also to ask why it is that people who are *not* paedophiles sexually exploit children.

The Longman English Dictionary defines 'exploit' as "to use... especially for profit or advantage; to take unfair advantage of for financial or other gain" and the idea of unfair advantage suggests that there is some imbalance of social, political, economic and/or physical, psychological or emotional power between those who exploit and those who are exploited. This distinguishes 'exploitation' from simple criminality.

Applied to questions about the sexual exploitation of children, this suggests that 'sex exploiters' can be defined as:

"those who take unfair advantage of some imbalance of power between themselves and a person under the age of 18 in order to sexually use them for either profit or personal pleasure".<sup>3</sup>

## Why do they do it?

The suggested definition contains the answer to this question in four phrases: 'unfair advantage', 'imbalance of power', 'for profit' and 'for personal pleasure'.

Just as the power of dominant groups in society is typically cloaked or justified by discourses that humanize or deny it, so individuals are usually reluctant to view themselves as abusive, dominating, cruel or evil. The vast majority of people will use force or coercive power against another human being only if and when they can tell themselves it is natural, right and justifiable to do so, or when they can hide from themselves the fact that they are exercising such powers. As a result, research has consistently found that very few of those who sexually exploit children consider themselves to be abusive or exploitative. Rather they seek to deny, justify or humanize their sexual use of children.

The concept psychologists call ‘cognitive dissonance’ provides one way in which to understand this. It says that people experience anxiety where there seems to be a contradiction between their attitudes, beliefs and behaviour. For example: consider a man who believes himself to be a good and moral person, and who also believes that those who sexually abuse children are bad and immoral. If he has sexual contact with a child, then he will experience anxiety because the propositions, ‘I am a good person’, ‘adult/child sexual contact is always wrong’, and ‘I have sex with children’ are incongruent.

To bring them into line, and so reduce his anxiety, the man must adjust at least one of them. He can either revise his view of himself as a good person, or he can change his attitudes towards adult/child sexual contact, or he can adjust his beliefs about whether or not he has had sex with children. Studies of convicted child sex offenders in the UK and US suggest that they are most likely to respond by shifting their attitudes towards adult/child sexual contact and/or towards the children involved. For example, they may consider the children as in some way responsible for their own abuse, or imagine they are not harmed by sexual contact with adults. They may claim that children are able to consent to, or obtain benefits from sexual encounters with adults, perhaps minimizing the meaning and consequences of abuse (as when the abuser tells himself that ‘fondling’ or oral sex ‘does not really count’ as sex and causes no harm to the child concerned). These ‘rationalizations’ are all common in the discourse of child sex abusers, both paedophile and non-paedophile.

The degree of distortion and denial involved can be quite extraordinary. There are even offenders who claim that their sexual contact with a baby was not wrong because the baby invited or consented to the abuse by, for example, smiling and gurgling when the abuser changed its nappy (diaper).

Clearly, no existing society’s framework of beliefs can support such a stupendous level of self-deception. Those who sexually abuse very young children therefore have to massively distort socially agreed ideas about consent and the powers one human being can legitimately exercise over another, as well as about the proper objects of adult sexual interest and relations between adults and children. Such people often have an extremely fragile hold on their sense of self, and experience great psychological stress as they attempt to maintain a view of their own actions as justified or harmless.

However, those who abuse very young children are in a minority among sex exploiters, and there are other forms of child sexual exploitation that are much easier to accommodate within the framework of socially prescribed or tolerated attitudes towards sexuality, age, consent and the legitimate exercise of power, for example sex with prostituted adolescents.

All of this implies that, in order to protect children from CSEC, it is important to understand the ideas that inform and guide the action of sex exploiters, and find ways to challenge and undermine the beliefs which allow them to deny, justify, humanize or naturalize their acts of exploitation. In this regard, the way in which adults convince themselves that sexual use of a child is warranted and defensible often hinges in part upon the social relationship within which exploitation occurs.

### **Is there always a commercial transaction involved?**

Research has consistently shown that children who are sexually abused in non-commercial settings are far more likely to be abused by adults they know than by strangers, particularly by those who exercise the most power over them: parents, guardians, relatives, and adults who act *in loco parentis* in a range of settings, including kindergartens, schools, colleges, residential homes for children with or without disabilities, churches, sports clubs, and on overseas exchange visits.

