



Global Monitoring



Report on the
status of action against commercial
sexual exploitation of children

MONGOLIA



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Glossary of terms and acronyms

AIDS: Acquired Immune Deficiency Syndrome

ASEAN: Association of Southeast Asian Nations

CBO: Community-based organisation

Code of Conduct: A code for travel and tourism companies, providing guidance on the protection of children from sexual exploitation

CRC: Convention on the Rights of the Child

CSE: Commercial sexual exploitation

CSEC: 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. Commercial sexual exploitation of children comprises sexual abuse by the adult and remuneration in cash or in kind to the child or a third person or persons.

CST: Child sex tourism, or 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 under the age of 18.

EAP: East Asia and Pacific

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

Grooming: Preparing a child for sexual abuse and exploitation

HIV: Human immunodeficiency virus

ICT: Information and communication technologies

ILO: International Labour Organization

ILO/IPEC: International Labour Organization/International Programme on the Elimination of Child Labour

INGO: International non-governmental organization
INHOPE: International Association of Internet Hotlines
IOM: International Organization for Migration
IPU: Inter-Parliamentary Union
IRC: Internet Relay Chat
ISP: Internet service provider
IT: Information technology
MoU: Memorandum of Understanding
NGO: Non-governmental organization
NPA: National Plan of Action
ODHIR: Office for Democratic Institutions and Human Rights
STIs: Sexually transmitted infections
UN: United Nations
UNDP: United Nations Development Programme
UNESCAP: United Nations Economic and Social Commission for Asia and the Pacific
UNHCR: United Nations High Commissioner for Refugees
UNICEF: United Nations Children's Fund
UNOHCHR: United Nations Office of the High Commissioner for Human Rights
WHO: World Health Organization
WTO: World Tourism Organization

Foreword

Ten years have passed since the First World Congress against Commercial Sexual Exploitation of Children (CSEC) was held in 1996 in Stockholm, Sweden. The Stockholm Congress was a landmark event, providing testimony that convinced the world that sexual violations against children exist in all nations, irrespective of cultural differences or geographic location. It marked the first public recognition by governments of the existence of CSEC and resulted in a commitment to a global Declaration and Agenda for Action, which was formally adopted by 122 governments, as a guide to the specific measures that must be taken for counteraction.

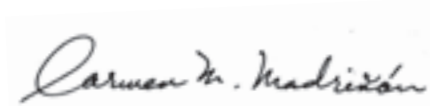
Since 1996, many actors around the world have focused their efforts around this common Agenda for Action and more government and non-government entities have linked, to ensure positive change for children and to protect their right to live free from sexual exploitation. This broad societal alliance (bolstered by a Second World Congress held in Yokohama in 2001, during which the number of countries adopting the Agenda rose to 159 - a figure which has since risen to 161) has made progress in improving protection for children from commercial sexual exploitation. However, the increasing sophistication of resources available to those who seek to exploit children have grown in equal measure. Responding to these challenges requires far more coordinated and targeted work to be undertaken to avoid retrogression.

Experience demonstrates that the level of responsibility and role that a government takes to set and uphold standards of protection, like the lead taken for protecting children's rights, determines the nature, quantity and quality of what the country achieves for its children. Governments can and have accelerated progress for implementation of the Agenda for Action, often opening new and important channels for such work. Nevertheless, their actions have not been uniform and, as these country profiles attest, far more urgent work must be done to protect children from such heinous violations, as these are still perpetrated with impunity in many countries.

This report aims to provide a baseline of information on actions taken and remaining gaps for addressing CSEC in each country, based on the framework of the Agenda for Action, to enable more systematic assessment of progress on implementation of this commitment. It also seeks to contribute to other international mechanisms that exist to protect children's rights; the *Convention on the Rights of the Child (CRC)* and the *Optional Protocol on the sale of children, child prostitution and child pornography* so as to strengthen the implementation and action against commercial sexual exploitation of children at all levels.

Another important objective of these reports is to stimulate the exchange of experience and knowledge among countries and different actors to create a dialogue that can further work against CSEC. While much has been achieved over the last 10 years, many gaps still remain. The implementation of the Agenda for Action is urgently required, for as the reports clearly illustrate, there is a compelling need for global action to protect children from these inhuman violations.

