



STATEMENT

UPR Pre-Session in PORTUGAL, Geneve, April 04, 2019



1. Presentation of the organization

This statement reports the situation of the sexual exploitation of children in Portugal and is produced by CIAF Portugal and ECPAT International.

CIAF Portugal is a non-governmental organization, created in 2018 that carries out actions and awareness campaigns for the general public and companies to fight sexual exploitation of children in travel and tourism.

ECPAT International is a global network of 102 organizations in 93 countries whose mission is to prevent and combat sexual exploitation of children (SEC).

2. National consultations for the drafting of the national report

This report is based upon the research of ECPAT International and CIAF Portugal for the 2014-2018 period on SEA and its various manifestations, notably through prostitution, travel and tourism, the use of materials for abuse or exploitation of ESE online, child trafficking for sexual purposes and child marriage.

3. Sexual exploitation of children in Portugal

The number of children, mainly from Africa and Eastern Europe, trafficked for the purpose of sexual exploitation, victims of criminal networks, using Portugal as a hub for several European countries is increasing every year.

These cases exceed 20 per year. Victims and traffickers arriving at Lisbon and Porto airports commonly use fake documents. The main destination countries are Belgium, Germany, France and the United Kingdom.

In December 2018, Portugal was voted the best tourist destination in the world. (World Travel Award).

By 2019, the number of tourists is expected to increase from 24 million to 31 million, which increases the chances of entry for sex explorers.

With all this growth, Portugal will gradually become a privileged destination for the practice of sexual exploitation related to tourism with children.

Twelve stakeholders from the international tourism industry have signed the code of conduct coordinated by ECPAT for the protection of children against sexual exploitation in travel and tourism, but no local company has done so, yet.

4. Follow-up of the last UPR

At the country's last UPR in 2014, the Working Group's report made 33 recommendations on the rights of the child, but none of them targeted SEC. Of the five recommendations on trafficking in human beings, only one dealt with child trafficking.

5. Progress and Challenges of the Legislative Framework

The Portuguese Government has ratified the Optional Protocol on the sale of children, child prostitution and child pornography (OPSC) and has therefore made a clear commitment to combat the sexual exploitation of children (SEC).



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ESE in the context of Travel and Tourism - although not explicitly addressed in the Penal Code - is fought by the legal provisions on prostitution and human trafficking.

Trafficking in children for sexual purposes - The Criminal Code defines and punishes the offense of trafficking in children for the purpose of exploitation, including sexual exploitation, with prison terms ranging from three to ten years.

ESE through prostitution - The Penal Code punishes anyone who incites, encourages SEA through prostitution or attracts a child to prostitution.

ESE in lines - The Criminal Code provides for the prohibition of "child pornography".

Forced marriage - Portugal introduces the criminalization of forced marriage in November 2016. However, Portuguese legislation does not completely prohibit early marriage.

The Civil Code sets the legal age of marriage at 16 years of age with the authorization of the parents, legal guardian or, where applicable, a director at the Office of Civil Status.

6. Recommendations to the GoP

- Increase the legal age of sexual consent and amend legislation to ensure the protection of all children under the age of 18 against SEC online.
- Adopt specific legal provisions to criminalize SEC in the context of Travel and Tourism.
- Establish the legal age of marriage at age 18.
- Adopt a specific national action plan to end SEC.
- Establish a sufficient number of shelters for child victims of SEC and offering integrated services (psychological, legal, medical, etc).