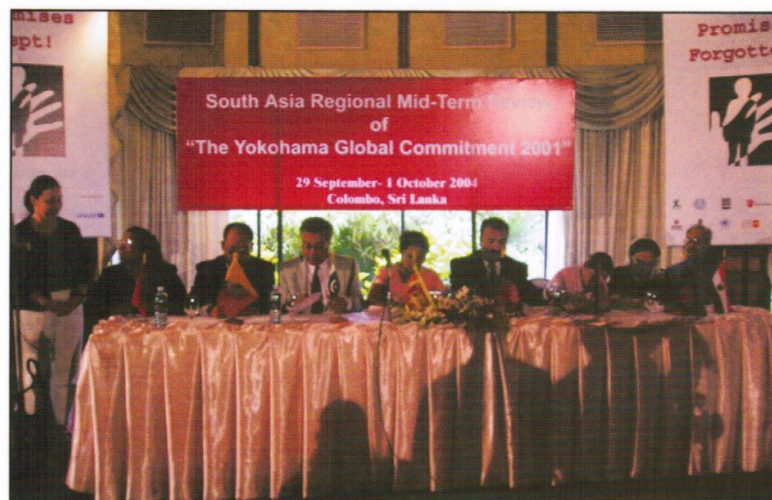


# Promises Renewed, Promises Reinforced



## South Asia Regional Mid-Term Review of The Yokohama Global Commitment 2001



*Colombo, Sri Lanka  
29 September - 1 October 2004*

## **Promises renewed, promises reinforced**

Mid-term review of implementation of the Yokohama Global Commitment in South Asia  
Colombo, Sri Lanka, 29 September – 1 October 2004

Dr June Kane  
Chief Rapporteur

## Table of contents

1	Introduction: The promises made.....	3
1.1	<i>The Stockholm Declaration and Agenda for Action, 1996.....</i>	<i>3</i>
1.2	<i>The Yokohama Global Commitment, 2001.....</i>	<i>4</i>
1.3	<i>South Asia Strategy against CSEC and CSA, 2001.....</i>	<i>4</i>
1.4	<i>The mid-term review, Colombo, Sri Lanka, 2004.....</i>	<i>6</i>
2	Day 1: Update on CSEC and CSA and progress made.....	10
2.1	<i>Afghanistan.....</i>	<i>10</i>
2.2	<i>Bangladesh.....</i>	<i>13</i>
2.3	<i>Bhutan.....</i>	<i>18</i>
2.4	<i>India.....</i>	<i>21</i>
2.5	<i>Maldives.....</i>	<i>23</i>
2.6	<i>Nepal.....</i>	<i>25</i>
2.7	<i>Pakistan.....</i>	<i>28</i>
2.6	<i>Sri Lanka.....</i>	<i>31</i>
3.	Day 2: New challenges and gaps to be filled.....	34
2.1	<i>Deconstructing masculinities: Men as partners in combating CSEC.....</i>	<i>34</i>
2.2	<i>Commercial sexual exploitation of boys.....</i>	<i>39</i>
2.3	<i>Emerging modalities: The demand side of trafficking.....</i>	<i>42</i>
2.4	<i>Gaps, challenges and national responses.....</i>	<i>45</i>
4.	Day 3: Priorities identified and the way ahead.....	59
4.1	<i>National priority actions.....</i>	<i>59</i>
4.2	<i>Regional priorities and a commitment to act.....</i>	<i>60</i>
Annex 1:	Outcome document.....	61
Annex 2:	Statement by children and young people.....	63

## 1 Introduction: The promises made

From 29 September to 1 October 2004, delegations from the governments of eight South Asian countries – Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka – met in Colombo, Sri Lanka, to review progress in fulfilling commitments made at a series of events organized around the World Congress against Commercial Sexual Exploitation of Children (CSEC) process.

*“I appeal to all present to take leadership to help children to protect themselves but also to help make them stronger, to go forward and develop. For this, all seriousness, devotion and dedication is required.”*

*Her Excellency Chandrika Bandaranaike Kumaratunga, President of Sri Lanka*

Working closely with children and young people,<sup>1</sup> NGO, INGO and international agency staff who had come from their countries, as well as researchers and private sector representative present, the government delegations presented an overview of actions taken, outlined remaining challenges and identified priorities that need to be tackled as a matter of urgency.

The points of reference for the progress review were three agreements – sets of ‘promises’ – entered into since 1996:

### 1.1 THE STOCKHOLM DECLARATION AND AGENDA FOR ACTION, 1996

The first World Congress against CSEC was held in Stockholm, Sweden, in August/September 1996 in response to growing concern that the right of children to protection from sexual exploitation was increasingly being violated.<sup>2</sup> While the campaign to put this heinous crime on the international agenda had begun in Asia (largely thanks to the pioneering campaigning of ECPAT, which then stood to End Child Prostitution in Asian Tourism),<sup>3</sup> events in Europe in the summer of that year illustrated all too keenly that the sexual exploitation and abuse of children exist in all regions.<sup>4</sup>

---

1. The children and young people present held their own preparatory consultation in the two days preceding the mid-term review. At the beginning of the review meeting, they presented the results of their discussions (see Annex 2). Since the children and young people participated fully and as equal partners throughout the mid-term review, however, their contributions and views are integrated into the body of the main report and are not considered separately.

2. Although it occurred in the middle of the decade known as the ‘decade of United Nations global meetings’, the Stockholm Congress was not an official UN conference but a global meeting co-sponsored by the Government of Sweden, UNICEF, ECPAT and the Geneva-based NGO Group for the Convention on the Rights of the Child, an umbrella group that includes most major NGOs working in the field of child rights. The SDAA was, however, subsequently presented by the Government of Sweden to the UN General Assembly and was noted and endorsed by the international community.

3. Following the first World Congress, ECPAT consolidated its international network of NGO affiliates and broadened its remit to take into account regional variations in sexual exploitation of children. It retained the acronym ECPAT but dropped the emphasis on Asian tourism and indicated that it would henceforth look to End Child Prostitution, Child Pornography and Trafficking worldwide.

4. The abduction and deaths of two young Belgian girls, Julie Lejeune and Mélissa Russo, led to the discovery of two more bodies and two adolescent girls still in captivity at the hands of Marc Dutroux, rapist, petty criminal and, according to some reports, trafficker of contraband and human lives. One month after the so-called ‘Dutroux affair’ came to light, the Stockholm Congress took place in the full glare of international public and media scrutiny.

While the Stockholm Congress was essential to putting CSEC on the political and child rights agendas, it was clear that little was actually known about the true nature, scope and impact of CSEC. It was also clear that sexual violence against children goes beyond commercial exploitation (generally through prostitution or in pornography, and including acts of trafficking leading to these). Sexual abuse of children in the home or in other places where people they often know and trust – family members, friends, schoolteachers, priests, care workers, employers – similarly blights children’s lives and puts them at extreme risk of physical and psychological trauma. In a series of preparatory regional meetings leading up to the Stockholm Congress, the full range of acts of sexual violence against children began to come to light and national and regional variations on the theme were illustrated.

At the end of the first World Congress, the more than 1,300 participants adopted by consensus the Stockholm Declaration and Agenda for Action (SDAA). By this, the 122 governments present undertook to take action in five major areas: coordination and cooperation; prevention; protection; recovery and reintegration; and child participation. In particular, the SDAA called for the establishment of National Plans of Action (NPA) with indicators of progress; databases on the issue; and the establishment or nomination of national Focal Points on CSEC to aid national and transnational cooperation, all by the year 2000.

## **1.2 THE YOKOHAMA GLOBAL COMMITMENT, 2001**

By the time of the 2<sup>nd</sup> World Congress in December 2001, those meeting in Yokohama, Japan, had a much better understanding of the issues. They were also keenly aware that understanding also brings awareness of areas where not much is known, and were able to share the rich experiences that five years had brought.<sup>5</sup>

Importantly, the 2<sup>nd</sup> World Congress aimed also to reinforce the regional processes that had been initiated in 1996. Five regional consultations were held through the second half of 2001, each of which resulted in an outcome document that encapsulated region-specific commitments to combating sexual exploitation of children and each of which subsequently became an Annex to the Yokohama Global Commitment (YGC) of 2001.

The YGC, adopted by acclamation by the more than 3,050 people attending the Congress, recommitted the 135 governments present to the promises made in Stockholm and additionally included a commitment to promote cooperation at all levels and combine efforts to eliminate all forms of sexual exploitation and sexual abuse of children worldwide, effectively extending the promises made to include child sexual abuse (CSA) of a non-commercial nature.

## **1.3 SOUTH ASIA STRATEGY AGAINST CSEC AND CSA, 2001**

From 4<sup>th</sup> to 6<sup>th</sup> November 2001, the governments of Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka met in Dhaka, Bangladesh, to share experiences and to develop a regional strategy that would be presented in Yokohama and that would also serve as a region-specific framework for continued action against CSA and CSEC.

The 140 participants, including 25 children and young people, representatives of international agencies and national and international NGOs, agreed on a number of areas that should be addressed as a matter of priority:

---

<sup>5</sup> The 2<sup>nd</sup> World Congress was co-sponsored by the Government of Japan, UNICEF, ECPAT International and the NGO Group for the Convention on the Rights of the Child.

### ***Protection***

- Between 2001 and 2003, develop and implement NPAs through consultation with civil society at all levels and including time-frames for action and effective monitoring mechanisms.
- Develop an effective and adequate legal framework in line with relevant international instruments and strengthen law enforcement measures. In this regard reinforce: rights-based and child-friendly procedures; birth and marriage registration; government collaboration on the prosecution of foreign perpetrators; child-rights training, guidelines and tools for police and judiciary; the rights of child victims not to be treated as criminals; the implementation of a monitoring process at national and international levels; simplified legal processes and procedures; and ratification of the Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children Child Prostitution and Child Pornography, and the ILO Worst Forms of Child Labour Convention, 1999 (No.182).

### ***Prevention***

- Maximize opportunities for early childhood development and free and compulsory quality primary education and second-chance learning to improve children's status, especially girls'.
- Support gender-sensitive media campaigns to raise awareness of children's rights in general and CSEC and CSA in particular.
- Build economic safety nets and invest in community-based initiatives to strengthen the economic security of poor and marginalized families.
- Advocate for local governance structures to mainstream child protection so that it becomes the responsibility of and a core element of decentralized governance mechanisms.

### ***Recovery and reintegration***

- Support the recovery and reintegration of child victims, regardless of their country of origin.
- Create and strengthen community support services including appropriate quality family counselling, equitable and non-discriminatory health services, safe spaces and long-term support for victims.

### ***Collaboration, coordination and capacity building***

- Follow up the SDAA and YGC and support countries who did not attend the first World Congress to adopt the recommendations.
- Establish regional and national focal points to support follow-up and implement mechanisms for monitoring.
- Institutionalize a process for reviewing regional actions and sharing experiences.
- Establish national and regional databases, building knowledge centres and developing qualitative and quantitative indicators, as well as support to the design of research methodologies, studies and action research aimed at providing a basis for improved action and policies.
- Advocate improved birth registration mechanisms.
- Motivate the private sector, especially IT and Internet services and the tourism industry.
- Build links between national and international agencies including academic institutions, NGOs, INGOs and media.
- Build the capacity of government functionaries at all levels and other partners for effective implementation of NPAs.

### ***Create partnerships with children and young adults***

- Include children and young adults as equal partners in local, national and regional processes and networks, in research, design and implementation of policies, programmes and projects, and support them to form networks and express their views and concerns through the media and in public forums.
- Enhance the capacities of both children and adults by learning from children's experiences and, to do this, provide children with the freedom and space to express their views and opinions together with other adult and child activists.
- Sensitize adults including through community-level actions involving children and adults.
- Make information on CSA and CSEC available to children by preparing child-friendly versions of documents and materials for dissemination at community level and through schools.

Importantly, the South Asia Strategy also calls on governments to set targets and allocate specific additional resources beyond those allocated to basic social services and other social welfare programmes; and calls upon international development partners to help in mobilizing the resources required for effective action through enhanced financial assistance.

#### **1.4 THE MID-TERM REVIEW, COLOMBO, SRI LANKA, 2004**

The governments who had met in Dhaka in 2001, plus the Government of Afghanistan, met from 29 September to 1 October 2004 to review progress made since the Yokohama Congress, to exchange experiences and consolidate plans for the future. Twenty-four children and young people, representatives of national and international NGOs, delegations from UN agencies and individual researchers and private sector representatives participated in the review to share their own experiences and to contribute to deliberations on the next steps to be taken.

*“The participation of children at this historic mid-term review is of paramount importance, and the contributions they will make at this conference will be of immense importance. Their viewpoints at these deliberations are most welcome and I encourage all of them to speak up and express their views without fear or favour, as such views will go a long way to forming the basis of understanding how to address the issues of CSEC and trafficking.”*

*Hon. Sumedha G. Jayasena, Minister of Women's Empowerment and Social Welfare,  
Sri Lanka*

They all came together under the banner: *Promises kept, promises forgotten*. On the very first day, however, a participant noted that, even if all promises had not been kept, they had certainly not been forgotten. The challenge was to identify those promises that were still unmet and to find ways to accelerate the keeping of them. By the end of the meeting, a new banner was to be unfurled: *Promises renewed and reinforced*.

To provide a context in which discussion could take place during the meeting, the South Asia Coordinating Group against Commercial Sexual Exploitation and Trafficking of Children and Women in South Asia<sup>6</sup> sent out questionnaires to the eight governments and a number of NGOs

---

<sup>6</sup> This group includes representatives of UNICEF, ILO, ECPAT, IOM, Save the Children Alliance, International Federation of Terre des Hommes, UNAIDS, UNDP, UNFPA, UNIFEM and UNESCAP.

and agencies in the region in advance of the meeting. This allowed a preliminary analysis of the actions taken to date and areas where action still needed to be taken.<sup>7</sup>

The regional analysis noted that, although estimates suggest that both CSA and CSEC have increased since the Stockholm Congress in 1996, there has been progress in a number of areas:

### ***Cooperation, developing NPAs and nominating Focal Points***

Governments have been more open to addressing the issues and have been working closely with NGOs and intergovernmental agencies on many fronts. The cooperation and coordination called for in the SDAA have become a working reality in the region, in particular through the important process of developing NPAs. This process has not only contributed to consultation and cooperation but has also consolidated national mechanisms for continuing such dialogue, including with children and young people.

While not all the eight countries of the region have a CSA/CSEC-specific NPA, all do have some form of NPA that more broadly covers child protection issues. The exception is currently Bhutan which is nevertheless in the process of developing its NPA.

All of the countries have a national agency or inter-ministerial grouping to act as a focal point against CSA and CSEC.

An outstanding challenge throughout the region seems to be bringing in players from outside the development sector – the private sector and media, for example, are still not fully integrated into the participative processes set up, although in certain areas (such as the Internet service sector and tourism), there have been some important collaborative initiatives.

### ***Information, research and databases***

The SDAA called for the development of databases on CSA and CSEC, and this has proved to be a challenge. Although there have been improvements in data collection and monitoring, few of the countries have taken the step of creating a database from this.

There have been many important, enlightening research exercises across the region, covering most areas of the subject. NGOs and intergovernmental agencies have been particularly productive in this area, as have national and governmental bodies such as Human Rights Commissions. There have also been strides in producing tools and other operational aids such as manuals, handbooks, checklists and codes. Training has also been an important output, often in conjunction with research findings or materials production.

### ***Prevention through education and awareness raising***

All of the countries in the region have acknowledged the important of education as a means of preventing CSA and CSEC as well as underpinning the realization of children's rights more generally. All of the countries have emphasized access to free and compulsory education and have paid special attention to educating girls. Poverty alleviation programmes that help families to keep children in school are also emphasized by all eight governments.

Awareness raising complements education by building a protective environment for children by empowering families, communities and those who play an important role in protecting children, such as law enforcement, teachers, religious leaders, public servants and social service employees. Throughout the region, there have been important initiatives to raise awareness on a range of issues related to CSA and CSEC.

---

<sup>7</sup> The analysis is contained in a report compiled by Professor Vitit Muntarbhorn: *Yokohama commitments – Promises kept, promises forgotten*, (South Asia Coordinating Group, Kathmandu, September 2004).



### ***Legal frameworks and enforcement***

It is clear that all the countries in the region have moved towards much improved legal frameworks for the protection of children from CSA and CSEC. Countries have reviewed and amended laws, introduced new laws and in some cases drafted specific Juvenile Codes.

Much less progress has been made on moving towards full implementation and enforcement of the laws, and all the countries acknowledge that this is a challenge. Despite training and sensitization of law enforcement and judiciary, there is still slow progress on bringing perpetrators to justice and protecting victims from further victimization. Beyond training, tackling the causes of this (including corruption and under-developed law enforcement sectors) remains vital.

### ***Recovery and reintegration***

Across the region there are programmes to rescue children, shelters to protect them from immediate harm and initiatives to help them return to society safely. A variety of services – including legal aid, counselling, health services, education and training – are available in most countries, although these are limited in coverage.

Supporting children through the court system when perpetrators are brought to court is also an important element of recovery, and there have been some initiatives in this area, although few.

### ***Participation of children and young people***

The children and young people of the region have been active and determined in their actions, and governments, NGOs and agencies have recognized this by consulting with them and including them in consultations and programmes. Some specific mechanisms, such as Children's Clubs, have formalized the participation of children and young people. In some countries there is a National Children's Task Force or another mechanism for regular consultation with children. Importantly, children have been involved – or have led – awareness-raising actions, media initiatives and peer outreach and counselling actions. Child-friendly materials have in some cases contributed to these actions.

The regional analysis notes that there are a number of outstanding challenges in the region.

### ***Budget allocations and political context***

The context in which CSA and CSEC occur – including poverty, conflict and other socio-economic, cultural and political factors – must be fully taken into account both in analysis and response. In particular, funding for social issues and child protection must be made available; in the region a number of countries have been spending inordinate amounts of the national budget on armaments and militarization. More transparency is needed on issues relating to budgetary allocations.

Democracy and good governance also provide contexts in which children's rights can be protected. Corruption is a key impediment to child protection and the capacity building of public officials remains an important element.

### ***Culture and religion***

Cultural context is important in creating an environment in which children can be protected. Silence on issues considered taboo allows those who harm children to do so without fear of reprisal. Discrimination against girls and women leads to acceptance or tolerance of abuses against them. Traditional practices that formalize such discrimination, such as early marriage, perpetuate a context in which abuse and exploitation thrive. An example of this is domestic violence, which is now becoming a less 'private' matter.

Religious leaders are important players in the fight against CSA and CSEC not only because of their influence on others but also because many countries in the region have not only a civil law

system but also religious law. Not enough has been done to reach out to religious/spiritual leaders, both liberal and less liberal.

***Evaluation, sustainability and regional 'added value'***

Although all countries have implemented a wide range of programmes and projects to combat CSA and CSEC and support children, few of these have been fully evaluated with a view to knowing their impact. Sustainability of programmes also is rarely given attention, and the possibility of drawing lessons with a view to replicating or further developing programming across national borders through regional cooperation is not addressed.

Cross-border cooperation can exist at a number of levels including sectorally (for example through cross-border police cooperation) and also technically (through sharing of programme experience and materials, for example). There is still progress to be made in this area.