This project is the result of a broad and global collaboration. ECPAT International (EI) would like to thank all those who participated in the work and contributed their inputs, in particular the ECPAT member groups in the countries examined, local experts who provided valuable information and insights, other organisations that shared their experience and information, the dedicated staff and volunteers in the Secretariat of EI and the generous donors who backed the project (more extensive acknowledgements can be found in the Regional Report). This work would not have been realised without their support and solidarity.



Carmen Madriñán
Executive Director, ECPAT International

Methodology

The Agenda for Action against Commercial Sexual Exploitation of Children provides a detailed framework and categories of actions to be taken by governments in partnership with civil society organisations and other relevant actors for combating commercial sexual crimes against children. Broadly, these actions are focused on: 1) Coordination and Cooperation; 2) Prevention; 3) Protection; 4) Recovery, Rehabilitation and Reintegration; and 5) Child Participation. The Agenda for Action is thus the formal and guiding structure used by governments that have adopted it and committed to work against CSEC. As such, the Agenda for Action is also the main organising framework for reporting on the status of implementation of the Agenda as seen in the World Congress of 2001 and in the Mid-Term Review meetings held between 2004 and 2005. It has been used in the same way to structure and guide the research, analysis and preparation of information presented in these reports on the status of implementation of the Agenda in the individual countries.

Preparatory work for this report involved a review of the literature available on sexual exploitation for each of the countries where ECPAT works. A number of tools were prepared, such as a detailed glossary of CSEC terms, explanatory literature on more difficult themes and concepts and a guide to relevant CSEC-related research tools, to assist researchers in their work and to ensure consistency in the gathering, interpreting and analysing of information from different sources and parts of the world.

Early desktop research revealed a lack of information in the areas of Recovery, Rehabilitation and Reintegration; and Child Participation. After extensive efforts to collect information relevant to these areas for each of the countries covered, it was decided that as this information was not consistently available, the reports would focus only on those areas of

the Agenda for Action where verifiable information could be obtained. Thus, the report covers: Coordination and Cooperation; Prevention; and Protection, and where information on the other two areas was available, it has been included under the specific country or in the regional overview.

Research of secondary sources, including CRC country reports, alternative CRC reports, the reports of the Special Rapporteurs, submissions for the recent UN Study on Violence against Children, as well as research and field studies of ECPAT, governmental and non-governmental organizations, and UN agencies, provided the initial information for each report. This information was compiled, reviewed and used to produce first draft reports. In-house and consultant specialists undertook a similar process of review to generate information on specialised areas of the reports, such as the legal sections. Nevertheless, researchers often encountered a lack of information. While sources also included unpublished reports and field and case reports of ECPAT and other partners, many countries lacked up-to-date data and information on areas relevant to this report.

Despite these limitations, sufficient information was gathered to provide a broad overview of the situation in each country. Subsequently, first drafts were prepared and shared with ECPAT groups, which then supplemented the information with other local sources and analysis (taking care to identify them and source appropriately). Upon receipt of these inputs, a series of questions were generated by the ECPAT International team for deeper discussion through teleconferences, which involved ECPAT groups and specialists invited by them. The information from these discussions was used to finalise inputs to each of the reports. These consultations proved to be invaluable for analysis of the country situation.

They also served as a measure for triangulating and validating information as different actors offered their perspective and analysis based on their direct work.

As previously noted, the information of each country report is organised to correspond to the structure of the Agenda for Action. Thus all reports feature: (i) an overview of the main CSEC manifestations affecting the country; (ii) analysis of the country's National Plan of Action (NPA) against CSEC and its implementation (or the absence of an NPA); (iii) overview and analysis of coordination and cooperation efforts during the period under review; (iv) overview and analysis of prevention efforts; (v) overview and analysis of protection efforts, which includes detailed information on national legislation related to CSEC (see www.ecpat.net for further details); and (vi) priority actions required.



