



MONITORING STATE PROGRESS TO PROTECT CHILDREN & YOUNG PEOPLE FROM TRAFFICKING FOR SEXUAL PURPOSES

**A CALL FOR ACCELERATED ACTION FROM STATES:
IT'S IN YOUR HANDS!**



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This publication was compiled by Sendrine Constant, under the guidance and assistance of Carmen Madriñan and Mark Capaldi. The support of a number of ECPAT International Secretariat staff was greatly appreciated (Alessia Altamura, Caroline Liou, Jessica Allen, Manida Naebklang, Kritsana Pimonsaengsuriya, Patchareeboon Sakulpitakphon, Maricruz Tabbia, and Maria Thundu).

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CONTENTS

LIST OF COUNTRIES REVIEWED AND CONTRIBUTING PARTNERS	4
PREFACE	6
PREFACE BY THE UN SPECIAL RAPPORTEUR ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY	7
INTRODUCTION	8
A. CHILD TRAFFICKING FOR SEXUAL PURPOSES – A WORLDWIDE PHENOMENON AFFECTING MILLIONS	9
B. ECPAT INTERNATIONAL AND THE BODY SHOP ‘STOP SEX TRAFFICKING OF CHILDREN AND YOUNG PEOPLE’ CAMPAIGN	11
C. COUNTRY PROGRESS CARDS: ASSESSING STATE ACTION	12
D. THE PROGRESS CARD SYSTEM	14
HOPELESS CAUSE OR CAUSE FOR HOPE?	18
PROGRESS CARDS CONTINUUM	19
A. PREVENTION: COMMUNITY-BASED PREVENTION PROGRAMMES TO STOP CHILD TRAFFICKING ARE REACHING AT-RISK POPULATIONS	20
B. LEGAL FRAMEWORK: INTERNATIONAL LEGAL STANDARDS FOR PROTECTING CHILDREN FROM TRAFFICKING HAVE BEEN INCLUDED IN THE NATIONAL LEGAL FRAMEWORK	29
C. CARE: SPECIALISED GOVERNMENT SERVICES FOR CHILD VICTIMS OF TRAFFICKING ARE INTEGRATED IN NATIONAL POLICIES	37
CONCLUSION AND WAY FORWARD	45

LIST OF COUNTRIES REVIEWED AND CONTRIBUTING PARTNERS

Countries	Contributing Partners
Australia	Child Wise, ECPAT National Group
Austria	ECPAT Austria
Belgium	ECPAT Belgium
Cambodia	ECPAT Cambodia
Cyprus	Mediterranean Institute of Gender Studies (MIGS)
Czech Rep.	Ecumenical Network for Youth Action, ECPAT Affiliate
Denmark	Red Barnet, ECPAT Affiliate
Estonia	Tartu Child Support Center, ECPAT Affiliate
Finland	Lasten Perusoikeudet- Children's Fundamental Rights
France	ECPAT France
Germany	ECPAT Germany
Greece	Obrela - The Hellenic Association for the Prevention of Sexual Abuse
Hong Kong	Against Child Abuse
India	Sanlaap, ECPAT Affiliate
Indonesia	ECPAT National Coalition for the Elimination of Commercial Sexual Exploitation of Children
Ireland	Children's Rights Alliance
Italy	ECPAT Italy
Japan	ECPAT STOP/ Japan
Luxembourg	ECPAT Luxembourg
Malaysia	Nur Salam and P.S. The Children
Mexico	ECPAT Mexico
Netherlands	ECPAT Netherlands
New Zealand	ECPAT New Zealand
Norway	Redd Barna (Save The Children Norway)
Pakistan	Pakistan Pediatric Association, ECPAT Affiliate
Philippines	ECPAT Philippines
Poland	Nobody's Children Foundation, part of the ECPAT Affiliate in Poland
Portugal	Portuguese Association for Victim Support (APAV)
Romania	Salvati Copiii România, ECPAT Affiliate
Russia	"Stellit" St. Petersburg NGO of Social Projects, ECPAT Affiliate
Singapore	UNIFEM Singapore and Dr. Sallie Yea
South Africa	Child Welfare South Africa, ECPAT Affiliate



Countries	Contributing Partners
South Korea	Naeil Women's Center for Youth, ECPAT Affiliate
Spain	ECPAT Spain
Sweden	ECPAT Sweden
Switzerland	ECPAT Switzerland
Taiwan	ECPAT Taiwan
Thailand	ECPAT International
Turkey	International Children's Center (ICC) and the Network against Commercial Sexual Exploitation in Turkey
UK	ECPAT UK ¹
USA	ECPAT USA

1. In the UK, the campaign will pursue specific and targeted indicators for the goals of the campaign. These will be identified in the separate Country Booklet for the UK. Furthermore, in the UK, parameters used to define specific services vary – please refer to the Country Booklet for more detail.

PREFACE

All members of society have a role to play in protecting the rights and well-being of children, while government has the responsibility to ensure their realisation. Public participation in safeguarding against violations perpetrated against children worldwide, such as child trafficking for sexual purposes, is essential and serves to strengthen the framework of child protection that extends from family outward to community, society and the state. Although the *Convention on the Rights of the Child* (CRC) was the first among human rights treaties to acknowledge and invite the alliance and contributions from all sectors of society in the reporting and monitoring of the rights of the child (and urged governments to reflect this in the preparation of their country reports), the engagement of the broader public to support more specialised children's organisations and private sector partners in advocating for children and conveying a society-wide intolerance for any form of violence against a child, must still be mobilised worldwide. Too frequently the public lacks adequate quality information set in an accessible form to empower their direct action for children, be it through reporting breaches they encounter or to seek accountability from those responsible for taking action. This is the key aim of The Body Shop and ECPAT International partnership and the global 'Stop Sex Trafficking of Children and Young People' campaign.

Violations against children remain hidden and unknown and children's interests are yet to be pursued as a central and distinct concern or as cause for social action, such as found in environmental protection, gender equity or other social movements. Yet, the rights of children generate obligations that must be fulfilled through transparent public policies and programmes that can be monitored for their impact on children's lives. Often, countries undertake important legislative and programmatic initiatives to promote and advance the child's right to protection. Others remain as legal principles that are not translated into practice.

The 'Stop Sex Trafficking of Children and Young People' campaign seeks to bring key policy decisions and initiatives that are instrumental to the realisation of a child's right to protection from sex trafficking and exploitation into the public arena by translating them into tangible and relevant information that will elicit broad interest and enable the participation of a wide public to scrutinise governmental action for children, monitor its impact and provide support to accelerate positive change. The progress card system elaborated in this report presents how states are meeting their obligations through globally agreed goals and indicators to prevent and protect children from sex trafficking and to ensure that child victims can access the necessary care and support services. The progress cards will be updated throughout the three-year campaign and will drive the campaign's communication and advocacy strategy as well as ensure that progress is attained in stopping trafficking of children for sexual purposes.

FOREWORD

Millions of children and young people under the age of 18 are trafficked every year. The majority of these minors are affected by sexual exploitation: the International Labour Organization (ILO)² estimates on child labour indicate that 1.2 million victims of trafficking are children under 18, mainly trafficked for the purpose of commercial sexual exploitation. The 2009 United Nations Office on Drugs and Crime (UNODC) Global Report on *Trafficking in Persons*³ suggests 79% of the trafficked victims identified in 52 countries worldwide (both adults and children) were subjected to sexual exploitation.

In the relevant key international and regional instruments ratified by many countries, sexual exploitation of children is considered a gross violation of a child's right their to respect of their human dignity and physical and mental integrity and cannot be condoned under any circumstances. During the three World Congresses against Sexual Exploitation of Children (Stockholm in 1996, Yokohama in 2001 and Rio de Janeiro in November 2008), global commitments were agreed to by the participant countries to prevent, prohibit and stop sexual exploitation of children and adolescents and to provide the necessary support to children who have fallen victim to it. Despite all these efforts, key challenges still persist. Therefore, a simple question should be raised: Are children and their rights efficiently protected? Unfortunately not! Specific breaches and inadequacies in the implementation of measures to combat child trafficking are highlighted in this publication.

Despite significant efforts, much still needs to be done to protect, rehabilitate and reintegrate victims, to provide reparation for damage caused to children, sanction the guilty, change certain social norms, and ultimately prevent this phenomenon. Preventing and combating this multidimensional and complex phenomenon is directly linked to the capacity of a society to adopt a holistic approach to the fundamental rights of children. This necessarily involves efficient and concerted cooperation and coordination at national, regional and international levels.

This global partnership between ECPAT and The Body Shop is a wonderful example of such an approach and brings forth opportunities to highlight major gaps and challenges to protect children and raise public awareness and attention given to the additional efforts still needed by states to turn commitments into concrete actions resulting in the full respect of the rights of the child.

As UN Special Rapporteur on the sale of children, child prostitution and child pornography, I will lobby and join hands with this campaign, especially in this year which celebrates the 20th anniversary of the *Convention on the Rights of the Child*.

Dr Najat M'JID MAALLA

UN Special Rapporteur on the sale of children, child prostitution and child pornography

2. ILO. Commercial sexual exploitation of children and adolescents - The ILO's response. Geneva.

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

INTRODUCTION

Despite the acknowledged obligation to afford special protection and care to children, which is set out in various international instruments, most countries largely fail to uphold children's rights in a comprehensive way. Gaps in the framework required for the full protection of a child opens opportunities for exploiters to abuse children and allows the trafficking of children and young people to be perpetuated so that it now accounts as one of the three top most lucrative criminal activities. Ensuring a meticulous and regular monitoring of the measures implemented to protect children and their effectiveness is therefore essential to identify challenges and priorities and adequately inform policies and programming.

Monitoring the implementation of states' actions to fulfil their commitments on child rights and in particular the right of the child to be protected from sexual exploitation, including trafficking, is the main mandate of ECPAT International. Based on its experiences and the work of its global network, ECPAT International has undertaken to examine progress accomplished by 41 states to secure a safer world for children in line with specific goals and indicators derived from previously agreed international commitments and in particular the 2008 Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children⁴ (a recent outcome of the deliberations of over 3,500 participants at the World Congress III against Sexual Exploitation of Children and Adolescents).

To increase the accountability on commitments made to children, this monitoring initiative is a specific activity contributing to raising global awareness and advocacy through the three-year 'Stop Sex Trafficking of Children and Young People' campaign conducted in partnership between ECPAT International and The Body Shop. It aims at scrutinising states' progress to turn binding and moral agreements into concrete positive outcomes for children around the world through specific and measurable actions contributing to the enhancement of global child protection from sex trafficking. Through the campaign, civil society initiatives will simultaneously be stepped up through the work of ECPAT groups and others at the national level and the public, to support governments in fulfilling their responsibilities.

4. The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children, November 2008. Available from: http://www.ecpat.net/WorldCongressIII/PDF/Outcome/WCIII_Outcome_Document_Final.pdf

A. CHILD TRAFFICKING FOR SEXUAL PURPOSES: A WORLDWIDE PHENOMENON AFFECTING MILLIONS

The trafficking of children for sexual exploitation is a complex issue that varies by region or country. It includes a wide range of situations involving the recruitment and transportation of children for sexually exploitative practices, including prostitution, the making of pornography and forced marriage. Children may be taken away from their home through deception or by force. Occasionally, desperate parents sell children to traffickers. Trafficked children often experience dangerous and clandestine journeys. After being moved, child victims of trafficking are often intimidated through abuse, beatings or rape to force them into submission and may be repeatedly sold. The psychological and physical injury is often profound, but children are often too frightened or ashamed to ask for help. Their lives or the lives of their families may be threatened if they try to escape. Authorities may not provide adequate protection for children who escape their abusers, leaving them vulnerable to further exploitation.⁵

- An estimated 1.2 million child victims are trafficked for sexual exploitation or cheap labour.⁶
- Human trafficking is the third largest international crime, worth billions of dollars each year.⁷
- Nearly 80% of all trafficking worldwide is for sexual exploitation.⁸
- Among identified cases, the proportion of minors involved in all forms of human trafficking increased between 2003 and 2007, from about 15% to nearly 22%.⁹
- Domestic trafficking is a problem in 64% of the 170 countries reviewed.¹⁰

The Trafficking Protocol defines child trafficking as:

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

Children and young people trafficked for the purpose of sexual exploitation are usually moved from poorer areas to richer and more profitable places and regions. This relocation may occur across borders or within a country.

Various factors make children vulnerable to trafficking. These include socio-economic factors, family abuse or neglect, a lack of appropriate care and protection systems, minority and gender discrimination, deteriorating situations, such as social and armed conflicts and natural disasters, that leave children exposed to abuse and violence due to the absence or inefficiency of protective mechanisms. An important factor fuelling trafficking is the demand for sexual services that target and favour the young, linked to social tolerance and a lack of appropriate law enforcement.

5. ECPAT International and The Body Shop. *Their Protection is in Our Hands – The State of Global Child Trafficking for Sexual Purposes*. Bangkok. August 2009, http://www.ecpat.net/El/Publications/Trafficking/Full_Report_Global_Child_Trafficking_for_Sexual_Purposes.pdf

6. UNICEF, 2007, see: http://www.unicef.org/media/media_40002.html

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

8. Ibid.

9. Ibid.

10. Ibid.

A. CHILD TRAFFICKING FOR SEXUAL PURPOSES A WORLDWIDE PHENOMENON AFFECTING MILLIONS



Global Overview - Child Trafficking Routes



THE GLOBAL FINANCIAL CRISIS - INCREASED RISKS TO HUMAN TRAFFICKING, IN PARTICULAR OF WOMEN AND CHILDREN

According to the US State Department, “millions of people around the world are living in debt bondage and the global financial crisis has made many more vulnerable to labour and sex trafficking.” “This year there is a new urgency,” highlighted Hillary Clinton, US Secretary of State, in the preface of the *Trafficking in Persons Report 2009*. Various organisations are warning against an increase in human trafficking linked to the global financial crisis, and victims are already being identified.

“The economic crisis fuels human trafficking in Cambodia”¹¹

A survey conducted in April-May 2009 among 357 women and girls aged 15-49 currently working in Phnom Penh’s entertainment sector, including brothel workers, street workers, karaoke workers, and massage parlour workers revealed the following:

- During the crisis, increased numbers of women have entered the sex trade, coming from declining working conditions, such as in the garment sector, where they experienced long working hours and low pay; and
- Debt bondage to sex establishment owners has increased, with an increasing proportion of cash going toward remittances to families.¹²

Most child victims of sex trafficking are girls, but boys are also affected, and due to lack of awareness and recognition of their victimisation they often encounter a serious lack of preventative and protective services. Children are recruited through organised criminal networks but also deceived by acquaintances and family members or through false job offers and unsafe migration practices.

11. *The Phnom Penh Post*. 10 June 2009. Accessed from: <http://www.phnompenhpost.com/index.php/2009061026380/National-news/Economic-crisis-fuels-human-trafficking-in-Cambodia-officials.html>

12. United Nations Inter-Agency Project on Human Trafficking. *Cambodia: Exodus to the Sex Trade? Effects of the global financial crisis on women's working conditions and opportunities*. Accessed on 20 July 2009 from: http://www.no-trafficking.org/reports_docs/siren/siren_cb-04.pdf

B. ECPAT INTERNATIONAL AND THE BODY SHOP ‘STOP SEX TRAFFICKING OF CHILDREN AND YOUNG PEOPLE’ CAMPAIGN

The partnership between the ECPAT network and The Body Shop is a unique one. For the first time an international network of local grassroots NGOs is working in partnership with a major cosmetics company to raise awareness to stop sex trafficking of children and young people.

The originality and force of the ‘Stop Sex Trafficking of Children and Young People’ campaign lies not only in the immediate relief brought to children who have been affected through funds raised, but also in particular, through the long-term changes it aspires to create by building awareness amongst the public and facilitating the voice of the consumer to be heard by those with decision-making power to strengthen concerted action against child trafficking for sexual purposes.

The campaign, as presented below, is structured around a combination of awareness-raising and advocacy activities at global and local levels in order to “make a real difference, raising awareness, inspiring and mobilising those with decision-making power to effect change with due urgency.”¹³



Building understanding on key issues related to child sex trafficking

- “*Their Protection is in Your Hands: The State of Global Child Trafficking for Sexual Purposes*”
- Specific baseline information, a key resource to increase global awareness and build understanding on the issue; Present main action agendas to key stakeholders

Voicing global concerns through global advocacy platforms based on

- Global assessment of the States’ actions to protect children examining and highlighting progress and specific gaps in countries for the protection of children from sex trafficking.
- Informing the public on actions that must be taken at national and global level to combat child sex trafficking.

Bringing immediate relief to children

- Support grassroots projects through funds raised from the sale of The Body Shop products;
- Based on specifically identified country challenges and gaps.