*"This mid-term review offers a unique opportunity for collective reflection to objectively and frankly assess what is being done in the region...to swap experiences and lessons learned, and to agree on the specific initiatives to fight more effectively to end this gross human rights violation and better promote the rights of all the children in our region. Let us do it for them. Let us do it for humanity's dignity and let us do it for the future of our countries."*

*Dr Sadig Rashid, UNICEF Regional Director for South Asia*

In preparation of the meeting, also, an update of the situation of children in relation to CSA and CSEC in each of the eight countries was prepared. These preparatory documents and the country presentations made by the government delegations form the basis of the next section of this report.

## **2 Day 1: Update on CSEC and CSA and progress made**

This section of the report is based on background papers prepared before the mid-term review and presentations made on Day 1 of the meeting.

### **2.1 AFGHANISTAN**

Afghanistan was not represented at the Yokohama Congress of 2001; however, much has happened in Afghanistan in recent years, and the country has taken important steps towards tackling the issue of child trafficking as one form of CSEC.

#### ***Situation***

More than 20 years of armed conflict, drought and poverty have created a very difficult environment for Afghan families and their children who, defined under Afghan and international law as people under 18 years of age, comprise more than half the population. Overall socio-economic vulnerability, caused by the cumulative effects of war, destruction, drought and displacement, will endure for a long time.

Afghan parents have shown amazing resilience in nurturing their children in a most challenging environment, but the enormous losses and hardship they have suffered sometimes lead to extreme frustration and aggression. Many parents experience a sense of distress at not being able to meet their children's needs. Studies on the psychosocial situation of children in Afghanistan indicate that struggling parents often lose their patience and resort to excessive force and violent behaviour to discipline their children.

Traditionally, civil society, clan and community reinforce the protective environment provided by the immediate family for children in Afghanistan, stepping in where the family cannot cope. The prolonged conflict and particularly the effects of displacement have equally damaged this second line of protection. As a result, family coping mechanisms are weakening, and more Afghan families are forced to send their children onto the streets, to other provinces or other countries in search of an income. This exposes them to a number of threats including commercial sexual exploitation.

In February 2004, the Afghan Independent Human Rights Commission (AIHRC) reported that children are trafficked within the country, outside the country and through the country.

In the north and north-east of the country, for example, families are involved in trafficking their children to neighbouring countries for work. Children are used as economic tools to improve household and immediate family income.

From recent reports, it is estimated that some 1,500 Afghan children are currently victims of trafficking for child labour into neighbouring and other Middle-Eastern countries. Afghanistan is not reported to be a destination country for child trafficking.

The Saudi Arabian Government is reported to have rounded up some 700 Afghan children (some with their families) for illegal stay in that country. There are no estimates available of the number of Afghan children smuggled or trafficked into Pakistan and Iran. However, it is believed that many Afghan children remain at risk of exploitation, and that child trafficking and abuse cases are greatly under-reported.

A number of cases of child kidnapping have been reported, and there are anecdotal reports of kidnapping or trafficking of children for organ removal. While unsubstantiated, such claims have nevertheless created a wave of fear and suspicion. At this time, it is not clear what proportion of child kidnapping is with the purpose of trafficking, or for ransom, family disputes or revenge.

Sex tourism and pornography have not been identified as child protection issues in Afghanistan. It should be noted that the majority of the population, including children, does not have access to Internet services, which is one of the sources of child pornography. There is anecdotal evidence of child prostitution, but hard data are not yet available.

The National Development Plan of Afghanistan has 12 priorities, one of which is the protection of children and vulnerable people. Some 12 per cent of the total budget is allocated for this.

### ***Progress made***

#### **Protection measures**

- A National Plan of Action (NPA) -- the result of broad-based participation of all the players and key stakeholders -- has been developed with regard to the strategic objectives of the South Asia Strategy with set goals and timeframes for implementation. The NPA is before the Cabinet of Afghanistan for approval and further support in implementation.
- Afghanistan ratified the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography in 2002. In the new Afghan constitution, there is clear reference and articles are set for principles of non-discrimination (Article 22). ILO Convention No.182 is not signed yet, but discussion for its ratification has been initiated between the Ministries of Labour and Social Affairs and the Ministry of Foreign Affairs.
- A Juvenile Code has been drafted, which provides for equal rights of girls and boys and child-friendly procedures for children in conflict with the law and children at risk.
- A comparative study was conducted to identify where Afghan laws are compatible with the CRC and where there are legal gaps, to identify new laws that need to be drafted or existing laws that should be revised.
- A 10-article Presidential Decree was issued in July 2004 that set severe sentences and harsh punishment for perpetrators of child kidnapping and trafficking.
- As of early 2003, only six per cent of Afghan children had been registered at birth. Supported by UNICEF, the Ministry of Health and Ministry of Interior ran a door-to-door campaign for birth registration that reached 820,000 children under the age of one year in 2003, and so far more than 1.2 million children under five in 2004.

#### **Prevention measures**

- Today, there are more children in school in Afghanistan than ever before. In 2004, 4.2 million children, 1.2 million of whom were girls, enrolled in school. The girl-to-boy ratio has returned to pre-Taliban times, meaning that, in two years, a seven-year education deficit has been redressed. Moreover, in order to increase children's, particularly girl's enrolment in school, Afghanistan's new constitution provides for free and compulsory education for all children up to secondary level.
- A new school curriculum that is gender-sensitive and includes life skills is another positive step forward. The new content for three out of six textbooks for primary education is complete and the new curriculum for the remaining grades will be developed in 2005. In addition, as part of the government commitment to the NPA, relevant ministries have committed to exploiting various forums under their control to increase gender sensitivity and promote children's, particularly girls' education.
- A study on the situation of child trafficking in three regions of Afghanistan has been undertaken. Based on the findings of this study, a national awareness-raising strategy and communication material will be developed.

- As a follow up to the children's regional consultation on CSEC held in Kathmandu in 2003, awareness raising for the community, police and other government functionaries in the province of Badakhshan is under way, as part of the 'One Activity Plan' for prevention of child trafficking. Children are now facilitating awareness-raising workshops for both children and adults, and study groups have been formed using the Dari version of the resource materials developed by UNICEF ROSA.
- As part of the National Development Framework, a 'Livelihood and Social Protection Programme' has been developed to enhance social protection and build economic safety nets for poor, marginalized and vulnerable groups. This involves communities in planning, managing, and financing community development projects, promotes area-based development, and supports sustainable rural and urban livelihoods. As a result, within the National Development Budget, the government has approved funds to reach girls and women of marginalized families and to initiate community-based activities to ensure empowerment through knowledge and self-sufficiency of families.
- Around 100 Child Well-being Committees and children's peer groups have been established in rural communities to increase awareness of child protection issues and address them by mobilizing local resources. Half of these committees are run by women. Vocational training to increase self-reliance and empower vulnerable families aims at reaching 20,000 young out-of-school boys and girls. The Ministry of Women's Affairs with support from NGOs is implementing income-generation and vocational training projects for 1,000 vulnerable women to improve their socio-economic status and enhance their job skills.
- The increase in the number of reported cases of child kidnapping and trafficking by the media in the past year has helped to increase public awareness of the issues, but has also created fear and panic among some families, which in turn may affect school attendance if not properly addressed.

### **Recovery and reintegration**

- The police have become more vigilant and active in arresting kidnappers and child traffickers, as a result of which more than 100 children have been rescued in the past year. Follow-up and reporting by government staff, particularly the police, have been strengthened, leading to more trials of perpetrators.
- To support Afghan children deported from Saudi Arabia who are suspected of having been trafficked, a transit care centre has been set up in Kabul by the Ministry of Labour and Social Affairs and with support from UNICEF. To date, 280 children have been supported through this centre and reunited with their families. A database on the deported children has also been established, run and managed by ministry staff.

### **Collaboration, coordination and capacity building**

- In response to reports of missing children, child kidnapping or trafficking, and in keeping with the objectives of the South Asia Regional Strategy, a Presidential Directive was issued in November 2003 that directed the Ministry of Labour and Social Affairs to lead a multi-sectoral technical committee, known as the Committee to Counter Child Trafficking. The committee, which is composed of several ministries, local and international NGOs and UN agencies, also serves as a coordination and information-sharing forum.
- To sensitize, raise awareness, and build the technical capacity of staff working with children, several training workshops on the CRC, child trafficking and CSEC have been held for border police, immigration authorities, law enforcement officials, staff of the Ministry of Labour and Social Affairs, religious leaders and the media, and more training is planned for 2004 and 2005.

## **Partnerships with children and young people**

- To ensure children's participation in the process, the NPA was shared with children through different consultations held with more than 300 children from seven provinces. Using children's recommendations and input, a child-friendly version of the NPA is being developed by NGOs.

The Government of Afghanistan is committed to the cause of children and has demonstrated its will and support through the NPA development process. However, to translate the NPA into practice, the government is in need of support -- technical and financial -- from the international community.

## **2.2 BANGLADESH**

Since its participation in the first World Congress, the Government of Bangladesh has shown increasing commitment to bring the scourges of CSA and CSEC (including trafficking) onto the national agenda.

### ***Situation***

Bangladesh is one of the most densely populated countries in the world with a population of approximately 130 million. Children (below the age of 18) constitute about half of the total population. Adolescents aged 10-19 years make up almost one-fifth of the total population. The population is overwhelmingly rural (76 per cent), however there is a rapid increase in urbanization.

Violence generally is increasing in Bangladesh society and this has an impact on the number of children sexually abused and exploited. Some global policies contribute to this growth in reported cases of violence. For example, during the phase-out of the Multi-Fibre Agreement (MFA) at the end of 2004, nearly one million people in the garment industry, mainly women, will be laid off. This means that their children may well drop out of school, enter child labour and be vulnerable to various forms of exploitation and abuse.

Reliable quantitative data on the extent of CSA, CSEC and child trafficking in Bangladesh are not available. However, a growing body of research has shed light on the causes and methods of child trafficking as well as the lives of child victims of sexual exploitation. Information on the sexual exploitation of boys has emerged only recently and has yet to reach most sections of society. Similarly the silence on CSA has now been broken but information is still emerging very slowly.

CSA affects all strata of Bangladesh society. Children are vulnerable from a very young age, with the risks for boys diminishing in their mid-teens as their physical strength increases. Overall, girls are much more at risk, and children with disabilities are particularly vulnerable as they are perceived to be easy victims. Abusers come from a wide range of social and occupational groups.

The sexual exploitation of children takes place in Bangladesh's registered brothels and in hotels, streets, parks, stations and other areas of cities and towns. Children as young as 10 or 11 are involved. Girls who are brought up in the brothel are usually considered to have no other option, while others who come to the brothel later or who end up on the streets are most often victims of trafficking, deception or simply poverty.

Life on the streets is grim. Apart from the work itself, the children are harassed by the police, have their money stolen, are not paid by customers, and have to handle the business of daily life with access to few amenities. For many, drugs offer the only means of escape from mental and physical pain. Significant numbers of boys get caught up in criminal activities, often organized by their pimps, as another way of earning money.

Girls in the brothel do the same work and do not have the freedom of movement that girls and boys on the streets have. A particularly oppressed group in the brothels are the *chukeris*, (bonded sex workers) who pay all the money they earn during the two to three-year period of bondage to their *shordarni* (madam) in return for food, clothes and a few essential personal items. The brothel is a high-risk environment for all children living there, not just those who are sexually exploited. The exposure from early childhood to sexual activity, tobacco, alcohol and other drugs has a profound psychological impact, distracts them from their studies and frequently leads to addiction. Exposure to HIV/AIDS and other sexually transmitted infections (STIs) is a fact of life for all sexually exploited children.

There are cases of trafficking from Bangladesh, primarily to India and Pakistan, and within the country, largely for forced prostitution but also for labour. Most trafficking victims, eager to escape the cycle of poverty, are lured by promises of a good job or marriage. Children without parents, runaways and others outside the normal family support system are also vulnerable. The border between Bangladesh and India is porous, making illegal border crossing easy.

### ***Progress made***

#### **Protection measures**

- With a view to adopting a comprehensive legal framework to protect the rights of children, the Suppression of Violence against Women and Children Act (2000) was formulated and enforced just before the 2<sup>nd</sup> World Congress in Yokohama.
- In preparing for the Yokohama Congress, the government, in consultation with stakeholders, duty bearers and rights holders including children and adolescents, and with the technical assistance of UNICEF, developed an NPA against the Sexual Abuse and Exploitation of Children including Trafficking (NPA against SAECT). The NPA was approved by the Cabinet of the Government of Bangladesh on 18 February 2002. Its implementation is coordinated by an Implementation and Monitoring Committee.
- A simplified Bangla version of the NPA was disseminated in all 64 districts of the country.
- Bangladesh was one of the countries that lobbied to include CSA as part of the regional commitment in 2001. CSA was subsequently also included in the NPA against SAECT.
- A new NPA for Children 2004 – 2009 has been developed and is awaiting approval of the Cabinet.
- The government is in the process of establishing an Independent Child Rights Commission in order to safeguard, protect and promote the rights of children in Bangladesh. The outline for the proposed Independent Child Rights Commission and related draft law has been discussed and is now under consideration by the Ministry of Women and Children Affairs (MoWCA).
- Although birth registration is mandatory by law in Bangladesh, it is not a well-known concept in the country. Since 1997 the government, in cooperation with UNICEF and Plan International, has been trying to change this by organizing birth registration campaigns.
- A number of new initiatives are under way, including a new Death and Birth Registration Act and accompanying Rules. Another important initiative of the government is the adolescent Birth Registration drive which took place in Rajshahi 2003 and in Tangail in 2004 under Save the Children Australia's CARD project, involving the late birth registration of adolescents, and data collection by adolescents.
- A sub-committee of the NPA Implementation and Monitoring Committee is working to identify and recommend relevant laws for reform. Additionally, a high power committee has been reviewing the scope for repealing and amending the Vagrancy Act of 1943.
- A Draft Social Policy on alternative models of care and protection for children in contact with the law is being finalized. The draft Social Policy brings a child rights perspective into

the approach towards children in contact with the law, stressing that child offenders in fact are victims and need appropriate care and protection as spelt out in the CRC.

- The government is trying to establish child-friendly law enforcement units (including female police officers) to handle cases of sexual abuse and exploitation including trafficking, and to provide training to staff in such units. The government has made headway with launching special Women Investigation Cells, staffed by female police officers, in 16 police districts.
- Recognizing the vulnerability of adolescents to STIs and HIV/AIDS, strategies to prevent HIV/AIDS and STIs and to protect and rehabilitate victims were integrated into the NPA against SAECT. Implementation of the strategies outlined in the NPA are being undertaken through the national framework on HIV/AIDS.

### **Prevention measures**

- The MoWCA in collaboration with UNICEF has been implementing a pilot project on empowerment and protection of rural adolescent girls since 2001: *Kishori Abhijan* or Adolescent Journey. The project reaches 52,200 unmarried adolescent girls attending secondary school and 1,500 adolescent boys in 14 districts throughout the country. One of the prime objectives of the project is to prevent the early marriage of girls.
- Save the Children Australia is implementing a project 'Empowerment of Children in Need of Special Protection' in partnership with local and national NGOs in different districts of the country. It aims to develop adolescents' psychosocial competencies through life-skills education to empower them to protect themselves from sexual abuse and exploitation. Adolescent facilitators function as Peer Educators. Awareness-raising activities for adolescents have also been held in the area of CSA.
- CSA and CSEC-related issues form part of the curriculum in formal schools and government teacher training institutes. To a certain extent, social skills are included in the curriculum, focusing not so much on the rights of children but on values and norms of social behaviour. Initiatives are beginning to include life skill-based education into the formal curriculum.
- To reduce the vulnerability of adolescents to CSA, CSEC, HIV/AIDS and STIs, a *Nijeke Jano* (Know Yourself) adolescent communication kit is being developed. The kit includes peer-to-peer video material and a series of four booklets. The kits are currently being distributed widely in non-formal education settings. As a next step in the process, they will be distributed more widely in formal schools.
- Although the Child Marriage Restraint Act of 1929 made early marriage illegal, the practice of marrying girls under 18 years of age is still widespread. The NPA addresses early marriage by proposing awareness-raising strategies stressing the negative aspects of early marriage and the need to empower adolescent girls. The MoWCA has organized roundtable discussions on preventing early marriage in order to sensitize parents, children and other stakeholders.
- Approximately 60,000 children (both boys and girls) have been involved in activities focusing on the prevention of early child marriage, including general child rights issues, under Save the Children Australia's partnership project with 11 local NGOs called 'Child Access to Rights through Development' (CARD).
- Save the Children Australia and its 11 local partner NGOs have been undertaking sensitization activities with a wide range of stakeholders and duty bearers in the areas of child rights including violence, sexual abuse, exploitation and trafficking. The project also provided capacity building to sub-district level government officials of the Women and Children Abuse Preventive Committees.
- Through the Coordinated Programme to Combat Child Trafficking (CPCCT) 2002-2004, MoWCA focused on awareness-building activities at Union Parishad and village level. This pilot was implemented through 10 national NGOs in 25 districts and included workshops for



stakeholders, street drama, courtyard meetings with vulnerable children and families, rallies at *upazila* level and publicity through microphones and the distribution of information material.

- Section 14 of the 2000 Suppression of Violence against Women and Children Act pertains to the right to privacy of victims of violence, restricting the disclosure of information in the media on the victim's identity. The legal restrictions and linked imposition of heavy fines for non-compliance with the law, have decreased the practice to a certain extent. However, desire for sensation and ignorance about the law still drive local reporters to disclose the identity of victims of sexual exploitation or trafficking, including addresses and photos. A government circular has been issued to avoid the use of pictures of sexually abused children in newspapers.
- The need for more research on the demand side of sexual exploitation, and on profiles of perpetrators of sexual exploitation and trafficking of children, was translated into the NPA, proposing strategies that specifically address perpetrators. These include research on profiles of perpetrators, combating the culture of impunity towards perpetrators, promoting non-judicial alternatives for (child) perpetrators, social mobilization efforts, and increasing awareness of issues around child exploitation, abuse and trafficking among existing/potential perpetrators.

