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I am forwarding you my notes from the journalist seminar in NYC. Many of you helped me collect information and some of you asked for my notes.

If you recall the topic was 'child prostitution/trafficking.' I did my best to present a balanced view about young people who are involved in the sex industry and to explain the current ways of speaking about 'trafficking in children.' In my paper I raised three points regarding self-definition, sexual exploration and age in relation to a labor framework. I only had 15 minutes so I could not cover much ground. One good outcome was that I made friends with many of the journalists and may have future email contact with them.

Any feedback welcome. This is not intended to be a polished article, just my notes. The second half consists of some resources I distributed to the audience.

Sexual Trafficking and Forced Prostitution of Children

1. Introduction.

Let me begin by clarifying that today I have been asked to speak about sexual trafficking and forced prostitution in children and youth rather than to consider the concerns of adults who work, either voluntarily or involuntarily, in the sex industry. However, I do currently participate in a NGO networking group that focuses on 'trafficking in persons' and I am therefore in touch with many organizations working in this area. I am also aware of many of the controversies surrounding migration for the purpose of working in the sex industry. If anyone would like to ask about adults who work in the sex industry then I would be happy to answer questions now or later during discussion.

Recently when I was telling a friend in the NGO sector that I was going to give a seminar on 'child prostitution' she commented, "Policy related to Child Prostitution. That's such a no-brainer." I suppose that she meant that children's presence in sex-related work of any kind is abhorrent and that our efforts should focus on saving children involved in prostitution. Of course in many respects I agree with the sentiments she expressed. The sexual abuse, including the commercialization, of children is abhorrent and nobody, an adult, a young person or a child, should be forced to work in prostitution against his or her will. However, my own experiences working with young people in Australia and in Latin America and my research to prepare for this presentation, have convinced me that understanding 'child prostitution' is not a 'no-brainer.' Far from it.

In fact the complex issues which are packed into that one short phrase could probably keep us all here for the rest of the week if we wished to examine them in detail. What I will try to achieve here by way of introduction to the topic is to clarify some key concepts and raise some discussion points, a strategy which may help everyone, especially those of us who are journalists, to form our own questions and approaches to the issue.

2. Development of the Agenda-NGO and Media

a. Sex tourism and 'foreign pedophiles'

General consensus on what constitutes the problem for children and youth has been evolving over the last 20 years. The recent international concern with child prostitution emerged in the 1980s as a direct result of campaigns by activist NGOs. One of the first organizations was Terre De Hommes an NGO which in 1981 drew attention to first world 'pedophile tourism' to Sri Lanka. In the same period the Preda Human Development Center highlighted similar stories of large numbers of child prostitutes in Olongapo City in the Philippines. In 1989 Norwegian Save the Children published a comprehensive report entitled, The Sexual Exploitation of Children in Developing Countries. In 1990 ECPAT, End Child Prostitution in Asian Tourism, was established Thailand. (Refer to website for more information about activities of ECPAT, publications etc.)

The initial impetus for this organization was concern about 'sex tourism' which catered to the tastes of 'pedophiles' from countries in Europe, North America and Australasia. In the words of INTERPOL the problem of sex tourism is "the growing numbers of pedophiles, pretending to be tourists, who travel from western countries to developing countries whose aim is to engage in illicit sexual activity with easily available and cheap, young, prostituted children" (INTERPOL, 1996: 87). Specialty sex tours for men to the Philippines and Sri Lanka gained special notoriety in the media and the bar, massage parlor and night-club life of Bangkok as well as the presence of young girls in the sex industry in Thailand were described by documentary makers and the press. The initial focus in the new agendas was on the deprived 'foreigner' who preyed on the innocence of children in developing countries. As one media commentator summarized, "The child prostitute has become a potent symbol of touristic excess: the

ultimate commodification of humanity in its most vulnerable and innocent form" (Black, 1995: 13)