Raising awareness on child sex trafficking at local level

- Specific campaign activities at country level build public awareness on the issue through dissemination of specialised information on child sex trafficking;

Mobilising governments in the protection of children

- Specific and systematic assessment of a State progress to protect children through Country Score Cards
- Identify country-specific challenges and gaps

Ensuring states’ accountability to protect children

- Detailed country reports and documentation of States’ measures
- Regular monitoring of States’ actions
- Global database widely publicized

C. COUNTRY PROGRESS CARDS: ASSESSING STATE ACTION

The 'Stop Sex Trafficking of Children & Young People' campaign aspires to bring positive and visible long-term effects on child protection from sex trafficking by building on the momentum created during the World Congress III against Sexual Exploitation of Children and Adolescents¹⁴ held in Rio de Janeiro in November 2008, and involving the wider public in the call for governments to honour their commitments to children. ECPAT International and The Body Shop will closely and regularly monitor progress of action taken on specific commitments and promises that have been made by states to uphold the rights of the child to protection from sex trafficking and all forms of commercial sexual exploitation.

States' progress in addressing the issue of child trafficking and ensuring a safer world for children from these violations will be monitored on a regular basis over the three years of the campaign through specially-designed tools. A series of colour-coded progress cards will be used to illustrate the State's actions in implementing three specific goals, identified based on corresponding international commitments and selected for their significant impact on the prevention of trafficking and protection of child victims.

SPAIN

Global scoring

* * (Partially compliant but making significant efforts to address child trafficking)

Community-based prevention programmes

1.1. Prevention	1.2. Collaboration	1.3. Awareness raising	1.4. Teachers training
		*	

Legal Framework

2.1. Optional Protocol	2.2. Trafficking Protocol	2.3. National legislation	2.4. Special Police Units

Specialised services for child victims

3.1. Helpline	3.2. Shelters	3.3. Medical Services	3.4. Counselling Services

* Progress card – Spain: compiled based on information provided by Debora D'Alleva, ACIM-ECPAT España

It is expected that effective implementation of measures to achieve these three specific goals will result in better protection for children across the world. Through their participation in the campaign, the public will be significantly more aware of the various issues related to child trafficking and able, in the long term, to call for comprehensive and integrated strategies to address the problem and prevent it, while also ensuring that wherever needed, child victims will be able to access a broad and inclusive range of services to support their recovery. These goals include:

1. **Community-based prevention programmes to stop child trafficking are reaching at-risk populations;**
2. **International legal standards for protecting children from trafficking which have been incorporated into the national legal framework; and**
3. **Specialised government services for child victims of trafficking which are integrated in national policies.**

C. COUNTRY PROGRESS CARDS: ASSESSING STATE ACTION



In order to estimate the level of progress towards these goals, four indicators have been developed that provide some measure of overall achievement of the goals. The findings of this review are to be presented in a progress card matrix which will provide a visual index of the level of action for each indicator by specific countries. Three colours are used to indicate a significant (GREEN), partial (YELLOW) or inadequate (RED) level of state action being implemented to achieve the goals.

Data will be collected regularly to input into these matrices, which will be reviewed and updated to monitor on-going actions and progress achieved in a specific country. This will contribute to a national and global analysis of the level of state attention being given to uphold child rights to adequate protection from trafficking. The data collection will be undertaken through a variety of informants from UN bodies, government, non-governmental organisations and other stakeholders involved in anti-trafficking measures, research and policy documents available from international and local sources, largely supported by ECPAT's experiences in monitoring progress on the implementation of the Agenda for Action in 77 countries around the world.¹⁵ The involvement of local partners,¹⁶ which are all specifically working on child trafficking and sexual exploitation of children in the countries selected, is crucial, as they can provide critical insight into the situation of child trafficking for sexual purposes at a given time, based on concrete work and specific expertise. Considering the complexity and the inter-relationship between state and non-state actions, some assessment made on the baseline indicators may be limited to the time of accessing the information and its availability. However, all efforts have been made to ensure that each assessment is supported by specific references and a critical analysis, which will be detailed and provided in the country progress cards.

Due to limited data collection and disaggregation of information on child trafficking for sexual purposes, accurate estimates of the number of children affected worldwide are impossible. As such, this report assesses a countries' progress only in relation to the policies that the Government has enacted and not on the basis of estimates of the scale of the problem. As such, the ranking does not factor into the extent to which a country is a place of origin, transit or destination for child sex trafficking. The existence of policies to combat child trafficking within any given country is considered to be the first fundamental step to trigger allocation of human and financial resources for concrete action, as well as providing a tool for the public to call for accountability. Thus, it is judged to be a robust indicator of progress.

The benefits of this tool are multiple and lie in the ability to provide straightforward and precise information on the level of State protection on child trafficking, which can also reach and inform the wider public. It enables country comparisons based on uniform indicators and global analysis supported by aggregated information. It is a dynamic tool that facilitates regular monitoring and upfront appraisal of progress or regress of government efforts. Anchored upon three core elements of a comprehensive strategy to combat child trafficking (prevention, protection and assistance), it supports an immediate overview of the main challenges and gaps in addressing child trafficking, while providing a useful baseline for informing campaigns and advocacy activities at national and global levels.

The essence of these progress cards is to provide clarity on government actions and thereby hold states accountable for policies and measures taken to meet their obligations towards children. This is achieved through a scrupulous analysis of the information available to support assessment of various indicators.

¹⁵ ECPAT International. *Global Monitoring Reports on Status of Action against Commercial Sexual Exploitation of Children - Country reports*. 2006-2007-2008. www.ecpat.net

¹⁶ A full list of participating partners is given in the Acknowledgements.

D. THE PROGRESS CARD SYSTEM

A series of four indicators has been developed to inform the level of progress made towards achieving each of the three goals and advancements made towards their full implementation on a country-by-country basis. The critical examination and rigorous analysis of the actions implemented by the state under the 12 defined indicators provide a measure and sets 'milestones' to determine progress towards overall achievement of each set of goals.

The relevance of these indicators for ensuring that children can fully exercise their fundamental rights enabled by a protective environment created through state programmes is presented below. The rationale for selecting each of these indicators is substantiated by their significance in contributing to the achievement of the three specific goals and providing a comprehensive level of protection for children from sex trafficking.

GOAL 1 ► Community-based prevention programmes to stop child trafficking are reaching at-risk populations

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

1.1. State policy provision for implementation of community-based prevention programmes on child trafficking	1.2. State policy provides for wide multi-stakeholder collaboration on child trafficking prevention	1.3. State implements or fully support awareness raising programmes	1.4. Policy provision for teacher training curriculum to include information on CSEC
The establishment of a national policy to prevent child trafficking demonstrates the extent to which a State has prioritised such efforts in its specific agendas and legislation and provided directives for action to the relevant implementing bodies.	Wide stakeholder collaboration involving Ministerial agencies, NGOs, inter-governmental organizations, private sector, children, academia or others ensures a more accurate analysis of the problem, greater relevance and larger reach of the prevention measures.	Public education and awareness of child trafficking is crucial and can effectively reach the target population only through a sustained multi-media approach combining visual, audio or written information and sensitisation activities to increase knowledge and engage the public in counteracting the crime.	School is one of the main loci for prevention and awareness raising activities on specific risks and social problems at an early stage of childhood, essential information and capacity building on the issue must be compulsorily delivered to teachers at a very early stage.

GOAL 2 ►

International legal standards for protecting children from trafficking have been incorporated into the national framework

Strong laws in line with international instruments, as well as effective enforcement procedures that are child-sensitive, are of crucial importance to protect children from all forms of sexual exploitation, including child trafficking for sexual purposes.¹⁷ Progress made towards this goal is assessed through a tripartite framework of international/national standards and their enforcement through a child and gender-sensitive process that avoids any possible re-traumatisation or re-victimisation of the child.

2.1. The State has ratified the *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography to the Convention on the Rights of the Child (OPSC)*

Ratification of the OPSC demonstrates that a state has agreed to be bound to the international principles outlined in the OPSC, such as the criminalisation of the different forms of child sexual exploitation and jurisdiction of the state over these offences; but also encouraging international cooperation, and providing support to child survivors.

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

Being bound by the *Trafficking Protocol* implies that the state has adopted a comprehensive and uniform definition of trafficking in children and established criminal responsibilities over all the different acts constituting child trafficking, contributing to creating a common ground for counter-trafficking activities globally.

2.3. The state has harmonised national law in line with the *Trafficking Protocol*

Harmonising national legislation with international standards results in establishing a common protective framework where the rights of the child can be guaranteed holistically and uniformly and the prosecution of these crimes can be enforced through clearly identified definitions and standards.

2.4. The state to establish a special police unit to combat crimes against children, including trafficking and sexual exploitation

To limit some of the challenges of investigating sexual crimes against children (difficulties in gathering material evidence and testimony, identifying victims and witnesses, ensuring additional protection needed where the victim is a child) specifically-trained police units should be established based on child-sensitive approaches to minimise the traumatic experience of judicial proceedings for child victims of trafficking.

GOAL 3 ► Specialised government services for child victims of trafficking are integrated in national policies

Child victims of trafficking enjoy specific rights to protection that entail receiving appropriate care and assistance without discrimination to provide for their special needs. The state is required to take a systematic integrated approach for the delivery of a full range of specialised services to restore the rights of the victims and support a long-term and effective recovery.

3.1. The state has established a helpline for child victims of trafficking	3.2. The state has established shelters for child victims of sexual exploitation, including trafficking	3.3. The state has established medical services for child victims of sexual exploitation, including trafficking	3.4. The state has established psychological counselling services for child victims of sexual exploitation, including trafficking
The establishment of an emergency phone or Internet-based service that is free, anonymous and accessible by all children at risk or victims of trafficking on a 24-hourly basis can provide assistance and facilitate access to relevant services to protect children.	Shelters or care homes provide safe accommodation where support services can be given in a planned and professionally guided way. Accommodation schemes for children must be specialised and separated from adults to provide immediate protection from physical harm and personal safety, food and other assistance services that children are entitled to.	Child trafficked victims require specialised medical support, including emergency aid, sexual health and drug rehabilitation services. Appropriate medical examinations should be freely offered and delivered in a child sensitive way by specifically trained personnel.	Child victims of trafficking for sexual purposes have suffered physical and emotional abuse of an extreme kind. When such abuses occur at a young age, the consequences are devastating and can affect many aspects of a child's life. Specialised psychological support delivered by trained professionals is necessary to assist the child in successful and long-term recovery.

D. THE PROGRESS CARD SYSTEM



Following is an example of a country progress card for Hong Kong. The level of State action for each indicator under Goal 3 is visually illustrated through colour-coding:

GOAL 3 ► HONG KONG			
3.1. Helpline	3.2. Shelters	3.3. Medical Services	3.4. Counselling Services
*	*		
Two helplines are operated in Hong Kong. One is the Hong Kong Police Force, which offers tips for protecting oneself from being trafficked. If a person feels they have been trafficked, they should call the Hong Kong Police Force at 2860 8366 (Organized Crime and Triad Bureau). The other hotline is operated by the NGO Action for REACH OUT (Rights of Entertainers in Asia to Combat Human Oppression and Unjust Treatment). However these are not specifically focused on providing specialised assistance to children and are not widely publicised.	"Under the Protection of Children and Juveniles Ordinance, child victims of trafficking may be admitted to three refuge centres, one of which is operated by an NGO, with the other two operated by the Social Welfare Department. While at the shelters, victims are provided with government-sponsored assistance that includes financial and legal assistance and counselling and psychological support." However, these shelters are not specialised and child victims of trafficking may not be cared for by personnel specifically trained on the particular needs and trauma that these children are enduring. In addition, it is reported that the Hong Kong government did not demonstrate sufficient tangible progress in protecting and assisting trafficking victims in the past year.	Any child victim in need of care should be able to receive free medical treatment even if illegally residing in Hong Kong. However, it is necessary to make an assessment of the actual opportunities child victims of trafficking can receive to determine whether these medical services are offered without discrimination in Hong Kong.	"When victims are identified by the government, they are provided with government-sponsored assistance including shelter, financial and legal assistance, counselling, and psychological support." However, while these services exist, they are not always quite specialised enough to respond to the particular support needs of child victims of sex trafficking and further efforts are necessary to adequately assist child victims in overcoming their trauma.

Progress card – Hong Kong: compiled based on information provided by Priscilla Lui, Against Child Abuse (ACA) Hong Kong

GREEN: significant level of state action, resulting in compliance with international standards, directly contributing to a notable performance in the related field assessed by the indicator;

YELLOW: some level of state action but not yet specific or comprehensive enough to ensure significant positive outcomes for children; and

RED: inadequate level of state action, resulting in poor level of prevention of child trafficking or protection and assistance of child victims.

***** : work primarily undertaken by NGOs to compensate for level of state action.

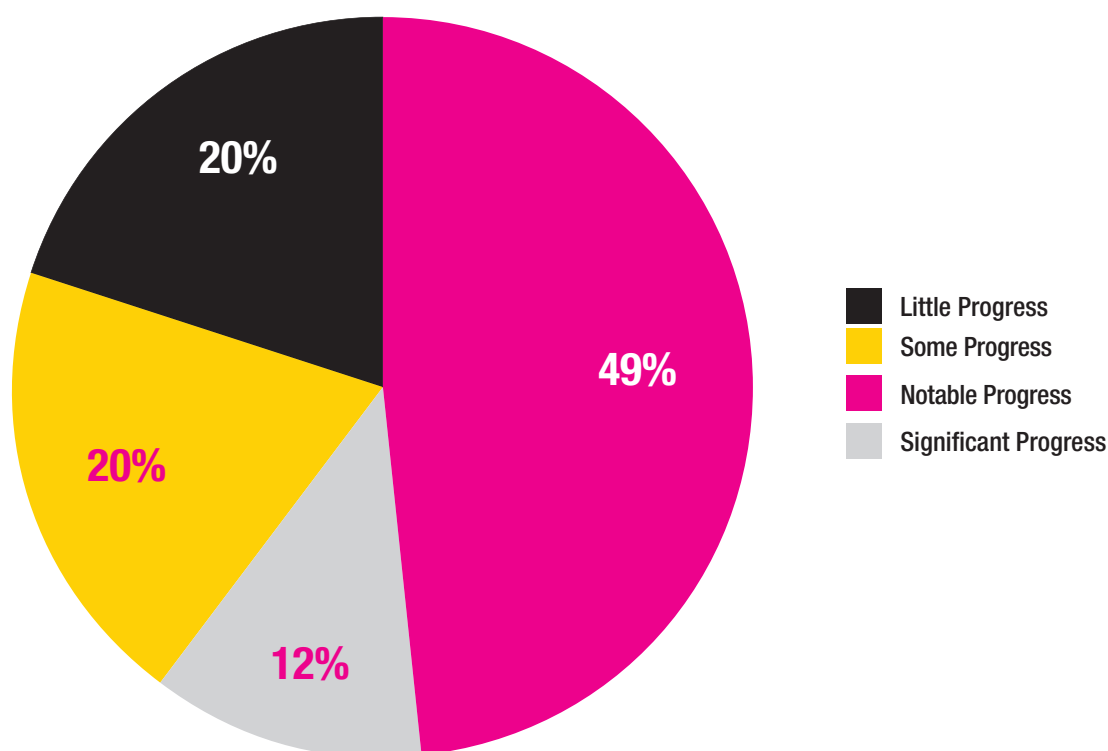
The specific country-level analysis will be regularly reviewed and monitored through the progress cards and centralised in a database where aggregated information will help inform local and global advocacy agendas. Through a coherent system of scrutiny of measures implemented to fulfil international commitments, states will be regularly engaged to share information on their actions to secure a safer environment for children and protection from trafficking for sexual purposes while the support of civil society, through its work, will also be featured.

HOPELESS CAUSE OR CAUSE FOR HOPE?

This section presents aggregated results from an initial group of 41 countries reviewed through this project.¹⁸ These countries were chosen on the basis of data availability and the presence of The Body Shop stores and ECPAT network groups and as such, act as a representative sample of the overall global collaboration. The countries were considered in relation to the three goals on prevention, protection and assistance (and defined by four indicators each) which form the backbone of governmental action aimed at eradicating trafficking in children for sexual purposes.

The examination of the progress accomplished under each indicator of the three goals revealed various degrees of state policies and programmes to prevent child trafficking and protect the victims: almost 1 in 5 countries have made limited progress to adequately combat child trafficking while only 12% have made notable efforts to provide appropriate child protection frameworks to victims and to prevent trafficking in children. However, it is encouraging and noteworthy to see that half of the states reviewed have put in place some measures, albeit at times too general and broad to adequately respond to the specific needs of child victims and to address the distinctive aspects of child trafficking. Nevertheless, this demonstrates potential for increased realisation of a child's right to protection from sexual exploitation.

Global Overview Of States' Efforts To Combat Child Trafficking*



* based on a review of the 41 countries listed on pp. 4-5 of this report.

¹⁸ Except for Goal 1, indicator 1.4 on policy provision for inclusion of CSEC in teachers' training curriculum's Goal 3, indicator 3.1 on the establishment of a State-operated helpline for child victims of trafficking where only 40 countries were examined.

