



# SEXUAL EXPLOITATION OF BOYS



**SOUTH KOREA REPORT**

*November, 2021*

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**Cover illustration:**

The illustrations on the cover of this report depict environments and situations relevant to the sexual exploitation of boys in South Korea. From top to bottom: Bullying and sexual violence occurs in school contexts for both girls and boys; like in many countries, there is a culture of silence about boys discussing sexual exploitation that they have been subjected to; while a lot of instances of sexual exploitation are now facilitated online, street-based risks for boys still occur.

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# BACKGROUND AND RATIONALE

Violence against children, including sexual exploitation of children (SEC), is estimated to affect millions worldwide and no country or region is ‘immune’.<sup>1</sup> It has the potential to impact upon children in all socio-economic groups, of all educational levels, and across all ethnic and cultural groups.<sup>2</sup> While data about sexual exploitation of all children is generally lacking, this is even more so when looking at boys specifically. For example, in the rare cases that countries collect prevalence data on sexual exploitation of children, samples are often limited to adolescent girls, obscuring any understanding of the unique experiences and vulnerabilities of boys.<sup>3</sup> While it is widely accepted that girls are disproportionately at risk of sexual exploitation, there has been an increasing awareness that there is a gap in the global understanding of how boys are impacted.<sup>4</sup> The limited evidence available suggests that in some contexts where more boys are found, they may even be at greater risk.<sup>5</sup> Boy victims can face legal consequences in countries where their offender is male and where homosexuality is criminalized – regardless of their sexual orientation.

The influence of gender norms around masculinity and femininity are important to consider in understanding the sexual exploitation of children, and we can observe that what is attributed to one gender, is often denied to others. These norms typically hold that boys are strong and invulnerable, less likely to be victimized or less likely to be seriously harmed if they are. Conversely, girls are often considered vulnerable, including to exploitation, and are expected to be significantly affected and in need of support. These norms can hamper the responses to the sexual exploitation of boys whereby the development

of policies, practices, advocacy and research may underrepresent or exclude boys. “*While many vulnerability factors for sexual exploitation and abuse are common to all genders, boys access to support is unquestioningly conditioned by gender norms, constraining their help-seeking behaviour and their ability to seek care.*”<sup>6</sup>

While these circumstances should by no means detract attention from continued research, advocacy, and support for girls subjected to sexual exploitation, there is a clear need for greater advocacy, understanding and a higher quality evidence-base on the sexual exploitation of children of *all* genders, to better inform all work to prevent and respond appropriately to their needs.

## A GLOBAL BOYS’ INITIATIVE

ECPAT International launched the **Global Boys’ Initiative** to explore the sexual exploitation of boys, activating our worldwide network of member organizations in a range of research and response activities focused on boys. To meet the initial challenge of limited data, in 2020-21, the Global Boys’ Initiative embarked on a series of research projects in ten countries around the world, to shed light on understanding sexual exploitation involving boys, what factors lead to their vulnerability and increased risk, and what their needs are in terms of prevention, protection and support services. Much of this initial research phase was generously funded by SIDA, which allowed primary research to be conducted through partnerships between the ECPAT International secretariat and national ECPAT member organizations.

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1 Office of the Special Representative of the Secretary General on VAC. (2019, July). [Keeping the Promise: Ending Violence against Children by 2030](#). New York: United Nations.

2 ECPAT International. (2020). [Summary Paper: Sexual Exploitation of Children in Travel and Tourism](#). ECPAT International: Bangkok. 4.

3 The Economist Intelligence Unit. (2018). [Methodology Paper Out of the Shadows: Shining light on the response to child sexual abuse and exploitation – A 40-country benchmarking index](#). London: The Economist Intelligence Unit. 3.

4 Josenhans, V., Kavenagh, M., Smith, S., & Wekerle, C. (2020). [Gender, Rights and Responsibilities: The need for a global analysis of the sexual exploitation of boys](#). *Child Abuse and Neglect* 110 (1).

5 ECPAT International. (2021). [Global Review of the Existing Literature on the Sexual Exploitation of Boys](#). Bangkok: ECPAT International.

6 Josenhans, V., Kavenagh, M., Smith, S., & Wekerle, C. (2020). [Gender, Rights and Responsibilities: The need for a global analysis of the sexual exploitation of boys](#). *Child Abuse and Neglect* 110 (1).

## THIS REPORT

TACTEENNAEIL has been at the forefront of actions to prevent and respond to sexual exploitation of children in South Korea since March 1995, and has been a member of ECPAT International since 2004. TACTEENNAEIL and ECPAT International partnered for a ground-breaking research project into the sexual exploitation of boys in South Korea during 2020-21, with results captured in this report.

The project in South Korea included the following activities:

- A survey of frontline social support workers from a range of services in South Korea, most likely to have contact with boys who have experienced sexual exploitation or abuse;
- ‘Survivor Conversations’ with boys who had experienced sexual exploitation - exploring their lived experiences and perspectives related to gender norms, seeking and receiving support, the quality of services, and their recommendations for positive change;
- An analysis of South Korea’s legal framework that protects children from sexual exploitation, with a focus on boys.

The findings captured in this report are intended to identify existing strengths, areas for improvement, and inform service improvements to ensure that they are gender-sensitive and accessible for all children. It is hoped that the findings will also contribute significantly to breaking down the stigma and taboos surrounding boys’ experiences of sexual exploitation and abuse in South Korea. Clear, actionable recommendations that are driven by the evidence, are also provided.

# COUNTRY CONTEXT

South Korea is an East Asian country with a population of just over 50 million people - 8.1 million of whom are under 18.<sup>7</sup> The country is one of the most developed in Asia, undergoing a significant transformation since the Korean war in the 1950's. However, this rapid development has not always had a positive impact on children. While the country has an advanced education system, South Korean schools suffer from a long history of bullying including violence and sexual harassment.<sup>8</sup> Children who are bullied can often feel isolated and alone, and therefore more vulnerable to offenders who may take advantage of the child's vulnerability.

There is a distinct lack of research on the sexual exploitation of boys in South Korea. However, this is not to suggest that boys are not targeted by these crimes. Some recent shifts have seen men and boys increasingly being recognized as victims of sexual offences in South Korea, particularly following a revision of the Criminal Act in 2013.<sup>9</sup> Prior to the revision, the definition of a 'victim' in Article 297 (rape) was limited to women, which meant that no man or boy who had been sexually victimized could report his case as 'rape' or 'sexual assault,' and offenders could only be charged with 'crimes of inflicting bodily injury and violence'.<sup>10</sup> Following the revision, there is slow recognition of male sexual victimization and national agencies have started to record such crimes.

According to the Ministry of Gender Equality and Family (MOGEF)'s 2020 performance report<sup>11</sup> of hospital based national Sunflower Centers<sup>12</sup> which provide support to victims of sexual violence, in 2020, the total number of male victims who visited

the Sunflower Centers was 1,166. There were 603 boys under 13 seeking help and 234 were between 13 and 19. The Korean National Police Agency's 2019 summary of victim statistics<sup>13</sup> indicated that 120 males reported that they were raped, with a further 1,496 reporting sexual assault. However, research focusing solely on the victimization of males, especially boys, is still very rare. This is believed to contribute to the relative 'invisibility' of the issue within public and professional spheres.

In South Korea, boys have been identified as victims of online child sexual exploitation in recent high-profile cases.<sup>14</sup> In 2020, the 'Nth Room' scandal attracted considerable national attention and led to changes in the law. The children, including boys, were blackmailed and coerced into sending their images to offenders who then posted these in publicly accessible chatrooms.<sup>15</sup> Further, in June 2021, a 26-year-old man was arrested after grooming boys on social media and disseminating nearly 7000 child sexual abuse materials (CSAM) online. The offender pretended to be a woman, and used more than 30 social media accounts, coercing boys to send him naked images and videos. He also assaulted and raped boys during in-person contact. While the police confirmed they had identified 67 victims, it was stated that there could be as many as 290 boys who had been targeted by this offender.<sup>16</sup>

## SOCIAL, CULTURAL AND GENDER NORMS – 'CULTURE OF SILENCE'

The sexual exploitation of boys is impacted by established gender norms in South Korean society.<sup>17</sup>

7 UNICEF. (2019). *The State of the World's Children 2019*. 194.

8 ECPAT International. (2018). *Country Overview: Korea*. 6.

9 Government of Korea. (2016). *Criminal Act*. Article 306.

10 Government of Korea. (2016). *Criminal Act*. Article 297.

11 Ministry of Gender Equality and Family. (2020). *사전정보공표*.

12 One-stop center for victims of sex offences; operated by the Ministry of Gender Equality and Family. It provides victim-support such as medical, psychological and legal services. Police officers are stationed in the center in order to provide victim-centered interviews. Sunflower Center is located in local hospitals and operates 24/7.

13 Korean National Police Agency. (2020). *Summary of Crime: Victims and victimization report*.

14 YTN. (2020). *Sexual exploitation chat room for teenage boys. "Intimidate to catch weakness."*

15 Seoul Central District Court. (2020). Case number: 2020고합294 & 2020고합486.

16 Segy Ilbo. (2021). "If you send me a naked picture, I will meet you." *Sexual exploitation of hundreds of boys... '26-year-old Chan-wook Choi' released*. [Translated from Korean].

17 ECPAT International. (2018). *Country Overview: Korea*. 7.

When sexual exploitation of boys happens, the experience for boys contradicts common norms they may have internalised that are related to their gender - that boys are brave, stoic, able to protect themselves and handle problems alone. This type of experience is known to lead to boys blaming themselves for not living up to the expectations, or even lead to victim-blaming from others, and a culture of ignoring sexual violence towards boys.<sup>18</sup> It is also commonly assumed in South Korea that boys like sex at all times. This leads to the belief that in circumstances where women may exploit a boy, that the boy is happy and it is not victimization. Further, while homosexuality is legal in South Korea, tolerance is low, and those with diverse sexual orientation, gender identity and expression (SOGIE)<sup>19</sup> face discrimination.<sup>20</sup> Boys who are sexually exploited by men may be dissuaded from disclosing from fear of being labelled as homosexual.

Like elsewhere in South-East Asia, playful bodily touching by older adults – meant affectionately – continues, though it is fading out. Similarly, peers may pat bottoms or poke genitals with their feet as mischief. While no harm is meant by these practices, they send messages about bodily autonomy and boys can feel powerless to stop it occurring.<sup>21</sup> More seriously, there can also be a tendency to rationalise sexual violence between males as ‘harmless mischief’, including in settings like compulsory military service, where sexual assault is believed to be common.<sup>22</sup>

In the experience of TACTEENNAEIL project staff, other beliefs about male sexual violence persist - such as believing that male child victims of adult offenders are ‘willing participants’. Additionally, the perception within South Korean culture that males overall hold more social resources and power and are thus more likely to be offenders of sexual violence (against women and girls) rather

than victims, is also believed to contribute to the reluctance to acknowledge male victims of sexual violence.

## LEGAL REFORMS

In 2013, South Korea made reforms to legislation related to sexual violence, so the law now offers equal protection to all children. Social support centres which specifically respond to child victims of sexual violence – the ‘Sunflower Centres’ - are now also accessible to both boys and girls following recent advocacy.<sup>23</sup> However, until as recently as 2020, children exploited in prostitution could still be penalised in law for the crime of ‘engaging in prostitution’<sup>24</sup> and frontline workers anecdotally noted that boy and girl minors were widely and routinely punished for such acts. Recent legislative changes that now protect exploited children from any prosecution are welcomed.

## INTERNATIONAL AND REGIONAL LEGAL COMMITMENTS

South Korea has demonstrated its strong commitment to the protection of children’s rights through ratifying several international and regional instruments to protect children against sexual exploitation. The main international instrument underpinning the protection and defence of children’s rights is the United Nations Convention on the Rights of the Child (CRC Convention),<sup>25</sup> which was ratified by South Korea in 1990. This convention is the primary international document that contains provisions to protect children from sexual abuse and exploitation.

In 2000, in response to the rising concern of trafficking of children for sexual exploitation as well

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18 Josenhans, V., Kavenagh, M., Smith, S., & Wekerle, C. (2020). *Gender, Rights and Responsibilities: The need for a global analysis of the sexual exploitation of boys*. *Child Abuse and Neglect* 110 (1).

19 Rather than the more commonly used term ‘Lesbian, Gay, Bisexual and Transgender’ (LGBT), EPCAT International uses the term ‘diverse SOGIE’ to indicate different sexual orientation (such as gay, lesbian and bisexual) and different gender identities and expressions (such as trans, third-gender, non-binary).

20 BBC News. (2019). *Gay in South Korea: ‘She said I don’t need a son like you’*.

21 Hilton et al. (2008). *“I Thought it Could Never Happen to Boys: Sexual Abuse & Exploitation of Boys in Cambodia, an Exploratory Study*. Organization: Social Services of Cambodia (SSC).

22 Kwon, I; Lee, D; Kim, E; Kim, H-Y. (2007). *Sexual Violence Among Men in the Military in South Korea*. *Journal of Interpersonal Violence* 22(8). 1024-42.

23 Korea Policy Briefing. (2015). *Production and Distribution of Adult Male Sexual Assault Victim Support Guide*. [Translated from Korean].

24 Government of Korea. (2020). *Act on the Protection of Children and Youth against Sex Offences*. Article 38.

25 UN. (1989). *Convention on the Rights of the Child*.

as other forms of sexual abuse and exploitation, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC)<sup>26</sup> was adopted. The OPSC was ratified by South Korea in 2004, emphasising its continued engagement with the international response to the sexual exploitation of children.

South Korea last reported to the CRC Committee regarding the implementation of the CRC and OPSC at country level in 2019. Whilst the Committee did not include any recommendations specifically related to boys within its observations, it did call on South Korea to take all measures necessary to prevent and respond to all manifestations of child sexual exploitation and abuse, to strengthen awareness raising and encourage the reporting of sexual exploitation and to ensure that sex offenders are prosecuted and appropriately sanctioned.<sup>27</sup>

South Korea has yet to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which specifically recognizes that children have the right to appeal to international mechanisms specific to them, when national mechanisms fail to address violations effectively.<sup>28</sup>

Exploring the CRC and its protocols further, there are numerous instruments that have been adopted by the international community in its attempt to protect children from sexual exploitation and abuse. The International Labour Organisation Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO Convention No. 182)<sup>29</sup> was ratified by South Korea in 2001, and the Protocol to Prevent, Suppress and Punish Trafficking in persons, Especially Women and Children, supplementing the UN convention against Transnational Organised Crime (UN Trafficking Protocol)<sup>30</sup> in 2015. Through ratifying these instruments and agreeing to ensure

their effective implementation and enforcement, South Korea has endeavoured to adopt legislative measures to effectively prohibit the forms of sexual exploitation of children prescribed within. In terms of regional commitments, in 2015, the Ministry of Gender Equality and Family hosted the International Symposium on Prevention of Sex Trade, focusing on Southeast Asian countries, including a special session on the UNODC's response to sale and trafficking of children and women for sexual purposes.<sup>31</sup> Furthermore, although South Korea is not a member state of the Association of Southeast Asian Nations, it participated in the Seventh High-Level Cross-Regional Roundtable on Violence Against Children, in June 2017. One of the key events was the discussion of "child abuse and neglect, exploitation, harmful traditional practices and bullying."<sup>32</sup>

South Korea also works with INTERPOL in collaborative efforts to combat sexual exploitation of children. Indeed, in 2020, South Korea committed to funding INTERPOL's 'Fight Against Child Sexual Exploitation' project. This will allow greater focus on connectivity from the Asian region to the International Child Sexual Exploitation database, allowing for enhanced victim identification procedures and ultimately aiding prosecution efforts. Another goal of the project is to identify producers and distributors of CSAM and block and remove websites containing such content.<sup>33</sup>

Finally, South Korea has also shown a dedicated response to the UN Sustainable Development Goals.<sup>34</sup> In 2016, the country submitted its Voluntary National Review, reporting on the progress it had made thus far on achieving each of the goals.<sup>35</sup> However, the review did not contain any specific details relating to the fight to end the sexual exploitation of children.

26 UN General Assembly. (2000, May 25). [Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography](#).

27 Committee on the Rights of the Child. (2019). [Concluding observations on the combined fifth and sixth periodic reports of the Republic of Korea](#).

28 UN General Assembly. (2011). [Optional Protocol to the Convention on the Rights of the Child on a communications procedure](#). UN Doc. A/RES/66/138.

29 ILO. (1999). [Worst Forms of Child Labour Convention](#). (No. 182).

30 UN General Assembly. (2000, November 15). [United Nations Convention against Transnational Organized](#)

[Crime, Annex 2: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime \(Palermo Protocol\)](#). Res. 55/25 of 15. Art. 3 (a).

31 Women's Human Rights Institute of Korea. (2015). [International Symposium on Prevention of Prostitution](#).

32 ASEAN. (2017). [Seventh High-Level Cross-Regional Roundtable on Violence against Children](#).

33 INTERPOL. (2020). [Korea to fund INTERPOL projects combating cyber-enabled crime](#).

34 United Nations. (n,d). [Sustainable Development Goals](#).

35 Government of Korea. (2016). [National Voluntary Review](#).



# METHODOLOGY

## RESEARCH METHODS

The main purpose of the research in South Korea was to build an empirical foundation for an increased understanding of the sexual exploitation of boys. To generate new primary data, the methodology included a frontline support workers survey with both quantitative and qualitative components. Conversations with boys and young men who are affected by sexual exploitation were also undertaken. Finally, documentary analysis of national legislation related to sexual exploitation of children was completed.

### Frontline Support Workers' Survey

This survey aimed to measure the access, quality and effectiveness of support services regarding sexual exploitation that are available to boys in South Korea. The survey findings are used to identify strengths and areas of improvement, to provide recommendations for service improvement and skills and knowledge training.

### Rationale

Workforce surveys have increasingly been used in research to gain an understanding of the effectiveness of social support systems. Most commonly these surveys are used by health<sup>36</sup> and social work professions<sup>37,38</sup> to measure service delivery effectiveness and to examine the efficiency of public spending.

Social support to children who are subjected to sexual exploitation and abuse is generally provided within the broader context of child protection. We therefore developed and delivered a survey for child protection workers, and those most likely to come into contact with children. The survey explored perceptions related to the sexual exploitation of boys, factors related to boys' access to these services, perceptions of the quality and

effectiveness of services in supporting boys, as well as details about the nature of their direct work with children.

### Sample

Organizations in South Korea who provide child protection support services were identified and approached by TACTEENNAEIL. While the research focus was boys, very few services focus specifically on this cohort, therefore, the sample included workers supporting sexually exploited children of any gender. Once identified, survey administrators from TACTEENNAEIL contacted management to explain the survey and invite the participation of frontline staff. Participants were included on the basis that they were over 18 years of age, with at least 12 months experience in service provision and had a current caseload which included children.

The cohort was a 'convenience sample', and thus is not representative of the entire population of frontline support workers in South Korea. The sampled organizations were mostly urban based, as the majority of social support services tend to be concentrated in more populated urban areas. These potential geographical limitations to service accessibility are explored in the data. Further to this, different types of support services were included in the sample design. In total, 56 frontline support workers from South Korea who currently provide services for sexually exploited children completed the survey. In addition, four partially completed surveys were also included in the analysis as more than 80% of questions were answered.

Self-administered online tools alone (emailing a survey link) have notoriously low participation rates. Thus, the design opted for in-person administration using an online tool. Appointments were made with eligible staff for the survey administrators from TACTEENNAEIL to further explain the project, the consent process and assist with self-administration of the survey via an online link. Appointments

36 Magadzire, P M et al. (2014, November). *Frontline Health Workers as Brokers: Provider perceptions, experiences and mitigating strategies to improve access to essential medicines in South Africa*.

37 Sadeghi, T and Fekjaer, S. (2018). *Frontline Workers'*

*Competency in Activation Work*. *International Journal of Social Welfare*. 77-88.

38 Netsayi, M. (2019). *Perceptions of Frontline Social Workers on their Contributions Agenda for Social Work and Social Development*.

were planned to occur face-to-face, but COVID-19 restrictions meant most were completed via phone calls or chat apps. Administrators remained on standby to support, offer guidance and troubleshoot as the participants completed the survey. The personal connection helped motivate participants to complete the survey. Data collection took place in April and May 2021.

## The survey

The online survey consisted of 121 multiple choice and short open-answer questions, and was developed in English in consultation with the Global Boys Initiative Steering Committee. The draft tool was then translated to Korean, and ECPAT International and TACTEENNAEIL collaborated to check and contextualise the survey, which was then pilot-tested with a small number of local social support workers before being fielded.

## Analysis

Following data collection, data was cleaned, and open-ended responses were translated to English. Survey output was integrated into a custom analytical framework created using Google Sheets. Additional analysis was then conducted based upon exigent themes and patterns that arose from the data. Qualitative analytical components were then added to the framework, and thematic analyses were conducted for each variable. Analysis and writing was completed by two international experts with specialization in male vulnerability. Quantitative and qualitative themes and patterns are explored, with direct (translated) quotes illustrating the dominant narratives emerging from the quantitative data, along with occasional dissenting views (where available). Care was taken during analysis not to present any qualitative responses that may have identified participants. Once completed, the analysts consulted with TACTEENNAEIL to explore for further insights and to validate the findings.

It should be noted that the data is not statistically representative of the experiences of all frontline support workers in South Korea. However, the estimates, perceptions and experiences reported here offer valuable insight into an under-

researched area and shed light on the access and quality of social support for boys subjected to sexual exploitation and abuse in South Korea. Many participants shared additional observations and illustrative anecdotes for open response items throughout the survey that further named challenges and potential opportunities for action and progress in this area.

## Conversations with boy survivors

These conversations aimed to build on the limited understanding of the experiences of boys and young men in accessing support for sexual exploitation in South Korea. Furthermore, they explored the ways that gender norms influence their lives, and their experiences of seeking and receiving help. Additionally, the conversations measured their perceptions of the quality and effectiveness of existing services, and gathered recommendations for improvements.

## Rationale

ECPAT International recognizes that engaging survivors of child sexual exploitation in research requires substantial care to accommodate a range of ethical considerations in any design,<sup>39</sup> and also places significant value on survivors having the right to safely, actively and meaningfully participate in discourse on issues that impact upon them. “Research involving children in these contexts can realise their right to participation by providing a way to amplify children’s voices, challenge the culture of silence in which abuse thrives – if it is done carefully to ensure that children don’t experience harm.”<sup>40</sup>

This is an integral principle guiding this research activity – to centre survivors as having control over sharing their perspectives, on their terms. To date, there has been no research in South Korea to purposefully focus on the sexual exploitation of boys, or include the specific perspectives of boys. The Global Boys’ Initiative therefore provided a ground-breaking opportunity to address this gap. To ensure that the voices of male survivors were meaningfully included in this research project, ECPAT International developed a comprehensive, participant-centred, ethically sound and trauma-

39 ECPAT International. (2019). [Guidelines for Ethical Research on Sexual Exploitation Involving Children](#). Bangkok: ECPAT International.

40 *Ibid.*

*“Research involving children in these contexts can realise their right to participation by providing a way to amplify children’s voices, challenge the culture of silence in which abuse thrives – if it is done carefully to ensure that children don’t experience harm.”*

informed approach with the help of internationally recognized experts who had extensive experience working with male survivors of sexual abuse and exploitation. The ‘conversations’ were designed to engage in dialogue with young male survivors on issues which mattered to them, and explore their lived experiences through a range of person-centered, ethical, respectful and psychologically-safe activities.

ECPAT International places great value on partnerships across the global network, and is also highly committed to supporting the development of expertise through collaborative and co-creative approaches. Therefore, after facilitating an assessment of learning needs - training and technical support was provided by the experts to the TACTEENNAEIL team of qualified social workers and counsellors in South Korea. A series of online meetings, with activities and exercises between them was completed over a number of months to help sensitise the team to key issues in working with male survivors. Together the experts and the South Korea team jointly developed a range of tools and exercises to actively engage boys in planned conversations.

### Sample

Extensive efforts were made to identify up to 10 participants that met careful inclusion criteria. These criteria included for example, a need for participants to have access to support structures, and for adequate time to have passed since the exploitation occurred. However, identifying participants proved very difficult, further exacerbated by COVID-19 constraints.

Just two boys ultimately participated. One 17-year-old boy who experienced exploitation from a close relative, and one 16-year-old boy who

was subjected to online grooming, before being exploited offline. Their parents consented for them to take part in the activities during pre-meeting discussions together to discuss the process, and in the case of the 17-year-old, one of his parents also accompanied him on the day, which provided facilitators with opportunities to interact with him separately, and unexpectedly identify some of his own challenges and support needs. Both 1-1 conversations took place in May 2021.

### Conversations approach

The conversations were carefully designed to take place in an interactive style, rather than a traditional form of research interview. The advantages of this design is that it is attentive to the nature and sensitivities of the topic, and promotes choice and empowerment, placing high value on the fact that participants have, and perceive themselves to have, significant control over what they share with the research team. As such, participants are able to contribute verbally, but also through a range of specifically designed tools and activities, providing choice and a range of creative opportunities for expression that are appropriate to the South Korean context.

A range of creative tools to facilitate the conversations were specifically developed, using the latest interactive technology, including an ‘escape room’ activity, social media posts and a ‘gender graph’ to explore gender norms. The needs, gaps and recommendations were also identified using a ‘Tree Building’ activity. More detail about the survivor conversations approach can be found in Appendix 1.

### Analysis

The research did not seek to ask the boys about the specifics of the exploitation that they were subjected to. The conversations aimed to gain insight into the experiences around their exploitation in South Korea, and to support them to share their unique perspectives on how to improve the situation for others.

The conversations initially explored what it means to ‘be a boy in South Korea’, eliciting ideas about how they experience gender norms in their daily lives. This activity broke the ice while also creating a foundation for further understanding their lived experiences prior to their exploitation. Norms were also used to understand their experiences,

'world views' and behaviours before, during and after those events, including those related to help-seeking. The themes broadly explored were:

- Boys' experiences of seeking and receiving help and support (Barriers to access, quality of services etc.);
- Needs and gaps in support that the boys identified;
- Boys' recommendations for improvements.

Whilst boys may have received formal support, their responses were not restricted to speaking only of these. They were encouraged to share their ideas about informal sources of support in the widest sense, including family, friends and community members.

### Legislative analysis

The documentary legislative analysis aimed to identify legal gaps, barriers and opportunities in addressing the sexual exploitation of children, with a focus on boys. It adopted a standardised review method. Specifically, a checklist including approximately 120 points and sub-points was created by ECPAT International to support the analysis for all countries in the Global Boys' Initiative. Staff from TACTEENNAEIL explored the national legislation and completed the checklist, followed by research staff from ECPAT International using this information to inform further analysis, and compile a narrative. This draft was then validated and confirmed in collaboration between the two teams and makes up Chapter 6 of this report. The findings identify areas for advocacy to amend and improve legal responses.