### **Recovery and reintegration**

- The NPA calls for the creation of safe spaces or centres for day- and night-time protection for children who are at risk or victims of sexual abuse and exploitation including trafficking, offering among other services psychosocial counselling, legal aid, recreation, basic education/life-skills training and medical treatment. The government and several national NGOs provide safe shelters and short- as well as long-term residential homes for children in need of protection from abuse, exploitation and trafficking.
- The Bangladesh National Women's Lawyers Association (BNWLA) operates a Legal Aid Cell under which 26 local level legal aid offices are working throughout the country. Their activities, focusing on both adults and children, include legal counselling, mediation, arbitration and litigation services, observing the situation of victims in jails or safe custody, and rescuing and repatriating victims. The NGO Ain O Salish Kendra is also extending legal support to victims of abuse and exploitation.
- In 2002 the government established 'one stop crisis centres' in the medical colleges of Dhaka and Rajshahi City Corporations. In these centres both adult and child victims of sexual violence, abuse and trafficking receive medical treatment and examinations and are directly linked with NGOs for legal aid, psychosocial counselling and, if necessary, safe shelter. The centres are operated by MoWCA in cooperation with NGOs BNWLA and Nari Pokkho.
- The NPA proposes strategies to increase the chance of social acceptance, including access to services to aid physical and psychological recovery (psychosocial support, medical services, safe short-term accommodation, legal assistance and creative forms of expression), as well as basic education, life skills training and vocational training to strengthen children's capacity to fit back into their community.
- MoWCA has established a number of safe custody homes for victims of abuse and exploitation at Lalmatia of Dhaka.
- BNWLA lawyers organize counselling sessions in the community concerned for parents and important community leaders and law enforcement officers. After the child has been placed back with her parents and/or community, BNWLA monitors reintegration by establishing a 'community care committee', composed of local influential people and family members of the victims. This committee monitors the situation of the child and bears responsibility for limited financial support to the family. BNWLA lawyers monitor by regular telephone calls and a visit

- In BNWLA's shelter homes, children are active agents in their own recovery and assist in providing services to peers, teaching life skills, operating a telephone hotline service for child victims, and working as 'house-mother'. Staff in shelter homes have received training on the NPA. The shelter has a vocational training unit, a cultural unit, and offers non-formal education, medical facilities and psychosocial counselling.
- The NPA sub-committee on Recovery and Rehabilitation is developing a set of *Minimum Standards of Care for Children Living outside Parental/Family Care* as a priority activity.

### **Collaboration, coordination and capacity building**

- An NPA Implementation and Monitoring Committee has been established, comprising members of the Core Group (those responsible for developing the NPA), a number of government ministries and departments, and NGOs directly involved in implementing the NPA. The Committee guides work in the four main areas outlined in the NPA through four sub-committees. Each sub-committee has adopted a set of Terms of Reference and a one-year workplan indicating priority tasks and responsibilities.
- An Exploratory Study on Child Abuse, aimed at enhancing understanding of child abuse from the perspective of children, has been launched by the MoWCA together with UNICEF and the Save the Children Alliance. It is being carried out by an independent consultant under the guidance of the NPA sub-committees on Prevention and Child Participation.
- The Suppression of Violence against Women and Children cell in the MoWCA gathers data on violence against children and women, including trafficking. The government is developing a permanent information cell on cases of abuse, violence and exploitation of children and women, that will strengthen the comprehensiveness of the database. The MoWCA maintains links with the Ministry of Home Affairs to receive information on cases of trafficking of women and children, including information on profiles of the victims and traffickers.
- The government has taken initiatives to establish within the MoWCA a separate department for children's affairs for the promotion and coordination of the implementation of the CRC.
- The MoWCA runs the CPCCT Project, which started in 2002 with three-day sensitization courses to police, Village Defence Party (VDP) Ansar and the Bangladesh Rifles (BDR) on trafficking and counter-trafficking measures.
- The International Organization for Migration (IOM) has been working with the Ministry of Home Affairs to strengthen the capacity of training institutes for law enforcement staff (police, VDP Ansar, BDR). IOM has updated a training module, developed a training manual and Training of Trainers for the three training institutes, at which more than 1,000 police officers will receive training on the prevention of trafficking, including child trafficking.
- MoWCA, with the support of UNICEF, is finalizing juvenile justice training material: text books and teaching aids to be used in training institutes for police, judges and magistrates, bringing these more into line with the CRC and international legal standards pertaining to juvenile justice.
- As a follow-up to adoption of the SAARC Convention and in accordance with the NPA, the government has entered into discussions to develop a bilateral agreement to facilitate successful recovery and reintegration of cross-border trafficking.

### **Partnerships with children and young adults**

- Several organizations use a creative, child participatory approach to sensitizing law enforcement officials on child rights issues. In Chittagong, street children's drama groups working with the Bangladesh Institute for Theatre Arts (BITA) visit police stations, where they advocate for child rights and protection from exploitation. Children participating in

these initiatives feel they make an impact, as police officers appear interested to listen and talk with them.

- The government is increasingly adopting participatory approaches in its programmes for children, and both the development and the implementation of the NPA had a strong focus on child participation.
- The children who participated in the children's consultations on NPA implementation suggested that a National Children's Task Force (NCTF) should be established. This was taken up as a priority activity of the sub-committees on Child Participation and Prevention.
- In September 2003, the Department of Women's Affairs with support from UNICEF and Save the Children Australia, organized a National Consultation with Children. A total of 169 children between the ages of 11 and 18, from 29 districts throughout the country, participated. Through the consultation, the NCTF was formed with 20 core committee members and 16 advisory committee members on a rotating basis. The committee has been extremely active. The NCTF is in the process of acquiring government endorsement as a permanent mechanism and a focal point for child participation in different policy and legal reform processes.

## 2.3 BHUTAN

### *Situation*

Bhutan is a small land-locked kingdom in the eastern Himalayas with a population of 716,404 in 2002, of which some 48 per cent are below the age of 19. Before 1961, the country remained virtually isolated from the rest of the world. Bhutan was predominantly agrarian with a barter economy and no modern infrastructure. There were only 11 schools and fewer than 500 students enrolled. Modern health and communication facilities were practically non-existent.

With the inception of planned economic development in 1961, Bhutan made significant progress in improving the welfare of its people. Today, Bhutan is widely acknowledged by its development partners as a model for sustainable development. Bhutan's development philosophy of 'Gross National Happiness (GNH)' has provided a holistic framework for the country's social, economic, and political development over the last four decades. Bhutan has identified four major areas as the main pillars of GNH: economic growth and development; preservation and promotion of cultural heritage; preservation and sustainable use of the environment; and good governance. Guided by this policy, the country has been able to achieve equitable socio-economic progress, establish a democratic framework of governance, and preserve its rich cultural heritage and pristine environment. Currently 24 per cent of GDP is spent on the health and education sectors. Bhutan became a UN member in 1971.

Bhutan's Buddhist perspective naturally includes respect for life and a protective attitude towards all sentient beings. The traditional social structures of family and community remain a foundation and serve as supportive environments that facilitate the comprehensive care, nurturing and protection of children. Bhutan's concern towards improving the quality of children's lives has always been central to Bhutan's way of life. Bhutan was one of the first countries in the world to ratify the CRC (in 1990) without reservations. Tackling the challenges of children's welfare, happiness and protection from a rights-based perspective, however, is a fairly new experience.

Between 1984 and 2000, average life expectancy increased from 48 to 66.1 years and infant mortality was reduced from 142 to 60 per 1,000 live births. Health coverage rose from 65 per cent to 90 per cent of the population. Literacy increased from 17 per cent in 1977 to the current rate of 54 per cent. Primary enrolment rate has reached 72 per cent and Bhutan is well on its way to achieving universal primary education by 2007. Per capita income has increased from an estimated US\$51 in 1961 to US\$755 today. Political reforms have been progressively introduced

to bring about an effective democratic system to suit the needs of a small developing country. Bhutan is currently in the process of drafting a constitution that will provide a long-term institutional framework for the country's political, legal, social and economic governance.

Bhutan has been largely spared the dehumanizing effects of CSEC so far. However, the Royal Government is fully cognisant of the risks posed by increasing urbanization, unemployment and the unavoidable effects of globalization that could usher in such events. To better understand these problems, Bhutan participated in the Yokohama Congress in 2001 and agreed to formulate an NPA before the mid-term review in 2004. The government stands by this commitment. In 2003 Bhutan also ratified the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare and the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.

However, Bhutan is severely limited by a lack of capacity and resources. An absence of appropriate institutions, trained and experienced personnel, compounded by the paucity of disaggregated data, has contributed to a delay in formulating the NPA. However, the Royal Government has undertaken measures that will contribute to shaping an effective and strategic NPA. A general NPA on Children was adopted in 1997.

The former National CRC Committee and the Ministry of Health, with support from UNICEF, undertook a study on child protection issues including sexual abuse. The findings are expected to be published soon and will provide critical insight into issues such as CSEC and trafficking. The crime report of the Royal Bhutan Police is also being monitored to assess the emergence of such cases; as of now CSEC and trafficking do not feature among crimes reported in the country. However, the National STD/AIDS Control Programme of the Ministry of Health through its Outreach Programme for Commercial Sex Workers has reported that some under-age girls are to be found in the commercial sex trade.

### ***Progress made***

#### **Protection measures**

- While there are no reported cases of CSEC and trafficking in Bhutan, appropriate legal, policy and institutional mechanisms are being put in place in the country as protective safety nets.
- The establishment of the Ministry of Labour and Human Resources, Office of Legal Affairs, International Convention Division in the Ministry of Foreign Affairs, the Department of Youth and Sports, and the Special Education Division under the Ministry of Education, are some of the key institutional structures that hold special significance for children.
- The Royal Government has established a National Commission for Women and Children (NCWC), formally launched by the Prime Minister on 6 May 2004. The NCWC is under the aegis of the Ministry of Health in the interim but will ultimately evolve into an independent and autonomous body.
- In recent years many NGOs have been established focusing on social causes. Initiatives undertaken by the Youth Development Fund (YDF), Tarayana Foundation, RENEW and the Draktsho School for the Disabled have greatly enhanced support mechanisms for women and children, strengthening the implementation modalities of the Royal Government. The patronage accorded by the members of the Royal Family to these NGOs has also provided invaluable opportunities to mainstream critical issues affecting women and children in the country.
- The Civil and Criminal Procedure Code of Bhutan 2001 and more significantly the ratification of the Bhutan Penal Code 2004 by the 82<sup>nd</sup> Session of the National Assembly 2004 are important judicial reforms to harmonize national laws with international human rights instruments. The Bhutan Penal Code 2004 in particular was circulated for review and

comment by all stakeholders and provided valuable opportunity to internalize provisions supporting the rights of women and children.

- The Ministry of Labour and Human Resources is in an advanced stage of finalizing the Bhutan Labour and Employment Act. The act will have provisions for child protection from exploitation and abuse and spell out conditions under which children should not work. The act would prohibit the worst forms of child labour.
- While Bhutan is yet to formulate an NPA, key activities are already being implemented.
- The judicial system is under systematic reform and modernization, with the induction of more law graduates. Sensitization workshops on the juvenile justice system have been also conducted for the judiciary. In order to ensure a constant assessment and review of legal and judicial provisions, the NCWC also includes representation from the Office of Legal Affairs.
- For the first time in Bhutan's history, the government is undertaking a National Census in 2005, which will provide the long-awaited population figure and national disaggregated data.

### **Prevention measures**

- Health and education services are free and given high priority. Community schools have been established and life-skills education is part of the curriculum.
- School-based parent education programmes are run to support good parenting and to increase understanding of children's issues. A hotline with full-time counsellors is available to provide counselling to children and parents.
- Low-income families, especially women from these families, are empowered through non-formal education, income-generation, rural credit and loan schemes and education loans with a view to reducing the likelihood that children will be put to work.
- Multisectoral task forces have been established in all 20 districts, focusing on HIV/AIDS, substance abuse and sex work.
- The media in Bhutan have been traditionally child-friendly and socially responsible and sensitive. In 1974 the Radio National Youth Association of Bhutan began organizing activities for young people. The Bhutan Broadcasting Service organizes programmes in four languages and has special programmes for children. The national newspaper, *Kuensel*, has space dedicated to children. However, realizing the increasing commercial demands on the media, it is clear that there is a growing need to develop regulations to ensure sensitivity and ethical reporting. This was a major consideration for including media organizations on the NCWC.

### **Collaboration, coordination and capacity building**

- The government has initiated the training of trainers in Child Rights Sensitization. Activities are already being undertaken in key sectors such as the Royal Bhutan Police, Health and Education sectors and the Labour and Employment agencies. NCWC members are also being put through different capacity-building measures to equip them to appreciate the importance of human rights in general and women's and children's right in particular. The YDF also recently organized a workshop on child abuse for all the key stakeholders.
- The National Statistics Bureau has launched 'Druk Info', a central database for information relating to children.

The laws and development policies of Bhutan have always sought to ensure equal rights as well as the security and well being of women and children. However, many challenges still confront the Royal Government. With more people entering the job market fuelled by a rising trend in rural-urban migration and school drop-out, unemployment is beginning to rear its ugly head. With increasing competition and ever-rising pressures of survival, children are turning to drugs and

other harmful substances. A growth in commercial sex work and cases of HIV/AIDS requires urgent attention.

## 2.4 INDIA

### *Situation*

India is a source, destination and transit country for human trafficking. The number of people, including children, involved in trafficking for commercial sexual exploitation is not exactly known since the nature of trafficking is mostly clandestine. India is committed to completely eradicating CSEC and CSA through a very strong legal framework, administrative initiatives and cooperation with NGOs. Some of these pre-date the Yokohama Congress:

The right against exploitation is a fundamental right guaranteed by the Constitution of India. Under Article 23, trafficking in human beings is prohibited. Under the Immoral Traffic (Prevention) Act of 1956 and IPC, trafficking in human beings including children is an offence.

The Juvenile Justice Act, 2000, provides for the care, protection, treatment and rehabilitation of juveniles and neglected children, including girls. The IT Act 2000 aims to stop cyber crime including child pornography distributed through electronic media.

India is party to the following international and regional conventions: the UN Convention on the Rights of the Child and its two Optional Protocols; the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children supplementing the UN Convention against Transnational Organized Crime (the 'Palermo Protocol'); and the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.

An NPA was drawn up in 1998 and a Central Advisory Committee to combat trafficking, rescue and rehabilitate victims of trafficking and commercial sexual exploitation has been established. The Committee also is responsible for activating legal and law enforcement systems to strengthen implementation.

### *Progress made*

#### **Protection measures**

- An amendment to the Immoral Traffic (Prevention) Act of 1956 is under way to make it more effective and stringent against traffickers and to lay greater criminal culpability on them.
- Concerned state governments have enacted legislation to prohibit the *Devdasi* and *Jogin* traditions of sexual exploitation.
- The government has issued guidelines to the states for effective implementation of the NPA, and regularly reviews state action.
- The government has nominated officers of the level of inspector and above in the CBI as Trafficking Police Officers for investigation of inter-state trafficking cases.
- The government has resolved to implement the Global Code of Ethics for tourism that prohibits sexual exploitation of children for the purpose of sex tourism. In addition Chief Secretaries of all the state/UTs and the Director General (Tourism) have been requested to make it legally binding for hotels, lodging and boarding houses to prominently display at the reception counter anti-trafficking messages and information on penal provisions against sexual exploitation.

- The government is running training programmes to sensitize the police and judiciary, doctors, social workers and civil society.
- A police training manual is nearing completion, and work on training manuals for lower judiciary, medical officers and social workers is under way.

### **Prevention measures**

- The government has undertaken regional efforts to create greater awareness on the dimensions of trafficking and, in partnership with NGOs, is conducting active advocacy against trafficking. It has run 20 workshops all over the country and has prepared a comprehensive report on the subject.
- The government developed a media campaign using TV, radio and print media. Apart from this, government and NGOs are mobilizing social change through advocacy and community participation in programmes.
- Annually, about Rs. 60,000 million and about Rs. 2,000 million respectively, are being spent by the Government of India for various rural and urban poverty alleviation programmes. The Ministry of Food and Civil Supplies has been distributing food grain at subsidized rates throughout the country to people living below the poverty line.
- While boys are generally trafficked to work in child labour, girls are mostly trafficked for commercial sexual exploitation. The government is committed to providing security to all children through its safety net of nutrition, immunization and pre-school programmes through one of the world largest and comprehensive child development schemes for children in the age group of 0-6 years. This is known as the Integrated Child Development Scheme. The government is committed to giving all children below the age of 14 eight years of formal education.
- The Department of Women and Child Development runs two schemes which exclusively cater to the needs of girl children, and that help their survival, education and empowerment. Rs. 1156 million has been deposited in the name of 2.3 million girl children born to families living below the poverty line to give the girls and their families financial security.

### **Recovery and reintegration**

- The Department of Women and Child Development (DWCD) runs a scheme called SWADHAR. This is for women in difficult situations including victims of trafficking. It provides shelter, counselling, medical assistance and vocational training to rescued victims. Project proposals have been launched in major destination metropolises. Rs. 40 millions out of a total earmarked budget provision of Rs. 80 millions were allocated to these for the year 2002-2003.
- More than 400 women and children have rescued since 2001 so far in Delhi alone. 254 cases have been registered; 90 cases are pending against brothel owners, traffickers and others based on the statements of the rescued victims. In three cases the perpetrators of the crime have been convicted and punished.

### **Collaboration, coordination and capacity building**

- The government set up State Advisory Committees on Trafficking, devolving authority and seeking to mobilize greater state resources in the fight against trafficking.
- Both government and NGOs are conducting studies and research to document the magnitude and dimensions of the problem and identify action points. In this effort the government has received tremendous support from UNICEF and other UN agencies.
- The DWCD has formulated a model grant-in-aid scheme for assistance to NGOs to combat trafficking in source areas, traditional areas and destination areas through prevention, rescue

and rehabilitation. Half a dozen projects from reputed NGOs worth Rs. 4 million have been sanctioned.

## 2.5 MALDIVES

### *Situation*

The government and people of the Maldives believe in the inherent right of the child to a life of safety and dignity and the responsibility of society to deliver it. Children below the age of 18 comprise 48.5 per cent of the population of 270,101 (Census 2000).

Meticulous planning and monitoring of all economic activities have ensured that children have been safeguarded from the worst aspects of economic development. While tourism remains one of the most important sectors of the economy, criminal activities such as the prostitution of children have been prevented. Tourism has developed and expanded, providing the necessary financial resources to build the country and to deliver services to citizens, while children have remained protected. Testimony to this is the fact that not a single case of child abuse of any form perpetrated by a tourist has been registered with the relevant authorities.

Although the prevalence of CSEC has not been recorded, the government is aware that this should not lead to complacency. Combating sexual violence on all fronts is a matter of high priority. Even though CSEC has not been observed in the Maldives so far, CSA is being reported and witnessed.

The Maldivian Government remains firm in the national, regional and international commitments that were made towards the protection of children from CSA and CSEC.

### *Progress made*

#### **Protection measures**

- The National Plan of Action for the Well-being of the Maldivian Child 2001-2010 was formulated after wide consultations with all stakeholders including children themselves. This includes strategies to combat CSA and CSEC.
- A national survey is under way to study the prevalence of CSA in the Maldives. As this is the first study of this nature, the results will to some extent guide actors in drawing up programmes to combat CSA and CSEC.
- There have been a number of amendments to laws and procedures relevant to survivors of or children vulnerable to CSA and CSEC. The Rules on Investigation, Adjudication and Sentencing with respect to Child Offences have been modified. The Children's Act 9/91 was amended in 2003 to raise the age of the child from 16 to 18 years. Rules and regulations relating to employment have been modified. A Family Law was enacted in 2001 that looks into all aspects of protecting the interests of children.
- The Maldivian legal system separates children from adults, with juvenile justice regulations aimed at restricting criminal proceedings against children in favour of rehabilitation. A Juvenile Court has been functioning since 1997, and separate investigative facilities have been created through the establishment of a Child Protection Unit at the Maldives Police Services. Court proceedings are held in the presence of a social worker.
- Staff at the Maldives Police Services facilities have been trained to provide gender-sensitive and child-friendly services. Furthermore, Child Protection Workers are based on all islands and provide services to children and families in distress.



