

## **DEFINICIONES – ECPAT INTERNATIONAL ([www.ecpat.net](http://www.ecpat.net))**

A continuación se presenta el glosario disponible en la página de ECPAT International. No fue posible abrir la página en español al momento de realizar la recopilación. ([http://www.ecpat.net/EI/CSEC\\_terminology.asp](http://www.ecpat.net/EI/CSEC_terminology.asp))

### **Commercial Sexual Exploitation of Children ([http://www.ecpat.net/EI/Csec\\_definition.asp](http://www.ecpat.net/EI/Csec_definition.asp))**

The commercial sexual exploitation of children consists of criminal practices that demean, degrade and threaten the physical and psychosocial integrity of children. There are three primary and interrelated forms of commercial sexual exploitation of children: prostitution, pornography and trafficking for sexual purposes. Other forms of commercial sexual exploitation of children include child sex tourism, child marriages and forced marriages.

The commercial sexual exploitation of children (CSEC) is a fundamental violation of human rights and children's rights. The key element is that this violation of children and their rights arises through a commercial transaction of some sort. That is, there is an exchange in which one or more parties gain a benefit – cash, goods or kind – from the exploitation for sexual purposes of someone aged below 18. The significance of defining in-kind transactions as commercial in nature should not be underestimated, not only because they are very common, but also because there is a tendency to view some such transactions as entailing 'consent' on the part of a child. This includes cases where sexual exploitation occurs in exchange for protection, a place to sleep, or access to higher grades and/or promotion. The sexual exploitation of the child may profit a much wider range of people than the immediate beneficiary of the transaction.

The remuneration factor distinguishes CSEC from the sexual abuse of a child where commercial gain is apparently absent, although sexual exploitation is also abuse. At the same time, it must be noted that there is a clear link between non-commercial sexual abuse of a child and the increased vulnerability of an abused child to commercial sexual exploitation.

The definition and understanding of CSEC, and its many forms, have evolved in recent years in accordance with greater analysis and newly acquired knowledge. Commercial sexual exploitation is increasingly seen to apply to many situations, such as child marriage, where there may have been a failure in the past to focus analysis on the contractual or commercial exchange that allows for sexual exploitation. In line with this, the concept of the exploiter has also been sharpened, highlighting the wide variety of people who contribute to the exploitation of a child: parents and other family members, friends, peers and teachers, as well as procurers, brothel managers, traffickers and those who engage in sex with a child.

CSEC is complex and attempts to define it by reducing the term down to the phenomenon's core attributes must not result in minimising the focus on all specifics and the significant factors at play. For example, the descriptive term 'commercial sexual exploitation' does not always bring to mind quickly the violence inflicted in its practice. As well, the term's focus on children as victims of exploitation may inadvertently shift attention from the perpetrators. As such, it is critical that use of the term 'commercial sexual exploitation of children' always be explained and expanded upon, in any context.

## **Prostitution of Children** ([http://www.ecpat.net/EI/Csec\\_prostitution.asp](http://www.ecpat.net/EI/Csec_prostitution.asp))

“ . . . the use of a child in sexual activities for remuneration or any other form of consideration.”  
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Article 2(b).

As the Optional Protocol to the Convention on the Rights of the Child (CRC) notes, the prostitution of children is one manifestation of the use of a child in sexual activities for remuneration or any other form of consideration. Most generally, it means that a party other than the child benefits from a commercial transaction in which the child is made available for sexual purposes - either an exploiter intermediary (pimp) who controls or oversees the child's activities for profit, or an abuser who negotiates an exchange directly with a child in order to receive sexual gratification. The provision of children for sexual purposes may also be a medium of exchange between adults. The prostitution of children is closely connected to the trafficking of children for sexual purposes and child pornography, while child sex tourism generally falls into the category of prostitution.

The prostitution of children is usually conducted in particular environments, such as from brothels, or bars and clubs, or homes, or particular streets and zones. Sometimes it is not organised, but most usually it is, either on a small scale through individual exploiter-pimps or on a large scale through extensive criminal networks. Children also engage in prostitution, however, when they exchange sex outside these locations and in return not only for basic needs such as accommodation, food, clothing, drugs or safety, but also for favours such as higher grades at school or extra pocket money for desired consumer goods otherwise out of their reach. In all these cases, the key issue is not that children opt to engage in prostitution in order to survive on the one hand or to buy more consumer goods on the other, but that children are pushed by social structures and individual agents into situations in which adults take advantage of their vulnerability and sexually exploit and abuse them. An all too common example of structure and agency combining to force a child into commercial sex is where the prostitution of a child follows on from prior sexual abuse, most likely in the home.