PROGRESS CARDS CONTINUUM

Based on the average scoring of States for each of the goals contributing to child protection from sex trafficking, states are presented below in a continuum of efforts to appropriately address child trafficking through various degrees of state policies and programmes. These efforts are also assessed based on the opportunities that states have to generate a greater impact to combat child trafficking and on the scope of the problem identified.

Low Progress	Limited Measures	Some Progress	Notable Efforts
Cambodia	Cyprus	Australia	Taiwan
Hong Kong	Poland	Estonia	Romania
Czech Republic	Sweden	Norway	United Kingdom
Mexico	Indonesia	Spain	Belgium
Turkey	Germany	Thailand	Denmark
Pakistan	India	France	
Malaysia	Russia	Japan	
Singapore	USA	The Netherlands	
		South Africa	
		Switzerland	
		Austria	
		Finland	
		Ireland	
		Italy	
		Greece	
		Luxembourg	
		New Zealand	
		Philippines	
		Portugal	
		South Korea	

From a global analysis of the indicators, it is clear that significant efforts have been made by states in the legal framework and law enforcement aspects. However, it is in the area of assistance to victims that the lack of appropriate measures is the most obvious. Generally speaking, whereas a number of policies and programmes address the overall problem of human trafficking, the specific analysis of the situation of children in relation to these violations has lacked a child focus. Just as analysis of gender dimensions enables us to understand the importance of this factor in determining forms of violence, a child-sensitive lens must be used to analyse and understand trafficking and sexual exploitation crimes perpetrated against children.

Children and young people are most vulnerable to trafficking and sexual exploitation when the systems that exist to protect them fail, and these are most likely to fail when all the relevant agencies are not cooperating to create a safety net and when the different actors of child protection (families, communities, state agencies, NGOs and other partners) are not well informed of child trafficking nor adequately trained to prevent it. It is therefore of the utmost importance to create spaces for multi-stakeholder collaboration and to ensure systematic and ongoing training for all partners on child trafficking and the guiding principles and specific rights of the child that should be taken into primary consideration when dealing with at-risk children or victims of trafficking as detailed in the sections below.

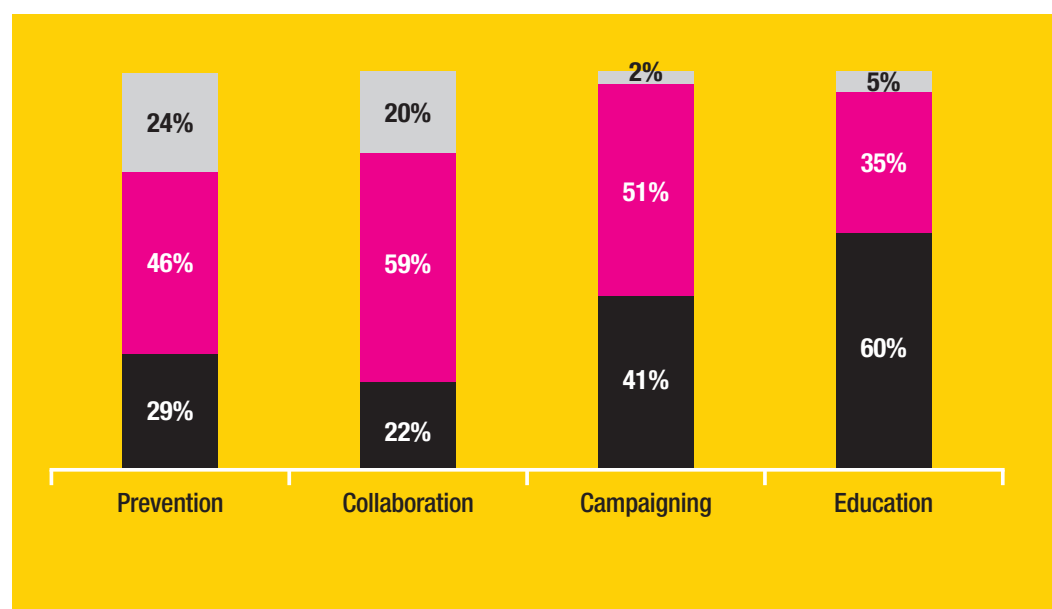
A. PREVENTION: GOAL 1- COMMUNITY-BASED PREVENTION PROGRAMMES TO STOP CHILD TRAFFICKING ARE REACHING AT-RISK POPULATIONS

Policy decisions and initiatives under the lens:

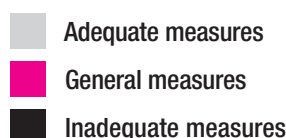
- The adoption of a national plan of action or a national strategy to specifically address child trafficking through community-based prevention programmes that are reaching out to the most vulnerable populations
- Multi-stakeholder collaboration is adopted to ensure that a comprehensive framework is implemented to prevent child trafficking for sexual purposes
- Awareness-raising initiatives are implemented and sustained through a combination of means of communication at the different levels
- Provisions exist to train teachers directly to build their knowledge and capacity to act and to educate students on the dangers of child trafficking

Prevention is at the core of child protection policies and is an essential pillar in the fight against child trafficking. Prevention programmes directly support strategies that will stop a child from being trafficked before the abuse takes place. They are therefore crucial and cannot be ignored. Prevention encompasses a range of interventions that will reduce risk factors and promote protective factors to ensure the well-being of children and families. Families and communities can provide the first vanguard in ensuring that protective factors exist to increase the health and well-being of children. The role of the state is to ensure that these factors are positively supported and reinforced through comprehensive strategies.

Overview of states' efforts to prevent child trafficking based on four indicators*



* based on a review of the 41 countries listed on pp. 4-5 of this report.



A. PREVENTION: COMMUNITY-BASED PREVENTION PROGRAMMES TO STOP CHILD TRAFFICKING ARE REACHING AT-RISK POPULATIONS



Child trafficking is perpetuated through specific modalities that bring grave violations of children's rights and requires targeted interventions and a thorough understanding of the causes and ways children are trafficked. These activities may be different from those of adults as children enjoy special rights, which imply that the strategies and responses implemented to address child trafficking should adequately reflect these characteristics. For instance, the fundamental principle that underpins all other aspects of child rights is the primary consideration of the **best interests of the child** when any decision is being made regarding a child's situation. This is guaranteed in Article 3.1 of the *Convention on the Rights of the Child* (CRC). Another particular guiding provision of the CRC that must prevail in a child trafficking situation is the **non-discrimination principle**. Article 2 of the CRC states that “*States Parties shall respect and ensure the rights set forth in the Convention [on the Rights of the Child] to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.*” This means that a foreign child who has been trafficked shall be entitled to the same level of protection as a national child, including the right to access education and health services, for instance. However, the review of indicators related to access to support services will reveal that this right is not systematically upheld by all states.

Based on this review of measures implemented by 41 States, it appears that measures to tackle trafficking in human beings have been largely focused on adopting national plans and strategies to address trafficking in human beings (about 70% of countries reviewed) and developing collaborative approaches to combat and prevent this crime, involving various stakeholders in task forces and other coordination mechanisms. However, most of these are general and do not specifically focus on nor mention children (only 25% have adopted adequate strategies to prevent child trafficking). This is likely to result in the specific rights of the child being disregarded or inadequately upheld, and child protection agencies being absent from the general collaborative initiatives on trafficking, leading to measures that will not be suitable to target and reach vulnerable children, (e.g. such as campaigns conducted with employment agencies to secure safe migration of adults, but which are unlikely to protect children from trafficking as the patterns and methods employed to recruit children can be different from adults). Children can be sold into debt bondage and/or lured into trafficking by acquaintances and family members. Prevention strategies must therefore address these specific methods through community-based prevention. In order to ensure that collaboration will be effective to protect children, specific ministries (most importantly, the ones in charge of children's affairs and education for instance) and child protection agencies also need to be involved in the child trafficking prevention programmes and should be part of the discussions.

The implementation of comprehensive awareness-raising campaigns and the inclusion of the issue of child trafficking and sexual exploitation of children in schools are some of the concrete implementing strategies that have not been adequately put in place by states.

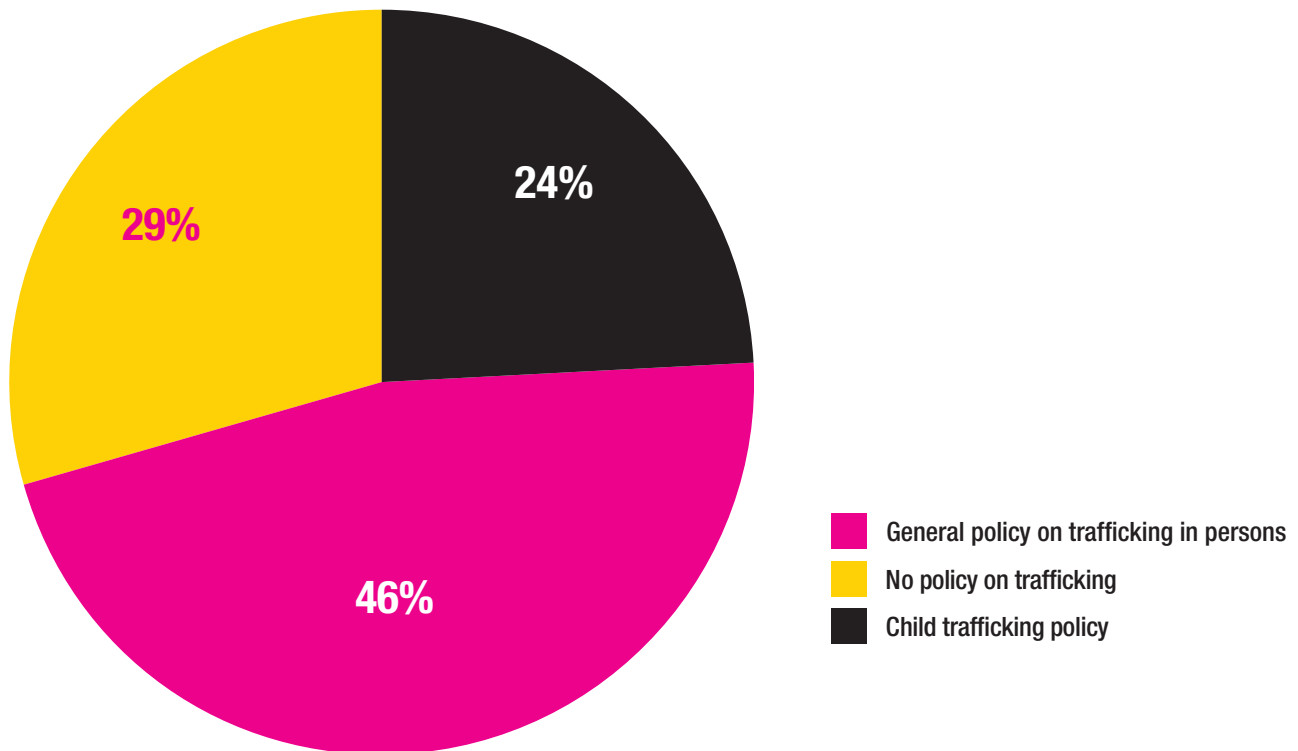
FACTS:

- 29% of countries reviewed **do not have any current policy** on preventing trafficking
- 80% of the countries that have adopted specific provisions for child trafficking prevention implement them through **multi-stakeholder collaboration**
- 41% of countries **do not conduct awareness-raising campaigns** on child trafficking

A. PREVENTION: COMMUNITY-BASED PREVENTION PROGRAMMES TO STOP CHILD TRAFFICKING ARE REACHING AT-RISK POPULATIONS



Percentage of states with policies on child trafficking prevention*



* based on a review of the 41 countries listed on pp. 4-5 of this report.

Considering that multiple interventions are necessary to stop a child from being trafficked, at policy and community level, the fact that one in three countries do not have any provision for addressing trafficking is of utmost concern and needs to be urgently addressed.

Countries should consider including specific provisions related to children in their general policies on trafficking prevention.

THE NEW SPANISH INTEGRATED PLAN FOR FIGHTING THE INTERNATIONAL TRAFFICKING OF WOMEN, GIRLS AND BOYS

In an effort to analyse the relationship between sexual exploitation and child trafficking, the Spanish Joint Parliamentary Committee on Women's Rights published a report on trafficking in women, boys and girls exploited for sexual services. This first report in Spain proposed an integrated plan for fighting the international trafficking of women, girls and boys which was adopted in December 2008. This plan will be operational for the period 2009-2011 and is based on the recognition that the prevention and elimination of child trafficking necessitate public awareness of the origin, transit and destination countries, as well as measures to prevent and reduce trafficking in persons, punish the traffickers and protect the victims.

The plan is based on five broad areas, including prevention measures to create public awareness of the seriousness of the issue and of the particular vulnerability of women and girls. It includes campaigns to promote zero tolerance of trafficking, information campaigns in the countries of origin regarding opportunities for legal immigration, as well as information campaigns conducted by embassies, airports and ports.

The second area is on education and training measures to develop educational models based on respect and equal opportunities between women and men. The programmes will be introduced in educational institutions to promote an understanding of equality of opportunities from a gender perspective as well as special training programmes and courses designed for teachers, security and police forces, judges, prosecutors etc. in order to help them better identify the causes of trafficking and respond to them adequately. Furthermore, measures are also provided to inform, raise awareness and educate children, parents, teachers and other Internet users on the use and abuse of the Internet, emphasising complaint mechanisms.

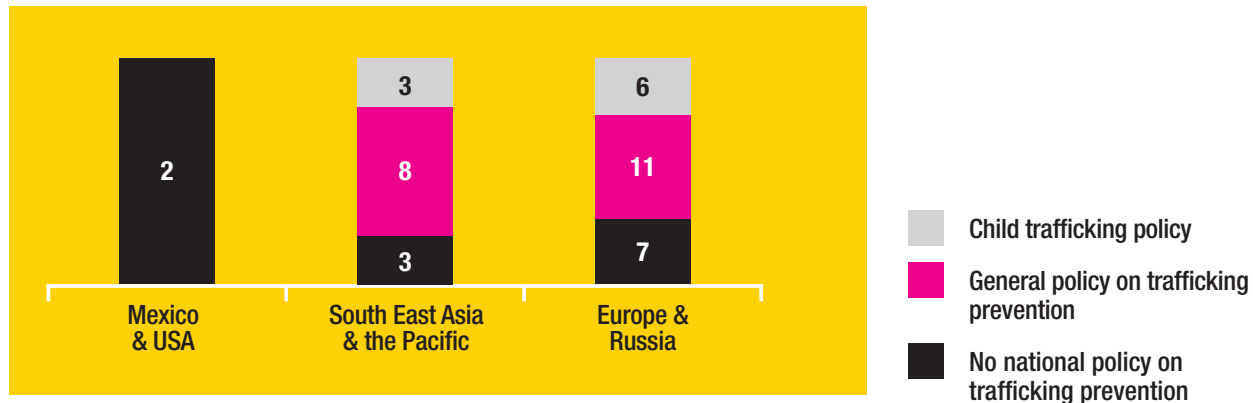
The third area is assistance and protective measures for victims, such as the creation of special centres to help the integration of victims; protection of victims and witnesses; improved financing for NGOs working in these areas; and the elaboration of guidelines on the correct treatment of victims. The fourth area is on legislative and procedural measures and the fifth and final area refers to coordination and cooperation measures, and includes activities such as studies and research to identify the scale of the phenomenon; coordination of all police departments and collaboration with Interpol and Europol in exchanging information and applying procedures to detect and eliminate trafficking networks; and creating a national committee or office to promote collaboration between the police, prosecutors, judges, NGOs and relevant public authorities and the youth welfare authorities of the autonomous communities.¹⁹

¹⁹ T. Freixes Sanjuán, Y. Gómez Sánchez, C. Elias Méndez. *Thematic Study on Child Trafficking – Spain*. European Union Agency for Fundamental Rights. Barcelona. July 2008, <http://fra.europa.eu/fraWebsite/attachments/Child-trafficking-09-country-es.pdf>

A. PREVENTION: COMMUNITY-BASED PREVENTION PROGRAMMES TO STOP CHILD TRAFFICKING ARE REACHING AT-RISK POPULATIONS



Child trafficking prevention policies adopted by regions^{20*}



* based on a review of the 41 countries listed on pp. 4-5 of this report.

In Asia, one of the regions most seriously affected by trafficking in human beings, especially women and children,²¹ only 21% of the 14 countries reviewed have adopted a specific policy to prevent child trafficking and 57% have only a general policy on trafficking prevention. In Europe, (33%) of governments and the two North American countries reviewed (Mexico and the USA) do not have any strategies or national plans of action to specifically address trafficking within their own territories. Considering that Europe and North America are major destinations for child trafficking, countries should articulate measures that set out provisions required for prevention, protection, recovery, rehabilitation and reintegration in cases of child trafficking to guide state action (especially across large territories). Worthy of specific mention is that in anticipation of the 2010 FIFA World Cup, South Africa has also developed a national strategic plan that provides for prevention activities focusing on child protection, including child trafficking.