## ETHICAL CONSIDERATIONS

Given the inherent vulnerability of children, research on child sexual abuse and exploitation must be designed in ways that abide by strict ethical standards.<sup>41</sup> Before beginning, ECPAT International convened a panel of three global experts for an independent third-party review of our proposed methodology. A detailed research protocol that included mitigations for ethical risks, along with draft tools, was developed and shared with the panel. Detailed feedback from the panel was accommodated in two rounds of review before the project commenced.

As detailed above, the TACTEENNAEIL team participated in extensive preparations together with the two experts prior to conducting the conversations. The team therefore learnt from each other in terms of methodology, and appropriateness for the South Korean context to ensure the most ethical and appropriate conduct. Together, the team completed a 'risk and benefits' analysis, as described in ECPAT's comprehensive guidelines, during planning.<sup>42</sup> The process for obtaining informed consent included a pre-meeting to discuss and plan the process with the boys and their parents before a second meeting took place for the conversations. See Appendix 1 for more details.

Informed consent was obtained as an integrated part of the online survey tool. To protect confidentiality, names were not requested at any stage of completing the survey.

## LIMITATIONS

### For the Survivor Conversations

Extensive efforts were made to recruit a sample of 10 boys, but due to logistical and timing issues, the team were only able to recruit two participants. We encountered a number of significant challenges gaining a sample. This included low levels of awareness and familiarity with the sexual exploitation of boys, and thus difficulty reaching out to possible participants. Despite transparency about the methodology, some workers continued to hold concerns that conversations with boys may still be harmful and declined to share information about the research with possible participants for them to consider participating themselves. Future research should find ways to overcome the reluctance of workers, perhaps by increasing the collaboration of boys' support workers in an element of the research process. Advertising the research amongst young people more widely may also provide the opportunities for them to consider participation themselves.

Additionally, the COVID-19 pandemic meant movement restrictions varied at different times during the data collection period which may also have influenced workers, boys and their parents regarding participation.

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41 *Ibid.*

42 *Ibid.*

## *For the Frontline Support Workers' Survey*

A limitation occurred as a result of our inclusion criteria. Our intent was to include support workers who worked directly at the frontline (not higher up managers). Thus, a hurdle question sought experience of working directly with children

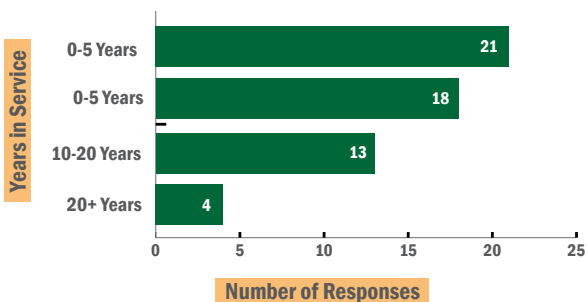
“within the last 12 months.” As data collection occurred in the first half of 2021, the impacts of COVID-19 had restricted some frontline workers from doing direct client work for some time, so it is likely that some of the 53 participants who began the survey but were disqualified by hurdle questions may have been false positives.

# FRONTLINE SUPPORT WORKERS

## OVERVIEW OF SAMPLE

The 56 support workers in the sample are drawn from 25 different cities, with nearly a third from Seoul. Notably, all but four respondents are female, three male, and one identified as ‘other’. Thirty-three respondents (58%) worked in a non-governmental organization and 15 (27%) work for the government. The remaining eight respondents worked in private and para-government organizations. All but two support workers worked in urban settings. Both who worked in rural settings worked for the South Korean Government. Respondents are, overall, highly educated with 35 (63%) having a PhD or Master’s degree. Figure 1 shows that two thirds of respondents had 10 years of experience or less. Four participants had been working with children for more than 20 years.

Figure 1. How long have you worked providing welfare support to children?



## SERVICES PROVIDED

All respondents reported providing at least some form of physical and mental health services, with 51 (91%) providing one-on-one counselling and nearly three quarters providing sexual health services. Thirty-two (57%) provided medical services and 21 (38%) provided group psycho-social support. Only four respondents reported that they provided supports specifically for people of diverse SOGIE. Respondents were asked to reflect on the types of supports that they offered, and the specialization training that they had received. Among the 54 responses, descriptions largely fell into three categories:

- **Provide clinical psychology (52%):** The majority of these respondents reported having received specialization training in sexual violence (n=19), followed by trauma (n=4), women’s rights (n=3), and domestic abuse (n=1);
- **Provide other forms of therapeutic counselling (26%):** These respondents had received training in sexual violence (n=6), victim support (n=2), feminist therapy (n=2), sexuality work (n=2), and domestic abuse (n=2).
- **Social support workers (20%):** These respondents had receiving training in crisis intervention/frontline support (n=5), sexual violence (n=3), trauma (n=1), and mentorship (n=1).
- One respondent focused on the provision of legal support within the context of sexual violence.

Beyond physical and mental health services, all respondents also reported providing at least some form of socio-economic support. The majority of this support was related to legal costs, which was provided by 80% of support workers. Twenty-four percent provided reintegration support, 32% provided various forms of economic assistance, including cash transfers and 21% provided clients with basic supplies like food or clothing.

The majority also reported providing some form of family support services, including 63% who provided support for families/caregivers and 13% who provided residential care.

To a lesser extent, some respondents’ organizations provided access to both formal and non-formal education, but this was less common, with 29% providing support for non-formal education or vocational training, including seven who provided educational services themselves, and six who provided vocational training themselves. No organizations provided support for tertiary studies.

## Reflections: Educational Background of Workers

The workers in our sample were very highly educated - with the majority having a Master or PhD level education. While many had at least some education in social work (29%), there was a sense that many had been trained in more 'medicalised' approaches to working with their clients rather than those considering ecological contexts. This may be the result of a sampling bias, as many participants worked in Sunflower Centres which are based within hospital settings.

Master or PhD qualifications tended to be in psychological or psychiatric specialisations (n=17), including clinical psychology (n=9) and criminal psychology (n=4). In addition, two participants had Master's degrees in law, and one had a Master's degree in education.

Considering the specializations of respondents, there is a clear, relevant focus on sexual violence and trauma, with a number of support workers specializing in structural and gender-based forms of violence as well. While specialization in sexual violence can provide a rich set of tools for responding to trauma, it is important to note that currently there are no specialized training for sexual abuse of boys in South Korea. It is likely that sexual violence training concentrates on the experiences of women and girls.

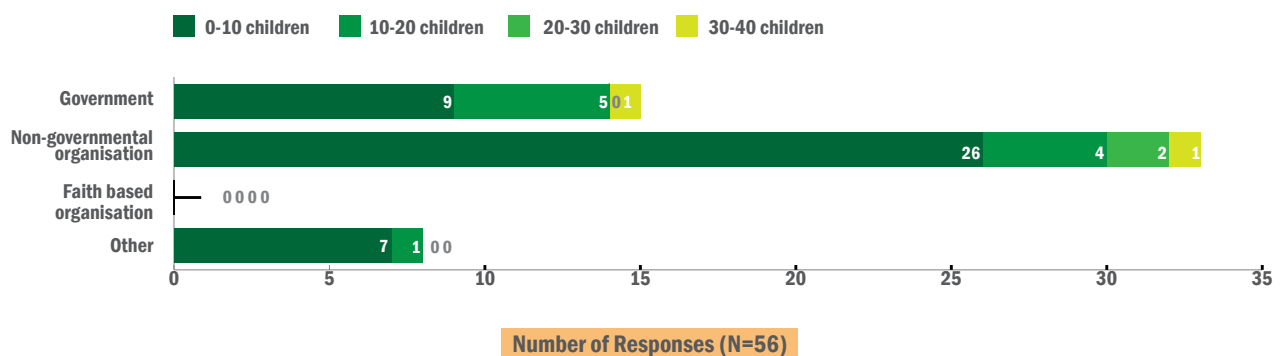
## TOTAL CASELOADS

Participants were asked to describe their total caseloads (including children who have and haven't experienced sexual exploitation). Figure 2 shows that 42 respondents (75%) were responsible for small caseloads of between 1 and 10 children. Only 14 workers (25%) are responsible for caseloads of more than 10 children. Those working in government positions had somewhat higher caseloads, with two reporting between 30 and 40 clients.

do not seek help. One participant said that they specifically provided support to transgender young people in their programming.

While no one reported that their organization exclusively provided services to boys, there were 15 respondents whose caseloads were more than half male. Twelve participants reported between 85-95% of their caseload as male. These respondents mostly came from organizations that focused on sexual health services and one-on-one counselling. No respondents said that their organization provided specific supports to young people with diverse

Figure 2. Reported caseloads of participants.



We asked participants to estimate what percentage of their clients were boys. While all respondents had supported at least some girls, only 47 of the total sample of 56 had supported boys. Nine participants said that their organizations only provided services to girls, however, two of them explained that was not an organizational restriction, just that boys

SOGIE, however two indicated that they had helped transgender and non-binary clients in the past. Among those workers supporting mostly boys, 12 were female, two were male and one identified as non-binary.

## Reflections: Caseloads

Overall it was encouraging to see that workers mostly had low caseloads – a good ratio of worker to client. However, a trend was notable when comparing caseload size with gender of clients. Workers focused on supporting boys tended to have more clients. The four workers helping more than 20 clients had caseloads of an average 68% boys. Through discussions with the research team, it is expected that this trend is a result of boys being referred on to those with experience working with boys – thus they are under high demand.

Nine participants only supported female clients, and three of their organizations restricted intake to only females. Conversely, no participant came from an organization that restricted intake to males. While it is common for social support workers to help clients of all genders, this report presents a range of data that shows boys struggle to identify sources of support. Our conversations with boys indicated that some services are not willing to take on boy clients, sometimes citing that they don't have experience of working with boys.

Referral was common. The parent of one of the boys we spoke with expressed frustration at the difficulties he experienced when trying to get his son support (see Chapter 7).

While nearly a third of participants said that they helped people of 'other' genders (i.e. non-binary or transgender), only four participants said that their organization had specific supports to offer young people of diverse SOGIE.

## Cases Involving Boys

Within their total caseloads, participants were then asked to estimate the proportion of the boys that they support that they knew had experienced sexual exploitation. Among those who supported boys, respondents estimated that 37% of the boys under their care had experienced sexual exploitation, with responses ranging from 5% to 100% of caseloads (median 10%). The rest of the analysis in this section focuses on the boys within caseloads that had been subjected to sexual exploitation.

Figure 3 shows that of the boys known to have been subjected to sexual exploitation, respondents estimated that an average of 44% experienced sexual exploitation between the ages of 11 and 15, and 35% experienced sexual exploitation at 16 or 17.

*Our conversations with boys indicated that some services are not willing to take on boy clients, sometimes citing that they don't have experience of working with boys.*

Figure 3. Common ages of boys' victimization.

Most common age when boy clients experienced sexual exploitation	Average	Median
0-5 years	7.9%	5.0%
6-10 years	24.3%	20.0%
11-15 years	43.8%	40.0%
16-17 years	34.3%	30.0%

The most commonly reported exchange involved in their exploitation was money (n=15) followed by food (n=7), or shelter (n=5). Eight respondents mentioned other forms of exchange such as affection and emotional support, as well as the use of power, threats and intimidation against the boys.

## Cases Involving Girls

Participants were then asked to estimate the proportion of the girls that they support that they knew had experienced sexual exploitation. Respondents estimated that 68% of the girls under their care had experienced sexual exploitation, with responses ranging from 0% to 100% of caseloads (median 75%). The rest of the analysis in this section focuses on the girls within caseloads that had been subjected to sexual exploitation.



Figure 4 shows that for girls, participants estimated 43% experienced sexual exploitation between the ages of 11-15, and 42% experienced sexual exploitation at 16 or 17.

**Figure 4. Common ages of girls' victimization.**

Most common age when girl clients experienced sexual exploitation	Average	Median
0-5 years	6.5%	10.0%
6-10 years	17.3%	20.0%
11-15 years	42.6%	40.0%
16-17 years	42.2%	40.0%

The most commonly reported exchange involved in girls' exploitation differed slightly – with money predominantly cited (n=32). Shelter (n=8), goods (n=6) and security (n=1) were also noted. Four respondents mentioned other forms of exchange including emotional support or stability, as well as the use of power and violence against girls.

## GENDER OF OFFENDERS

Of those surveyed who had supported boys (47 of the 56 respondents) subjected to sexual exploitation, participants indicated approximately 83% of cases involved male offenders and 17% involved female offenders. This was very similar to the estimates from those who supported girls (all respondents had supported girls) who estimated 81% of the girls' cases involved male offenders and 19% female offenders. Participants estimated no difference between boys and girls in terms of the origin of offenders, with an estimate of 86% being South Korean nationals and the rest foreigners.

### Offenders in Cases Involving Boys

Participants were asked to share the common types of relationships that were involved in boys' sexual exploitation, depicted in Figure 5 below. When cases involved male offenders, 27 participants said men in positions of power and authority (such as a teacher or religious figure) were common. Eighteen noted that male offenders who were strangers from the local community were common. Community members, parents or step-parents were also identified.

When cases involved female offenders, participants' responses similarly showed women in positions of power or authority were most common, though

known community members were second most commonly indicated.

**Figure 5. Common offender relationships in boys' sexual exploitation.**

Common relationships when male offenders were involved (N=47)		
	n	%
Person in authority (e.g. teacher, religious leader)	27	57%
Local Stranger (national citizen)	19	40%
Community member (over 18)	15	31%
Community member (under 18)	15	31%
Parent/Step-parent	11	23%

Common relationships when female offenders were involved (N=47)		
	n	%
Person in authority (e.g. teacher, religious leader)	22	46%
Community member (over 18)	17	36%
Other relative (over 18)	9	19%
Local Stranger (national citizen)	9	19%
Community member (under 18)	7	14%

\* Three responses per participant could be selected so % do not add to 100.

### Offenders in Cases Involving Girls

Participants were then asked to share the common types of relationships that were involved in girls' sexual exploitation, depicted in Figure 6 below. Interestingly the trends differed for those seen for boys. Twenty-nine participants indicated strangers as the most commonly male offenders followed by parents/step-parents. When offenders were female, community members were identified.

**Figure 6. Common offender relationships in girls' sexual exploitation.**

Common relationships when male offenders were involved (N=56)		
Local Stranger (national citizen)	29	52%
Parent/Step-parent	28	50%
Community member (over 18)	19	34%
Other relative (over 18)	12	21%
Sibling (under 18)	9	16%

Common relationships when female offenders were involved (N=56)		
Community member (over 18)	17	30%
Local Stranger (national citizen)	16	28%
Other relative (over 18)	11	19%
Parent/Step-parent	10	17%
Community member (under 18)	8	14%

\* Three responses per participant could be selected so % do not add to 100.

## Cases Involving Young People with Diverse Gender Identities

Participants were also provided with the option to describe any work they had done (if any) with other genders or non-binary young people. Twelve participants completed this section.

Of these participants, most had limited interactions with or awareness of transgender or non-binary children. While a few simply noted that they had no transgender or non-binary clients, two workers referred to specific transgender or non-binary children they had supported. One simply noted: “I have supported a child who was female by assigned gender but did not wish to be referred to as a female” (R96) and another noted “a case of a youth who desired a sex change operation” (R130). However, neither respondent offered further details of their support.

Other respondents reflected more broadly on supporting diverse SOGIE young people, including challenges they face in South Korea:

*“Non-binary children tend to feel tormented [about] their gender being recognized as the assigned gender by people who listen to them (counsellors, police, etc.). During the process of complaining and reporting their [trauma] from sexual violence such children suffer [trauma again] from misgendering during the reporting process or [they] become hesitant in reporting due to such concerns.” (R86)*

If diverse SOGIE young people are able to disclose abuse or exploitation, they face challenges due to the limited experience and perhaps lack of diversity, among support workers:

*“It is difficult to counsel third gender people for sex education. Counsellors themselves lack the understanding of various gender identities. Counsellors need to acknowledge variety in gender identity and subsequent education.” (R130)<sup>43</sup>*

Other support workers did not seem to be so keenly aware of the challenges faced by SOGIE-diverse children, and minimised, or perhaps overlooked, their unique needs or considerations as victims of sexual abuse and exploitation:

*“There aren’t many of them, but we provide [them with] support regardless of gender identity as long as they are victims of sexual violence. The principles of trauma support do not vary significantly based on gender identity.” (R27)*

Another participant appeared to question the validity of gender identity concerns for young people in their response:

*“For teenage clients, I don’t think they are certain about their gender identity. Some female youth claim that they are homosexual and have a lover of same gender, and [after thinking about] their gender identity, they end up marrying a man. Adolescence is a period of time when the child feels as much confusion in gender identity as confusion in ego identity, and it would be a good idea to tell them to accept their feelings of confusion and that they don’t have to limit themselves to a single emotion.” (R193)*

43 Original: “성 교육적 상담 어려움, 제3의성? 다양한 성적체성에 대한 상담원 스스로 이해가 부족 - 성적체성 다양하는 것에 대해 인정하고, 교육이 필요함.”

## TYPES OF SEXUAL EXPLOITATION OBSERVED

Participants were asked to think about the boys with whom they work, and then the girls with whom they work and indicate the various forms of abuse

and exploitation with which they have had direct experience. The majority of participants reported having significantly less knowledge, awareness, and experience with male survivors of child sexual exploitation.

### For girl clients:

- 80% had direct experience with girls who had been groomed for sexual purposes.
- Two-in-three had direct experience with girls who had self-created and shared sexual images or videos of themselves.
- 46% had worked directly with girls who had been exploited in the production of child sexual abuse material (CSAM).
- One-in-five had direct experience with girls who had been trafficked for sexual purposes.
- Three support workers had direct experience with girls who had been exploited through live-streaming of sexual exploitation.

### For boy clients:

- Half had direct experience with boys who had been groomed for sexual purposes.
- One-in-four had direct experience with boys who had self-created and shared sexual images or videos of themselves.
- Only seven respondents had worked directly with boys who had been exploited in the production of child sexual abuse material (CSAM).
- No one had any direct experience with boys who had been trafficked for sexual purposes.
- No one had direct experience with boys who had been exploited through live-streaming of sexual exploitation.

## Presenting Factors for Boys and Girls

We know that young people who have been subjected to sexual exploitation don't always seek help by starting out with a disclosure – they may seek help for other reasons and then disclose once a trusting relationship with the helper is ensured. Thus, respondents were asked what issues boys and girls presented with when seeking help. While a significant portion of both groups described trauma or other effects of abuse, some notable thematic differences are observed between girls and boys.

Forty-six respondents (82%) answered the question about presenting issues for boys, and 18 (40%) described forms of trauma or effects of sexual exploitation and abuse. One respondent noted intense *“concerns [among clients] about how other people will view them [as a victim].”* Respondents also described a number of OCSE-related issues, including CSAM production and fears of images circulating online. To a lesser extent, sexual issues (n=3), relationships (n=2), confusion/concerns about gender identity (n=2) and sexual orientation (n=1).

Lastly, two participants described boys raising issues about school and life.

Fifty-five respondents (98%) answered the question about presenting issues for girls and responses are notably more diverse and nuanced. Fifty-three percent (n=29) described forms of trauma or effects of sexual exploitation and abuse. Seven workers described OCSE-related issues like fears that sexual images of the child will be shared, as well as reported instances of grooming. To a lesser extent, respondents reported girls initially seeking support for peer relationships (n=5) and school/life issues (n=5). Small numbers of respondents described girls who sought help for economic issues, family issues, legal redress in relation to SEC, support to parents of girl, sexual health and self-harm and suicidal ideation.

For boys, presenting issues were simply and generally described, with more nuance in answers for girls. Further, it is notable that more presenting issues for boys related to sex and sexuality, including fears or confusion about gender and sexuality – not mentioned for girls.

## SCENARIOS

Support workers were given four hypothetical scenarios about sexual exploitation, which reflected unequal power relationships, gender norms and other intersectional vulnerabilities. Questions were interspersed as the scenario unfolded to unpack different attitudes and knowledge. Following each scenario, participants were asked to describe what practical steps they would take if they were supporting the children depicted.

### “Jun”

*19-year-old Jun pays a 17-year-old cousin, Hyeon, to undress while filming. Hyeon agrees to do it without concerns.*

In the first scenario, respondents were given a vignette in which 19-year-old Jun pays a 17-year-old cousin, Hyeon, to undress while filming and Hyeon agrees to do it without concern. All but four support workers agreed that Hyeon was sexually exploited, with two saying that Hyeon is not a victim and another two who were uncertain.

*“Jun later posts this video to his online social media accounts that are publicly visible (no payment is needed to access them).”*

With this additional revelation, all but two respondents believed that Jun had committed sexual exploitation, with one believing he did not, and one who was uncertain indicating the online sharing of CSAM was seen as quite clearly understood as SEC.

*“Suk, who does not know Jun or Hyeon, finds and watches the video online from home elsewhere in the country.”*

Given this information, the majority of workers (84%) assessed watching CSAM to be sexual exploitation, but with greater uncertainty in the sample - with two who believed Suk had not committed exploitation and seven who were uncertain.

The ‘practical steps’ or immediate responses suggested by support workers were largely standard and technical, and included responses such as:

- Reporting all websites;
- Restricting and deleting videos;
- Searching for additional cross-linked copies of the video and support deletion;
- (Criminal) investigation and legal support;
- Family counselling and support.

### “Kang”

*Kang is a 7-year-old boy whose mother struggles to make ends meet in their rural village. His uncle, Choon, has a good government job and has always given money to help the family out. Recently, during a visit to Kang’s family home, Uncle Choon asked Kang to sit on his lap.*

Given this information, respondents were asked if they believed Kang has experienced exploitation. While more than a third agreed that Kang had been exploited, nearly two in three believed otherwise, with 30% saying that he has not been exploited, and 24% who were uncertain.

*“While Kang was sitting on Choon’s lap, Choon began to touch his private parts. Kang’s mother then walks into the room and realizes that something is happening. Choon reminds Kang’s mother of how happy he is to be able to visit them today and provides her with some money.*

All but two respondents (96%) believed Choon had committed sexual exploitation, with one believing that he had not committed sexual exploitation, and one who remained uncertain.

*“Kang’s mother nodded, closed the door and went out of the house.”*

While 84% of respondents believed that Kang’s mother had committed sexual exploitation, five believed that she had not exploited Kang and four were uncertain.

Reported practical steps were fairly standard:

- Counselling Kang’s mother, informing her of the impact of sexual trauma on the child and teaching her protective responses to prevent recurrence;

- Provision of psychological counselling for Kang to pursue stability;
- Taking protective measures by reporting the offender.

### “Kim”

*Kim is a 16-year old boy who prides himself on being a hard worker. When his adult neighbour, Hee, asked if he could help work on her farm for payment, he was happy to help. While Kim was working around the farm, Hee invited Kim into the house for lunch. Hee sat very close to Kim and touched his arm often while chatting. Kim felt very uncomfortable with this.*

The majority of respondents (84%) said that Kim had experienced sexual exploitation. As yet, this experience would not constitute sexual exploitation, though there is a clear suggestion from the situation that Hee is misusing her position of power. Respondents may be identifying this grooming behaviour in the scenario, which is an excellent sign. Four people indicated that Kim had not been exploited and five were uncertain.

*“The next time Kim helped at the farm, the same thing happened at lunch. This time, Sri touched Kim’s thigh. This also made Kim very uncomfortable.”*

In this more clear situation, all but three respondents (95%) believed that Kim had been exploited with one believing that he hadn’t and two remaining uncertain. Many of the ‘practical steps’ or responses to the issue focus on gathering more information, including a determination of the ‘intent’ of the adult neighbour, with a few suggesting a police investigation.

### “Song”

*Song is 15-years-old, although he looks older. He self-identifies as gay. On the weekends, Song meets men, who he describes as his ‘boyfriends’. He has sex with them and accepts money and gifts. When asked about these encounters, Song says that it is his choice and that other people should mind their own business.*

While the majority of respondents (86%) correctly identified Song as a victim of exploitation, four respondents did not, and four were uncertain. Considering “the men” that Song met, all but five respondents (91%) correctly identified the men as offenders.

Practical responses to this scenario are diverse. Some respondents suggested really empathetic responses - one noted the importance of communicating acceptance of Song’s sexuality and to look deeper into the nature of the exploitation: *“Although the encounters were natural (seemingly in reference to the same-sex intercourse), counsel the victim regarding the validity of the sexual behaviour rather than discussing if the sexual expression was appropriate as a 15 year old child, whether the money or gift received after sexual intercourse was compensatory, or issue of sexual orientation.” (R59)* Other responses focused on legal actions against the offenders and education or support for the child. One respondent suggested to *“Repeatedly educate the victim that sexual intercourse with compensation regardless of gender identity is not a safe relationship and provide counselling to prevent recurrence.” (R134)* A number of others suggested referral to various specific services, including one who suggested referral to a teen women’s rights center.

### “Park”

*Park is 17-years-old, and identifies as a transgender person. Park used to live in the countryside but faced discrimination from family and neighbours. Park moved to the city, but could not find a place to stay. Park has not been able to find work and is homeless. Park needs to pay for food, so quite often meets men and sometimes women, and has sex with them for money. Park accepts that this life is tough but only temporary.*

The final scenario introduced Park, who is a 17-year-old transgender person (whose assigned gender at birth is intentionally left ambiguous). All but five respondents (91%) correctly identified Park as a victim of sexual exploitation, with four believing that she is not a victim and one who was uncertain.

*“On one occasion, Park was arrested for prostitution and intends to plead guilty.”*

In response to these details, respondents were asked if they believed the men and women that Park met for sex had exploited Park. All but four (93%) correctly believed that they had committed sexual exploitation. Suggested responses seemed to focus on the sexual orientation or gender identity of the child. For example, “legal support and gender identity counselling are required,” seemingly viewing Park’s gender identity as a factor related to the abuse/exploitation.

