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# Government, civil society and private sector responses to the prevention of sexual exploitation of children in travel and tourism

A Technical Background Document to the  
Global Study on Sexual Exploitation of  
Children in Travel and Tourism

# ACKNOWLEDGEMENTS

The paper was prepared by Clara Sommarin (Child Protection Specialist, Programme Division, UNICEF Headquarters), Frans de Man and Amaya Renobales (independent consultants) and Jeanette Trang (intern Child Protection Section, Programme Division, UNICEF Headquarters) and copyedited by Alison Raphael.



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**FRONT COVER:** On 14 March 2016, a young vendor walks along a highly trafficked street in the heart of the city of Makati's "red light district," in Metro Manila, Philippines. Makati is considered the financial and economic centre of Manila, and is also a hub for sexual exploitation in the context of travel and tourism. © UNICEF/UN014913/Estey

**FACING PAGE:** [NAME CHANGED] Rosie, 16, in Dominica in the eastern Caribbean on 8 July 2017. Rosie was 15 yrs old when she underwent sexual abuse. © UNICEF/UN0142224/Nesbitt

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# 1. INTRODUCTION

Tourism can lead to economic growth and thus to opportunities for communities worldwide. But if tourism development is not carried out in a responsible way, and planned carefully, it can endanger livelihoods and increase the vulnerability of communities and families, including its children and adolescents.

Tourism as a development process, and an economic sector, is shaped by a large number of stakeholders with different interests and responsibilities over a long period of time, which starts when the first project-developers arrive in a “virgin” area. From that moment onwards, activities developed under the flag of tourism impact the vulnerability of communities, and its children and adolescents.

In many parts of the world, tourism development is and has been un-regulated. This, coupled with limited job opportunities for adolescents and young people in these communities, prevailing social norms around gender, masculinity and sexuality, and weak law enforcement and protection systems, make children and adolescents particularly vulnerable to various forms of exploitation, including sexual exploitation, when tourism development reach their communities.

Recognition that children were being sexually exploited by tourists and efforts to formulate an effective response stem back to the late 1980s and early 1990s when the Ecumenical Coalition on Third World Tourism, a faith-based organisation in Thailand, conducted research in Asia and found a high level of demand by foreign tourists for children in prostitution.<sup>1</sup> This sparked the mobilisation of several Asian-based NGOs, academics and others to undertake an advocacy campaign, ‘*End Child Prostitution in Asian Tourism*’ (ECPAT), which later became the NGO ECPAT International.

In 1993 ECPAT hosted the first international consultation on child sexual exploitation in Germany, with participation by European NGOs and international organisations, including INTERPOL, the World Tourism Organisation<sup>2</sup> (WTO) and the International Labour Organisation (ILO). As a result of this consultation and subsequent reports and advocacy during the early 1990s, awareness grew within the global travel and tourism sector. In 1995 the WTO adopted a “Statement on the Prevention of Organised Sex Tourism”, pointing out that child sexual exploitation in travel and tourism violates article 34 of the UN Convention on the Rights of the Child (CRC). This helped to

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<sup>1</sup> Muireann O’Brian, Milena Grillo and Helia Barbosa, *Sexual Exploitation of Children and Adolescents in Tourism*. ECPAT International, Bangkok (2008) p.4

<sup>2</sup> The WTO was established in 1970. In 1976, an agreement was signed for WTO to become an executing agency of the United Nations Development Programme (UNDP), carrying out technical co-operation with governments. In 2003, the Assembly approved the transformation of WTO into a United Nations specialised body, ratified at the UN General Assembly by resolution A/RES/58/232. Thus it is currently referred to as the United Nations World Tourism Organisation (UNWTO).

place the issue on the agenda of the tourism sector, while governments were urged by the WTO General Assembly to establish and enforce legal and administrative measures to prevent and combat what was then known as 'child sex tourism'.

The following year, the First World Congress against Commercial Sexual Exploitation of Children was hosted by the Government of Sweden, in collaboration with ECPAT, UNICEF and the NGO Group for the Rights of the Child. The outcome document – the Stockholm Declaration and Agenda for Action – calls upon governments, societies and national, regional and international organisations to urgently take action to protect children from sexual exploitation. It specifically calls for the mobilisation of the business sector – including the tourism industry – against the use of its networks and establishments for the sexual exploitation of children. Subsequent World Congresses also stressed that sexual exploitation of children, is a phenomenon of global dimensions that demands a global response by all concerned actors, including the travel and tourism industry. As a result of these efforts, over the past 20 years governments, civil society actors, the private sector, international organisations and UN agencies have increasingly acknowledged the problem and taken action to address it.

This paper provides an overview of the many efforts to prevent and respond to sexual exploitation of children in the context of travel and tourism. Chapter 2 provides an overview of the international framework for action and chapter 3 reviews national responses to the prevention of sexual exploitation of children in the context of travel and tourism. Chapter four, concluding remarks, set out some recommendations for actions ahead.

The paper was produced as a contribution of UNICEF to the Global Study on Sexual Exploitation of Children in Travel and Tourism: Offenders on the Move (2016), and draws on material produced for the Global Study, and other available research.<sup>3</sup> The review of available material, however, revealed several shortcomings: (i) information tends to be scattered; few reports offer a comprehensive view of the response to child sexual exploitation in travel and tourism; (ii) available information differs sharply by region; information is especially scarce for Eastern Europe, the Middle East/ North Africa and the Pacific (except for Australia and New Zealand); (iii) little effort has been devoted to measuring the impact of policies and programmes, and few interventions have been evaluated.<sup>4</sup> However, in recent years the importance of establishing baselines and

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<sup>3</sup> This desk review draws mainly upon research, reports and studies available from the ECPAT International database for the Global Study on Sexual Exploitation of Children in Travel and Tourism. This included published and unpublished research, project documents, evaluations and guidance materials developed by UNICEF, ECPAT International, the United Nations World Tourism Organisation (UNWTO), and other international organisations, NGOs, the private sector and academia. Around 150 documents were reviewed in English, Spanish and French, covering the time period from 2000 to 2015.

<sup>4</sup> For a review of efforts to address sexual abuse and exploitation of children in low-, middle- and high-income countries, see: Lorraine Radford, Debbie Allnock and Patricia Hynes (forthcoming), *Preventing and Responding to Child Sexual Abuse and Exploitation: Evidence review*.

monitoring and evaluating programmes to track progress has been increasingly recognised, and more project evaluations are now becoming available.

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## 2. INTERNATIONAL FRAMEWORK FOR ACTION

A number of international human rights standards and political commitments have been adopted over the past decades to protect children from sexual exploitation, including in the context of travel and tourism. This includes international and regional human rights treaties and political commitments as well as policies and commitments by the global travel and tourism sector. These standards and commitments guide action that governments, civil society and the private sector are taking to address sexual exploitation of children in travel and tourism, and thus establish an important framework for action for all stakeholders.

### 2.1 International Human Rights Standards

Together, the UN Convention on the Rights of the Child (CRC, 1989) and its Optional Protocol on the sale of children, child prostitution and child pornography (OPSC, 2000),<sup>5</sup> provide a solid legal framework for protecting children against all forms of sexual abuse and exploitation, including in the context of travel and tourism.

#### **Box 1 – Article 34 of the Convention of the Rights of the Child**

Article 34 of the CRC calls upon state parties to adopt “all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;*
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;*
- (c) The exploitative use of children in pornographic performances and materials”<sup>6</sup>.*

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<sup>5</sup> The CRC was ratified by 193 countries and the OPSC by 173, or 89% of all UN member states.

<sup>6</sup> For the full text see: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx> (Accessed 25 March 2016).

The Optional Protocol<sup>7</sup> further refines the protections offered under the CRC and provides detailed definitions of terminology related to the sale of children, child prostitution and child pornography. It requires state parties to criminalise these child rights violations as offences and to provide adequate support to child victims for their physical and psychological recovery, social reintegration and repatriation. The following articles are particularly relevant to the protection of children from sexual exploitation in travel and tourism:

- In article 4, the OPSC introduces the principle of extraterritoriality, extending the jurisdiction over any offence under article 3 committed abroad by a state's citizen. This allows for the prosecution of alleged offenders – in their country of nationality under national law – for offences committed abroad. This is critical for bringing travelling offenders to justice in cases of sexual exploitation of children, especially when the offender has fled the jurisdiction where the crime occurred.
- Article 5 makes it possible for the Protocol to serve as a legal basis for extradition between countries that have signed the OPSC, but not entered into cooperation agreements.
- Articles 6 and 10 of the OPSC call for cooperation among state parties to prevent and address crimes related to sexual exploitation of children, including on investigations and criminal or extradition proceedings. They recognise the need to involve multiple actors to prevent and address these crimes, and call for international cooperation to address the root causes that contribute to children's vulnerability to these forms of sexual exploitation.

Other important international standards relevant to protecting children from sexual exploitation in the context of travel and tourism include ILO Convention No. 182, concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999), and the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

## **2.2 Global Political Commitments**

Parallel to the adoption of international and regional human rights treaties, governments, with the involvement of civil society and the private sector, have taken on several global political commitments applicable to protecting children from sexual exploitation in travel and tourism.

### *2.2.1 United Nations World Tourism Organisation*

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<sup>7</sup> For the full text please see: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx> (Accessed 25 March 2016)

Following its 1995 “Statement on the Prevention of Organised Sex Tourism” the WTO in 1999 adopted the “Global Code of Ethics for Tourism” (ratified at the time by 139 states, and in 2001 adopted by the United Nations). The Global Code provided a frame of reference for sustainable and responsible tourism, with a set of 10 principles designed to guide key players in tourism development, including governments, the travel industry, communities and tourists, with the aim of maximising the sector’s benefits while minimising its potentially negative impact on the environment, cultural heritage and societies across the globe.<sup>8</sup>

Since that time the WTO has promoted actions to ensure that the services, facilities and infrastructure of the travel and tourism sector are not used for the purpose of sexual exploitation of children. It has launched various initiatives to this effect through the World Tourism Network on Child Protection,<sup>9</sup> including sharing existing local campaigns to raise awareness of the problem in tourism networks. In 2008, the WTO “*Don’t Let Child Abuse Travel*” campaign was launched in collaboration with various partners including ECPAT International, ILO and UNICEF and a series of tourism stakeholders from different sectors, stressing that it is unacceptable for the industry and the travelling public to tolerate any form of sexual exploitation of children.<sup>10</sup>

### *2.2.2 World Congresses against Sexual Exploitation of Children*

A year after the WTO’s original statement on organised sex tourism, the First World Congress against Commercial Sexual Exploitation of Children was held in Stockholm, Sweden in 1996, hosted by the Government of Sweden, in collaboration with ECPAT, UNICEF and the NGO Group for the Rights of the Child. The Congress helped to focus global attention on child sexual exploitation and place the issue on public agendas. At the Congress, 122 countries adopted the ‘Stockholm Declaration and Agenda for Action’, and committed to adopting national plans of action to protect children from sexual exploitation.<sup>11</sup>

The Stockholm Declaration outlines the responsibilities of governments, civil society, the private sector and international organisations and UN agencies to address sexual exploitation of children. It specifically calls for the mobilisation of private businesses, including the tourism industry, against the use of its networks and establishments for the sexual exploitation of children.<sup>12</sup>

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<sup>8</sup> The WTO campaign was based on a 2003 Child Wise Australia campaign, <http://www.afp.gov.au/media-centre/speeches/2003/launch-child-wise-dont-let-child-abuse-travel-campaign>. UNWTO webpage <http://ethics.unwto.org/en/content/global-code-ethics-tourism> (Accessed 25 March 2016).

