

Keynote Address
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on “Child Rights and good Governance:
Regional Cooperation against
Child Sexual Abuse and Exploitation”
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The theme of this meeting is “Elimination of sexual abuse and exploitation of children and youth.” The continuing practice of child sexual abuse and exploitation, which has come to the fore in recent years as a global phenomenon, is a gross violation of the rights of the child.

Child rape, incest, child prostitution, child pornography and the trafficking in children for sexual purposes are increasingly found in all parts of the World. The damage to the child is both physical and psychological. It is both generational and inter-generational.

The situation is frequently cloaked in a veil of secrecy. There is regrettably a ready market for the child victims locally, transnationally and internationally. The customers range from local clients to sex tourists and paedophiles who cross boundaries in search of their prey. They are facilitated by intermediaries such as pimps, procurers and brothel owners with their seedy underworld. At times, it is the parents themselves who sell their children in to the sex trade.

The issue is further complicated by the fact that it has become increasingly globalized. The advent of technology may also facilitate it. For instance, with the push of a button, it is now possible to send out thousands of child pornography images Worldwide. There are paedophile networks which transmit their information to all parts of the globe instantaneously through computer technology.

Globalization also means that it has become easier for the traffic in children by means of abductions, tricks and enticements both within countries and across borders. The children are dealt with as commodities traded and exchanged as part of an increasingly borderless World. In this context, globalization implies that we are faced with transnational crimes.

These are compounded by diseases, which know no borders, especially HIV/AIDs. We know all too well that the HIV/AIDs epidemic is wreaking havoc among women and children, particularly those victimised by the sex trade. It is

aggravated by new delusions, especially the practice of those customers, mainly male, who seek out children in the belief that children are less likely to be HIV-infected. Children also run a greater risk than adults of becoming infected with other sexually transmitted diseases. They are scarcely in a position to demand that adults use condoms as preventive measures, or to seek medical care when they fall ill.

Conversely, we should not forget that while globalization is pivotal in the march towards the next millennium, there remain key local issues to be addressed, often with International implications. There is an environment of poverty, which is a breeding ground for abuse and exploitation. Lack of access to education and the wherewithal of life renders children more susceptible to the sex market. This is further hampered by criminality, corruption, family disintegration, migration, discrimination, negative tradition practices and a decline in values.

Despite such dilemmas, the World has become increasingly mobilised against child sexual abuse and exploitation. A key re-orientation of the mind-set is to accept that children have rights not to be abused and exploited. Children are not chattels or objects to be violated by others, but are persons, subjects of inherent, inalienable rights.

As I have mentioned, the primary International agreement which guarantees this standpoint is the 1989 United Nations Convention on the Rights of the Child. It has been ratified by nearly all countries of the World. It advocates non-discrimination, the best interests of the child, the right to life, survival and development, and respect for the views of the child as key principles for our action for and with children. It calls for national, bilateral and multi-lateral measures against sexual abuse and exploitation of children.

The Convention was bolstered in 1996 by the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm, which tackled primarily the issues of child prostitution, child pornography and the trafficking in children for sexual purposes. The Congress adopted a Declaration and Agenda for Action which call for the establishment of national plans of action, focal points and data bases on the phenomenon by the year 2000.

It calls upon all States, in cooperation with civil society, to take more effective measures, especially through education. It also calls for the criminalisation of all the offenders, whether foreign or local, while ensuring that the child victims are not penalised.

The implementation challenge facing the International and national communities appropriately leads to the challenge of good governance and its inter-face with child rights.

Good governance is concerned with how power is exercised in the political, economic, social and administrative fields. Although it is much related to how governments act and interact with people in the public realm, it also applies to the private realm of how businesses conduct themselves and how families treat their children.

The notion of good governance is concerned with a more open and participatory society whereby all those who interact with children should be more transparent, honest and accountable towards the children. It calls for more consultations and cooperation between governments, law enforcement authorities, the business sector and civil society, including NGOs, the mass media, and child and youth representatives.

These tenets greatly influenced the drafting of the new Thai Constitution, which was promulgated in 1997. I was most honoured to be a participant in the process leading to this constitution. An accidental midwife (or mid-husband) for a child-friendly Constitution!

