

# THE SALE & SEXUAL EXPLOITATION OF CHILDREN: **SPORT & SPORTING EVENTS**



## The sale and sexual exploitation of children in the context of sport and sporting events <sup>1</sup>

### I. The key issues

Sport has a powerful effect on children's well being and can promote greater physical health, emotional and mental balance, and help children develop important skills related to participation, team building and collaboration. However, at the same time, sport – both the everyday practice of it and the larger scale organisation of “mega” sporting events (MSEs)– can expose children to grievous harm and violence.

The interconnectedness of sport and sale and sexual exploitation is a relatively unexplored issue that deeply affects children and adolescents' life experiences. The intersection between sport and sale and sexual exploitation of children presents in different ways. At a more extreme end of the intersection is the phenomenon of sale of athletes especially in major sports such as football. Sale and sexual exploitation can also take place at the margins of large or “mega” sporting events.<sup>2</sup> For instance, recent research has found that many children coming from poor families in low-income countries are trafficked in Europe in hope of being trained as professional footballers.<sup>3</sup> The UN Special Rapporteur on the sale and sexual exploitation of children also noted in 2016 that forced labour of children is strongly linked to sport since “[t]he sale of child athletes for competitive training and ultimately profit amounts to a form of sale of children for the purpose of forced labour. It generally features an imbalance of power, in which financial power is used to draw children and their families who are in economic hardship into unfair practices over which they have no control.”<sup>4</sup> Moreover, child athletes can easily fall victim to human trafficking – sometimes for the purposes of economic or sexual exploitation.<sup>5</sup> Sporting events also provide an environment where there may be a spike in sex work involving young people.<sup>6</sup> However, not enough research is available on the phenomenon, and laws are not fully equipped to regulate this widespread lucrative phenomenon.<sup>7</sup>

In addition to direct exploitation of children and adolescents in relation to sport, there is the further vulnerability of poor families and street-connected families being moved from their homes to make

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<sup>1</sup> This report presents highlights of the key issues discussed at a two-day expert consultation organized by the Special Rapporteur on the sale and sexual exploitation of children and the UNICEF Office of Research – Innocenti, in Florence on September 24 and 25 2019. The brief draws both on published literature as well as presentations made at the consultation. More information on the consultation is available at <https://www.unicef-irc.org/article/1928-un-special-rapporteur-holds-expert-consultation-on-prevention-of-the-sale-sexual.html>

<sup>2</sup> UNICEF Innocenti Research Centre (2010). Protecting Children from Violence in Sport: A Review with a Focus on Industrialized Countries, p12.

<sup>3</sup> Ini-Obong Nkang, 'How the search for football's next big thing is fueling a modern-day slave trade', 12 August 2019, The Conversation. <https://theconversation.com/how-the-search-for-footballs-next-big-thing-is-fuelling-a-modern-day-slave-trade-121350>

<sup>4</sup> A\_71\_261\_2016, p12

<sup>5</sup> Rozga, D. (2019) Presentation made at the *Consultation on the Mandate of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material*, 24-25 September 2019, Florence.

<sup>6</sup> De Lisio A. et al. (2019). Economies of (Alleged) Deviance: Sex Work and the Sport Mega-Event. *Sexuality Research and Social Policy* 16, p180.

<sup>7</sup> UNICEF Innocenti Research Centre (2010). Protecting Children from Violence in Sport: A Review with a Focus on Industrialized Countries, p12.

way for sporting venues, athletes' accommodation and other event-related infrastructures. The impact of re-housing on children and families may be severely negative since family livelihood options may be disrupted, children may be left isolated and they may not find easy access to basic services such as clean water, schools and healthcare.<sup>8</sup> For instance, during the 2010 South Africa FIFA World Cup, 600 street-connected children and youth were moved to an isolated relocation camp 30-km from Cape Town.<sup>9</sup>

Children's exposure to violence and harm can also take place within and through their everyday participation in and practice of sport. Instructors and coaches typically enjoy substantial impunity due to their authoritative role and the great pressure exerted on children to perform by families and schools as well as teams and clubs.<sup>10</sup> Sport has the power to change a young person's life through opportunities to receive scholarships, sponsorships and financial aid for education based on performance in sporting events.<sup>11</sup> More evidence is gradually emerging of abuse perpetrated by sports coaches and managers, especially in the context of competitive sports. Across Africa, for instance, indigenous children and adolescents who engage in sports are often involved in cases of sexual abuse and exploitation by their coaches.<sup>12</sup> Other well-known examples from the United States of America include the well-known cases of a gymnastics coach now in jail for the assault and abuse of over 300 girls, and a now deceased Ohio State team doctor who abused between 1200 and 2000 boys.<sup>13</sup> Moreover, many child athletes are often exposed to over-training and doping, both strongly linked to sexual exploitation and physical abuse as they put the child in a position of high vulnerability.<sup>14</sup>