- The Maldivian Government has established an understanding with other governments whereby the prosecution of national and foreign perpetrators in the country of the crime and in their country of origin will be guaranteed. Foreign perpetrators charged depending on the severity of their offences would either be sentenced to jail or deported to their country of origin. To date there has not been a case of child trafficking reported to the Maldives Police Services.
- Child rights training has been carried out for lawyers, judges, police, other law enforcement officials as well as the general public through a variety of programmes conducted by national and international consultants.
- At the regional level, Maldives have been party to a number of commitments including: the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography; the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia of January 2002; the SAARC Convention on Preventing and Combating Trafficking of Women and Children for Prostitution of January 2002
- Efforts towards 100 per cent registration of births are currently being carried out through a national project. The multi-pronged project has established trained people as focal points on each island, creates awareness among the public on birth registration as the first right of every child, and has created a national database.
- All marriages and divorces are registered at the Ministry of Justice or island or atoll offices in the Atolls.

### **Prevention measures**

- Increasing accessibility to education and improving health services to children and raising the quality of life have been a high priority.
- A successful Early Child Development national programme exists in the Maldives, aimed at enhancing the quality of life of the child and family. Maldives has attained near universal primary education with no gender disparity.
- The Centre for Continuing Education (CCE) provides skills and education to children as an alternative stream and provides a second opportunity to children towards improvement of their status in the community.
- Skills training courses are conducted in association with the Ministry of Youth and Sports to engage vulnerable children. Sewing, printing and photography are some of the courses provided.
- Financial assistance and other support services are provided for families in need. A special programme across the nation provides textbooks to children who are in need.
- The main approach has been to involve the community more actively in preventive measures against CSA through information and education programmes and developing and harnessing the capabilities of the civil society. Nation-wide awareness programmes are carried out using the media, including radio and television programmes, leaflets, booklets, video clips, spots and articles in the print media.
- A training package is being created to train children and adults on CSA.
- Producers from local TV and radio stations have been trained to build awareness on this issue. This is in addition to the Children's Act (Law 9/91), which contains clear guidelines for a code of conduct for public portrayal of children sexually abused or exploited in the media.
- Decentralization through the establishment of community-based child protection centres across the nation is a high priority. A pilot project is being conducted in one of the atolls to study the experience before embarking on a nation-wide programme. Enabling work is under

way including situation analyses conducted in other atolls, and training of child protection workers. Seven situation analyses have been conducted.

### **Collaboration, coordination and capacity building**

- Child Protection work in the Maldives is coordinated by a National Council on the Protection of the Rights of Children consisting of senior representatives of government ministries and civil society. This provides policy direction and guidance in the monitoring and implementation of the NPA and other instruments.
- Maldives is in the process of drawing up procedures and guidelines for closer cooperation with others in protecting children. Identified partners are the Ministry of Health and Hospitals, Maldives Police Services, Attorney General's Office, Child Protection Services and Atolls Development Offices.

### **Recovery and reintegration**

- Professional and community support groups have been trained to provide the necessary services to children. They include doctors, nurses, school personnel, community workers and social workers. As a follow-up to the Yokohama Congress, UNESCAP organized a training of trainers workshop and assisted with the creation of a trainers' manual.
- A Children's Home and a home for survivors of CSA and CSEC have been established and will be opened shortly. The Children's Home will accommodate children between the ages of 0 and 9 years and children between the ages of 9 and 18 will be homed in separate facilities in Maafushi.
- Counselling for survivors of CSA is provided by governmental, non-governmental and civil society organizations in the Maldives. The Unit for the Rights of Children (URC) and NGOs provide such services in Male'. Child Protection Workers in close collaboration with URC in Male' provide facilities in the islands.

### **Partnerships with children and young adults**

- School board teams of adolescents and youth called 'Change Makers' have participated in CSA and CSEC awareness-raising meetings. They also initiate projects mobilizing children.

## **2.6 NEPAL**

### ***Situation***

Eighty per cent of Nepal's economically active population works in agriculture. The latest survey-based estimate of poverty (1996) suggested that 44 per cent of rural households and 23 per cent of urban households lived below the poverty line; 90 per cent of Nepal's population lives in rural areas. Existing statistical data imply that 'pockets of poverty' exist in Nepal, across and within districts and regions. These largely overlap with the distribution of disadvantaged groups, who lack access to resources and information, and are not adequately included in mainstream society.

Such regional disparities have long facilitated labour migration: many Nepali seek to improve their economic situation by moving locally, nationally and internationally. Migration plays an increasingly important part in Nepal's economy.

The ongoing armed conflict is another cause of forced migration from rural areas to urban centres in Nepal and beyond. The conflict has led to the breakdown of education, closure of businesses, weakening of local economies and interruption of public services. The Nepal IDP Research Initiative (2003) estimates the number of internally displaced people to be between

100,000 and 150,000. A Save the Children UK survey of 14 conflict-affected districts (2003) highlighted the substantial rise in the number of children in residential care facilities.

Despite the gender-neutral terms defining basic fundamental rights articulated in Nepal's 1990 Constitution, there is widespread and deeply rooted discrimination against women and girls. Discrimination against females starts from birth and continues through their lives with poor nutrition, inadequate education, disproportionate workloads, early marriage and early motherhood. All these factors combine to make the lives of most women and girls extremely difficult.

Trafficking of women and children is considered to be particularly acute in Nepal. Although Nepal has laws prohibiting trafficking in children and women, enforcement has been largely ineffective and the crime is believed to be thriving.

The Ministry of Women, Children and Social Welfare (MoWCSW) has identified 26 out of 75 districts as trafficking-prone. There have also, however, been reports of trafficking outside these 26 districts, which indicates that trafficking is likely spread across the country.

There is a demand for young children to work in the informal labour market, including in CSEC, both internally in Nepal and externally in neighbouring countries. Trafficking crosses many caste/ethnic lines, but those most at risk come from the hill ethnic groups and lower castes.

Because of the underground nature of trafficking, reliable statistics are difficult, if not impossible, to obtain. The most widely quoted statistics are that 5,000 to 7,000 Nepali girls are trafficked to India for sexual exploitation each year. A recent ILO Rapid Assessment Survey (2001) put the figure at 12,000. Estimates generally do not take into account those who are trafficked for purposes other than prostitution, or those trafficked within the country or to foreign destinations other than India. The lack of a clear definition of trafficking poses a further limitation on collecting figures and statistics.

Compared to trafficking and CSEC, attention given to CSA is rather limited; little research on CSA is available in Nepal. Recent research on CSA by Child Workers In Nepal (CWIN) and Save the Children Norway (2003) shows that 13.7 per cent of the respondent children aged 8 to 15 had experienced one or more forms of sexual contact/abuse. The study revealed that boys face a similar risk. A recent ILO study on child domestic workers (2001) suggests that female domestic child workers are especially at risk of sexual abuse because of their vulnerability and isolation.

Nepal is a signatory to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the CRC and ILO Convention No.182 on the Worst Forms of Child Labour. Nepal is yet to ratify the Optional Protocol to the CRC on Sale of Children, Child Prostitution and Child Pornography. At regional level, Nepal is part of the SAARC Convention on Preventing and Combating Trafficking Women and Children for Prostitution.

### ***Progress made***

#### **Protection measures**

- An NPA on Trafficking has been developed and is being implemented. A general NPA on Children is being finalized.
- The MoWCSW, as the NPA focal point, took the initiative of revising the 1998 NPA. The revision was conducted in consultation with local NGOs and children's groups and the revised NPA was published in 2003.
- The establishment of Police Women Cells (PWCs) that work at central, regional and district level (18 in 15 districts), has had an important impact on the investigation of cases. PWCs also play an active role in sensitization and training within the police and with civil society organizations. Local NGOs cooperate with both border police and PCWs at eight checkpoints, monitoring the border to identify potential victims of trafficking.

- In the field of research, local NGOs supported by INGOs and UN agencies have conducted several studies on different aspects of child labour, CSEC, CSA and trafficking. These studies include research on the dimensions of the problems, mapping exercises on initiatives of different agencies, legislation and policy analysis, law enforcement, institutional development and capacity to tackle CSA, CSEC and trafficking.
- In order to ensure legal protection, NGOs have taken the lead in advocating for necessary legal reform in women's rights and trafficking-related issues by reviewing inadequate and discriminatory laws and challenging them. Such action has been complemented by efforts to improve law enforcement through training and development of training manuals for police, court, Attorney General and lawyers.
- Many NGOs with support from international organizations have implemented birth registration campaigns in various districts.

### **Prevention measures**

- The Department of Women Development (DWD) coordinates the work undertaken by WDOs in 75 districts. Their focus is on women's empowerment through micro-finance, income generating activities, awareness raising, and health education.
- NGOs are active in raising awareness on CSEC, CSA and trafficking through training and capacity building of hotels owners, police and transport workers on both internal and cross-border trafficking. Some interventions particularly focus on schools and child domestic workers to raise their awareness of child rights and trafficking prevention.
- Community-based initiatives such as para-legal committees have been expanded.

### **Recovery and Reintegration**

- All the shelters for HIV-positive girls, safe homes for vulnerable girls, homes for survivors of CSEC, CSA and trafficking are run by non-governmental stakeholders. A few NGOs work jointly with Indian NGOs to assist the safe return of trafficked girls from brothels in major cities of India. Assistance provided to survivors includes emergency rescue, safe havens, food, education/health service, skills training, and leisure activities for children.
- NGOs are also concerned with effective reintegration of survivors of trafficking, CSA and CSEC into their communities. NGOs work with families, communities and survivors to encourage their empowerment and destigmatization. Also, NGOs are involved in conducting research on rehabilitation and reintegration strategies of trafficking survivors as well as identifying best practice in these areas.
- The government currently runs five orphanages and one correction home. However, there are no state-run shelters or centres for survivors of CSEC, CSA and/or trafficking.
- UNICEF and ILO are currently assisting the MoWCSW and CCWB to develop comprehensive minimum standards for care of children in need of special protection, with a special reference to residential care facilities for children.

### **Collaboration, coordination and capacity building**

- The revised NPA has a special chapter on trans-border, regional and international issues. This section aims at strengthening anti-trafficking efforts at bilateral, regional and international level.
- Under a Joint Initiative in the Millennium against Trafficking in Girls and Women project and MoWCSW initiative, two workshops to discuss cross-border issues were organized in 2002. Both Nepalese and Indian government officials and NGO representatives participated and a cross-border joint committee was formed.
- At regional level, NGOs are also involved in conducting joint training for Nepali and Indian Border Police. Plan Nepal and district-based NGOs organized a South Asia sub-regional

cross-border policy dialogue seminar on human trafficking. The seminar allowed the establishment of a close network between destination and origin countries.

- The government established an institutional mechanism from central to local level to implement national policies and plans of action to address trafficking and CSEC. This includes a Coordination Committee composed of high-level government officials and representatives from NGOs and national political party organizations. This Committee has neither a specific role nor assigned responsibilities in the NPA.
- The government also established a National Task Force (NTF) composed of Secretaries, Joint Secretaries from ministries and representatives from the police, NGOs, ILO and UNICEF Nepal to coordinate governmental and non-governmental activities to counter CSEC and trafficking at national level. Nevertheless, in real terms, the roles and responsibilities clearly spelled out on paper are not translated into operation realities.
- District-level and VDC/municipality-level task forces have also been established, although they have yet to develop effective systems of data collection, reporting and functioning.
- The Office of the National Rapporteur on Trafficking in Women and Children was established in the premises of the National Human Rights Commission in August 2002 to coordinate different sectors and stakeholders.
- NGOs are also active in coordination. At present, there are three national networks: they National Network against Girl Trafficking; Alliance against Trafficking in Women and Children; and Children at Risk. The three networks are linked with regional and international networks. Similarly, there are networks of NGOs working against trafficking and sexual exploitation of children at subregional and at district level.

### **Partnerships with children and young adults**

- International organizations such as Plan Nepal, Save the Children and UN agencies are involved in promoting child participation through their national partners. A consortium of organizations working for the protection of child rights has been formed and is currently working through child clubs, of which there are more than 3,000 throughout the country.
- UNICEF, in close collaboration with local NGOs and child clubs, has produced child-friendly IEC materials on child abuse including CSA.
- The Central Child Welfare Board (CCWB) prepared a ten-year National Plan of Action for children in 2004. Children's views were collected and incorporated into the NPA.
- At district level, WDOs facilitate the development of children's groups and involve them in raising awareness on protection of child rights.

The Government of Nepal is working to combat CSA and CSEC but the problem is not only that of a single country; it is a shared problem in the region. Identifying common ground for regional cooperation and integration in solving the problems remains vital.

## **2.7 PAKISTAN**

### ***Situation***

Because of cultural and religious factors, commercial sexual activity is largely underground in Pakistan, but its existence is well known and acknowledged by many segments of society including law enforcers.

CSEC exists in Pakistan but is not common. However, if the contributing factors leading to CSEC continue and become stronger, there is every possibility of further intensification of this menace. CSA reportedly also exists in Pakistan. Cases of child trafficking, sexual exploitation, prostitution and pornography are reported and addressed according to the law. Trafficking in children continues also into camel jockeying and for sexual purposes as well as into begging and domestic work.

Like other developing countries, Pakistan faces growing problems such as poverty, illiteracy, population growth, unplanned urbanization, unemployment, rural-urban as well as cross-border migration, and lack of comprehensive social security and support systems.

These all figure among the contributing factors to CSEC, human trafficking and other social evils. Pakistan is used as a transit as well as a destination country for human cargo. Recognizing the gravity of the problem, the Government of Pakistan has taken concrete steps to curb the menace of child trafficking, exploitative entertainment, all activities in connection with camel jockeying or sexual practices and related abusive practices.

Children in Pakistan are threatened by the negative use of technology that exposes them to pornographic material. A study on the exposure of children to pornography at Internet cafes in Karachi, Lahore and Peshawar conducted in 2001 by the Pakistan Paediatric Association and Save the Children Sweden indicated that people from different segments of society and of different age groups visit cyber-café's and access the Internet there for different purposes. Twenty per cent of users are children.

### ***Progress made***

#### **Protection measures**

- A draft National Plan of Action (NPA) to combat CSEC was prepared in 2001 through a tripartite agreement of the National Commission on Child Welfare and Development (NCCWD), the Pakistan Paediatric Association (PPA) and Save the Children Sweden. This agreement initiated a broader consultative process for developing a National Policy and Plan of Action against Child Sexual Abuse and Exploitation.
- A National Core Group on CSEC and CSA emerged from this consultative process and developed a draft NPA. The NCCWD is the hub of a non-hierarchical, inclusive and participatory network tasked with implementing the NPA. A Thematic Group on Trafficking is also addressing the issue of trafficking.
- There are a number of legislative and constitutional provisions regarding the prevention of prostitution including prevention of printing, circulation and display of obscene literature. The Pakistan Penal Code prohibits pornography. It is a punishable offence to sell, let to hire, distribute or circulate to any child below the age of 21 years any obscene object.
- The Hudood Ordinance (amended in 1997) provides the death penalty to those found guilty of having committed gang rape and also to those found guilty of sodomy with a child. Pakistan has recently promulgated a comprehensive ordinance on the Prevention and Control of Human Trafficking that provides severe penalties to people involved in trafficking either directly or indirectly.
- Pakistan promulgated a new law to combat human trafficking in 2002. The Prevention and Control of Human Trafficking Ordinance provides for stringent measures to check human trafficking and covers organized criminal groups involved in human trafficking. The law provides for seven-14 years in jail and fines for human traffickers. The law provides for compensation to victims.
- The government of Punjab has recently promulgated The Punjab Destitute and Neglected Children Act 2004 that protects children in conditions of neglect. The Act protects children

who lives in brothels or with a prostitute or frequently visit any place being used for the purpose of prostitution or who associate with any prostitute or any other person who leads an immoral or depraved life. It also protects children who are being or are likely to be abused or exploited for immoral or illegal purposes or unconscionable gain. Under this law, a fund has been earmarked for setting up child protection and welfare bureaux.

- A National Database Registration Authority (NADRA) has been created to computerize particulars of citizens for issuance of national identity cards, which will minimize the chances of forgery. Machine-readable passports are being issued to reduce counterfeiting of documents and to check crime syndicates and individual criminals involved in crimes including trafficking.
- An inter-ministerial committee in the Ministry of Interior also monitors trafficking and is working to improve upon the situation. With the help of these efforts, a number of initiatives have been taken such as issuance of machine-readable passports and capacity building of FIA personnel.
- NGOs have established referral services and legal aid such as Madadgaar, a joint venture of the NGO LHRLA and UNICEF for protection purposes. The Madadgaar database provides information on categories of abuse and exploitation of women and children.
- LHRLA uses theatre as a technique for awareness raising on child rights, CSEC and protection issues.

### **Prevention measures**

- The NGO ROZAN involves students, teachers and parents in campaigns to expose various kinds of abuse of children to save them from exploitation. ROZAN provides back up and counselling support to save children from brothels, trafficking and porn centres.
- The NGO SAHIL works on child rights education and training on CSA and CSEC and safety measures. It publishes newsletters and magazines on the issue of CSA and CSEC. SAHIL developed a book on safety of children, their bodies and health, that was shared with mothers.
- The NGO SPARC carries out advocacy on child protection and releases an annual State of Pakistani Children report.
- The NGO JDHR sensitizes media professionals on how to report child abuse and exploitation. Through its Media-Civil Society Interface initiative, JDHR helps promote in the media the work of other civil society groups working on CSEC.
- The Pakistan Paediatric Association's (PPA) Child Rights committee has been conducting research on CSA, pornography and CSEC. They hold annual conferences on CSA and CSEC and use their national and international expertise and resources to suggest means to redress the situation. The association has also developed and disseminated Net-smart rules on safe Internet use by children.

### **Recovery and reintegration**

- The NGO SACH runs shelter homes for the victims of trafficking and sexual exploitation. They provide counselling, care, rehabilitation and vocational education to victims.

### **Collaboration, coordination and capacity building**

- The government supports NGOs at the policy level and NGOs are extending their support and expertise in the areas of capacity building, awareness raising, prevention, advocacy and facilitation to the government in all its efforts. NGOs separately and in collaboration with the government undertake various activities ranging from awareness raising to capacity building and service delivery.

- The government has taken measures to establish Research Centres for CSA and CSEC, and has developed databases and indicators.

### **Creating partnerships with children and young adults**

- The government has provided child-friendly information and materials on CSEC and has developed mechanisms for the participation of children and young adults.

## **2.6 SRI LANKA**

### *Situation*

CSA and CSEC have relatively recently been recognized in Sri Lanka. While child sex tourism is becoming an increasingly visible form of abuse (by foreign paedophiles but also by local tourists), a larger number of children is in fact sexually abused by relatives and family members, as well as in institutions and even schools. As seen elsewhere, children from poor backgrounds are more vulnerable to abuse and exploitation, as are child domestic workers and street children.

Cases of inter-district and intra-district trafficking of children for child labour and sexual exploitation are appearing, although there is little evidence of trafficking of Sri Lankan children out of the country, or of foreign children being trafficked to Sri Lanka. Children are trafficked mainly from the tea plantation areas, conflict-affected areas of the north and east as well as North Central Province.