<sup>9</sup> The World Tourism Network on Child Protection was previously known as the Task Force to Protect Children from Sexual Exploitation in Tourism. Established in 1997, the Network holds annual meetings at international tourism fairs which serve as a platform for governments, the tourism industry and associations, international organisations and UN agencies to share experiences and good practices. In 2007, the Task Force extended its mandate to cover all forms of exploitation of children and young people in tourism, including child labour and trafficking, and in 2011, it changed its name to World Tourism network on Child Protection.

<sup>10</sup> UNWTO webpage. <http://ethics.unwto.org/en/content/global-code-ethics-tourism>. Accessed 25 March 2016.

<sup>11</sup> See [http://www.ecpat.net/sites/default/files/ECPATWCIIIReport\\_FINAL.pdf](http://www.ecpat.net/sites/default/files/ECPATWCIIIReport_FINAL.pdf). Accessed 25 March 2016.

<sup>12</sup> For the full text please see: [http://www.ecpat.net/sites/default/files/stockholm\\_declaration\\_1996.pdf](http://www.ecpat.net/sites/default/files/stockholm_declaration_1996.pdf) (Accessed 25 March 2016).



At two subsequent World Congresses held in Yokohama and Rio de Janeiro – which took stock of new developments and trends, progress made, lessons learned and challenges ahead – governments recommitted to the Stockholm Agenda through the Yokohama Global Commitment (2001) and the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents (2008).<sup>13</sup>

At both of these Congresses, sexual exploitation of children in travel and tourism was recognised as a phenomenon of global dimensions, requiring a global response by all concerned actors. The importance of involving the travel and tourism sector in prevention and response was explicitly recognised.

The Rio de Janeiro Declaration welcomed increased support by companies operating in tourism and travel to address this issue by signing the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (described below). At the same time, it expressed concern at the continuing high level of sexual exploitation of children, in part due to increased global travel. Those gathered in Rio de Janeiro called upon all stakeholders to take a series of steps to prevent and respond to sexual exploitation of children in travel and tourism, several of which demanded action by the tourism industry.<sup>14</sup>

The two World Congresses were preceded by consultations in all regions, where representatives of governments, civil society, children and young people, international non-governmental organisations, UN and other multilateral agencies shared experiences and assessed progress in efforts to prevent sexual exploitation of children in travel and tourism. These consultations led to greater understanding and momentum at the regional level, and to the adoption of regional action plans aimed at addressing the sexual exploitation of children in all contexts, including travel and tourism.<sup>15</sup>

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<sup>13</sup> For the text of these documents: <http://www.unicef.org/events/yokohama/outcome.html> and [http://www.unicef.org/protection/World\\_Congress\\_III\\_against\\_Sexual\\_Exploitation\\_of\\_Children\\_and\\_Adolescents\(1\).pdf](http://www.unicef.org/protection/World_Congress_III_against_Sexual_Exploitation_of_Children_and_Adolescents(1).pdf) (Accessed 25 March 2016)

<sup>14</sup>The Rio Declaration called for: (i) *Encourage and support the tourism, travel and hotel sectors in adopting professional Codes of Conduct, for example by joining and implementing the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism; encourage the use of businesses that put in place appropriate child protection-focused corporate social responsibility strategies; and/or provide other incentives for those participating.* (ii) *Ensure that all stakeholders pay specific attention to unregulated tourism to prevent domestic and international travellers from sexually exploiting children and adolescents.* (iii) *Cooperate in the establishment of international travel notification system, such as the Interpol 'green notice' system, in accordance with applicable law and human rights standards.* (iv) *Ensure investigation and, where sufficient evidence exists, that appropriate charges are brought and vigorously pursued against the State's national who are reported or alleged to have sexually exploited a child in a foreign country.* (v) *Prohibit the production and dissemination of material advertising the sexual exploitation in tourism; and alert travellers to criminal sanctions that will apply in cases of sexual exploitation of children.* (vi) *Monitor new and emerging tourist destinations and establish protective measure to work with private sectors partners involved in the development of tourism services on measures to prevent the sexual exploitation of children and adolescents, including in the use of socially and environmentally responsible strategies that promote equitable development.*

<sup>15</sup> See [http://www.ecpat.net/sites/default/files/ECPATWCIIIReport\\_FINAL.pdf](http://www.ecpat.net/sites/default/files/ECPATWCIIIReport_FINAL.pdf) (Accessed 25 March 2016). For the text of these documents, see: [http://www.ecpat.net/sites/default/files/stockholm\\_declaration\\_1996.pdf](http://www.ecpat.net/sites/default/files/stockholm_declaration_1996.pdf); <http://www.unicef.org/events/yokohama/outcome.html> and [http://www.unicef.org/protection/World\\_Congress\\_III\\_against\\_Sexual\\_Exploitation\\_of\\_Children\\_and\\_Adolescents\(1\).pdf](http://www.unicef.org/protection/World_Congress_III_against_Sexual_Exploitation_of_Children_and_Adolescents(1).pdf) (Accessed 25 March 2016)

### 2.2.3 UN Guiding Principles on Business and Human Rights

Governments are aware that the private sector has enormous power to improve children's lives through the way it operates facilities, develops and markets products, provides services and exerts influence on economic and social development. At the same time, the private sector has the power to disregard or even imperil the interests of children. In relation to private sector responsibilities, the Universal Declaration of Human Rights has emerged as a common denominator for all stakeholders. Several governments have undertaken initiatives to make sure that human rights and children's rights are a core element of corporate social responsibility (CSR).<sup>16</sup>

With the Universal Declaration on Human Rights as a framework, in 2011 the United Nations Human Rights Council unanimously adopted the "United Nations Guiding Principles on Business and Human Rights" (UNGPs).<sup>17</sup> The UNGPs have become widely regarded by governments and businesses as the international framework of standards on the responsibility of business to take pro-active actions to ensure their policies and activities do not infringe on human rights. The UNGPs encompass three main pillars:<sup>18</sup>

- Governments' duty to *protect* human rights
- Corporate responsibility to *respect* human rights
- Access to *remedy* for victims of business-related abuses.

The UNGPs hold that companies have the power to influence virtually all internationally recognised rights. Therefore, both governments and the private sector are responsible for upholding and protecting human rights. With respect to the second pillar, the Principles declare that businesses must act with due diligence to avoid infringing on the rights of others and to address negative impacts for which they are responsible, through measures such as: formally assessing actual and potential human rights impacts, public commitments to respect rights and to integrate human rights principles across relevant internal functions and processes, ensuring that human rights are respected throughout the value chain and that violations can be effectively prevented.

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<sup>16</sup> Moreover, definitions of accountability, liability and complicity of non-state actors are tightening and options for legal action are increasing.

<sup>17</sup> For the full text please see: [http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR\\_EN.pdf](http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf) (Accessed 25 March 2016). The Guiding Principles on Business and Human Rights were developed by the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises. The Special Representative annexed the Guiding Principles to his final report to the Human Rights Council (A/HRC/17/31), which also includes an introduction to the Guiding Principles and an overview of the process that led to their development. The Human Rights Council endorsed the Guiding Principles in its resolution 17/4 of 16 June 2011.

<sup>17</sup> UN Human Rights Office of the High Commissioner (2011), Guiding Principles on Business and Human Rights Implementing the United Nations "Protect, Respect and Remedy" Framework, HR/PUB/11/04, New York and Geneva.

<sup>18</sup> *Ibid.*

The UNGPs could play an important role in tourism destinations where the vulnerability of children is related to weak governance. Principle 23 states that – particularly in areas where a state only poorly protects human rights, or even violates them – businesses must not benefit by reducing standards, but rather seek ways to comply with international standards on human rights. To meet their responsibility to respect human rights, businesses should consult independent experts from civil society and human rights organisations.

The UNGP build on efforts of the UN Global Compact, an initiative which invites companies to align their strategies and operations with universal principles of human rights, labour, environment and anti-corruption and take actions that advance societal goals.<sup>19</sup> When companies join this initiative, they are expected to change their business operations and public communications in accordance with 10 principles of universal sustainability.

#### *2.2.4 Children's Rights and Business Principles*

The Children's Rights and Business Principles<sup>20</sup> (CRBP) emerged in 2013 through a process led by UNICEF, the UN Global Compact and Save the Children. They provide a spotlight on the human rights of children as a supplement to the UN Guiding Principles on Business and Human Rights. The initiative builds on existing standards for business (such as the UNGPs) and calls on the private sector to take action to protect and support children's rights throughout all business activities and relationships.

The first principle of the CRBP states that all businesses should meet their responsibility to respect and support the human rights of children. It outlines a management process that businesses can follow to help translate this responsibility into practice, and calls on businesses not only to avoid infringing on children's rights, but also to do good for children, advancing their rights through philanthropy, investment and advocacy.

The CRBPs offer an additional framework for addressing the responsibilities of the tourism industry when the development of tourism facilities puts children at risk.

### **2.3 Initiatives by the Travel and Tourism Industry**

With the advent of these UN principles and guidelines – and the many changes taking place within the industry, especially due to new forms of travel and Internet-based travel arrangements – travel and tourism businesses have shifted from a 'campaign' approach, to one that addresses core business and due diligence actions. Major companies appear to be moving away from traditional

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<sup>19</sup> UN Global compact webpage. <https://www.unglobalcompact.org/what-is-gc> (Accessed 25 March 2016).

<sup>20</sup> For more information see: <http://childrenandbusiness.org/> (Accessed 25 March 2016)

CSR initiatives, centred on corporate philanthropy, towards an approach more focused on incorporating CSR into their core business.

### 2.3.1 Policy Statements

Several private sector umbrella organisations representing the international tourism industry have issued policy documents condemning sexual exploitation of children in travel and tourism and promoting awareness-raising, distribution of information, capacity building of staff and the establishment of codes of conducts.<sup>21</sup>

In the early 1990s private travel and tourism entities began to take action against the sexual exploitation of children, largely in response to reports of child sexual exploitation in the context of travel and tourism in Asia.<sup>22</sup> In 1994 the Universal Federation of Travel Agents' Associations (UFTAA) adopted 'The Child and Travel Agents' Charter', becoming the first tourism industry association to address the issue.<sup>23</sup> The Charter required members to assist organisations that provide recovery services to victims of sexual exploitation. Other policy documents and codes of conducts of tourism industry organisations and unions affiliated with the travel and tourism industry were also adopted following the UFTAA and UNWTO statements and the First World Congress, (see Box 2):



Photo: On 29 March 2016, a female police officer monitors calls from victims of child sexual abuse at a UNICEF-supported help centre for abused children in Antananarivo, the capital of Madagascar.

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<sup>21</sup> Radford, Allnock and Hynes, *Preventing and Responding to Child Sexual Abuse and Exploitation: Evidence review*.

<sup>22</sup> Innocenti Research Centre (2009, unpublished), "Study on Sexual Exploitation of Children in Travel and Tourism".