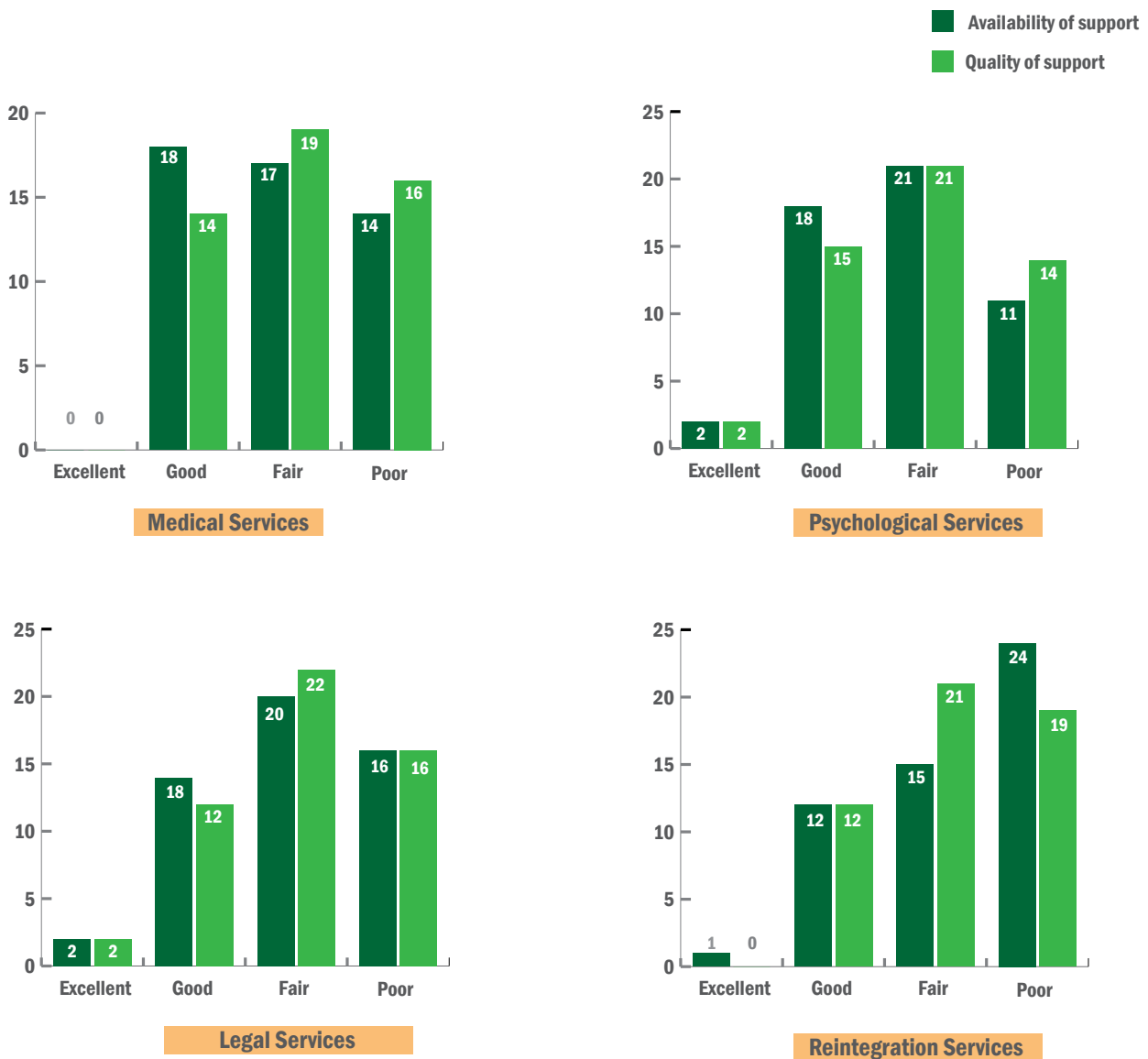
One of the more troubling responses to the transgender young person seemed to suggest intervention related to their identity. “It seems that she (the child) needs testing and counselling on her gender identity and (it should be) explained to her

that punishment is necessary for sexual intercourse with compensation.”

## OPINIONS ABOUT THE AVAILABILITY AND QUALITY OF EXISTING SUPPORT SERVICES

Participants were asked to rate both the availability and quality of existing services in South Korea for boys who have experienced sexual exploitation. Figure 7 depicts that respondents held low-to-moderate opinions of both the availability and support of a variety of national-level support services.

Figure 7. Availability and quality of existing support services in South Korea.



Availability and quality of services were overall judged as between good and poor – with very few respondents indicating excellent. Medical and psychological services were more likely to receive good (or fair) ratings, with reintegration services judged the least available.

## Quality Constraints in Services for Boys

Participants were asked to reflect on why support services for boys tended to suffer from quality constraints and these were grouped as societal issues (norms, biases), issues with support workers (lack of experience or awareness), issues with males (and gender) and institutional issues.

- **Societal issues:** Seventeen participants (32%) described various patriarchal and gender norms. These included ideas that boys cannot be victims of sexual violence or that minimize the severity when a victim is male, as well as conceptions of male sexuality which assume that all sex is enjoyable for boys. Respondents also noted certain patriarchal ‘discomforts’ in speaking about male victimization. One respondent described a “culture where the incident is considered disgraceful and is [therefore] hidden.”
- **Issues with support workers:** Eleven participants (21%) focused issues of awareness or lack of experience amongst workers with male clients (often noting that males do not seek services). They noted a lack of awareness that males are vulnerable or that they can be victims. One participant pointed out the perception that only females are victims, and another said support workers “don’t take it seriously” when cases involving boys arise.
- **Issues with males:** Six participants (11%) described issues with males themselves like a perceived reluctance of males to disclose. This was described as “males don’t want help.” Another wrote that “a case cannot be recognized if the victims do not report it themselves.”
- **Institutional issues:** Six participants (11%) noted quality was constrained by institutional issues – namely that institutions are not willing to support or invest in supporting boys. One participant described that many services are exclusive to female victims, and

two others noted a lack of specialization on male victims.

## Overcoming quality constraints

After reflecting on the constraints, participants were asked to suggest solutions. These are similarly grouped in four themes:

- **Awareness:** Twenty workers (38%) suggested improving awareness of male victimization via initiatives or advocacy campaigns encouraging victims to come forward and report. One noted that “[SEC] can happen to anyone and we need to [build up the] self-efficiency for these victims to acknowledge themselves on how much strength it takes to be brave and ask for help.” (R208)
- **Institutional or political changes:** Sixteen workers (30%) suggested institutional development, professionalism on the topic among workers. Some specific solutions included improvements in reporting mechanisms, cyber-investigation techniques to sensitize monitors to better-recognize male victims, as well as better recognition and funding from the Government.
- **Social or societal changes:** Eleven workers (21%) named needs for changes in the ways that males are perceived – the public mindset toward male victims needs shifting and gender norms to be challenged.
- **Various forms of education:** Eight workers (15%) suggested education for staff, such as trauma support for male clients and other specialist training. One noted the need to “educate the people on severity of the damage regardless of gender when it comes to damages from sexual violence.” (R61)

## VULNERABILITY FACTORS IMPACTING BOYS

Participants were provided with two extensive list of factors that could potentially impact boys’ vulnerability to sexual exploitation and asked to identify those with the most impact. The selection of vulnerability factors was based on findings from research and practice in a diverse range of settings, taking into account both high and low income contexts.

## Traditional Beliefs and Practices as Vulnerabilities

The majority of respondents (73%), believed the stigma and shame faced by boys was a vulnerability

factor for boys. Other common beliefs included that “boys are strong, not vulnerable, and able to protect themselves” and “beliefs that boys enjoy sex and have control” along with discomfort openly discussing sex and sexuality.

Figure 8. Traditional beliefs and practices as vulnerabilities to sexual exploitation of boys.



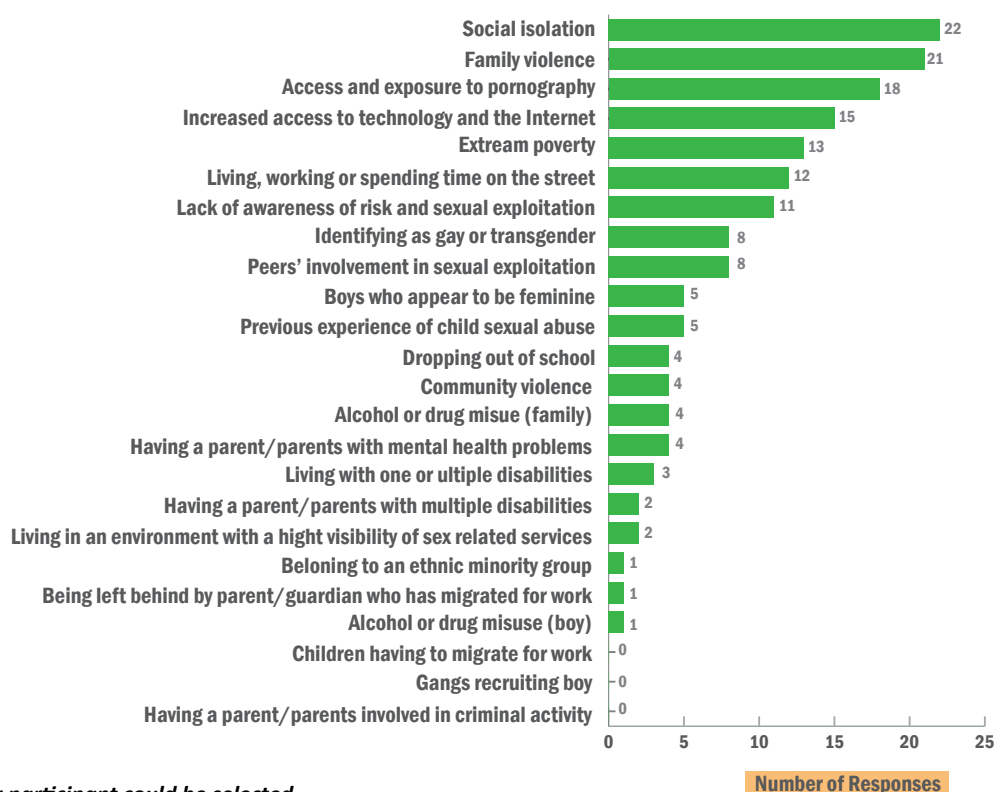
\* three responses per participant could be selected.

## Social and Economic Vulnerabilities

Economic factors, such as “extreme poverty”, (23%) and “living, working or spending time on the street” (21%) are traditionally understood to increase vulnerability, however these were not the most commonly identified vulnerabilities identified.

Social isolation (39%), family violence (37%) and access or exposure to pornography (32%) were the most commonly identified social and economic vulnerabilities. (“Social isolation” was defined in the survey as a lack of trusting relationships with protective adults and/or peers.)

Figure 9. Social and economic vulnerabilities to sexual exploitation of boys.



\* three responses per participant could be selected.



Vulnerability factors related to diverse sexuality and gender identity were less common. Some of the least mentioned factors were “drug or alcohol misuse within the family”, “drug or alcohol use by the boy himself”, “living with one or multiple disabilities” and “having parents with one or more disabilities”.

### Addressing Key Vulnerabilities in Practice

In an open-text entry, participants were invited to describe ways that they address the different kinds of vulnerability factors within their work. The majority of responses seemed to focus on therapeutic responses with boys after abuse or exploitation, rather than work to address vulnerabilities that may increase boys’ risk. For example, despite the most commonly mentioned vulnerabilities including social isolation and family violence, few suggested interventions focused on the ecological factors – like family or community contexts of boys – but tended to suggest educational interventions for children who had experienced abuse.

This focus could be a result of the sample who in fact predominantly work on the response side of this issue. Nevertheless, there may be benefits to developing greater awareness and broader public-health type initiatives for prevention and addressing vulnerabilities.

While the responses focused on therapeutic responses, many also articulated the need for empathetic care that helps children to break down internal stigmas and gendered assumptions about themselves.

Some respondents referenced the need for specific programmatic support for boys, which they believed could help reduce some of boy’s vulnerabilities to sexual abuse and exploitation. One respondent noted a “sexual culture education programme”<sup>44</sup> (R22) within their own organization that aims to reduce vulnerability factors by teaching gender equality and sexual rights education. However, they noted that this programme usually works with young males as sexual offenders, rather than as victims themselves. The respondent noted “male children more often visit as the offender in counselling (child-offender education), but we try to counsel the child without bias.” (R22)<sup>45</sup>

### Reflections: Boys’ vulnerabilities to sexual exploitation

Many services appear to focus on support after sexual exploitation has taken place within clinical settings. Whilst ongoing vulnerability can be addressed within the individual’s therapeutic process, approaches that consider the full ecology within which boys live (i.e. also providing family and community-focused supports) may have greater effectiveness.

As greater knowledge of vulnerability is developed through practice and research, there will be a need for preventative strategies that specifically target boys. This increased knowledge should also feed into the development of training for practitioners, and strategies for working effectively with boys.

## BARRIERS TO BOY’S DISCLOSURE OF SEXUAL EXPLOITATION

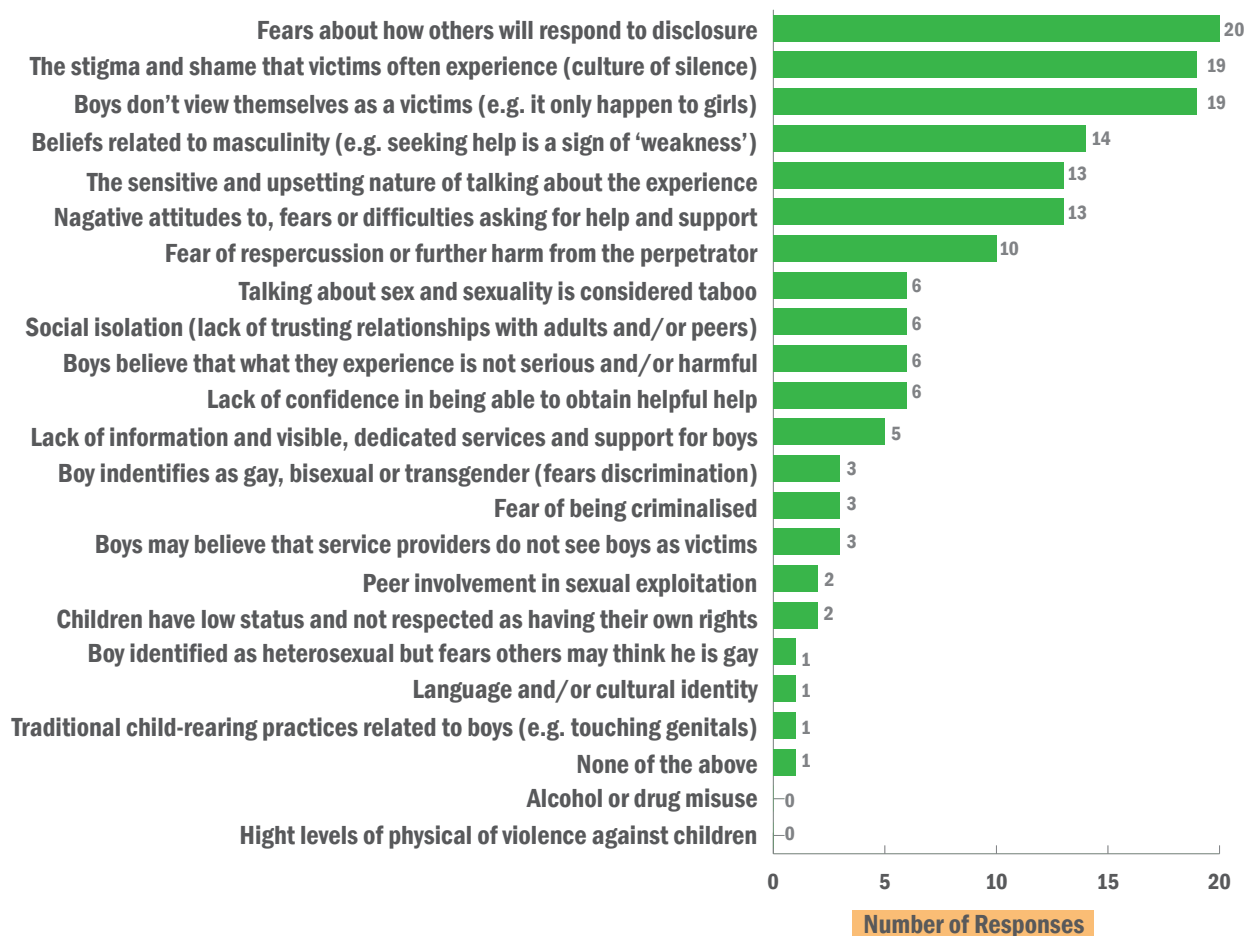
Participants were asked to identify barriers to boys’ disclosure from a list developed from the literature and two clear themes emerged.

Nineteen participants (38%) indicated that boys were often reluctant to even define themselves as victims. Equally, fears about how others might respond to their disclosure were also commonly identified (e.g. believing they will be blamed or punished, not believed, or mocked). While these barriers are commonly shared by both male and female victims, this is perhaps complicated by gender norms regarding masculinity and the perception of how males ‘ought’ to behave. In fact, beliefs related to masculinity (e.g. seeking help is a sign of ‘weakness’) was indicated as a common barrier by 15 (27%) participants.

44 Original text: “우리 기관에서는 이런 젠더 불평등적인 요소를 예방하기 위해서 꾸준히 아동들을 대상으로 성문화 교육을 제공하고 있다.”

45 Original text: “상담에서는 남성 아동은 가해자로 방문하는 경우가 더 많지만 (가해아동 교육 프로그램), 상담으로 오는 경우에도 되도록이면 편견을 갖지 않고 아동을 대하도록 노력한다.”

Figure 10. Barriers for boys to disclosing sexual exploitation.



\* three responses per participant could be selected.

With regard to the second theme, there was a common perception (34%) that “the stigma and shame that victims often experience” is a top factor preventing boys from disclosing and seeking services. This can be grouped with “the sensitive and upsetting nature of talking about the experience”, and “fears of repercussions or further harm from the offender”. The research certainly indicates that these barriers are commonly experienced by females as well.<sup>46</sup>

### Insights from Workers to Address Barriers to Disclosure

Respondents were again invited to reflect on how they address common barriers in their work with boys. As with vulnerabilities, this focused primarily on support offered on the response side of the issue

- the provision of support, counselling and therapy was most commonly described. There is no doubt that visible and effective services are observed by young people considering disclosure so this is certainly part of the picture.

A group of responses described a variety of personal qualities needed in supportive relationships - including building of trust and trusting relationships, creating and providing safe environments, and safe environments without bias.

Finally, a group of responses focused on education for frontline workers on a range of topics. These included confidentiality; listening; affirmation and acceptance; encouragement; empathy; help in avoiding self-blame; addressing guilt; addressing fears; promoting respect for him; discussing social norms; gender sensitivity; sexual culture

46 ECPAT International. (2017). *Through the Eyes of the Child: Barriers to access to justice and remedies for child victims of sexual exploitation.*

education; recognizing and explaining that it takes time; addressing social perceptions with survivors;

promoting respect for the individual.

### Reflections: Barriers to disclosure

The gender norms dictating men and boys in South Korea are directly connected to the wide range of factors preventing boys from disclosing and accessing support services. Throughout multiple variables across the survey, respondents underscored barriers related to masculinity and gender norms. One respondent described the common “[assumption] that men are strong in South Korea, and it is difficult for men to identify themselves as a victim of sexual exploitation, and even if they work up the courage, it doesn’t seem like it would be easy for the male victims to receive support necessary such as diagnosis, counselling, psychotherapy, etc. due to the people around them.” (R50)<sup>47</sup>

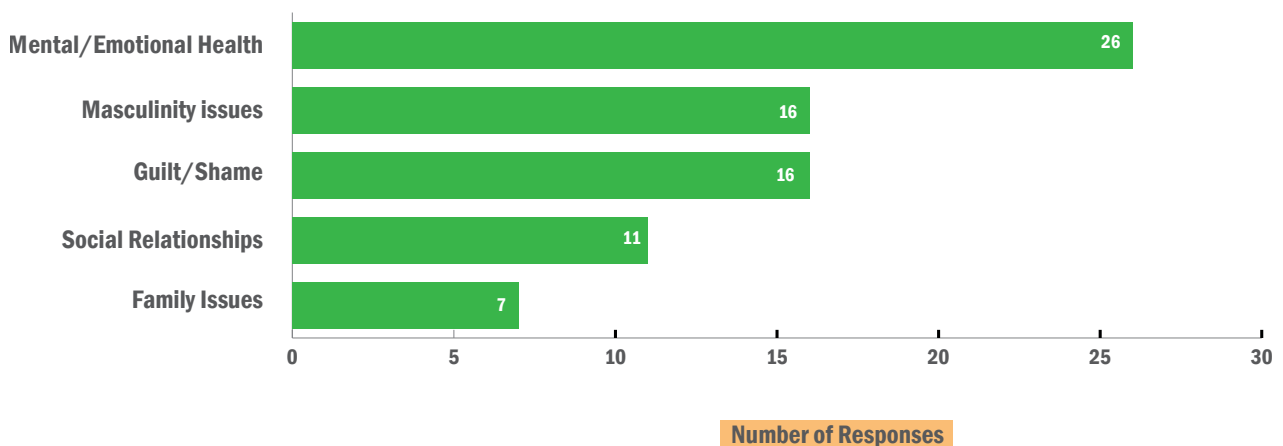
Respondents were clearly aware that gender norms are preventing boys from being identified as victims. One respondent reflected that the “number of people making contact [regarding boys] is very small and there are reports filed by an adult witness rather than the victims themselves. [This is because] the victims are hesitant about the case involving the police.” The respondent continues to note that these gender norms impact how boys themselves see the situation: “the victims feel repulsed towards the idea of a man becoming a victim of sexual violence.” (R116)<sup>48</sup>

### Most Significant Problems

Responses to a question asking frontline support workers to summarise what “boys tell you are the most serious problems that they face” provided a fascinating insight. While the survey asked about what boys say are their problems, responses tended

to focus on highly-structured clinical diagnoses and emotional conditions, as well as a range of needs for institutional development and educational support - issues which are not likely to have been described by boys seeking help for sexual abuse or exploitation. Themes are captured in Figure 11.

Figure 11. Most significant problems for boys.



47 Original text: “한국에서의 남성은 강하다는 생각이 있기때문에 성착취 피해자라고 쉽게 말하기는 어렵고 용기를 낸다고 해도 주위의 시선들이 많이 의식이 되어 진료및 상담, 심리치료등의 지원등을 받기가 원활하지 않을것 같다. 남성은 강하여 스스로 보호할수 있고 여성은 약해서 돌봐줘야된다는 사회적 의식구조 변화가 필요하고 성착취 피해자는 본인들의 잘못이 아님을 알수있도록 격려해주고 용기를

48 Original text: “서비스에 접근하는것 자체가 어려움 접촉인원이 굉장히 소수이며 본인이 아닌 일반 성인 목격자에 의한 신고도 있음 경찰단계로 넘어가는것을 꺼림 남자가 성폭력 피해자가 된다는것 자체에 대한 거부감이 큼 우선 접촉할 창구가 확대되는것이 중요”

Most prominently, nearly half of support workers (49%) named a variety of mental and emotional health issues, including trauma, sexual addictions and confusion about sexual identity. This is followed by nearly a third of responses (29%) which described a broad range of gender-related issues. Another 30% described feelings of guilt and shame, as well as associated stigma (and fears of stigmatization) associated with being defined as a victim.

These most prominent themes are described below:

- Mental/Emotional Health:** Descriptions of mental/emotional health issues largely focused on various forms of trauma, including unrealized trauma and the normalization of complex sexual trauma. Five of these responses related to mental/emotional health described by concerns about ‘confusion’ of sexual identity. A range of psychological issues including anxiety, depression, suicidal ideation, low self-esteem, ‘loss of desire’, anger and feelings of self-hatred were described.
- Masculinity Issues:** Issues related to masculinity included internalized guilt/shame for not being able to defend themselves, to external factors like institutional ‘biases’ against men and boys. Most commonly described were difficulties asking for help for fear of not being believed, not being seen as a victim, or beliefs that the boys would be blamed themselves. Other responses focused

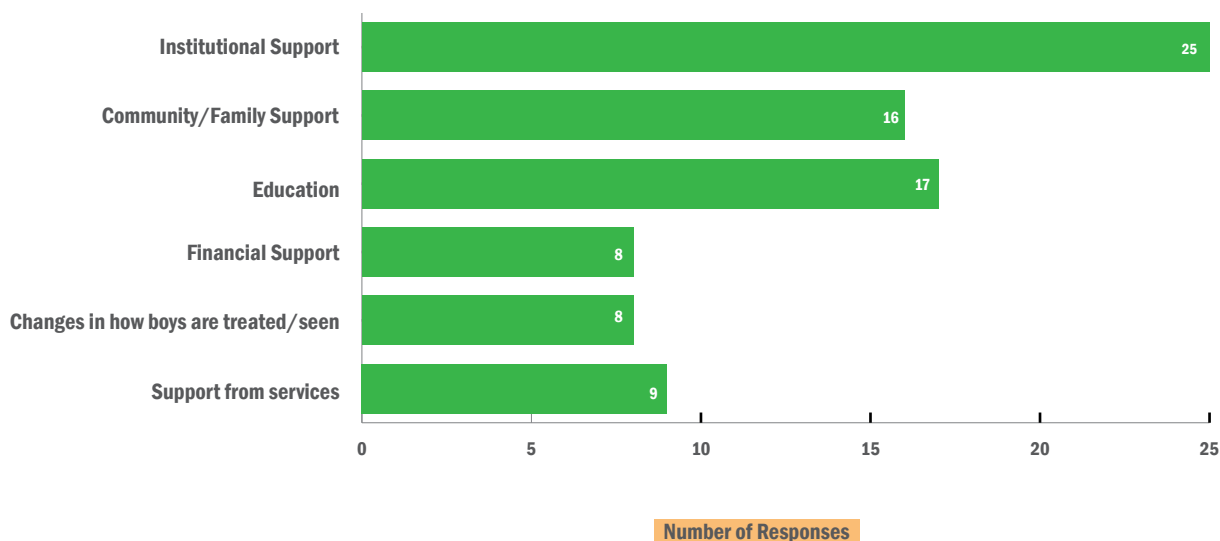
on various social or cultural ‘biases’ or assumptions about men and boys, including a perceived lack of judicial initiative to respond appropriately to cases regarding boys, feeling that offenders would not be punished.

- Guilt/Shame and Stigma:** Descriptions of stigma, including a range of fears of being ‘found out’, fears of humiliation connected with not being able to defend themselves as males, and fears of ‘community fallout’. It is worth noting the potentially significant inter-connectivity of these feelings with the variety of masculinity assumptions noted above.
- Social Relationships:** Participants described boys’ social relationship problems including social withdrawal and isolation, distrust of others, difficulties in communication and confrontations/conflicts within their peer groups.

### Most Significant Needs

Participants were similarly asked what the most significant needs that boys have. Institutional supports were most commonly reported (47%) with a notable focus on psychological support. A third of respondents (32%) described various forms of educational needs for boys as well as for parents. A further third described community and family support, including housing stability and peer support. These are captured in Figure 12.

Figure 12. Most significant needs for boys.



# CONVERSATIONS WITH BOY SURVIVORS

## ‘BEING A BOY IN SOUTH KOREA’

To break the ice and begin the conversation, the two boy participants first took part in two activities specifically designed for this project to explore the gender norms they had grown up with. The first was to identify three famous South Korean male celebrities from clues provided by facilitators and through social media posts relating to each of the men. Further activities enabled participants to reflect on the prevalent gender norms that the posts reflected in South Korean society. Many of those messages reflected judgemental and critical attitudes, especially where diversity, sensitivity and vulnerability of men and boys are concerned. Additional discussion with the facilitators

encouraged the boys to reflect on these, and think outside ‘traditional gender norms’, to identify statements and messages that are more accepting and inclusive - challenging traditional norms, attitudes and behaviour that the boys considered unhelpful or harmful. Through this fun and engaging activity, the participants were able to explore gender from a ‘safe distance’ and then, using a tool called the ‘gender graph’, shared how these norms influenced their own lives.