Although it is well known that CSEC exists in Sri Lanka, the extent, the number of victims and offenders are unknown. Estimates of the number of children exploited in commercial sex vary from around 10,000 to more than 30,000. It is clear that CSEC, especially of boys, in Sri Lanka has assumed serious proportions.

Although girls are more vulnerable to sexual abuse generally, boys are more vulnerable to CSEC in Sri Lanka. Although some under-age girls have been found in brothels in the cities, no empirical data exist to date. The commonly accepted theory as to why mainly boys are commercially sexually exploited is said to be the perception that boys cannot become pregnant. Although many families are aware that the boy concerned is being abused, silence prevails because of the financial gains. Such families also mistakenly believe that boys do not suffer from the abuse the same way as a girl would. The involvement of criminal gangs adds to the difficulty of tackling CSEC.

Since the ceasefire agreement between the Sri Lankan Government and the Liberation Tigers of Tamil Eelam in February 2001, after more than 20 years of conflict, Sri Lanka is regaining its reputation as an attractive tourist destination. The numbers of visitors to Sri Lanka in 2003 was 500,642, an increase of 26 per cent over the year before. In 2004 tourism is expected to increase by another 10 per cent. Although a very positive development for the country as a whole, the increase in tourists may also add to the problem of CSEC, especially with regard to situational child sex abusers, unless very strong preventative measures are taken.

With other popular tourist destinations in the Asian region, such as Thailand, cracking down on child sex tourism, the Government of Sri Lanka is also aware of the possibility of the business moving to other areas where the risk of getting caught is perceived as lower.

Sri Lanka is committed to ensuring that children will be protected from this horrific trade, and has adopted a zero-tolerance approach with regards to the abuse of children. The government is encouraging all sectors of society to join the fight against CSEC.



As stronger measures are taken to combat CSEC, another unfortunate trend is that these atrocities are going underground and therefore becoming harder to detect and monitor. Increased cooperation between police, social workers, the tourism industry and civil society is needed to be able to monitor the situation. There are indications that the levels of CSEC are going down in areas where there is good cooperation among stakeholders. More research is needed to see if levels are going down generally or if the problem is just moving elsewhere.

The Government of Sri Lanka is committed to reversing negative trends and to protecting its children from all kinds of abuse. Sri Lanka ratified the CRC in 1991 and signed the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography in 2002. The same year, Sri Lanka ratified ILO Convention No.182 on the Worst Forms of Child Labour.

### ***Progress made***

#### **Protection measures**

- The Department of National Planning has developed an NPA for Children 2004-2008, launched on 15 September 2004. It focuses mainly on education, health, juvenile justice, child labour, child protection and water and sanitation. CSEC and CSA are included within the context of all forms of abuse and exploitation.
- A second NPA, formulated by the National Child Protection Authority (NCPA), aims to combat trafficking in children for exploitative employment in Sri Lanka. This initiative involves a 10-year plan detailing four areas of intervention: legal reform and law enforcement; institutional strengthening; prevention; and rescue, rehabilitation and reintegration.
- The trafficking NPA has been presented to all stakeholders including the Ministry of Tourism in order to make them aware of its contents and activities. Law enforcement agencies such as the police, judiciary, and Attorney General's Department have been sensitized on the provisions of the NPA.
- New legislation relevant to CSEC has been passed over the last few years. Much of the national effort has been channelled through the NCPA, which is mandated to initiate new legislation through collaboration with the Ministry of Justice and the Law Reform Commission.
- The minimum age for employment in domestic service has been raised from 12 years to 14 years, while the minimum age for training for participating in performances of a dangerous nature has been raised from 14 to 16 years. The minimum age for participation in such performances endangering life or limb was raised from 16 to 18 years. These amendments provide for the substantial enhancement of penalties for the employment of children in violation of the Act. They also include provisions to empower a court to order victim compensation from those convicted of a violation of the Act.
- Several other new bills have been introduced to Parliament. These include a reform of Obscene Publications Laws to prevent the use of children in obscene publications. The proposed law will recognize several new offences and proscribe stringent penalties for such offences. Legal provision has been made to prevent the sexual abuse of children via the Internet, and to criminalize the worst forms of child labour in line with ILO Convention No. 182.
- Amendments are also being introduced into the Penal Code to bring the offence of trafficking into conformity with the acts of trafficking as set out in the Palermo Protocol. Since 1995 the Penal Code has included provisions on sexual offences against children.
- Children's and women's police desks are present throughout the country, with 36 principal desks but smaller desks in more than 200 police stations. UNICEF supports these desks and

is also working towards strengthening and adopting child-friendly procedures in uncleared areas in the northern region.

- In 2002 a Special Investigations Police Unit was established at the NCPA, consisting of 16 police officers. The Unit handles all cases of child abuse reported to the NCPA, which under the NCPA Act is given the authority to monitor the progress of all investigations and criminal proceedings relating to child abuse. The Unit has detected cases of child abuse by foreign nationals and has referred those cases to Interpol and relevant embassies for further action.
- The Anti Trafficking Surveillance Unit (ATSU) of the NCPA, manned by a multi-disciplinary team, has been successful in reducing the incidence of trafficking in children. The ATSU works in close collaboration with relevant law enforcement agencies to participate in activities relating to general surveillance, the investigation of complaints received or initiated by the NCPA, and the carrying out of investigations relating to the cyber watch programme.
- A recent extension of CSEC is the use of Internet to advertise for the procurement of young boys. A cyber watch project has been set up under the NCPA, with the aim of preventing the use of Sri Lankan children in child pornography. The Ministry of Justice is currently reviewing relevant criminal laws in order to prevent the exposure of children to pornography and solicitation via the Internet.

### **Prevention measures**

- District Child Protection Committees have been established in 15 districts, under the NCPA. The functions of these committees relate to child abuse complaints, referral of victims to relevant institutions, awareness programmes and other related matters.
- More than 250 Child Rights Promotion Officers under the purview of the Department of Probation and Child care Services are stationed around the country to attend to matters of protection and care of children orphaned, abandoned, abused or made destitute.

### **Recovery and reintegration**

- The NCPA, in collaboration with the Department of Probation and Child Care under the Ministry of Social Welfare, introduced a new Rehabilitation Model for trafficked or sexually abused children into the Centre for Training and Counselling at Paratta, Panadura. All individuals working at the centre have received three-week induction training in psychosocial counselling and the provision of quality care and interventions to trafficked and exploited children. The Ministry of Social Welfare is due to sustain the model once the NCPA programme ends.

### **Collaboration, coordination and capacity building**

- The tourism industry is an important partner and has responded positively to the call for action to prevent child sex tourism. A Plan of Action has been initiated by the Sri Lanka Tourist Board, which includes information to guests, training of staff and cooperation with key people such as the police and social workers.
- The Police Unit of the NCPA coordinates with Interpol and foreign governments in tracking down paedophiles. If suspects cannot be prosecuted in Sri Lanka, evidence is handed to Interpol to be provided to the relevant government to prosecute the alleged perpetrator. Interpol alerts the NCPA about the arrival of known paedophiles in to the country.

### **3. Day 2: New challenges and gaps to be filled**

The second day of the mid-term review meeting was devoted to eight technical working groups and three breakaway sessions.

The technical working groups discussed outstanding gaps and challenges, with a view to drawing up a concrete action plan for each country (see Section 2.4 below).

The breakaway sessions focused on exploring three thematic areas where not much discussion had been held to date: the role of men as partners in combating CSEC; the commercial sexual exploitation of boys; and the demand side of trafficking. The panel presentations and discussions from the breakaway sessions are summarized below:

#### **2.1 DECONSTRUCTING MASCULINITIES: MEN AS PARTNERS IN COMBATING CSEC**

The participants in this session noted that the issues of masculinity and the role of men, demand and the exploitation of boys are linked, stressing the fact that most perpetrators are men but also that boys are victims. The panel presentations focused on perceptions of masculinity and the fact that in general societies believe that boys cannot be victims because they are able to protect themselves. The participants also noted the links between CSA, CSEC and other forms of violence that are clearly ‘gendered’, that is to say that there is a distinct gender element to be identified in the act of victimization. They have similar root causes, founded in gender discrimination and patriarchal attitudes. If these are to change, then this has to begin when children are very young. They are not born with preconceived ideas of masculinity and femininity: they learn these and so interventions to influence attitudes must begin early.

##### ***Background***

Violence is one way in which unequal power structures are communicated, with men mostly having the right to speak. Perpetrators come from all social classes and groups and can be either male or female, but statistically men comprise the vast majority of those who sexually exploit children. CSA and CSEC are unlikely to be effectively prevented unless the diversity of people who sexually abuse and exploit children is fully taken into account. Both men and women, some children themselves, exploit children sexually in different ways, for many different reasons and in various contexts. There is an urgent need to broaden enquiry and activism to include men and young boys if ideas of gender equality and justice are to be promoted.

International research has clearly demonstrated that, among young boys, ideas of masculinities are among the most impelling force for risk-taking behaviours, and that the socialization of boys sows the seeds of gender inequality very early in life. It is important to note that this has implications not just for women and girls but also for men and boys, including on how they build relationships with other men and boys.

Traditional notions of masculinity might provide young boys with a sense of entitlement to power but they also chip away at the possibilities of building healthy and equitable relationships with girls/women as well as other boys/men. However, while most young boys are socialized in ways that promote gender inequality and violence, not all boys adopt these gendered behaviour patterns and most do not act out these roles all the time. This fact is important to understand and take into account in building interventions and partnerships with young people on gender-based violence and for involving men and boys in work to combat it.

##### ***Panel presentations***

**Dr Radhika Chopra**, Lecturer in the Department of Sociology at the University of Delhi, supervises a research programme that seeks to highlight the stories of some men and boys,

through brief biographical profiles. Critical to the research is capturing the differences between the nature and gendering of support extended, the different challenges posed to existing cultural stereotypes of gender relations, and the experience of extending support or overturning stereotypes. In a culturally plural society like India, it cannot be assumed that gender relations are homogenous across geographical regions. It is important to track this variation to highlight the way that men can – and do- intervene in culturally recognized ways and in way that ‘break out’ of a stereotype. The research programme, while paying attention to ordinary men who are working to address issues of gender equality and violence against women, also considers the role of men who have become well known because of their work.

Dr Chopra gave a number of examples of men intervening in the process of trafficking. One of these is an organization called *Odanaadi* (Soulmate). The organization was started in 1992 by Stanley and Parshuram. Their work with women sex workers began after a chance encounter with a streetwalker, while they were researching a feature on *jhatkewallahs* (tonga drivers). They initially took up her appeal for help as a challenge to find ways to sustain her by giving her Rs. 800 per month. This helped her to eventually stop sex work and to also educate her son, who is now a lawyer.

Gradually, the woman began getting other streetwalkers to meet Stanley and Parshuram. More than for themselves, the women would ask for help for their children who were growing up on the streets. Stanley and Parshuram began by trying to feed, clothe and educate these children. A large part of their salaries was required to meet their expenses. They began to approach friends to donate money and provide alternative employment for the women. Stanley and Parshuram were forced to move house regularly, as neighbours and landlords complained about sex workers coming to the house. They also realized that the children were often not attending school as they were being insulted and humiliated there for being children of sex workers. They began teaching the children at home. As the scope of their activities increased, and they felt the need for more funds and people to work with them, they set up the *Odanaadi* as a trust in 1992.

Before setting up the trust, Stanley and Parshuram undertook a 10-month pilot study to survey the socio-economic conditions of women sex workers. Through this, and information from the streetwalkers, they realized a large number of minors were involved in the trade. The rescue and rehabilitation of minor girls in the sex trade now forms the major part of *Odanaadi's* work. A few boys who were being forced to work as pimps have also been rescued and are now part of *Odanaadi*.

At *Odanaadi* they also work to prevent girls from being trafficked, by attacking links in the supply chain. They work to catch the men who abduct or entice the girls from the villages, gather information on the networks, organize and conduct ‘rescue operations’ on various brothels, and then institute and pursue legal charges against the traffickers. Rehabilitation services are offered at various levels: counselling and therapy, education and training for alternative employment, and attempting to reintegrate the girls with their families. *Odanaadi* also works to raise awareness about trafficking through campaigns and meetings .

It has not been an easy journey for Stanley and Parshuram. They have faced opposition from their families for their involvement in this work. Initially, it was the decision to move away from a ‘settled career’ that their parents objected to. This was exacerbated by the nature of their work, as they closely interacted with sex workers and other people from the trade. There were accusations that their interaction was suspect, and even that they were involved in trafficking themselves. The discomfort in the families still exists because of the risks involved -- Stanley and Parshuram receive regular threats from the trafficking networks, and have even faced harassment from the police.

Dr Chopra gave other examples of men who have different responses when they witness violence or inequity. In addition to men who dedicate their lives to such work, there are numerous everyday examples: strangers may intervene in the street when they witness molestation; community leaders may step in to restore social justice; men in families may

introduce radical changes in the lives of the women and boys of the family and set a personal example of domestic democracy within the home.

She said researchers need to think constructively about how men and violence can be addressed to resolve the problem in ways that draw men into creating gender democracy. In addition to addressing what men 'should' be doing, it is equally important to track what men already are doing to redress gender injustice and violence against women

**Rahul Roy**, a panelist from New Delhi, pointed out that there already exists in South Asia a long line of men who in the last hundred years have challenged women's oppression.

The one partnership that has not received adequate attention to prevent trafficking and CSEC is with the sex workers themselves and those who are on the margins of this industry, that is, their families, children and other associates. The alliance to combat trafficking has to be re-examined. Some of the experiences provide glimpses of a way forward.

For example, the sex workers union Durbar Mahila Samanway Committee (DMSC) has set up a self-regulatory body that is the entry point for all sex workers who want to join a brothel. This body filters the women who are joining and keeps a check on child prostitution and trafficking. They are in the process of setting up a distress home for women who have been lured into a brothel against their wish and are not accepted back by their families. These efforts may not be fool-proof and they might not work in each and every instance but they are innovative ways of preventing trafficking and CSEC. For any partnership to be meaningful, there has to be acknowledgement, acceptance and affirmation of the partner.

Roy said that the most important area that requires attention is a reorientation of the largely male-dominated policing and executive systems in South Asia towards a more gender-sensitive approach when dealing with issues of CSEC and trafficking. Women and girls are the first to be victimized and stigmatized. Pressure to act against prostitution and trafficking has forced the police to constantly display arrested or rescued girls as trophies for photo opportunities. There have been efforts in various parts of South Asia to sensitize the police, however, very few of these focus on the gender bias of policemen and the system under which they operate. The starting point has to be the perceptions of masculinity of the men who make up the police force and the system they represent. They have to understand themselves before they can be guided towards understanding issues of violence against women and girls.

Very little is known of the mechanics of men's behaviour patterns in different social and life settings. It has been argued that the invisibility of masculinities to men is the dividend they gain from occupying the vantage positions in the patriarchal pyramid. It cannot be doubted for a moment that this invisibility is a political space. A space that hides the struggles to become a man, the insecurities of the impermanence of manhood, experiences of power and powerlessness, the hard realities of scrounging for work and conflicts that defy comprehensible resolutions.

According to Roy, international research has demonstrated that there are gaps, openings and fractures where ideas of gender equality and non-violence can find the space to breathe within the suffocating structures of masculinities. For this to happen there have to be concerted attempts from all parts of civil society -- academics, activists, artists, writers, development practitioners, film makers -- to unearth, validate, recognize and make visible men's behaviour patterns that stand in direct conflict to the violence-prone, hegemonic patterns of masculinities. As with the women's movement there will be two elements to this effort: theorizing, understanding and unravelling and simultaneously developing challenging, confronting and constructing alternatives to hegemonic masculinities. One of the most critical entry points for this battle will be the minds of children and young people.

**Monira Rahman**, Executive Director of the Acid Survivors Foundation (ASF) in Bangladesh, gave vivid examples from the work of her organization, which works with women who have survived a particularly severe form of violence: acid attack. She explained that women in Bangladesh are subjected to various forms of violence because gender relations invariably relegate them to a subordinate position in socio-economic, legal and cultural contexts. The legal framework appears ineffective in combating male dominance over women because exceptions and loopholes have the effect of reinforcing social values that are detrimental to women. Although the Bangladesh Constitution guarantees equality before the law and equal protection under the law for all citizens, the principle is often severely curtailed with respect to women's rights. Many Bangladeshi men see women as property, not autonomous beings entitled to their own opinions.

Acid throwing is an extreme form of violence in Bangladesh where the throwers are always men and the majority of victim-survivors are women. On a person, acid causes skin tissue to melt, frequently exposes the bones underneath or leads to the loss of sight or hearing, or causes irreparable damage to hands raised in defence. Permanent physical disfigurement is unavoidable and serious disability frequent. The legal applications of acid are mostly industrial but it can be readily acquired because the retail sale of acid is unregulated.

Reported cases of acid attack rose from 80 in 1996 to an estimated 484 in 2002 and 410 in 2003. While accurate statistics are difficult to obtain as most people in Bangladesh live in relatively isolated rural communities, available evidence indicates that the incidence of acid attacks is increasing at an alarming rate. The number of unreported cases is thought to be high.

ASF's research shows that women are attacked for a number of reasons: refusal of marriage, refusal to develop a relationship or rejection of sexual advances, dowry-related issues and intra-family disputes over land. The majority of cases involve a man or young men in their late teens or early twenties throwing acid over an adolescent girl because she or her family have rejected advances or a proposal.

The acid attack deprives survivors of a full and secure life, leaving them legally and economically vulnerable to disability, destitution and social exclusion during the process of treatment, rehabilitation and legal recourse. The attack initially removes survivors' ability to work or study. Before ASF was available to organize and fund the intensive and prolonged medical and surgical treatment required, families were either unable to pay or faced bankruptcy in the process. Following treatment, survivors also need rehabilitation to continue with education or develop livelihoods through training, credit or a grant. Survivors also suffer from severe emotional and psychological trauma for which they need support.

Survivors, their families and friends have also faced serious difficulties in obtaining legal recourse. Laws exist to combat acid violence but are ineffective. The throwers and their families are often able to subvert legal proceedings. Moreover, there is a general reluctance to seek legal redress because of prevailing socio-cultural attitudes that discourage exposure of 'private' or 'domestic' matters and encourage women to suffer in silence.

Although the media are playing a crucial role in bringing acts of violence to public notice, coverage of events is far from perfect. Incidents of violence are not always reported accurately, and details are often incomplete. The emphasis is usually on the victims, who suffer double victimization as a result of publicity. Nor do the media play a significant role in creating awareness about existing protection laws and places to seek help.

ASF established Notification and Referral services throughout the country through partnership with local journalists and health service providers to know every acid attack within 24 hours of attack. ASF's Notification Unit produces analytical reports on acid attacks, which helps to make the issue live. A 40-bed burn rehabilitation and plastic surgery hospital has been set up by the foundation where survivors of acid violence receive expert medical attention.

ASF also developed coordinated strategies for legal redress and social reintegration with the help of other activists, NGOs and individuals. It works to raise awareness about acid violence, both to the general public and in government.