<sup>23</sup> *Ibid.*

### **Box 2 – Policy Statements of the Private Travel and Tourism Industry**

- The Child and Travel Agents' Charter of the Universal Federation of Travel Agents' Associations (UFTAA)
- Code of Conduct against the Sexual Exploitation of Children of the International Federation of Tour Operators
- Resolution against the sexual exploitation of children of the International Hotel and Restaurants Association
- Final Resolution condemning commercial sexual exploitation of children of the International Air Transport Association
- Resolution against Sex Tourism of the International Federation of Women's Travel Organisations
- Resolution to combat Child Sex Tourism of the Federation of International Youth Travel Organisations
- Declaration against Child Sex Tourism of the Group of National Tour Operators' Associations within the European Union (ECTAA); in which groups committed themselves to excluding “without delay” any member proven to be engaged in sexual exploitation of children in travel and tourism<sup>24</sup>
- Declaration against the Sexual Exploitation of Children of the Confederation of the National Associations of Hotels, Restaurants, Cafés and Similar Establishments of the European Union and the European Economic Area
- Resolution on Prostitution Tourism and Standard Agreement of the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association.<sup>25</sup>

#### *2.3.2 Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism*

The best known industry-driven initiative to address sexual exploitation in travel and tourism is *The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism*, also known as “The Code” (theCode.org).

The Code was established by ECPAT Sweden in 1998, in collaboration with Scandinavian tourism companies and the WTO, following the Stockholm World Congress. Funded by the European Union, and later by UNICEF and the Swiss Government, the Code became operational in 1998,

<sup>24</sup> Radford, Allnock and Hynes, op. cit.

<sup>25</sup> Innocenti Research Centre (2009, unpublished), op.cit.

and was later adopted by the ECPAT International network. Since 2004, the Code has been operating as an independent organisation, currently hosted by ECPAT International in Bangkok. Between 2006 and 2011, the Code introduced a number of changes regarding membership fees and reporting, and is currently reviewing its business strategy. The Board of Directors consists of a majority of representatives from the tourism industry (five representatives of each sector within the tourism industry) and a minority of NGO representatives.<sup>26</sup> UNICEF and UNWTO serve as advisory members.<sup>27</sup>

The Code was one of the first initiatives to define the role and obligations of tourism companies regarding child protection. It invites membership from any type of tourism businesses, formal or informal, as long as they commit to six criteria (see Box 3).

**Box 3 – Six Criteria of the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism**

1. Establish a policy and procedures against sexual exploitation of children;
2. Train employees in children's rights, prevention of sexual exploitation and reporting suspected cases;
3. Include a clause in contracts throughout the value chain repudiating and stating a zero tolerance policy of sexual exploitation of children;
4. Provide relevant information to travellers;
5. Support, collaborate and engage with stakeholders to prevent sexual exploitation of children;
6. Report annually on code implementation.

The Code has had significant success in raising awareness of sexual exploitation of children in the context of travel and tourism globally, despite limited human and financial resources.<sup>28</sup> The Code has been awarded many prizes for its innovative approach to CSR and children's rights,

<sup>26</sup> [http://www.unicef-irc.org/publications/pdf/ids\\_codeofconduct2.pdf](http://www.unicef-irc.org/publications/pdf/ids_codeofconduct2.pdf) (Accessed 25 March 2016).

<sup>27</sup> <http://www.thecode.org/about/organisational-structure/> (Accessed 25 March 2016).

<sup>28</sup> [http://www.unicef-irc.org/publications/pdf/ids\\_codeofconduct2.pdf](http://www.unicef-irc.org/publications/pdf/ids_codeofconduct2.pdf) (Accessed 25 March 2016).

including the Ashoka Changemakers Ending Global Slavery Award, WTTC Tourism for Tomorrow Award, The Ethical Corporation Award, the BIRD Express Travel Award, PATA Gold Award, Travel and Leisure Magazine's Human Rights Leadership Award and the SKAL Sustainable Development in Tourism Award.<sup>29</sup> One of the factors behind its success is that the six Code criteria help to make it straightforward, and thus easy to understand and implement.<sup>30</sup>

While the Code has increased awareness of sexual exploitation of children within the international travel and tourism sector, ultimately the value of its work can only be assessed at the national level in tourism destinations where the sexual exploitation of children takes place.

## 2.4. Regional Political Standards and Commitments

At the regional level political bodies and organisations have adopted human rights treaties relevant to protecting children from sexual exploitation, although most do not specifically address this offense in the context of travel and tourism (see Box 4):

### Box 4 – Regional political standards and commitments

- African Charter on the Rights and Welfare of the Child (1990)
- Inter-American Convention on International Traffic in Minors (1994)
- Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (1994)
- Council of Europe Convention on Cybercrime (2001)
- SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002)
- SAARC Convention on Regional Agreements for the Promotion of Child Welfare in South Asia (2002)
- League of Arab States' Arab Charter on Human Rights (2004)
- Council of Europe Convention on Action against Trafficking in Human Beings (2005)
- Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (2007), also known as the Lanzarote Convention
- ASEAN Convention Against Trafficking in Person, Especially Women and Children (2015).

<sup>29</sup> <http://www.thecode.org/about/history/> (Accessed 25 March 2016).

<sup>30</sup> Code website: <http://www.thecode.org/about/> (Accessed 25 March 2016).

#### 2.4.1 Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

Of the regional treaties, the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, also known as the Lanzarote Convention<sup>31</sup> constitutes the most comprehensive legal tool for protecting children from sexual abuse and exploitation. It is the first international human rights treaty to provide a definition of sexual abuse and to introduce provisions to protect children from “grooming” by sexual offenders. The Convention is open for ratification by the 47 Council of Europe member states as well as other, non-member countries, thus setting standards for regions outside Europe and providing an important framework for international action.

The Lanzarote Convention addresses sexual exploitation of children in travel and tourism from different perspectives, as part of an overall strategy to prevent and respond to sexual abuse and exploitation of children.

Article 9 requires countries to encourage the private sector – in particular the information and communication technology, tourism and travel and banking and financial industries – as well as civil society to participate in the elaboration and implementation of policies to prevent sexual exploitation and sexual abuse of children and to implement internal norms through self-regulation or co-regulation.

Article 25 introduces a specific provision on *jurisdiction*, making it possible to prosecute perpetrators who commit sexual offences against children in countries where such conduct is not criminalised.

A major advance is that for the most serious offences in the Convention, the principle of *double criminality* no longer applies. This means that perpetrators can be prosecuted once they return to their country of nationality for offences contained in the Convention that they committed abroad, even though the offence was not prohibited in both the perpetrator’s country of origin and in the country where the offence was committed. This provision represents a major advance toward prosecuting perpetrators of sexual exploitation of children in the context of travel and tourism.

Article 26 addresses *corporate liability*, with the intention that commercial companies, associations and similar legal entities be liable for criminal actions performed on their behalf by anyone in a leadership position, such as a director. It also covers liability in cases where someone

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<sup>31</sup> For the full text please see: <http://www.coe.int/en/web/conventions/full-list/-/conventions/rms/0900001680084822> (Accessed 25 March 2006).



in a leadership position fails to supervise or check on an employee or agent of the company, enabling the latter to commit offences of sexual exploitation or abuse. The corporation's liability may be criminal, civil or administrative, as long as the sanction or measure is "effective, proportionate and dissuasive", and may also include monetary sanctions. Importantly, it does not exclude individual liability (article 27).

Lastly, article 38 addresses the importance of international cooperation, stressing that state parties are obligated to cooperate widely to prevent and combat sexual abuse and exploitation of children (including in investigations and procedures tied to criminal offences established in the Convention), as well as to protect and provide assistance to victims.

In 2013 the Council of Europe followed up with a *Resolution against Sex Tourism* that provides clear guidance to member states on how to stem and counteract child sexual abuse and exploitation by travelling sex offenders.

#### *2.4.2 Other Regional Commitments*

Regional political bodies and organisations in Europe, Asia, Latin America and the Caribbean, have also made political commitments aimed at mobilising action in member countries to protect children from sexual exploitation in travel and tourism, as described below.

**Western Europe** has long been recognised as a major source of travelling sex offenders, and since the 1990s significant efforts have been made by the European Union (EU) to address child sexual exploitation, including in the context of travel and tourism. Following 1996 EU Commission statement on this topic, '*Communication from the Commission on Combating Child Sex Tourism*', the European Commission, European Parliament and European Council have all adopted communications, resolutions, framework decisions and international policy documents intended to urge member governments and the tourism industry to take concrete action to protect children from sexual exploitation in travel and tourism.<sup>32</sup>

These documents urge countries to: enact and enforce legislation to punish offenders for crimes committed against children abroad; strengthen cross-border judicial cooperation; and take preventative measures, in collaboration with national tourism authorities such as coordinated public information and awareness-raising campaigns, staff training, self-regulatory mechanisms and codes of conducts. Member states are also urged to take criminal and administrative measures (withdrawal of license, fines etc.) against travel agencies and tour operators to prevent the promotion of travel for the purposes of sexual exploitation.

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<sup>32</sup> Innocenti Research Centre, 2009, unpublished, *op. cit.*

In 2011 the EU adopted a ‘Directive on combating the sexual abuse and sexual exploitation of children and child pornography’, which urges member states to prevent and prohibit the dissemination of materials advertising the opportunity to commit any of the offences listed under the Directive, as well as the organisation of travel arrangements with the purpose of committing any offences referred to in the Directive. Member states are also urged to consider reinforcing codes of conduct and self-regulatory mechanisms in the tourism industry, and establishing explicit policies to tackle this problem. In 2011, the EU also endorsed the UNGPs on Business and Human Rights in its corporate social responsibility strategy, and committed to supporting their implementation through the development of country action plans.

**Latin America:** Regional political institutions and policy-making bodies in the Americas have also adopted a series of political commitments to protect children from sexual exploitation, including in travel and tourism. For example, the Inter-American Children’s Institute (IIN), a specialised technical agency of the Organisation of American States (OAS),<sup>33</sup> developed a regional strategy to address sexual exploitation and established the ANNAObserve website ([www.annaobserva.org](http://www.annaobserva.org)), offering a platform for the exchange of good practices in the region. Over the past decade, tourism authorities in Central and South America were also mobilised to address this issue.

In 2004 a *Regional Declaration on the Prevention of Sexual Exploitation in Tourism in Central America and the Dominican Republic* was adopted by ministers of tourism from six Central American countries (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama) and the Dominican Republic and Federation of Chambers of Tourism of Central America (FEDECATUR), at a regional meeting convened in El Salvador by the Central America Integration System, FEDECATUR and UNICEF.<sup>34</sup> The Declaration commits actors to developing a regional action plan to prevent sexual exploitation of children in the travel and tourism sector. This resulted in two consecutive regional plans of action, agreed in 2005-2006 and 2007-2008, with corresponding national road maps in the six countries concerned. (Implementation of regional and country road maps is addressed below.)

The first meeting of South American tourism ministers and high-level authorities, held in 2005, formed the Regional Task Force of the Americas (GARA) to develop a regional action plan and corresponding national road maps. The countries meet annually to follow up on actions defined in the regional plan. Participating countries are: Argentina, Bolivia, Brazil, Chile, Colombia,

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<sup>33</sup> See all OAS resolutions AG/RES. 2486 (XXXIX-O/09), AG/RES. 2548 (XL-O/10), AG/RES. 2686 (XLI-O/11) y AG/RES. 2686 (XL-O/11), AG/RES. 2707 (XLII-O/12), AG/RES. 2771 (XLIII-O/13) and AG/RES. 2828 (XLIV-O/14) at: <http://www.oas.org/consejo/sp/AG/resoluciones-declaraciones.asp>. *Regional Report of Latin America on the Commercial Sexual Exploitation of Children: Developments, Progresses, Challenges and Recommended Strategies*, ECPAT International, November 2014.