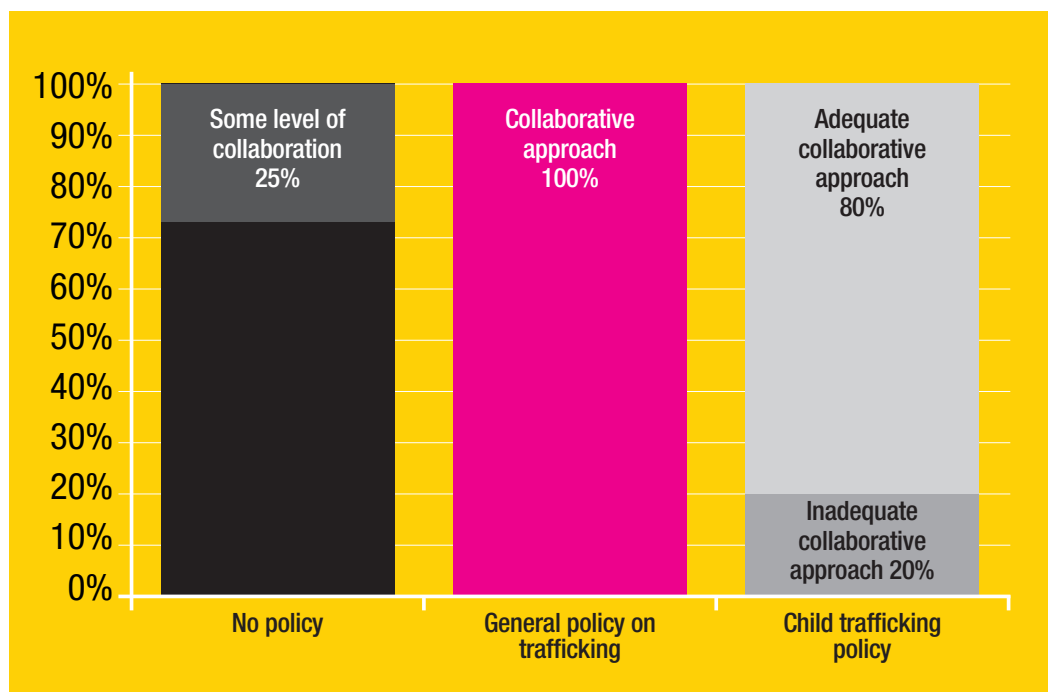
20. Considering that South Africa is the only country reviewed on the African continent, reference to South Africa will be made in the text whenever relevant but the country will not feature in the regional representations to avoid misrepresenting the region.

21. SENTA Keisuke. *Trafficking in Human Beings in the Asia-Pacific region*. Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI). May 2003. Accessed from http://www.unicri.it/www/related/pni/docs/2003/unafei_wkshp.doc

A. PREVENTION: COMMUNITY-BASED PREVENTION PROGRAMMES TO STOP CHILD TRAFFICKING ARE REACHING AT-RISK POPULATIONS



Proportion of multi-stakeholder collaborative approach in provisions for trafficking prevention*



* based on a review of the 41 countries listed on pp. 4-5 of this report.

When examining more closely the components of the trafficking prevention policies adopted by States, it is encouraging to see that a multi-stakeholder approach is systematically foreseen in all strategies on trafficking and in 80% of cases when the State has adopted a specific strategy on child trafficking, the collaborative approach is perceived to be comprehensive. In 25% of cases where no strategy is currently implemented by the State, some coordination mechanisms to address trafficking still exist (this may be linked to a previously existing National Plan on Trafficking which has not yet been updated).

The 2008 World Congress III against Sexual Exploitation of Children and Adolescents highlighted as one of the major challenges and concerns the “*lack of coordinated actions among different stakeholders involved in the protection of children from all forms of sexual exploitation, in particular among governmental agencies. To remedy this, there must be an effort to integrate cross-sectoral policies and create a more coherent framework for effective actions.*”²² Ensuring that a collaborative approach exists is important because effective strategies to prevent child trafficking and to protect children must ensure that the problem is approached through its multiple aspects, tackling the different sources of vulnerability of children, such as increasing child poverty, domestic violence and abuse, school drop-outs, and lack of adequate social welfare protective frameworks, while also acting upon offenders to deter and punish them. This requires that a holistic approach is taken to the problem and various partners are involved. For instance, the Austrian National Action Plan against Human Trafficking specifically mentions children as a particularly at-risk group and has created a Working Group on Child Trafficking involving experts from the federal ministries of Family and Youth, Economy, the Interior, Justice, and European and International Affairs, as well as the federal provinces and selected non-governmental organisations, including ECPAT Austria, to ensure specific attention to the particular rights of children.²³

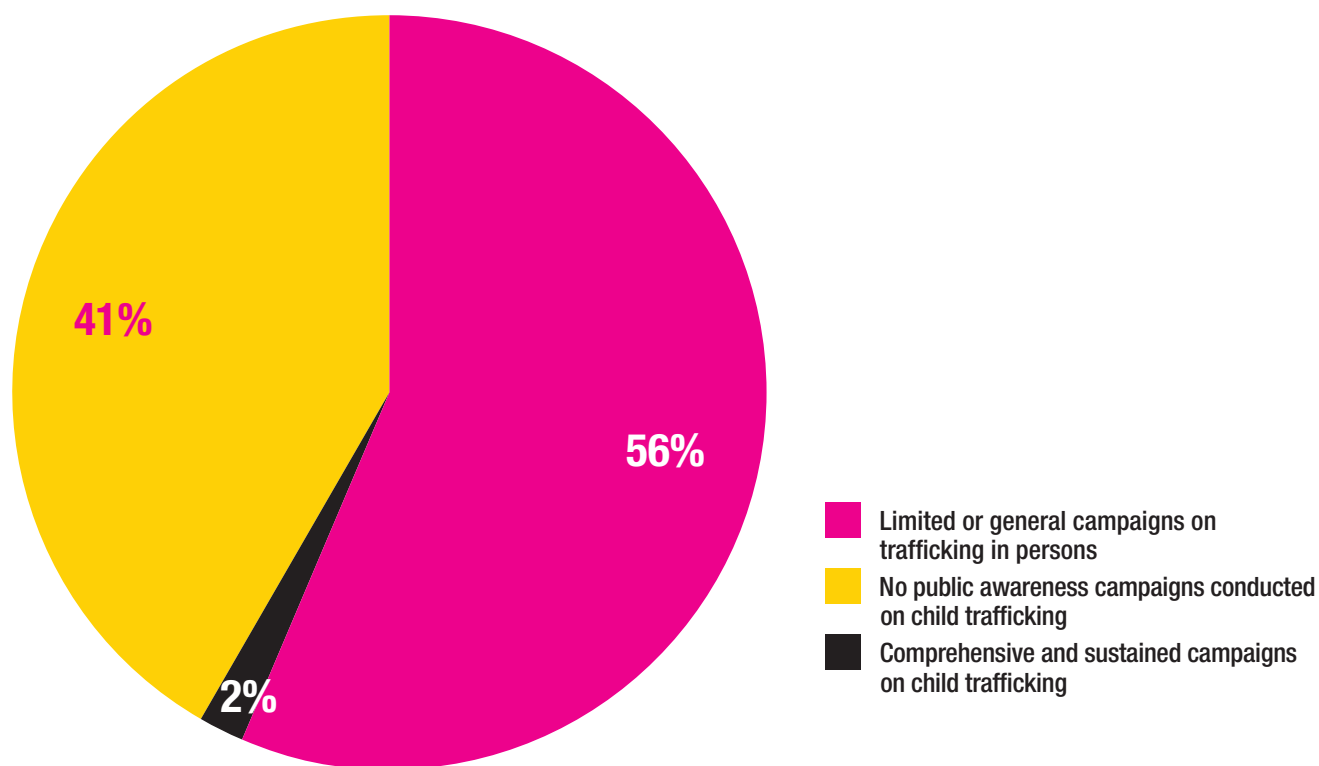
22. The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents. November 2008. Available at: http://www.ecpat.net/WorldCongressIII/PDF/Outcome/WCIII_Outcome_Document_Final.pdf

23. Task Force on Combating Human Trafficking. *National Action Plan against Human Trafficking 2009-2011*. Coordinated by the Federal Ministry for European and International Affairs, May 2009, http://www.bmeia.gv.at/fileadmin/user_upload/bmeia/media/2-Aussenpolitik_Zentrale/Menschenrechte/2009_04_29_NAP_letzte_Version_doc_-_26_05_09_-_E.pdf

A. PREVENTION: COMMUNITY-BASED PREVENTION PROGRAMMES TO STOP CHILD TRAFFICKING ARE REACHING AT-RISK POPULATIONS



Implementation of awareness-raising campaigns on child trafficking*



* based on a review of the 41 countries listed on pp. 4-5 of this report.

Significant and worrying trends can be identified in relation to the implementation of awareness-raising campaigns on child trafficking: only Taiwan has been assessed as having comprehensive and sustained awareness-raising conducted by the state and reaching out to the targeted population.

A COMPREHENSIVE APPROACH TO CHILD TRAFFICKING PREVENTION IN TAIWAN

Awareness-raising on child trafficking is a continuous and long-term effort in Taiwan. It is approached through awareness-raising measures implemented at three different levels:

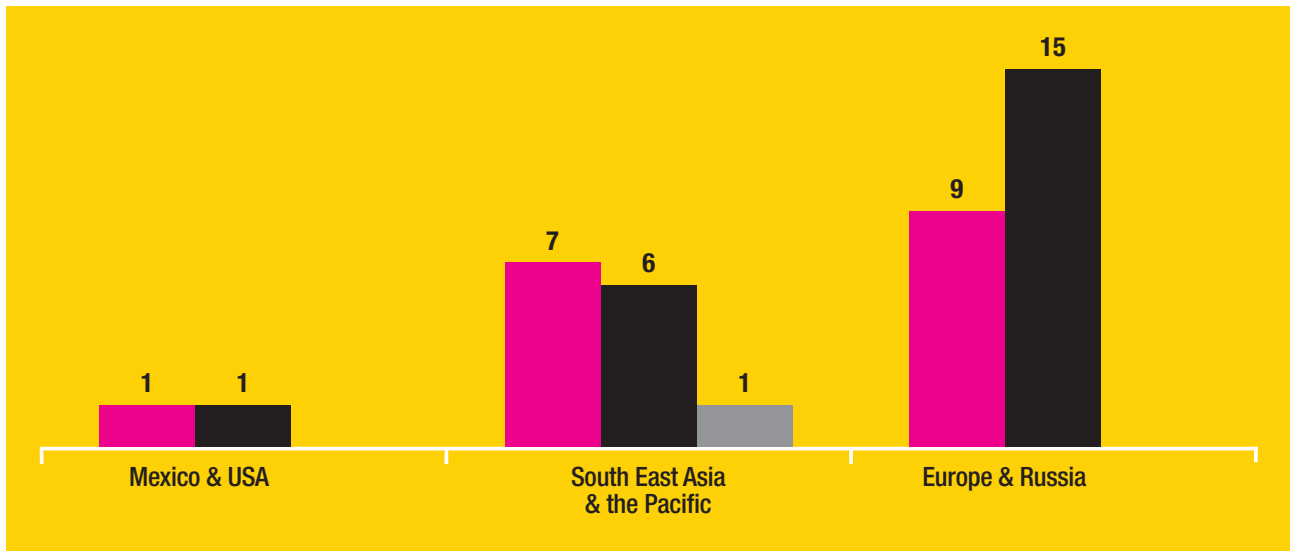
- Measures aimed at informing the front-line personnel, such as teachers, social workers, medical/nurse practitioners and law enforcement (who may be directly in contact with child victims of trafficking), in order to increase early victim identification. As part of the Human Trafficking Prevention and Control Law and the Statute for Prevention of Sexual Transactions Involving Children and Adolescents, relevant staff have to join specialised training on CSEC and more recently on trafficking, including child trafficking. Specific guidelines have been developed for the implementation of prevention and education programmes on CSEC by relevant government departments;
- Measures for informing students in schools on child trafficking and child sexual exploitation is detailed in Article 4 of the Statute for Prevention of Sexual Transactions Involving Children and Adolescents; and
- General awareness for the public in order to build their understanding and knowledge of the problem.

In addition, local government annually supports relevant campaigns, advertisements and various kinds of communication materials all focused on child sex trafficking and commercial sexual exploitation of children.

A. PREVENTION: COMMUNITY-BASED PREVENTION PROGRAMMES TO STOP CHILD TRAFFICKING ARE REACHING AT-RISK POPULATIONS



Implementation of awareness-raising campaigns on child trafficking by region



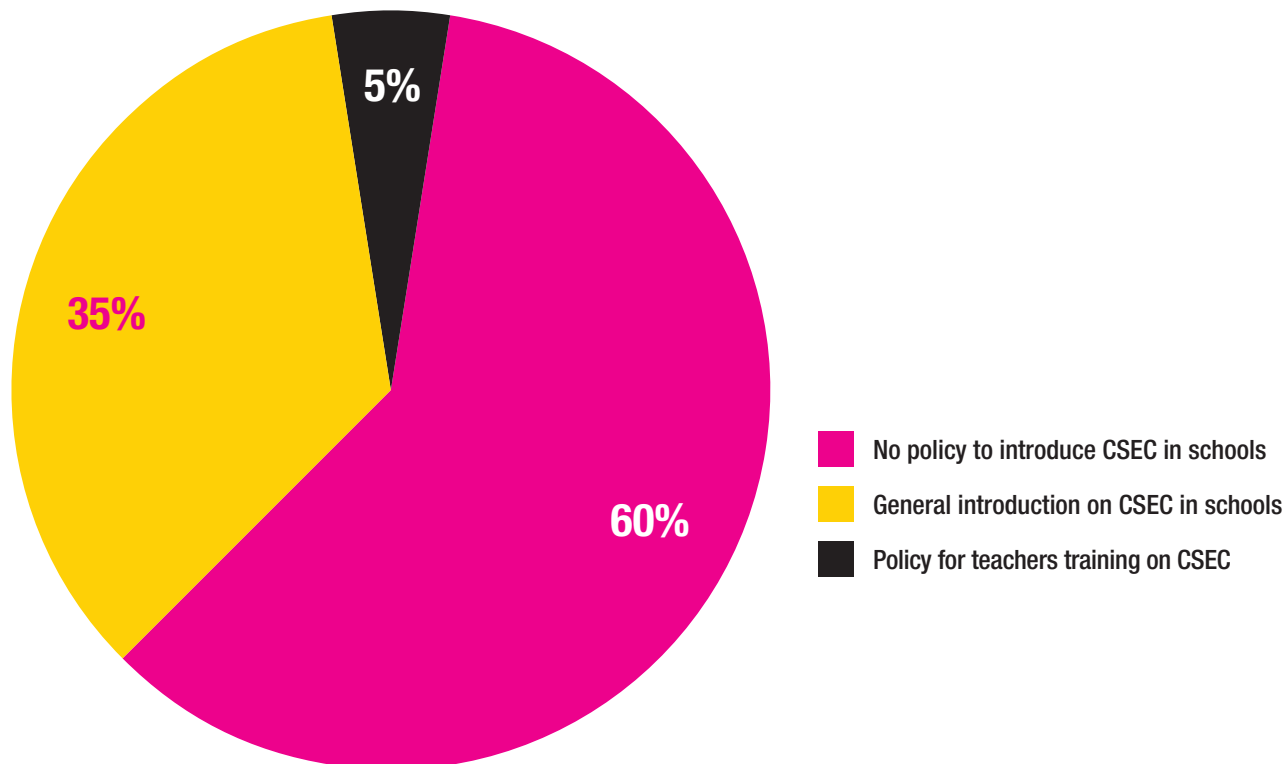
- No public awareness campaign on child trafficking
- Limited public campaign to prevent child trafficking
- Comprehensive and sustained public campaigns

Significant gaps can be noted in the implementation of awareness-raising campaigns in the three regions considered. In many countries, the campaigns do not focus on child trafficking and most of the time these are time-bound, project-based and often not specifically targeted to reach out to the most vulnerable populations or identified community groups.

A. PREVENTION: COMMUNITY-BASED PREVENTION PROGRAMMES TO STOP CHILD TRAFFICKING ARE REACHING AT-RISK POPULATIONS



Proportion of countries that introduced a provision for training teachers on commercial sexual exploitation of children (CSEC), including child trafficking²⁴



Schools are among the main locations for reaching out to potentially vulnerable children, disseminating appropriate information on child rights and promoting protective mechanisms, including identification of risks for children to being trafficked. It is therefore essential that teachers are informed and trained at an early stage to ensure they are able to convey accurate information and contribute to child protection systems. However, more than half of the countries considered do not have any general policy to ensure that their teachers are informed and trained on child trafficking and can deliver the relevant information to their students.