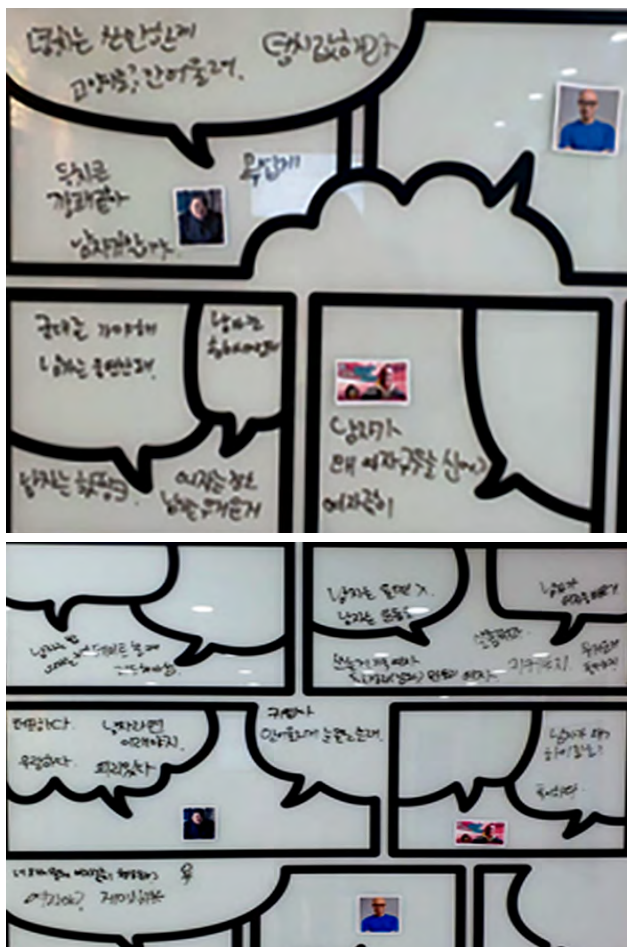
The photographs below show the ‘Escape Room’ activity, which included three wall screens and hidden boxes placed in the wall, which were searched for, and opened by the participants.



Key statements, expectations and norms that South Korean boys are exposed to are included in the graphic below:



The Illustration below shows the ‘Twitter Account Activity’, where the boys shared their own messages, comments and ideas.



The exercises revealed some interesting themes in relation to gender norms and expectations for boys growing up in South Korea. The participants commented that they felt expected to be tough, strong, and live without expressing emotions that may be considered ‘unmanly’ or feminine. They are the ones who are expected to “fight and lead”, which is often not the way they feel about themselves. One specific comment identified the term “You Homo!” which is considered an insulting term that may be used to comment on the appearance or behaviour of a male that is considered un-masculine. These expectations and perceptions may be particularly important when experiencing exploitation and abuse, as they may create significant internal barriers for boys and young men seeking and asking for support - and also potentially influence the behaviour of support workers, caregivers, friends and other potential sources of support.

The facilitators observed that in some respects, some of the comments shared were reflected in the initial behaviours and presentation of the boys at the beginning of their conversations. The boys displayed some behaviours that perhaps reflected a need to confirm their identities as invulnerable, ‘tough’ and streetwise, by raising topics related to sports, cigarettes and video games - also possibly ‘testing’ the responses of the female facilitators and displaying expected and common behaviours.

Interestingly, as the conversations progressed, and greater rapport and trust was established, these behaviours subsided. The relationships were then able to more deeply explore gender-related issues openly, including through personal stories and feelings. Ultimately the two boys were keen to share more insight into their feelings about these expectations and their life experiences. This reinforces the importance of providing safe and non-judgmental opportunities for boys to safely explore gender-related issues.<sup>49</sup>

## BOYS' EXPERIENCES OF SEEKING AND RECEIVING HELP

Settling into the safe, nurturing and non-judgmental conversations, the boys were more comfortable to share their experiences with the facilitators. Using the gender graph resource, events that happened in their own lives were then explored, considering the unique South Korean 'gender lens' - and boys shared their experiences of seeking help, from services and others - including family and friends.

The two boys' responses indicated that gender-related issues clearly influenced their experiences of seeking help from others, also revealing that boys are very aware of the constraints that gender places on them as individuals, and those in a position to help. One boy explained that it was *"difficult to seek help because people do not see boys as victims."*

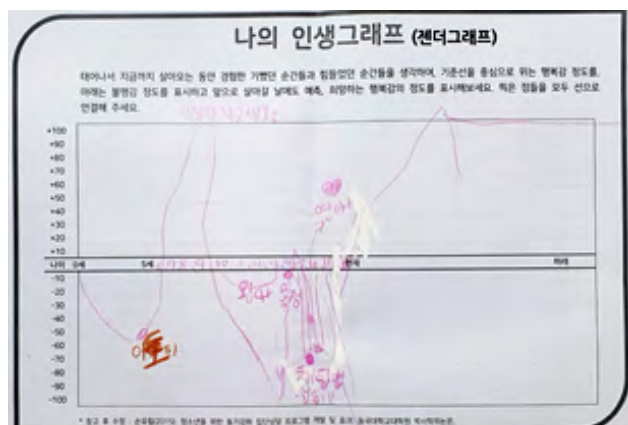
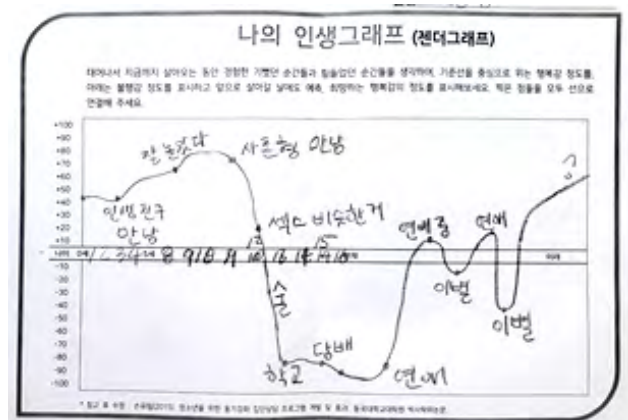
The participants shared recollections and personal stories of difficult experiences and how these events affected their lives. For example, being bullied at school, being groomed online before being abused in-person and being sexually exploited by someone close. The boys were initially hesitant to write details on the graph themselves, but were willing to share details verbally, and for the facilitators to make written notes. This flexible and supportive approach was particularly useful, as the boys felt supported to express in ways that were most comfortable for them. Facilitators deliberately did not ask any follow-up (interrogative) questions about their exploitation, just simply sat with what the boys chose to share. This contributed to them feeling psychologically safe and in control. Both boys did choose to share additional details as their conversations progressed.

## Avoiding Disclosures

Both boys explained that they did not seek help for one and three years respectively after they were exploited. They explained this was due to fear of being blamed and concerns that they would face rejection from their family. One boy said he initially did not know how to begin to tell others about what had happened to him. The other boy (contacted and groomed online and subsequently abused offline) explained that he was not even aware that what happened to him was exploitation at first, as he perceived he had 'consented' to what had happened, or at least that's how others would see it. He assumed that if he did disclose, that he would be in trouble with the police.

*"I was scared that the police would arrest me too..."*

*"People don't see boys as victims... I didn't know what to tell my mom."*



49 Evidence from practice in many settings indicates that support workers may struggle to engage with boys initially, and possibly find them difficult to 'connect' with.

The photograph above shows the completed 'Gender Graph' completed by boys at the workshops. Both boys explained that because it was difficult to tell anyone what had happened, they expected and hoped that their parents or teachers would notice that something was wrong, ask them about it, and offer support. They described how they acted and behaved differently as a result of their experiences, without always understanding why this was happening – including refusing to attend school, starting to drink or smoke, and engaging in risk taking behaviours, such as beginning to use a dating app for adults. It appears that there were likely signs that something was wrong, and that these behaviours were not noticed or understood by others, or misinterpreted as 'problem behaviour' rather than a cry for help. In some respects, this appears to represent a 'missed opportunity' on the part of adults around them to respond in a supportive manner.

*"I don't know why they didn't notice it... definitely, something was wrong with me."*

*"...they didn't know. They (parents) thought I was just dropping out of school."*

Other research indicates that when boys are exploited and abused, they often do not disclose for a significant period of time, but may 'externalise' their experiences through behaviour that is often viewed as problematic and anti-social, and are consequently referred to treatment and support programmes that may not be appropriate, or address underlying causes of such behaviour.<sup>50,51</sup> Before receiving appropriate support for the sexual exploitation and abuse they experienced, both boys were referred to a number of counselling programmes and education courses related to other issues – including bullying behaviours at school, taking absence without leave and sexual behaviours that were considered concerning.

*They described how they acted and behaved differently as a result of their experiences, without always understanding why this was happening – including refusing to attend school, starting to drink or smoke, and engaging in risk taking behaviours, such as beginning to use a dating app for adults.*

### Seeking Help Online

In the absence of opportunities to disclose and find appropriate help in person, the boys described how they tried to seek help online, but they either could not find any appropriate services for boys - or faced other risks and dangers. One boy explained that he thought he was "too young to search it online," but even when he started looking for information, "all the centers were for girls." When the other boy searched for sexual terminologies to understand and make sense of what happened to him, instead of finding help, he only found more 'apps' and websites related to pornography and online dating.

### Seeking Services and Receiving Support

After eventually disclosing, boys and their parents started to seek help, but it was not easy. Experiences included having services telling parents that "we only help girls," and being passed around from one service to another, often several times.

While the legal system in South Korea indicates that boys and girls who are victims of sexual exploitation and abuse should be treated equally, this does not appear to yet be the case in practice. Many organizations working with children affected by sexual abuse and exploitation declined to accept the boys' cases because they did not have prior experience of working with boys and referred them to other agencies.

50 Hilton et al. (2008). "I Thought it Could Never Happen to Boys: Sexual Abuse & Exploitation of Boys in Cambodia, an Exploratory Study. Organization: Social Services of Cambodia (SSC).

51 Royal Commission into Institutional Responses to Child Sexual Abuse. (2017). *Final Report: Volume 4, Identifying and Disclosing Child Sexual Abuse*. 93.



One of the boys had a learning disability which meant that one organization he approached for help declined to offer support due to his 'unique' condition - that is - having a learning disability *and* being a boy. When finally connected to a support service that supported boys, he was able to receive psychosocial support and legal consultation. Global research indicates that while children with disabilities are extremely vulnerable to exploitation and abuse, and several more times likely to experience all forms of abuse, they and their families encounter significant barriers when trying to access child protective services.<sup>52</sup>

While the intention of services is to link boys to qualified helpers, the boys felt that services were 'passing the buck' – and experienced rejection with being passed around to a variety of services without success. They did not feel welcome. Both boys identified the need for existing services to be inclusive - and also suggested dedicated services that focus on supporting boys affected by sexual exploitation and abuse were needed. Referring to a specific service, one boy commented:

*"I don't know why they call it 'National' if they only support girls."*

Whilst the other remarked:

*"It would be good to have a center only for boys."*

As shown from the frontline survey data, there are considerable challenges relating to the capacity, and degree of understanding of boys' exploitation and abuse among practitioners.

## BOYS' PERCEPTIONS OF SERVICE PROVIDERS

Both boys acknowledged that in their experience they felt that some frontline workers appeared to assume that boys are not as seriously affected as girls, and/or that boys would recover more quickly. One boy specifically commented that he had noticed programmes for boys were shorter in duration than for girls, and asked why that was the case. The other boy said he did not like his

experience with one counsellor, because she was focusing too much on 'what happened' and the details of the abuse, rather than the boy himself and empathising with him.

*"It was hard for me to describe it in words... She's a professional... I wanted her to figure out what happened to me without me telling everything in detail."*

Overall when reflecting on their experiences, the boys gained the impression that there was a lack of attention paid to boys and identified limitations in capacity of some of the professionals with whom they had contact.

## RESPONSES OF FAMILY, FRIENDS AND PEERS

Responses and support provided by family, friends and others within their social circle were explored in the conversations, recognizing the importance of wider support systems within boys' lives. Research related to promoting resilience in children experiencing adverse life experiences, including sexual exploitation and abuse, highlights the importance of the presence of at least one unconditionally supportive parent, or parent substitute, and strong and supportive social networks.<sup>53</sup>

At the time of disclosure, the family's reactions varied, indicating the range of social responses boys subjected to sexual exploitation may expect. One boy described how he still holds a close relationship with both parents and is receiving full support from them. Further discussion with the father of this boy

*While the legal system in Korea indicates that boys and girls who are victims of sexual exploitation and abuse should be treated equally, this does not appear to yet be the case in practice*

52 Global Partnership on Children with Disabilities. (2015). [Literature Review](#).

53 Masten, A.S. (2021). [Resilience in Developmental Systems: Principles, pathways, and protective processes in research](#)

[and practice](#). In M. Ungar (Ed.), *Multisystemic resilience: Adaptation and transformation in contexts of change*. New York: Oxford University Press. 113-135.



## Importance of Close Relationships and Support

Among many needs, what boys seek primarily was support from people with whom they have close relationships, such as family and friends. They wanted to be noticed, accepted, understood and protected within those relationships. The frontline worker survey data suggested that many workers assumed that boys do not wish to talk about their experiences, which may reflect the reluctance or level of discomfort they have when considering the abuse of boys themselves. This contrasts with what the boys indicated. They described that they did not wish to continue hiding the problem and instead, needed someone to find out, to notice them, and to help them to report it. They could not speak about it - not because they did not wish to, but because they did not know how and who to tell, and in some cases were fearful of being blamed, or being in trouble with the police. Boys expressed their disappointment when their parents did not notice that they were struggling.

*"I didn't say it, but they could've noticed... Well, they didn't ask me."*

Parents, family and friends may find it difficult to believe a boy can be exploited or abused; they may not understand that traumatised boys can externalise their pain by displaying a range of behaviours - particularly without a clear disclosure. These behaviours may instead be considered 'attention seeking' and anti-social behaviours, rather than a potential cry for help, or a sign of an underlying problem. Males experiencing sexual exploitation, and their help-seeking behaviours, are also influenced by powerful gender norms - and boys may not present as (and possibly avoid) the stereotypical image of a vulnerable victim of abuse - who is perhaps considered compliant, passive, tearful and (predominantly) female. The boys explained that they had shown 'clues' to their distress which were missed, and identified that parents had insufficient information about sexual exploitation and abuse.

*"She (mother) thought I was just avoiding school. Maybe it was beyond her imagination."*

## Other Trusted People, Including Support Workers

Another key theme to emerge from the exercises was the boy's sense that the frontline workers did not understand what things were like for them - indicating a need for more training. One boy explained that it was difficult for him to think of the right words to describe his experiences, so he needed the worker to have more knowledge about boys and exploitation, and understand more about the situation he was experiencing. One recalled, *"I wanted the counsellor to know although I couldn't really describe what exactly happened to me. It was hard - I was scared to say what happened."* The boys also explained that no one appeared to be able to understand and explain the situation and help them understand their feelings.

One boy explained that he did not have the opportunity to explore his confusion related to his physical responses to his abuse (i.e. feeling aroused), which are understood to be indications of pleasure and thus can be very confusing for a survivor. These responses are often used by offenders to manipulate their victims and are often even misunderstood by others around the child to convey willing participation.

The boys clearly identified the need for support from someone who understands the dynamics, and the psychological and physiological effects of abuse and exploitation, who can also answer their questions, provide accurate information, and have a conversation without viewing them with discrimination and judgment.

## Education to prevent and respond to sexual exploitation

The boys explained that they learned about puberty and sexuality at school, but they did not learn about abuse, what to do, or who to talk to when faced with sexual exploitation or abuse. In addition, they mentioned that they did not know that what happened to them was sexual exploitation, and it would have been better if they knew how to respond and protect themselves. They also stated that if there were educational programmes for parents providing information about the possibility of boys being sexual exploited and abused, it could have been easier for them to notice their problems and respond appropriately.

## CLOSING THE CONVERSATIONS

Facilitators ensured that the boys felt emotionally supported and settled before ending the conversations, and facilitated some important and symbolic exercises. The first activity was making a 'salt bottle', where boys filled a glass bottle with coloured salt and a note for themselves, which would be preserved by the salt - like a 'time capsule'. In the note, boys commented *"I hope all genders are equal in 10 years"* and *"No sexual exploitation after 20 years from now."* The bottles were sealed and boys kept the bottles as a symbolic way to end the conversation.



Finally to conclude, the boys created a phrase or a logo that highlighted support for the elimination of sexual exploitation against boys. These phrases and logos were printed on hoodies and given to the boys during the planned follow-up meeting. The boys also completed a brief survey to review and evaluate the conversations process and shared their thoughts and feelings about the process. Some of their comments are shared below:

*"I thought the workshop would be like a counselling programme... I liked it because it's not (a counselling programme)"*

*"Do you have another workshop like this? I want to do it again!"*

The boys commented that their participation was 'fun' and 'not like other programmes'. They were willing to stay longer than originally planned and expressed a willingness to participate again in future. Contrary to many expectations, it is really clear that boys are willing to share their experience and thoughts on sensitive topics when in a safe and supportive environment.

# ANALYSIS OF LEGAL FRAMEWORK

## CHILDREN'S RIGHTS IN SOUTH KOREAN LAW

South Korea has adopted and amended criminal provisions and procedural laws that help to protect children from sexual abuse and exploitation. In doing so, the country has largely complied with its obligations under the international instruments discussed in Chapter 2. However, legislative gaps do exist and there is scope for further enhancing the legal protections afforded to children. These will be discussed in greater detail in the sections that follow.

Under the South Korean legislation, the age of majority is reached upon a person reaching 19 years of age.<sup>55,56</sup> However, a child is defined under many different acts and using a lot of different terminology. Therefore, the terms 'child', 'children and youth', 'youth', 'minor', or 'juvenile' may be used, depending on the legislation. Although different terminology is employed, children are not treated differently under the law depending on which term is used. Further, the definition of a child differs depending on the act in which it is contained. Positively, these acts all define a child as being either under 18 or under 19, therefore often offering an extra year's protection to the generally accepted international age of a child (below 18).<sup>57</sup> It is important to note here that all definitions of a child are not gender specific and so refer to all children of all genders. The Child Welfare Act also states that "children shall grow up without experiencing any kind of discrimination on the grounds of gender." Therefore, in theory, there is no legislative reason why boys should be less protected by the law in South Korea than girls.

In 2020, an amendment to the Criminal Act raised the age of sexual consent from 13 to 16 in South Korea.<sup>58</sup> This applies to both boys and girls. A close in age exception exists under the legislation whereby there will be no punishment if a person under 19 engages in sexual activities with a child over 13, as long as there were no fraudulent means or threat of force involved.<sup>59</sup> Therefore, only those aged over 19 will be prosecuted for engaging in consensual sexual activity with a child aged 13-16. However, in South Korea, there is no specific standard or criteria for defining 'consent' and so the focus will be on proving the use of "fraudulent means" or "threat of force" rather than an absence of consent.<sup>60</sup> It should be noted that the onus will be on the prosecution in these cases to prove the use of such means.<sup>61</sup> Separate offences exist under the legislation for the rape of a child through the use of assault, threat, force, deceptive scheme or fraudulent means.<sup>62</sup> The penalty for such crimes will amount to a minimum of 10 years imprisonment for offences against a child under 13<sup>63</sup> or at least five years imprisonment for those aged 13-19.<sup>64</sup> Further provisions under these acts criminalize child sexual abuse.<sup>65</sup>

A survey question to frontline workers explored knowledge of legal protection pertaining to the age of consent (statutory rape) for boys under the age of 18 as depicted in Figure 13 below. Twenty-three percent correctly identified that this is established under South Korean law. Respondents also struggled to identify that South Korea does establish a close-in-age exemption to avoid criminalization of peer-to-peer consensual sexual relationships with only 29% answering this question correctly.

55 Government of Korea. (2016). *Civil Act*. Article 4.

56 Although, generally, South Korea uses a chronological age system, which is two years ahead of the international age system, all ages listed under South Korean legislation refers to the commonly accepted international age system.

57 *UN Convention on the Rights of the Child*. (1989). Article 1.

58 Government of Korea. (2016). *Criminal Act*. Article 305.

59 *Ibid.*

60 TACTEENNAEIL. (2021) Personal Communication.

61 *Ibid.*

62 Government of Korea. (2020). *Act on the Protection of*

*Children and Youth against Sex Offences*. Article 7.

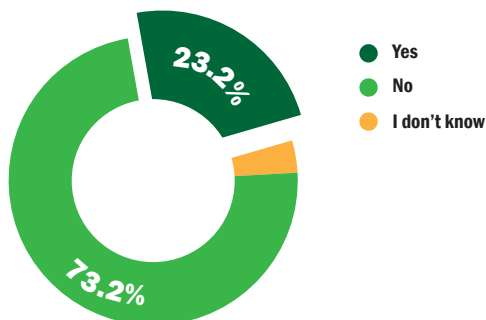
63 Government of Korea. (2019). *Act on Special Cases Concerning the Punishment, Etc. of Sexual Crimes*. Article 7.

64 Government of Korea. (2020). *Act on the Protection of Children and Youth against Sex Offences*. Article 7.

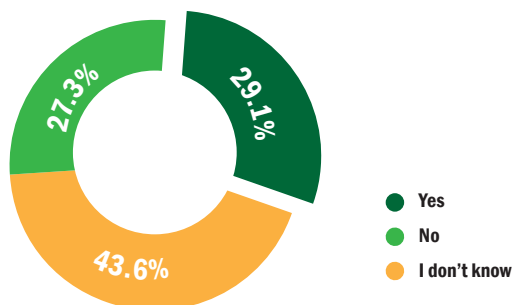
65 Government of Korea. (2020). *Act on the Protection of Children and Youth against Sex Offences*. Article 7. Government of Korea. (2019). *Act on Special Cases Concerning the Punishment, Etc. of Sexual Crimes*. Article 7.

**Figure 13. Age of sexual consent in South Korean law.**

*Knowledge of age of consent*



*Knowledge of close in age exemption*



The South Korean legislation does not contain a general provision under its criminal legislation that states that the attempt at all crimes will be punishable. Instead, the Criminal Act highlights that those crimes for which the attempt may be punishable will be specifically provided for in the article concerned.<sup>66</sup> Therefore, as *attempts to* commit SEC crimes are not punishable offences, attention will be drawn below to specific crimes for which an attempt is considered an offence.

It is possible for ignorance of the age of a victim to be pleaded as a defence in order for an offender of SEC crimes to excuse their conduct. Indeed, Article 13 of the Criminal Act states that “acts performed through ignorance of the facts which comprise the constituent elements of a crime shall not be punishable.”<sup>67</sup> Furthermore, Article 15 highlights

that “acts performed through ignorance of the facts which constitute especially more severe crimes shall not be punishable for such severe crimes.”<sup>68</sup> However, Article 14 stipulates that where an offender has been negligent in their ignorance of the facts, a crime may still be punishable.<sup>69</sup> It should be noted that the responsibility to prove such negligence lies with the prosecutor and such a defence has been widely and successfully used in SEC cases.<sup>70</sup> This is illustrated by a 2012 Supreme Court Ruling which stated that in order for a criminal offence to have occurred, it must be proved by the prosecutor that the defendant raped the victim while knowing that she was under 13.<sup>71</sup>

**In terms of penalties, South Korea has drawn criticism for its lenient punishments and weak responses to SEC crimes.** Indeed, in its concluding observations on South Korea in 2019, the CRC Committee expressed its concern “that lenient sentences, including probation, are used for adult offenders convicted of child sexual exploitation and abuse.”<sup>72</sup> It has been noted that South Korean courts are likely to give lesser punishments to first time offenders or those who confess and/or plead guilty in proceedings.<sup>73</sup> Further, anecdotal evidence suggests that it is considered true penance and may mitigate punishment if an offender writes a letter of apology to his victim.<sup>74</sup> Indeed, it has been reported that advice on how to write these letters is circulated online and that there is even a writing service available.<sup>75</sup> Before the Nth room case, the courts in South Korea did not punish crimes relating to the sexual exploitation of children heavily.

However, as this case attracted so much high profile public attention to the issue, the courts have begun to show a willingness to hand out heavier sentences for these types of offences.<sup>76</sup> The South Korean Sentencing Commission also provides sentencing guidelines for sexual offences to the South Korean court. Under these guidelines it is considered an aggravating factor, and thus will draw a greater punishment, if an offender has multiple victims, is a repeat offender of sexual crimes, is employed in a role that is obligated to report abuse (as discussed below) or commits the crime through an abuse of a trusted relationship.<sup>77</sup>

66 Government of Korea. (2016). *Criminal Act*. Article 29.

67 *Ibid.*, Article 13.

68 *Ibid.*, Article 15.

69 *Ibid.*, Article 14.

70 TACTEENNAEIL. (2021). Personal Communication.

71 Supreme Court of Korea. (1984). *Supreme Court Decision 2012Do7377*.

72 Committee on the Rights of the Child. (2019). *Concluding observations on the combined fifth and sixth periodic*

*reports of the Republic of Korea*.

73 TACTEENNAEIL. (2021). Personal Communication.

74 *Ibid.*

75 Oh My Star News. (2020). *가해자 앞날 창창해서” 판사 한마디에 웃는 성범죄자들*.

76 TACTEENNAEIL. (2021). Personal Communication.

77 Korean Sentencing Commission. (n,d). *Crimes of Sexual Assault*.

In South Korea, it is mandatory for children to attend school for nine years, with attendance required in elementary education for six years and secondary education for three.<sup>78</sup> The legal working age in the country is set at 15.<sup>79</sup>

In addition, it is prohibited for a child aged 15-18 to work for more than seven hours per day or 35 hours per week.<sup>80</sup> Finally, no one under the age of 18 is allowed to be employed in any work detrimental to morality or health or in any dangerous work.<sup>81</sup> This is especially important when linked with sexual exploitation as sex-work, or any work taking place within an establishment linked to prostitution, as it may be considered as being detrimental to a child's morality.