MONGOLIA

The study *Perception, Trends, and Nature of Child Prostitution*, conducted in 2001 in Ulaanbaatar, the capital city, with a sample group of 1,193 children from grades 7 to 10, indicated that 42 per cent of girls engaged in prostitution are aged between 17 and 18, while 57 per cent are aged between 13 and 16. The majority of these girls (70 per cent) are school dropouts and around 10 per cent are homeless. Most of the girls engaged in prostitution (85 per cent) live underground in the city's heating ducts or on the streets.¹ Commercial sexual exploitation of children (CSEC) in Mongolia is closely linked with the problem of street children, who are exposed to various forms of violence, sexual abuse and commercial sexual exploitation, including involvement in the production of pornography.² Although there is no reliable data on the numbers of street children in the country, it is estimated to be between one and 4,000 (post 1990, i.e. after the end of the Soviet occupation); 64 per cent are aged between 9 and 14. The majority are found in Ulaanbaatar, but they can also be found to a lesser extent in other large cities such as Dornod and Zamiin Uud.³

According to Central Police Department records for the year 2006, 73 children were found to have been subjected to sexual exploitation, 68 children were victims of trafficking, and 30 children crossed the border with false marriage certificates. Sixteen children returned to their homes.⁴

Factors pushing children into prostitution include sexual abuse, poor living conditions, and being lured, forced or influenced by others.⁵ The high rates of divorce and domestic violence (often accentuated by alcohol abuse) also lead many children to run away from abusive home environments to find themselves in highly vulnerable situations.⁶ At the end of the Soviet occupation, Mongolia experienced a severe economic collapse, but the various changes in the country's economic structure were not accompanied by social welfare programmes targeting children and young people.

Mongolia is regarded as a source, transit and receiving country for human trafficking. Girls

and women, mostly aged between 14 and 28, are trafficked mainly for sexual purposes to other countries in Asia (Japan, Singapore, China and Macao) and Europe (Yugoslavia, Belgium and Romania).⁷ Research conducted in 2002 revealed that girls already engaged in prostitution are most at risk of being trafficked through highly organised criminal groups. Sometimes, their family members are involved in such criminal activities.⁸ A number of non-governmental organizations (NGOs) and experts have indicated that corruption on the part of law enforcers is facilitating the trafficking process.⁹ Also, some Government officials, staff from embassies, local and foreign individuals and groups are involved in providing fake passports and illegal visas, as well as processing false adoptions of children by foreigners.¹⁰ Weak law enforcement, limited protection for victims and witnesses, and social stigma prevent victims of trafficking from reporting their cases.¹¹ Public awareness of the crime of human trafficking also appears to be low.¹²

The number of tourists visiting Mongolia is rising every year. Approximately 300,000 tourists visited Mongolia in 2004, an increase of a staggering 49 per cent from the preceding year.¹³ With such tourism growth, child sex tourism can easily take a strong foothold. ECPAT groups voiced their concerns about this at a recent meeting to examine child sex tourism in the region. It was also reported that some foreign nationals purchase and run exploitative businesses in Mongolia where underage girls are hired by tourists seeking sexual contact with minors.¹⁴ At present, it seems that such tourists are able to exploit children with near total impunity. East Asian nationals, particularly from China and South Korea, appear to be mainly involved. Mongolia has been energetically pursuing an open policy on tourism and foreign investment, and these may have contributed to the growth of commercial sexual exploitation of children in Mongolia.¹⁵

No information is available on the extent to which Mongolia is affected by child pornography. According to the ECPAT Coalition in Mongolia there is no indication that the problem is as yet occurring.

Mongolia adopted the *Stockholm Declaration and Agenda for Action* in 1996.¹⁶ It reaffirmed its commitment in Yokohama in 2001.

NATIONAL PLAN OF ACTION (NPA)

In November 2005, the Government approved the *National Plan of Action on Trafficking and Protection of Children and Women from Commercial Sexual Exploitation 2005-2012*. The Plan focuses on implementing relevant United Nations (UN) and other international conventions/treaties; improving and developing legal mechanisms; raising awareness to increase understanding of issues related to CSEC among key stakeholders; strengthening the capacity of personnel in related sectors, namely education, social assistance, tourism, etc; and enhancing collaboration between the Government and NGOs.¹⁷

Mongolia also developed the *National Programme of Action for the Development and Protection of Children* for 2002-2010, in conformity with the UN's *A World Fit for Children* document prepared in 2002. The Plan also reflects what emerged from the Children's National Forum held in June 2001 and from a meeting between local and international non-governmental organizations (INGOs) held in Ulaanbaatar in October 2002.¹⁸ The Ministry of Social Welfare and Labour is assigned to ensure nationwide implementation of the Plan and report on progress yearly. Governors of the *aimags* (provinces) are assigned to implement the Plan at local level. Khentii and Khuvsgul were the first two provinces, among the country's 21 provinces, to develop local programmes of action to implement the NPA.¹⁹