ASF recognizes that, without the partnership of men, the campaign against acid violence will not be effective. Men dominate the legal and social systems, law enforcement agencies, the judiciary and academia, not just the community where acid violence occurs. In this regard, the Prevention Unit of the ASF has carried out several programmes focusing on men and boys and how they are able to carry the anti-acid violence message:

The campaign to stop acid violence in Bangladesh took a major step forward when some of the biggest names in the country's entertainment and sporting world formed a support group called Stars Against Acid Throwers in early 2000. The president of the group is the former captain of the Bangladesh cricket team, Aminul Islam Bulbul. The vice-president, super model Nobel, explained that their slogan is 'Good men don't throw acid'. Bulbul and Nobel have persuaded other men to join the campaign and demonstrate their solidarity for acid survivors.

On 8 March 2002, more than 5,000 men representing different segments of society joined a rally to show their commitment to say NO to acid violence. Journalists, politicians, TV personalities, sports stars, pop singers, academics and leaders of civil society addressed the rally. NGOs, students, human rights organizations, rotary, representatives of UN agencies and people with their family members also attended the event. After the demonstration, 120 survivors led the men through the streets of Dhaka. The idea of having a 'men only' rally on International Women's Day was unusual. The interaction between the survivors and the men in this event also helped to raise awareness about the issue. It also contributed to the passing of two new laws by the government.

Summing up the panel's conclusions, Chair **Lena Karlsson** of Save the Children Sweden listed a number of positive factors that pointed to the potential of working with men as partners in combating CSEC: It is important not to forget that the majority of men do not buy children for sex, that many men are vocal and active in efforts to end sexual abuse and CSEC, even though they may face resistance towards their activism among other men and society; and that the work that is done is child rights-focused, and centres on addressing the root causes, accountability issues and child participation. Ms Karlsson outlined some recommendations that had arisen from the session:

### ***Recommendations***

- There is an urgent need for research and mapping of masculinity issues in South Asia.
- There is a need to better mainstream gender issues and understanding.
- It is important to learn why some men abuse and exploit children and some do not by talking to them and listening.
- Community-based approaches often involve men as activists, including groups of young men.
- Men and boys need help to find a language that helps them to promote male responsibility.
- It is important to work more with young men and boys, stressing life-skills education, non-violent conflict resolution and sexual responsibility.
- It is also important to work more with families – fathers as well as mothers—and promote positive parenting.
- Attention needs to be paid to the role of the media in stereotyping and promoting sexual *mores*.
- It will be important to focus on values and look closely at the values activists promote in their own organizations.

## 2.2 COMMERCIAL SEXUAL EXPLOITATION OF BOYS

### *Background*

The sexual exploitation of boys, including commercial sexual exploitation, is a reality in the region, even if it is insufficiently acknowledged and addressed. It is widespread and represented in many different forms.

South Asia has long been a destination of foreign paedophiles, although the large number of local exploiters should not be overlooked. Child sex tourism has flourished in South Asia and boys are targeted in child sex tourism in many countries.

Foreign paedophiles, mostly European, and increasing number of Asians from Japan and South Korea, have been accepted by the communities because of the money they bring with them. Some stay long-term and set up businesses. Some give substantial amounts of money to families of boy victims and spend a couple of months with the boys. Agents and pimps, often ex-beach boys who are now too old to be wanted by paedophiles, set the stage for tourists to access young boys.

There is very little information available on child pornography in South Asia. However, products of child pornography are widely distributed through magazines, videotapes, VCDs and the Internet. Paedophiles will characteristically record their abuse and make it available for exchange to other paedophiles. This is the source of much child pornography. Both boys and girls are targeted. Child pornography distributors regularly advertise Sri Lankan boys' pictures with detailed descriptions of their bodies on the Internet.

Although significant numbers of boys are victims of CSEC in South Asia, the size of the problem, underlying reasons and the short- and long-term effects of these acts of violence have not been fully studied. Recently, a number of organizations have started research and studies on the prostitution of boys in South Asian countries. In many countries, legal instruments and other social systems do not provide adequate protection to boys victimized in commercial sexual exploitation. Many organizations provide psychosocial support for sexually exploited children in the region, but only a few of them adopt specific approaches for boys.

Most interventions targeting boys in South Asia are related to HIV/AIDS awareness. Boys are perceived as 'less harmed' or physically and psychosocially damaged from these experiences, and therefore are usually not considered in need of specialized rehabilitative services.

### *Panel presentations*

**Professor Harendra da Silva**, Chairman of Sri Lanka's National Child Protection Authority (NCPA), recounted how, with the explosion of tourism in the 1970s and 1980s, foreigners arrived in Sri Lanka in increasing numbers looking for child sex. Early reports were often presented at professional meetings but were not well documented. A 1980 report identified Sri Lanka as second only to the Philippines as a source for 'cheap child sex'. The report highlighted the demand for boys as young as eight years of age, citing poverty, orphans, and broken homes as factors contributing to the exploitation. At that time the number of commercially exploited boys in Sri Lanka was estimated as around 2,000 (of a total child population of 4.2 million).

Today, foreign tourists visit Sri Lanka for its scenic beauty, wild life, biodiversity, history and culture. The friendliness of the people is cited also. Unfortunately, abject poverty and the close proximity of the visitors to the 'friendly' society makes children extremely vulnerable to exploitation, as families turn a blind eye in exchange for money. Boys especially are vulnerable because they cannot get pregnant. Although most of the children have primary education, their prospects of secondary and university education or vocational training are bleak because of the poor infrastructure in the mostly beach areas where they live and the need of other facilities to



support their education. Domestic violence, incest, physical abuse, alcohol and drug abuse by fathers are important vulnerability factors, as is the fact of coming from a single-parent home, or having a mother overseas working.

Prosecution of perpetrators has proved very difficult. Action is very slow by the authorities and cases tend to be 'lost' if not actively pursued by organizations working on behalf of the children. Another factor that compounds the problem is the increasing number of cases reported as a result of increased public awareness.

The tedious process of prosecuting foreigners and extra-territorial prosecution through Interpol, embassies or ministries, again means that cases just get lost unless there is commitment of officers on both sides. The victim often gets forgotten in the process and neglected. The accused often approach them (often their parents) sometimes through their counsel to offer bribes that may not be large in western terms but are colossal for Sri Lankan parents. There is a need to develop international guidelines on how embassies and foreign governments should act, and to put in place a process to address impunity of officials/governments and to make them accountable.

**Zia Ahmed Awan**, President of the Pakistan Lawyers for Human Rights and Legal Aid organization (LHRLA), noted that the majority of Pakistan's more than 70 million children do not get their rights as guaranteed in the Constitution in relation to survival, development, protection and participation. He gave an overview of Pakistani society, focusing on the patriarchal society, lack of support for victims of sexual violence because of notions of honour and shame, and the lack of understanding at family and social levels of the rights of children.

A number of social myths contribute to an increase in the commercial sexual exploitation of boys, including the fact that a girl's virginity is considered to be a matter of honour to be protected, while that of boys is not. He also noted that people think that girls are more vulnerable to sexual abuse than boys, who therefore are not given the attention they need. Most people, he suggested, believe that CSA and CSEC do not exist in Muslim societies.

For the average Pakistani citizen, CSA is defined as rape and/or sodomy. Perhaps because there is a lack of awareness regarding the psychological effects of molestation, or because these are not considered serious crimes, they have become an accepted part of life.

Statistics suggest that boys are more vulnerable than girls to violence in Pakistan. Male child prostitution is more common than any other form of exploitation. There are reported to be 15,000-20,000 children in prostitution in Lahore. Boys exploited in prostitution can be found in restaurants, at bus stops, and in shops. Most of these children have run away from home. They work in restaurants and so are victims of child labour but in reality are used to provide sexual services not only to their pimps, managers and employees but also to customers. Male prostitution is also related to distinctive customary sexual behaviour of well-to-do men in some areas of interior Sindh (a province of Pakistan) where adults keep young boys with them for sexual gratification in return for money or food.

In the north-west of the country, the practice of keeping boys (called *bachabazi* locally) is very common. Although most people consider it bad, the practice is by and large tolerated and accepted. There is a double standard towards this 'custom' and male homosexuality: while it is quite shameful and disgracing to be a passive agent (receptive partner), it is a matter of pride and power to be an active agent (insertive partner) in a homosexual relationship.

Poverty is the common factor that exposes these children to abuse and violation. Working children are especially vulnerable to smoking, gambling, prostitution, pickpocketing and other crimes. Sex trading includes often unprotected sex and consequently the children are at risk of contracting STIs including HIV/AIDS. A recent phenomenon is the mushrooming of video game centres and snooker clubs in parts of the province, including remote rural areas. Children

become addicted to these games and, to pay for them, may exchange sex for money. Such establishments have become very popular among paedophiles and child sex abusers. Even schools are not safe places. Abusers hang around educational institutions in search of opportunities to engage children in sex by various means. There have been reports that teachers are involved.

A large number of street children are also involved in the sex trade and, according to the findings of LHRLA research on street children, homeless children are very much involved in addiction and prostitution.

Current Pakistani legislation is not comprehensive in protecting the child nor is it extensive in covering all the situations in which the child may be abused or exploited. Many laws are anomalous regarding the age that defines a child. For instance, while most laws accept that girls are minors until the age of 16 or 18, the Offence of Zina under the Enforcement of Hudood Ordinance claims a girl to be an adult if she has reached puberty.

In Peshawar (NWFP) and some other urban centres, there are cinema halls which are notorious for showing pornographic films. It has been reported that most of the men who come to these cinema halls are accompanied by young boys who they ‘keep’ for sexual gratification. There have also been incidents where oral sex with boys is performed in these cinema halls. However, the area of both pornography and exposure to pornographic material lacks sufficient research, making it difficult to make any conclusive statements.

Summing up the panel, Chair **Marta Santos País**, Director of the UNICEF Innocenti Research Centre, said that in South Asia the commercial sexual exploitation of boys takes place within countries, with the involvement of nationals as well as foreigners. In some cases it involves child trafficking and it is also promoted through the Internet and video porn. Although some work is being done, information is scarce, and it is clear that more studies are needed on this issue. This is also an area where there has been less practical intervention and so less sharing of experience.

Given the lack of solid information, it is important to avoid perpetuating myths or misperceptions, and relying on simple assumptions.

Contrary to other forms of sexual exploitation, boys’ victimization remains a hidden and under-recognized phenomenon, a reality that needs to be established as a key issue for the region. Despite this reality, it is important to acknowledge that action has been taken through legislation, institutional reform and surveillance mechanisms. Action has been successful particularly when awareness is high and cooperation among relevant organizations is strong – between governmental and non-governmental actors, within the country and beyond the borders. Nevertheless, data and information are lacking and, where they exist, are inadequately analyzed and disseminated; legislation is often inadequate while enforcement remains weak; and prosecution is too often unsuccessful.

Ms Santos País outlined a number of recommendations that had come from the panel session:

### ***Recommendations***

- There is a need for more awareness raising and information for the public at large, for children in a targeted and accessible manner, for parents, professional groups including police officers and the staff of welfare institutions.
- Effective legislation and enforcement are urgently needed. This includes adequately addressing offences and avoiding further stigmatizing or criminalizing child victims; promoting simplified and speedy proceedings; anticipating adequate sanctions; and ensuring effective investigation and prosecution, including across borders.

- There is a need for research on legislative approaches in the region, to have a broad-based, comprehensive understanding of legal changes that have occurred, prevailing loopholes and judicial practice.
- There is also a need for research on key dimensions of sexual exploitation of boys to build upon existing studies and target attention on knowledge gaps identified. In this regard, it is important to promote a network of researchers to share information and support further research efforts in the region and beyond.
- Child-friendly services are vital. This includes health services sensitized to listen to and consider any case, without stigmatizing or victimizing the child further.
- The sexual exploitation of boys must also be considered in the context of HIV/AIDS campaigns and initiatives.
- For this issue to move forward, it must be in a tangible and concrete manner, and involve boys -- and children in general -- not only as victims but also as actors of change.

### 2.3 EMERGING MODALITIES: THE DEMAND SIDE OF TRAFFICKING

Addressing only the ‘supply side’ and the ‘process’ of trafficking does not equip actors to deal with this problem most effectively – it is important also to understand the critical factors that create ‘demand’ for children and the enabling factors and actors that link supply and demand.

When considering demand, it is important also to take into consideration demand for other exploitable labour beyond CSEC. These are relevant because exploitation can be progressive: a child may first find her/himself in less exploitative labour before ending up in the worst forms of child labour such as CSEC. Demand for child labour can thus be a trigger that sees a child end up in sexual exploitation.

Child Domestic labour (CDL) is a sector that needs particular attention. The link between parents who are absent from home (perhaps because they have migrated for work), the increasing presence of women in the workforce, and the demand for more children in domestic labour is clear. Because of the hidden and controlling nature of CDL, children working in domestic labour are vulnerable to all forms of abuse: physical, emotional and sexual. There is considerable evidence to show links between CDL and CSEC: children fleeing abusive ‘employers’ often end up on the streets and are forced into CSEC to survive; children sexually abused by an employer may enter CSEC because they feel they have nothing to lose and can earn more than in CDL. CDL is widespread in South Asia and but there is a tendency not to talk about it. It is time to break the silence.

#### *Panel presentations*

**Gopal Krishna Siwakoti**, Secretary General of Himalayan Human Rights Monitors (HimRights), Nepal, recalled that different actors may be involved at each stage of the trafficking process: there may be a recruiter or, in some cases, an agent or a process that prompts the child to move. It may be a friend, family member or an acquaintance who persuades the child that relocation offers benefits. Regions well known for sex tourism are frequent destinations for trafficked children brought in to satisfy foreign tourists, underlining the demand-driven nature of this. Minors entering the sex trade may in other cases be recruited by small-scale, individual traffickers or well-established placement agencies, sometimes under false pretences, entering into a form of debt

bondage on behalf of their family or to raise money in situations of intense need. In fewer but not insignificant cases, they may be kidnapped and sold, for example by criminal gangs who have links into cross-border crime syndicates, or by militia. In some cases, the victims are forcibly transferred from place to place so that their exploiters can make new profits resulting also in their being more difficult to trace.

The supply side of trafficking and conditions in sending countries have received most of the attention of researchers, NGOs, and policy makers, and little attention has been paid to the demand side of trafficking.

The ultimate consumers of trafficked and prostituted children are usually the male clients of commercial sex. In this region, it is often men who create the demand. Typically, when sex work and sex trafficking are discussed, the focus is on young girls and children. The clients who purchase the sex are faceless and nameless.

Seeking sex without relationship responsibilities is the essence of the clientele. Sex and interaction with the sex workers are generally unrewarding and the clients do not get what they were seeking; yet they compulsively repeat the act of buying sex. Thus, sex purchasing is largely to meet emotional needs, not physical needs. Additionally, the clients who purchase sex acts do not respect children, nor do they want to respect them. They are seeking control and sex in contexts in which they can humiliate, degrade and hurt the child, if they want.

The client demand seldom exists in isolation. The exploiters, including traffickers, pimps, brothel owners, organized crime members, and corrupt law-enforcers, make-up what is known as the sex industry. Profiteering is the core motif behind the sale of sex as a commodity.

Strategies are devised to protect the sex industries that generate wealth for the state where sex work is legal or for organized crime groups and corrupt officials where the sex industry is illegal. On the demand side, exploiters exert pressure on law-makers and officials to create conditions that allow them to operate and maintain the flow of children to commercial sex.

By tolerating sex work of any kind, the state machinery, at least passively, contributes to the demand for victims. If demand is the driving force of trafficking, then it is important to analyze the destination countries' laws, policies and practices in relation to demand.

The wealthier destination countries manipulate the debate on how trafficking and sex work will be addressed. Countries of origin are usually poorer, less powerful and more likely to be influenced by corrupt officials and/or organized crime. As dishonesty and unholy alliance increase, the line between the state and the criminal networks starts to blur. As a result, states lose the credibility to insist that destination countries stop their illicit demand.

Counter-trafficking measures must include harsher penalties for the buyers of sex trafficking and greater enforcement of laws that protect the victims. These measures must also address the enforcement of codes of conduct for international peacekeepers and military and police forces that have been a significant component in the demand for sex trafficking.

Fuelling the demand for young children are ignorance about HIV/AIDS transmission and myths about the curative powers of virginity. Tackling the demand for sex with children is essential if the child sex-HIV/AIDS connection is to be broken. Tackling this issue openly and enlightening people's sexual attitudes and practices is the only way to protect children from this deplorable practice.

Protection of victims of CSEC, along with diminishing the demand among the male customers who abuse them, is vital. The majority of exploiters do not match the profile of the 'paedophile', but are men who go to sex workers and through either machismo or indifference choose ever-younger children.

**Mary XXX**, on behalf of IOM Dhaka and the Bangladesh Counter-trafficking Thematic Group, outlined eight ‘fundamentals’ that form the basis of understanding of trafficking according to the Group. The first fundamental is that: Trafficking is not a single event, it is a complex phenomenon. A person’s trafficking episode represents a series of steps that create a continuum covering the period from the point when that person is recruited to the point when s/he leaves the ‘harm’ and successfully integrates back into society. The second fundamental underlines: The importance of the outcome of a trafficking episode. While the movement to a trafficking ‘harm’ is very important, more emphasis is needed on the outcome of this movement -- the slave-like condition a person is trafficked into. The third fundamental centres around: The trafficking/migration nexus and the imperative that it is vital to understand the trafficking/migration nexus to fully address the trafficking problem.

The fourth fundamental covers: Supply and demand and the fact that anti-trafficking interventions are needed along the continuum between supply and demand. The fifth fundamental is: the overwhelming emphasis on the sex industry. In fact, the trafficking sector needs to place equal emphasis on all trafficking outcomes, not just trafficking into the sex industry.

The sixth fundamental: the trafficking of women and children, focuses attention on the fact that anti-trafficking interventions must stop linking women and children as if they are one common group: they require different interventions. The seventh fundamental is: Successful social integration and the importance of ‘agency’, or having control over life options. Successful social integration occurs when a person achieves an amount of agency that compares favourably to those who are not in a trafficking episode. The eighth fundamental concerns: Holistic solutions. No one approach can solve the problem: a holistic approach using a variety of complementary interventions is the only way to adequately address the trafficking problem.

In summing up, Chair **Hervé Berger**, Senior Child Labour Specialist in the ILO’s Subregional Office for South Asia, said it was clear from the discussions that there is little concrete knowledge about the demand side of trafficking. While the issue of demand may be complex, he said, the panel was reminded by a participant that the issue is also simple: trafficking is in simple terms a combination of movement and exploitation, and demand should be looked at in terms of the exploitation that takes place along the trafficking continuum.

Demand does not only exist at the destination point, where obviously the clients, pimps and brothel owners are involved, but also at the origin (supply side) where children and young people themselves ‘demand’ the opportunity to migrate to other parts of the country or to other countries where they hope to find better lives or jobs. Demand is also generated by the traffickers and recruiters who see profits to be made, and finally demand is also to be found among the clients who seek vulnerable children to exploit.

Vulnerability is an essential element of understanding demand. Children are particularly targeted because they are more vulnerable. A client has power over the child victim; pimps and brothel owners find it is easier to control children and also less expensive (if the children are paid at all). This is particularly true where children’s virginity can be sold for a high price. There are also issues to be explored regarding demand-side perceptions of children in CSEC, in particular myths concerning HIV/AIDS, other STIs and the ‘rejuvenating’ effects of sex with a child.