No matter what form the abuse takes, there are important connections to be made between child sexual abuse and the ways in which childhood is socially constructed and imagined. In most societies, parents and adults who act *in loco parentis* are both allowed and expected to exercise

powers over children of a type and degree that would be unthinkable in relation to any other social group.

Such powers are not granted simply or solely on grounds that children's immaturity prevents them from acting autonomously; they also reflect the fact that children are widely viewed as 'adults-in-waiting', incompetent, unformed and unable to realize themselves as individuals. As a result it is often considered acceptable for adults to discount children's spoken wishes, to attempt to 'mould' their character, interests and opinions, and to punish them for failing to conform to adults' demands and expectations.

The relationship between social values and attitudes and child sexual abuse is also evidenced by research suggesting that children from social groups that are socially stigmatized (for example street dwellers, domestic workers, people with disabilities, certain ethnic groups) are among those at particularly high risk of sexual abuse. Though these children may be targeted because it is easier to access them, or because the abuser calculates that the risk of detection is low, it also seems likely that the low 'value' society gives them makes it easy for the abuser to dehumanize the victim, so reducing guilt or anxiety that might otherwise arise.

The inhibitory potential of socially agreed codes and prohibitions against adult/child sexual contact also appears to be linked to the adult's sense of connection to the wider society. When this is disrupted, for example in situations of armed conflict or natural disaster, people often find it possible to rationalize and justify behaviours that would normally have appeared to them as indefensible.

Finally, it is important to note that anecdotal evidence suggests that those who sexually abuse children in non-commercial contexts often attempt to buy their victims' compliance and/or silence. This represents another means through which adults can deceive themselves into believing that the abuse was desired or deserved by the child. When sex abusers give their victims money, they can not only tell themselves that the act of abuse has been mutually beneficial, but also that the victim was somehow morally complicit because s/he accepted the money.

### **How does CSEC relate to prostitution?**

Sexual exploitation of children also takes place, of course, in commercial settings. Sex commerce is a stigmatized activity that generally takes place within a shadow and/or illegal economy. It is therefore extremely difficult to obtain accurate data on any aspect of the global sex trade. However, some claims about the demand for prostitution can be advanced with reasonable confidence. To begin with, research suggests that demand comes overwhelmingly (though not exclusively) from men. Surveys also show a good deal of variation between countries as regards how many men admit to prostitute use: around 9 per cent in the UK, 14 per cent in Hong Kong, 16 per cent in the US, 38 per cent in Spain, 60-70 per cent in Cambodia, 75 per cent in Thailand, for example.

Research further shows that certain subsets of the male population of any given country are especially prone to prostitute use, for example men whose work separates them from home for prolonged periods, in male-dominated jobs/situations, or where the work culture is informed by an ethos of *machismo*. This would include groups such as the armed forces, seafarers, truckers, male migrant workers, humanitarian workers, peacekeepers, workers in logging or mining camps. Research also suggests that people are far more likely to enter into various forms of sexual commerce while on holiday or away from home, so business and holiday travellers also provide examples of prostitute-user groups.

Reliable data on the number or background characteristics of the clients of children in prostitution are even harder to come by. There is, however, empirical evidence on prostitution around the world that shows that, while there is a small and largely concealed market niche within prostitution in most countries which caters primarily to demand from those with a specific interest in sex with young children or virgins, the vast majority of prostituted children are

integrated into the mainstream prostitution market, and serve demand from all prostitute users. So, for example, all over the world girls aged between 12 and 18 years are reported to be prostituting alongside those over 18, in mining encampments, brothel districts, tourist areas, ports and truck stops, on the streets and in a variety of off-street forms of prostitution. Boys under 18 are similarly present in mainstream male prostitution.

This has enormous implications for understanding sex exploiters. It means that third-party beneficiaries of child prostitution do not usually have a specific or dedicated interest in CSEC, but rather an economic interest in prostitution in general. It also means that the clients of prostituted children are often simply members of general prostitute-user groups, rather than people with a focused sexual interest in children. In other words, many individuals come to sexually exploit children through their prostitute use, rather than using prostitution as a means to get access to children.