<sup>34</sup> UNICEF (2005), “*Prevention of Commercial Sexual Exploitation of Children and Adolescents: Contributing to a Sustainable Tourism in Central America*” Panama: UNICEF

Ecuador, Paraguay, Peru, Surinam, Uruguay and Venezuela. Costa Rica, Cuba, Curaçao, the Dominican Republic and Mexico; the UNWTO and UNICEF participate as observers.<sup>35</sup> The Andean Community of Tourism Authorities (comprising Bolivia, Colombia, Ecuador and Peru) also developed activities to prevent sexual exploitation of children, including in the context of travel and tourism, in coordination with GARA.

**Asia** is another region with a long-standing commitment to addressing child sexual exploitation in travel and tourism, reaching back to the 1990s when the high level of demand by foreign tourists for children in prostitution was first recognised. ASEAN has taken action to prevent sexual exploitation of children in tourism through various regional efforts. In 2002, member states (Brunei, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam) adopted the ASEAN Tourism Agreement, reaffirming their adherence to the UNWTO Global Code of Ethics for Tourism. In 2004 the ASEAN regional task force to prevent child sex tourism, established with the support of the Australian Government and the NGO Child Wise, developed a regional strategy and action plan to improve coordination among member states in preventing sexual exploitation of children in the context of travel and tourism. The Task Force meets annually; one of its achievements was a joint ASEAN Regional Education Campaign launched in 2005 and implemented in all 10 countries.<sup>36</sup> To further strengthen the sustainability of responses ASEAN adopted a five-year plan, the South East Asian Plan, for preventing the sexual exploitation of children in tourism destinations (2009-2013), which also involved the private sector.

Finally, in 2005 SAARC established the 'South Asian Initiative to Prevent Violence against Children', one priority of which is to address sexual abuse and exploitation. The regional work plan for 2010-2015 singles out sexual exploitation of children in the context of travel and tourism, as a pervasive violation of children's rights in South Asia.<sup>37</sup>

Photo: On 8 March 2016, a girl stands in front of a fence watching older girls play a volleyball match at the UNICEF-supported Marillac Hills Centre in the city of Muntinlupa, in Metro Manila, Philippines. The government-run shelter is a safe haven for girls who have been physically and sexually abused, with many exploited through live streaming of child sexual abuse and the sex tourism industry. © UNICEF/UN014940/Estey



<sup>35</sup> *Acta de la VII Reunión del grupo de Acción Regional de las Américas (GARA) para la Prevención de la Explotación Sexual de Niñas, Niños y Adolescentes en Viajes y Turismo*. Ministry of Tourism, Ecuador, 2014.

<sup>36</sup> Child Wise Tourism (2007), *ASEAN Child Sex-Tourism Review: An Outcome of the Annual Meeting of the ASEAN Regional Taskforce to Combat the Sexual Exploitation of Children in Tourism Destinations*.

<sup>37</sup> SAIEVAC, "Workplan 2010-2015", accessed 5 August 2015, <http://www.saievac.org/wp-content/uploads/2011/12/SAIEVAC5YEAR0WORKPLAN2010.pdf>.

### 3. NATIONAL RESPONSES TO PREVENTION OF SEXUAL EXPLOITATION OF CHILDREN IN THE CONTEXT OF TRAVEL AND TOURISM

The adoption of international human rights treaties, political commitments and pledges by the travel and tourism sector has inspired and mobilised stakeholders in individual countries to take action, resulting in combined government/ private sector/civil society approaches. Initiatives were developed to deal with the responsibilities of each sector separately, but many are cross-sectoral, with multi-stakeholder involvement. For some of the actions described below, responsibility lies clearly with one partner, while some are joint responsibilities and in others, participation of all stakeholders is required. This section provides an overview of national-level initiatives taken by governments, civil society and the private sector, both as single- and multi-stakeholder initiatives.

Experience from these efforts has shown that many initiatives flourish when different stakeholders participate, but that it is essential to have clarity about who is ultimately responsible for obtaining results and impact, as well as for sustainability and continuity (especially in relation to financing).<sup>38</sup>

#### 3.1 Legislative Measures

With the near universal adoption of the CRC and the OPSC and the adoption of regional human rights treaties, significant progress has been made over the past two decades in achieving universal legal protections for children against sexual abuse and exploitation. As a result, an increasing number of countries are aligning their national laws with international human rights standards, criminalising all forms of sexual exploitation and abuse of children and ensuring that child victims receive appropriate support services. In 2013, 96% of government responses to the global survey on violence against children by the United Nations Special Representative of the Secretary-General on Violence against Children, indicated that sexual exploitation of children, including in prostitution, is prohibited in their country.<sup>39</sup>

More and more countries are also passing laws to protect children from new and evolving forms of sexual exploitation and abuse facilitated by advances in information and communication technologies. For example, New Zealand, Singapore, South Korea and the Philippines have legislation protecting children from grooming. Countries' adoption of extraterritorial jurisdiction is another important step in protecting children from sexual exploitation in the context of travel and

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<sup>38</sup> Defence for Children -ECPAT Netherlands, (2013), "Protection of children against sexual exploitation in tourism, capacity building and awareness raising activities in Thailand, Cambodia, Philippines, Gambia and Dominican Republic"

<sup>39</sup> Office of the Special Representative of the Secretary-General on Violence against Children (October 2013), *Toward a World Free of Violence: global survey on violence against children*.

tourism, since it allows for prosecution of offenders under national laws in the home country. The 172 state parties to the OPSC have agreed to this principle, and many have adopted separate extraterritorial legislation.

Australia, Canada, Japan, New Zealand, the U.S. and most countries in Europe and Latin America have extraterritorial legislation. In other regions, such as Middle East and North Africa, South Asia and the Pacific Island nations, extraterritorial legislation appears to be limited or largely absent.<sup>40</sup> An obstacle in many countries is that the victim, or the country of origin, are required to file a complaint on the crime before extraterritorial jurisdiction can be applied. Another obstacle is the double criminality requirement for offences concerning child sexual exploitation, which, as described earlier, means that the offence must be prohibited both in the perpetrator's country of origin and in the country where the offence was committed. With the Lanzarote Convention, this obstacle has now been removed, constituting a positive step for countries that ratified that Convention.

A number of countries regulate or restrict the movements of convicted sex offenders, with the aim of protecting children from sexual exploitation in destination countries. Such efforts mainly target preferential offenders, who are more likely to be known to authorities. In South Korea, the Passport Act allows the restriction or confiscation of passports of nationals who have committed offences abroad.<sup>41</sup> This practice is also implemented in Australia, which requires seven days' notification for foreign travel by convicted sex offenders.<sup>42</sup> In the UK, the Sexual Harm Prevention Orders and Sexual Risk Orders, which came into force in 2014, regulate the restriction of movement for convicted sex offenders. The Dutch Criminal Code allows for restrictions on the movement of convicted child sex offenders with a high risk of recidivism (determined on a case-by-case basis) and the Dutch Passport Act makes it possible to refuse a passport to a person convicted for child sexual exploitation within the previous 10 years, or to cancel his or her existing passport.<sup>43</sup>

An increasing number of countries have also adopted provisions for holding the travel and tourism sector, including corporations, accountable for the protection of children against sexual exploitation in the context of travel and tourism.<sup>44</sup> For example, provisions of Australia's Criminal Code on sexual offences against children committed outside the country are also applicable to individuals (such as situational offenders) and companies. The Criminal Code also makes it an

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<sup>40</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism, Regional Reports for the Pacific Region and Middle East and North Africa*.

<sup>41</sup> ECPAT International (November 2014), *Regional Report of East and South Asia on the Commercial Sexual Exploitation of Children: Developments, Progresses, Challenges and Recommended Strategies*.

<sup>42</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional Report for the Pacific*.

<sup>43</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional Report for Europe*.

<sup>44</sup> ECPAT International (2015), "Corporate responsibility and liability in cases of sexual exploitation of children in travel and tourism."

offence for a person to prepare or plan to commit a child sex offence, including collecting information about tourism in a particular location, making contact with tour operators promoting child sexual exploitation and booking flights and accommodation. Offenders can be prosecuted and convicted under extra-territorial legislation based on their intent to sexually abuse children, even though no child was actually harmed. Australia's legislation also criminalises activities that promote or advertise sexual exploitation in travel and tourism.<sup>45</sup> In New Zealand, travel arrangements or transportation related to sex tours involving children is criminalised. This includes the purchase or reservation of tickets for travelling outside the country or accommodation in a country outside New Zealand.<sup>46</sup>

In Europe, the Lanzarote Convention and EU Directive 2011/92 make corporations subject to liability when involved in the crime directly or due to lack of supervision, including operational sanctions for the companies and extraterritorial measures to punish offenses committed abroad by a company or for its benefit.<sup>47</sup> Malta criminalises the promotion of child sexual exploitation in the travel and tourism industry, and calls for two-to-five years of imprisonment for those convicted of publicising or organising travel linked to child sexual exploitation. In Italy, anyone who organises or promotes travel abroad that promotes child sexual exploitation, or encourages such activity, is liable to imprisonment and a fine under national criminal laws. The Criminal Code also provides penalties for those who promote tourist initiatives aimed at child sexual exploitation, with sanctions such as confiscation of goods, closure of business and revocation of business permits, as well as a perpetual ban from work in any establishment mainly attended by minors. Legislation even makes it mandatory for tour operators to repudiate sexual exploitation of children in travel and tourism in their promotional materials, and for tour operators organising group or individual travel outside the country to insert a warning in printed materials and advertising, itineraries and other travel documents that it is a crime punished by law, even if committed abroad.<sup>48</sup>

In the UK, legislation allows the police to require tourism establishments to provide information about guests when there is reasonable suspicion that child sexual exploitation is taking place. In 2015, new legislation was passed mandating all companies (above a defined turnover) to publish an annual statement about measures taken to ensure that no human trafficking is occurring in their business and supply chains, or to prepare a statement that the organisation has taken no such steps.<sup>49</sup> In the U.S., many individual states have laws against promoting prostitution that can be used to prosecute sex tour operators.<sup>50</sup>

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<sup>45</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional Report for the Pacific*.

<sup>46</sup> *Ibid.*

<sup>47</sup> ECPAT International (2015), "Corporate responsibility".

<sup>48</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional report for Europe*.

<sup>49</sup> ECPAT International (2015), *Corporate responsibility; Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional report for Europe*.

<sup>50</sup> ECPAT International (2015) *Corporate responsibility; ECPAT International (2016) Global Study on the Sexual Exploitation of Children in Travel and Tourism, Regional Report on North America*.

India does not have specific national legislation addressing sexual exploitation of children in the context of travel and tourism, but the 'Protection of Children from Sexual Offences Act 2012' includes provisions for mandatory reporting by any person who learns of a suspected case of child abuse or child sexual exploitation, including personnel at media, hotel, lodge, hospital, club, studio or photographic facilities.<sup>51</sup> At the state level the Goa Children Act 2003 and Rule 2004 explicitly address crimes related to tourism and child sexual abuse.

At least nine Latin American countries (Colombia, Costa Rica, the Dominican Republic, Ecuador, Guatemala, Mexico, Nicaragua, Panama and Peru) have criminal laws prohibiting sexual exploitation of children in travel and tourism.<sup>52</sup> In Costa Rica, 2013 legislation punishing the act of depicting the country as a destination for sex tourism was passed, and tour operators are prohibited from promoting or facilitating the sexual exploitation of children. Peru's General Tourism Law of 2009 makes tourism service providers responsible for preventing child sexual exploitation by communicating, disseminating and publishing the law against sexual exploitation. Panamanian law punishes the intent to promote, direct, organise, publicise, invite, facilitate or manage child sexual exploitation in travel and tourism.