b. Local demand

As campaigns to prevent child prostitution and exploitation matured, several agencies, including ECPAT began to recognize that not all problems could be attributed to debauched outside influences. In Olongapo City in the Philippines much of the market for very young prostitutes had been connected to US servicemen, but further research concluded that 50% of customers of the estimated 1000 child prostitutes were locals. Research into the Thai sex industry estimated that Western tourists mainly patronized women above age 18 and that 90% of the demand for 'underage girls' came from locals. NGOs began to develop more sophisticated analyses of what had previous been considered a pedophile problem. The lives of street children emerged as a theme especially in Latin American countries such as Brazil where estimates climbed into 100,000s for the number of children living on the streets or insecure homes. Local demand for young sexual partners of either gender was viewed as the problem for these youngsters rather than necessarily the demands of foreign tourists. Other forms of societal violence and the actions of corrupt officials, the military and the police were also listed as problems by NGOs and journalists. The abduction and murder of street kids in Guatemala, Colombia and Brazil were cited in the media as key examples of what was to become an international scandal. One study into the lives of 143 street children in Guatemala City carried out by Casa Alianza found that commercial sex was a reality for almost all of these young people as a form of survival (Harris, 1996). The consequences of life on the street and sexual activity with numerous partners were severe-100 percent of the children reported being sexual abused and 93 percent had previously contracted sexually transmitted diseases including

genital herpes, gonorrhoea, and scabies. All of the children reported drug use featuring the sniffing of glue and solvents as the drug of choice.

c. Trafficking in children

Most recently I believe that the hot topic for NGO intervention, media focus and international action has shifted away from the actions of pedophiles and child prostitution per se to the notion of 'trafficking in children'. This trend is best represented by the 1997 name change of ECPAT from End Child Prostitution in Asian Tourism to End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes. Trafficking in persons is an ill-defined concept at best but may be considered the brokered movement of persons across state lines or borders (refer to GAATW definition). However, most of the documents and studies that consider the problem of 'sexual trafficking in children' define this very broadly to encompass the transportation of children from one place to another. This means that very diverse examples are bundled together under one label obscuring fundamentally different legal concerns. Instances where young Brazilian women are taken to remote villages in the Amazonian mining districts to 'work' in canteens and bars and provide sexual services for local laborers raise different legal, health and human rights concerns than the cases of young Burmese women and girls who are sold by their parents to work in Thai brothels (see Beyer, 1996 and Human Rights Watch, 1993 for case examples)

Recently attention has focused on the fate of young women from Nepal who are tricked into travelling to India with the promise of 'legitimate' employment. ECPAT has estimated that 200,000 Nepalese women under 16 years of age are to be found in Indian brothels and of these approximately 40,000 are hired against their will. ECPAT contends that entire villages are involved in the trade. Young women are abducted or persuaded to go with brokers by

their parents, husbands, relatives and friends. A broker makes approximately \$800US when he sells the women to a brothel, an amount that is more than three times the average yearly income in Nepal. The young women work until the brothel owners have recouped the outlay wages and it may takes three years to pay back the debt. If the brothel owner provides food, health care or clothing they expect remuneration. According to a 1995 Asia Watch Report about half of Bombay's 100,000 girl prostitutes are Nepalese girls who are routinely raped, beaten, exposed to HIV/AIDS and kept in brothels against their will as virtual 'sex slaves'. ECPAT also contends that the demand for virgin girls is increasing and the age of girls being trafficked to India is decreasing. The average age in the last decade is said to have fallen from 14-16 years to the present 10-14 years.

3. Looking at the problem from different perspectives

I have used this brief history of recent ways of speaking about and contextualizing child prostitution and sexual trafficking in children as a way of introducing the debates and some regional concerns including the concept of trafficking. However, some of the reports I have quoted and the figures I have presented are for me problematic and may obscure more than they reveal. Terms such as 'sexual slavery' and 'child prostitution' may initially appear to describe the lives of some of the young women and men I have mentioned but a closer examination reveals that many of the subjects in the reports do not consider themselves child prostitutes. Several times when researching for this seminar I read that "It is estimated that 1 million children are sold into prostitution around the world" but at no point was I ever fully informed how this figure was calculated.