### **Rationalizing prostitute-use, both adult and child**

Attitudes towards gender, sexuality and prostitution are remarkably consistent all over the world. Most societies teach their members to believe that there are natural and fundamental differences between male and female sexuality. It is almost universally assumed that men are by nature sexually active and subject to strong sexual urges or appetites, while women are assumed to be naturally sexually passive and receptive, and great value has traditionally been placed upon female sexual purity and continence. These traditional beliefs about gender difference form the basis for the double standards that most societies apply to prostitution.

The idea that men have sexual ‘needs’ (as opposed to socially constructed ‘wants’) may be widely accepted but, in practice, there is no biological imperative to orgasm any set number of times a day, week or year. People may on occasion find it unpleasant to go without sexual release, but the absence of another person to bring them to orgasm does not actually threaten their continued survival.

The idea of male sexual ‘need’, combined with popular beliefs about contractual consent and the social construction of female prostitutes as ‘dirty’ and ‘impure’, makes it very easy for clients to rationalize and defend their own use of both adults and children in prostitution. Where prostitution is contractually organized as a commodity exchange like any other, the buyer can tell himself that the powers he exercises over the child are quite legitimate. He is simply behaving as any sovereign consumer in a free market behaves, and if he does not purchase the child’s ‘services’, the man behind him will.

In this sense, many men’s use of prostituted children is better understood as an act of moral indifference than as an act of wilful harm, and this kind of moral indifference is actually widely endorsed in free market societies. Buyers are generally expected to act solely on the basis of self-interest and to feel no connection with, or moral responsibility towards those who produce the commodities they purchase.

Finally, where societies are hierarchically stratified along ethnic, racial or caste lines, and/or are deeply xenophobic, then it is possible for adults from dominant groups to sexually exploit children from inferiorized groups without this interfering with their view of themselves as moral and good. So, for example, white western sex tourists say that the women and children they exploit in Asia, Africa, the Caribbean and Latin America are naturally more sexually willing than white women and children, while in parts of India, men from privileged social groups will declare that the ‘lower caste’ women and children they use are ‘sexually promiscuous’ and have incited them. Exploiters’ abuse of prostituted children who do not share their own social identity is facilitated by the assumption that these children either do not need, or are unworthy of the care and protection that would be accorded to children ‘of their own kind’.

In short, clients do not have to cognitively distort dominant attitudes towards sexual life very far at all in order to feel comfortable about using a child for commercial sex.

## **Does all exploitation happen through prostitution of children?**

Vast numbers of children in today's world live in poverty and especially difficult circumstances. The role of 'benefactor' to young children who are poor, homeless, neglected or unloved has obvious attractions for paedophiles who yearn for relatively long-term, stable and 'affectionate' sexual relationships with children. It is much easier to construct and maintain fictions of consent and mutuality with such children, who may genuinely value the non-sexual aspects of their relationship with the abuser as well as need the material benefits associated with it. Moreover, the child's economic dependence on the adult makes it less likely s/he will report the abuse.

Lack of access to effective sexual health education and medical care can also encourage adults who do not conform to clinical definitions of 'paedophile' to seek out young children as sexual partners. There are reports of adult men in parts of Africa severely affected by the AIDS epidemic providing long-term economic support to poor families in exchange for regular sexual contact with one of the children, on the (incorrect) assumption that young children pose no threat of sexually transmitted disease.

When adults take advantage of a young child's vulnerable or marginalized position in order to sexually exploit them, they clearly transgress socially agreed codes and conventions regarding relationships between adults and children.

The same cannot always be said of 'sugar daddies', older men who provide youthful sexual partners, including adolescents, with long-term financial support or gifts, accommodation or access to entertainment and a lifestyle that would otherwise be beyond the youth's reach. Relationships between adolescents and sugar daddies or 'boops' have recently attracted concern in Jamaica, South Africa and Kenya, but the same phenomenon can be found in many other parts of the world, including in affluent Western countries.