## WHY DO BOYS NEED SPECIFIC AND TAILORED MEASURES?

International instruments aimed at enshrining the rights of children provide comprehensive protection against sexual exploitation for all children irrespective of gender. It is important that all State parties endeavour to provide the same level of protection, through robust legislation and effective policy, which place the interests of the child at their forefront. Article 34 of the CRC requires State parties to protect children from “all forms of sexual exploitation.” It explicitly outlines that the State Parties must prevent: ‘1) the coercion of a child to engage in any unlawful sexual activity; 2) the exploitative use of children in prostitution or other unlawful sexual practices; and 3) the exploitive use of children in pornography.’<sup>82</sup> This is compounded with article 19 wherein it states that “the State Parties must undertake legislative, administrative, social and educational measures to protect the child from all forms of violence including exploitation and sexual abuse.”<sup>83</sup>

It is with these vulnerabilities in mind that the present research seeks to assess how boys are afforded protection within the South Korean legal

system. Each of the sections below will analyse the legislation relevant to each of the contexts in which SEC can occur and, where relevant, highlight any particular provisions that may have special significance for boys. Positively, the South Korean legislation has a strong focus on all children and does not discriminate between boys and girls within its criminal or procedural legislation. Where possible, we will also try to shine a light on how the protections enshrined in law are reflected in their practical implementation.

## EXPLOITATION OF CHILDREN IN PROSTITUTION

The most common manifestation of the exploitation of children in prostitution is found in ‘*jogeon mannam*’.<sup>84</sup> This is a term that roughly translates to ‘dating on a condition’. According to a 2016 survey of 198 respondents (all aged under 19) who had run away or been involved in the sex trade, 61.8% (122) had engaged in *jogeon mannam*.<sup>85</sup> Further, 87.9% of these 122 respondents who had engaged in ‘*jogeon mannam*’ received money in return and 39.3% received items they desired.<sup>86</sup> The same survey revealed that 84.4% (146) of respondents who experienced sexual exploitation (173) also had runaway experiences. Furthermore, 48.6% (84) replied that they entered the sex trade as a means to earn money for survival. However, gender norms prevented them from gaining proper protection, as children did not want others to know about it.<sup>87</sup> Whilst these survey results are not disaggregated by gender and refer to all children, they highlight the clear existence of the vulnerabilities that may be faced in relation to being exploited in prostitution.

Figure 14 below illustrates responses from the frontline worker survey about sexually exploiting boys in South Korean law. Sixty-nine percent of respondents correctly identified that it is a criminal offence in South Korea to engage a boy below 18 in sexual activities for money.

78 Government of Korea. (2018). Framework [Act on Education](#). Article 8.

79 Government of Korea. (2019). [Labour Standards Act](#). Article 64.

80 *Ibid.*, Article 69.

81 *Ibid.*, Article 65.

82 [UN Convention on the Rights of the Child](#). (1989). Article 34.

83 *Ibid.*, Article 19.

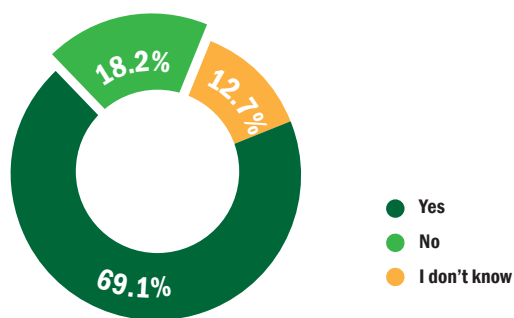
84 Government of Korea. (2017). [Survey on the sex trade](#).

85 *Ibid.*

86 *Ibid.*

87 *Ibid.*

**Figure 14. Criminality of sexual exploitation of boys in prostitution.**



In South Korea, the Act on the Punishment of Arrangement of Commercial Sex Acts states that the term “sexual traffic” is used to describe prostitution and means committing sexual intercourse, or other sexual activities not involving penetration, in exchange for receiving or promising to receive money, valuables or other property gains.<sup>88</sup> In cases involving children, what is considered as “property gains” will be decided on a case by case basis and will be up to the interpretation of the judge.<sup>89</sup> Article 4 of the same Act prohibits such acts, thereby rendering prostitution illegal in the country.<sup>90</sup> Those who engage in prostitution will be punished by imprisonment up to one year, a fine up to 3 million won (\$2575 USD as of September 2021), a misdemeanour imprisonment or a minor fine.<sup>91</sup> However, the Act also includes “juveniles” who are solicited or enticed to engage in prostitution under the list of victims of prostitution and clearly states that none of these victims shall be punished.<sup>92</sup> Before a 2020 amendment to the Act on the Protection of Children and Youth against Sex Offences this was not the case, and children exploited in prostitution could be punished for being involved in their own exploitation.<sup>93</sup> Although there are no precise statistics to highlight exactly how many children were affected by this, it was considered a significant problem by local child rights organizations, and research showed that some children were identified and referred by police as “delinquents” for their “voluntary engagement in prostitution.”<sup>94</sup> Following the amendments to

the law, these children will now be connected with protective or counselling facilities, and offered participation in education and support programmes.<sup>95</sup>

The Act on the Protection of Children and Youth against Sex Offences also contains offences that offer extensive protection to children from crimes relating to exploitation in prostitution. Article 14 of the Act prohibits compelling children to prostitution by threat or assault, by placing them into a troubling situation by means of advanced payment or other debt, by a deceptive scheme, by force or by taking advantage of a child under their protection or supervision.<sup>96</sup> The punishment for such crimes is a minimum sentence of five years imprisonment. This will be raised to a minimum of seven years when the offender receives, demands or promises consideration for such crimes.<sup>97</sup> Further, it is prohibited to entice or solicit a child for prostitution for business purposes.<sup>98</sup>

In addition, Article 13 makes it a criminal offence to purchase sexual services from a child and punishes such a crime with imprisonment of between 1 and 10 years, or by a minimum fine of 20 million won (\$17,170 USD as of September 2021).<sup>99</sup> It also prohibits the enticing or soliciting of a child for the purposes of prostitution, with a penalty of a minimum of one year’s imprisonment and 10 million won fine (\$8,584 USD as of September 2021).<sup>100</sup> These crimes will be punished with a further half of the original sentence if the victim is a child under 16 or is disabled.<sup>101</sup>

Article 15 of the Act on the Protection of Children and Youth against Sex Offences further prohibits a range of acts associated with the “business of arranging prostitution.”<sup>102</sup> Providing a place for purchasing sexual services from a child, arranging to purchase sexual services of a child or providing information on this arrangement through information and communications networks are all criminal offences.<sup>103</sup> The punishment for such crimes will be a maximum imprisonment of seven

88 Government of Korea. (2014). *Act on the Punishment of Arrangement of Commercial Sex Acts*. Article 2 (1).  
 89 TACTEENNAEIL. (2021). Personal Communication.  
 90 Government of Korea. (2014). *Act on the Punishment of Arrangement of Commercial Sex Acts*. Article 4.  
 91 *Ibid.*, Article 21.  
 92 *Ibid.*, Article 2(4) & 6.  
 93 Government of Korea. (2020). *Act on the Protection of Children and Youth against Sex Offences*. Article 38.  
 94 TACTEENNAEIL. (forthcoming publication). 2021 Issue Report. *Note that once categorised as ‘delinquent’ or ‘child or juvenile involved’ they are not eligible for support as they*

*are not seen as victims.*  
 95 Government of Korea. (2020). *Act on the Protection of Children and Youth against Sex Offences*. Article 38.  
 96 *Ibid.*, Article 14.  
 97 *Ibid.*  
 98 *Ibid.*  
 99 *Ibid.*, Article 13  
 100 *Ibid.*  
 101 *Ibid.*  
 102 *Ibid.*, Article 15.  
 103 *Ibid.*



years and a 50 million won fine (\$42,923 USD as of September 2021) but when they are committed by a person doing so professionally, the penalty will be imprisonment of at least seven years.<sup>104</sup> It is also prohibited to provide capital, land or a building knowing it will be used for purchasing sexual services from children.<sup>105</sup> Finally, it is a criminal offence to entice, solicit or coerce any third person to purchase sexual services from a child.<sup>106</sup> If this is done for business purposes the maximum sentence will be seven years imprisonment and a 50 million won fine (\$42,923 USD as of September 2021) and if not, the maximum penalties will be reduced to five years imprisonment and a 30 million won fine (\$25,754 USD as of September 2021).<sup>107</sup>

In terms of crimes relating to exploitation of children in prostitution, the only crimes for which attempt is criminalized is compelling a child to prostitution by threat or assault, by placing them into a troubling situation by means of advanced payment or other debt, by a deceptive scheme, by force or by taking advantage of a child under their protection or supervision.<sup>108</sup> This is a worrying omission and the protection offered to children from being exploited through prostitution could be enhanced by extending such provisions so as to cover the wide-ranging list of crimes of exploitation in prostitution covered in South Korean law.

Although, in general, the courts are stricter in allowing the defence of ignorance of the age of the victim to be used when dealing with sex crimes involving children, the provisions of the Criminal Act discussed above will still be applied to such crimes and so it can be and is used as a defence in cases involving SEC.<sup>109</sup>

## ONLINE CHILD SEXUAL EXPLOITATION

Online child sexual exploitation is an increasingly widespread problem within South Korea. It has been identified that children are often approached in chat rooms and extorted into producing more child sexual abuse material through threats by the offender of releasing compromising images of the

child.<sup>110</sup> In addition, there have been a number of high-profile cases that have garnered a lot of media attention and eventually led to changes in the law governing sexual offences in 2020, in particular the “Nth room” case that was discussed earlier in this report. Unfortunately, there is a lack of data that highlights the precise nature and extent to which these crimes affect boys.

Under the Act on the Protection of Children and Youth against Sex Offences, “child or youth pornography”<sup>111</sup> is defined as depiction of children, or persons or representations that can obviously be perceived to be children, engaging in sexual acts in the form of “film, video, game software, or picture, image etc. displayed on computers, or other communications media.” It is welcome that the inclusion of “representations” can be used to cover digitally generated CSAM as well as realistic images of non-existent children. This is evidenced by a 2019 court ruling that stated that a representation of a child will be that which can obviously be viewed or perceived as a child by the general public.<sup>112</sup> This will be decided on a case by case basis by a judge and will take into account various circumstances, such as the description of the appearance and physical development of a person portrayed in the materials, the person’s voice, way of speaking, and attire, the situational setting and the background or storyline of a film or image.<sup>113</sup> However, the definition does not explicitly cover materials in a form other than visual, such as audio material, and so cannot be said to be fully in line with the international standard as provided by the OPSC. Although the Act on Promotion of Information and Communications Network Utilization and Information Protection, etc. criminalizes circulating obscene material in the form of sound.<sup>114</sup> This is insufficient, as obscene material isn’t defined, and only the circulation of such material would be considered a criminal act.

The Act on the Protection of Children and Youth against Sex Offences also prohibits a range of conduct associated with CSAM. Article 11 criminalizes producing, importing or exporting CSAM.<sup>115</sup> These are also the only offences related to OCSE for which the attempt at committing will also be penalised. Further, selling, renting, distributing, providing, possessing, carrying,

104 *Ibid.*

105 *Ibid.*

106 *Ibid.*

107 *Ibid.*

108 *Ibid.*, Article 14.

109 TACTEENNAEIL. (2021). Personal Communication.

110 US Department of State. (2020). [Trafficking in Persons Report](#).

111 Seoul Central District Court. (2020). Case number: 2020

고합294 & 2020고합486.

112 Supreme Court of Korea. (2019). [Supreme Court Decision 2015Do863](#).

113 *Ibid.*

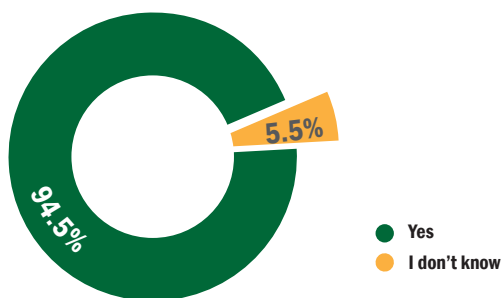
114 Government of Korea. (2019). [Act on Promotion of Information and Communications Network Utilization and Information Protection, Etc.](#) Article 44-7.

115 Government of Korea. (2020). [Act on the Protection of Children and Youth against Sex Offences](#). Article 11.

advertising, or introducing CSAM for commercial purposes or publicly exhibiting CSAM are also criminal offences.<sup>116</sup> All of these conducts carry a sentence of imprisonment of a minimum of five years.<sup>117</sup> Those who distribute, provide, advertise, exhibit or display CSAM without a commercial purpose will be punished with a minimum of three years imprisonment.<sup>118</sup> Offenders who procure a child for a third person for the purpose of producing CSAM, with the knowledge that the child will be used to produce CSAM, will also face a minimum of three years imprisonment.<sup>119</sup> Finally, anyone who purchases, possesses or watches CSAM with the knowledge that it is CSAM, will face a minimum of one year in prison.<sup>120</sup> Although it is not explicitly stated that these provisions apply for conduct happening in the online environment, this can be inferred from high profile judgements such as the ‘Nth room case’.<sup>121</sup>

Figure 15 below illustrates responses from the frontline worker survey about the criminality of child sexual abuse materials in South Korean law. Almost all respondents correctly identified that “mere possession” of child sexual abuse material with no intent to distribute/share is criminalized in South Korea. Only three said that they did not know.

**Figure 15. Criminality of possessing child sexual abuse materials.**



Although there are no specific laws that criminalize the recruiting, causing or coercing of a child into participating in pornographic performances, it may be covered under the Child Welfare Act,

which prohibits “having a child engage in lewd acts or arranging such acts, or committing sexual harassment or sexual abuse against a child that may make him/her feel sexually ashamed.”<sup>122</sup> Further, this could partially be covered by the criminalization of procuring a child for the purpose of producing CSAM, as covered by Article 11 of the Act on the Protection of Children and Youth against Sex Offences. However, this is insufficient as it only makes such conduct illegal when it is for the purpose of producing CSAM, not when there is no recording taking place. Also, there are no provisions that explicitly criminalize knowingly attending such pornographic performances.

Although it is possible that the provisions relating to CSAM could apply to cases in which the child sexual abuse is live streamed, this is not explicitly stated in the legislation and so should be updated so as to clearly criminalize such instances. A further loophole exists with regards to ‘online grooming’. Currently, there are no provisions that prohibit the intentional proposal, through information and communication technologies, of an adult to meet a child for the purpose of committing a SEC crime. However, members of the National Assembly have passed a revision of the Act on the Protection of Children and Youth against Sex Offences so as to include these crimes and it is anticipated that they will come into effect in the second half of 2021.<sup>123</sup>

According to the Act on the Protection of Children and Youth against Sex Offences, a child who has been forced to produce CSAM, (such as through creating self generated content), will be considered a victim and will not face punishment.<sup>124</sup> However, if children are involved in the distribution of such CSAM they may still face punishment. Whilst it is not contained in the legislation, it is understood that two children consensually sexting would not be punished under the law, and instead the issue would be dealt with through special sexual education programmes for the children involved.<sup>125</sup> However, if a child were to share or distribute CSAM for the purpose of business, it is possible that they could be punished under South Korean law. Following the Nth room case in 2020, the law

116 *Ibid.*

117 *Ibid.*

118 *Ibid.*

119 *Ibid.*

120 *Ibid.*

121 Seoul Central District Court. (2020). Case number: 2020고합294 & 2020고합486.

122 US Department of State. (2020). [Trafficking in Persons Report](#).

123 TACTEENNAEIL. (2021). Personal Communication.

124 Government of Korea. (2020). [Act on the Protection of Children and Youth against Sex Offences](#). Article 2.

125 TACTEENNAEIL. (2021). Personal Communication.

in South Korea was amended so as to include crimes relating to sexual extortion. Therefore, it is now punishable with a minimum of one year's imprisonment to intimidate or blackmail another using a material (video or image) or copy of such material which could cause sexual desire or shame.<sup>126</sup> However, this crime is general and does not relate specifically to children.

As a final point on OCSE, all Internet Service Providers in South Korea face punishment of up to three years imprisonment or a fine up to 20 million won (\$17,169 USD as of September 2021) for failing to take measures to detect CSAM and take technical measures to prevent or block its transmission.<sup>127</sup> However, these punishments will only apply when it can be proven that the Internet Service Provider was negligent in carrying out these duties<sup>128</sup> and the reality is that they are highly unlikely to face imprisonment and will generally only be fined.<sup>129</sup>

## SALE AND TRAFFICKING OF CHILDREN FOR SEXUAL PURPOSES

The lack of research available makes it difficult to accurately assess the scale of trafficking for sexual purposes that affects boys in South Korea. The US State Department's Trafficking in Persons report indicated that runaway children are particularly vulnerable to falling prey to traffickers within the country. Further, these children are then sexually exploited in bars, nightclubs and other entertainment venues.<sup>130</sup>

The legislation relating to trafficking in South Korea is spread across multiple provisions of multiple acts, and cannot be said to be fully in line with the offences prescribed in the UN Trafficking Protocol. The Criminal Act, the Act on the Punishment of Arrangement of Commercial Sex Acts etc. and the Act on the Protection of Children and Youth against Sex Offences all contain different provisions which may be used to protect children from trafficking offences.

Article 12 of the Act on the Protection of Children and Youth against Sex Offences, covers the offence of "child or youth trafficking." This provision

criminalizes buying, selling or sending a child to a foreign country or bringing a child from a foreign country into South Korea, knowing that the child will become victim of the act of buying sex or producing CSAM.<sup>131</sup> The penalty for such a crime amounts to a minimum of five years imprisonment.<sup>132</sup>

Unfortunately, this provision alone does not offer children full protection from trafficking crimes. Whilst it is a positive that the provision does not require the means of trafficking to be proven, i.e. fraud, deception, force etc., it only covers acts such as buying, selling, sending or bringing a child and therefore not all of the composite parts of a trafficking crime, as defined by the UN Trafficking Protocol. Further, the provision only covers cross border, international crimes and so does not criminalize domestic trafficking offences. Lastly, the provision only includes the act of purchasing sexual services or producing CSAM as the purposes for such trafficking, and so does not comprehensively cover all forms of sexual exploitation.

Further provisions under the Criminal Act could also be used to prosecute offenders involved in the trafficking of children. Article 289 on 'trafficking in persons' criminalizes the buying or selling of a person for the purpose of engaging in an indecent act, sexual intercourse, marriage or for gain and punishes such a crime with between 1 and 10 years imprisonment.<sup>133</sup> Further, offenders who buy or sell a person for the purpose of sex trafficking or sexual exploitation will be punished with an imprisonment sentence of between 2 and 15 years.<sup>134</sup> Whilst this Article does not require the means to be proven in penalising such offences and includes 'sexual exploitation' more broadly as a purpose, it only prohibits the buying or selling of a person and so, as a standalone provision, is far from complying with internationally recognized definitions of trafficking. Further, this provision is directed at crimes with victims of all ages and contains no heavier sentences when a child is the victim.

Further elements of the crime of trafficking are covered in Articles 287 and 288. Article 287 on the 'kidnapping or abduction of minors' makes it an offence to obtain and maintain a minor under control by means of threat, use of force, coercion, fraud, deception or enticement.<sup>135</sup> The

126 Government of Korea. (2020). [Act on the Protection of Children and Youth against Sex Offences](#). Article 14-3.

127 *Ibid.*, Article 17.

128 *Ibid.*

129 TACTEENNAEIL. (2021). Personal Communication.

130 US Department of State. (2020). [Trafficking in Persons Report](#).

131 Government of Korea. (2020). [Act on the Protection of Children and Youth against Sex Offences](#). Article 12.

132 *Ibid.*

133 Government of Korea. (2016). [Criminal Act](#). Article 289.

134 *Ibid.*

135 *Ibid.*, Article 287.

associated penalty for this offence is up to 10 years imprisonment.<sup>136</sup> As the UN Trafficking Protocol states that the means employed in trafficking should never be required to be proven for child trafficking offences, this provision is insufficient. Article 288 prohibits obtaining and maintaining any person under control by means of threat, use of force, coercion, fraud, deception or enticement for the purpose of, among other things, engaging in an indecent act, sexual intercourse, marriage, gain, sex trafficking or sexual exploitation.<sup>137</sup> Again, this provision is directed at all victims and also requires the means to be proven to constitute an offence and so does not offer full protection to children. Finally, Article 292 criminalizes receiving or harbouring a trafficking victim and recruiting, transferring, or delivering another with the purpose of committing crimes contained under Articles 287-289.<sup>138</sup>

Finally, the Act on the Punishment of Arrangement of Commercial Sex Acts etc. contains a definition of ‘human traffic aimed at sexual traffic’ that encompasses certain conducts related to children. According to this definition, the transfer of a child for the purpose of making them sell sex, carry out obscene acts, or to use them as an object of pictures, videos, etc. depicting sexual intercourse and other obscene acts while holding them under control management, in return for providing or promising to provide money or valuables, will be considered trafficking.<sup>139</sup> The recruiting, moving or hiding of children for these acts will also be considered trafficking.<sup>140</sup> In a similar vein to the problems encountered under the Criminal Act, the means of trafficking is considered as a component of the crime involving children and so cannot be said to be in line with international law. Finally, Article 4 of the same Act prohibits arranging, soliciting for, enticing or coercing a person to engage in trafficking for sexual purposes and providing a place, funds, land or capital for trafficking for sexual purposes.

Although Article 12 of the Act on the Protection of Children and Youth Against Sex Offences and Article 289 of the Criminal Act could be used to punish the sale of children, they are primarily

aimed at trafficking crimes. Therefore, it cannot be said that the sale of children for sexual purposes is criminalized as a standalone offence under the South Korean legislation.

Whilst many of the component parts of trafficking are covered under South Korean law, they are contained under a range of provisions and require different levels of proof to show that a crime is committed. In particular, the crimes contained under Article 287 and 288 of the Criminal Code and the trafficking offences under the Act on the Punishment of Arrangement of Commercial Sex Acts etc., all require the means to be proven in determining that a child has been trafficked. This is in clear contradiction with the UN Trafficking Protocol and should be removed. Finally, it is worth mentioning that for all of the provisions discussed above in relation to trafficking, the attempt at such crimes will also be punishable.<sup>141</sup>

## SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM

There has been a lack of research into SECTT in South Korea and it is therefore difficult to comment with any degree of certainty how sexual exploitation in this context affects children in general, and boys in particular. Overseas tours are advertised as “emperor tours” in order for South Korean nationals to travel to foreign countries to engage in SECTT.<sup>142</sup> The 2020 report by the U.S. Department of State reported that some South Korean men travel specifically to engage in SEC offences in Vietnam, Cambodia, Mongolia and the Philippines.<sup>143</sup>

However, in the same year, the government did not report any criminal investigations or prosecutions related to South Korean men engaging in SECTT abroad.<sup>144</sup> Unfortunately, there is very low awareness of the crime within the country and many do not see it as a major issue.<sup>145</sup> The lack of knowledge and understanding of how this crime affects South Korean children does not mean that such offences are not taking place within

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136 *Ibid.*

137 *Ibid.*, Article 288.

138 *Ibid.*, Article 292.

139 Government of Korea. (2014). [Act on the Punishment of Arrangement of Commercial Sex Acts etc.](#) Article 2.

140 *Ibid.*

141 Government of Korea. (2016). [Criminal Act.](#) Article 294;

Government of Korea. (2020). [Act on the Protection of Children and Youth against Sex Offences.](#) Article 12.

142 TACTEENNAEIL. (2021). Personal Communication.

143 US Department of State. (2020). [Trafficking in Persons Report.](#)

144 *Ibid.*

145 TACTEENNAEIL. (2021). Personal Communication.

the country. Ensuring that the travel and tourism industry is regulated and that relevant criminal provisions are applied, is vital in protecting all children from being sexually exploited in this context.

**There are no provisions** under the South Korean criminal legislation that contain offences specifically addressing the sexual exploitation of children in travel and tourism. The organization of travel arrangements or transportations that are explicitly or implicitly meant to create or facilitate opportunities to engage children in sexual activities, is not criminalized in South Korea. Further, there are no provisions that regulate the use of volunteers that work in roles with direct contact with children, and companies that operate within the travel and tourism industry are not required by law to adhere to specific national codes for child protection.

In South Korea, in general, the Supreme Court does not recognize that legal entities may be guilty of committing a crime.<sup>146</sup> Therefore, if a company has become engaged in a particular crime, the defendant will be a representative of that company and not the legal entity itself.<sup>147</sup> However, for certain specific offences under South Korean law it is possible for legal entities to face joint penalty provisions, which usually take the form of a fine. Article 32 of the Act on the Protection of Children and Youth Against Sex Offences states that when a representative of a legal entity commits one of the specific crimes relating to exploitation in prostitution<sup>148</sup> or online child sexual exploitation,<sup>149</sup> the individual offender will be punished and the business will also receive a fine.<sup>150</sup> However, the legal entity will only face such punishment where it can be proved that it was negligent in its duty to pay attention and prevent such offences.<sup>151</sup> Whilst it is legislatively possible for legal entities to face punishment for SEC crimes, it is not widely occurring.<sup>152</sup> Indeed, in the course of this research it has not been possible to find any court case in which a legal entity was held liable for such

offences.

Under the South Korean legislation, there are certain provisions which may prohibit the explicit advertising of certain SEC crimes. In particular, Article 15 of the Act on the Protection of Children and Youth against Sex Offences prohibits the arrangement of minors selling sexual services, as well as providing information related to this crime.<sup>153</sup> Further, Article 20 of the Act on the Punishment of Arrangement of Commercial Sex Acts etc. punishes those who advertise prostitution.<sup>154</sup> **However, this only covers crimes relating to exploitation of children in prostitution, and so does not prohibit the advertising or promotion of all SEC related crimes. Additionally, there are no provisions that oblige tour companies to include a warning against the illegality of SECTT-related conducts in all of their marketing and promotional material.**

It is possible to prevent a person with a criminal record for committing sex offences from entering into the country through applying the provisions of the Immigration Act. Article 11 of this Act states that the Minister of Justice may prohibit a foreigner from entering South Korea if they are “deemed highly likely to engage in any conduct disturbing economic or social order or good morals.”<sup>155</sup> Further, under the Passport Act, the Ministry of Foreign Affairs can refuse to issue a passport to South Korean nationals who commit crimes punished with imprisonment for a period of at least two years.<sup>156</sup> However, crimes such as watching, possessing or purchasing CSAM, sexual extortion and enticing or soliciting a child for the purpose of prostitution all have a minimum sentence of one year of imprisonment and so may not qualify under this Act.

In addition, under the Criminal Procedure Act it is stated that where an alleged offender has received bail, they will not travel outside the country without the permission of the Department of Justice.<sup>157</sup> Although there is no specific mention of the

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146 Supreme Court of Korea. (1984). [Supreme Court Decision 82Do2595](#).