Colombia's Penal Code criminalises child sexual exploitation in the context of travel and tourism, and various laws establish liability of the travel and tourism industry supply chain (including airlines, hotels, or other accommodation) and set out administrative punishments such as fines and suspension of national tourism licenses. The law also makes it compulsory for companies to sign the Code of Conduct in order to receive their operating licenses.

Despite advances such as these, major challenges remain in providing children with adequate legal protection against sexual exploitation in the context of travel and tourism. In at least one-third of all countries worldwide, legal provisions for protecting children from sexual abuse and exploitation are inadequate. Either they fail to protect children from all forms of sexual exploitation or they do not adequately protect all children up to age 18, treat child victims as offenders or fail to provide adequate protections for boys.<sup>53</sup> In addition, many countries do not have extraterritorial laws or face obstacles in their application. Many countries also lack laws on corporate liability.

## 3.2 Law Enforcement

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<sup>51</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional report for South Asia*.

<sup>52</sup> ECPAT International (2015), *Regional Report of Latin America on the Commercial Sexual Exploitation of Children: Developments, Progress, Challenges and Recommended Strategies*; ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional report Latin America*.

<sup>53</sup> Office of the Special Representative of the Secretary-General on Violence against Children (October 2013), *Toward a World Free of Violence: Global survey on violence against children*; ECPAT International (2016) *Global Study on the Sexual Exploitation of Children in Travel and Tourism*, Regional report for Europe.

Enforcing laws that protect children from sexual exploitation in the context of travel and tourism continues to pose a major challenge. Some progress toward putting in place mechanisms and capacity to enforce legislation and prosecute child sex offenders has nonetheless been made.

Extraterritorial legislation is an important mechanism to bring offenders to justice in cases of child sexual exploitation in the context of travel and tourism. However the effective use of extra territorial legislation varies between countries. While the U.S. convicted more than 200 child sex offenders who committed crimes overseas between 2003-2013, Canada only had seven successful prosecutions by 2015.<sup>54</sup>

A number of countries have regulations that restrict movement for convicted or charged sex offenders, with the aim of protecting children in destination countries. In the US, under “Operation Angel Watch” individuals traveling to foreign countries who have been convicted of a sexual crime against children are registered and can be denied the entry to a high-risk country or be subjected to closer scrutiny in the country at the border. However, the successful implementation of this strategy depends on the cooperation between US authorities and authorities in the country of destination of the offender.<sup>55</sup>

In Australia both convicted child sex offenders and those charged with offenses, but not yet convicted, are registered in the National Child Offense System. A person registered in the system cannot travel without informing the authorities about the intended plans, and the person’s passport can be cancelled upon suspicion that the person will cause harm overseas.<sup>56</sup> To implement this strategy the Australian Federal Police has liaison officers in key regional locations, who work with local authorities, NGOs, partners and the tourism sector to exchange relevant information.<sup>57</sup>

Europol, as part of the project ‘Halting European Abusing Victims in Every Nation’ Project (HAVEN), has established a European travel notification system to deter travelling sex offenders originating from EU countries from committing offenses inside or outside Europe. In 2013, Operation RAVEN (Recording Europeans Abusing Victims in Every Nation) was launched, focusing on gathering intelligence on persons with a sexual interest in children in the EU. In 2012, the European Criminal Records Information System (ECRIS) was also established to connect criminal records databases and exchange information promptly and uniformly on convictions by EU countries by electronic means.<sup>58</sup> INTERPOL also issues “green notices” to provide warnings

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<sup>54</sup> ECPAT International (2016) *Global Study on the Sexual Exploitation of Children in Travel and Tourism*, Regional Report on North America.

<sup>55</sup> ECPAT International (2015, draft). *Promising practices*.

<sup>56</sup> Australian Federal Police (2015), *Thematic Paper. Australian travelling child sex offenders: Strengthening cooperation between law enforcement agencies and analysing trends*; ECPAT International (2015), “Right to Privacy Child Sex Offenders versus child Protection.”

<sup>57</sup> *Ibid.*; ECPAT International (2016) *Global Study on the Sexual Exploitation of Children in Travel and Tourism*: Regional Report for the Pacific.

<sup>58</sup> ECPAT International (November 2014), *Regional Report of Europe on the Commercial Sexual Exploitation of Children: Developments, Progresses, Challenges and Recommended Strategies*.



and intelligence about persons who have committed child sexual abuse in the past and are likely to reoffend.<sup>59</sup>

Efforts have also been made to improve the capacity of law enforcement agencies to effectively investigate crimes, and to enhance cooperation among law enforcement agencies in the countries concerned. In the UK, the national police Child Exploitation and Online Protection Centre has developed an International Child Protection Network, which supports frontline child protection partners in overseas jurisdictions. It includes advisory panels, which are stakeholder groups that collaborate to enhance intelligence flows and support the strategic and tactical work among countries to combat sexual exploitation of children in the context of travel and tourism. Advisory panels are established in Bangladesh, Bulgaria, Cambodia, Lao PDR, the Philippines, Poland, Romania, Spain, Thailand, Ukraine and Viet Nam.<sup>60</sup>

In Asia, Thai authorities collaborate with the New Zealand police department to support the work of a liaison officer to improve the flow of information regarding offenders from New Zealand. Australia, together with UNODC and INTERPOL, has supported capacity building and cooperation among law enforcement in relation to child sexual exploitation in the context of travel and tourism.<sup>61</sup> In 2013, Japan's National Police Agency hosted the 12<sup>th</sup> Conference of Investigators on Commercial Sexual Exploitation of Children in Southeast Asia to exchange information between Japanese police and their counterparts in Thailand, Cambodia, the Philippines and Indonesia – countries that receive highest numbers of Japanese child sex offenders.<sup>62</sup>

In Latin American and other destination countries, UNICEF, ILO-IPEC, IOM, ECPAT and other international organisations have supported capacity building of law enforcement and the justice sector on the effective investigation and prosecution of offenses in relation to sexual exploitation of children in travel and tourism, without re-victimising the child in the process.

Cooperation was also established at the judiciary level through Eurojust, the EU Judicial Cooperation Unit, which was established in 2002 to provide judicial cooperation among countries in different crimes, including child trafficking, child abuse on the Internet and sexual exploitation of children in travel and tourism. In 2007 a "Contact Point for Child Protection Issues" was established to work closely with national law enforcement agencies, as well as with Europol, Interpol and other partners, in child protection.<sup>63</sup>

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<sup>59</sup> INTERPOL (n.d.), *Connecting police and NGOs for the safety of children*.

<sup>60</sup> UNWTO (2014), *15 Years of the UNWTO World Tourism Network on Child Protection: A Compilation of Good Practices*.

<sup>61</sup> *Ibid.*

<sup>62</sup> ECPAT International (November 2014), *Regional Report of East and South Asia on the Commercial Sexual Exploitation of Children: Developments, Progresses, Challenges and Recommended Strategies*.

<sup>63</sup> *Regional Report of Europe on the Commercial Sexual Exploitation of Children: Developments, Progresses, Challenges and Recommended Strategies*. ECPAT International, November 2014.

While progress has been made in criminalising all forms of sexual exploitation of children, and establishing mechanisms and capacity of law enforcement authorities and the justice sector to prosecute crimes related to sexual exploitation of children in the context of travel and tourism, challenges remain. Most of the examples provided are from high-income countries, and capacity still remain weak in many low- and middle-income countries in relation to investigation and prosecution of crimes of sexual exploitation of children. Further investment is required to bring offenders to justice and end impunity. Moreover, most efforts seem to focus on apprehending preferential sex offenders, with less focus on situational offenders, although many of the children exploited by travellers and tourists are also victimised by situational offenders.

### 3.3 National Plans of Action

Countries that signed on to the Stockholm Agenda for Action committed to developing national plans of action (NPAs) to address sexual exploitation of children. The existence of an NPA with strategic and timely goals in line with the country context, and the efforts made to implement the plan, has often been used as a basis for evaluating and assessing the depth of countries' commitment to addressing child sexual exploitation.

There is no recent global assessment of the action plans developed. The literature reviewed suggests that several countries continued to adopt action plans during the past decade (2005-2016) but it is difficult to gauge how many countries have adopted specific action plans to address child sexual exploitation, and which plans are still in operation. Overall, the regions most active in developing action plans are Western Europe, Latin America, East and Southeast Asia and to some extent sub-Saharan Africa and South Asia.<sup>64</sup> In Eastern Europe, the Middle East and North Africa and the Pacific, fewer countries seem to have developed such plans.<sup>65</sup>

NPAs differ in relation to content and to the level of involvement of different stakeholders. In Latin America; Europe; South Asia, East Asia and Southeast Asia; and sub-Saharan Africa<sup>66</sup> some countries have developed stand-alone action plans specifically addressing sexual exploitation of children. For example, in 2001, Japan adopted such a plan<sup>67</sup> and Chile implemented a second plan of action during 2012-2014. While some of these plans specifically address the role of travel and tourism, others do not. For example, in Europe and South Asia, it appears that countries that

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<sup>64</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism*, Regional reports for South Asia, Europe and Latin America.

<sup>65</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism*, Regional Reports for Europe, Middle East and North Africa and the Pacific.

<sup>66</sup> *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional report for South Asia*. ECPAT International, 2015; *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional report for Europe*. ECPAT International, 2015; *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional report Latin America*. ECPAT International, 2015

<sup>67</sup> Innocenti Research Centre (2009, unpublished), *op. cit.*

developed action plans to protect children from sexual exploitation rarely included measures related to travel and tourism.<sup>68</sup>

However, a few countries have specific plans targeting the travel and tourism sector. Sri Lanka adopted a National Plan on Eradication of Child Sex Tourism in 2006.<sup>69</sup> The plan emphasises the need for community awareness and capacity building of stakeholders in the travel and tourism industry such as hoteliers, tour operators, airports, police councils and hotels. However, it appears to insufficiently address child protection and the need for collaboration between government and other stakeholders such as NGOs, civil society and private sector.<sup>70</sup> In Cambodia, a Strategic Plan (2007-2009) to prevent trafficking in children and women for labour and sexual exploitation in the tourism industry was developed, but it is unclear if the plan has been implemented.<sup>71</sup> In the Netherlands, an Action Plan against Child Sex Tourism was adopted in 2013. It focuses on prevention, prosecution and cooperation with NGOs and the travel sector, and includes an awareness-raising campaign to warn Dutch nationals that child sexual abuse is a criminal offence and provide information to the general public about how to report suspicious activities. Colombia has a national strategy for the prevention of sexual exploitation of children in travel and tourism, which is implemented by the Minister of Commerce, Industry and Tourism, in coordination with the Social Welfare Ministry, as part of a broader policy on responsible tourism.<sup>72</sup>

Many countries in East and South East Asia, South Asia, Latin America, Europe and sub-Saharan Africa have addressed the issue of sexual exploitation of children within the broader context of trafficking in human beings and/or worst forms of child labour,<sup>73</sup> some of these plans address sexual exploitation of children in travel and tourism, while others do not. In 2009 Indonesia launched a National Action Plan for the Eradication of Human Trafficking and Child Sexual Exploitation, involving several ministries and the National Police. The Ministry of Tourism and Creative Economy also developed a Tourism Awareness Program, involving hotels, travel agencies and stakeholders in an awareness-raising campaign for tourists and the tourism industry.<sup>74</sup>

An increasing number of countries in Europe, East and Southeast Asia, Latin America and sub-Saharan Africa appear to address the sexual exploitation of children within broader policy frameworks on violence against children, child protection and children's rights – as opposed to

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<sup>68</sup> ECPAT International (2016) *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional reports for South Asia and Europe*.