The sugar daddy does not necessarily need to coerce adolescents into sexual relationships and, providing the child concerned is above the legal age of sexual consent, there is not usually anything in national law to prevent adults from taking unfair advantage of their greater economic power in order to date or cohabit with children. Indeed, far from transgressing dominant social conventions in relation to sexual life, the relationship between sugar daddy and adolescent girl often mirrors (albeit perhaps in an exaggerated form) inequalities that are quite normal in heterosexual relationships. Nor can the sugar daddy's motivations necessarily be described as aberrant. In many cultures, youthful female bodies are considered sexually desirable, and men are expected to demonstrate their masculinity through their capacity to command sexual access to 'desirable' female bodies.

## **Why do some sex exploiters form networks or 'rings'?**

Individuals who self-identify as paedophiles sometimes make contact with others like themselves, forming networks or 'rings' through which to exchange information, advice and child pornography. These networks may be involved in a number of different forms of CSEC, as illustrated by a 1997 French case involving seven men who had variously collected and circulated child pornography, sexually abused children in Romania, and brought two Romanian children to France to abuse them and sell them to others to sexually abuse.

Often, those who conform to the clinical definition of 'paedophilia' are compulsive collectors of images of children and/or child sexual abuse, including photographic, audio- or video-taped records of children being sexually abused by themselves and/or others. Digital technology and the Internet have greatly enhanced such people's ability to record, store, retrieve and share large collections of child pornography. The exchange of child pornography with like-minded people is reported to give 'on-line abusers' a sense of group belonging and self esteem. Those who collect and exchange records of child sexual abuse are not normally motivated to do so for commercial gain. However, UK Customs and Excise officers report that, in recent years, they are increasingly

intercepting commercially produced child pornography, much of which is produced in Eastern Europe or Central America.

There are also possible overlaps between paedophile networks and organizations formed with the spoken intention of lobbying for legal and attitudinal changes towards paedophilia. Such organizations argue that paedophiles are members of an oppressed sexual minority group, and that 'non-violent' paedophilia should be recognized as a legitimate sexual preference. The idea that adult-child sexual contact can be consensual is thus central to their claims for legitimacy and, to this end, such organizations publicly rehearse the cognitive distortions that convicted child sex offenders typically employ to justify and defend their acts of sexual abuse. Members of such organizations claim to be exercising the right to freedom of thought and expression by lobbying for changes to the law, rather than encouraging people to break the law, and they have met with different responses in different countries.

### **Are all sex exploiters adults?**

Questions about childhood, sexuality and commercial sex can be hugely controversial, and those who campaign against CSEC often attempt to sidestep disagreements by focusing on aspects of abuse and exploitation upon which there is most agreement. In practice, this means keeping the focus firmly on the sexual use of younger children. Thus we find that awareness-raising materials produced both before and since the first World Congress have, through the use of particular images (broken rose buds, discarded toys, small children being led away by large, shadowy male figures), and examples of cases involving children aged between 3 and 12, tended to stress the sexual exploitation of young children, rather than adolescents.

While the impulse to stick to uncontroversial, common ground is understandable, it also carries certain risks. It leads to an emphasis on sexual abuse and CSEC as the violation of childhood 'innocence' and, in so doing, suggests that a particular model of childhood (as a state of passivity and dependence) can be universalized and extended to cover both young children and adolescents up to the age of 18. Discourse about child sexual abuse and exploitation as the theft, shattering, rape, or betrayal of 'innocence' is dangerous and poses particular problems in relation to the vision of, and response to 'the sex exploiter'. Constructing CSEC as the simple and unambiguous meeting of innocence and corruption, good and evil, not only ignores and erases many of its most painful realities, but also risks leading to solutions that are likely to be at best unworkable or ineffective, and that at worse may contribute to a host of new human rights abuses. It is therefore vitally important to develop a more complicated and differentiated vision of those who sexually exploit children.

Although most people think of children as the most socially powerless group of all, all children are not equally unequal. As well as the massive physical, emotional and psychological differentials between, say, a child of three and a child of 16, children are divided by class, gender, race/caste, disability and sexual orientation. The teenage sons of a wealthy family, for instance, exercise substantial powers over the teenage girl domestic worker employed by their parents; a child without disabilities can be enormously powerful in relation to a child with disabilities. There is increasing evidence to show that children, as well as adults, can take unfair advantage of such imbalances of power for purposes of sexual/psychological gratification.