THE NECESSITY OF INTRODUCING TRAINING FOR TEACHERS ON CHILD TRAFFICKING – THE CZECH REPUBLIC EXAMPLE

In 2007, the International Organization for Migration (IOM) conducted a campaign in the Czech Republic entitled 'Prevention of trafficking in human beings: Lectures in secondary schools'. The campaign comprised lectures and discussions and students were able to pose questions and discuss potentially dangerous situations and their solutions. Discussions focused not only on providing information on labour migration and general information on trafficking in human beings, but also on the overall mapping of knowledge of secondary school students on the issue in question. A report mapping the knowledge and attitudes of students in this area was published which recommended that secondary school students be informed about the issue of trafficking on a regular basis and that the issue of trafficking is included in training for teachers and other staff.²⁵

²⁴. Total number of countries included: 40

²⁵. P. Sturma, V. Honuskova in cooperation with M. Faix. *Thematic Study on Child Trafficking – Czech Republic*. European Union Agency for Fundamental Rights. Prague, July 2008. Accessed from: <http://fra.europa.eu/fraWebsite/attachments/Child-trafficking-09-country-cz.pdf>

B. LEGAL FRAMEWORK: GOAL 2- INTERNATIONAL LEGAL STANDARDS FOR PROTECTING CHILDREN FROM TRAFFICKING ARE INCLUDED IN THE NATIONAL LEGAL FRAMEWORK

Policy decisions and initiatives under the lens:

- The ratification of the *Optional Protocol on the sale of children, child prostitution and child pornography*, a key international legal instrument which specifically defines and prohibits the different forms of child sexual exploitation.
- The ratification of the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* (Trafficking Protocol) which provides an international definition for trafficking in persons (including specific measures related to children) and outlines a comprehensive law enforcement regime.
- The criminalisation of all acts related to the process of trafficking in children in line with the *Trafficking Protocol* requirements to support effective law enforcement.
- The establishment of special police units to combat crimes against children, including trafficking and sexual exploitation, across the country where law enforcement officers have been trained in child-sensitive and victim protection approaches that will prevent re-victimisation of children.

The legal framework prevents and protects children from trafficking and guides the restitution of their rights when these are violated through trafficking. While advances are evident in the adoption of international instruments and the enactment of anti-trafficking laws by states around the world, insufficient resources are allocated for training of relevant personnel responsible for their implementation and for necessary follow up and support initiatives. This analysis has shown that when resources are made available, they tend to be circumscribed for isolated projects that reach only a small group of those who are responsible for implementing the law. The nature of such projects is that if they are not consistent in their approaches and goals they can give rise to wasteful overlaps and replications in actions being taken. Thus staff within the legal system that are called to take action may do so without full knowledge or understanding of either child trafficking or the law to guide their steps, heightening the chance that their actions will re-victimise children who have been affected by these crimes.

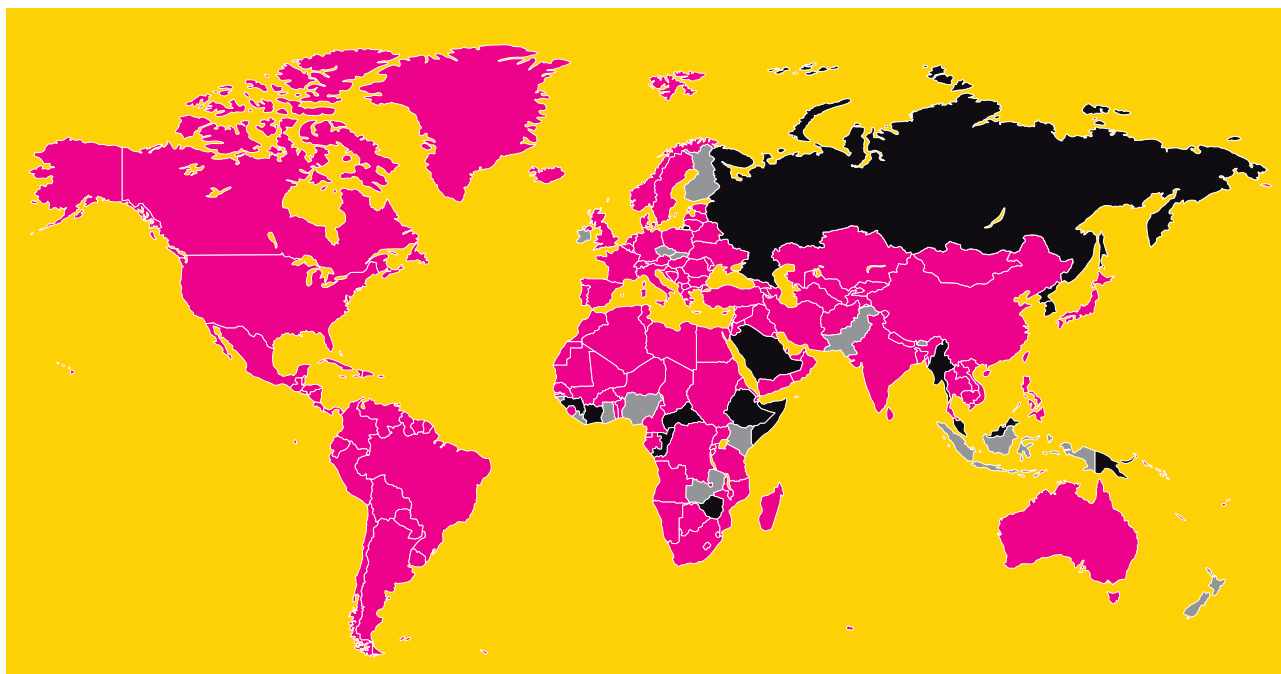
FACTS:

- 27% of all the countries reviewed **have not yet fully adopted the Optional Protocol**. This represents 46% of the countries reviewed in Asia and the Pacific, and 17% in Europe. Russia has not yet signed the *Optional Protocol*.
- 25% of all the countries reviewed **have not yet fully adopted the Trafficking Protocol**, mostly located in Asia as this represents 54% of the countries in Asia and the Pacific.
- In Europe and Russia, 88% of countries have ratified the *Trafficking Protocol* and Mexico and the US have ratified both Protocols, although the US has not ratified the *Convention on the Rights of the Child*.
- Two in three countries reviewed have adopted legislations that only partially protect children in line with the *Trafficking Protocol*.

B. LEGAL FRAMEWORK: INTERNATIONAL LEGAL STANDARDS FOR PROTECTING CHILDREN FROM TRAFFICKING ARE INCLUDED IN THE NATIONAL LEGAL FRAMEWORK



Global map of states that have ratified the *Optional Protocol*



- States that have ratified the *Optional Protocol*
- States that have signed but not yet ratified the *Optional Protocol*
- States that have not adopted the *Optional Protocol*

The *Optional Protocol* is a key instrument in protecting children from sexual exploitation as it defines and prohibits its different forms. It is a supplementary instrument to the *Convention on the Rights of the Child* and deepens the protection of children on the specific elements of Articles 34 and 35 of the CRC, which relate to sexual exploitation, and as such is the cornerstone of international legal protection of children in this matter. This instrument is essential as it fortifies the framework that defines and typifies the acts that are considered to be sexually exploitative and harmful to children and promotes a uniformed approach to the protection of children from these crimes based on child rights standards and a comprehensive structure to secure a safe environment for children. It guarantees, for example, that all children under 18 (as the CRCs principles guide the OPSC) should be protected from the acts of “offering, delivering or accepting, by whatever means, a child for the purpose of sexual exploitation” and that these activities “are fully covered under its criminal or penal law, whether such offences are committed domestically or transnationally or on an individual or organized basis”.²⁶ It also ensures that the underlying principle of the CRC, the best interest of the child, is systematically considered in all decisions made, for example, that the child’s needs are given high priority during the investigation process.

As of 1 September 2009, 132 States are signatories to the OPSC,²⁷ which implies that they are bound by its principles, such as ensuring the criminalisation of sexual exploitation offences, promoting international cooperation and paying particular attention to the rights and protection of the child victims.

Adequate implementation of the OPSC by state parties is monitored through periodic reporting of the states to the Committee on the Rights of the Child. This monitoring system (even though it is not accompanied by specific mechanisms to enforce the recommendations and conclusions of the Committee on the Rights of the Child and challenges to violations of its provisions) favours a regular review of states’ actions to enable gaps and challenges to be highlighted and addressed. It also includes the support of NGO alternative monitoring reports, which help to provide a fuller picture of the protection of children in a country.

26. OHCHR. *The Optional Protocol on the sale of children, child prostitution and child pornography*. Article 3. <http://www2.ohchr.org/english/law/crc-sale.htm>

27. *Status of Treaties – Optional Protocol on the sale of children, child prostitution and child pornography*. United Nations Treaty Collection. Accessed from: http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtldsg_no=IV-11-c&chapter=4&lang=en

B. LEGAL FRAMEWORK: INTERNATIONAL LEGAL STANDARDS FOR PROTECTING CHILDREN FROM TRAFFICKING ARE INCLUDED IN THE NATIONAL LEGAL FRAMEWORK



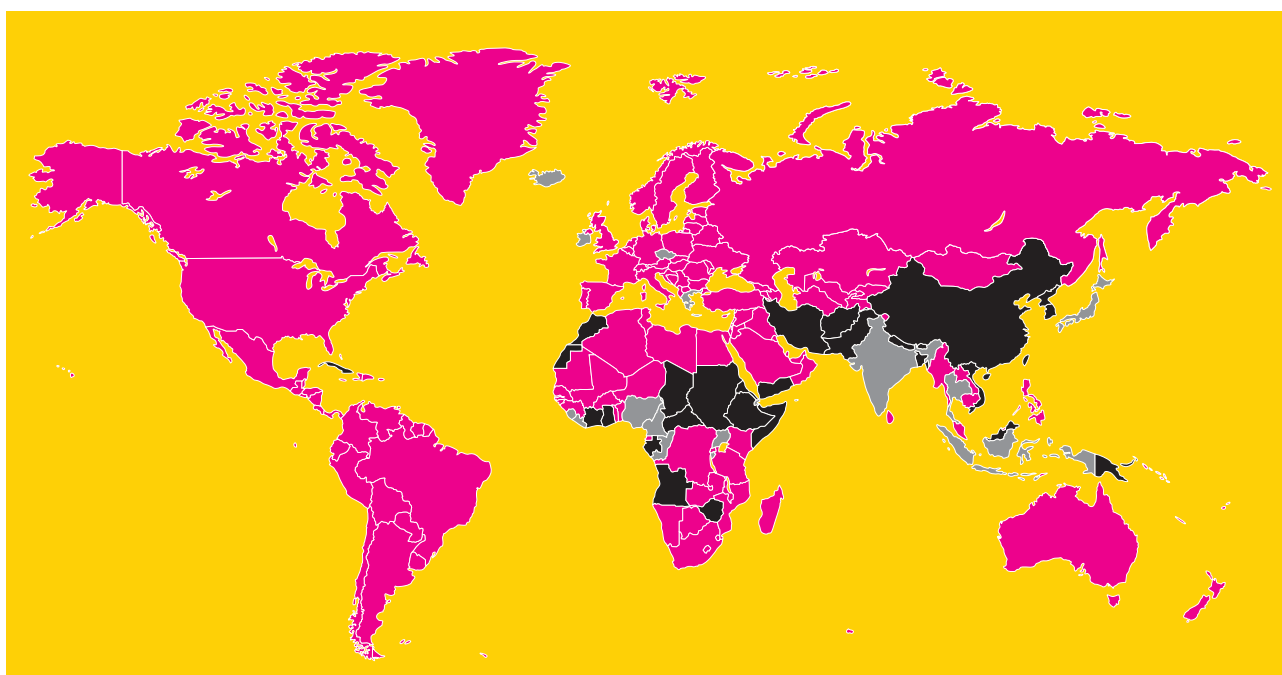
Gaps highlighted by the Committee on the Rights of the Child

By September 2008, the Committee had examined initial reports on the implementation of the OPSC in 26 states. No states were found to have adequate legal frameworks for addressing the sexual exploitation of children. Two of the most commonly observed gaps are:

- The **absence of adequate legislation** that defines and prohibits all forms of sexual exploitation of children. In particular, legislation on child prostitution, child trafficking for sexual purposes and child pornography is insufficient; and
- The **treatment of child victims as criminals**, in contravention of their right to protection.²⁸

Though it is encouraging to note that a large number of countries have ratified the OPSC, (including the US, which is not party to the CRC), the challenges in the full implementation of the OPSC remain significant and require continuous efforts to bring the protection of children to the highest standards with regard to all the different aspects of criminalisation, prevention and protection.

Global map of states that have ratified the *Trafficking Protocol*



- States that have ratified the *Trafficking Protocol*
- States that have signed but not yet ratified the *Trafficking Protocol*
- States that have not adopted the *Trafficking Protocol*

28. ECPAT International. *Strengthening Laws Addressing Child Sexual Exploitation – A practical guide*. Bangkok. 2008.
http://www.ecpat.net/EI/Publications/Legal_Reform/Legal%20Instrument_Final.pdf

B. LEGAL FRAMEWORK: INTERNATIONAL LEGAL STANDARDS FOR PROTECTING CHILDREN FROM TRAFFICKING ARE INCLUDED IN THE NATIONAL LEGAL FRAMEWORK



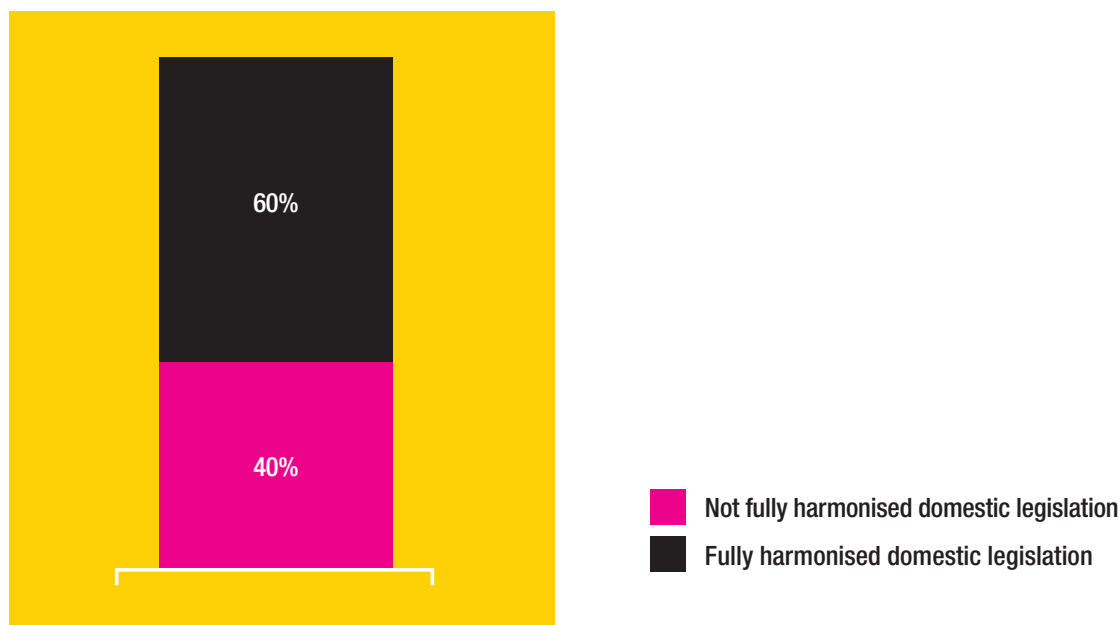
The *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (Trafficking Protocol) is a supplement to the UN Convention against Transnational Organized Crime adopted in November 2000 and currently ratified by 117 states.²⁹

The purposes of the *Trafficking Protocol* are (a) to prevent and combat trafficking in persons, paying particular attention to women and children; (b) to protect and assist the victims of such trafficking, with full respect for their human rights; and (c) to promote cooperation among states parties in order to meet those objectives. It is the main international instrument in this area and provides for specific provisions on children. Article 3 defines the trafficking of children as “the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

The *Trafficking Protocol* is a wide-ranging international agreement that presents globally agreed language and legislation that is intended to jumpstart national laws, harmonise regional legislation against the trafficking in women and children and recognises the need for a combined approach that integrates the protection of human rights and assistance to victims with effective prevention, prosecution and judicial cooperation.³⁰

While international agreements alone are not sufficient to stop trafficking in children, they provide a concrete framework for action and therefore their adoption is particularly crucial for a state to demonstrate that it agrees to be bound by its underlying principles and will seek to ensure the international guidelines are reflected in the national framework.

Proportion of countries reviewed that have ratified the *Trafficking Protocol* and aligned their legislations



Among the 41 countries reviewed, 30 (i.e. 73%) have ratified the *Trafficking Protocol*, and among those, 40% have aligned their legislation and fully criminalise the acts defined in the *Trafficking Protocol*.