Gender inequality is a significant aspect of the issue though it is under-studied so far. While some studies suggest that girls suffer more in sports than boys due to underlying patriarchal norms that legitimize the use of violence against girls, boys are often targeted for different reasons including assumptions about masculinity that normalize rough play, for example. Further, "cultures of silence" around issues of violence and abuse can prevent both boys and girls from speaking up. Not enough evidence or disaggregated data are available to fully grasp this interconnection and relation yet.<sup>15</sup>

## II. Building a rights-based protective framework

At present, the main legal instruments providing protection to children subjected to sale and sexual exploitation are the UN Convention on the Rights of the Child (CRC) and its Optional

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<sup>8</sup> [https://www.ihrb.org/uploads/reports/MSE\\_Platform%2C\\_Childrens\\_Rights\\_in\\_the\\_Sports\\_Context%2C\\_Jan.\\_2017.pdf](https://www.ihrb.org/uploads/reports/MSE_Platform%2C_Childrens_Rights_in_the_Sports_Context%2C_Jan._2017.pdf)

<sup>9</sup> Ibid.

<sup>10</sup> [https://www.unicef-irc.org/reportcards/files/Getting-into-the%20Game\\_Evidence-Child-Sport-for-Development\\_Report-Summary.pdf](https://www.unicef-irc.org/reportcards/files/Getting-into-the%20Game_Evidence-Child-Sport-for-Development_Report-Summary.pdf)

<sup>11</sup> Rozga, D. (2019) Presentation made at the *Consultation on the Mandate of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material*, 24-25 September 2019, Florence.

<sup>12</sup> Bissell, S. (2019) Presentation made at the *Consultation on the Mandate of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material*, 24-25 September 2019, Florence.

<sup>13</sup> Rozga, D. (2019) Presentation made at the *Consultation on the Mandate of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material*, 24-25 September 2019, Florence.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

Protocols, in particular the Optional Protocol on the sale of children, child prostitution and child pornography, and relevant ILO Conventions, especially No. 182 on the worst forms of child labour, which together detail the special rights and protections that children (everyone aged less than 18 years old) have. In addition to these, the United Nations Guiding Principles on Business and Human Rights (2010) constitute a relevant instrument for the protection of children in the context of sport since private actors are often involved in the organisation and management of these events. Though not legally binding, the Guiding Principles offer some guidance in relation to the role of non-state actors in the context of human rights enforcement. The Principles also encourage businesses to collaborate with state parties to enforce protection mechanisms for children in vulnerable situations.

An important milestone is the 2017 adoption of the Kazan Action Plan<sup>16</sup>, which is also based on the International Safeguards for Children in Sport<sup>17</sup>, marking the commitment of national governments to link sport policy development to the 2030 Agenda of the Sustainable Development Goals (SDGs)<sup>18</sup>, within a framework of international and national multi-stakeholder cooperation. The plan embodies the political willingness and commitment of several Ministers of Sports across the globe to incorporate the SDGs in their national policy agendas and identifies a number of guidelines related to child protection programmes in the context of sport. In particular, policy area III.2 commits all stakeholders to “Protect children, youth and other vulnerable groups” and encourages states to recognise that “...strategies and practices grounded on positive relationships and mutual respect, honest communication, just and proportionate response, mitigation and contingency, are necessary conditions for healthy and sustainable sport for all.”<sup>19</sup> The document also calls on states to protect children, adolescents and vulnerable groups in the context of sport in relation to SDGs’ targets 5.2 (eliminate all forms of violence against all women and girls in public and private spheres, including trafficking and sexual and other types of exploitation), 8.7 (take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour,) and 16.2 (end abuse, exploitation, trafficking and all forms of violence and torture against children).

Awareness about the violation of children’s rights in the context of sport is now increasing. In 2018, the Human Rights Council received a report on several abuses that have occurred in the context of sporting events and involving children, many which had been unreported for years.<sup>20</sup> At the very core of sporting events and activities there should be the willingness to respect, protect and fulfill child rights in a comprehensive and all-encompassing way.<sup>21</sup>

### III. Priorities reinforced by expert participants

Building on the recommendations given by the Special Rapporteur in her thematic report on sport<sup>22</sup>, several priorities were identified by the experts who participated in the meeting. These

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<sup>16</sup> [https://unesdoc.unesco.org/ark:/48223/pf0000252725\\_eng](https://unesdoc.unesco.org/ark:/48223/pf0000252725_eng)

<sup>17</sup> <https://www.sportanddev.org/sites/default/files/downloads/international-safeguards-for-children-in-sport-version-to-view-online.pdf>