Some of the orientations, which may help to promote child rights and good governance, include the following:

1. Improved Selection and Capacity-building of Law Enforcers:

This implies the need to screen candidates, train them well for their tasks as law enforcers in the pursuit of “quality” law enforcement and monitor their performance. Dissemination of child rights and related laws and policies to law enforcers and the public is essential to promote greater empathy towards the child. Education and training as a preventive strategy against child rights’ infringements should be maximised, and these should include information concerning HIV / AIDS.

2. More support for Good Law Enforcers and Effective Law Enforcement:

This entails raising the income of law enforcers to a reasonable level so as to prevent them from corruption, coupled with recognition and rewards for good performance. It is complemented by measures to promote more effective law enforcement, such as an alliance between good police and community leaders and organizations.

3. More Penalisation of Corruption:

This is particularly important to the area of child sexual abuse and exploitation as it is often inter-mixed with dark forces, underworld influences and officials who use the law for their own ends, needing effective counter measures.

4. More People’s Participation in Decision-making, Monitoring and Implementation:

This calls for more participation of civil society and its members as watchdogs against child sexual abuse and exploitation. For instance, “Neighbourhood Watch” programmes and community volunteers for child protection can help to safeguard against the phenomenon. In regard to laws, policies and programmes, it is necessary to promote more public hearings and inquiries so that the voices of the public are heard prior to their adoption, review or reform.

5. More Checks-and-Balances:

This calls into play the possibility of rendering formal institutions and personnel more open and accountable to the public by having members of the public serve as monitors. For instance, the local police boards should have members of the public serve on them as counterparts for the formal police personnel. Some countries are also experimenting with the idea of a children's Ombudsman or equivalent mechanism which acts as a monitor against child rights' violations and which reports to Parliament for further action.

6. More Social Incentives:

All too often investment incentives such as tax relief are given to entrepreneurs wishing to invest in industries that are deemed beneficial to the economy, even though this may create negative impact for children. Too few incentives are accorded to those working for social development, such as NGOs. This situation needs to be redressed so that more incentives, such as tax relief, are given to those working for the community, especially children.

7. More Self-Regulation:

While laws are important to help eliminate child sexual abuse and exploitation, the private sector should be invited more concretely to self-monitor against abuses by the sector. This can take the form of Codes of Conduct and peer pressure, so that the sector itself can promote responsive conduct through self-regulation, and reprimand those found to be in breach.

8. More Decentralisation with Responsibility:

This calls into play the need to decentralise to the localities in terms of decision-making and resource allocations. It goes hand-in-hand with the need to encourage a sense of responsibility on the part of the localities to promote child-related projects and to foster open management and accountability towards the public.

9. More Multi-disciplinary Terms:

As child sexual abuse and exploitation arise from a variety of factors and damage both the physical and mental health of children, there is a need to promote more multi-disciplinary terms to respond to the child's needs. There is still a shortage of social workers, counsellors, doctors and psychologists who are essential for addressing not only the physical but also the mental damage inflicted on the child victim.

10. More Child-friendly and Gender-sensitive Measures:

This entails the need for more laws, policies, programmes and practices which are responsive to the child and sensitive to his and her gender. In several settings, the current administrative and legal system re-traumatizes the child, and this needs to be reformed.

These ten challenges are key challenges for the ESCAP region as we progress toward the future. Some of them, I am sure, are already in your minds as policy-makers and practitioners working for both child rights and good governance. This is exemplified by the current human resources development

project of ESCAP to train social development and health workers on the issue of child sexual abuse and exploitation.

In addition, initiatives are underway by other United Nations agencies, such as UNICEF, the International Labour Organization, the United Nations Development Programme, UNAIDS, the United Nations Population Fund, the World Health Organization and other agencies, which are working in concert for child rights. They are part and parcel of the need for more regional cooperation and the quest for sustainable partnerships, old and new.

Such challenges are a direct test for all of us in the call for more concrete action on behalf of children. If well implemented, empowered by a collaborative spirit and reinforced by mutual cooperation, the Asia-Pacific region will be able to pride itself on being a humane leader for the new millennium.