

Forum: Human Rights Commission

Issue: The Question of Sexual Exploitation and Abuse

Student Officer: Ms. Ada Ruohonen

Position: President of the Human Rights Commission

Introduction

Sexual exploitation has been defined as when a man or woman has been taken advantage of only for the good of the offender. For someone to be exploited one must take advantage of them unfairly simply for their own benefit.¹ Observing, taking pictures or video of a naked person without their knowledge or consent can be seen as sexual exploitation.² Human trafficking is a platform for mostly women and children to be sexually exploited. In most cases they are transported from one country to another. Those being trafficked are promised a better life, they're told to perform certain acts, mostly sexual in this case, in order to have a better chance at life. Women get coerced into believing that they could be rich and independent, children on the other hand might simply be abducted. Once they arrive at their destination they're abused mentally and physically.

Sexual abuse is defined as forced sexual conduct with a person without their consent.³ Sexual abuse can also occur with an underage person. Having intercourse with an underage person can be seen as sexual abuse due to the lack of mental, physical and age related incapacity of the minor. Sexual abuse can occur for example when a father takes advantage of their child, these types of cases usually go unreported due to the shame linked to it. The person who had been molested can at times feel as if they were at fault. This leads to them being pressured, shamed and in some cases even shunned.

Sexual abuse of a minor, taking suggestive and pornographic images are seen as forms of sexual exploitation.⁴ Any type of visual images or depictions of children in sexually explicit situations are defined as child pornography.⁵ Child pornography is a crime punishable by the law in some countries. For example in the United States of America, for distribution or possession of child pornography for a first-time offender would be 15-20 years in prison. In addition the offender would be registered as a sex

¹ <https://dictionary.cambridge.org/dictionary/english/exploitation>

² <https://www.swarthmore.edu/share/what-sexual-exploitation>

³ <https://www.merriam-webster.com/legal/sexual%20abuse>

⁴ <https://www.europol.europa.eu/crime-areas-and-trends/crime-areas/child-sexual-exploitation>

⁵ <https://www.justice.gov/criminal-ceos/child-pornography>

offender and would have to complete a programme for such offenders. There are some countries that do not have any sort of law or definition of sexual abuse of a child.⁶

The difference between sexual exploitation and sexual abuse is fairly small. In both cases a person's sexual privacy has been violated. Although in sexual abuse, forced sexual contact has taken place, while sexual exploitation can happen without the person, whose privacy is being violated, knowing about the situation. But in both cases mental trauma for the victim is inevitable.

Definition of Key Terms

Sexual exploitation

Taking advantage of a person's nudity and/or genitals without their consent for the offender's own advantage.

Sexual abuse

Forced sexual contact with a person without their consent. Can be also defined as sexual conduct with an underage person who isn't capable of giving proper consent due to mental, physical or age related incapacity.

Human trafficking

When people are seen as objects and therefore are sold from one person to another. Those who have been trafficked are usually forced to for example work as sex slaves.

Child abuse

Having sexual relations with or without having the consent of a child under 18 years of age.⁷

Minor

A person who doesn't have the same rights as an adult due to age related restrictions.⁸

Prostitution

Exchanging sexual favours for money, food etc.

STD

Sexually transmitted disease.

⁶ <https://www.icmec.org/press/new-study-reveals-child-pornography-not-a-crime-in-most-countries/>

⁷ https://en.oxforddictionaries.com/definition/child_abuse

⁸ <https://www.merriam-webster.com/dictionary/minor>

AIDS

An autoimmune disease caused by the HI-virus. HIV spreads through certain body fluids, such as semen or blood. Once one is infected by HIV it is impossible to ever be cured of it.⁹

Background

Prevalence

An estimated 15 million girls, in 2017, between the ages of 15 and 19 have experienced forced sex or sexual abuse, within the past year, and yet only 1% have sought out for help.¹⁰ Young boys are also at risk of being sexually assaulted, but not as often as girls. Some 17 million adult women in 28 countries in Europe have experienced sexual violence as a minor, but have not reported the situation. In most cases the person who committed the sexual crime has either been a close friend, former partner, family member or an acquaintance. Approximately 9 out of 10 underage girls have been forced to have sex.

Different forms of sexual exploitation and abuse

Sexual exploitation is defined in most cases as children being taken advantage of through sexual abuse.¹¹ This can be for example forcing a minor to perform sexual favours in order to get shelter, drugs or food. Sexual exploitation can also occur by filming and taking pictures of minors in pornographic situations. Trafficking minors is also seen as a form of exploitation. In most cases the child is forced into working as a prostitute.¹² Children under the age of 18 are seen as more susceptible to be sexually exploited due to the lack of mental development, this means that they might not understand that what they're being forced to do is in fact illegal.