Recent research in North America, the UK and Sweden reveals that adolescent males are among those who commit sexual offences against children. Adolescent males are also among those providing demand for prostitution. There are no data available on the age of prostitutes used by child clients. However, since some boys under 18 are known to use prostitutes in settings where children aged under 18 are present in prostitution, it is possible that children in prostitution may sometimes be exploited by child clients.

Boy children are also known to be involved in more diffuse forms of sexual-economic exchange. For example, a report on young people's sexual health in Zambia notes that girls are increasingly trading sex, and most sexual relations among boys and girls involve the exchange of money or

goods. Girls are clear about the fact that poverty leads them to enter into such exchanges, while boys explain that 'having sex with girls is a way of proving that one is a man and it is a means of gaining popularity'. There are also reports that some adolescent male refugees are seeking younger and younger sexual partners among other refugee and displaced children in settings where HIV/AIDS is prevalent. Pornography is also used by people under the age of 18: in May 2001, a 13 year-old British boy was convicted and placed on the Sex Offenders Register for dealing in pornographic images of children he had downloaded from the Internet. Finally, adolescent male soldiers are among those involved in some of the most brutal forms of sexual violence/exploitation taking place in the contemporary world, and both boys and girls under 18 are sometimes involved in CSEC as pimps or procurers.

In most cases, the behaviour of young sex abusers is probably best explained through reference to their society's prevailing attitudes towards gender and sexuality. Masculinity is almost universally idealized as involving the exercise of power over self, others and material objects, and men who are able to command sexual access to female bodies are widely celebrated in film, fiction and popular song. That teenage boys, who are generally both implicitly and explicitly encouraged to demonstrate their masculinity (and frequently taunted and ridiculed for failing to appear sufficiently 'manly'), should often display an interest in sexually objectified female bodies is hardly surprising. And in settings where men's prostitute-use is widely viewed as normal, adolescent boys may be encouraged by older male relatives, as well as by peers, to buy commercial sex.

As with adults, then, there is an important distinction to be made between children whose acts of abuse against other children express some kind of psychic turmoil or emotional dysfunction, and those whose acts of sexual exploitation are the unintended by-product of a wish to conform to social norms regarding masculine sexual expression. And still further differentiation is necessary to understand the children who sexually exploit other children for financial gain, rather than sexual gratification. Poverty and other forms of social exclusion pave the way into this side of the sex trade, just as they are the major route into prostitution itself, and the issues posed by those who become involved in CSEC as third-party beneficiaries is complex. Girls who themselves work in prostitution, for example, sometimes supplement their income by procuring other children for their pimps or regular clients, and this highlights the fact that females can sexually exploit, as well as be sexually exploited.

### **Is it only men who sexually exploit children?**

In most societies, women are imagined as naturally both sexually passive and predisposed to nurture and care for children. Such beliefs make it difficult either to conceive of a female 'sex exploiter', or to understand that sexual abuse by women damages children in the same way as sexual abuse by men. However, Swedish, American and British research suggests somewhere between 5 and 20 per cent of all incidents of child sexual abuse are perpetrated by women, and that the consequences for the children are just as severe as the effects of sexual abuse by male perpetrators. Clinicians who have worked with women who sexually abuse children observe that they usually exhibit the same kind of distorted thinking as that displayed by their male counterparts.

Women can also provide a demand for commercial sex. In Japan, Australia, North America and Western Europe, a small but growing number of women are using their greater economic power to indulge in various forms of commercial sexual experience at home or abroad. Among them there are women who sexually exploit adolescent boys aged between 13 and 18 in developing countries, and even some who pay to abuse younger children. Women, both local and foreign, also sometimes take on the role of 'sugar mummy', using their greater economic and social power to command access to a series of adolescent boyfriends. Cases of boy children being sexually abused by women in the rebel forces in Sierra Leone have also been reported.

Nevertheless, women are very much in a minority among those who exploit for pleasure in either non-commercial or commercial contexts. The same cannot be said in relation to the sexual exploitation of children for profit, for women have a strong presence in the global sex trade as third-party beneficiaries of CSEC.

### **Who makes a profit from CSEC?**

Some of those who derive economic benefits from the sex sector are wealthy and powerful. They can include government and police officials, and those who own and control businesses in the leisure and entertainment sector which often enjoys a symbiotic relationship with the sex industry. Given that under-18 year-olds are present in the mainstream sex trade, such people can be said to benefit indirectly from CSEC.