In order to elucidate my point I would like to share with my own research experience in Australia and to draw on some other examples from research in Peru and Thailand. Before I proceed let me assure you it is

not my intention to somehow dismiss abuses to which children and young people are subjected. It is my intention, however, to promote accuracy in reporting and research and to encourage everyone when writing articles about 'child sex' to question right from the start, how is it that we know what we supposedly know to be a fact. I have photocopied some publications and made a short bibliography for follow up about some of the issues I will discuss here.

a. Child prostitution?

In 1995 and 1996 I oversaw a research project in Adelaide, South Australia. At that time I was directing a division at the AIDS Council of South Australia which included a sex worker health and rights program. Our research project focused on young homeless people in South Australia with an aim to finding out about the kinds of sexual health risks they faced and how we might improve our HIV prevention work with this group. Many other youth health agencies in South Australia were very concerned that young homeless people were being abused by pedophiles, selling sex to survive on the streets and, as the local newspaper put it that there was a 'child prostitution ring' operating in inner city Adelaide.

We decided to put aside rumor and anecdotal information and investigate the nature and extent of the problem. Rea Tschirren, a project officer at the AIDS Council, interviewed 106 young homeless people using a survey which guaranteed their confidentiality and provided them with a way of indicating whether or not they had had sex for favors which included accommodation, food, clothing, safety, drugs or transport. We deliberately did not refer to this as 'prostitution' in our survey because we felt that this would be prejudging the data. We wanted to let the young people describe themselves and to reveal what their needs were rather than imposing our own values and judgements about their behavior. Our research revealed that one third of the young people interviewed had engaged in sex for favors and another 10 percent said that they would consider

doing so in the future. The young people who had engaged in sex for favors exhibited some specific health problems relating to drugs and alcohol and depression. Attempts at suicide were common for all the young people interviewed, but young people who had engaged in sex for favors were twice as likely to have attempted suicide than those who had not engage in this behavior.

An important elements that emerged from our research was that young people who engaged in sex for favors rarely defined themselves as 'prostitutes' or linked their activities to work in the sex industry per se. The term prostitution, for all but one person interviewed, was not a way a describing their reality. Rea and I published about this in the National AIDS Bulletin in Australia where we subtitled our article "Prostitution is something other kids do." Heather Montgomery in her case study of a small village next to a tourist resort in Thailand had a similar research experience (see Montgomery, 1998). She discovered that the children and young people who engaged in what could be termed 'prostitution' with tourists as a way of supporting their families, considered it a deep insult to be called a 'child prostitute.' They would refer to their activities in other ways including 'going out for fun with foreigners', 'catching a foreigner' or even 'having guests.'

If young people are uncomfortable with the term 'child prostitution' and are therefore likely to avoid speaking to service providers if this term is used, then its usefulness in NGO program work should be questioned. Clearly many of the young people interviewed in our study required assistance from service providers, especially in relation to attempts at self-harm and suicide. It was not conducive to our work to use terms which further alienated young people and made them reluctant to seek help. Our term 'sex for favors' has been accepted by service providers in South Australia as a neutral and non-judgmental way of speaking about the sensitive issues associated with young people

having sex with adults for some kind of gain. ECPAT Australia has also recently acknowledged the term 'sex for favors' as a way of describing the experiences of some young people (ECPAT 1997).

b. Sexual exploration and sexual identity

The second point that emerged from our research in Adelaide was that the exchanges of sex for favors may sometimes associated with young people's search for sexual identity. In a few instances indications were that some young men exchanged sex for favors with other men not only as a survival tactic but also as a way of exploring bisexuality and homosexuality. Carlos Caceres research in Lima, Peru explores the nuances of young men's sexual negotiations with older men in greater detail. Some young men who identify as 'fletes' (young men in this study who were 16 to 19 years old and who went to areas that we might call 'beats' to have sex with other men for money or some other kind of remuneration) strongly identify as heterosexual and deny that they are sexually interested in their clients or homosexuality. Other young men in this study acknowledged that they might be bisexual or even part of the gay community in Peru (Caceres and Jimenez, forthcoming). In both of these instances in Australia and in Peru to employ the term 'child prostitute' or to deny that some element of exploration exists in some instances would misrepresent the experiences of these young people. At times it is necessary to look past the framework of prostitution or pedophilia and focus on the words and experiences of children and young people without making immediate value judgements.