Sexual abuse is a part of sexual exploitation, in this case violence is a key element. Sexual abuse is essentially forcing the victim to perform sexual favours through violence, threats or by taking advantage of a person who is not at the time capable of giving consent.¹³ Sexual conduct without the victim's consent includes acts such as rape or attempted rape, sexual touching and forcing the victim to perform different sexual acts.¹⁴ Incest is another form of sexual abuse, this is when a family member has sexual contact with the victim. Sexual abuse can also be psychological for example when a victim is forced to watch pornographic films of pictures.

⁹ <https://www.hiv.gov/hiv-basics/overview/about-hiv-and-aids/what-are-hiv-and-aids>

¹⁰ <https://data.unicef.org/topic/child-protection/violence/sexual-violence/>

¹¹ <http://host.jibc.ca/seytookit/what.htm>

¹² <https://www.nwgnetwork.org/definition-types-of-cse/#sexual-exploitation-and-trafficking>

¹³ <https://www.apa.org/topics/sexual-abuse/index.aspx>

¹⁴ <https://www.rainn.org/articles/sexual-assault>

UN peacekeepers

The United Nations' peacekeepers have been accused of sexual abuse and exploitation around the globe. An estimated of 2000 allegations had been made between 2015-2017.¹⁵ In 2017 several reports had been made that the UN peacekeepers had sexually assaulted women. This resulted in the UN having to withdraw their Congolese troops from the Central African Republic. The UN secretary-general Antonio Gutierrez has reportedly said that the UN is attempting to tackle this growing problem.

Consequence

Being sexually violated can result to severe consequences, such as possible pregnancy or getting sexually transmitted diseases. Post traumatic stress disorder (PTSD) can be diagnosed after a person experiences a traumatic event. Though it is most common with soldiers coming back from war.

Possible pregnancy

Getting pregnant due to sexual assault is common. In some countries abortion is illegal, most likely due to religious beliefs. For example in Cameroon an abortion can be granted to an expectant woman if her physical or mental health is at risk.¹⁶ If a woman becomes pregnant due to being raped, the state can offer the woman abortion, but only if the case was serious enough. If an abortion is performed illegally it can be seen as a crime that can result in conviction. If sexual abuse has taken place, in this case meaning a woman has been raped, the offender can avoid persecution by marrying the victim. These types of marriages usually happen due to the shame sexual assault has brought to the family. The victim's parents usually want to arrange a marriage in order to handle the situation as discreetly as possible, so that they can avoid scrutiny from their village.

Sexually transmitted diseases

STD's in developing countries are common, one of the most popular diseases is HIV. The autoimmune disease is diagnosed more often with girls. 15-24-year-old girls are almost twice as likely to be diagnosed with HIV than men.¹⁷ In East and Southern Africa an estimated 19.6 million people suffered from HIV in 2017. In 2000 out of 28.9 million people diagnosed with HIV 770 000 were receiving treatment. Although the amount of people with HIV has increased, even more people have access to proper medication. In 2017 36.9 million people had been diagnosed, but 21.7 million were being treated. The AIDS epidemic official started in the 1980's¹⁸, at first the World Health Organization (WHO) started a fight against it, but they eventually joined the United

¹⁵ <https://www.aljazeera.com/news/2017/07/peacekeepers-hit-allegations-sex-abuse-170701133655238.html>

¹⁶ <https://www.womenonwaves.org/en/page/2815/abortion-law-cameroon>

¹⁷ <https://www.avert.org/global-hiv-and-aids-statistics>

¹⁸ <https://www.avert.org/professionals/history-hiv-aids/overview>

Nations and thus UNAIDS was created.¹⁹ As a part of the UN sustainable development goals the UNAIDS launched a campaign to help stop the AIDS epidemic by 2030.²⁰

Mental trauma

As mentioned before, PTSD is a mental disorder that can cause night terrors, panic attacks and anxiety.²¹ Having experienced a traumatic sexual experience, it can be hard for people to let anyone touch them again without triggering an anxiety or a panic attack. Feeling used, filthy and broken might make a victim of sexual abuse feel as if they are not worthy of intimacy. With proper counselling a victim could be able to continue their life as normally as possible. But even after counselling 50% of victims still reported feeling stressed and anxious.²² After being sexually abused the victim should go to the police or hospital for a standardized check up.²³ This includes a pregnancy test and an examination for possible STD's. In order for the offender to be possibly identified, a forensic investigation should be conducted.

