

## WHAT IS CHILD SEXUAL EXPLOITATION?

The first World Congress on Sexual Exploitation, held in Stockholm in 1996, defined commercial sexual exploitation of children as “a sexual abuse by an adult accompanied by remuneration in cash or in kind to the child or third person(s).”

Sexual exploitation of children is one of the worst forms of child labour and a modern form of slavery. Global findings show that children are put at risk of such exploitation by poverty, inequality, discrimination, persecution, violence, armed conflicts, HIV/AIDS, dysfunctional family environments, the demand factor and criminality. The broad causes of sexual exploitation therefore demand a range of comprehensive responses.

According to a recent global estimate by the International Labour Organization, of the 12.3 million people who are victims of forced labour, 1.39 million are involved in forced commercial sexual exploitation and 40–50 per cent are children.<sup>1</sup>

The Convention on the Rights of the Child (1989), to which Indonesia is a signatory, outlines the fundamental rights of children to be protected children from all forms of sexual exploitation and abuse, including exploitative use in prostitution and pornography (Article 34), which the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000) further refines. The International Labour Organization’s Convention 182 (1999) defines sexual exploitation as one of the worst forms of child labour.

Sexual exploitation prevents a child from going to school, can lead to infection with sexually transmitted diseases including HIV/AIDS, and can result in early and unwanted pregnancies, which result in higher maternal mortality. These factors all hinder the achievement of development goals, including MDG 1 (to eradicate extreme poverty and hunger), MDG 2 (universal primary education), MDG 5 (improve maternal health) and MDG 6 (halt and reverse the spread of HIV/AIDS).

Efforts to address sexual exploitation include better educational access for children, anti-poverty programmes, social support measures, public awareness raising, physical and psychological recovery and social reintegration of child victims, and action to criminalize the commercial sexual exploitation of children in all its forms and in accordance with the relevant international instruments while not criminalizing or penalizing the child victims.

## THE SITUATION IN INDONESIA

Indonesia is not only a major source of human capital for trafficking for forced labour, debt bondage and sexual exploitation but to a lesser extent it is also a destination and transit country for foreign victims from neighbouring countries. Internal trafficking across and between provinces and from rural to urban areas is equally pervasive, occurring in two thirds of all provinces.<sup>2</sup>

An estimated 30 per cent of women involved in prostitution in Indonesia are below the age of 18, with between 40,000 and 70,000 Indonesian children being victims of sexual exploitation.<sup>3</sup>

Out of the 3,735 victims of trafficking assisted by IOM in Indonesia between March 2005 and March 2010, 741 were girls.<sup>4</sup>

<sup>1</sup> International Labour Organization, *A Global Alliance against Forced Labour: Global report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work 2005*, Report I (B), International Labour Conference 93rd Session 2005, Geneva, 2005, pp. 12, 15.

<sup>2</sup> Analysis of “Trafficked Persons Assisted by IOM Indonesia March 2005-March 2010/27042010”. Also Arna, Antarini and Mattias Bryneson. *Report on Laws and Legal Procedures Concerning the Commercial Sexual Exploitation of Children in Indonesia*. ECPAT International and Plan International. Unpublished document (December 2004)

<sup>3</sup> Irwanto, Muhammad Farid & Jeffry Anwar. *Children in Need of Special Protection in Indonesia: Situation Analysis*. Jakarta: PKPM Unika Atmajaya Jakarta, DEPSOS, UNICEF, 1999.

<sup>4</sup> *Trafficked Persons Assisted by IOM Indonesia March 2005-March 2010/ 27042010*

Within Indonesia, in 2008 there were nearly 14,000 child victims of sexual exploitation in tourist destinations in 40 villages in six provinces.<sup>5</sup>

According to the US State Department (2009), each of Indonesia's 33 provinces is a source and destination of human trafficking; the most significant areas being Java, West Kalimantan, Lampung, North Sumatra, South Sumatra, Banten, South Sulawesi, West Nusa Tenggara and East Nusa Tenggara, and North Sulawesi.<sup>6</sup>

The majority of Indonesian victims of trafficking are men and women forced into labour and debt in Asian countries such as Malaysia, Singapore, and Japan and to the Middle East according to data from the International Organization on Migration (IOM).<sup>7</sup> Indonesian women and girls are also trafficked to Malaysia and Singapore for forced prostitution and throughout Indonesia for both forced prostitution and forced labour. Young girls, mainly from West Kalimantan, are trafficked to Taiwan as false brides, and in many instances are subsequently coerced into prostitution. Bali, West Nusa Tenggara, Central Java, Riau Islands, West Java and East Java are among the five top destinations for child sex tourism in Indonesia.<sup>8</sup>