Large and respectable tourism, mining, logging and shipping companies might also be said to be indirectly involved in the sex sector in the sense that a flourishing demand for prostitution, including CSEC, is one of the by-products of their main profit-making activity and/or employment policies (such as providing dormitory accommodation for a migrant male workforce instead of housing for the men and their families). However, those who own and control companies are rarely held personally responsible for the social or environmental costs associated with the sectors within which they operate. Indeed, they are often loudly applauded for taking even the smallest steps to ameliorate the negative side effects of their firms' profit-making activities.

Other third parties benefit from CSEC in more immediate ways. Economic rewards can be obtained from CSEC through a variety of activities, including trafficking children for purposes of sexual exploitation; organizing and/or controlling children in prostitution; procuring children; producing and distributing child pornography for commercial gain. Individuals can also obtain economic rewards from CSEC without actually becoming directly involved in arranging any child's sexual exploitation (for example corrupt officials can benefit from bribes; bar owners can 'turn a blind eye' to CSEC on their premises and benefit from the custom it draws to their establishment; retailers can profit by selling pornographic materials involving minors). Few of these people dedicate themselves simply and solely to promoting CSEC, and most come to exploit children through their involvement with the sex trade more generally.

Other third-party beneficiaries of CSEC are far from privileged and powerful. Women and children, as well as men, are involved as third-party beneficiaries, and it is not uncommon for an individual 'career' in the sex trade to start with selling sex, then progress to organizing the prostitution of others, including children. Nor is it unusual for prostitutes, including prostituted children, to supplement their income by procuring or pimping others. Regardless of their age or gender, a good many people's involvement as third-party beneficiaries of the sex trade is precipitated by exactly the same factors that make children vulnerable to commercial sexual exploitation, including poverty, lack of alternative economic opportunity, absence of educational opportunities, domestic violence, drug addiction, and/or a range of exclusionary social practices and policies based on discriminatory beliefs about gender, race, ethnicity, caste and/or sexuality. Indeed, many thousands of the world's children grow up in brothel districts or other communities that are entirely economically dependent upon the sex industry, including child prostitution. Often, the stigma attached to prostitution is so great that neither prostitutes nor their children are able freely to leave such communities.

In these and other similar communities, adults who are yesterday's exploited children are today exploiting the children who will become tomorrow's exploiters. Such cycles of exploitation have virtually nothing to do with individual morality or criminality, but a great deal to do with the legal and social construction of prostitutes as a separate class of people and the systematic violation of their human rights. The actions of all those involved as third parties to CSEC are neither identical nor morally equivalent, and it is vitally important that this fact is reflected in the range of policy measures designed to address 'the sex exploiter'. In many instances, the environment behind

sexual exploitation rather than the individual who exploits must be the primary focus of concern and programming.

### **Some conclusions**

Since states are among those who most consistently violate prostitute women's rights, it would be naïve to trust that calls for stronger legal controls over those who exploit children within prostitution will automatically produce desirable outcomes for either prostituted women or teenagers. Indeed, crackdowns on CSEC and trafficking have often had extremely negative consequences for both adults and adolescents working in prostitution, and the numbers of people arrested for sexually exploiting children in prostitution generally pale into insignificance next to the numbers of women and teenagers arrested for prostitution and/or immigration offences.

There is a great deal of work to be done in terms of changing attitudes towards prostitution and creating legal and social environments which are protective of female prostitutes' human rights before it can be presumed that calls for tighter and more extensive criminalization of CSEC will not continue to have these unintended and undesirable consequences. The Stockholm Declaration and Agenda for Action called on governments to 'adopt a non-punitive approach to child victims of commercial sexual exploitation in keeping with the rights of the child', but did not call on them to adopt an approach that is respectful and protective of the human rights of all those working in prostitution. This needs to be remedied.

There are other reasons to exercise caution when discussing sanctions against those who sexually exploit children. Consider, for example, the fact that there are places in the world where it is estimated that between 15 and 30 per cent of those working in prostitution are under the age of 18 and that up to 75 per cent of the male population engage or have engaged in prostitute use. In such places, proposals to give custodial sentences to anyone who engages in CSEC could translate into proposals to incarcerate more than half the male population.