<sup>18</sup> <https://en.unesco.org/mineps6/sdgs>

<sup>19</sup> <https://www.icsspe.org/system/files/KAZAN%20ACTION%20PLAN.pdf>

<sup>20</sup> A\_HRC\_40\_51\_2019

<sup>21</sup> A\_HRC\_40\_51\_2019

<sup>22</sup> A\_HRC\_40\_51\_2019

priorities have also informed the Special Rapporteur's latest report to member states and the international community.<sup>23</sup>

Given the recommendations and political commitments that have been developed in the past few years, such as the Kazan Action Plan or the International Safeguards for Children in Sport<sup>24</sup>, launched in 2014 under the leadership of UNICEF UK, there is now urgent need for proper and effective **implementation**. International, regional and national policymakers should be involved in this process and should coherently implement policies that are fundamental for the protection of children in the context of sports. Rights bodies such as the UNCRC Committee and the Special Rapporteur on the Sale and Exploitation of Children, along with other special procedures, in partnership with national human rights institutions, offer an important platform to highlight children's vulnerabilities to sale and exploitation in the context of sports and can monitor the strengthening of protective mechanisms and the effective implementation of available laws, policies and programmes.<sup>25</sup>

A key challenge is the **absence of adequate research and evidence** to inform all stakeholders about both the scale and the nature of the challenge, as well as effective measures to prevent sale and exploitation in the context of sport. While there is now a clearer understanding of the scope of violations and issues that are linked to children's engagement in sporting activities and sporting events, the phenomenon has not been fully uncovered or understood. Data are scarce from industrialized and high-income countries, and largely unavailable from the global south, on both the everyday and extreme ends of exploitation.<sup>26</sup> Preventive measures, such as safeguarding, are being employed but there is no research and subsequent monitoring on whether they are effective. Moreover, the factors underlying individual perpetration of abuse and the wider processes through which children are being trafficked or exploited in the context of sports still need to be better understood; more evidence is needed in relation to both these aspects. Another fundamental gap is constituted by the lack of research concerning MSEs and the many issues that stem from them and that have a negative impact on children's lives.<sup>27</sup> Importantly, research informed by evidence and data which has been ethically and thoroughly retrieved, should always primarily focus on child rights and be mindful of age and gender as crucial factors defining children's experiences of violence and abuse.<sup>28</sup>

The engagement of the **private sector** is a crucial aspect to be integrated in the effort to end sale and sexual exploitation of children in the context of sports. There remains significant denial related to the actual and potential scale of the sale and sexual exploitation of children in sports.<sup>29</sup> The private sector's adoption of a child rights perspective is an important way forward to ensure the protection of children in the context of sport. Many are already starting to do so. For instance, FIFA has established an International Human Rights Advisory Board. The International Olympic

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<sup>23</sup> A\_HRC\_43\_40\_2020

<sup>24</sup> <https://www.sportanddev.org/sites/default/files/downloads/international-safeguards-for-children-in-sport-version-to-view-online.pdf>

<sup>25</sup> Rozga, D. (2019) Presentation made at the *Consultation on the Mandate of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material*, 24-25 September 2019, Florence.

<sup>26</sup> Ibid.

<sup>27</sup> [https://www.ihrb.org/uploads/reports/MSE\\_Platform%2C\\_Childrens\\_Rights\\_in\\_the\\_Sports\\_Context%2C\\_Jan.\\_2017.pdf](https://www.ihrb.org/uploads/reports/MSE_Platform%2C_Childrens_Rights_in_the_Sports_Context%2C_Jan._2017.pdf)

<sup>28</sup> Ibid.

<sup>29</sup> Bissell, S. (2019) Presentation made at the *Consultation on the Mandate of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material*, 24-25 September 2019, Florence.

Committee now has a hotline to combat harassment and abuse in sport.<sup>30</sup> Another example is offered by the 'It's a Penalty' campaign, launched on occasion of the 2014 Brazil World Cup and which continued during the 2016 Rio Olympics, which aimed to raise awareness about the commercial sexual exploitation and abuse of children around mega sporting events.<sup>31</sup> While these efforts represent a start, this emerging issue needs greater global attention, a more robust evidence base and a central commitment to the promotion of child rights in the context of sport by all concerned actors including parents and coaches, who should be better informed on how to protect children in the context of sports.

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<sup>30</sup> Rozga, D. (2019) Presentation made at the *Consultation on the Mandate of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material*, 24-25 September 2019, Florence.

<sup>31</sup> [https://www.ihrb.org/uploads/reports/MSE\\_Platform%2C\\_Childrens\\_Rights\\_in\\_the\\_Sports\\_Context%2C\\_Jan.\\_2017.pdf](https://www.ihrb.org/uploads/reports/MSE_Platform%2C_Childrens_Rights_in_the_Sports_Context%2C_Jan._2017.pdf)