147 *Ibid.*

148 These are the crimes listed in Article 14 & 15 of the same Act.

149 These are the crimes listed in Article 11 (1) (2) (3) (4) (6) of the same Act.

150 Government of Korea. (2014). [Act on the Punishment of Arrangement of Commercial Sex Acts etc.](#) Article 32.

151 *Ibid.*

152 Formal Director, National Union against Prostitution. (2021). Personal Communication.

153 Government of Korea. (2020). [Act on the Protection of Children and Youth against Sex Offences](#). Article 15.

154 Government of Korea. (2014). [Act on the Punishment of Arrangement of Commercial Sex Acts etc.](#) Article 20.

155 Government of Korea. (2014). [Immigration Act](#). Article 11.

156 Government of Korea. (2017). [Passport Act](#). Article 12.

157 Government of Korea. (2020). [Criminal Procedure Act](#). Article 98.

restriction of entry or departure of sex offenders, the National Police Agency does collect data on people who have engaged in buying or selling sexual services in foreign countries and passes it on to the Immigration Office.<sup>158</sup> The Immigration Office does deny entry to known operators of tours offering sexual services and prohibits the departure of South Koreans who have been convicted of prostitution in foreign nations.<sup>159</sup> However, these measures will only apply to offenders who have been convicted of more than just a fine.<sup>160</sup>

## CHILD EARLY AND FORCED MARRIAGE

Although child, early and forced marriage (CEFM) is an issue that disproportionately affects girls, it is important to stress that boys are also affected by the problem. It has been estimated that, globally, in 2019, 115 million boys and men were married before the age of 18, out of whom 23 million were married before they turned 15 years of age.<sup>161</sup> Boys who marry early face increased social pressure to play the role of the 'breadwinner' and take up responsibilities of the household which ultimately brings their childhood to an early end.<sup>162</sup> Although CEFM has traditionally not been seen as a major problem within South Korea, the CRC Committee expressed concern in 2019 that child marriage may be occurring within the migrant community living in South Korea.<sup>163</sup> This emphasises the need for robust civil and criminal legislation, to ensure that CEFM does not become more commonplace within the country.

Within South Korea, the rules governing marriage can be found in the Civil Act. As there are no competing customary or religious legal systems operating within the country, the civil legislation on marriage is consistently applied in all regions. Article 807 of the Civil Act states that a person may

marry when they reach the age of 18.<sup>164</sup> Positively, there are no exceptions under the South Korean legislation which allows a child to marry. Indeed, the age of majority is 19 in South Korea and so if a person aged 18 wants to marry they will still need guardian consent to do so until they have turned 19.<sup>165</sup> On occasions where an 18 year old has married without parental or guardian consent, the marriage may be annulled.<sup>166</sup> However, the annulment will not apply where three months has already passed from the 19th birthday of the involved party or if the female party has become pregnant during the marriage.<sup>167</sup>

Although South Korea does not allow the marriage of children under any circumstances, it does not have any legislation that criminalizes the inducing or forcing a child to marry or knowingly marrying a child. It may be possible to apply the trafficking provisions of the Criminal Act to certain acts of forced marriage, as Article 289 prohibits the buying or selling of a person for, among other things, marriage.<sup>168</sup>

In the past, marriage had been used as a method to exonerate an offender from being prosecuted for committing sexual crimes.<sup>169</sup> However, positively, through developments in the law and, particularly, a change to various laws containing sexual crimes in 2013 that excluded sex offences from the offences subject to complaint, this is no longer an existing problem within the country.<sup>170</sup>

## EXTRATERRITORIALITY AND EXTRADITION

With the growth in the travel and tourism industry in the last few decades, it has become easier for individuals to travel abroad and commit crimes against children.<sup>171</sup> Therefore, in the context of SEC offences, extraterritorial jurisdiction becomes vitally important as it gives States power to have

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158 Formal Director, National Union against Prostitution. (2021). Personal Communication.

159 *Ibid.*

160 *Ibid.*

161 UN News. (2019). [Around 23 million boys have married before reaching 15; 'we can end this violation' says UNICEF chief.](#)

162 ECPAT International. (2020). [Summary Paper on Child, Early and Forced Marriages as a Form of, or Pathway to Sexual Exploitation of Children.](#) Bangkok: ECPAT International.

163 Committee on the Rights of the Child. (2019). [Concluding observations on the combined fifth and sixth periodic reports of the Republic of Korea.](#)

164 Government of Korea. (2016). [Civil Act.](#) Article 807.

165 *Ibid.*, Article 807.

166 *Ibid.*, Article 816.

167 *Ibid.*, Article 819.

168 Government of Korea. (2016). [Criminal Act.](#) Article 289.

169 TACTEENNAEIL. (2021). Personal Communication.

170 Government of Korea. (2016). [Criminal Act.](#) Article 306.

Government of Korea. (2019). [Act on Special Cases Concerning the Punishment, Etc. of Sexual Crimes.](#) Article 15.

171 ECPAT International. (2020). [Summary Paper on Sexual Exploitation of Children in Travel and Tourism 1.](#)

jurisdiction on crimes committed by their citizens, or on their citizens outside their territory. To prevent countries from becoming safe havens for child sex offenders, it is important that the national legislation fully establishes extraterritorial jurisdiction over SEC offences in accordance with Article 4 of the OPSC.<sup>172</sup> Similarly, extradition is essential in order to aid prosecution efforts, given that key witnesses and evidence are likely to be located at the place in which the crime was committed.<sup>173</sup>

According to Article 2 of the Criminal Act, all offences committed within South Korea, by South Korean citizens or foreigners, will be punishable.<sup>174</sup> Further, active territorial jurisdiction also applies as South Korea can prosecute “all South Korean nationals who commit crimes outside the territory of Republic of South Korea.”<sup>175</sup> Active territorial jurisdiction therefore allows South Korea to prosecute illegal conduct (including all SEC crimes) by their own citizens that has been carried out abroad. The South Korean legislation also goes further and applies passive extraterritorial jurisdiction. This means that South Korea will also punish those offences, which were criminalized in South Korean law at the time the act took place, committed by foreign nationals abroad against a South Korean national.<sup>176</sup> Although these provisions apply specifically to offences committed under the Criminal Act, Article 8 stipulates that these provisions will apply to crimes provided under all other Acts, unless otherwise specifically stated.<sup>177</sup> Therefore, all other SEC related offences contained under different pieces of South Korean legislation will be covered by these extraterritorial provisions. In addition to the above, the Criminal Act stipulates that, for certain crimes, universal extraterritorial jurisdiction may apply.<sup>178</sup> This means that an offence committed by a foreigner abroad will be punishable in South Korea, even when the victim was not a South Korean citizen. In terms of SEC offences, this universal jurisdiction will apply to the trafficking

crimes covered in Articles 287-292 of the Criminal Act (as discussed in greater detail above).<sup>179</sup>

Under the South Korean legislation, an offender can be extradited from South Korea to a requesting State for the purpose of prosecution, trials or punishment.<sup>180</sup> Extraditable offences will include all offences with a punishment of at least one year of imprisonment in both South Korea and the requesting State, thereby covering all SEC related crimes.<sup>181</sup> Therefore, the principle of double criminality applies to extradition proceedings, meaning that in order for an offender to be extradited the offence committed must be punishable by a minimum of one year of imprisonment under both South Korean law and the law of the requesting State. Although all SEC offences contained under South Korean law exceed this minimum sentencing requirement, issues could arise when a requesting State has more lenient sentencing for SEC crimes. However, Article 3-2 of the Extradition Act states that if an extradition treaty contains any provisions that are contrary to those contained in the Act, those in the treaty will prevail.<sup>182</sup> This is the case in extradition treaties with Japan<sup>183</sup> and the USA,<sup>184</sup> which both state that double criminality is not required.

It is also worth noting that the Extradition Act states that an extradition request may be denied when the offender is a South Korean national.<sup>185</sup> An example of this can be seen in a 2020 case when, despite the existence of a functioning extradition agreement with the USA, South Korea refused to extradite an offender convicted for his role in operating one of the world’s largest child sexual abuse websites. Having served an 18-month sentence already in South Korea, the USA requested for his extradition in order to face related charges. However, the High Court in Seoul denied this request, stating that the offender should be kept in South Korea in order to help with future investigations related to the sexual exploitation of children.<sup>186</sup>

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172 UN General Assembly. (2000, May 25). [Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography](#). Article 4.

173 ECPAT International. (2016). [Global Study on Sexual Exploitation of Children in Travel and Tourism](#).

174 Government of Korea. (2016). [Criminal Act](#). Article 2.

175 *Ibid.*, Article 3.

176 *Ibid.*, Article 4.

177 *Ibid.*, Article 8.

178 *Ibid.*, 296-2.

179 *Ibid.*

180 Government of Korea. (2017). [Extradition Act](#). Article 5.

181 *Ibid.*, Article 6

182 *Ibid.*, Article 3-2.

183 Government of Korea. (2002). [Treaty of Extradition between Korea and Japan](#). Article 2.

184 Government of Korea. (1999). [Extradition Treaty between the Government of the Republic of Korea and the United States Government](#). Article 2.

185 Government of Korea. (2017). [Extradition Act](#). Article 9.

186 Today Korea. (2020). [Analysis of the ruling sentence for rejection of repatriation ‘Why’ did Son Jung-woo remain in Korea?](#)

## ACCESS TO JUSTICE AND REMEDIES

### National Complaint Mechanisms and Reporting

Under the South Korean legislation, when certain professionals become aware of, or suspect child abuse in the course of their duties, they must report it to a child protection agency or investigative agency.<sup>187</sup> The professions bound by such obligations are wide ranging and include: medical professionals, educational staff, public officials working in child protection roles and those working in child support roles or with victims of sexual crimes.<sup>188</sup> However, whilst any person “may” report such crimes, this is not a mandatory requirement for private citizens not employed in the specified roles.<sup>189</sup> Article 10-2 of the Act on Special Cases Concerning the Punishment, etc. of Child Abuse Crimes, provides protection to those who report child abuse crimes by stating that no one shall take unfavourable measures against them as a result of reporting such a crime.<sup>190</sup> Whilst the obligations above relate to child abuse generally, the Act on the Protection of Children and Youth against Sex Offences specifies that these professionals are also obligated to report sexual offences against children of which they have become aware.<sup>191</sup> In addition, Article 35 of the same Act states that those professions which are bound by a duty to report, must be provided with educational material related to the prevention of sex offences against children and the duty to report such offences.<sup>192</sup>

A child victim with their legal representative may file a criminal complaint against a person who has committed any form of child abuse.<sup>193</sup> Under the Civil Act, a child must obtain “the consent of his/her legal representative to perform any juristic act.”<sup>194</sup> According to the Civil Procedure Act, “a minor may conduct litigation only through his/

her legal representative,” unless they are “able to independently conduct juristic acts.”<sup>195</sup> In general, parents or adoptive parents hold parental authority over a child, and are considered legal representatives.<sup>196</sup> In cases where parents or persons with authority are not present, a court shall appoint a guardian as a legal representative for a minor, and the guardian shall have “the same rights and duties as a person of parental authority.”<sup>197</sup>

An anonymous complaint will be sufficient evidence to open an investigation into a suspected SEC case.<sup>198</sup> In terms of process, the Commissioner General of the National Police Agency will have the chief of each police station designate judicial police officers in exclusive charge of investigating sexual crimes. As the South Korean Constitution stipulates that sex offences do not require a complaint to initiate proceedings, police officers must begin investigations when they have received a report.<sup>199</sup> Although there is no requirement for public prosecutors to initiate investigations of SEC crimes ex officio on the basis of information obtained by any sources, it is stipulated that the Prosecutor General of the Public Prosecutors’ Office shall have the chief public prosecutor of each district public prosecutors’ office designate public prosecutors to be in exclusive charge of sexual crimes.<sup>200</sup>

Any person who is convicted of a crime related to SEC in South Korea will have their personal information and information related to their crimes registered in a database.<sup>201</sup> Further, the court may issue a disclosure order for the release of such information unless the defendant is a child, or there are any other special circumstances for which it should not be disclosed.<sup>202</sup> The court will make the final decision on disclosure, and information for disclosure must only be used to identify people who are likely to commit sexual offences and to protect children from such offences.<sup>203</sup> The Act on the Protection of Children and Youth against

187 Government of Korea. (2019). [Act on Special Cases Concerning The Punishment, Etc. Of Child Abuse Crimes](#). Article 10.

188 *Ibid.*

189 *Ibid.*

190 *Ibid.*, Article 10-2.

191 Government of Korea. (2020). [Act on the Protection of Children and Youth against Sex Offences](#). Article 34.

192 *Ibid.*, Article 35.

193 Government of Korea. (2019). [Act on Special Cases Concerning The Punishment, Etc. Of Child Abuse Crimes](#). Article 10-4.

194 Government of Korea. (2016). [Civil Act](#). Article 5.

195 Government of Korea. (2017). [Civil Procedure Act](#). Article 55.

196 Government of Korea. (2016). [Civil Act](#). Articles 909 & 911.

197 *Ibid.*, Article 945.

198 Government of Korea. (2019). [Act on Special Cases Concerning The Punishment, Etc. Of Child Abuse Crimes](#). Article 10.

199 Government of Korea. (2019). [Act on Special Cases Concerning the Punishment, Etc. of Sexual Crimes](#). Article 26.

200 *Ibid.*

201 Government of Korea. (2019). [Act on Special Cases Concerning the Punishment, Etc. of Sexual Crimes](#). Article 42.

202 Government of Korea. (2020). [Act on the Protection of Children and Youth against Sex Offences](#). Article 49.

203 *Ibid.*, Article 55.



Sex Offences makes it a requirement to submit an inquiry of sex offence history in the course of employing any person to a role working directly with children.<sup>204</sup> Anyone convicted of such offences will be restricted in working in such roles for a period of 10 years.<sup>205</sup> However, these restrictions have been challenged by certain affected offenders, with some seeing them as too strict.<sup>206</sup> It has been observed that, in particular, doctors have been vocal in their opposition to these restrictions as they resulted in them not being allowed to continue working.<sup>207</sup> This has resulted in the new version of this Act making an exception for people who are deemed to have a low risk of re-offence.<sup>208</sup> However, there is no specific definition of what is considered as 'low risk'. While risks assessments may be conducted regarding recidivism, the decision remains largely at the discretion of the judge.

It is also noted that statutory limitations for the prosecution of SEC crimes exist in South Korea. These periods are prescribed by law and designate the maximum amount of time after a crime has been committed, in which legal proceedings may be initiated against an offender. In South Korea, certain crimes, such as murder and rape, are excluded from these limitation periods.<sup>209</sup> However, the majority of SEC crimes are governed by these limitation periods. They are set out in the Criminal Procedure Act and range from 25 years for crimes punishable with the death penalty to one year for crimes punishable qualifications for a maximum term of less than five years, misdemeanour imprisonment, a minor fine, or confiscation.<sup>210</sup> For SEC crimes, the limitation periods range from 5 to 10 years, depending on the severity of the sentence attached to the offence. In the case of child victims of SEC, these limitations periods will begin from the date the child reaches majority, not the date which the crime took place.<sup>211</sup> When sexually exploited children do disclose their abuse, their disclosure is often delayed.<sup>212</sup> In these cases, their access to justice can be thwarted by short statutes of limitations for sexual offences.

**Therefore, it is recommended that there is no statute of limitation for crimes related to SEC, allowing victims to come forward if and when they feel comfortable to do so.**

**As discussed above in relation to South Korea's international commitments, it has yet to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure,** which could hinder South Korean children's ability and right to appeal to international mechanisms when national mechanisms have failed to address violations effectively.

### *Child-Sensitive Justice*

The South Korean legislation also contains a number of provisions that tailor the approach of proceedings in order to make the justice system accessible for child victims. The Act on the Protection of Children and Youth against Sex Offences prescribes that, in cases involving child victims of sexual offences, the investigation agency and court must create conditions in which the victim can make statements comfortably, as well as ensure that the number of investigation procedures, examinations and judgements is as low as possible.<sup>213</sup> Further, children who are victims to sexual offences may give their statements through video recordings. These recordings may be utilised throughout the whole process of investigation.<sup>214</sup> In addition, the Criminal Procedure Act specifies that a child or victim of SEC may be examined through video or other transmission system.<sup>215</sup>

The Act on the Protection of Children and Youth against Sex Offences also requires the presence of "a person who is in a fiduciary relationship with a victim to sit in company with the victim" in cases involving child victims of SEC.<sup>216</sup> This provision is utilised to allow the presence of psychologists, counsellors or professional staff from NGOs to accompany and support the child throughout the

204 *Ibid.*, Article 56.

205 *Ibid.*

206 TACTEENNAEIL. (2021). Personal Communication.

207 TACTEENNAEIL. (2021). Personal Communication.

208 Government of Korea. (2020). *Act on the Protection of Children and Youth against Sex Offences*. Article 56.

209 Government of Korea. (2020). *Act on the Protection of Children and Youth against Sex Offences*. Article 20.

210 Government of Korea. (2020). *Criminal Procedure Act*. Article 249.

211 Government of Korea. (2020). *Act on the Protection of Children and Youth against Sex Offences*. Article 20.

212 ECPAT International. (2017). *Through the Eyes of the Child: Barriers to Access to Justice and Remedies for Child Victims of Sexual Exploitation*. ECPAT International. 58.

213 Government of Korea. (2020). *Act on the Protection of Children and Youth against Sex Offences*. Article 25.

214 *Ibid.*, Article 27.

215 Government of Korea. (2020). *Criminal Procedure Act*. Article 165-2.

216 Government of Korea. (2020). *Act on the Protection of Children and Youth against Sex Offences*. Article 28.

proceedings.<sup>217</sup> Similar provisions are covered under the Act on Special Cases Concerning the Punishment, etc. of Sexual Crimes.<sup>218</sup> It is also established under this Act that when a victim of a sexual crime is under 13, the court may allow an intermediary to assist in the examination of the witness.<sup>219</sup>

In addition to the above, the South Korean legislation endeavours to protect the privacy of child victims and witnesses throughout their involvement in legal processes. Article 31 of the Act on the Protection of Children and Youth against Sex Offences prohibits making public or divulging to any third person any personal or confidential information related to child victims or witnesses involved in proceedings relating to sexual offences.<sup>220</sup> Further, the same provision explicitly prohibits sharing such information with newspapers, publications or through information and communications networks.<sup>221</sup> The seriousness of breaking such laws is reflected by the associated punishment of up to seven years imprisonment or a fine up to 50 million won (\$44,172 USD as of May 2021).<sup>222</sup> Again, similar provisions are applied to victims of all sexual offences under the Act on Special Cases Concerning the Punishment, Etc. of Sexual Crimes.

In terms of legal representation, the Act on the Protection of Children and Youth against Sex Offences states that a child victim may appoint a lawyer to represent and assist them throughout the course of legal proceedings.<sup>223</sup> The Crime Victim Protection Act states that legal aid will be made available to victims of all crimes who are in need of protection and support.<sup>224</sup> In addition, the Sexual Violence Prevention and Victims Protection Act stipulates that the State may provide legal counselling services and legal representation to victims of sexual violence.<sup>225</sup> Legal representation by a public prosecutor is free for children in SEC

cases,<sup>226</sup> with the public prosecutor usually being appointed through NGOs or police officers.<sup>227</sup> When a victim reports an offence to the police they will submit a request form for a public prosecutor to be appointed; this process falls under the budget of the Ministry of Justice.<sup>228</sup> On the other hand, a victim who has attended an NGO may be appointed a public prosecutor through the Ministry of Gender Equality and Family's free legal aid project.<sup>229</sup>

There are no specialised sections of the criminal court system that deal with SEC crimes. Whilst the Act on Special Cases Concerning the Punishment, etc. of Sexual Crimes states that "the president of a district court or of a higher court shall designate a trial division in exclusive charge of sexual crimes," these refer to all sexual crimes and not specifically to sexual exploitation of children.<sup>230</sup>

### Access to Recovery and Reintegration

There are a number of provisions under the South Korean legislation which may be utilised to ensure a child victim of SEC can enjoy their right to recovery and reintegration. According to the Child Welfare Act, the government must establish a National Child Protection Agency, and must provide measures, including "counselling, medical treatment, education for abused children and post management of the abused child's family."<sup>231</sup> Further, the Act on the Protection of Children and Youth against Sex Offences states that the State may request that child victims of sexual offences are offered counselling and medical services for their full physical and mental recovery.<sup>232</sup> In addition, Article 46 of the same Act states that counselling and welfare centres must fulfil a number of duties that relate to a child victims' recovery.<sup>233</sup> These include connecting victims with appropriate medical facilities, helping with rehabilitation designed to allow the child to return to society and connect with the South Korean Bar Association and Legal Aid

217 TACTEENNAEIL. (2021). Personal Communication.

218 Government of Korea. (2019). [Act on Special Cases Concerning the Punishment, Etc. of Sexual Crimes](#). Article 34.

219 *Ibid.*, Article 37.

220 Government of Korea. (2020). [Act on the Protection of Children and Youth against Sex Offences](#). Article 31.

221 *Ibid.*

222 *Ibid.*

223 *Ibid.*, Article 30.

224 Government of Korea. (2017). [Crime Victim Protection Act](#). Article 7.

225 Government of Korea. (2018). [Sexual Violence Prevention and Victims Protection Act](#). Article 7-2.

226 Government of Korea. (2016). [Legal Aid Act](#). Article 7.

227 TACTEENNAEIL. (2021). Personal Communication.

228 *Ibid.*

229 *Ibid.*

230 Government of Korea. (2019). [Act on Special Cases Concerning the Punishment, Etc. of Sexual Crimes](#). Article 28.

231 Government of Korea. (2018). [Child Welfare Act](#). Article 46.

232 Government of Korea. (2020). [Act on the Protection of Children and Youth against Sex Offences](#). Article 37.

233 *Ibid.*, Article 46.

Corporation to provide adequate legal support in judicial proceedings.<sup>234</sup> All victims of SEC crimes are eligible to access services under this Act.<sup>235</sup>

The Act on the Prevention of Commercial Sex Acts and Protection, etc. of Victims also contains provisions outlining the creation and tasks of support facilities. These support facilities are tasked with, among other things, providing accommodation, offering counselling services and assistance in medical and legal services.<sup>236</sup> Foreign victims will also be able to access the support services provided under this act.<sup>237</sup> However, this Act refers only to victims of “commercial sex acts,” the definition of which only covers victims of crimes that relate to exploitation in prostitution and trafficking.<sup>238</sup> Further, the provisions under this Act provide for victims generally and so does not exclusively cover children.

There are some centres which specifically deal with child victims of sexual offences. The Sunflower Children Center, established by the Ministry of Gender Equality and Family, provides counselling, medical support and psychological treatment (liaising with hospitals), legal assistance and post-management support for child victims of sexual offences only.<sup>239</sup> As of 2019, there were 39 centres across the country.<sup>240</sup> Of these 39 centres, 16 provided risk intervention and support for sexual or domestic violence, eight provided services for youth and children and 15 were one stop centres.<sup>241</sup> The services offered by these centres are available for both boys and girls. According to the Ministry of Gender Equality and Family’s 2020 performance report,<sup>242</sup> the total number of male victims who visited the Sunflower Centers in 2020 were 927; 438 of which were under 13 and 185 were under 19.<sup>243</sup>

Despite these provisions, in its 2019 concluding observations on South Korea, the CRC Committee expressed its concern at the shortage of local child protection agencies, shelters, counsellors, psychologists and lawyers specialised in child abuse as well as the shortage of specialised support, including shelters, for migrant children and children with disabilities who are victims of abuse.<sup>244</sup>

## Access to Compensation

In South Korea, there are no provisions that allow for child victims of SEC to claim for compensation within criminal proceedings. Generally, victims who wish to claim compensation will proceed with criminal proceedings whilst availing of the counselling services, legal and medical support (as provided by the articles discussed above) and then submit a separate civil claim afterwards.<sup>245</sup> According to Article 750 of the Civil Act, “any person who causes losses to or inflicts injuries on another person by an unlawful act, intentionally or negligently, shall be bound to make compensation for damages arising therefrom.”<sup>246</sup> Article 751 allows compensation even if a crime does not cause economic damages.<sup>247</sup> However, the reality is that civil proceedings take too long and it is rare for victims to seek compensation in this way.<sup>248</sup>

Figure 16 below illustrates that 70% of respondents correctly identified that child victims in Korea can seek formal financial compensation through civil or criminal court proceedings. Despite the majority of workers being aware of the available compensatory funds, only three support workers said they had knowledge of a young male (under 18) who had ever received compensation in South Korea.

234 *Ibid.*

235 *Ibid.*, Article 2.

236 Government of Korea. (2018). [Act on the Prevention of Commercial Sex Acts and Protection, etc. of Victims](#). Article 10-11.

237 *Ibid.*, Article 3.

238 *Ibid.*, Article 2.

239 Ministry of Gender Equality and Family. (n,d). [Prevention of Violence against Women Children and Support for the Victim](#).

240 EMD. (2019). [The 15th anniversary ceremony of the opening of the Seoul Sunflower Center](#).

241 TACTEENNAEIL. (2021). Personal Communication.

242 Ministry of Gender Equality and Family. (2020). [Sunflower Center Operation Performance in 2020](#). [Translated from Korean].

243 The other male victims who attended the Sunflower Center in 2020 were over the age of 19 or their age was unknown.

244 Committee on the Rights of the Child. (2019). [Concluding observations on the combined fifth and sixth periodic reports of the Republic of Korea](#).

245 TACTEENNAEIL. (2021). Personal Communication.

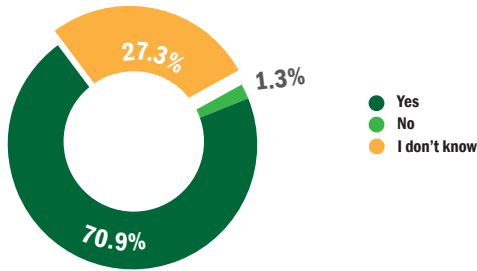
246 Government of Korea. (2016). [Civil Act](#). Article 750.

247 *Ibid.*, Article 751.

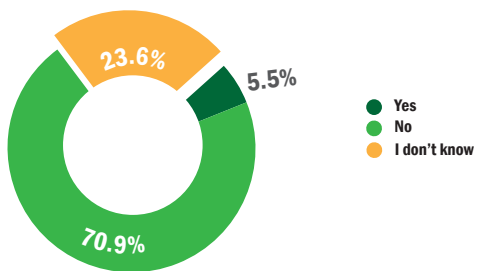
248 TACTEENNAEIL. (2021). Personal Communication.