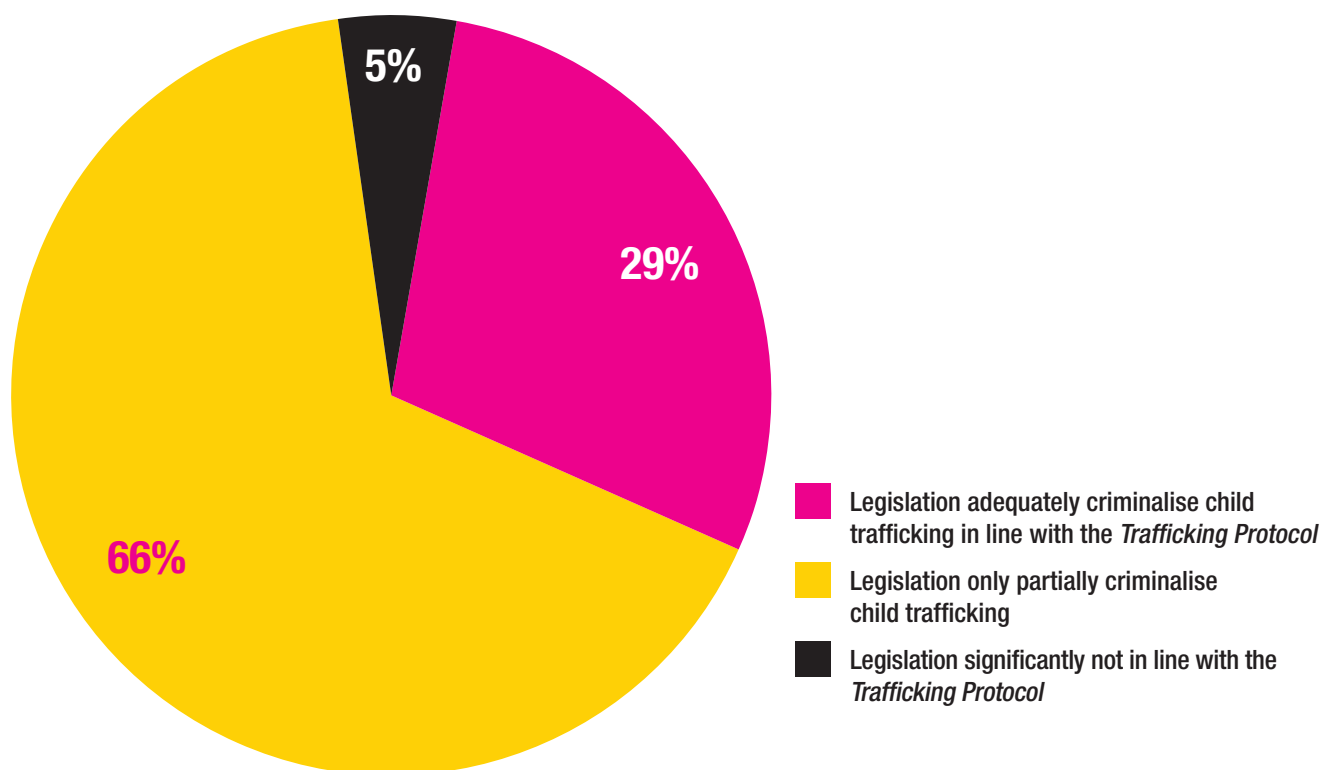
29. As of 1 September 2009: http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18&lang=en

30. Janice G. Raymond. *Guide to the new UN Trafficking Protocol*. Coalition against Trafficking in Women. 2001.

B. LEGAL FRAMEWORK: INTERNATIONAL LEGAL STANDARDS FOR PROTECTING CHILDREN FROM TRAFFICKING ARE INCLUDED IN THE NATIONAL LEGAL FRAMEWORK



Number of countries that have criminalised child trafficking in line with the Trafficking Protocol*



* based on a review of the 41 countries listed on pp. 4-5 of this report.

In the realm of protection, a legal framework aligned with the key international instruments existing to combat trafficking is recognised as a fundamental requirement. Where the alignment with international instruments (especially the *Trafficking Protocol*) have been accompanied by policies and programmes that ensure that relevant legal provisions are reflected in practice (for example, that victims are not penalised as criminals or further victimised through the justice system and that they receive professional care and support from specially trained personnel), children greatly benefit from this level of protection and the upholding of their rights. Less than 30% of countries reviewed have adopted legislation that adequately protect children from the trafficking processes in line with the *Trafficking Protocol* and two out of three countries have domestic legislations that only partially protect children in line with the *Trafficking Protocol*, regardless of whether they have ratified it.

B. LEGAL FRAMEWORK: INTERNATIONAL LEGAL STANDARDS FOR PROTECTING CHILDREN FROM TRAFFICKING ARE INCLUDED IN THE NATIONAL LEGAL FRAMEWORK



PHILIPPINES: ALIGNING NATIONAL LEGISLATION WITH THE *TRAFFICKING PROTOCOL*

The Philippines aligned their national legislation with the *Trafficking Protocol*, adopted in 2002, through the adoption of the 2003 Anti-Trafficking in Persons Act (*Anti-Trafficking Act*) which is consistent with the *Trafficking Protocol*, and it appears to establish the harshest penalties for instances of child trafficking (as a form of qualified trafficking under Section 6 of the Anti-Trafficking Act). The *Anti-Trafficking Act* contains many excellent provisions to protect trafficked persons and children, such as an express provision preventing trafficked persons from being punished and the many programmes that government agencies are required to establish to prevent trafficking and to assist trafficked persons.

The *Anti-Trafficking Act* defines child trafficking as recruiting, transporting, transferring, harbouring, or receiving a child for the purpose of exploitation, including, but not limited to, prostitution, other forms of sexual exploitation, forced labour or slavery, among others. A child is defined as a person under 18 years of age.

The law considers those who have been trafficked as victims and protects them from punishment for acts directly related to the acts of trafficking. Foreign nationals who are trafficking victims are also entitled to protection and assistance, including being allowed to stay in the Philippines as necessary to prosecute the traffickers. The *Anti-Trafficking Act* also targets those who buy or engage the services of a trafficked person for prostitution; a first offence may be punished with six months of community service and a fine of 50,000 pesos (US\$970), while a second offence may be punished with one year's imprisonment and a fine of 100,000 pesos (US\$1,940). The law further outlines acts of qualified trafficking, which include, among others: child trafficking; adoption for purposes of prostitution, pornography or sexual exploitation; and trafficking by relatives. Offenders engaged in qualified trafficking are subject to increased penalties, and may be punished with life imprisonment and a fine of two to five million pesos (US\$38,740 and US\$96,840).

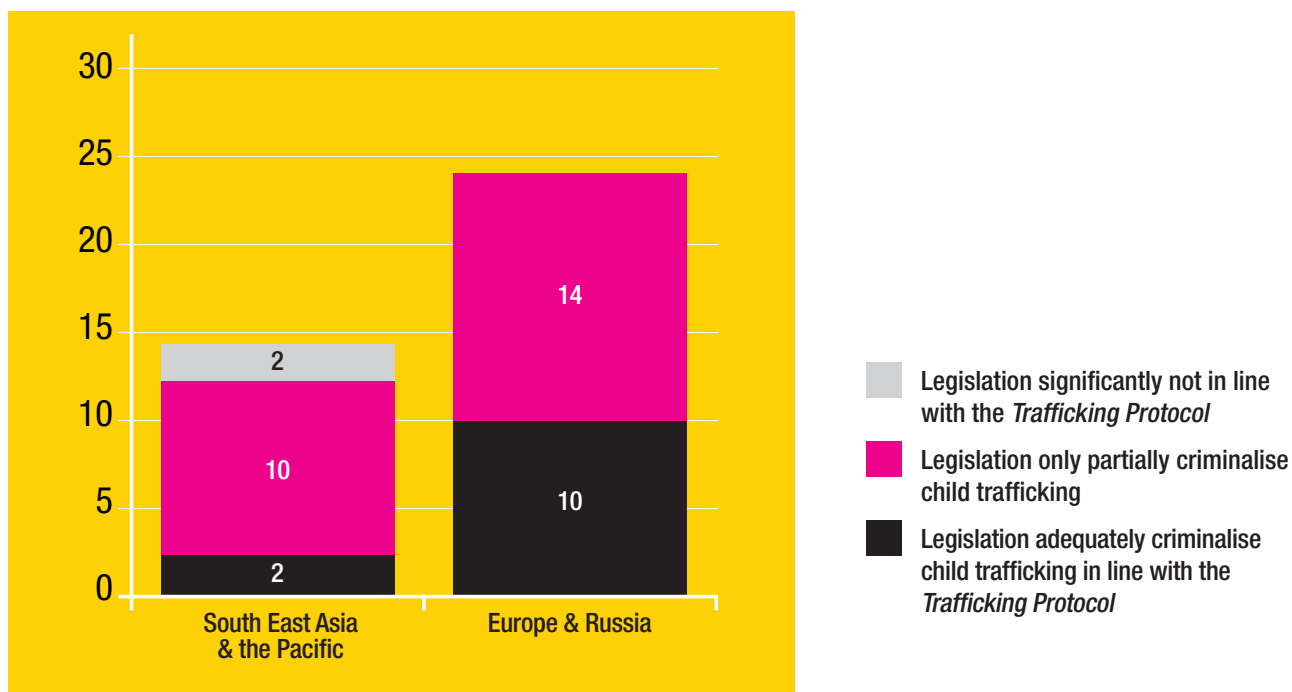
The *Anti-Trafficking Act* also punishes a variety of activities that promote trafficking, such as knowingly leasing or allowing a house or building to be used for the purposes of trafficking, or disseminating materials that promote trafficking, among others. Offenders who promote trafficking may be punished with 15 years' imprisonment and a fine of 500,000 to 1,000,000 pesos (US\$9,680 and US\$19,360).³¹

31. ECPAT International. *Global Monitoring Report on the status of action against commercial sexual exploitation of children - the Philippines*. Bangkok, 2006. http://www.ecpat.net/A4A_2005/index.html

B. LEGAL FRAMEWORK: INTERNATIONAL LEGAL STANDARDS FOR PROTECTING CHILDREN FROM TRAFFICKING ARE INCLUDED IN THE NATIONAL LEGAL FRAMEWORK



Regional overview of the enactment of legislation to criminalise child trafficking in Asia and Europe*



* based on a review of the 41 countries listed on pp. 4-5 of this report.

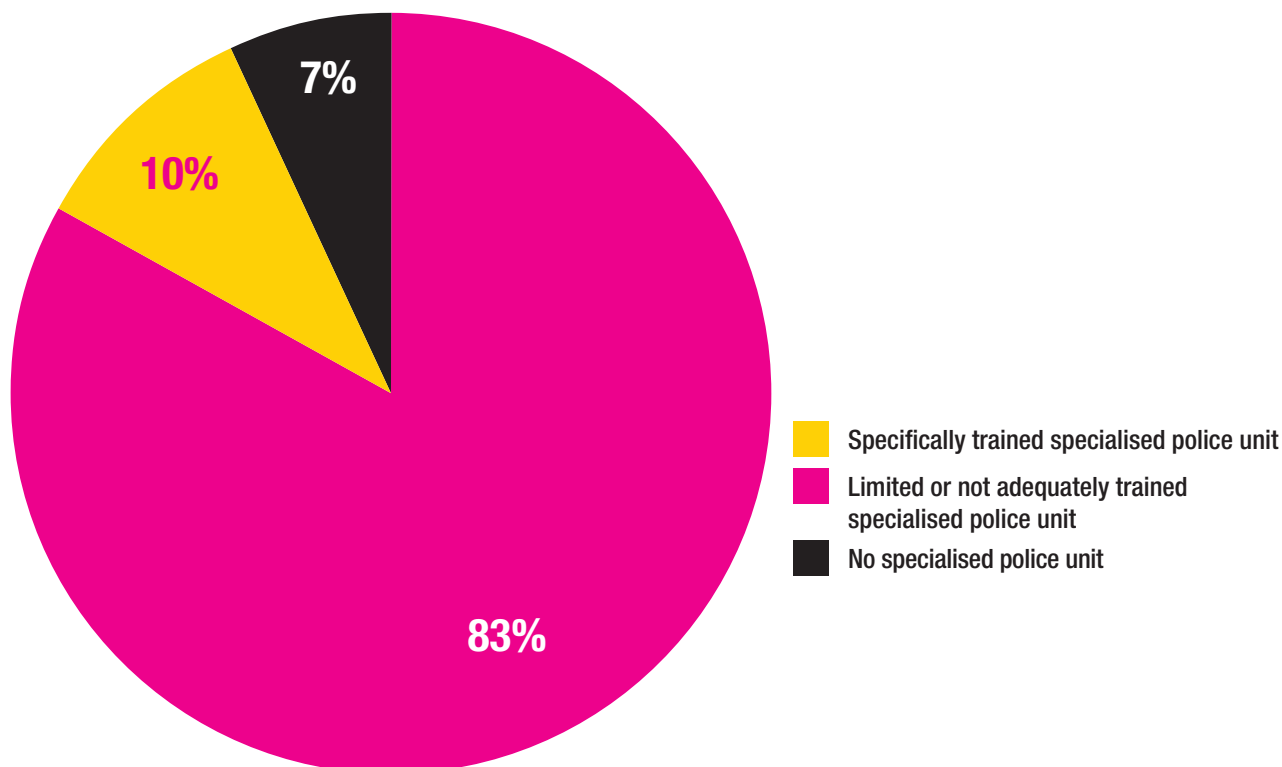
Although major advances have been made in legal protection, among the countries reviewed, 58% of states in Europe and 71% of states in Asia have adopted legislation that only partially criminalise all acts of trafficking of children for sexual exploitation in line with the *Trafficking Protocol*. Gaps are often noted in the following areas:

- **Absence or shortcomings in the definition of trafficking** and the exploitative purposes which may result in the child victim's needs not specifically taken into consideration (such as inadequate victim protection in the judicial system; data not being collected on the number of child victims of trafficking in a country, which makes the child victims invisible). This can result in inappropriate programming and policy to address the problem.
- **Criminalisation of trafficking in human beings with no specific mention of children** and no increased penalties for trafficking minors which may 'encourage' traffickers to recruit children (who are more easily lured and manipulated into exploitative situations because of their lack of discernment and ability to protect themselves), without any additional risks or penalties.
- **Limitations in regard to the means used to involve children in trafficking** which fail to recognise that due to their relative position of vulnerability, no special use of force or threat or any other related means are necessary to qualify the recruitment of a child into exploitative situations, such as trafficking.
- **Limitations to transnational crimes or gender-based discrimination** which often leaves out internal victims or boys from any protective framework on child trafficking.

B. LEGAL FRAMEWORK: INTERNATIONAL LEGAL STANDARDS FOR PROTECTING CHILDREN FROM TRAFFICKING ARE INCLUDED IN THE NATIONAL LEGAL FRAMEWORK



Proportion of countries that have established a special police unit to combat crimes against children, including trafficking and sexual exploitation*



* based on a review of the 41 countries listed on pp. 4-5 of this report.

Although efforts have been made to introduce special police units for investigating crimes against children (including child trafficking) in many countries, these still considerably lack adequate training. Ten per cent of countries reviewed are reported to have specialised police units adequately trained to investigate trafficking crimes against children, and despite the existence of police units in 83% of cases, these are reported to need further resources and special training to ensure early identification of child victims of trafficking and successful investigations of cases throughout and across countries. Aspects that are strongly recommended for replication in this respect are, for example, the implementation of proactive victim-identification systems that intersect across the institutions of the state responsible for the welfare and protection of children (to ensure that child victims are identified as early as possible so that assistance and protection can be guaranteed) and child-sensitive and friendly legal processes. For instance, in Belgium, the Code of Criminal Procedure contains a chapter that deals specifically with the questioning of minors who are victims or witnesses of certain crimes, including trafficking. These provisions allow for the audiovisual recording of the interview of the minor, with his or her consent if the minor is 12 years or older. The interviewer is generally a specifically trained police officer.³²

SPECIALISED POLICE UNITS FOR CRIMES AGAINST CHILDREN IN THAILAND

The Police Unit on Crime against Child, Juvenile and Women Suppression Unit were established under the Royal Police of Thailand and deal with women and children's matters, including trafficking of children and child sex abusers (including child-sex tourists). This Special Police Unit has a nationwide coverage and police officers attend training on trafficking in persons, including on how to deal with children to avoid the criminalisation of child victims of trafficking and to refer them to state shelters. This Special Unit also works in collaboration with the provincial/ district police units and is able to act independently from the provincial/ district units in cases for instance when there may be allegations of blocking the case due to corruption. While significant progress has been made in this regard, particular efforts are still needed to ensure that all trafficking cases are investigated and that perpetrators are charged and punished. Given the scope of the trafficking problem in Thailand, a clear understanding of how to identify trafficked persons would improve victim identification, victim protection and the identification and pursuit of criminals and their prosecution.