<sup>69</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional report for South Asia*.

<sup>70</sup> *Ibid.*

<sup>71</sup> Innocenti Research Centre (2009, unpublished), *op. cit.*

<sup>72</sup> <http://fontur.com.co/productos-y-servicios/programa-de-prevencion-de-la-escnna/22>

<sup>73</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism*, Regional Reports for South Asia and Latin America.

<sup>74</sup> UNWTO (2014), *15 Years of the UNWTO World Tourism Network on Child Protection: A Compilation of Good Practices*.

through specific plans or policies, as was the case in the past.<sup>75</sup> In the Philippines, the Framework for Action on sexual abuse and commercial sexual exploitation of children was connected to the National Strategic Framework for Plan Development for Children for 2000-2015. In Costa Rica, the National Plan against Commercial Sexual Exploitation of Children and Adolescents 2008-2010 was integrated into the national development plan. In Peru, the annual plan of action against commercial sexual exploitation is implemented within the framework of the National Plan of Action for Children and Adolescents 2012-2021. The Brazilian Government, NGO community and UN agencies based in the country developed the “Convergence Agenda of Promotion, Protection and Defence of the Rights of Children and Adolescents in Great Events” before mega-sporting events.<sup>76</sup> In Africa, Angola and Burkina Faso have adopted plans to address violence against children, which also intend to deter child sexual exploitation.<sup>77</sup>

While the integration of measures to address child sexual exploitation into broader child protection and violence strategies is a welcome move, it is important that specific measures and budget are allocated to prevent and respond to sexual abuse and exploitation in all contexts, including in travel and tourism.

More and more countries are also developing national action plans to implement the UNGPs for Business and Human Rights. In 2011 the EU endorsed the UNGPs in its CSR strategy and committed to supporting their implementation through action plans developed in individual countries. A number of EU countries have done so, including Denmark, Finland, Italy, the Netherlands and the UK. In the Netherlands, the House of Representatives requested that the Dutch government translate the UNGPs into an action plan, and created an inter-ministerial working group to oversee its development and implementation. The group compared the UNGPs to current national policy and, following broad-based consultations, identified the most important viewpoints and ideas on the action plan. A ‘National Action Plan on Business and Human Rights’ was finalised in 2013, and the Dutch Government began to make specific arrangements (the so-called IMVO covenants) with a number of economic sectors, especially those where there is a high risk of human rights violations.<sup>78</sup> A number of countries in other regions have also started the preparations and drafting of such action plans.<sup>79</sup> For example, in the U.S., the Government is in the process of developing a *National Action Plan on Responsible Business Conduct*, with inputs

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<sup>75</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism*, Regional Reports for Europe, East Asia, South Asia and Latin America.

<sup>76</sup> UNICEF Brazil Annual Report (2014), UNICEF; New York.

<sup>77</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism*, *Regional Report for Sub-Saharan Africa*.

<sup>78</sup> Netherlands Ministry of Foreign Affairs (April 2014), “National Action Plan on Business and Human Rights” , <http://business-humanrights.org/sites/default/files/documents/netherlands-national-action-plan.pdf>

<sup>79</sup> Business & Human Rights Resource Centre (n.d.), “National Actions Plans”, accessed 18 April 2016, <http://business-humanrights.org/en/un-guiding-principles/implementation-tools-examples/implementation-by-governments/by-type-of-initiative/national-action-plans>

by ECPAT USA on the use of voluntary instruments to prevent child rights violations, including in the hospitality industry.<sup>80</sup>

### 3.4 Coordinating Stakeholder Involvement

To develop NPAs, coordinate action and monitor implementation, some countries have established multi-stakeholder committees, representing an expression of Government commitment to address the issue in a sustainable manner through a formal institutional structure with multiple stakeholders. The committees established normally have representatives from different branches of government/the public sector including justice, social welfare, education, tourism, international trade, transport as well as civil society and the private tourism sector, including tourism associations, as well as from international organisations such as UNICEF, ILO and ECPAT International among others.<sup>81</sup>

From the literature reviewed, it is not possible to assess how many countries have established or have in place such commissions/committees. However in Latin America, many of the initiatives to prevent sexual exploitation of children emerged from the work of these committees and most countries have national programmes or projects aiming to prevent sexual exploitation of children in travel and tourism, mainly focused on training and awareness-raising strategies.<sup>82</sup> In countries where the national tourism body has demonstrated strong commitment to address the issue, and where there is a specific plan to address sexual exploitation of children, initiatives seem to have increased significantly.<sup>83</sup> Moreover, in Latin America national chambers of tourism and regional tourism associations have been involved in mobilising individual companies to raise awareness of and adopt national Codes of Conduct.<sup>84</sup>

In South Asia, few mechanisms have been established to directly tackle sexual exploitation of children in travel and tourism, but every country has a national action group to coordinate efforts to end violence against women and children. Yet it is unclear to what extent these mechanisms are functioning.<sup>85</sup> For example, in New Zealand, an NPA known as “Protecting Our Innocence”, which addressed sexual exploitation of children in travel and tourism, was finalised in 2001. But subsequent research by the Ministry of Justice and ECPAT Child Alert revealed that the plan was

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<sup>80</sup> Camelia Tepelus and Michelle Guelbart (2014), “ECPAT USA Input to the White House National Action Plan on Responsible Business Conduct” (15 December 2014), accessed 20 May 2015, <https://d1fkwa1hd8qd6y.cloudfront.net/FAC7232F-1B5F-434C-BA49-99BE850A5A91/a8fb9303-913c-4c8b-ae2a-a0714f99da08.pdf>.

<sup>81</sup> Innocenti Research Centre (2009, unpublished), *op. cit.*

<sup>82</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional report on Latin America*.

<sup>83</sup> *Ibid.*

<sup>84</sup> UNICEF (2005), “Prevention of Commercial Sexual Exploitation of Children and Adolescents: Contributing to a Sustainable Tourism in Central America”, Panama: UNICEF and UNICEF TACRO (2007), “Final Programme Report to the Italian Cooperation, Project A Strategy to combat the abuse, exploitation and trafficking of children and adolescents in the Central America Isthmus” and [http://www.unicef.org/lac/overview\\_22446.htm](http://www.unicef.org/lac/overview_22446.htm), accessed 4 April 2016.

<sup>85</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional report for South Asia*.

not widely implemented and that inter-agency coordination was minimal among the 15 government agencies and four NGOs involved.<sup>86</sup>

In Europe, while most countries have mechanisms to monitor CRC implementation and/or government agencies dealing with child protection or children's issues, no country appears to have a specific body in charge of coordinating and monitoring policies and initiatives addressing sexual exploitation of children in travel and tourism. However, in the Netherlands the Ministry of Security and Justice established a working group in 2013, including stakeholders from the tourist industry, the public prosecutors' office and relevant NGOs to oversee and contribute to the implementation of the national plan of action against child sex tourism. In Austria, a Roundtable on Ethics in Tourism was set up in 2005, bringing together NGOs, the tourism industry and ministry representatives. In Germany, child trafficking and child sexual exploitation in travel and tourism are addressed by a working group involving federal ministries, representatives of the Federal Council, the German Cities Council and NGOs.<sup>87</sup>

While coordination at the national level is critical, similar coordination needs to take place at the local level – in the communities where sexual exploitation of children takes place. There needs to be a clear division of responsibilities among different agencies and stakeholders involved, and between central government agencies and local administrations.

The literature points to a number of challenges in the implementation of action plans and in achieving sustained multi-stakeholder collaboration. One major obstacle is the lack of coherence among different policy frameworks and duplication of efforts. Other challenges include: insufficient allocation of financial resources; limited capacities; unclear division of responsibilities and poor coordination among agencies, including between local administrations and central government agencies; scarce participation by key actors, including civil society, the private sector and organisations working with affected children and adolescents; and a lack of evaluations to assess the impact of steps taken.

### **3.5 National Codes of Conduct**

The 1996 Stockholm Declaration called upon both public authorities and the private sector to take action to address the sexual exploitation of children. As a result, The Code was developed as an innovative (but voluntary) CSR initiative for the tourism industry. Over the years – with growing awareness of The Code – companies in more and more countries have adopted The Code and many have also adopted national versions with similar criteria but with their own monitoring and

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<sup>86</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional report for the Pacific*.

<sup>87</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism, Regional Report for Europe*.

implementation mechanisms. In Latin America, at least eight countries (Argentina, Brazil, Colombia, Costa Rica, the Dominican Republic, Honduras, Mexico and Nicaragua) have adopted codes of conduct (at the national or state level), spurred by regional advocacy and mobilisation of the private and public travel and tourism sector and promotion of The Code.

In a number of countries, however, governments did not want to leave implementation of The Code to the private sector. Instead they adopted national versions and implemented them through laws and regulations, often with very similar criteria and formulations, and called upon the industry to comply. In a number of those countries, however, from its origins as a voluntary, industry-driven instrument working throughout the value chain, signing the code has become, to some extent, obligatory. In some countries (see examples below), signing The Code became a necessary requirement for all businesses in need of a license to operate in the tourism sector. Whether or not an obligatory Code is more effective than a voluntary Code depends on a number of factors, such as the cultural context, available resources and the ability of civil society organisations, ministries of tourism and national chambers of tourism to provide capacity-building and monitor implementation, as well as the prevailing culture of stakeholder cooperation.<sup>88</sup>

When ECPAT's representative in the Gambia approached the Gambian Tourism Authority (GTA) in 2003 for cooperation on implementing The Code, the GTA immediately saw the potential for building more responsible and sustainable tourism in a country that was (and is) plagued by sex tourism. Evaluations show that awareness of the problem, both in general and in the tourism industry, is high. However, although children are rarely found in areas known for tourism, it is not uncommon to see Western men with young girls in the surrounding suburbs. One of the underlying problems is that since the Code is state-owned and obligatory for tourism businesses, the private sector relies on the state for its implementation, without assuming its own responsibility.<sup>89</sup>

In Brazil, as a follow-up to the First World Congress in Stockholm, the federal government and some states have implemented codes of conduct. As a result, the country has a set of national directives, as well as state-driven obligatory codes (in Pernambuco and Rio Grande do Norte), and even local codes (such as that of Arraial da Cabo in the state of Rio de Janeiro).<sup>90</sup>

In Nicaragua, as a result of companies' non-compliance with the national code of conduct, which initially was voluntary, the National Chamber of Tourism and Ministry of Tourism made adherence

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<sup>88</sup> Unpublished research by Frans de Man for ECPAT-NL in the framework of evaluation and comparison of implementation of The Code in Thailand, Cambodia, Philippines, Gambia, the Dominican Republic, Brazil and Colombia.

<sup>89</sup> Frans de Man and Adama Bah (2014), 'Don't Look Away': Be aware and report the sexual exploitation of children in travel and tourism, assessment of sexual exploitation of children related to tourism and reporting mechanisms in the Gambia, Defence for Children - ECPAT Netherlands.