COORDINATION AND COOPERATION

Local and National Level

Broad scale coordination among key actors working on child protection issues to combat commercial sexual exploitation of children is missing. This lack of coordination at the policy and implementation levels among all relevant stakeholders, in tackling such a complex and multi-faceted problem as CSEC, creates a risk that certain important elements remain unaddressed. On the other hand, there are several ongoing initiatives for cooperation between the police and NGOs working with vulnerable children. These include initiatives that increase cooperation between agencies to enhance child rights programming: training police officers on how to improve investigation procedures for victims of sexual abuse, establishing child-friendly interview rooms and creating joint outreach activities for vulnerable street children.²⁰

The National Board for Children (a governmental body and a member of the ECPAT network) was established to work on the issue of street children and improve child welfare services. However, it appears to have limited authority and an unclear mandate for coordinating action on behalf of children.²¹ While a new structure and strategy for the National Board for Children was adopted in September 2004,²² it still lacks a comprehensive plan for coordination among related sectors.²³

The National Human Rights Commission was established in 2001. One of its three Commissioners was assigned to take an independent monitoring role with regard to implementing the *Convention on the Rights of the Child (CRC)* at national and local levels, including investigating and addressing complaints received from children. However, inadequate human, financial and technical resources have hampered the functions of the Commission.²⁴

Collaboration between governmental and non-governmental organizations to fight CSEC

The ECPAT Coalition in Mongolia was set up in November 2004 as a national network. The formation of the Coalition was originally facilitated by the NGO Mongolian Youth Development Foundation; it is now led by the NGO Adolescent's Development Centre. Its members comprise 30 governmental and non-governmental organizations, including the juvenile section of the General Police Department. The Coalition works in collaboration with the Ministry of Social Welfare and Labour, international NGOs and UN agencies at policy level, on conducting relevant research on CSEC, and working directly with children at risk or child victims. The Coalition also played an active role in the development process of the *National Plan of Action on Trafficking and Protection of Children and Women from Commercial Sexual Exploitation 2005-2012*, which was adopted in late 2005.

The ECPAT Coalition in Mongolia works in close collaboration with the Department of Population Development Policy and Coordination and the Ministry of Social Welfare and Labour to build the capacity of social workers in the country on the rights of the child, and to deal with CSEC cases as part of the implementation of the *NPA on Trafficking and Protection of Children and Women*.

The United Nations Children's Fund (UNICEF) has supported the work of the Coalition, in particular by providing services to vulnerable children, establishing hotlines for reporting CSEC cases, fostering implementation of the *Code of Conduct for the Protection of Children*

against *Sexual Exploitation in Travel and Tourism (Code of Conduct)* and developing research studies. UNICEF is also working with the Government and local NGO partners on projects to strengthen child rights programming, such as the ‘Protection of Children from Violence, Commercial Sexual Exploitation and Trafficking’ programme.²⁵

Catalysing action

A key event leading to greater protection for children against commercial sexual exploitation was the 2003 meeting held between ECPAT International, UNICEF, government representatives, multilateral/bilateral agencies and civil society groups, when a set of policy recommendations for action against CSEC was produced. The recommendations included the creation of an independent inter-agency structure to coordinate policy review and action on children’s issues; developing alternative strategies and services for the rehabilitation of street children; and increasing the involvement of stakeholders such as schools, teachers, youth groups, local community organisations, the media, the private sector and the police in protecting children from CSEC.