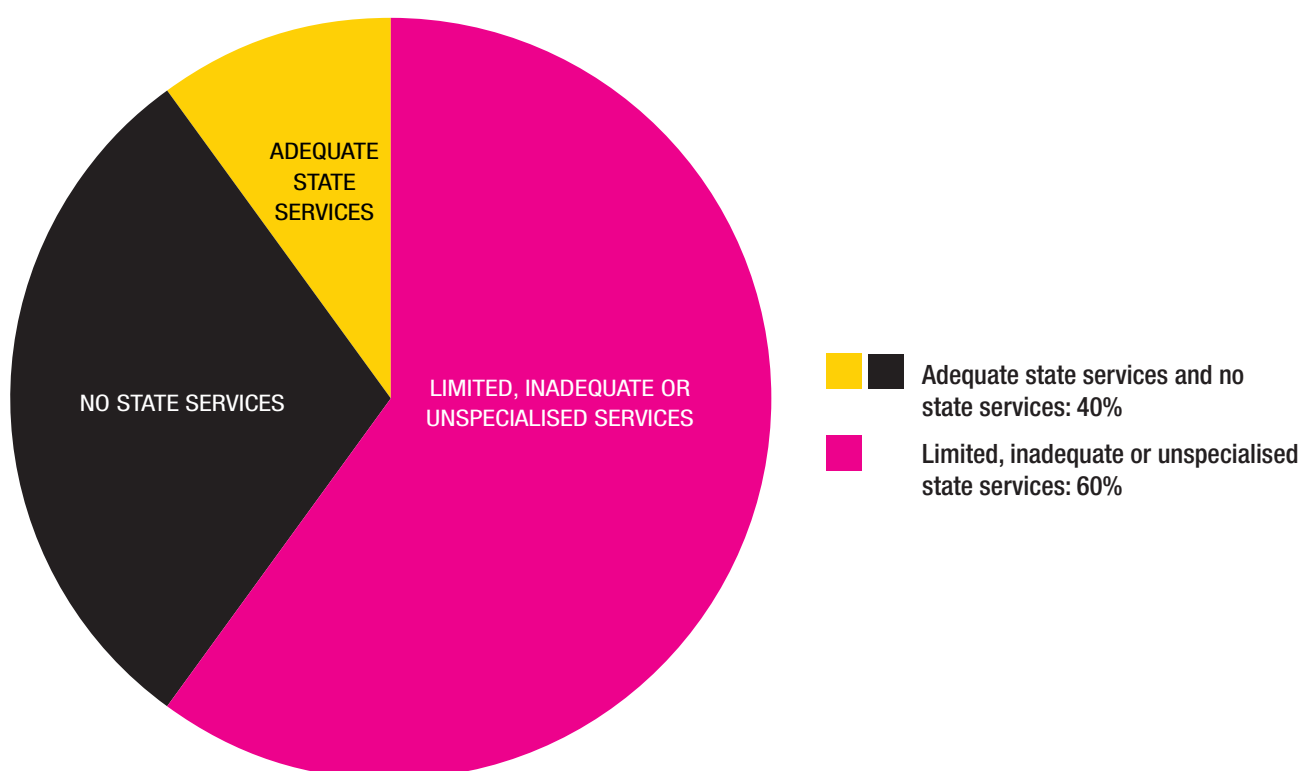
32. ECPAT International. *Global Monitoring Reports on the status of Action against the commercial sexual exploitation of children – Belgium*. Bangkok, 2006. http://www.ecpat.net/A4A_2005/index.html

C. CARE: GOAL 3- SPECIALISED GOVERNMENT SERVICES FOR CHILD VICTIMS OF TRAFFICKING ARE INTEGRATED INTO NATIONAL POLICIES

Policy decisions and initiatives under the lens:

- The establishment of a state-operated helpline to provide 24-hour specialised assistance to children at risk or victims of trafficking and refer them to appropriate support services
- The establishment of state-supported specialised shelter care that provides safe and adequate accommodation and protection to identified child victims of trafficking and where their needs and rights will be adequately met by trained professionals.
- The provision of a full range of free medical services to child victims of trafficking (not limited to emergency care) and delivered without discrimination to support recovery from the various forms of abuse suffered by the child victim.
- The provision of specialised psychological support and counselling services to support the recovery and reintegration of child victims of trafficking by specifically trained personnel.

State services offered to children at risk or victims of trafficking*



* based on a review of the 41 countries listed on pp. 4-5 of this report.

The review of services provided by key institutions responsible for promoting and protecting the rights of children has highlighted some areas of achievement, while significant gaps also persist. In terms of support services available to child victims of trafficking, 60% of states provide limited, inadequate or un-specialised services.

C. CARE: SPECIALISED GOVERNMENT SERVICES FOR CHILD VICTIMS OF TRAFFICKING ARE INTEGRATED IN NATIONAL POLICIES



As recommended by the Rio Declaration and Plan for Action of the World Congress III,³³ governments need to develop “multi-sectoral policies and programmes, including community based programmes, within the framework of a comprehensive national child protection system to address the phenomena that contribute to the sexual exploitation of children”. In relation to the experiences of children vulnerable to or victims of trafficking and sexual exploitation, in their interface with social welfare structures, examination of child protection mechanisms and services reveal that care services are yet to respond in consideration of the best interests of the child, and in compliance with the principles of non-discrimination, respect of the child’s views and ensuring the right to privacy and confidentiality. Furthermore, more fundamental questions are raised on the effectiveness of the current structure of the social welfare system for reaching children in need of protection and for providing them access to services as required.

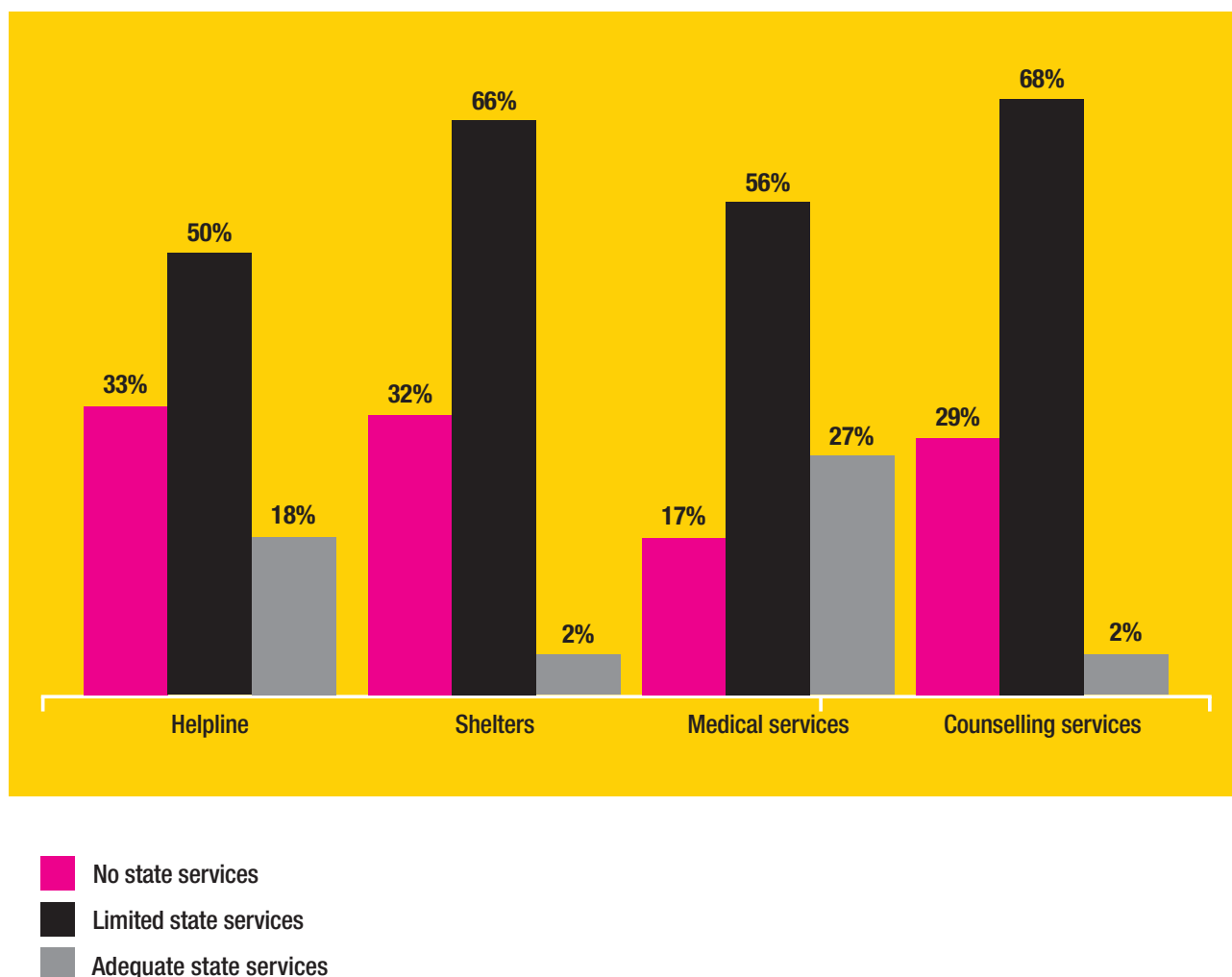
In this regard, the basic framework of the child protection system must be reconsidered based on a deeper understanding of the lives of children and redesigned and re-structured to serve children more effectively, including through giving them direct access to care services as they need it and not solely through the agency of adults. Such re-conceptualisation of the system is particularly critical in light of the endemic conditions of violence and exploitation that child trafficked victims experience at the hands of adults, who are unlikely to be the first that the children turn to for help and assistance.

FACTS:

- 60% of the assistance and care services offered to children in countries reviewed are not comprehensive or specialised for child victims of trafficking.
- One in three countries does not have helplines to provide specialised assistance to vulnerable children or child victims of trafficking
- One in three countries does not have specialised shelters to accommodate child victims of trafficking
- 27% of states provide adequate and comprehensive health services to child victims of trafficking
- Only 2% of states are reported to offer comprehensive and specialised counselling services to specifically address the particular needs of child victims of trafficking for sexual purposes while 29% do not offer any type of services to accompany the psychological healing of child victims.

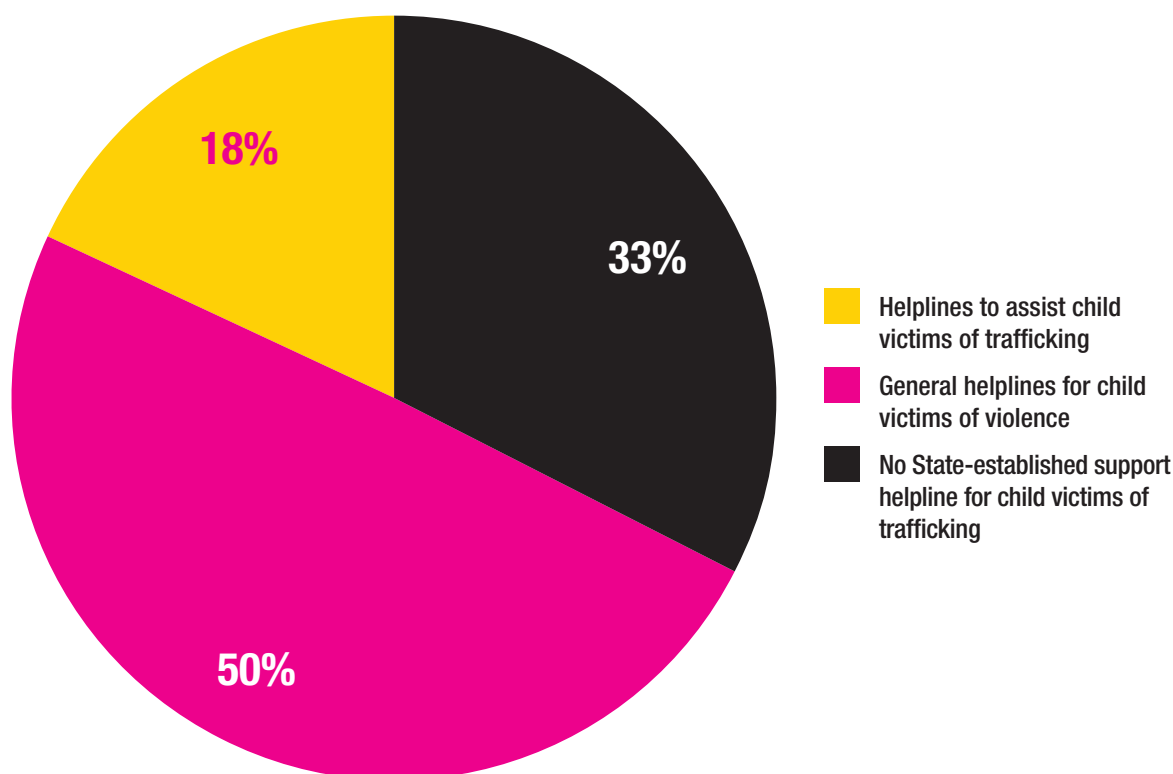
33. The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents. November 2008. Available at: http://www.ecpat.net/WorldCongressIII/PDF/Outcome/WCIII_Outcome_Document_Final.pdf

General assessment of care services offered to child victims of trafficking*



Particularly worrying trends appear in the provision of support and care services available to child victims of trafficking, i.e. the generalisation of care without any specific focus on the particular nature of the crime and violations committed against children who have been victimised in trafficking for sexual purposes. This implies that the particular needs of child victims of trafficking may be disregarded and comprehensive assistance lacking or jeopardising the child's recovery, therefore increasing the risks of re-trafficking and/or further victimisation. For instance, child victims of trafficking suffer various physical and psychological forms of abuse where measures to support their healing are essential. In the delivery of these services, specific elements may also need to be taken into consideration, such as the guardianship of the child, the language of the child, the cultural, ethnic and religious background, particularly when dealing with cross-border trafficking.

Proportion of states that have established a helpline for child victims of trafficking³⁴



A key element to protecting children and young people is to create spaces where they can access accurate information and be referred to relevant services when they are in a potentially harmful situation. Helplines would serve this function if they are staffed with personnel who are adequately trained to handle cases of child trafficking where children may be in extremely dangerous situations, coerced and manipulated by individuals or organised syndicates, in a country where they may not speak the language and are residing illegally. Based on the review of 40 countries, only 18% appear to respond to this description and are able to adequately provide assistance to trafficked children. Specialised helplines are necessary so that staff are able to effectively assess these various and complex factors and elements of the situation in order to provide the most effective response to prevent a child from being trafficked or to support the rescue of a child in a trafficking situation. In order to be fully effective, the helpline should be operational 24 hours a day, widely advertised, and in particular reach out to potentially vulnerable children and operate in the main languages of countries from where the child trafficked victims originate, in cases of transnational trafficking.

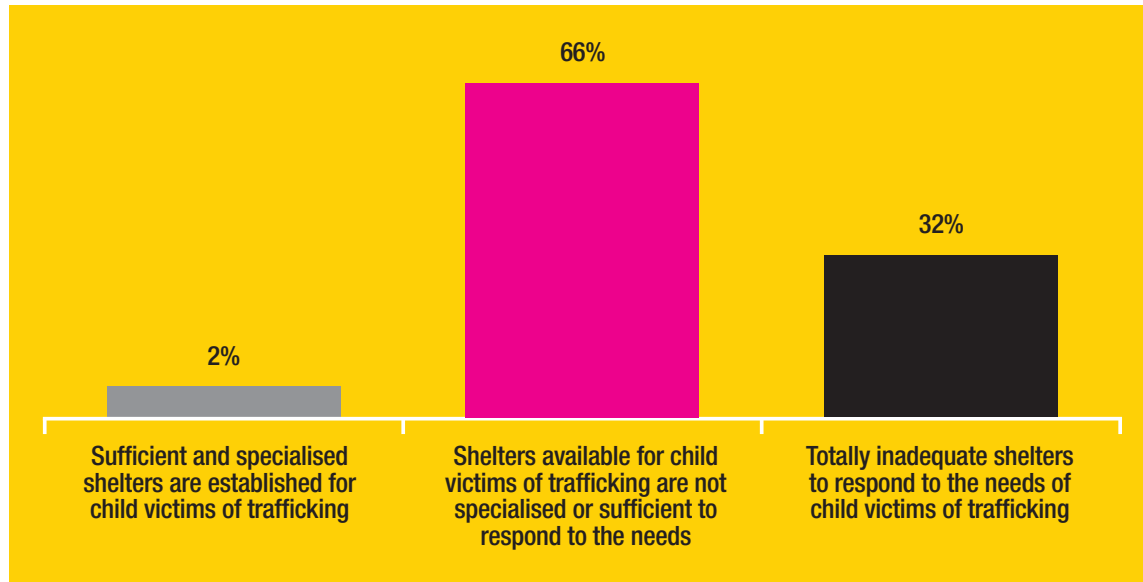
A RANGE OF SPECIALISED HELPLINES OFFERED IN THE REPUBLIC OF KOREA

The Korea 1388 Youth Line is a 24-hour nationally accessible helpline for youths. It provides a one-stop service for youth in need or at-risk, including 24-hour emergency outreach and intervention. Short Message Service (SMS) and Virtual Machine (VM) are deployed to provide a more convenient service to teenagers. The 1388 Youth Line is operated by youth support and counselling centres across the nation with efforts being made to raise awareness via the Internet (www.kyci.or.kr), the press, and cooperation with business organisations. Specialised and integrated services are also offered. In addition, other emergency hotline centres ('1366 Center') were established pursuant to the Act on the Punishment of Sexual Crimes and Protection of its Victims in 16 cities and counties nationwide to provide support to victims of domestic violence, sexual violence, and forced prostitution, including children. The 1366 Centres provide telephone interpretation services in eight languages for trafficking victims in Vietnamese, Chinese, English, Filipino, Mongolian, Russian, Thai, and Cambodian.