<sup>90</sup> Retour Foundation (2015), Report on monitoring of achievements of ECPAT Brazil in the framework of the project "Reducing violence against children, with special focus on sexual exploitation of children and child sex tourism, ECPAT Netherlands.

to the national code and attendance at awareness-raising sessions obligatory for companies to be registered with the Ministry of Tourism and receive an operating license in the tourism sector.<sup>91</sup>

The voluntary “industry-driven” code in Colombia, implemented through the RENACER Foundation, has been very successful, partly because it also involves an obligatory “government-driven” code of conduct. Within its policy on responsible tourism, Colombia has a national strategy for preventing sexual exploitation of children in travel and tourism;<sup>92</sup> within this framework there is a legally binding code of conduct for the tourism industry. It was inspired by The Code but is more elaborate. In compliance with Colombian legislation, hotels have 11 legal obligations,<sup>93</sup> most of which coincide with elements of the Code.<sup>94</sup>

However, in an era of liberalisation and deregulation many governments choose policies of incentives, stimulating businesses to take responsibility, rather than regulating them. In areas where criminal law applies, involving violations of human rights and children’s rights, this approach is still rather new, but The Code and the UNGPs are showing the way. Monitoring and evaluation of new approaches is urgently needed to assess their results in different country contexts.

In Honduras, the Ministry of Tourism, together with the National Chamber of Tourism, UNICEF, UNWTO and ECPAT has promoted a national code of conduct as a voluntary initiative for companies, with implementation support from the National Chamber of Tourism, the Ministry of Tourism and UNICEF.<sup>95</sup>

The Indian Ministry of Tourism developed in 2010 a Code of Conduct for Safe and Honourable Tourism in collaboration with the UNODC, Pacific Asia Travel Association and Save the Children India.<sup>96</sup> The Indian Code provides guidelines for the tourism industry, and key messages for awareness-building and dissemination.

In Costa Rica, awareness-raising on the issue of sexual exploitation of children has led to a shift in the way the government approaches the issue.<sup>97</sup> The Code was integrated into the Costa Rican

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<sup>91</sup> <http://www.intur.gob.ni/prevencion-sexual-comercial-para-ninos-ninas-y-adolescentes/>; UNICEF website

<sup>92</sup> Estrategia nacional de prevención de la explotación sexual comercial de niñas, niños y adolescentes –ESCENNA- en viajes [http://www.ejecutortolima.gov.co/modulos/subprogramas/archivos\\_evidencias/Instructivo%20Talle%206%20Nov%202013%20Viceministerio.pdf](http://www.ejecutortolima.gov.co/modulos/subprogramas/archivos_evidencias/Instructivo%20Talle%206%20Nov%202013%20Viceministerio.pdf)

<sup>93</sup> <http://escnna.mincit.gov.co/> and <http://fontur.com.co/productos-y-servicios/programa-de-prevencion-de-la-escnna/22>

<sup>94</sup> Retour Foundation (2015), Report on monitoring of achievements of Renacer Colombia in the framework of the project “Reducing violence against children, with special focus on sexual exploitation of children and child sex tourism” ECPAT Netherlands.

<sup>95</sup> [http://www.canaturh.org/canaturh/images/pdf/SERVICIOS/codigo\\_conducta/codigoconducta.pdf](http://www.canaturh.org/canaturh/images/pdf/SERVICIOS/codigo_conducta/codigoconducta.pdf)

<sup>96</sup> UNODC (2013), “Regional Programme for South Asia – Promoting the Rule of Law and Countering Drugs and Crime in South Asia 2013-2015”, accessed 12 July 2015.

<sup>97</sup> <http://www.tourism.co.cr/combating-child-exploitation-tourism-in-costa-rica/index.html>



Institute of Tourism's certificate of sustainable tourism, and the Institute plays an important role in promoting The Code within the tourism industry.

Madagascar's national government, the ILO, UNICEF and the National Tourism Office signed an agreement in May 2015 to disseminate and implement a code of conduct for all stakeholders in the tourism sector, with actions designed to prevent the sexual exploitation of children.

## **3.6 Building Capacity in the Travel and Tourism Sector**

Training of staff in how to prevent sexual exploitation of children in travel and tourism is a key element of The Code. With more and more countries adopting national codes of conducts and companies in more and more countries adopting The Code, capacity building of staff has been a key strategy pursued by ministries of tourism and the private travel and tourism industry. Some of these initiatives have been government-led (usually by the ministry of tourism), others were spearheaded by the private sector and national chambers of tourism, in collaboration with civil society. Many have been joint government/private sector initiatives, often supported by international organisations such as ECPAT international and UNICEF.

### *3.6.1 Government and Civil Society Led Initiatives*

Governments have a direct responsibility for formal education, through setting criteria for the curriculum development at tourism schools and universities. Over the past decades, attention to sustainable and responsible tourism has found its way into the curricula of formal education for tourism. Given the critical role to be played by employees in the travel and tourism sector in preventing child sexual exploitation, this topic should be addressed in tourism education curricula.

For 20 years, Dutch educational institutes have cooperated with ECPAT Netherlands to include attention to the prevention of sexual exploitation of children in travel and tourism in their programmes at all levels of education, including universities and vocational training. Competitions have been held amongst tourism academies to come up with new instruments to fight child sexual exploitation in the context of travel and tourism. As part of the recent 'Don't Look Away' project, other European countries replicated this initiative, resulting in the training of more than 6,000 tourism students in nine countries.<sup>98</sup>

In the UK, Sheffield Hallam University delivers training on prevention of sexual exploitation of children in travel and tourism to university students studying for management degrees in the international tourism, hospitality and events industry, as part of their core studies. Recently, a

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<sup>98</sup> Numbers provided by the European project: "Don't look away", ECPAT France, February 2016.

module on the 'Geography of Sex Tourism' was delivered by officers from the South Yorkshire Police, including a 'Hotel Awareness Training Package to Prevent the Sexual Exploitation of Children'. The students have helped to translate the training package into different languages and undertaken pilot evaluation work to improve the training.<sup>99</sup>

In several countries in Latin America<sup>100</sup>, ministries of tourism and national chambers of tourism, have actively sought to include components on prevention of sexual exploitation of children in the curricula of tourism schools and universities, often with support from international organisations such as UNICEF and ECPAT.<sup>101</sup> In the Dominican Republic, UNICEF and national authorities, Plan International, the local NGO MAIS and local communities developed a two-year strategy (2014-2016) to prevent sexual exploitation of children in travel and tourism. In 2014, three new hotel associations and tour operators and six tourism companies signed The Code and about 7,500 hotel staff were trained on prevention of sexual exploitation of children in travel and tourism.<sup>102</sup> With the University of Puerto Plata, the Dominican Republic, MAIS has a commitment to train students in the tourism faculty on how to contribute to the prevention of sexual exploitation of children in tourism.<sup>103</sup> In Mexico, ECPAT USA developed a manual for university professors in tourism-related careers, providing information about sexual exploitation of children in travel and tourism and how to prevent it, with the aim of including the manual in the curricula of future tourism industry managers. In Peru, as part of a national campaign carried out by the Ministry of Foreign Trade and Tourism, a trainer's guide and a guide for suppliers of tourism services were published, and training workshops were held in major tourism areas such as Cusco, Trujillo and Iquitos aimed at local tourism students, hotel staff, travel agencies, guide, taxi and motor taxi drivers.<sup>104</sup> In Costa Rica, the national plan of action to eradicate sexual exploitation of children (2008-2010) included adoption of The Code as a pre-condition established by the Costa Rica Tourism Board for companies to qualify for the Sustainable Tourism Certification. As a result, almost 300 companies adopted The Code during this period, and over 6,000 employees were trained.<sup>105</sup>

The 'Offenders Beware' project brought together five European ECPAT groups and six southern partners to increase awareness and knowledge about sexual exploitation of children in travel and tourism, and build capacity for preventive actions among tourism professionals, students and other relevant stakeholders (e.g., law enforcement and governmental authorities).

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<sup>99</sup> R. Nolan (2015) "Upstream' training to raise awareness and prevent the sexual exploitation of children in the international tourism, hospitality & events industry", background paper prepared for the *Global Study on the Sexual Exploitation of Children in Travel and Tourism*.

<sup>100</sup> Including in Costa Rica, the Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Nicaragua and Peru.

<sup>101</sup> UNICEF TACRO (2007), "Final Programme Report to the Italian Cooperation, Project A Strategy to combat the abuse, exploitation and trafficking of children and adolescents in the Central America Isthmus," [http://www.unicef.org/lac/overview\\_22446.htm](http://www.unicef.org/lac/overview_22446.htm).

<sup>102</sup> UNICEF (2014), "Annual Results Report, Child Protection".

<sup>103</sup> Defence for Children-ECPAT Netherlands(2013), *op. cit.*

<sup>104</sup> UNWTO World Tourism Network on Child Protection, *op. cit.*

<sup>105</sup> *Ibid.*

### 3.7 Travel Industry Capacity-Building Initiatives

After signing The Code the private travel and tourism industry has invested considerable efforts in building the capacity of its personnel to prevent services and facilities from being used to exploit children. This includes training in how to identify and report suspicious cases to relevant authorities.<sup>106</sup> An evaluation of awareness-raising and education of tourism personnel by MAIS in the Dominican Republic showed that trained employees not only deal with child sexual exploitation in a more professional way, but are more aware of its negative impact on children and youth than colleagues who have not been trained.<sup>107</sup>

Since signing The Code, AccorHotels has promoted training programmes for its personnel, in cooperation with ECPAT groups worldwide. In 2012 Accor developed a procedures manual dedicated to preventing child sexual exploitation, in partnership with ECPAT France and two French Interior Ministry organisations, which was pilot-tested in Brazil, Poland, Senegal and Thailand. In Africa, training-of-trainers programmes were carried out in Cameroon, Ivory Coast, Nigeria and Senegal, in which key personnel from AccorHotels in Benin, the Democratic Republic of Congo, Equatorial Guinea, Ghana and Togo also participated. Evaluations of the trainings showed they contributed to raising the awareness of AccorHotels's personnel. In 2014 AccorHotels decided to increase the visibility of its commitment to child protection by naming its programme WATCH - "We Act Together for Children". The WATCH programme provides hotels with employee training and customer awareness tools, such as videos, training modules and practical guidelines to help them identify and deal with situations of abuse.<sup>108</sup>

In Cambodia, Indonesia, Lao PDR and Thailand, the ChildSafe Network<sup>109</sup> works with the tourism industry to prevent sexual exploitation and other forms of violence against children by travellers and tourists.<sup>110</sup> Taxi drivers, hotel and guesthouse staff, restaurant staff, travel and tourism operators, tourists and volunteers, government officials and communities are trained to recognise exploitative situations and take appropriate prevention action. The Network provides accreditation to those trained, and the companies are endorsed as a 'child safe business'.

Beyond Borders/ECPAT Canada has established alliances with Air Canada, Transat and West Jet for the development of awareness-raising materials displayed by the companies and training of their employees to prevent child sexual exploitation in travel and tourism.

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<sup>106</sup> Fair Trade Tourism (2015), "Implementing the Tourism Child Protection Code, examples of successful action"; Defence for Children, Leiden (2013), *op. cit.*

<sup>107</sup> Defence for Children, Leiden (2013), *op.cit.*

<sup>108</sup> Fair Trade Tourism, *op.cit.*

<sup>109</sup> The ChildSafe Network, funded by Harvey World Travel, Friends International and the Skåll Foundation, focuses on educating the tourism industry, tourists and volunteers about situations that can expose children to exploitation.