In relation to the links between migration and trafficking, it is clear that many people seek to migrate either internally or to other countries in search of a better life and work. Legal procedures for migration are often cumbersome, expensive and at times unclear, and this encourages would-be migrants to seek out illegal channels. This contributes to the vulnerability of children. Ways of facilitating legal migration are worth exploring in an effort to prevent trafficking.

Mr Berger set out the recommendations that had come from the session:

### ***Recommendations***

- Since often law enforcement agencies are in collusion with or corrupted by traffickers, the enforcement of existing laws should be a priority while new laws are being considered (if necessary).
- While enforcement of laws is important, over-reliance on repressive measures could drive the whole phenomenon, particularly the brothels, bars and other places where sex is sold, underground. Here the conditions of exploitation are worse and access to health care and other services is difficult if not impossible to provide.
- Ways must be found to get witnesses from communities to come forward and report instances of known abuse.
- In order to identify potential trafficking instances, the mapping of missing children within a particular community or district should be undertaken. This also allows a profile of missing children to be drawn up and patterns to be identified. It can also help to illustrate problem areas in law enforcement.
- There is a need for awareness-raising campaigns aimed at policy makers and law enforcers.
- Compulsory basic education needs to be a reality in all South Asian countries.
- The deconstruction of sexuality is important to redress some social and cultural taboos and allow healthy discussion of sexuality. Including reproductive health classes in the curriculum is one step in this.
- It is important to review the possibilities of making legal migration easy, transparent, quick and inexpensive.
- Safe and child-friendly rehabilitation and reintegration services need to be put in place.
- All countries should ratify ILO Convention No.182 on the Worst Forms of Child Labour, as well as other relevant international standards.

### ***Notes from general discussion***

- In all three areas, not enough is yet known; there is an urgent need more information -- it might be useful to look more outside the 'closed circle', for example at research done within the reproductive health community.
- Although trafficking has had a lot of attention, reliable, sound data is still lacking – it is important to fully understand issues before acting.
- Calls for codes of conduct for the media should take into account that there is an internationally negotiated code of conduct for journalists, negotiated by the International Federation of Journalists after the Stockholm Congress. It can be found on the Congress website: [www.csecworldcongress.org](http://www.csecworldcongress.org), which also has rich information from both the first and second World Congresses and the regional consultations.

## **2.4 GAPS, CHALLENGES AND NATIONAL RESPONSES**

Also on Day 2 of the mid-term review meeting, technical working groups reviewed the gaps and challenges that had been identified in country presentations and discussions, and developed concrete action plans specific to each country, to accelerate actions fulfilling the Yokohama Global Commitment and promises made in Dhaka.

The region as a whole identified gaps and challenges in a number of areas:

- Cooperation, in particular cross-border collaboration and multilateral and bilateral agreements;
- Judicial reform and capacity building to enhance law enforcement;
- Access to education;
- Monitoring;
- Establishing child participation mechanisms;
- Research and action-research;
- Making the links with HIV/AIDS;
- Awareness raising with defined target groups;
- Working with the media.

### ***Afghanistan gaps and challenges identified***

#### **Protection**

- There is little information and hard data on the incidence, magnitude, and nature of CSEC in Afghanistan. Reporting and monitoring systems and mechanisms are either non-existent or very weak; the need to strengthen child protection monitoring systems at national and regional levels is a high priority.
- There is room for improvement in coordination among the different agencies on child rights and child protection training programmes and interventions. There is sometimes duplication and repetition. This may be rectified in the coming year as an outcome of the NPA.
- The government in principle accepts the principle of non discrimination – Article 2 of the CRC -- however, there are no specific references in law for the inclusion of non-nationals, refugees or migrants, and this leaves the issue of jurisdiction open to the interpretation of law enforcement authorities at any given time.
- The importance of registering children's birth is not fully grasped. The birth and civil registration system is weak and requires continuous support to allow it to move from 'campaign mode' (for birth registration) to a regular and sustainable registration system. Similarly, people do not see civil registration of marriages as necessary, since most marriages are registered by the *mullahs*. The civil registration system needs strengthening and support in this field.

#### **Prevention**

- It is only recently that the issue of CSEC, in particular child trafficking, is being discussed openly by the media. However, media reports are sometimes misleading, as no distinction is made between cases of kidnapping, missing children, smuggling, or trafficking. More capacity building, particularly with regard to responsible reporting and media as advocates for children's rights, is required.
- CSA and CSEC are regarded as taboo. Society at large is extremely reluctant to discuss these issues. Moreover, to protect family honour and girls, there are very few reports on cases involving trafficking of girls, their sexual abuse and exploitation.
- Community-based initiatives to support the families of both victims and vulnerable children, such as the National Solidarity Programme, operate in limited areas because of a lack of resources.

- Extreme economic hardship has been identified as one of the root causes of child protection issues, including child trafficking, in Afghanistan. Poverty Reduction Strategy Planning should place special emphasis on vulnerable children and families and include plans to prevent and protect children from abuse and exploitation.

### **Recovery and reintegration**

- Reintegration services and psychosocial programmes for child victims of trafficking need to be strengthened.
- Facilities are lacking to conduct specialized tests for STIs including HIV/AIDS in hospitals. An ethical consideration on testing for HIV/AIDS has to be resolved in the context of the culture and technology available in Afghanistan.

### **Collaboration, coordination and capacity building**

- Capacity building is an urgent need. There are good intentions, for example, on the adoption of the Juvenile Code and other relevant international instruments, however an obstacle in implementing the code and other legal tools in letter and spirit will be the capacity and the attitude of law enforcement officials and relevant ministries.
- Coordination, information sharing and monitoring mechanisms at the subregional level are weak. There is need for active cooperation and dialogue with the South Asian countries and the Gulf States to strengthen protection of children from CSEC.

### **Partnerships with children and young adults**

- Child trafficking is a sensitive issue and children find it hard to talk about. There is a need to promote children's participation in general, and to create safe and appropriate channels through which children can express their ideas and opinions. Moreover, children's participation in some cases is seen as a product, and not a means to an end.

## ***Afghanistan plan for accelerated action***

### **Protection:**

- Revision of laws in relation to CRC; new Juvenile Code approved
- Establish Child Protection Authority in Kabul

### **Prevention:**

- Increase access to education (one million more students enrolled), including setting up schools in rural and urban areas
- Provide supplies for one million new students
- Research into numbers enrolled in school, particularly girls
- Develop gender-sensitive, rights-based teaching curriculum
- Capacity building of teachers through methodology seminars
- Develop ECCD, increasing number of children in kindergarten from 12,000 to 50,000 and set up kindergartens in all provinces
- Workshops for teachers, police, judiciary and relevant ministry staff, including awareness-raising campaigns at all levels with focus on vulnerable areas
- Set up birth registration system

### **Recovery and reintegration:**

- Provide child-friendly, community-based reintegration services for survivors



**Collaboration and coordination:**

- Strengthen collaboration among government, NGOs, UN and private sector through monthly meetings
- Initiate negotiations with neighbouring countries on cross-border issues

**Participation:**

- Conduct three regional children's consultations in three regions (300 children)
- Establish children's groups in villages and districts.

***Bangladesh gaps and challenges identified*****Protection**

- The four NPA sub-committees have adopted a set of Terms of Reference and work plan but have difficulty meeting on a regular basis. The capacity of the sub-national structures appointed to monitor and implement the NPA also needs to be strengthened.
- The NPA is a policy framework document, reflecting objectives and strategies and relevant partners for implementation, but it needs to indicate specific actions, roles and responsibilities of the concerned agencies.
- There is no regular follow-up on progress, gaps, and challenges. An annual review meeting could be organized under the MoWCA to review progress of different sectors of the NPA, with a view to producing an annual report on the situation of children.
- A concern is that the NPA against SAECT might get sidelined when the overarching NPA on Children, which is in progress, is adopted.
- The legal framework relating to violence against women and children is strong in terms of punishments, but there are inconsistencies among existing laws with regard to several legal issues, for example, the Children's Act of 1974 defines children as people under the age of 16, while in the National Children's Policy and the Suppression of Violence against Women and Children Act of 2000, children are defined as anyone below 14 years of age.
- There is still a need for extensive training on the issues of CSA, CSEC and trafficking for the members of law enforcement agencies. Prosecution of perpetrators is also difficult due to lack of witnesses and adequate child-sensitive court procedures, difficulties in determining children's age and/or the survivor's fear of social stigma. All these contribute to the improper enforcement of laws or sometimes result in further victimization of the child through detention or institutionalization.

**Recovery and reintegration**

- Girls who manage to escape from the sex trade often face difficulties and usually are not accepted back into their communities. In order to survive, they are forced to continue selling sex and continue to be victims of exploitation and abuse.

**Partnerships with children and young adults**

- Involving affected children and their families in initiatives addressing prevention, protection, reintegration and care is still a challenge.

## ***Bangladesh plan for accelerated action***

### **Protection:**

- Establish Independent Child Commission by beginning of 2005
- Separate Child Directorate within the MoWCA by 2006
- Conduct CRC-focused review and reform of laws related to CSEC, trafficking and juvenile justice by 2006
- Set up one-step crisis centres at six Divisional Headquarters by 2005
- Set up minimum standards of care and child protection policy for duty bearers and care-givers by end of 2005
- Set up safe night shelter and safe space for street children and those vulnerable to CSEC by end of 2005

### **Prevention:**

- Achieve increased birth registration from 7 per cent to 50 per cent by 2006
- Encourage marriage registration
- Undertake awareness raising and capacity building on CSEC and trafficking
- Review formal education curriculum to include CRC and life skills, and integrate these into teacher training by 2006

### **Recovery and reintegration:**

- Set up psychosocial counselling services at Divisional level by 2006
- Put in place special care services for people with HIV/AIDS by 2005
- Community-based project interventions (vocational training, life skills, livelihood training etc.)
- Establish half-way homes
- Negotiate bilateral treaties for return by 2005
- Undertake periodic monitoring

### **Coordination and collaboration:**

- Information cell (central database) at MoWCA by 2005
- Inter-ministerial coordination (National Anti-Trafficking Strategic Action Plan) by 2005

### **Participation:**

- Expand Child Taskforce at district levels by 2005
- Hold bi-annual meetings of National Children's Taskforce (NCTF) beginning 2005

## ***Bhutan gaps and challenges identified***

### **Protection**

- The political will and commitment to secure the well being of children is compromised to a large extent by the lack of capacity and resources. The Royal Government has acceded to most international human rights instruments and realistically recognizes that accessions become meaningful only if States Parties are able to discharge their obligations fully. There are some constraints to the complete implementation of commitments. These include lack of understanding, modalities of implementation and capacity. A basic understanding of the 'rights' perspective is essential to fulfil these commitments and there is a need to find resources to expand capacity-building measures.

- There is also a lack of understanding among various stakeholders regarding the institutional mechanism for coordinating or implementing activities pertaining to international and regional commitments. The need for an institutional structure with appropriate authority that would direct and monitor activities of the many international and regional commitments and obligations is expected to be fulfilled by the newly established National Commission for Women and Children.
- Lack of disaggregated data is recognized as an area of major concern caused primarily by a lack of overall capacity in the country. At this time development of a nation-wide data system is not easily possible; the ongoing work of the National Statistical Bureau in developing a Child Information database will improve the availability of key information pertaining to children.

### ***Bhutan plan for accelerated action***

#### **Protection:**

- Undertake situation analysis to identify nature and extent of the problem
- Update the NPA for Children
- Operationalize the functions of the NCWC
- Organize child rights' sensitization training for lawyers, police, parliamentarians
- Organize training for teachers on child-friendly schools
- Organize training on CRC for monastic institutions

#### **Prevention:**

- Review support mechanisms for children
- Develop advocacy and IEC materials for stakeholders
- Conduct workshops on child abuse

#### **Participation:**

- Review and improve mechanisms for children's participation.

### ***India gaps and challenges identified***

#### **Protection**

- Strict enforcement of laws remains a problem.
- There is a need for deterrent punishments of traffickers
- The elimination of trafficking mafias and networks is a major challenge

#### **Recovery and reintegration**

- More attention needs to be paid to the rehabilitation of trafficking victims after rescue.

### ***India plan for accelerated action***

#### **Protection:**

- Undertake action-research on male CSA and CSEC
- Undertake action-research on *modus operandi* of child sexual exploitation for pornography

- Record and report data on missing children
- Compile all literature and research already available
- Identify vulnerable pockets where male children are exploited and strategize interventions for prevention, rescue, rehabilitation, reintegration and prosecution
- Integrate anti-trafficking activities into all developmental programmes of government and NGOs
- Increase understanding of causes of dispersal of brothel-based CSEC into non-brothel-based CSEC and strategize interventions, including amendment of laws
- Enact national legislation on CSA

#### **Prevention:**

- Integrate HIV/AIDS awareness programmes in educational institutions, also addressing out-of-school children
- Identify vulnerable pockets of sex tourism (including domestic tourists) and strategize interventions
- Make law enforcement and judiciary more child-friendly and create enabling systems for child victims in order to expedite prosecutions and punish offenders
- Encourage hotel and hospitality, travel and tourism sectors to adopt and implement measures for protection of children from CSA and CSEC

#### **Recovery and reintegration:**

- Promote convergence of prevention, care and support interventions, keeping in view the interface between trafficking and HIV/AIDS
- Commit to minimum standards of care and support for trafficking survivors including those living with AIDS

#### **Collaboration and coordination:**

- Ensure cross-/multi-sectoral linkages to include the causes and consequences of trafficking of children as a necessary part of all development programmes
- Lobby and advocate within government to mainstream policies and programmes with regard to the CRC and gender-sensitivity
- Initiate bilateral and multilateral consultative processes and agreements with neighbouring countries
- Promote and facilitate adoption of rights-based and humane approaches in dealing with victims/survivors of cross-border trafficking.

### ***Maldives gaps and challenges identified***

#### **Protection**

- Collection of information on existing international research to increase understanding of exploiters/abusers. Need to identify conditions and situations that increase the vulnerability of children to sexual exploitation in the Maldivian context.
- Address the increased risks associated with technological advances. Take precautionary measures against the potential abuse that can occur within cyberspace.

## **Prevention**

- Awareness campaigns across the country need to be aimed at reducing violence against children, by highlighting the responsibility of parents and society. These campaigns will target specific groups whose understanding of CSEC is vital. Concurrently children will be made aware of their rights in relation to the Children's Act and the CRC.
- Mainstreaming child protection. Promoting stronger cooperation among all sectors and strengthening the role of families in protecting children. Administrative processes need to be decentralized and lead to the establishment of Child Protection Centres at island and atoll levels. Members of the committees have been trained.

## **Collaboration, coordination and capacity building**

- Monitoring and evaluation of programmes and projects in order to understand the effectiveness of programmes.

## ***Maldives plan for accelerated action***

### **Protection:**

- Conduct national research on prevalence, causes of CSA and CSEC by end-2005
- Identify school-aged children not attending school by end-2005
- Harmonize laws in line with CRC and other international standards by 2005
- Introduce harsher punishments for CSA and CSEC by 2006
- Strengthen investigative processes and use of forensic evidence by end-2004
- Establish procedures and guidelines for multi-sectoral participation by mid-2005
- Develop guidelines to ensure safety of children living away from families by mid-2005
- Accelerate decentralization of child protection services in the islands by 2008
- Ensure appropriate mechanism for the protection of children from Internet-based CSEC by 2005
- Undertake training of law personnel by 2006
- Establish regional mechanisms for monitoring of CSEC, including regional police, by end-2005

### **Prevention:**

- Increase access to quality basic education for all children by 2007
- Reduce drop-out by strengthening existing alternative streams including vocational and technical training by 2006
- Undertake capacity building of all stakeholders by 2006
- Conduct life-skills programmes for children, focusing on changing stereotypical gender roles, conflict resolution and assertiveness skills, beginning in 2005
- Develop mentoring programmes with positive male role models, beginning in 2005
- Conduct awareness programmes for media personnel, beginning in 2005
- Empower parents through parenting skills programmes, beginning in 2005
- Establish social security systems targeted at vulnerable families, beginning mid-2005
- Conduct awareness programmes on CSEC for employees of hospitality industry, beginning mid-2005

- Increase parental awareness on CSA and CSEC in the islands, beginning 2005
- Undertake awareness raising among policy makers and law enforcement officials by 2005
- Increase community participation through the training of ‘gate-keepers’ by 2005
- Identify focal points at atoll/island level by 2005

#### **Recovery and reintegration:**

- Conduct rehabilitation programmes for offenders, beginning 2005
- Strengthen juvenile courts
- Strengthen support services

#### **Collaboration and coordination:**

- Share good practices at local and regional levels

#### **Participation:**

- Establish a National Children’s Taskforce with children from all walks of life by 2005
- Involve children in the formulation of programmes relevant to them by 2005
- Conduct peer education life skills-based programmes by 2006.

### ***Nepal gaps and challenges identified***

#### **Protection**

- Weak legislation relating to CSA. Existing laws (The Child Act, the Civil Code) do not provide a clear definition of CSA so there is an insufficient base for protection of children.
- Separated children are particularly vulnerable to trafficking, CSA, and CSEC, however, there is a lack of in-depth knowledge and information on the relationship between conflict and child labour or trafficking. Given the present situation of the country, risks faced by separated children, IDPs and child migrant workers in urban centres in particular, should be clearly addressed and concrete actions should be designed in order to protect them.
- Although there is still lack of conceptual clarity among different stakeholders, with support of the National Rapporteur on Trafficking in Women and Children there has been an effort in establishing common definitions of trafficking and child. The NPA states “*a child is below 14 years of age and a minor is between 14 to 18 years*”, and this certainly adds to the confusion. Since the NPA’s scope is women and children, it is unsure whether boys are also the focus of the document. Questions of who the NPA is aiming to protect and from what, remain unanswered.
- The existing legal framework to tackle trafficking, sexual abuse and exploitation remains weak. National policies and laws are not up to the HMGN’s international commitments regarding women and children’s rights. This is a major impediment in implementing the NPA, as the current legal framework discriminates against women and children, does not provide proper support and protection for victims, and is based on a moralistic rather than a human rights approach.
- The government lacks a serious policy for protection and rehabilitation of victims. When considered as witnesses, victims are seldom provided with protection. Thus, when a victim of rape, sexual assault or trafficking brings a complaint, s/he does so at great risk of further personal violence and social stigma. Negligent and insensitive behaviour of judicial personnel and procedures is often cited. This partially explains why cases of trafficking, CSEC and CSA are under-reported and the rates of successful prosecution remain extremely low.

- Existing institutional mechanisms need to be restructured and streamlined in order to ensure effective function of such mechanisms in implementing the NPA. Coordination between national and subnational mechanisms is another concern. Concerted efforts at different levels in devising policies and plans of action to counter CSEC, CSA and trafficking must be in place. The NPA lays out responsibilities of NGOs, international agencies and governmental actors, including ministries and various task forces at different levels. Nevertheless, as neither the NPA nor administrative regulations clearly establish who is accountable for what, or how the initiatives will be monitored, there are no proper supervision mechanisms to ensure efficient NPA implementation on the ground.
- The NPA does not directly address HIV/AIDS and STIs. It should provide for measures to increase awareness and action. The country has a National Strategy on HIV and AIDS 2002-2006 which, if linked with the NPA, would address the issues comprehensively and have greater impact.
- The NPA provides comprehensive strategies to address the supply side of trafficking of children and women for sexual and labour exploitation. However, the document is silent on the demand side of the problem.