Another helpline: 1577-1366 was also installed and made accessible throughout the nation exclusively for migrant and trafficked victims. The hotline centre consists of 24 counsellors (including 18 migrant women counsellors from Vietnam and China) who provide counselling in eight different languages, including Internet-based counselling.

34. Total number of countries: 40

Proportion of states that have established shelters to provide adequate accommodation and protection to child victims of trafficking



Once identified and rescued, children who have been trafficked must be placed in some form of residential care where special services for care and assistance should be available and where the child's immediate safety and security will be ensured while professionals proceed to perform a complete assessment of the situation and the child's needs through child-friendly and gender-sensitive approaches. Thirty-two per cent of the countries reviewed cannot provide that type of support for all child victims of trafficking. Specific shelters (or 'safe houses') for child victims of trafficking are required to ensure that the needs and rights of the child are being provided for without discrimination and where foreign children enjoy the same level of protection as nationals, so that services are delivered in respect to the child's cultural identity and origin, ethnicity, migratory background, religion, gender and age, and provided by qualified personnel.

The care and protection that needs to be provided includes security, food, accommodation in a safe place, but also access to social and health services, psycho social support, legal assistance (including the appointment of a legal guardian representing the child and the regularisation of the child's status) and education.³⁵ Aspects that are strongly recommended for replication in this respect are broadening capacity for provision of quality shelter and temporary care for victims (whereby any agency providing these services is certified to be equipped with suitable codes of conduct and child-protection policies).

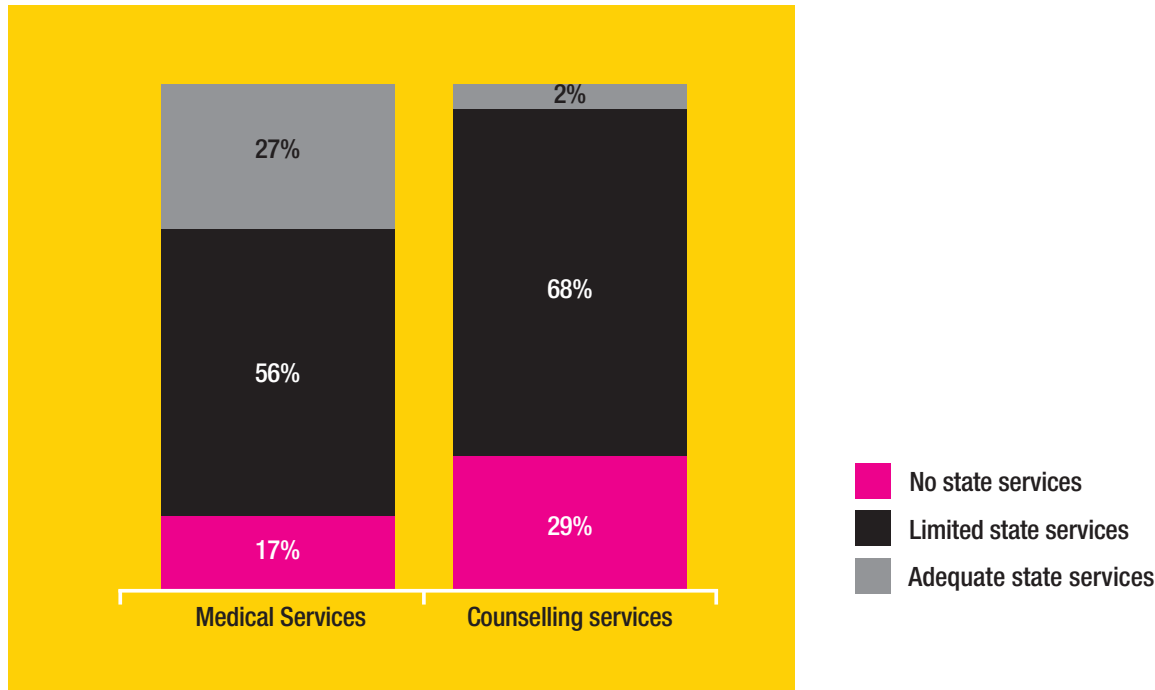
DIFFERENTIATED AND SPECIALISED ACCOMMODATION/SHELTERS AVAILABLE IN THE NETHERLANDS

Several specialised possibilities for sheltering of victims of child trafficking exist in the Netherlands and new ones are being developed. For instance, the Nidos Foundation supports unaccompanied minors (including possible victims of child trafficking) in finding an appropriate place to stay. Children under 12 years old are placed in foster families. Children from 12-15 years old are placed in small-scale reception units. In these centres, the conditions are made as safe and stable as possible and child care workers are available 24 hours a day to help the children to overcome daily challenges. Older children (15-18 years old) are placed in large-scale shelters, mostly campuses for unaccompanied minor aliens with 24-hour care available. 'Enclosed care' also exists for child victims of trafficking of certain high risk groups who may need to be placed in enclosed care institutions. A special shelter (Asja) exists for child victims trafficked by supposed boyfriends (the so-called 'loverboy' phenomenon) and hosts dozens of young girls. The Ministry of Health, Welfare and Sport and the Ministry of Justice are also currently working on the development of new shelter possibilities, the so-called categorical shelter aimed specifically at sheltering (minor) victims of trafficking who have applied for the B-9 Regulation (residence and reflection period) during the first three months after they have been identified as a (possible) victim of trafficking.³⁶

35. *Trafficking Protocol*, Article 6.

36. R. Lawson, T. Barkhuysen, J. Gerards, M. den Heijer, R. Holtmaat and N. Koffeman. *Thematic Study on Child Trafficking*. European Agency for Fundamental Rights. Netherlands. July 2008. <http://fra.europa.eu/fraWebsite/attachments/Child-trafficking-09-country-nl.pdf>

Provision of health and psychological services to child victims of trafficking



Children who have been victims of trafficking for sexual purposes suffer various physical, sexual and psychological abuses. To support the recovery process and help the child victim reconstruct his/her life and attempt to heal from the various abuses endured, the delivery of appropriate and specialised care services is crucial.

The effects of sex trafficking on the physical health of the child may include various diseases, including sexually transmitted infections and HIV/AIDS infections, physical abuse and deprivations, child pregnancy and related complications, and various other symptoms such as abdominal, vaginal or anal pain. The medical services offered to children can therefore not be limited to basic 'emergency' care as provided in several countries. After being repeatedly raped, it is of particular importance that medical examinations of the child are done through sensitive, child and gender-friendly approaches. In Romania, child victims of trafficking are entitled to special protection and assistance, including provision of free medical care, and any child who does not speak Romanian should be assisted by an interpreter.³⁷

POLICY FOR ENSURING THE MEDICAL CARE OF CHILD VICTIMS OF TRAFFICKING IN IRELAND

In Ireland, the 2009-2012 National Action Plan to Prevent and Combat Trafficking in Human Beings, adopted in 2009,³⁸ includes specific provisions on medical services offered to children: 'Each child will receive full medical screening with referral to more specialist medical services if required. Where a child may have been involved in the sex industry, appropriate links will be made with other relevant organisations both within the Health Services Executive and externally.'³⁹ In addition, it is reported that all child victims of trafficking or separated children receive a medical card giving them access to free medical services.

37. I. Ionescu, G. Fusu-Plaiasu, edited R. Iordache. *Thematic Study on Child Trafficking – Romania*. European Agency for Fundamental Rights. 2008. <http://fra.europa.eu/fraWebsite/attachments/Child-trafficking-09-country-ro.pdf>

38. Department of Justice, Equality and Law. *National Action Plan to Prevent and Combat Trafficking in Human Beings in Ireland – 2009-2012*. Executive Summary. <http://www.justice.ie/en/JELR/Executive%20Summary%20Document.pdf/Files/Executive%20Summary%20Document.pdf>

39. Ibid.

C. CARE: SPECIALISED GOVERNMENT SERVICES FOR CHILD VICTIMS OF TRAFFICKING ARE INTEGRATED IN NATIONAL POLICIES



The psychological harms inflicted on child victims of trafficking are less directly observed and more often disregarded in comparison to the physical health care. Almost 30% of countries reviewed do not have any psychological services in place to assist trafficked children and only 2% have been assessed as adequate to respond to the needs of child victims of trafficking. This is of particular concern because the long-term effects of sexual exploitation and trafficking can be extremely damaging, requiring a long-term process for recovery. These effects are multiple and varied according to the child's history and resilience but can include depression, suicidal thoughts, feelings of hopelessness, guilt and shame, anxiety, inability to concentrate, low self-esteem, low self-confidence, emotional withdrawal, or nervous breakdowns. They can also lead to numerous behavioural problems, anti-social behaviour, addiction problems, dependant relationships with their abusers, self-inflicted harm, anger, aggressiveness, and sexually provocative behaviours⁴⁰ that are often misinterpreted if not adequately catalysed through specialised programmes conducted by specifically trained professionals.

JAPAN'S NATIONAL PLAN OF ACTION ON TRAFFICKING PROVIDES FOR COMPREHENSIVE ASSISTANCE SERVICES TO VICTIMS

The National Plan of Action to Prevent and Eradicate Human Trafficking,⁴¹ adopted by the Japanese Government in 2004, provides for specific services for trafficking victims, including specific examinations by physicians at the Women's Consulting Offices. The Government of Japan also provides information on neighbouring hospitals where free or low-cost medical examinations are available, and various other systems.

The National Plan also details comprehensive psychological support services to trafficked victims, such as "assignment of officials in charge of psychological treatment to the Women's Consulting Offices, etc." In cases where victims of trafficking have suffered psychological trauma, the Government utilises officials in charge of psychological treatment who are assigned to temporary shelters of the Women's Consulting Offices to provide assistance, including counselling. Language interpretation will be offered for counselling and consultation, as necessary. These specialised measures aim to eliminate feelings such as fear and insecurity, according to the situation of the victims, when treating victims of trafficking in persons, particularly women and children, while paying due consideration to their emotional state.

THE IMPORTANCE OF ENSURING THAT SUPPORT SERVICES ARE DELIVERED TO CHILDREN IN NEED

In Belgium, confirmed victims of trafficking are entitled to psychosocial and psychological care. To be recognised as a victim of human trafficking, however, the victim has to break off all contacts with the traffickers, has to be counselled at a specialised reception centre and file a complaint against the traffickers. These conditions are criticised as having set too high of a threshold, particularly for child victims. The Government has therefore stated that it intends to adjust these rules.⁴²

40. ECPAT Europe Law Enforcement Group. *Combating the Trafficking in Children for Sexual Purposes – Questions and Answers*. 2006. www.ecpat.net

41. *Japan Action Plan of Measures to Combat Trafficking in Persons – Dec 2004*. http://www.mofa.go.jp/policy/i_crime/people/action.html#18

42. F. Verbruggen, K. & T. Van Hoogenbemt, P. Lemmens. *Thematic Study on Child Trafficking – Belgium*. European Union Agency for Fundamental Rights. Belgium. September 2008. <http://fra.europa.eu/fraWebsite/attachments/Child-trafficking-09-country-be.pdf>

WHEN APPROPRIATE SUPPORT LEADS TO SELF-ESTEEM AND CONFIDENCE⁴³

Maya, Nepali Peer Supporter in the ECPAT Youth Partnership Programme (YPP)

When Maya first joined the project, she felt as though her opinions were unimportant and that she had little of value to contribute. Through the project, she met other child survivors of commercial sexual exploitation during the YPP discussion sessions and this helped to reduce her sense of isolation. She then chose to volunteer in the project as a Peer Supporter and learned about the sexual exploitation of children, child rights and how to effectively share this information with others through the peer support trainings she received. Over time, she developed leadership skills and gained confidence in her ability to work with others to organise peer support programmes in schools. She overcame her deep-seated feelings of mistrust and anger and started to feel more comfortable in sharing her experience with others.

Maya presented the peer support programme to schools and worked with teachers and students to develop an action plan for implementing programme activities. She gained in popularity and teachers who were initially reluctant to work with Maya began to respond positively and appreciate her support. She was heartened that her efforts were valued and that she had won the teachers' respect. She even received an award from the shelter staff for her excellent contributions. She provided orientation to shelter newcomers, to comfort and help them adjust to their surroundings and worked with other youth to develop a micro-project for the creation of a children's club for shelter youth.

By working side-by-side with other survivors and at-risk youth, Maya realised that she could make a difference in their lives. This gave her a sense of pride and strengthened her determination to reach out to more youth. Maya no longer sees herself as a victim of commercial sexual exploitation but as a talented young woman with a bright future ahead of her. She aspires to become a teacher and is now taking the necessary steps to achieve this goal.⁴⁴

⁴³. The Youth Partnership Programme is an initiative designed to empower and build the capacity of experiential youth to take the lead in the fight against the commercial sexual exploitation of children. Coordinated by ECPAT International and implemented with local partners, it was first initiated in South Asia (for more information, please see www.yppsa.org) and has been replicated in 11 countries from five regions since early 2009 (for information on the Global YPP, please see http://www.ecpat.net/ypp_global/index.php).

⁴⁴. ECPAT International. *Good Practices for Working with Experiential & At-Risk Youth*. 2007. http://www.ecpat.net/EI/Publications/CYP/Good_Practices_ENG.pdf.

CONCLUSION AND WAY FORWARD

A clear indication garnered from this initial overview that provides a snapshot of the measures taken by 41 states to prevent and stop the extreme violence perpetrated against child victims of trafficking for sexual purposes around the world is that 'a lot has been done, but there is still so much to do'.

We can for example, see that progress to strengthen the legal framework for protection of children from trafficking has been achieved through enactment of new laws in many countries around the world. At the same time, it is also clear that concrete application of the law still requires systematic guidance to instil, among those responsible to enforce the law, the needed capacity and accountability for action. We have also found that legislative change - unless matched by concrete policy and programme directives - will result in an absence of measures for preventing child trafficking as the devolution of responsibility to the local authorities and responsible actors (educators, doctors, etc.) whose decisions and actions can impact directly on children at risk or victims of trafficking is often only achieved through such means. Thus, while we must acknowledge progress, recognition of such gaps (and their implications for the most vulnerable and victimised children) must continue to motivate us to scrutinise and press for state action.

Faced with these challenges, as well as the ever-increasing vulnerability of large segments of the world population (due to environmental degradation, conflict and displacement, global economic crisis, etc.) which are overlaid by large, organised and sophisticated criminal activities, we might rightly ask: how is a world free from all forms of sexual exploitation of children conceivable?

Clearly there is no panacea, but the trajectory of human effort that has ushered us out of dark chapters in history where the human atrocities of slavery, genocide and ethnic cleansing have been perpetrated with impunity, bears important lessons for the challenges we face in ending child trafficking and sexual exploitation. Among the most notable and consistent lessons is the power of social action to bring about social change. Built through the accumulation of individual acts of responsibility that bring ordinary people to take a stand and demand and see justice done, social action has demonstrated the power of the public to bring about momentous transformations in society. This campaign builds on these lessons, seeking step by step to create greater understanding of the issues and provide concrete and accessible information for each country, allowing the public to assess the situation and to open avenues for public action for children.

Since the 'STOP Sex Trafficking of Children and Young People' campaign was launched during August - September 2009 in The Body Shop stores, thousands of customers have demonstrated their commitment and interest in contributing to this social change to secure a safer world for children.

Over the coming years, these actions will be accelerated through:

- **Resources and knowledge building to increase commitment to the goals of the campaign among a larger public in each country (particularly reaching ordinary citizens) to strengthen the grassroots base in each country;**
- Channels to mobilise active supporters to carry forward the messages of the campaign and the information from its monitoring activities;
- **Mobilisation for the partnership of children and young people that will continue to ensure that they are key protagonists in the campaign and that their voice is heard in calling for their rights; and**
- Increasing amounts of information that will be made available, reflecting more countries and analysis of the progress made to combat child sex trafficking in each country;

These activities will complement and support the continuing work of the various monitoring bodies such as the UN Human Rights Council and in particular the UN Special Rapporteurs on the sale of children, child prostitution and child pornography and on Trafficking in Persons, to ensure that the rights of children are respected and that states take responsibility for guaranteeing this. By 2012, when the final global assessment will be released, it is expected that significant progress will have been made by states and other relevant stakeholders to honour their commitments and secure a safer world for children.







