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International Consortium of Lawyers Releases New Legal Practice Guide in the Global Battle Against Sex Trafficking and Exploitation of Children

WASHINGTON, D.C., January 10— The Human Trafficking Legal Center and Orrick, Herrington & Sutcliffe LLP (Orrick) today announced the release of the second publication in a series of legal practice guides for prosecutors, human trafficking survivors, and advocates to address the global problem of citizens traveling abroad to sexually abuse children. In October 2021, the Center and Orrick released the first guide, *AUSTRALIA: Extraterritorial Jurisdiction for Sexual Exploitation of Children in Travel And Tourism*, co-authored with Western Sydney University Justice Clinic.

Today, the second guide, CHILD SEXUAL EXPLOITATION IN TRAVEL AND TOURISM: A Guide to Extraterritorial Jurisdiction to Hold Perpetrators Accountable in France, co-authored by Georgina Vaz Cabral, was published.

As previously announced, each guide focuses on a specific geographic region's relevant statutes, case law, and notable prosecutions. Written in an easy-to-understand question-and-answer format, the guides are intended for use by both legal and non-legal professionals.

In the French guide, the authors explain that, under French law, it is a crime for French citizens or residents to sexually abuse children while traveling abroad. The law provides extraterritorial jurisdiction if the crime is committed by a French national, a permanent resident, or by a foreigner outside the territory when the victim is a French citizen at the time the crime is committed. These laws allow for perpetrators to be held accountable in French courts, even when the exploitation occurs abroad.

Despite a sophisticated criminal legal framework and an increase in reports of child sexual abuse abroad, the number of prosecutions in France remains low. Because French judgments and convictions are not always publicly available, it is difficult to state definitively the number of successful cases brought under French law. In all, researchers identified only eight convictions obtained in France related to child sexual abuse abroad, though there are additional cases currently pending. Cases involving French offenders have arisen in Australia, Cambodia, the Democratic Republic of the Congo, Egypt, India, Japan, Nepal, Malaysia, Thailand, Togo, Tunisia, the Philippines, Romania, Sri Lanka and Vietnam. Even though there have been few investigations and convictions to date, advocates have documented an increase in referrals and prosecutions.

The practice guides also explain ways in which a region's laws can be improved. For instance, in the new guide, researchers note that the crime victim compensation funds are not set up to address the complexities of cases involving child victims abused abroad and, thus, are often inaccessible to foreign children abused and raped by French citizens. The guide also discusses strategies to increase the enforcement of French law against those who perpetrate offenses outside France. The authors recommend additional training for the French judiciary and emphasize the important role civil society groups have played in advocating for abused and exploited children.

Martina Vandenberg, president of the Human Trafficking Legal Center, said, "Anti-trafficking advocates around the globe confront the horror of sex trafficking and abuse of children committed by foreign visitors every day. The French guide is not only an essential tool to protect children from harm. It is also a call to action to end impunity for crimes perpetrated by French citizens and residents while visiting other countries."

Orrick's pro bono coordinator, Rene Kathawala, said, "We are committed to using our skills as lawyers to fight this global scourge against children and will continue to develop legal avenues and tools such as the French guide to ensure that advocates in prominent countries are well-equipped to crack down on sex trafficking of minors. We anticipate partnering with the Human Trafficking Legal Center to publish more of these guides for other countries to help expand anti-trafficking vigilance and enforcement."

About the Human Trafficking Legal Center

<u>The Human Trafficking Legal Center (HT Legal)</u> is a bridge to justice, leveraging the power of pro bono legal services to fight forced labor and sex trafficking around the globe. HT Legal conducts research, policy work, legislative analysis, litigation, and advocacy. In addition, HT Legal connects trafficking survivors with pro bono attorneys to bring traffickers to justice so that survivors can rebuild their lives.

About Orrick, Herrington & Sutcliffe LLP

<u>Orrick, Herrington & Sutcliffe LLP</u> is a global law firm with 25 offices around the world. Orrick has a commitment to pro bono services and has devoted substantial resources to efforts to combat human trafficking. The firm has been recognized for having one of the best pro bono law programs in the United States and internationally.

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