### **Prevention**

- While the NPA stresses the need of improving the situation of women and children in trafficking-prone areas by skills training and income-generating activities, the document does not address the need of developing communities as a whole. Critical factors such as unemployment and under-employment of men and women, and availability of and access to basic services, can be better addressed through a wider community-development approach.

### **Recovery and reintegration**

- More research is required on rehabilitation and reintegration strategies of trafficking survivors as well as identifying best practices within and/or outside the South Asia region. Concerted effort among different stakeholders is critical in order to ensure a human rights-based approach to reintegration measures.

## ***Nepal plan for accelerated action***

### **Protection**

- Undertake necessary legal reforms, for example, amendments to Children Act 1992
- Address risks of CSA and CSEC associated with internal migration, IDPs
- Strengthen juvenile justice system
- Review policies relating to children and women, making sectoral policies more child-friendly
- Review and develop comprehensive minimum standards for institutional care of children
- Improve application of new knowledge and information from research to actual implementation of programmes
- Integrate and collaborate between NPA on Trafficking and National Strategic Plan on HIV/AIDS
- Constitute special police to look after children's concerns, based on feasibility study
- Develop effective mechanism for monitoring and evaluation of YGC and other commitments
- Establish national and local resource centres

**Prevention:**

- Launch national, regional and local level campaigns against CSA and CSEC
- Develop family and community-based awareness-raising programmes
- Enhance provision of quality primary education, vocational training and skills development
- Enhance implementation of programmes related to child labour, particularly WFCL

**Recovery and reintegration:**

- Establish effective mechanism for comprehensive minimum standards
- Capacity building of care-givers and support service providers
- Enhance child-friendly supportive counselling to affected children
- Train victims to act as mentors

**Collaboration and coordination:**

- Develop links and networks among concerned stakeholders

**Participation:**

- Facilitate stronger participation through Child Clubs and institutions related to children's concerns
- Ensure child participation in all governments initiatives
- Form children's national and local taskforces and involve them in national and local-level policy formulation and implementation processes.

***Pakistan gaps and challenges identified*****Protection**

- The laws relevant to CSA and CSEC are in segregated form and do not fully comprehend the issue. There is a need for a comprehensive law on the subject fulfilling the contemporary needs of controlling CSA and CSEC and providing relief services to victims. Laws that exist do not apply to Tribal Areas.
- Although research has been conducted and a number of studies exist, there is a need to conduct more studies to collect the latest information on the subject and indicate new dimensions of the issue along with strategies to confront it.

**Prevention**

- Although the National Commission for Child Welfare and Development, with the help of UNICEF, has developed a Code of Media Ethics for reporting on issues relating to cases of abuse of children in the media, most cases still go unreported.
- Most service providers are not fully aware of the complexities of CSA and health hazards associated with it. They are not even fully proficient in tackling cases of CSEC. Moreover, government officials from the law enforcement agencies also need awareness and capacity building on the issue.

**Recovery and reintegration**

- The rehabilitation of victims of sexual abuse and exploitation, counselling and reintegration with families is a lengthy one and requires the allocation of sufficient funds. The counselling of victims demands specialists for the purpose permanently or for a longer period, and this requires adequate resources.



- A number of services exist for child victims of sexual abuse and exploitation but they are isolated. Most are provided by civil society organizations working on their own having little coordination with other organizations. Therefore there is lack of specialized services. There is a need to develop a network of institutions with trained personnel to deal with issues of sexual abuse and exploitation.

### **Creating partnerships with children and young adults**

- In the process of developing the draft NPA on CSEC and CSA, participation from the provincial and federal government was not very encouraging. Participation from children was also minimal. Moreover, disabled children did not participate at all. In the process of revising and updating the draft NPA, efforts must be made to ensure participation from all quarters.

### ***Pakistan plan for accelerated action***

#### **Protection:**

- Finalize and adopt NPA (including consultations with children, national consultation with all stakeholders) including monitoring mechanism and qualitative indicators
- Initiate reliable data collection for Child Protection Management Information System
- Research and document issues that have not yet been researched
- Document and share best practices
- Review legislation and enactment of child-friendly laws and legal procedures
- Train law enforcement and local government officials
- Operationalize Child Protection Bureau in Punjab
- Establish National Child Protection Authority/Children's Ombudsman
- Establish Child Abuse Protection Committees in schools and hospitals

#### **Prevention:**

- Undertake awareness raising through media and community structures
- Implement life-skills education for children and young people
- Undertake awareness raising through religious leaders
- Undertake awareness raising on dangers of trafficking in trafficking-prone areas of Southern Punjab and Sindh

#### **Recovery and reintegration:**

- Develop Code of Conduct for shelter homes
- Undertake capacity building of multidisciplinary service providers to manage cases of CSA and CSEC
- Establish shelters/rehabilitation centres for vulnerable children and victims
- Provide free legal aid to victims/survivors of CSA and CSEC, including trafficking
- Develop family reuniting and reconciliation programmes and family counselling services

#### **Collaboration and coordination:**

- Strengthen the NCCWD to take a more pro-active role in ensuring NPA implementation
- Nominate focal person/body to guide implementation of the NPA after its adoption.
- Establish firm mechanisms and structures for inter-agency collaboration and cooperation for implementation of the NPA

- Initiate bilateral and multilateral agreements to combat trafficking of children.

### ***Sri Lanka gaps and challenges identified***

#### **Protection**

- Some older laws in Sri Lanka are still to be brought into line with international standards. For example, currently the definition of a child varies in different laws.
- Sri Lanka is a multi-ethnic, multi-religious society, and there are laws that are applicable to only a specific ethnic or religious group. While the minimum age of marriage under the general law is 18 years, the laws applicable to the Muslim community do not specify a minimum age. This is relevant to the issue of statutory rape. Sexual intercourse below the age of 16 years is considered rape and consent is not given any consideration.
- Since Sri Lanka is still to introduce laws related to the use of the Internet, there are many problems and constraints in controlling CSEC through the Internet. The Ministry of Justice, which is promulgating Internet laws, is committed to ensuring that CSEC through the Internet will be covered.

#### **Prevention**

- Although there are many ongoing poverty alleviation and social welfare programmes in Sri Lanka, around 25-30 per cent of the population still lives in poverty. This must be tackled as one of the root causes of the vulnerability of children to exploitation.
- There is an urgent need to address ignorance among children and society in general on CSEC and CSA and its harmful effects.

#### **Collaboration, coordination and capacity building**

- While work with the tourism industry has been initiated, more interventions from this sector must be encouraged.

### ***Sri Lanka plan for accelerated action***

#### **Protection:**

- Review laws to ensure compliance with international standards and to make enforceable
- Promote public action litigation against perpetrators
- Undertake judicial reforms addressing both substantive and procedural laws by 2006

#### **Prevention:**

- Awareness raising and advocacy among partners, with emphasis on tourism sector, trade unions, civil society and media
- Facilitate adoption of prevention policies in tourism industry including staff training and cooperation
- Increase compulsory school age limit to 16 (or O-level)
- Improve quality of education through new placement policy, midday meal programme and provision of uniforms and books in under-privileged areas
- Introduce life-skills education in both formal and informal education
- Provide economic opportunities through vocational training, community-based training and micro-finance programmes

**Recovery and reintegration:**

- Develop minimum standards, guidelines and protocols for rescue and reintegration, and child-friendly judicial procedures
- Accelerate capacity building for multi-disciplinary partners involved in rescue and reintegration, moving towards mainstreaming of such training.

## **4. Day 3: Priorities identified and the way ahead**

### **4.1 NATIONAL PRIORITY ACTIONS**

Having identified the outstanding challenges for their countries and the region, and having spent Day 2 developing plans to accelerate action to meet these challenges, and debating gaps in understanding in a number of new areas, on Day 3 participants focused on the immediate future. Government representatives, supported by other participants, nominated specific priority areas to which they would turn their immediate attention.

#### ***Afghanistan's priority actions***

- Prevention and protection through enhanced access to education.
- Workshops and training on trafficking for 2,000 people in 2005 (teachers, police, judiciary, ministry personnel) and nation-wide awareness-raising campaign based on research already being done, focusing on the most vulnerable areas.

#### ***Bangladesh's priority actions***

- Strengthen the birth registration system; finalize new birth registration law and follow-up training.
- Establish Independent Child Commissioner and establish National Child Commission; capacity building of Commission staff and information on Commission available to the public.

#### ***Bhutan's priority actions***

- Undertake situation analysis of CSA and CSEC as first step to developing NPA.
- Fully operationalize the functions of the National Commission for Women and Children.

#### ***India's priority actions***

- Promote inter-sectoral convergence; the Ministry of Women and Children to consult and raise this issue with all other relevant ministries and authorities (eg planning commission, tourism authority).

#### ***Maldives' priority actions***

- Undertake research to draw up more effective programming; research to include prevalence of CSA and CSEC, root causes and identification of school-aged children not attending school.

#### ***Nepal's priority actions***

- Undertake legal review, including of juvenile justice system and pilot structures and training of professionals.
- Develop minimum standards for care of children in need of special protection and establish operational guidelines.

- Review pilot actions on trafficking and NPA on trafficking.

### ***Pakistan's priority actions***

- Finalize and adopt the NPA against CSA and CSEC with a view to approval by federal government in early 2005.
- Develop awareness-raising activities covering CSA, CSEC and trafficking at all levels (federal, provincial, district and community).
- Establish on pilot basis, with a view to potential replication, child protection mechanisms such as the Bureau of Child Protection in Lahore.

### ***Sri Lanka's priority actions***

- Set up a task force under the NCPA, with the participation of partners including children, with a view to developing a strategy for effective implementation of the NPA on trafficking.

## **4.2 REGIONAL PRIORITIES AND A COMMITMENT TO ACT**

In the final session of the mid-term review meeting, participants heard closing remarks from agency and NGO partners present and a summing-up of some regional priorities identified during the course of the meeting. These included:

- The need to continue research and documentation with a view to building up a clearer, more reliable picture of CSA, CSEC and trafficking – only with reliable information is it really possible to measure whether actions taken are having an impact on the problem.
- The importance of evaluating impact of actions taken, with a view to scaling up those that are proven effective and eliminating those that are not.
- The value of reviewing the recommendations formulated by the children and young people participating in the meeting<sup>8</sup> and hearing their voices.

Renewing their promises and at the same time reinforcing them by committing themselves to acting swiftly to implement a number of national and regional priorities, the eight governments present unanimously adopted an outcome document entitled: *Promises renewed and reinforced*. The document follows in Annex 1.

---

<sup>8</sup>. The recommendations from the children's and young people's consultation follow in Annex 2.

## **Annex 1: Outcome document**

### **Promises renewed and reinforced**

**Colombo, Sri Lanka, 29 September – 1 October 2004**

We, the Heads of Delegation of eight governments of South Asia including Afghanistan, have come together in Colombo to review progress in fulfilling the promises we made to children when we adopted the *South Asia strategy against commercial sexual exploitation and sexual abuse of children* at the regional consultation preparing the 2<sup>nd</sup> World Congress against Commercial Sexual Exploitation of Children held in Yokohama, Japan, in December 2001.

As we have exchanged experiences over this three-day meeting, we have learned that much has been done in keeping the promises, but that some remain unmet and that our work must continue with vigour until the scourges of sexual abuse and sexual exploitation of children, including trafficking, are eliminated from our region.

We therefore:

1. Reiterate our commitment to fulfilling the promises made through the Stockholm Declaration and Agenda for Action of 1996, the Yokohama Global Commitment of 2001, and in the *South Asia strategy 2001*, and reiterate the over-arching role of the United Nations Convention on the Rights of the Child;
2. Realize that challenges remain and that, while in no way diminishing the importance of all elements of the commitments made, we need to pursue these in a time-bound manner, focusing on the imperative to:
  - Reinforce protection measures, in particular through the continuing development and implementation of time-bound National Plans of Action (NPAs) covering sexual abuse, exploitation and trafficking, including workplans and allocated responsibilities, and ensure that they are adequately funded in a timely manner;
  - Recognize the need for adequate national and regional budget provisions to fund mechanisms and actions designed to combat sexual abuse and exploitation of children, including trafficking, to support victims of such violations, to ensure widespread child participation, and to facilitate national and regional cooperation and networking on these issues;
  - Recognize the necessity of having comprehensive, disaggregated and compatible database of abused, exploited and trafficked children, as well as children at risk, to establish national indicators and trends, taking into consideration at all times the necessity of ensuring the privacy and confidentiality of records and access on a need-to-know basis;
  - Recognize the need to establish and implement minimum standards for individualized psychosocial support and case management of abused and exploited children, including those rescued from trafficking;
  - Recognize the importance of undertaking quality research and analysis to improve our understanding of the nature and scope of demand that underpins the sexual abuse and exploitation of children, including trafficking, with a view to developing targeted programmes to reduce such demand; furthermore, recognizing that demand exists both domestically and in the countries to which children are trafficked, eliminate home-grown demand for child sex and also cooperate bilaterally, multilaterally and through SAARC to identify and prosecute those involved in creating demand and those involved in supplying children to meet it, through enforceable administrative and legal measures;

- In active cooperation with children's organizations, civil society organizations, NGOs, media, regional bodies, the corporate sector, UN, multilateral and development partners, develop time-bound indicators of impact and effectiveness so that programming is efficient, effective, good practices can be identified and shared, and successful initiatives can be scaled up, replicated and adapted to our specific country needs. Such periodic review should include monitoring of implementation of the NPA to assess the results, identify challenges and move forward guided by lessons learned;
- Recognize the need to develop and use a joint monitoring tool to specifically document actions taken in fulfilment of commitments made under the Stockholm Agenda for Action, Yokohama Global Commitment, South Asia Strategy and this pledge, in particular to identify outstanding gaps and challenges and ways of meeting these;
- Keep at the top of our agenda the importance of involving children and young people in our deliberations, processes and actions, recognizing that they have the right to be involved in all programmes related to them, and that their insight into the expectations, needs and potential of children are unparalleled.

Finally, therefore, resolved to continue to uphold the rights of our children to be free from sexual exploitation and abuse, we renew our call for zero tolerance of these violations in our region and affix our signatures below:

H.E. Mr Mohammad Ghaus Bashiri, Acting Minister of Labour, Islamic Transitional State of Afghanistan

H.E. Ms Khurshid Zahan Haque, Minister, Ministry of Women and Children Affairs, People's Republic of Bangladesh

H.E. Dr Jigmi Singay, Minister of Health, Royal Government of Bhutan

Ms Reva Nayar, Secretary, Department of Women and Child Development, Republic of India

Hon. Ms. Zahiya Zareer, Minister of Gender, Family Development and Social Security, Republic of Maldives

H.E. Asta Laxmi Shakya, Minister of Women, Children and Social Welfare, Nepal

Dr Aleen Mahmud, Secretary, Ministry of Social Welfare and Special Education, Islamic Republic of Pakistan

H.E. Sumedha G. Jayasena, Minister of Women's Empowerment and Social Welfare, Democratic Socialist Republic of Sri Lanka

(Unanimously adopted.)

## **Annex 2: Statement by children and young people**

We, the South Asian children (16 girls and 8 boys), participating from Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka, met for two days from 27 to 28 September 2004 in Colombo, Sri Lanka, to share and discuss our experiences, achievements, gaps and challenges related to sexual exploitation, abuse and trafficking. This consultation resulted in the following priority recommendations to be initiated in 2005 and then monitored and evaluated by end of 2006.

### ***General recommendations***

- A. Strengthen and support the participation of girls and boys from different backgrounds (age, abilities, ethnicity, caste, class, religion etc.), and build their capacity to work against sexual exploitation, abuse and trafficking. Ensure that sufficient budgets are allocated to these recommendations that are based on previous promises that were made in Yokohama.
- B. We ourselves need to strengthen our partnership with adults to create supportive spaces and opportunities for active and effective participation.

### ***Specific recommendations***

#### **Prevention**

Each country to initiate a pilot project -- identify the most severely hit area/village (only one per country) and in this area ensure:

- 50 per cent school enrolment (through setting up schools in convenient distance which are providing quality education);
- Creation of opportunities through ensuring that 50 per cent of the targeted population is economically self reliant (by providing life-skills education and livelihoods skills training, particularly to female-headed families, and to provide life skills training and bank loans to out-of-school children and vulnerable children for creation of their own enterprises).

Awareness raising on child sexual exploitation, abuse and trafficking and the consequences of trafficking to parents.

Capacity building for the following groups on how to deal with child sexual exploitation, abuse and trafficking and trafficking: police, doctors, nurses and concerned government officials.

#### **Protection**

Special police and courts particularly for children affected by sexual exploitation in each country. These courts should exist at all levels (local, district and higher) and be child-centred and friendly. Eg five judges in each case before these courts to help prevent corruption, such as the bribing of judges. At least three of five judges should agree on the decisions that are made.

Ensure penalty of life sentence for adults found guilty of sexual exploitation and trafficking; and it should apply to all people who offend, including police. Young offenders should be given an opportunity to improve through rehabilitation.

Children should be protected during court proceedings and should not be exposed to the media but the abuser should be shown in the media.

The children of sex workers, at-risk children should be provided with safe homes/spaces to prevent these children from entering sex work themselves.

Many countries have their own laws, so destination countries should have strict laws to deal with traffickers and abusers who traffic children into their countries.



## **Participation**

The formation of a National Children's Task Force funded by the government and represented by young people from all sectors and all lifestyles (rural, urban, school-going, out of school, disabled, child labourers, child sex workers, children growing up in brothels, HIV affected children, etc.) to ensure the participation of children in the formulation, implementation, monitoring and evaluation of NPAs on sexual exploitation, abuse and trafficking and other child rights commitments.

Young people's participation in local governance: by involving NGOs in the facilitation of children's participation. This will raise the children's issues and reinforce better implementation of programmes related to sexual exploitation, abuse and trafficking.

Developing capacities of girls and boys through life-skills education facilitated by peer educators. A number of children will be brought from different areas, representing different issues, and will meet on a national level for capacity building given by NGOs, the government, and other children. These children would become peer leaders and could then return to their areas and train other young people.

## **Recovery and reintegration**

Child-friendly and supportive counselling should be provided to the affected children. Children should not be threatened and they should be provided with quality education.

Proper monitoring of recovery institutions should be made on a regular basis. Institutions should maintain good relations with parents (of affected child) and communities to improve the quality of work with children. Special measure to deal with HIV/AIDS-positive young people affected by child sexual exploitation, abuse and trafficking

Affected children should be given training to allow them to help other children to act as mentors on recovering mechanisms and focus on resilience.

## **Cooperation and coordination**

To strengthen sharing of information, material and experiences between countries, between children, between governments. Firstly to share the NPAs.

Establishment of a special regional police to monitor sexual exploitation and trafficking of children.

**For all the above activities: ensure that it gets done – monitoring body in place with active participation of children.**