c. Age matters

The final point, which may be relevant from our research experience in Adelaide, is that age matters. It is crucial to specify the age groups with which one is working or to which one refers in

research and the media. We interviewed young people aged 12 to 23 years old and it was clear that the experience of life on the street was significantly different for very young interviewees. For example, some very young people interviewed had not had sex yet but knew about opportunities to exchange sex for favors and considered it something that they might do in the future. Clearly the health and education needs of these young people differ from older teenagers who are already involved in sex for favors. Initially this subtlety was one of the most difficult to convey to the media when I spoke to journalists about our research and findings. The desire to provide simple summaries for maximum 'reader impact' is strong, but it is essential to be clear about the ages of the 'children' involved in studies or who are served by NGO programs.

Our research findings have been confirmed by other studies. The International Labor Organization (ILO) has been at the forefront of research into child and youth involvement in sex work. The 1996 report "In the Twilight Zone" concluded from four country studies that most "child prostitutes" are in fact better described as youth or young people. The report which focuses on child and youth workers in the hotel, tourism and catering industries in the Philippines, Sri Lanka, Kenya and Mexico found no individual who sold sex on a regular basis was younger than 15 nor had any interviewee begun this work younger than 14 years old. Once again I hasten to add that this does not mean that abuse of very young or prepubescent children never occurs. All too sadly it does. However, I am in agreement with the ILO that cases which involve very young children or clearly involve physical and sexual abuse are more accurately described as "commercialized child sexual abuse" rather than prostitution, sex work or 'sex for favors'. In summary, I suggest that reporting about the lives of children and young people use terms which accurately and sensitively describe their lives or even reflect what they might say about themselves.

4. Concluding comments

The issues surrounding the commercialization of child sexual abuse, sex for favors, young people who work in the sex industry and the forced trafficking in children and youth across state and national lines present us with a plethora of health and legal concerns. We may wish to discuss strategies which can help all these categories of children and youth including the different needs of boys and girls, homeless youth as opposed to young people who still live at home, and very young children as opposed to young people over 15 or 16 years. One successful strategy in my experience has been bringing together youth workers and agencies with diverse perspectives.

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Resources, documents and follow-up information

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Tschirren, R.; Hammet, K.; and Saunders, P. Sex for Favours, ACSA/Second Story/ COPE, Adelaide, 1996.

Internet resources

- **Network of Sex Work Projects (NSWP)**
<http://www.walnet.org/csis/groups/nswp/>
- **The Lifeline Sexwork Project:**
<http://www.lifeline.demon.co.uk/sex/sexwork.html>
- **ECPAT Homepage:**
<http://www.rb.se/ecpat/index.htm>
- **ECPAT Australia Homepage:**
<http://seth.warehouse.net/ecpat/p.html>
- **Rights of the child:**
http://www.oneworld.org/child_rights/child_rights.html
- **All they have left to sell is themselves: Sexual Exploitation of Children Increasing Worldwide, 20 August 1996, By Bruce Harris**
http://www.oneworld.org/child_rights/ch_sex.html
- **Stockholm Declaration 1996:**
<http://www.hri.ca/children/reports/wcaccsc.shtml>

<http://seth.warehouse.net/ecpat/p.html>

- **La Sala, for more information on sex work and young people in Guatemala, can be reached through the Guatemalan Association for the Prevention and Control of AIDS, fax: 5-2-2516531 or e-mail: asiagpcs@guate.net**

Relevant International Laws And Conventions In Relation To 'Child Prostitution' And 'Trafficking In Children'

International Labour Organisation

ILO Convention no 29, 1930, concerning Forced or Compulsory Labour

The aim of this convention is the suppression of the use of forced labour in all its forms. It states that the illegal exaction of forced or compulsory labor shall be a punishable offense. "Forced or compulsory labor" is defined as all work or service which is exacted from any person under the menace of penalty and of which the said person has not offered himself or herself voluntarily. This convention was later reinforced in 1957 by the Abolition of Forced Labour Convention (No. 105). State parties to these conventions undertake to counter forced labour which is defined as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily."