There are a number of initiatives where UN agencies collaborate with and support local NGO partners in projects related to children. These include activities directly related to CSEC, such as supporting research, providing services to vulnerable children, education initiatives and capacity building and training for police.²⁶

Regional and International Level

It has been noted that Mongolia experienced difficulties in establishing bilateral and regional cooperation in the past, especially on issues related to trafficking in children.²⁷

Mongolia is a member of the Inter-Parliamentary Union (IPU), the international organisation of Parliaments of sovereign States. Following the 110th Inter-Parliamentary Union Assembly held in Mexico City in April 2004, the UNICEF Mongolian office supported the translation of the *Child Protection Handbook for Parliamentarians*. The book was launched by the Mongolian Speaker of Parliament in December 2004,²⁸ the UNICEF Goodwill Ambassador highlighted the roles of Parliamentarians in protecting children.²⁹ Implementation of the international treaties related to child protection which Mongolia

has signed is hindered by weaknesses within the legal and judicial system due to a lack of resources and capacity.³⁰

PREVENTION

Significant action is underway to prevent domestic violence and abuse against women and children. The focus on the family and domestic abuse is highly visible in Government and NGO initiatives at policy and implementation levels. This is an important aspect in attacking the root causes of CSEC. Laws relevant to the family unit have undergone amendments in recent years, including a new family law and a draft law on domestic violence currently being deliberated in Parliament. There are several family development and support programmes being run by Government and NGOs in cooperation with INGOs. Although programmes targeting root causes exist, few CSEC-specific prevention programmes are currently being undertaken in Mongolia. Similarly, specific preventive measures to demonstrate the linkages between domestic violence and commercial sexual exploitation of children are lacking. Furthermore, more active involvement from the private sector is required. Although there is concern that advertising agencies and Internet service providers (ISPs) are serving as conduits for bogus announcements which lure girls with false offers of employment abroad, no organisation is currently involved in systematically assessing the policy implications or the measures required to work with the private sector on issues of child protection.³¹

There are no national education initiatives or campaigns (e.g. radio, TV, flyers, posters) to raise awareness on child protection issues or on CSEC specifically. As commercial sexual exploitation of children is a growing problem in Mongolia, such measures would be important means by which to educate the general public on the issue and raise awareness among groups at risk.³²

Interventions to address the growing incidence of unsupervised children on the street appear to focus on preventing juvenile criminality rather than on protecting vulnerable children from exploiters. As children on and off the street are highly vulnerable to exploitation, those working with them to ensure their protection (as well as other agencies involved in providing services) also need to call for measures to penalise the child exploiters, thus providing comprehensive protection. This implies a shift in emphasis from prevention and management of a juvenile justice problem to a focus on child protection.³³

In May 2004, 20 major Mongolian tour operators signed the Memorandum of Understanding (MoU) on implementing the *Code of Conduct*. The ECPAT Coalition

in Mongolia took the lead in providing technical assistance for developing the MoU.³⁴ Several training workshops have since been organised to raise the operators' awareness and build their capacities for combating the sexual exploitation of children in tourism. The Mongolian Tourist Board and UNICEF have been actively supporting the initiative.

Mongolian authorities, in partnership with UNICEF, developed and disseminated a video cautioning tourists against sexual contact with children. The video also advertises a telephone hotline through which tourists can report sexual exploitation of children by other tourists.

Finally, the Mongolian Adolescent's Development Centre operates an outreach programme for girls at risk of being exploited through prostitution. Using the experiences of girls rescued from prostitution to warn children at risk could serve as a good model for involving young people in future CSEC prevention/support activities.

PROTECTION

The Government of Mongolia ratified the *Convention on the Rights of the Child (CRC)* in 1990 and its *Optional Protocol on the sale of children, child prostitution and child pornography (Optional Protocol)* in 2003. Mongolia has not signed or ratified the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol)*. *ILO Convention No. 182* was ratified in 2001.

Legislation

Because Mongolia does not have comprehensive legislation on the commercial sexual exploitation of children, and most existing laws are relatively new and still require improvement, comprehensive legal reform is currently being planned by the Government.

Prostitution of Children

While Mongolia's law provisions offer some protection to children who are forced into prostitution, they offer none to children between 16 and 18 years of age, as required by the *CRC* and its *Optional Protocol*, which Mongolia has ratified. Moreover, the provisions on rape require the use of force or threats. The prostitution of children, however, is exploitation regardless of the use of force, threats, or a child's consent, and should be prohibited. It is also of great concern that Mongolian law penalises children involved in prostitution; according to the Government response to the UN Violence Study questionnaire, an "underage" person involved in prostitution may be punished with correctional work or arrest.³⁵ As a result, Mongolian law requires further strengthening to meet international standards.