**Figure 16. Availability of victim compensation for SEC crimes.**

*Knowledge of compensation*



*Experience of compensation*



In addition, there is a possibility that victims may access “criminal injury relief funds” as provided for under the Crime Victim Protection Act.<sup>249</sup> Further, the Act states that these funds are available to foreign victims from countries with which South Korea has a treaty on such matters. Therefore, for victims without the relevant visas or from countries that do not have a treaty with South Korea, they will not be able to access such funds. In practice, it is very unlikely that any SEC victims will receive the funds prescribed under this Act.<sup>250</sup> In addition, it has been noted by child’s rights organizations that, as support has been provided in the form of legal/medical assistance and counselling etc (as covered above), there have been cases where it has been seen as unnecessary by judges to confer extra compensation.<sup>251</sup> Further, anecdotal evidence suggests that victims are often deterred from seeking compensation in this manner as they do not want to engage in further proceedings after the prosecution.<sup>252</sup>

249 Government of Korea. (2017). *Criminal Victim Protection Act*. Article 16.

250 Formal Director, National Union against Prostitution. (2021). Personal Communication.

251 *Ibid.*

252 *Ibid.*

# DISCUSSION

## GENDER NORMS

Globally, researchers are increasingly paying attention to the dynamics of the sexual exploitation of boys, which includes varying degrees of analysis as to how gender norms influence their vulnerability and experiences, as well as the perceptions those boys who have been subjected to sexual exploitation encounter from the public and support workers.<sup>253</sup> In South Korea, popular constructions of masculinity complicate boys' experiences of sexual exploitation due to perceptions about how males 'ought' to behave or feel. These perceptions are often rooted deeply in patriarchal beliefs like that girls are vulnerable but boys ought to be strong enough to protect themselves from victimization. As one of the surveyed frontline workers said:

*"I think the patriarchal society creates a culture for male children to hide their damages. I want to help the child to overcome their damages and live their lives regardless of gender if I meet a child who is a victim." (R61)<sup>254</sup>*

These perceptions are strongly identified from the frontline workers in our survey, with respondents noting that stigma and shame that boys might experience as victims is a top factor often preventing them from telling anyone about their experiences and preventing them from seeking help.

### Impact on Boys

Frontline workers and the two boys we held conversations with both noted that expected 'masculine behaviours' like being stoic and avoiding expressions of vulnerability or 'unmanly' emotions

*Support workers commonly noted that boys also fear how others will respond to their disclosure - and worry that they will be judged for failing to live up to the expectations of being a man.*

were pervasive in South Korea. The data shows

strong examples of this and illustrates that gender norms are enforced in a number of ways, including through relationships with peers and others. The two boys we spoke with expressed fears of being labelled as 'gay' or considered 'less than masculine', showing that homophobia impacts all boys, regardless of actual sexuality. Gender norms mean that the requirement to express vulnerability in order to seek help for sexual exploitation becomes a barrier for boys.

Support workers commonly noted that boys also fear how others will respond to their disclosure - and worry that they will be judged for failing to live up to the expectations of being a man. Most of these fears are related to rigid gender norms dictating male (and female) behaviours - such as being blamed or punished for 'allowing' the abuse to happen, being mocked for not being able to protect themselves (perhaps especially if the offender was female), and not being believed. They also commonly discuss boy's reluctance to see themselves as victims (e.g. thinking that 'It only happens to girls'), or that they are not a 'real man' if they are emotionally affected by the abuse. One surveyed worker connected patriarchy and its harms for male victims, observing:

있겠다는 생각이 든다. 가부장적인 사회의 모습은 남아들에게 피해를 숨기도록 하는 문화를 만드는 것 같다. 한 명의 피해자라도 만나게 된다면 성별 여부를 가리지 않고 이러한 피해에 대해 아동이 극복하고 자신의 삶을 찾아갈 수 있도록 돕고 싶다."

253 UNICEF. (2020). *Research on the Sexual Exploitation of Boys: Findings, ethical considerations and methodological challenges*.

254 Original: "여성 아동에 비해 남성 아동 피해를 접하는 경우가 드물다. 피해가 적어서 그러는 것이라고 생각했으나, 피해가 드러나지 않아서 그럴 수도

*“Masculine culture that does not allow victims to recognize damage. (It is the culture which justifies the offenders” (R59)<sup>255</sup>*

Sexual exploitation and abuse is acknowledged as having the potential for severe immediate and long-term psychological, physical, social and economic consequences for victims. Boys who have experienced sexual exploitation report poorer overall mental health,<sup>256</sup> which can lead to depression, anxiety, hopelessness and post-traumatic stress disorder. The experience of sexual exploitation is also associated with complex trauma,<sup>257</sup> with indications that pre-existing complex trauma is intensified through the experience of sexual exploitation. Complex trauma has a wide range of effects, including disruption of emotional regulation, leading to a range of behavioural and mood impacts, such as withdrawal, aggression, compulsiveness, hostility, mood swings, inability to self-soothe and attention problems.<sup>258</sup> Further research is required within the South Korean context to further understand the impacts, and how best boys can be supported, and this should be inclusive of support to families and caregivers.

### **Impact on the Availability of Programming for Boys**

In South Korea, the development of theory, data, strategies, practice, victim advocacy and services for children relating to sexual exploitation have often developed through a feminist lens, that –rightly so – focuses on women and girls who are known to be disproportionately affected. However, this model tends to also frame boys and men as predominantly offenders.<sup>259</sup> While the conceptualisation makes sense, it does tend to render boy victims as invisible. The model needs some adjustment to accommodate victimized boys.

The two boy survivors we spoke with demonstrated a clear awareness of the constraints gender norms placed on them as individuals in responding to the sexual exploitation to which they were subjected. Their experiences included the rejection of requests for help, noting that some children’s services are “for girls only,” and being repeatedly referred on to several agencies. One boy, as a result of his experiences, concluded that it was “difficult to seek help because people do not see boys as victims.” This opinion was also reflected in the comments of a surveyed worker:

*“There is a bias that men are strong in Korea, and it is difficult for men to identify themselves as a victim of sexual exploitation, and even if they work up the courage, it doesn’t seem like it would be easy for the male victims to receive support necessary such as diagnosis, counselling, psychotherapy, etc. due to the people around them.” (R50)<sup>260</sup>*

The need for specific programming for boys, which was believed could reduce some of the vulnerabilities the boys experience, and respond to their specific needs following SEC, was noted by both boys and some professionals. For boys this was explained as the need for specific boy-friendly services, as part of building stronger support systems. Support workers commented on the existence of some specialist programming for boys in South Korea at this time, but it’s noted that these are largely focused on offenders, or children considered to have problematic and harmful sexual behaviours. Even if they are open to boys who have experienced SEC, they are framed as for treating “delinquent youth”.<sup>261</sup> One worker referred to a “sexual culture education programme” within their

255 Original text: “피해 사실 확인이 어려움 사건을 피해로 인식하지 못하게 하는 남성문화,가해자가 정당화 되는 문화 인터넷 성착취 구조에 대한 법마련(규제, 처벌) 피해 사실에 대한 적극, 지속적인 지원”

256 UNICEF. (2020). *Research on the Sexual Exploitation of Boys: Findings, ethical considerations and methodological challenges*.

257 Cole, J. Sprang, G, Lee, R, Cohen, J. (2016). *The Trauma of Commercial Sexual Exploitation of Youth: A comparison of CSE victims to sexual abuse victims in a clinical sample*. Journal of Interpersonal Violence, 31(1), 122-146.

258 UNICEF. (2020). *Research on the Sexual Exploitation of Boys: Findings, ethical considerations and methodological challenges*.

259 TACTEENNAEIL. (2021). Personal Communication.

260 Original: “한국에서의 남성은 강하다는 생각이 있기때문에 성착취 피해자라고 쉽게 말하기는 어렵고 용기를 낸다고 해도 주위의 시선들이 많이 의식이 되어 진료및 상담, 심리치료등의 지원등을 받기가 원활하지 않을것 같다. 남성은 강하여 스스로 보호할수 있고 여성은 약해서 돌봐줘야된다는 사회적 인식구조 변화가 필요하고 성착취 피해자는 본인들의 잘못이 아님을 알수있도록 격려해주고 용기를 줘야한다.”

261 Some boys are referred to a specialist ‘sexual delinquents’ programme (original term used) linked to the criminal justice sector, designed for children who display harmful or concerning sexual behaviours. Although no clear data available, many children referred to this project are believed to be victims of sexual abuse and exploitation (Personal Communication, TACTEENNAEIL, June 2021).

own organization, that aims to address vulnerability factors by teaching gender equality and sexual rights education, but notes that the programme usually works with young males who are identified as sexual offenders, rather than as vulnerable persons at risk of exploitation, or victims. The respondent noted “male children more often visit as the offender in counseling (child-offender education), but we try to counsel the child without bias.”<sup>262</sup>

### Impact on Support Workers

Support workers are also influenced by gender norms, but may not always be conscious of them, or their impact on attitudes and behaviours. For example, common responses and observations from support workers related to the challenges of working with boys, included that ‘boys don’t talk much’, or that they ‘don’t disclose’. Both these circumstances could also be read as indicating services that don’t make boys feel comfortable to disclose.

Specific evidence-based programmes, built on a nuanced understanding of gender perspectives that are inclusive of boys, would appear to be conspicuous by their absence. There is a clear need for more gender sensitive responses for boys to be developed, that can overcome these constraints, focused on developing social awareness of gender for all workers.

A small number of support workers said that they felt boys choose not to talk about their experience because the workers are rarely male and thus boys may not be comfortable. While it is commonly accepted for a number of reasons within the field of sexual violence that female victims tend to prefer support from a woman (as most offenders are male), the same assumption should not automatically be made for boys (given their offenders are also often male). There are a number of significant dynamics that may influence the willingness of any person to speak about trauma and it may be unhelpful to reduce that choice to any single factor. Ultimately, as with girls, it is probably preferable to offer them a choice of the gender of their helper so they may decide themselves.

*While it is commonly accepted for a number of reasons within the field of sexual violence that female victims tend to prefer support from a woman (as most offenders are male), the same assumption should not automatically be made for boys (given their offenders are also often male).*

Notably, the experiences of the research team in attempting to identify participants for the conversations were telling in this respect. The team encountered low levels of belief and awareness of boys’ exploitation and abuse, limited understanding and concern for the implications and seriousness of it, and in some cases a lack of empathy related to the issue.

### Impact on the Boys’ Family and Community

Strong, supportive social networks are key to survival resilience.<sup>263</sup> One boy described how the news of his abuse had a devastating impact on the family, but how he has maintained close relationships with both parents and is receiving full support from them. The boy’s father also revealed how stressful and upsetting the events were for him, which were exacerbated by difficulties finding help – approaching five organizations before identifying a service that would support his son. In the other case, the boy described how he displayed acting out behaviours as a cry for help and as a result, he described how his mother was reluctant to assist him in seeking help because she considered that he was the problem. The same boy also described how he recently disclosed his exploitation to some friends - girls at school, hoping for a supportive response - but faced accusations that he was lying and exaggerating, resulting in him becoming more isolated.

262 Original text: “상담에서는 남성 아동은 가해자로 방문하는 경우가 더 많지만 (가해아동 교육 프로그램), 상담으로 오는 경우에도 되도록이면 편견을 갖지 않고 아동을 대하도록 노력한다.”

263 Masten, A.S. (2021). *Resilience in Developmental Systems: Principles, pathways, and protective processes in research and practice*. In M. Ungar (Ed.), *Multisystemic resilience: Adaptation and transformation in contexts of change*. New York: Oxford University Press. 113-135.

Research related to disclosure confirms the range of responses boys face from families and peers, many of which are not helpful and are likely to result in further harm, including inadequate responses to disclosure.<sup>264</sup> Overall following disclosure or discovery of their abuse, boys tend to experience justice rather than social support focused responses.<sup>265</sup>

Our research indicates that caregivers of affected boys would also benefit from support services, to help them understand the dynamics of boys' exploitation, cope with their own feelings - including guilt, shame, and anger - reduce the isolation they experience, and to help them to provide support their children.

## BOYS' EXPERIENCES OF SEEKING SUPPORT

### Online Help-Seeking

In the absence of 'in person' support from services, the boys described how they tried to seek help online, but they either could not find any appropriate services for boys - or faced other risks as a result. It would therefore appear that the online footprint related to boys' sexual exploitation is small. This lack of visibility is of concern, and contributed to the boys feeling, as they described "unwelcome" and isolated.

### Being 'Referred' and Feeling Misunderstood or Unwelcome

Our research revealed very different perspectives of the same response systems. In the conversations with the two boys, they described what felt like being passed from one service to another - due to support workers either seemingly not having prior experience of working with boys, or working for children's agencies which in reality only provided services for girls. But support workers explained this as referral to specialists capable of supporting boys. Furthermore, practical responses to many of the hypothetical child protection scenarios focus

strongly on referrals for psychological support and to 'specialist services', as well as legal responses, such as police investigations and removal of children from the home. While these responses are understandable, they do overlook the immediate support needs of boys who are looking for a supportive and caring relationship to talk. It's useful to note that what might be considered good practice by workers (a system where children are referred to appropriate specialists), when viewed through the eyes of a vulnerable boy (who may have waited years to disclose and seek support) can be seen as unwelcoming. Both boys delayed disclosure and help seeking for at least a year, and their experiences of 'help seeking' then initially made them feel unwelcome. This default pattern of referral needs to be carefully considered.

This experience seemed to be especially significant for one boy with a learning disability, who explained that he was declined support from one organization due to his 'unique condition' of having a learning disability - and being a boy. This reflects findings from global research, which raises concerns that while children with disabilities are acknowledged to be extremely vulnerable to exploitation and abuse, and several times more likely to experience all forms of abuse than their non-disabled peers - families and children with disabilities also encounter significant barriers when trying to access child protective services.<sup>266</sup>

In respect of support workers comments that boys do not want to talk or disclose, no matter the degree or qualifications the specialist practitioner may have, the child may 'shut down' or be unwilling, or afraid to talk if they are referred to a stranger with whom no rapport or trust has been built. The child ultimately decides when they will talk, and who they will trust with their story. While trauma work may be necessary in the child's recovery, these interventions are not always the best primary responses. Rather, when boys who have experienced exploitation are asked to identify what they need most from support, basic empathic responses from the person the boy chooses to disclose is what is at the heart of a desired response.<sup>267</sup> Much like the research has shown us with girls, boys want to be believed and accepted without judgement or blame; they want a trusting

264 ECPAT International. (2021). *Global Review of the Existing Literature on the Sexual Exploitation of Boys*. Bangkok: ECPAT International.

265 *Ibid.*

266 Global Partnership on Children with Disabilities. (2015). *Literature Review*.

*Literature Review*.

267 Hilton et al. (2008). "I Thought it Could Never Happen to Boys: Sexual Abuse & Exploitation of Boys in Cambodia, an Exploratory Study. Organization: Social Services of Cambodia (SSC).



relationship; they want to understand that they are not alone in their experiences, and they want to know their concerns will be taken seriously.

Research on the sexual exploitation of boys does indicate that sometimes boys may externalise their discomfort through behaviour that is typically viewed as problematic and antisocial, and are consequently referred to treatment and support programmes that may not be appropriate, or address underlying causes of such behaviour.<sup>268,269</sup> Our evidence confirms this phenomenon in South Korea. Both the surveyed workers and boys identified that boys can be referred to programmes and ‘correctional education courses’ related to other issues – including bullying behaviours at school, taking absence without leave, and sexual behaviours that were considered concerning. One worker recognized that boys may not always receive appropriate care and face misunderstandings, resulting in inappropriate responses that pathologize the child:

*“There are instances where the people around the child victim (Parents, teachers, etc.) do not recognize the damages to the male child much and think of the instance as a deviant, which results in significant concerns for the victim displaying [harmful] or delinquent sexual behaviors after [experiencing] sexual exploitation, thus resulting in the tendency to view the child as a potential offender in the future. The child is affected by this.” (R118)<sup>270</sup>*

## Struggles Disclosing Sexual Exploitation

Research indicates that men are far less likely than women to tell someone of experiences of childhood sexual abuse, or to report sexual assault as an adult.<sup>271</sup> As noted in Chapter 5, the two boys we spoke with explained how it took them both more than a year to build up the courage to disclose to anyone. Reasons for staying silent include fears that they would be blamed for what happened, confusion and uncertainty about what happened

(i.e. not understanding what happened was wrong), not knowing who was safe to tell, or where to go to report - as well as concerns that they would face rejection from their family. One also described fears that if he disclosed the abuse, he would be in trouble with the police. Both boys hoped that their parents or teachers would notice that something was wrong and it appeared that there were clear indications from their changed behaviour that something was wrong. However, these behaviours were not understood by others, or misinterpreted as ‘problem behaviour’ rather than a cry for help.

Both boys demonstrated great self-awareness and insight into their own difficulties when they engaged with services - and the limitations of the responses provided, commenting on an apparent lack of understanding of support workers. They explained that no one appeared able to understand, explain the situation and help them understand their feelings.

One explained that when he initially met with a counsellor, that it was extremely difficult for him to find the right words to describe his traumatic experiences, and that he struggled to speak. As described earlier, such behaviour was commonly viewed by frontline workers as an unwillingness to talk, or issues with the gender of the worker. In reality, he explained that what he needed was for them to have more knowledge and understanding about boys and exploitation, what he was experiencing - and to be able to actively demonstrate that to him, which would have helped him express himself. *“It was hard for me to describe it in words... She’s a professional... I wanted her to figure out what happened to me without me telling everything in detail.”* The second boy noted he never really had the opportunity to explore his confusion related to his involuntary physical responses to his exploitation. Without the chance to address this, his only model was to confusingly interpret this as apparent ‘pleasure’. He explained that a chance to explore these confusing feelings would have enabled him to clarify that he was a victim, and not a willing participant.

The boys’ stories clearly reinforce the need for boys to have support from someone who understands the dynamics, and the psychological

268 Ibid.

269 ECPAT International. (2021). *Global Review of the Existing Literature on the Sexual Exploitation of Boys*. Bangkok: ECPAT International.

270 Original: “피해아동의 주변(부모, 교사 등)인이 남아의 피해에 대해 크게 인식하지 않고 오히려 일탈정도로 생각하는 경향이 커 성착취 피해 이후 가해행동이나

비행행동 발생에 대한 염려가 큰 경우도 발생하여 피해자로 보기보다 잠재적 가해자로 보는 경향도 발생. 이에 피해아동 또한 영향을 받기도 함.”

271 Royal Commission into Institutional Responses to Child Sexual Abuse. (2017). *Final Report: Volume 4, Identifying and Disclosing Child Sexual Abuse*. 93.

and physiological effects of sexual exploitation on boys. While recognizing that the workforce in South Korea is highly qualified, there would appear to be a significant need for additional training and support to build the knowledge and capacity of support workers in helping boys. One worker appears to acknowledge a changing of her perception related to the sexual exploitation of boys:

*“Cases of male child victims are more rare compared to female child victims. I thought this was because there are less damages but I’m beginning to think this may be because there are unreported damages.”(R61)<sup>272</sup>*

### Creating safe environments for disclosure

Talking about sexual abuse or sexual assault is no simple matter. Disclosure is impacted by what a boy is feeling or thinking, by the context in which he lives, and by his assessment as to whether he will be believed and supported. It is also important to recognize that for many, silence also serves a protective function for exploited children, and therefore the decision to tell another person is hugely significant. Unless there are clear indicators of safety and confidentiality in place, and that the person can be trusted, there may be little to be gained from speaking out. Disclosure is also a process, rather than a one-off event, and as such requires time, patience, skill and the ability to clearly demonstrate empathy on the behalf of support workers.

It is similarly important to consider the specific referral processes which may bring children into contact with social workers, psychologists and counsellors. It would be unwise to assume that all children voluntarily seek help, and/or feel comfortable in doing so. Some may come to the attention of the authorities or services through behaviour considered to be problematic (and are possibly referred without their agreement), which may be perceived as a punishment. This could explain, in part, some of the difficulties described by workers in developing rapport and helping children feel that it’s safe to share their experiences.

However, responses in the frontline worker survey focused on the difficulties the child experiences accepting help, rather than difficulties of the worker establishing a rapport. Some respondents seemed to have limited understanding of the complexities of the disclosure process. For example, one noted, *“This [disclosure] is not difficult since the case is received through reports made on damages of sexual violence”*(R40), implying that a referral indicated a readiness to discuss the abuse.

The research team reflected that the process of the conversations, in which they were able to respectfully listen to the boys, enabled great insight into their experiences and revealed some gaps between how they felt and what they say they needed and how they are perceived and treated by others around them. Both boys strongly indicated that they did not wish to continue hiding their experiences of exploitation and instead, needed someone to notice and understand them, to protect them and to help them.

### ‘Decontextualized’ Children

While legislation and policy in South Korea acknowledges the need to provide services for all children, and in theory does not discriminate against boys, there is evidence that improvements are needed in the way sexually exploited boys are supported. This is not unusual and – as is the case in many settings – even when services do exist, they have generally not been designed in ways that are ‘boy friendly’, or with the specific needs of boys in mind.<sup>273</sup>

The vast majority of frontline workers who took part in the survey described specific treatment and mental health interventions for sexual exploitation. In responses to hypothetical child protection scenarios, as well as many other qualitative inputs, respondents clearly demonstrated structured and clinical ways of thinking about, describing and responding to child sexual exploitation. Considering their education and experience, their work (and thinking) may be more inclined to focus on individual medicalised models rather than ecological understanding of trauma and response.

When asked about addressing risk, vulnerability and ‘prevention’ of sexual exploitation and abuse, the majority of frontline workers describe post-abuse

272 Original: “여성 아동에 비해 남성 아동 피해를 접하는 경우가 드물다. 피해가 적어서 그러는 것이라고 생각했으나, 피해가 드러나지 않아서 그럴 수도 있겠다는 생각이 든다.”

273 Family for Every Child. (2018). [Caring for Boys Affected by Sexual Violence](#).

counselling interventions, and largely overlooked preventative or risk-mitigating considerations within the child's family and community. This is perhaps not surprising given that specific training related to sexual exploitation of boys is rarely available in South Korea.<sup>274</sup>

Considering the existing apprehensions of boys to seek services, clinical approaches may be challenging for some boys. One boy noted that in seeking help, he felt there was too much focus on what happened and the specific details of his abuse, rather than on him and his feelings, needs and concerns.

With this in mind, there may be an over-emphasis on the need for referrals to specialists and 'treatment', and an under-emphasis on the workers boys choose to disclose to meeting the child's immediate needs (i.e. someone believing them,

listening and not judging and who takes their experiences seriously).

Surveyed frontline workers most commonly (47%) perceived institutional support services to be boys' most "significant need", with a notable focus on psychological support services - and another third (32%) describing various forms of educational support. This contrasted to what the two boys that we spoke with said. They instead described desired qualities and behaviour of helpers such as trust, knowledge and understanding about sexual exploitation of boys and who could empower them to talk with their families about what happened to them. The boys also commented on the need for people to avoid blaming them, and to pay attention 'without discrimination', and to have 'positive perspectives'.

## **Reflections: A Need for Specialist Training and Essential Learning**

### **Differing Perspectives**

While some surveyed workers recognized the need for specialized training, many did not. Some suggested that the needs of boys are not greatly different from girls, indicating that the principles of trauma remain the same. While acknowledging that there are similarities between boys and girls experiencing trauma, these responses do reveal a gap in understanding of the dynamics of boys' abuse and exploitation, and the need to consider how gender and identity are important issues when developing and providing services for boys. This was backed by the boys who noted some of their hesitations seeking help stemmed from a sense that workers had limited awareness and understanding of the dynamics of boys' sexual exploitation and abuse. The boys noted the need for support workers to have 'clear knowledge and understanding' about boys and abuse, to be able to answer their questions, provide accurate information, have 'positive perspectives' and also engage them 'without discrimination and judgement'.

The cohort of frontline workers in South Korea is highly educated, but there appears to be no real opportunities to learn about the dynamics of exploitation and abuse of boys through a 'gendered lens' and apply this to their work. Invariably, training focuses on the needs of girls and women. The evidence also indicates that frontline workers are more inclined to approach the complex and overlapping social problems that boys face, through a particularly clinical lens. Such a specific individualised treatment model may not always be appropriate. Reviewing existing training to include gender perspectives and approaches relating to boys appears due.<sup>275</sup>

While 'specialist' services and training resources are limited globally, indications are that when focused training which explores sexual exploitation, abuse and violence through an inclusive gender lens, and which considers the male experience, is provided - this can have a positive and transformational effect on support workers, services and consequently the lives of boys, men and their families.<sup>276,277,278</sup>

274 TACTEENNAEIL. (2021). Personal Communication.

275 Personal communication with TACTEENNAEIL in June 2021, indicated that training related to boys abuse and exploitation "does not exist" and that most of the capacity development in this sector is based on "feminist training" provided by organizations including the Korean Women's Rights group.

276 Refugee Law Project. (2020). The Loud Silence: [The plight of refugee male survivors of conflict-related sexual violence](#).

277 Living Well. (n.d.). [ePortal](#).

278 First Step Cambodia. (n.d.). [Capacity Building Program](#).

Based on emerging models, the following topics should be considered for frontline workers in South Korea.

- Exploring the ‘other side of gender’ - how gender and patriarchy affect boys’ and society’s responses to their exploitation and abuse
- Myths and beliefs related to boys, men, sexual abuse and exploitation
- Sexual exploitation, abuse and SOGIE diverse people
- Boys biological/psychosocial development
- Risk and vulnerability to sexual exploitation
- Signs of exploitation and abuse in boys
- The impact and effects of sexual exploitation and abuse on boys (Individual, family, relationships, community etc.)
- Safe disclosure for boys
- ‘Effective communication and engaging with boys’
- Supporting families and caregivers of male victims of sexual exploitation
- Intersections of disability and gender for boys

Finally, training should be applied and facilitated through reflective and participatory (non didactic) methods that encourage reflection on values and perspectives, also building on existing and emerging practice and research. Importantly it should be closely linked to the development of strategies, guidelines and day to day practice, to transform the way support workers engage with boys, and the services they provide.

## SPECIFIC VULNERABLE GROUPS

Among some of the least mentioned vulnerability factors by frontline workers in the survey data were ‘drug or alcohol misuse within the family’ and drug or alcohol use by the boy himself. Similarly rare was ‘living with one or multiple disabilities’ and ‘having parents with one or more disabilities’, which were indicated by just three and two support workers, respectively. This may indicate the direct experiences of support workers, however, global research and practice does suggest correlations between substance use and sexual exploitation of boys,<sup>279</sup> and that children who have disabilities are also at greater risk, and have considerable challenges accessing child protective services.<sup>280</sup> Illustrating this was the experience of the boy we spoke to who explained that this learning disability had made his experience of finding support more difficult.

Boys involved in out-of-home care, and homeless, runaway and street-involved youth are very

vulnerable to sexual exploitation,<sup>281,282</sup> yet homelessness was infrequently noted as a top vulnerability by the frontline workers in the survey. Similarly, “identifying as gay, bisexual, or transgender” (and thus fearing stigma/discrimination) which was cited rarely though this has also been also noted as a key vulnerability, as these young people are vulnerable to societal and familial rejection and discrimination, discriminatory treatment and abuse from law enforcement and support workers, poverty and lack of employment, homelessness, and familial and community violence.<sup>283</sup>

## CONCLUSIONS

This research has significant implications for the type and nature of services for boys and young men who have been sexually exploited or abused in South Korea. The findings indicate that there is a need to develop approaches to working with boys that are gender sensitive, inclusive, ‘boy-friendly’,

279 ECPAT International. (2021). *Global Review of the Existing Literature on the Sexual Exploitation of Boys*. Bangkok: ECPAT International.