ILO Convention No. 138, 1973, concerning Minimum Age for Admission to Employment

The minimum age of employment is 15, or with caveats, 14. The convention sets the minimum age for any type of work which is likely to jeopardise health, safety or morals of young people at 18.

United Nations Conventions

1959 United Nations Declarations on the Rights of the Child

Calls for protection of children against exploitation and neglect. While This was not a binding treaty it set the ground for later conventions.

1989 Convention on the Rights of the Child

This binding convention outlines children's human rights in civil, political, economic, social, and cultural spheres. The relevant sections in relation to 'commercial sexual exploitation' are:

Article 34:

State parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For the purposes state parties shall in particular take all appropriate national, bilateral and multicultural measures to prevent;

- a. the inducement of coercion of a child to engage in any unlawful sexual activity;**
- b. the exploitative use of children in prostitution or other unlawful sexual practices;**
- c. the exploitative use of children in pornographic performances and materials;**

Article 35:

State Parties shall take all appropriate national bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

1992 UN programme of Action on the prevention of the Sale of Children, Child Prostitution and Child Pornography

The Programme called for a multidisciplinary plan of action which included:

- a. **Information and education;**
- b. **Social measures and development assistance;**
- c. **International co-operation.**

1993 Declaration on the Elimination of Violence Against Women

Violence is understood to cover physical, sexual and psychological violence. The Declaration counters both traditional and modern practices which exploit women and the female child for sexual or other purposes.

More general UN Resolutions with some reference to children/ youth sexuality

- . ● **1948 Universal Declaration of Human Rights**
- . ● **1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others**
- . ● **1966 International Covenant on Civil and Political Rights**
- . ● **1966 International Covenant on Economic, Social and Cultural Rights**
- . ● **1979 Convention on the Elimination of All Forms of Discrimination against Women**
- . ● **1990 World Declaration on the Survival, Protection and Development of Children and its Plan of Action**
- . ● **1993 Vienna Declaration and Programme of Action of the World Conference on Human Rights**
- . ● **1994 Cairo Declaration and Programme of Action of the World Conference on Population and Development**
- . ● **1995 Copenhagen Declaration and Plan of Action of the World Summit on Social Development**
- . ● **1995 Beijing Declaration and Platform for Action of the Fourth World Conference on Women**
- . ● **1996 Programme of Action of the United Nations Commission on Human Rights for the Prevention of the Traffic in Persons and the Exploitation of the Prostitution of Others.**

Laws Prohibiting the Commercial Sexual Exploitation of Children in Other Countries

Legislation on extra-territoriality

- . ● **Norway - extracts from penal code (1902)**
- . ● **Sweden - extra-territorial provision (1962)**
- . ● **Switzerland - Penal Code (1991)**
- . ● **Germany - Criminal Code (1993)**
- . ● **France - Penal Law 94(89)**
- . ● **Australia - Crimes (Child Sex Tourism) Amendment Act 1994**
- . ● **USA - Child Sex Abuse Prevention Act (1995)**
- . ● **Belgium - Amendment to Penal Code (1995)**
- . ● **New Zealand - Crimes Amendment Act (1995)**
- . ● **Austria - Amendment Act (1996)**
- . ● **Ireland - Sexual Offences (Jurisdiction) Act (1996)**
- . ● **UK - Sexual Offenders Bill (1997)**
- . ● **Canada - Bill C27 (1997)**

Proposed New Laws on Extra-territoriality

- . ● **Italy - Bill against child prostitution, May 1996**
- . ● **Japan - in parliamentary discussion**

Recent Asian law amendments related to child sexual abuse

- . ● **Philippines - RP Act No 7610 (1991)**
 - . ● **Taiwan - Children's Prostitution Bill (1995)**
 - . ● **Sri Lanka - Bill to amend Penal Code (1995)**
 - . ● **Cambodia - Law against trafficking and exploitation (1996)**
 - . ● **Thailand - Prostitution Prevention and Suppression Bill (1996)**
-