Poverty, social acceptance of child labour, lack of birth registration, traditional practices such as early marriage and low education for girls are all among the root causes of human trafficking and sexual exploitation which need to be addressed. Evidence from a recent study however, shows that there are many families who, despite facing similar hardships and are lured with financial gains to sell their children, manage to protect their children and reject the traffickers.<sup>9</sup>

Child sex tourism does not presently appear to be a significant challenge for Indonesia. It is important to note, however, that as other Asian countries make progress to reduce child sex tourism, the trade will look for a new location. Therefore, it is critical for Indonesia to increase its efforts to enforce legislation and not be viewed as a potential new location for the child sex trade.

The Government of Indonesia has made significant progress in the last few years to combat trafficking, with introduction of new laws and policy reform, with a growing recognition that much more attention and energy needs to be given to leveraging anti-trafficking initiatives that address the root causes of human trafficking and other child rights violations.

In 2007, the Government adopted Law no. 21 on the Eradication of Criminal Act of Trafficking in Persons that adopts a comprehensive approach to addressing human trafficking. The Government has passed the Decree of the Coordinating Ministry of People's Welfare on the National Plan of Action on the Eradication of Trafficking in Persons and Sexual Exploitation of Children 2009-2014. The Plan guides government Ministries and Provincial/District Departments, through national and sub-national Task Forces, to implement programmes to eradicate trafficking in persons and sexual exploitation of children.

The national task force was established in 2008, with sub-national task forces subsequently created, working to coordinate prevention and responses to combat trafficking. While implementation of the laws and action plans face major challenges, including coordination and proper resourcing, some notable achievements have been made.

In 2008, the Ministry of Women's Empowerment and Child Protection conducted anti-trafficking outreach education in 33 provinces. Forty-one Integrated Service Centres or hospital-based service centres have been established to provide medical and psychosocial as well as legal and social services for victims of trafficking, and more than 300 help desks located in police stations are operational to assist women and child victims of violence, including trafficking.

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<sup>5</sup> Directorate General of Tourism Destination Development of the Ministry for Culture and Tourism of the Republic of Indonesia. October 2008.

<sup>6</sup> US State Department *Trafficking in Persons Report*. 2009

<sup>7</sup> *Trafficked Persons Assisted by IOM Indonesia March 2005-March 2010/ 27042010*

<sup>8</sup> Directorate General of Tourism Destination Development of the Ministry for Culture and Tourism of the Republic of Indonesia. October 2008.

<sup>9</sup> Singhal, Arvind and Dura, Lucia. *Protecting Children from Exploitation and Trafficking: Using the Positive Deviance Approach in Uganda and Indonesia*. Save the Children Federation, Inc. 2009.

The Government of Indonesia has ratified ILO Convention No. 182 on the Worst Form of Child Labour and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime. In 2001, the Government signed the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography but has yet to ratify it.

## UNICEF'S ROLE

UNICEF is advocating with the Government of Indonesia to ensure adequate technical and financial support is made available to adopt and fully implement the National Plan of Action, as well as to introduce local regulations and sub-national plans of action to prevent exploitation.

UNICEF is also continuing to work with the government to obtain its ratification of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

UNICEF provides technical and financial support to the Ministry of Social Affairs, the Ministry of Women Empowerment and Child Protection, the Ministry of Health and the Indonesian police to strengthen the capacity of social workers, health workers and police officers to better respond to victims of trafficking.

UNICEF is working with partners to develop a data base system on abuse, violence and exploitation including trafficking, that will help gather vital information on cases for monitoring and planning.

Awareness-raising materials, including posters and literature, are being developed by UNICEF and the Ministry of Women Empowerment and Child Protection to help inform the public about the threats of sexual exploitation and the need to support those affected.

UNICEF also works with communities to involve them in prevention and response initiatives; as well as to change attitudes and raise awareness about the threat of human trafficking. The agency is working to take communication on the issue beyond basic public information to try and mobilise constituencies of support that will themselves provide greater protection to women and children at risk.

## WHAT MORE NEEDS TO BE DONE?

Efforts must be made to continue strengthening the cadre of social workers to promote family and community care, promote positive child care practices, identify vulnerable households and children to provide pre-emptive services and provide case management for families and children in need.

Family preventive services must also be strengthened, including access to cash transfers to improve the household economic security of vulnerable families.

Government capacity to enforce existing laws in relationship to sex with minors should be enhanced.