Child prostitution is the most commonly used term in relation to commercial sexual exploitation of children (CSEC), and the most clearly identifiable manifestation of CSEC, as opposed to commercial sexual exploitation through child marriage, domestic labour and the trafficking of children for sexual purposes. It was the limitations of the term 'child prostitution' that led to the development in the mid-1990s of 'commercial sexual exploitation of children' as a more encompassing description of specific forms of sexual violence against children. Nevertheless, 'child prostitution' remains in common usage and is indeed embedded in international instruments. Yet 'child prostitution' and 'child prostitute' continue to carry problematic connotations. This is because these constructions, on their own, fail to make it clear that children cannot be expected to make an informed choice to prostitute themselves; the act of prostituting a child is in fact carried out by another party, as is made clear in the definition provided by the Special Rapporteur of the United Nations Commission on Human Rights on the sale of children, child prostitution and child pornography. These terms do not adequately express a child's experience of force, exploitation, and physical and psychological harm inflicted through their engagement in prostitution. In addition, worldwide public understanding of 'prostitution' and 'prostitute' has been shifting as a result of the

introduction of terms such as 'sex worker', intended to raise the perceived status of women in prostitution. However, when it comes to children, to refer to 'sex work' is wholly misleading; again, it downplays the criminal exploitation committed against a child forced into prostitution and suggests that a child 'worker' has somehow chosen to follow a 'profession'. In light of these concerns, it is preferable to avoid the term 'child prostitute' altogether, and always to make it clear that a child engaged in prostitution has been forced by other people and by circumstances into commercial sex. It is adults who create 'child prostitution' through their demand for children as sexual objects, their misuse of power and their desire for profit.

### **Child Sex Tourism ([http://www.ecpat.net/EI/Csec\\_cst.asp](http://www.ecpat.net/EI/Csec_cst.asp))**

CST is defined as the commercial sexual exploitation of children by men or women who travel from one place to another, usually from a richer country to one that is less developed, and there engage in sexual acts with children, defined as anyone aged under 18.

Child sex tourism takes various forms, but generally it is about adult men who, in the course of travelling away from home, pay in cash or kind for sex with children. While some women engage in such violations, they represent less than 5% of sexual offenders.

Child sex tourists may not have a specific preference for children as sexual partners but take advantage of a situation in which children are made available to them for sexual exploitation. It is often the case that these people have travelled from a wealthier country (or a richer town or region within a country) to a less-developed destination, where poorer economic conditions, favourable exchange rates for the traveller and relative anonymity are key factors conditioning their behaviour and sex tourism. The visitors' demand for sex then fuels the further provision of children for exploitation. It should be noted that sex tourists are not just holiday-makers but also others whose occupations take them to destinations away from home, such as business people, transport industry workers and military personnel. Similarly, sex exploiters are not necessarily foreigners as one can be away from home within one's own country. Nevertheless, it is the transnational character of child sex tourism that has served to highlight the issue. This globalised cycle is also crucially interlinked with the trafficking of women and children and the pornography industry.

Travellers may rationalise their sexual exploitation of children by adopting an assumption that sex with a child is culturally acceptable in the place that they are visiting. This assumption may be lent weight where law enforcement authorities fail to punish crimes against children or where it is known that legal action may be offset through bribery. While prostitution of children may be illegal, a blind eye often seems to be turned to such offences when foreigners and the wealthy are involved. In this sense, the economic benefits derived from tourism often override a national government's commitment to prosecute and punish all crimes against children through national laws and international instruments that ensure the protection of children against sex exploiters in tourism.

While the definition of child sex tourism has been continuously refined, building on greater understanding of its scope and manifestations, the fundamental protection of children against commercial sexual exploitation is addressed in the Convention on the Rights of the Child (CRC), specifically in Articles 34, 35, 36 and 19. The CRC commits signatories to ensuring that children are protected from sexual exploitation and abuse, including prostitution and pornography. Article 34 recognizes the cross-border aspects of the sexual exploitation of children, as is often the case in child sex tourism, by requiring governments to take action

through national, bilateral and multilateral measures. Article 35 calls for similar action with regard to the abduction, sale and trafficking of children, which is linked to the global child sex industry.

The CRC position on child sex tourism is strengthened by the Optional Protocol on the sale of children, child prostitution and child pornography, which expresses explicit concern about child sex tourism. Article 10 commits signatories to: "... take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism. States Parties shall also promote international cooperation and coordination between their authorities, national and international non-governmental organizations and international organizations." In addition, there is the Protocol to prevent, suppress and punish trafficking in persons, especially women and children, which supplements the United Nations Convention Against Transnational Organized Crime and further protects children from trafficking for sexual and other purposes.