Mongolia's *Criminal Code* has several provisions that could be used to prosecute some acts related to the prostitution of children. The Code prohibits organising the permanent prostitution of persons below the age of sexual consent, which is 16 years old.³⁶ Violators may be punished with up to five years' imprisonment, or a fine of 50,000 to 100,000 Tugriks (approx. US\$ 42 to US\$ 84). If an organised group commits this crime or uses deception to send a person abroad for purposes of prostitution, punishment may be between three and eight years' imprisonment.³⁷

Mongolian law also prohibits sex with a person under 16 years of age; punishment may be up to three years' imprisonment or eighteen months' correctional work.³⁸ The law also criminalises rape, which is sexual intercourse by use of force or threats, or by taking advantage of the helplessness of the victim. This may be punished with two to six years' imprisonment.³⁹ The law provides increased punishment of up to twelve years' imprisonment for repeated violations, rape by a group of persons, grave injury to the victim, or rape of a minor.⁴⁰ Additionally, rape by an "especially dangerous recidivist" that results in death or especially grave consequences, or rape of a child below 14 years of age, may be punished with eight to fifteen years' imprisonment or death.⁴¹

Trafficking in Children for Sexual Purposes

The *Amendment of the Law on Child Rights Protection* created a new provision regarding protection of the child against sale, trafficking, enslavement, violence and abandonment. Provisions prohibiting child trafficking, slavery and forced child labour have been recently inserted into the *Law on the Protection of the Rights of the Child*. Trafficking in children is punishable with ten to fifteen years' imprisonment.

Child Pornography

Under the *Criminal Code*, the production and dissemination of pornographic materials is illegal and punishable either with imprisonment of up to two years, correctional work for a maximum of one and a half years, or a monetary fine.⁴² Under the *Law on the Fight against Pornography*, Mongolia prohibits advertising pornographic materials or producing, disseminating, or selling pornographic books, films, photographs, images or tapes. The Government acknowledges that Mongolian law does not specifically prohibit the creation, possession or distribution of child pornography.⁴³

Extraterritorial Legislation

Mongolia has no extraterritorial legislation.

Child Protection Units

The police division on children's affairs has designated police officers who deal with matters concerning children. The juvenile inspectors cover the capital and all provinces and provide a nationwide structure for child protection. Projects are in place that focus on collaboration between the police and different NGOs to reduce revictimisation of child victims of sexual violence; for instance, police officers in civilian clothes work with NGO personnel in outreach activities. Although these projects are not specific to victims of commercial sexual exploitation,

they provide an opportunity to include CSEC-specific components. It does appear though that law enforcement against those who exploit children in prostitution is still very weak. Facilitators of prostitution are being convicted in Court, but it seems that in the case of direct abusers, there have been no convictions.⁴⁴

Although the *Criminal Procedure Code of Mongolia* has been amended in recent years, there is a need to introduce comprehensive, mandatory child-friendly procedures for child victims during the investigation phase and court proceedings. Some child-friendly procedures are being piloted in the country though: interview rooms with video facilities have been set up, and special rooms where a victim can identify the offender while remaining anonymous are being explored. However, much of the child protection related work conducted at agency and inter-agency levels appears to be focused in Ulaanbaatar. The rural areas and provincial cities - where children are at heightened risk - have been left out of such initiatives.

CSEC victims are liable to punishment

There is limited recognition of the principle of non-criminalisation of child victims of prostitution. Under the 1998 law against prostitution, children are technically liable to the same punishment as adults. Even if the police do not apply the penal provisions to children, the situation is highly unsatisfactory from a child protection and child rights standpoint.

Support Services for Children

Although some initiatives exist for the rehabilitation of child victims of sexual exploitation, a multi-pronged strategy of intervention is visibly lacking. This is exemplified by the fact that most initiatives have a single intervention focus, which is to reintegrate child victims with their families. While Mongolia's focus on family is commendable, it must be noted that the complex social problems that lead children to the street and entrap them in sexual exploitation will require a broader range of interventions. This is particularly evident when we consider the findings of research conducted by stakeholders who work with street children in Mongolia, which indicates that children end up on the street largely because they are escaping family abuse and violence. Given this evidence, a strategy focused solely on reintegrating street children/child victims with their families must be considered.