280 Chynoweth, S., J. Freccero & Touquet H. (2017). ‘Sexual Violence against Men and Boys in Conflict and Forced Displacement: Implications for the health sector.’ *Reproductive Health Matters* 25, 51. 90–94

281 UNICEF. (2020). *Research on the Sexual Exploitation of Boys: Findings, ethical considerations and methodological challenges*.

282 Josenhans, V., Kavenagh, M., Smith, S., & Wekerle, C. (2020). *Gender, Rights and Responsibilities: The need for a global analysis of the sexual exploitation of boys*. *Child Abuse and Neglect* 110 (1).

283 *Ibid.*

and which may widen the approach from often clinical approaches. While only a sample of two, the boys we spoke with provide good guidance for possible improvements. This includes the need for a wider and more flexible, visible and accessible range of services to meet boys short and long term needs.

The sensitive and purposeful methodology adopted in this study, placing boys' conversations in the picture, was demonstrated to be effective, and should continue to be used in research and practice settings. The process of establishing safe and empowering relationships and reducing the power differentials between adults and children, enabled the boys to openly share their experiences, thoughts and feelings in a way they had never experienced before. By placing control in the hands of the boys, they were comfortable to share different perspectives and insights that are wide ranging, contextualised, and unique within their social circumstances.

As described, there are no 'one size fits all' approaches to providing services and support to boys experiencing exploitation. In addition, the needs of each child are unique and change over time, and are subject to the influence of those around him within his social environment. Any planned intervention should thus be flexible. It is essential that a comprehensive assessment of need and risk, carried out in close collaboration with the child, his family and significant others, should also feed into the development of any plan to meet his expressed and identified needs.

There is a lack of awareness of how gender norms impact boys on this topic. While specialization in SEC is not common among the sample, where specialization does exist, it tends to focus on perspectives that emphasise women and girls as victims. Given this context, it is understandably difficult to see boys as vulnerable. The gender lens needs refocusing, so that support workers are able to better see boys who may be victims.

# RECOMMENDATIONS

## LEARNING 1:

*Gender norms incorrectly underpin assumptions that boys are less vulnerable, more quick to recover, and that SEC is not as serious for boys as it is for girls.*

There is a powerful stigma surrounding the exploitation and abuse of boys in South Korea, based on gender norms and held beliefs. This collectively contributes to a 'culture of silence.'

### *For parents, carers and community:*

- **Challenge and critically reflect on gender norms and assumptions related to gender, sex and sexuality.** Parents and carers should fully accept and normalize the reality that boys are vulnerable to SEC and can be victims.
- **Provide education, accurate information and support** for parents on how to recognize the signs of SEC and how to respond, protect and support children appropriately. Provide resources to help parents respond more quickly and in more helpful ways, that avoid blame and offer kindness and non-judgemental support.
- **Get comfortable addressing questions about abuse, exploitation, consent, sex and sexuality.** Take time to listen and talk with boys, and help get them quality, engaging resources to answer the questions they may have. Boys are curious about sexual topics, and this can lead them to risky and dangerous situations, as they search for answers online and offline.
- **Integrate research, learning and reflection** about gender inclusive approaches, boys abuse and exploitation into basic standardised training, orientation and support for all support workers, which includes education on the signs of SEC, and how boys may communicate vulnerability and the need for support.
- **Provide evidence-based and comprehensive information and education programmes for parents and child-related support workers** (e.g. teachers, kindergarten staff, social workers, counsellors etc.). Raising awareness on the sexual exploitation of boys among parents and other protectors can assist them to notice and act quickly when the exploitation occurs, and take action to prevent it taking place.
- **Training should also be provided to government officials** with responsibility for addressing sexual abuse and exploitation, and managers and directors of relevant services to help them identify funding and develop strategies and projects that are more inclusive of boys. This training should also support them to develop effective and participatory monitoring and evaluation systems that enable boys and their parents to actively contribute to future service developments.

### *For support workers:*

- **Expand the understanding of gender equality and what that means** beyond the common gender based violence lens, and integrate into existing capacity building and discourse.
- **Develop and provide comprehensive training** which focuses on the SEC of boys for support workers to contribute to the development of an experienced and qualified group of staff in existing services. Further research with support workers and assessments relating to
- **Civil society groups, social welfare organizations and other stakeholders should collaborate** (i.e. 'a community of practice') locally, regionally and nationally (utilising existing networks) where support workers working with children can meet regularly, share experiences and contribute to the

development of services and resources for boys and men, and their families. These communities should also collaborate with survivors and organizations representing them to ensure that service responses for all victims receive appropriate responses.

### *For law enforcement:*

- **Build capacity for victim identification among law enforcement officers**, with a particular focus on closing identification gaps for male victims, as well as young people of diverse SOGIE identification.
- **Gender sensitivity training for all police officers, and other ‘first responders’** to be able to understand gender-related issues for boys, and to take their vulnerability more seriously.
- **Specially-trained police officers** should be available to respond to the needs of male victims more sensitively and appropriately. Measures should be taken to ensure this.
- **Review and revision of training and guidelines for officers ensuring that boys and young men who have experienced abuse and exploitation are treated with kindness, sensitivity and respect.** Ensure that offenders of males are punished with the same sense of urgency and justice as with girl victims, that existing referral services are inclusive of males, and that sexually exploited boys have shelter and other community resources available to them.

## LEARNING 2:

### *Seeking help is challenging for boys, and receiving help is even harder.*

- Boys recommend that support workers, and those around them – like teachers – take time to listen, and make efforts to build up safe and trusting relationships with them, before engaging them in other processes and/or referring them to other services.
- **Ensure ‘visibility’ of services related to issues that affect boys** - with links to confidential access, including helplines and online support resources specifically targeted at boys, which boys identify would make it much easier for them to seek help. This could include posters in places boys spend their time, media campaigns, use of social media used by boys, assertive outreach, etc. These should be focused to break the ‘culture of silence’ - alongside providing easily accessible services.
- **Redefine help seeking as a sign of strength for boys - not a weakness, and highlight the ‘benefits’ of accessing services** (*safety, non-judgemental support, improved health etc.*)
- **Work closely with boys** to develop clear messaging about the who, what, why and how. (Who you are, what is available, what your motivations are, why you provide the service, how it can be accessed safely and confidentially, and what the benefits are to boys).
- Boys recommend the development and implementation of a **stabilized and well-resourced support system specially focusing on boys** and their parents and caregivers - as they also feel isolated and require help to address their own responses and support their children.
- **Highlight privacy, flexibility and confidential access to support** (posters, media campaigns etc.).
- **Provide a safe online environment for boys to learn and explore** (safely) about development, identity, and sexuality, in order that they can learn and access accurate information safely and to mitigate risks of abuse/exploitation.
- **Boys also highlighted the need for an (online) community** that recognizes gender equality, and the specific vulnerabilities and needs of boys. They believe that if this is in place, that it would be much easier for boys to seek help in a safe and respectful environment.

- **Make spaces more welcoming to boys** - with materials and information about services that focus on boys. Provide alternative hours and entrances if possible, to provide privacy, confidentiality and promote safety. Training other staff to be more 'welcoming' to boys (e.g. reception staff, guards etc.) can also be very important.
- **Provide 'out of hours' and flexible services** (e.g. 'drop in' services and assertive outreach in communities and spaces where boys spend their time).

## LEARNING 3:

*Support workers face significant challenges identifying boys who have experienced abuse and struggle to build/maintain rapport once they do.*

### *Specialized and integrated support services that recognize boys' specific needs*

- Address through training and awareness raising that boys subjected to sexual exploitation (i.e. victims) are sometimes first identified for problematic externalising behaviours or 'delinquency' that finds them in 'offender' focused programmes. Awareness is needed that these behaviours can be indications of victim status requiring support.
- **Train all support workers to work with boys** - recognizing that most workers have more experience of working with girls and women, and thus enabling support workers to overcome concerns, assumptions, fears, develop skills and confidence. Training for all frontline workers needs to be cautious not to normalize male perpetration as an inevitable outcome of experiencing abuse and exploitation, keeping in mind that support workers may be inclined to view boys primarily as offenders. It is crucial for training to establish that boys can be victims too.
- **Ensure genuine child participation and choices.** Programming and interventions should be done 'with' children - not 'to' children. Children should feel important and involved in the outcomes of their work with support workers.
- **Link awareness raising activities** and campaigns with opportunities to easily access help.
- **Don't only focus on the abuse and exploitation** - remember the 'whole person' and that boys are not defined by their SEC experience alone.
- **Recognise the need for activities and energy,** using tools and activities to help boys express their ideas, which don't only rely on speaking. For example, utilizing tools, drawing, writing, movement and physical activities. These can be helpful in engaging boys, channelling their energy and anxieties, and building rapport with support workers.
- **Collaborate with families and others** who are supportive, and include them, where appropriate in support plans.
- **Hire diverse people.** Prioritize the recruitment of staff with diverse perspectives and experiences. Representation matters: It is meaningful for SOGIE-diverse children and young people to have support workers who have similar lived experiences, or who are able to significantly empathize with a boy's unique feelings and experiences.
- **Hire creative people.** Developing new and empathetic approaches requires creative support workers who can think in new or different ways (outside of the box) that may not rely on institutional, legal, psychological approaches to the issues. This should include a specific focus on the provision of services for boys and highlight that the services provided should be creative and more interactive, similar to those of the workshop designed and facilitated by TACTEENNAEIL staff.
- **Review and revision of existing training content and methodologies,** to be inclusive of boys' issues; facilitate learning and needs assessments of support workers, to develop in depth learning curricula.



- **Review and revise qualitative M&E systems** to capture boys' experiences and feed into service developments
- **Work toward the development of more adequate and mainstreamed support systems for boys**, this includes the development of better protocols and guidelines on how all professionals engage with and relate to children, when to refer, and how to implement programmes catering to the needs of boys and young men. While specialist services for boys will be needed, they should not be the *only* response.
- **Engage boys to develop new services to meet their needs.** This could be done through the establishment of a child and youth taskforce, to envision, design and plan creative service developments.

### **For rapport building and inclusive approaches**

- **Opt for more creative and participatory approaches in work with boys, focusing on building rapport and trust.** Be willing to 'sit with' the child for a while and listen. If a boy chooses to disclose, it's likely it has not been without significant thought, fear and consideration. Be cautious and limited to specialists that are strangers to the child. Act with the child, rather than upon them.
- **All children need to be actively encouraged and supported to express and share their problems, needs, ideas and solutions.** There is a need for individuals and organizations in South Korea to address the 'culture of silence' that surrounds this issue - and stop blocking and preventing boys from speaking out. Instead of assuming what boys would want or feel, there should be more participatory

research involving children who are at risk of, and have experienced exploitation or abuse. We must embrace the idea of genuine participation and recommendations made from their life-experiences.

- **Existing programmes need to adopt more inclusive approaches that address the abuse and exploitation of all children and young people**, including girls, boys, SOGIE diverse individuals, and also address the needs of children with disabilities and their families. We need to highlight that this is a responsibility for all of us, including parents, support workers, law enforcement officers and other stakeholders.
- **Build stronger support systems for boys**, and improve working processes and operating procedures which minimise the needs for repeated referrals, and reduce the number of 'new' people that have to be involved with the child.
- **Support centers should have a professional on staff who can work with boys**, so they do not have to 'wander' between many centers, and be able to access support more easily.
- **A dedicated center providing specific services for boys**, specifically designed to meet their needs was also proposed. They acknowledged that it may be challenging to have an expert in every center, and in that case suggested it would be easier to have one or two official centers for boys.
- **Existing support centers should develop new programmes for children**, include a specific focus on the provision of services for boys, and highlight that the services provided should be creative and more interactive, similar to those of the workshop designed and facilitated by TACTEENNAEIL staff.

## LEARNING 4:

*There are some systemic gaps which complicate the ability of boys who have experienced abuse to get help.*

### **Recommendations for legal improvements:**

- The legislation that covers trafficking offences indicates the need for improvement in order to fully protect children. Currently, the elements of trafficking of children crimes are spread across numerous provisions and are inconsistent in what is required to prove an offence. Whilst some elements of the crime do not require the means of trafficking to be proven, other elements do require such proof. This is inconsistent with the UN Trafficking Protocol and should be amended so as to provide clarity and protection in line with international law. Further, the criminal provisions could be improved by adequately distinguishing between ‘trafficking of children’ and ‘the sale of children’ by criminalizing the sale of children as a standalone offence.
- Provisions under the criminal legislation could be amended to ensure that the attempt at all crimes relating to SEC are considered as punishable offences.
- Further, the legislation could be modified so as to remove the possibility to use ignorance of the age of the victim as a valid excuse within criminal proceedings.

## RECOMMENDATIONS FOR SPECIFIC LEGAL CHANGES

- Accede to the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure.
- Amend the Criminal Act in order for offenders of crimes of sexual exploitation of children to not be able to use the ignorance of the age of the victim as an excuse for their criminal conduct.
- Clarify in law what constitutes a “property gain” in relation to the crime of “sexual traffic” codified by the South Korean Act on the Punishment of Arrangement of Commercial Sex Acts.
- Ensure that the attempt to commit any crime of sexual exploitation of children is criminalized.
- Expand the definition of child sexual abuse material provided by the Act on the Protection of Children and Youth against Sex Offences to include material other than visual.
- Amend legislation to comprehensively and explicitly criminalize the live-streaming of child sexual exploitation and online grooming of children for sexual purposes.
- Consolidate the legal provisions related to trafficking of children for sexual purposes and ensure their compliance with the UN Trafficking Protocol, i.e. by explicitly indicating that the means of trafficking do not apply to cases where victims are children as children cannot consent to be trafficked.
- Criminalize ‘the sale of children’ as a standalone offence.
- Amend the legislation to fully criminalize crimes associated with SECTT.
- Abolish statutory limitations for all crimes of sexual exploitation of children.
- Remove the double criminality requirement in extradition proceedings for SEC crimes.
- Create a legal obligation for public prosecutors to initiate proceedings based on information they receive in order to promote the effective investigation and prosecution of sexual offences against children.
- While it is possible for SEC victims to claim compensation in South Korea, the process should be simplified and expanded to ensure that all victims are able to access financial compensation for the suffering they have endured.

## *Recommendations for resource/learning gaps*

- Ongoing collaboration between boys experiencing SEC, families, communities, support workers, academics, research institutions, donors, government, to initiate further research projects related to SEC and all children, ensuring inclusivity of boys, diverse SOGIE and children with disabilities.
- Listen to children and create safe opportunities for them to have a voice in matters that affect them. Partner with social and community workers and youth organizations to implement research that draws primary data on boys' perspectives and 'lived experiences', utilizing creative and child-centered research methodologies.
- Work with practitioners on the ground to integrate elements of research into social practice (learning, reflection, listening, and analysis), and also develop effective and participatory monitoring and evaluation processes with children and families, to feed lessons learnt into practice.
- Research and academic institutions, and donors that support them, need to become more inclusive and commit to addressing the gaps in knowledge that currently exist in relation to the sexual exploitation and abuse of boys and men in South Korea.
- SOGIE diverse youth are recognized as vulnerable to all forms of SEC, although existing beliefs and norms tend to exclude them from discourse and opportunities to access appropriate support. Focused research is required to ensure that their specific support needs are identified and addressed.
- Children with disabilities and their families are underrepresented in research and development, and therefore often excluded from data and considerations related to service developments. Children and parents are therefore marginalised from sources of support in relation to SEC. Research, learning and practice should strive to normalize inclusivity for all children.

# APPENDICES

## APPENDIX 1: Detailed Methodology for Survivor Conversations

### Approach

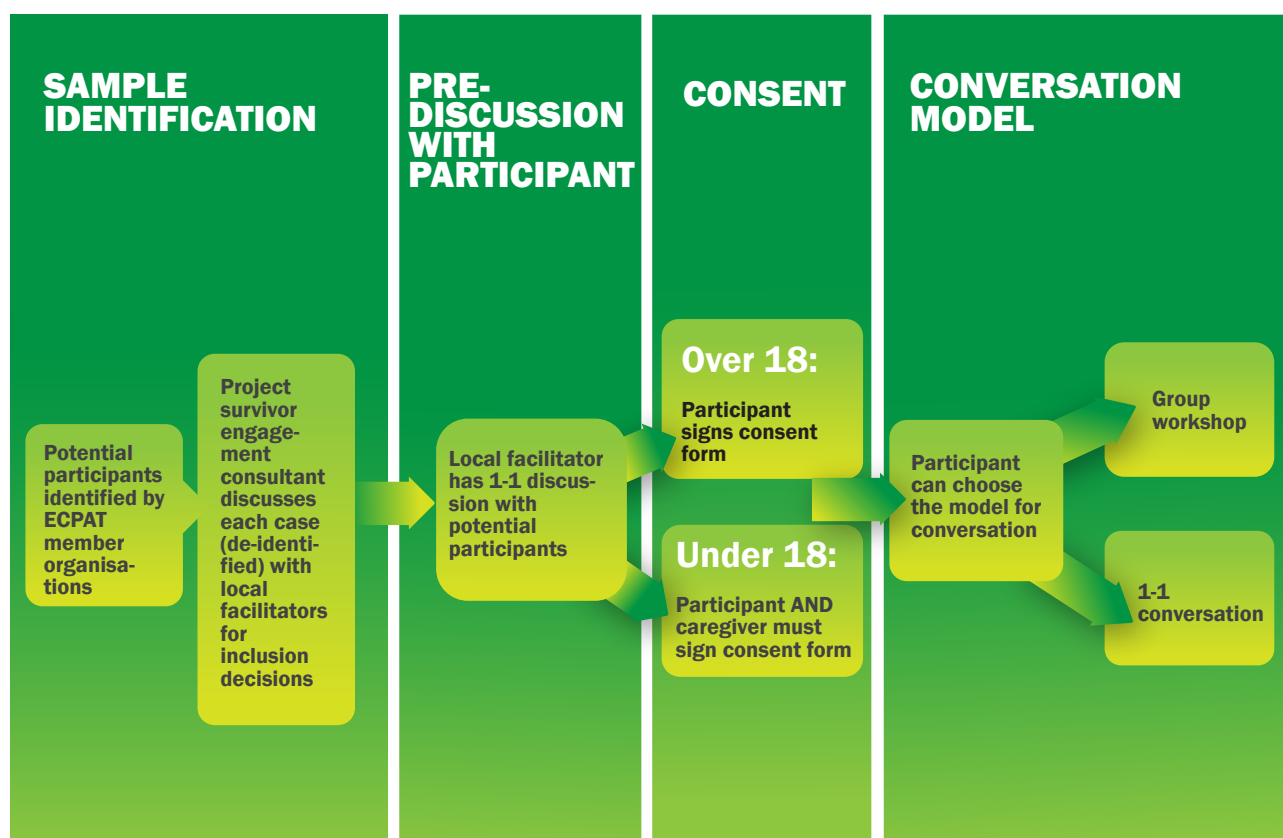
The developed model can be divided into three steps.

### Pre-Meetings

Once potential participants were identified, preparatory meetings took place between TACTEENNAEIL staff and children/young people and their parents or caregivers where appropriate, at a safe and confidential venue, also taking into account ongoing local COVID-19 pandemic guidelines. TACTEENNAEIL were represented by a counsellor and a facilitator who organized the conversations. Recognizing the sensitive nature

of the research, this provided an opportunity for the researchers to build trust and rapport, explain the project in accessible language and respond to any specific questions from children or caregivers. Specially designed participant information sheets explaining the purpose of the project and the contents of the programme were also shared with children and caregivers, and then discussed in detail. The participant information sheet provided brief information on ECPAT International and TACTEENNAEIL, a short definition of sexual exploitation along with an explanation of the planned activities. Once agreement to take part was established, consent and assent forms were signed. See Figure 17 for consent procedures below.

Figure 17. Consent procedures for survivor conversations.



## Main Conversation

The conversations had been planned to be facilitated over a period of one and a half days and was initially developed as a group event considering the characteristics of the initial target group – boys and young men between ages 16 and 24. The focus on the first half day was to include ice-breaking, trust and rapport building activities, including the development of group identity and guidelines to ensure safe and confidential participation. The group would then also take part in activities to explore how gender norms influenced boys throughout their lives, namely ‘Being a boy in South Korea’.

This plan focused on facilitating a number of creative, energetic and fun group activities, to explore the boys’ experiences of seeking and accessing support, their ideas related to specific gaps and needs, and recommendations for improving services and support for boys. The active and participatory exercises and tools developed specifically for the project, acknowledged that boys may become bored when expected to sit still for long periods, and often engage and respond more positively to being active and creative, where they are part of interactive processes, rather than passive participants.<sup>284</sup> Our approach was also informed by TACTEENNAEIL staff, and their experience implementing a range of successful group work projects with children and young people.<sup>285</sup> As noted in the report, due to sampling and other constraints, the conversations were adapted to shorter 1-1 events that still used the activities over an afternoon with the two boys separately.

## Follow-up meetings

The follow-up meeting was planned to take place a few days after the main conversation to share the results with the boys, enabling them to clarify specific issues and add comments where appropriate. Facilitators planned to share photographs and videos of what the boys made together during the main programme, and research results were shared in an accessible and child-friendly format. In the follow-up meeting, boys were to also receive a ‘child consultant’ certificate and a hoodie, with a logo that they designed in the main programme. Again, the follow-ups were adapted into 1-1 meetings with the two boys.

## Sample

After mapping existing services, promotional posters describing the workshop were disseminated to targeted organizations, and an official letter regarding the workshop was sent to child related government departments, NGOs, child and youth related organizations, and counselling centers. To protect potential participants, the promotional poster was deliberately designed to include only limited information to prevent exposure of the boys’ victimization to unwanted others, thus identifying participants as “boys who are interested in boys’ rights and gender norms”, instead of ‘sexually exploited boys’. We were concerned that potentially, boys found to be in possession of the poster could have their victim status exposed, and this may also result in them hesitating to take part. Follow up calls were made to each organization on a regular basis. We anticipated and planned that once responses and applications were received, we would be able to contact the boys (and parents) directly and proceed to the pre-meeting step. During all activities, the facilitators were also supported by a trained counsellor who was on call, and provision was made for a ‘safe room’, for any participant that wished to take ‘time out’ and/or receive emotional support at any time during meetings or the planned group work activities.

## Recruitment Challenges

The team made extensive efforts over a number of months to identify and select suitable participants to take part in the group work, but encountered significant challenges and barriers.

Sexual violence, abuse and exploitation of men and boys is not openly discussed in South Korea, and this lack of visibility and discourse contributed to the difficulties in finding participants. Additionally, the vast majority of support and counselling services focus on females, limiting the options from the outset. Existing services providing support to exploited and abused children were identified and individual practitioners working in a range of organizations, including counsellors, social workers and teachers were contacted to explore the possibilities of collaboration.

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284 Down to Zero. (2020). ‘Bridging The Gap’ A Toolkit For Working With Boys Affected By Sexual Exploitation and Abuse.

285 Youth activities organized by TACTEENNAEIL: Youth camp, Street outreach programmes, Youth group for self protection, Global youth forum.

Some organizations and support workers did not wish to collaborate due to the perception that the abuse and exploitation of boys was rare, and 'not a significant problem', or that boys recover quickly - while for others who were aware of it, the 'sensitivity' of the issue was provided as a reason. Since there has been no previous attempt to facilitate group programmes of any kind (including research) for sexually exploited boys in South Korea, some providers considered the project to be 'too risky' - with potential for secondary victimization, although for some the reasons were not stated.

In other cases, parents and counsellors acted as influential gatekeepers, and were not willing to share information with clients about the research. Reasons included (justifiable) concerns about boys feeling coerced if invited by helping staff, though to other reasons like that a case was considered 'too severe' to participate in a group activity, and did not wish to risk him having contact with others. Other support workers maintained that they no longer kept contact details of individuals who had used their service, and were therefore unable to help, and some chose not to elaborate on the reasons for not wishing to cooperate. Other concerns expressed were related to the belief that in order to protect children and keep them safe, the experiences must remain 'secret', and that victims and survivors must remain 'silent', rather than speak out and risk any form of prejudice.

Overall the underlying response appeared to be that providing group programmes for sexually exploited boys is undesirable and potentially 'dangerous', although the specific reasons for this were not always explained. In other cases, as time passed, contact was established with boys who were interested in the activity, but for a number of reasons, some expressed they were afraid to join with a group of others that they considered to be 'strangers'.

Faced with the prospect that project staff would not be able to establish a group, a decision was made to adapt the methodology, drawing on personal contacts among counsellors to select participants, and offering opportunities for meeting boys and young men individually. The group work model was therefore modified, using the same tools - exploring the same themes described above - but tailored to fit one-to-one meetings. Our aim was to meet as many boys as possible individually, and combine

their responses, as the number of participants increased. Feedback and suggestions were also sought from the individual participants, as to how group activities could be developed and facilitated in future.

## *Analysis*

Once activities with boys and young men were completed, the researchers collected all tools, documents and images. This included activity sheets, gender graphs, picture cards, illustrations and statements used in the 'Building a Tree' activity, evaluation and programme review sheets. The facilitators and counsellors also observed behaviours, comments, word choices and emotional and behaviour changes - which were recorded in a reflective journal, to provide an additional data set, as described below.

The facilitators recognized that when utilising qualitative methodologies, it is important to 'stay close to the data', in order for key messages and themes to emerge. Therefore, once activities were completed, the facilitators participated in a series of reflective meetings to share their observations and perceptions of the process and outcomes. Facilitators reviewed and evaluated the conversations overall, discussing unique aspects of the process and outcomes with each boy, highlighting specific and important statements, and the ideas shared. All information was reviewed, integrated and then combined with the other data sources (frontline survey data and legal framework analysis) in the final reports.

## *The Value of Reflective Practice and Journaling*

The nature of this project required creating and utilising qualitative methods and tools to explore and gain insight into this sensitive topic. Therefore, throughout the process of learning, development, planning and implementation, facilitators were encouraged to continuously reflect on their experiences and incorporate this into their ongoing work, including the analysis of the content and outcomes of the workshop. This approach was supplemented by the facilitator's use of a 'Reflective Journal' which was completed immediately following the conversations. Journal writing has a long and reliable history in the arts and humanities

and is a powerful heuristic tool and research technique.<sup>286</sup> Qualitative researchers recognize their role as the 'research instrument', and as such the journal is also considered as a major source of data.

The journal encouraged facilitators to reflect on what worked, and what could have been improved, highlighted important events, information and data for inclusion in analysis, and crucially, supported the exploration of the specific meanings and implications of information shared by participants.

It enabled those involved to refine their understanding of the role of researcher, and their understanding of the responses of participants. This set the groundwork for analysis and interpretation, and helped keep a written note of thoughts, feelings and facts. Ultimately the use of reflective practice helped the researcher – facilitators - consider 'how are we to make sense of the stories and experiences that emerged from the process?

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286 Janesick, V. J. (2004). *Stretching Exercises for Qualitative Researchers*. (Second Edition).



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