Why does sexual abuse go unreported?

In some developing countries there isn't sufficient information regarding what to do after one has been sexually abused. In most cases the incident goes unreported because in some cultures it is seen as the victim's fault for being assaulted. It also brings great shame to the family and in order to retain honour a male family member might kill the victim.

Suicides are very common in Japan. In most cases the person who has decided to take their own life have been unemployed for a long period of time, or for example they have caused shame to their own family. This means that in Japan if you're sexually exploited or abused the blame falls on the victim causing an incredible amount of shame in their community. In most cases this leads to depression and then taking one's life. At times the victim will keep this information to themselves in order to try and avoid the shame, but this is extremely harmful to their mental health. Child pornography and live footage of child abuse are a growing trend in Japan.²⁴ According to the Japanese legislation a 16-year-old girl can be legally married, however this is still seen as forced marriage.

Human trafficking

Human trafficking is essentially treating humans as objects, selling them from one person to another. Human trafficking violates articles 4, 5 and 6 in the Universal Declaration of Human Rights.²⁵ Out of those who have fallen victim to being trafficked 54% are sexually exploited, 38% are forced labour

¹⁹ http://data.unaids.org/publications/irc-pub03/una96-2_en.pdf

²⁰ <http://www.unaids.org/en>

²¹ <https://www.merriam-webster.com/dictionary/post-traumatic%20stress%20disorder>

²² <http://www.uniteforsight.org/gender-power/module3>

²³ <https://www.nhs.uk/live-well/sexual-health/help-after-rape-and-sexual-assault/>

²⁴ <http://www.ecpat.org/wp-content/uploads/2018/04/ECPAT-Country-Overview-Japan.pdf>

²⁵ https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf

and 8% other such as organ trafficking.²⁶ Women and children are most likely to be trafficked for sexual labour. Men on the other hand can also be victims, but this isn't quite as common. Men are mostly just used for workforce. People are usually coerced into being trafficked, they're promised money, a better future, it might feel as if they could have a chance for living a better, more wealthy life. But once they arrive at their destination the reality is the opposite. They're forced to work and their entire salary goes to their employer. They might be told that a part of their money is being sent to their families, but like in most cases, it's a lie.

Key Member States and NGOs

Southeast Asia

Trafficking children is extremely popular in Southeast Asia. In Thailand people are mostly illegally trafficked for the sake or labour,²⁷ in addition approximately 120 000 women work as prostitutes, in most cases they're forced to have sex against their own will. Women and children are trafficked to China from Myanmar in order to be sold as brides.²⁸

Cameroon

Cameroon's penal code defines how if a female victim has been raped, the offender can avoid prosecution by marrying the victim. The penal code also defines how forced labour and slavery are illegal, and if one were to commit such an act, the offender should be incarcerated.²⁹

Central African Republic (CAR)

Several reports had been made in 2017 in CAR regarding Congolese UN peacekeepers. Allegedly the peacekeepers had sexually exploited and abused women and some men while on their mission. The UN ended up having to withdraw their troops from CAR.

Europe

In general in Europe approximately 10-20% of children experience sexual exploitation during their childhood. The blooming child pornography industry has become a major concern. In most cases children are too afraid to admit that they have been taken advantage of, this leads to the offender

²⁶ <https://www.aljazeera.com/indepth/features/2017/07/escaping-clutches-sex-trafficking-thailand-170730071208339.html>

²⁷ <https://www.unodc.org/southeastasiaandpacific/en/2017/08/trafficking-in-persons-thailand-report-launch/story.html>

²⁸ <http://un-act.org/myanmar/>

²⁹ <http://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>

being able to commit more crimes without being incarcerated.³⁰ In 2015, 215 000 sexual assault cases were reported by the police in Europe, out of which 80 000 were rape cases, 90% of the victims were female.³¹

UNICEF

The United Nations Children's Fund works to ensure children a safe environment to grow up in. They work in 190 different countries and they fight to save children's lives and make sure that a child is able to fulfil their potential.

ECPAT (End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes)

ECPAT works to defend children from being sexually exploited and abused around the world. The organization believes that every child has the right to live without the fear of being sexually assaulted and to be able grow up in a safe environment. They work hard to find the solution to be able to end child exploitation.

ILO (International Labour Organization)

The International Labour Organization (ILO) works to protect and promote jobs for people. They ensure that the international human and labour rights are not violated. They want women and men to have equal opportunities for work.³²

Human Rights Watch

The Human Rights Watch (HRW) is a nonprofit organisation that ensures worldwide that people have fundamental rights and that those rights are not violated. They're main goal is to make sure that the human rights are followed, and if they're broken they then ensure that those responsible will make things right.³³ As sexual abuse and exploitation violate articles 3, 4, 5, 12 and 25 of the Universal Declaration of Human rights, HRW is a necessary organization in making sure that the Human Rights aren't being violated.