Thus, there is only one CSEC-specific rehabilitation programme in Mongolia, which is run by the Mongolian Adolescent's Development Centre in a district of Ulaanbaatar. However, only in severe cases of violence, are children actually referred to it. Strengthening capacity of staff is identified as a priority to ensure that proper rehabilitation care is provided to meet the needs of the children. As such, Mongolia presents a serious lack of shelters, support and

rehabilitation services for children escaping CSEC.⁴⁵ Resources for programmes to reach vulnerable children are highly dependent on external donors, and shelters for children are overwhelmingly donor-funded. As a result, the sustainability of these programmes cannot be ensured. The development of any additional shelters is discouraged, despite the fact that the number of children on the street is said to be growing.⁴⁶

Training Law Enforcement Personnel

The police administration is committed to introducing changes to protect children in the judicial system. This is reflected in the several training initiatives and pilot projects which promote improved procedures for victims.



PRIORITY ACTIONS REQUIRED

- There is a need to establish a CSEC focal point to improve coordination among key stakeholders and foster concerted action against the commercial sexual exploitation of children. In addition, the National Board for Children needs to play a more active role in improving cooperation and coordination with local NGOs to combat CSEC.
- Child protection and CSEC prevention programmes must be developed, targeting the countryside and the provincial cities. These remote areas are where children are at heightened risk of commercial sexual exploitation. Specific preventive measures to address the linkage between sexual violence in the home and CSEC are needed.
- A national campaign to raise awareness about the prostitution of children must be conducted. Prostitution among street children is the most prevalent form of CSEC in Mongolia. It is therefore important to educate the general public and mobilise local efforts to combat the prostitution of children and to protect children, especially in geographically remote areas where community-based child protection watchdogs can play a key role in protecting children from commercial sexual exploitation.
- At community level, educational activities on the risks of trafficking for migrant workers must be conducted. Migrant workers especially need to be made aware of the use of advertising by recruiting agents as a cover for trafficking for the purpose of sexual exploitation.
- Awareness raising campaigns in Internet cafés are needed to inform children of the potential dangers when online and the precautions they can take to protect themselves.
- The local tourism industry must be mobilised to prevent the potential rise of child sex tourism. More partners must be encouraged to sign the *Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism*, more awareness

raising campaigns need to be run, and strict law enforcement implemented to deter abusers.

- ✚ Mongolia must sign and ratify the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol)*.
- ✚ Mongolian law needs reviewing in order to ensure that children between 16 and 18 years of age who are forced into prostitution are protected, as required by the CRC and its *Optional Protocol*. Offences related to rape and the sexual exploitation of children should be criminalised regardless of the use of force, threats, or the child's consent. Moreover, single acts of prostitution must be criminalised, and not only "permanent" prostitution. Most importantly, children involved in commercial sexual exploitation should not by any means be punished by law.
- ✚ It is hoped that the much-needed legal reform currently being planned by the Government will close the many loopholes that impede Mongolian children from enjoying legal protection against commercial sexual exploitation. *The Optional Protocol* and the *Trafficking Protocol* are some of the international instruments that should be used as the basis for such reforms.
- ✚ The capacity of personnel working with sexually victimised children needs to be strengthened through specialist training. Adequate shelters, support services, rehabilitation and reintegration programmes are urgently needed to assist street children and those already victimised through commercial sexual exploitation.
- ✚ There is a need to develop standards for the care and protection of children in institutions.
- ✚ A review of how existing outreach programmes for vulnerable children can be extended to better reach child victims of commercial sexual exploitation is necessary. Identifying the core services needed by street children and mapping agencies that can provide them on a sustainable basis are also needed.
- ✚ A partnership structure for collaboration between NGOs, social workers and the police to assist vulnerable children living on the street should be institutionalised, possibly through a Memorandum of Understanding.
- ✚ A specialised unit for dealing with sexual crimes against children should be established within the Police Children Affairs Department. In order to mainstream collaboration between the police division on children's affairs and NGOs, one mechanism to consider would be a Memorandum of Understanding to establish responsibilities and the authority of each agency when dealing with child victims of prostitution and trafficking.

Endnotes

- ¹ *Mongolia Country Report*. The Sixth East Asia and Pacific Ministerial Consultation on Children. 5-7 May 2003. Bali, Indonesia.
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