Custodial sentences would be equally problematic in contexts in which people become involved in the sex trade as third-party beneficiaries simply because this is their only real possibility for economic survival. Also, there are places in the world where the demand for commercial sex comes from men and boys whose lives are every bit as hopeless, violent and bleak as those of the women and children they exploit. Calls for the incarceration of all perpetrators of CSEC do not always or necessarily represent either a realistic or a humane response to the problem. Dissuasive sanctions not only need to be accompanied by appropriate medical and psychological interventions where appropriate, but also by measures to address the economic and social factors which underpin the demand side of CSEC.

Good treatment and relapse prevention programmes are widely believed to reduce recidivism among those convicted of sexual crimes against children. Multi-component therapies are reported to be most effective in sex offender treatment; programmes that show the most consistently positive results are those that combine cognitive and behavioural techniques with relapse prevention.

Though there are many positive developments to report in relation to therapeutic work with sex offenders, there is little room for complacency about existing provisions. To begin with, the development of appropriate treatment programmes for young offenders is very much in its infancy. More resources need to be invested in specific programmes, as well as research and evaluation. Experts working in this field have expressed concern about approaches that fail to recognize that young perpetrators of child sex abuse are children and as such entitled to the rights identified in the United Nations *Convention on the Rights of the Child*.

It is also important to note that good treatment programmes are expensive. In poor and developing nations that are forced to make cuts to basic social spending, there is little chance of funding the kind of therapeutic and relapse prevention programmes that have been developed in

the affluent world. Even in affluent countries, these programmes are not made available to all those convicted of sexual crimes against children.

Furthermore, existing therapeutic programmes have been developed through work with convicted offenders, and are strongly geared towards those whose acts of exploitation clearly and unequivocally transgress social norms regarding sexual expression (incest, sexual violence, abuse or exploitation of children under the age of sexual consent). They are not always or necessarily relevant to those whose sexual exploitation of children takes place in the context of socially tolerated or prescribed sexual behaviour (prostitute-use, the consumption of mainstream pornography, more diffuse forms of sexual-economic exchange), nor to the behaviour of those who sexually exploit children for profit. There is thus also need for investment in the development of programmes aimed at these groups.

'John Schools', piloted in a number of cities in the US, the UK and Canada, represent one of the few measures designed to address the demand side of prostitution. Here, men arrested for kerb-crawling offences are 're-educated' about the commercial sex industry, and efforts are made to challenge their attitudes towards prostitution and sexuality. Their impact is difficult to assess; clients may simply have switched to off-street prostitution.

Some NGOs have piloted projects providing training on issues of sexual exploitation for armed forces preparing for peacekeeping duties, and there is an urgent need for more of this kind of general preventative work with all groups that are particularly prone to prostitute use. Some of these groups are already being targeted by organizations working on AIDS prevention, who have much to offer in terms of how to develop effective strategies for changing sexual attitudes and behaviours.

Sex education in schools is another under-utilized vehicle for preventing the demand for CSEC. It provides a forum in which the popular beliefs about and attitudes towards gender, sexuality, prostitution and race/ethnicity/caste that play such a central role in shaping the demand side of all forms of CSEC could be systematically challenged. Ways also need to be sought to challenge or counter the widespread eroticization of youthful bodies, the sexual devaluation of older bodies, and the assumption that sex naturally and ideally involves interaction between a dominant and a submissive partner.

Strategies to prevent child sexual exploitation and to deter, control and/or reintegrate sex exploiters must recognize the diversity of demand. They must also address the fact that there is a strong relationship between socially prescribed or tolerated attitudes and practices and the demand for CSEC. There is a need to develop and fund public education campaigns to challenge and undermine the popular and widely endorsed beliefs about sexuality, gender, race, class, caste, childhood, economic life and/or prostitution that exploiters of all types draw upon to rationalize and defend their actions.