UN Women

A United Nations organisation that focuses on fundamental aspects on gaining equality for women. In addition they thrive to end violence against women. In addition UN Women fight for women to be able to work, and therefore support themselves.³⁴

³⁰ https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/child-sexual-abuse_en

³¹ <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/EDN-20171123-1?inheritRedirect=true>

³² <https://www.ilo.org/global/about-the-ilo/mission-and-objectives/lang--en/index.htm>

³³ <https://www.hrw.org/about>

³⁴ <http://www.unwomen.org/en/what-we-do>

Timeline of Events

Date	Description of event
December 10, 1948	Declaration of Human Rights ³⁵
November 20, 1989	Convention on the Rights of the Child, ratified, (A/RES/44/25) ³⁶
November 10, 2000	Resolution adopted by the General Assembly (A/RES/55/25)
2006	'Me too' movement ³⁷
June 11 - July 11, 2010	UNICEF, Red Card campaign ³⁸
October 11, 2011	International Day of the Girl Child ³⁹

UN Involvement, Relevant Resolutions, Treaties and Events

- Resolution 2722, 11.3.2016 **(S/RES/2272)**⁴⁰
- Resolution adopted by the General Assembly. United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel, 7.3.2008 **(A/RES/62/214)**⁴¹
- 'Me too' movement, since 2006
- Report on special measures for protection from sexual exploitation and abuse: a new approach, 28.2.2017 **(A/71/818)**⁴²
- United Nations Convention against Transnational Organized Crime and the Protocols Thereto, 15 November, 2000⁴³
- A resolution adopted by the General Assembly, United Nations convention against Transnational Organized Crime, 10.11.2000 **(A/RES/55/25)**⁴⁴
- A resolution on the Convention on the Rights of the Child, 20.11.1989 **(A/RES/44/25)**
- Resolution adopted by the General Assembly, International Day of the Girl Child, 11.10.2011 **(A/RES/66/170)**⁴⁵

³⁵ https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf

³⁶ <https://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>

³⁷ <https://metoomvmt.org/about/>

³⁸ https://www.unicef.org/southafrica/resources_5700.html

³⁹ <http://www.un.org/en/events/girlchild/background.shtml>

⁴⁰ [https://undocs.org/S/RES/2272\(2016\)](https://undocs.org/S/RES/2272(2016))

⁴¹ <https://undocs.org/A/RES/62/214>

⁴² <https://undocs.org/A/71/818>

⁴³ <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

⁴⁴ <http://www.un-documents.net/uncatoc.htm>

⁴⁵ <http://undocs.org/A/RES/66/170>

- A resolution by the General Assembly in regards to the UN peacekeepers performing sexual exploitation and abuse, Criminal accountability of United Nations officials and experts on mission, 8 January 2008, **(A/RES/62/63)**⁴⁶
- A resolution adopted by the General Assembly, Comprehensive review of a strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations, 24.8.2007 **(A/RES/61/267B)**⁴⁷

Possible Solutions

People have started to speak up about their sexual exploitation and abuse experiences due to the 'Me too' movement going viral. This has helped raise awareness on the vast problem of women and children being sexually exploited and trafficked. The movement has made it possible for victims to heal and move past their traumatic experience. The 'Me too' website has a vast variety of sources for those looking for a safe space of a way to cope after being sexually assaulted.⁴⁸

The United Nations has a zero-tolerance policy towards people being sexually exploited and abused. As there have been cases where UN personnel have committed sexual violations, the Secretary General has emphasized that those people should not be rehired anywhere in the UN system.⁴⁹ Those who will be and who have been deployed to peacekeeping missions are trained on sexual exploitation, both before and after their mission.

Education is a powerful tool and spreading information regarding sexual exploitation and abuse in developing countries could help save children from trading in sexual favours for school supplies or a discounted study fee.⁵⁰ Many girls in Africa believe that sexual assault is a normal part of school. They should be taught that this is not true and that they have the right to attend school without having to perform sexual favours in order to get good grades.

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⁴⁶ <https://undocs.org/A/RES/62/63>

⁴⁷ <https://undocs.org/A/RES/61/267%20B>

⁴⁸ <https://metoomvmt.org/about/>

⁴⁹ <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/prevention>

⁵⁰ <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/prevention>

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