This means making links (at local, national and international levels) between efforts to tackle CSEC and efforts to combat other forms of discrimination. So, for example, sexual exploitation needs to be placed on the agenda when racism is being discussed, and vice versa. Equally, the violation of children's rights through CSEC is not separable from, or unrelated to other human rights issues, and questions about the demand side of CSEC cannot be divorced from more general questions about poverty, gender relations, social exclusion, child labour, welfare policies, structural adjustment programmes, tourism development, racism, migratory pressures, AIDS and sexual health, and prostitutes' civil and human rights.

This points to the need for 'joined up thinking' on the part of national and international policy makers and governmental organizations in order to devise and implement effective longer-term measures addressing the economic, social and political conditions which underpin demand. It also suggests that even broader and more inclusive approaches to partnership building are required.

Efforts to tackle the demand for CSEC also need to take into account the fact that a sizeable number of those who sexually exploit children are themselves members of groups which are vulnerable, marginalized and exploited, and/or belong to occupational groups that place members under strong sub-cultural pressures to engage in commercial sex. Punitive and moralistic campaigns will not necessarily be the most effective way of changing their behaviours or sexual practices. Again, there is a need for broader partnership building. Organizations that have the strongest relationships with groups prone to prostitute-use (for example, seafarers unions and trades unions in logging, mining and tourism industries, NGOs involved in AIDS prevention out-reach work), need to be involved in the design and implementation of awareness raising and prevention strategies. Equally, employers, including the military, need to become more involved in educational and preventative work with their employees.

There is also a role for the private sector in terms of developing meaningful and sustainable economic alternatives to third-party involvement in CSEC. In this regard, it is perhaps even more vitally important to encourage international financial institutions, development banks and economic advisors to consider the impact of development policies and structural adjustment measures on the demand for commercial sex in any given country or region.

Finally, there remains an urgent need for more extensive and detailed research on the root causes of demand for CSEC, since this would feed into more effective measures for prevention and awareness raising. There is also a need for better and more consistent data collection regarding sexual offences involving children, and for research to evaluate the impact of specific measures.

There is no simple, single policy solution with regard to those who commercially sexually exploit children. Efforts to strengthen and enforce laws against CSEC must be balanced and complemented by long-term measures to transform the environments that produce sex exploiters. Such measures will require a great deal of investment, and adequate resources must be committed to them if the world is serious about combating the commercial sexual exploitation of children.

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<sup>1</sup> This summary is based on *The Sex Exploiter*, one of six theme papers prepared as background reading for participants at the 2<sup>nd</sup> World Congress against Commercial Sexual Exploitation of Children, Yokohama, Japan, 17 – 20 December 2001. It was written by Professor Julia O’Connell Davidson. Note that all references to research and other source documents are given in the original paper.

<sup>2</sup> Children, defined as people below the age of 18, are not always or necessarily incompetent or entirely lacking rational autonomy with regard to sexual expression. The sex exploiter cannot therefore be simply defined as ‘any individual who has sex with a child’, as this would deny all rights of sexual self-expression to everyone aged below 18. Such a definition would, by default, universally raise the age of sexual consent to 18, making it impossible to acknowledge that a 17 year-old, for example, may be capable of consenting to a sexual relationship with a 19 year-old girl or boyfriend. It would also mean that when two 15 year-olds entered into a sexual relationship based on mutual attraction, each would simultaneously become a child sex exploiter and a sexually exploited child.

Any definition of the ‘sex exploiter’ must be sensitive to the fact that those under the age of 18 are sometimes, and in some circumstances, capable of experiencing sexual desire and giving meaningful sexual consent. At the same time, however, questions as to whether a child consented to, instigated, or even obtained gratification from sexual interaction with another person cannot be used to determine whether or not that person has committed an act of sexual exploitation. Understanding of those who sexually exploit children must also recognize that children can be manipulated, induced or otherwise pressured into consenting to relationships, activities and/or contracts that may harm them. Whether aged seven or 17, they have a right to protection against those who seek such consent, as well as against those who use force to sexually abuse or exploit them.

<sup>3</sup> It is important to note that this definition clearly excludes sexual acts between consenting children (under 18 year-olds) of equal power and status, and that it includes those who profit from facilitating or

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orchestrating someone else's sexual contact with a child. This is important because many current monitoring and control measures focus mainly on those who have personally committed acts of child sexual abuse and not on the many people who may have been involved in some way in helping that to happen.