<sup>110</sup> Friends International (2011), "THINK: Children are not tourist attractions". Accessed 24 May 2015 from: <http://www.thinkchidsafe.org/en/content/tip4/tip4.html>

Bus and rail transport firms have also engaged in prevention activities. In 2012, the U.S. Department of Transportation, Homeland Security and Amtrak joined forces to train frontline transportation employees and Amtrak police officers to identify and report suspicions of human trafficking.<sup>111</sup> This led to the creation of the 'Transportation Leaders against Human Trafficking' coalition, which trains employees of the transportation industry and the general public to recognise and report human trafficking.<sup>112</sup> "Truckers against trafficking" is another U.S. initiative, providing training to truckers so they can identify and report instances of human trafficking.<sup>113</sup>

### **3.8 Awareness-Raising in the Travel and Tourism Sector**

Numerous awareness-raising campaigns have been carried out by the travel and tourism sector, targeting tourists, travellers and the public at large. By definition, initiatives aimed at the general public will also reach tourism employees, tourists and travellers. Often they target these subgroups specifically. Some initiatives were Government-led, and most were carried out in coordination with civil society and the private sector, as multi-stakeholder campaigns.

#### *3.8.1 Tourist-Sending Countries*

The tourism industry can play an important role in distributing information to travelers and tourists,<sup>114</sup> an important element of The Code. For instance, one interesting opportunity to contact the tourists in general and offenders in particular is on the airplane. Therefore campaigners have worked with airlines to show informational videos during flights to 'high-risk' destinations, and a number of companies have responded positively, particularly Air France, AirCanada, LTU, Austrian Airlines and Luxair.

Public awareness of sexual exploitation of children in travel and tourism in the EU was first assessed in 1998 by the Eurobarometer survey commissioned by the European Commission. The survey revealed that most citizens were aware of the problem and strongly condemned it. Since then, to sustain attention to the issue, numerous successful public awareness- raising

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<sup>111</sup> Department of Homeland Security Press Office (2012), *DHS, DOT and Amtrak Announce New Partnership to Combat Human Trafficking*. Accessed 26 May 2015, <http://www.dhs.gov/news/2012/10/04/dhs-dot-and-amtrak-announce-new-partnership-combat-human-trafficking>.

<sup>112</sup> U.S. Transportation Secretary Anthony Foxx (2015), *National Slavery and Human Trafficking Prevention Month*. Accessed 25 May 2015, <http://www.dot.gov/fastlane/human-trafficking-prevention-month-2015>.

<sup>113</sup> Truckers against Trafficking website, <http://www.truckersagainstafficking.org/>. Accessed 24 May 2015.

<sup>114</sup> Different moments for outreach to tourists include: (1) During the initial contact with the company information can be provided through home pages, travel agencies, catalogues, advertisements and brochures; (2) with the ticket: on ticket-slips/jackets, luggage-tags etc.; (3) during the flight: in-flight films, on-board magazines; and (4) at the travel destination: hotel lobbies, rooms, apartments, bars, restaurants, verbal information provided to the guests upon arrival in the destination.

campaigns were carried out by governments and civil society groups, often with support by ECPAT, in Western European countries.<sup>115</sup>

Since 2004 ECPAT Belgium's "Stop child prostitution" campaign has targeted all Belgians traveling abroad: tourists, businessmen, soldiers on foreign missions, embassy personnel, development/aid workers and bus and truck drivers. The campaign is a result of a broad, multi-stakeholder partnership involving government and civil society (including ECPAT, Child Focus, Plan Belgium, Belgium's National Railway Company, the Federation of Belgian Carriers, the Federation of the Tourism Industry, the Ministries of Foreign Affairs, Justice and Defence, and the Federal Police). Each partner distributed leaflets and posters; materials were placed in train stations, international train lines such as the Thalys and Eurostar, national and regional airports, Belgian embassies, police offices, tour operators and army barracks. A trilingual website was created to inform the public and encourage them to report any abuse they witness. The campaign is now continuing through the "I Say Stop" initiative, implemented as part of the EU "Don't look away" campaign.<sup>116</sup>

In Australia, the Attorney-General's Office launched a campaign against sexual exploitation of children in travel and tourism when introducing tougher laws against child sex offenders.<sup>117</sup> A similar public education initiative was carried out in New Zealand, funded by the Ministry of Justice, to inform travellers about laws relating to extra-territorial child sex offences.

### *3.8.2 Destination Countries*

In popular tourism destinations, initiatives have been launched in major tourist venues targeting both foreign and domestic travellers, and thus reach both preferential and potential situational offenders.

International airports worldwide – especially in high-risk destinations such as Thailand, the Gambia, the Dominican Republic and Costa Rica – inform tourists about the existence of the problem, the consequences for children and the legal consequences for perpetrators in messages that vary from a positive approach to explicit warnings. In some cases small-scale entrepreneurs in the transportation sector offer their cooperation. For example, many tricycle drivers in Palawan in the Philippines have a sticker on board showing their support for the ECPAT campaign against commercial sexual exploitation of children.

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<sup>115</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional report for Europe*.

<sup>116</sup> ECPAT International (November 2014), *Regional Report of Europe on the Commercial Sexual Exploitation of Children: Developments, Progress, Challenges and Recommended Strategies*.

<sup>117</sup> ECPAT International (2016), *Global Study on the Sexual Exploitation of Children in Travel and Tourism: Regional Report on the Pacific*.

In México, the campaign “No + Trata” (No more trafficking) targeted national and international tourists visiting popular destinations such as Veracruz, Cancún, Quintana Roo, Oaxaca and Acapulco. Tourists received an information kit with images of children and the message ‘Mexico, a country where my rights are protected’. At the local level, zero-tolerance and other campaigns was carried out in the state of Quintana Roo; in the state of Jalisco, a campaign for a “Vallarta Free of Sexual Exploitation of Children” was conducted.<sup>118</sup>

Costa Rica and the Dominican Republic have a long-standing commitment to addressing sexual exploitation of children in travel and tourism. Both countries have implemented several awareness-raising campaigns in the past decade. In the Dominican Republic, the “Protect our treasures” campaign was launched in the early 2000s by the Inter-institutional Commission against Sexual Exploitation of Children, the Hotel Association and UNICEF.<sup>119</sup> In 2003 in Costa Rica the “We meant it” campaign was launched by the Costa Rican Tourism Industry with support of from prominent NGOs and industry associations to promote the national code of conduct. A second campaign was carried out in 2008-2009, to expand the reach of The Code to a broader sector of the tourism industry, among other goals,<sup>120</sup> and in 2013 a binational project between Canada and Costa Rica was developed to prevent and reduce sexual exploitation of children in travel and tourism. Finally, in 2015 the Institute of Costa Rican Tourism, Paniamor and the National Code of Conduct launched yet another campaign “Unforgettable Costa Rica” with the aim to prevent sexual exploitation of children in travel and tourism.

In Peru, as part of a National Campaign to prevent sexual exploitation of children and youth implemented by the Ministry of Foreign Trade and Tourism, with UNICEF support, awareness was raised among travellers through in-flight videos, as well as brochures and posters displayed at airports and by travel agencies.<sup>121</sup>

Chile’s National Children’s Agency, National Tourism Service, and ministries of Justice, Education and Health, along with the Chilean Investigative Police and the ILO, implemented the “No Excuses” (No Hay Excusas) campaign at the Santiago airport, three border areas and in the northern region of Tarapacá. The campaign challenged traditional attitudes and norms about girls and the prostitution of children (such as: ‘She’s old enough to know what she’s doing’; ‘I’m not doing anything wrong I pay what they ask for’; ‘If she doesn’t do it with me she’ll do it with someone else’). Messaging in English and Spanish informed tourists that paying for sex with children under 18 years old is a crime, and that there are no excuses for this behaviour. Following this campaign,

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<sup>118</sup> ECPAT International (November 2014), *Regional Report of Latin America on the Commercial Sexual Exploitation of Children: Developments, Progress, Challenges and Recommended Strategies*.

<sup>119</sup> UNICEF (2005), “Prevention of Commercial Sexual Exploitation of Children and Adolescents: Contributing to a Sustainable Tourism in Central America” New York: UNICEF.

<sup>120</sup> UNWTO, Report from the UNWTO World Tourism Network on Child Protection, <http://ethics.unwto.org/content/reports-meetings-child-protection>

<sup>121</sup> Report from the UNWTO World Tourism Network on Child Protection (n.d.), “Reports of Meetings on Child Protection”, accessed 4 April 2016, <http://ethics.unwto.org/content/reports-meetings-child-protection>.

the Ministry of Interior implemented a second phase, including a message in the migration card given to visitors arriving in the country: “In Chile, sexual exploitation is a crime”,

As part of Asia’s strategy to address sexual exploitation of children in travel and tourism, a regional education campaign was launched by ASEAN in 2005, aimed at promoting child-safe tourism at leading destinations in all 10 ASEAN countries.<sup>122</sup> The objective was to mobilise responsible travellers and local citizens to report suspicious behaviour, deter child sex offenders and create a culture of intolerance for child sexual abuse. Through this campaign, ASEAN countries have adopted a unified approach to preventing sexual exploitation of children in travel and tourism, firmly stating that child sexual offenders are not welcome in the region. Different countries have adapted the campaign to local contexts. In Myanmar, campaign materials were displayed in hotels and in airport taxis. In Lao PDR materials were distributed to tourism operators in emerging destinations such as Luan Prabang and Vientiane. In the Philippines, training workshops were conducted involving hotel resort managers, tour operators, airlines, shipping companies and tour guides. In Thailand, the campaign was supported by the Thai tourism police, while in Cambodia materials were distributed to child-safe tourism commission officials in provinces.<sup>123</sup>

Indonesia and Sri Lanka have also long recognised the existence of sexual exploitation of children in the context of travel and tourism and implemented public awareness-raising campaigns. In Indonesia, the Ministry of Tourism has launched several campaigns involving the tourism industry, regional tourism authorities and NGOs, and also regulates employment of children under 18 in tourism business such as karaoke clubs, massage and spa parlours, restaurants, bars and hotels. UNICEF supported Sri Lanka’s Ministry of Tourism to undertake a project designed to increase community awareness in areas affected by sexual exploitation of children in travel and tourism, using local languages.<sup>124</sup>

### **3.9 Cleaning the Value Chain**

The private sector involved in the tourism value chain is very diverse, ranging from multinational corporations with 180,000 employees worldwide to beach vendors whose operating capital consists of three mangos. Although international travel and tourism is dominated by large multinational corporations, the focus must remain on local initiatives at tourism destinations, where actions should generate results. As a representative of the Dominican tourism sector

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<sup>122</sup> Child Wise Tourism (2007), *ASEAN Child Sex-Tourism Review: An Outcome of the Annual Meeting of the ASEAN Regional Taskforce to Combat the Sexual Exploitation of Children in Tourism Destinations*.

<sup>123</sup> UNWTO, *op. cit.*

<sup>124</sup> UNWTO *op. cit.*

stated: “For us it is not relevant whether the CEO of a hotel chain commits to action, if its local branch does not cooperate”.<sup>125</sup>

One of the core issues of CSR is responsible sourcing. If throughout the value chain every business were only to buy from responsible suppliers that respect human rights, the value chain would become “clean”. In principle, those businesses that adhere to Children’s Rights and Business Principles and/or sign The Code, pledge to do so. Unfortunately, the tourism value chain is quite extensive and complex (it might be more appropriate to refer to a “value network”). Because of its complexity and deep reach into communities over an extended period of time, the network affects the vulnerability of children in a number of ways.

Tourism is a process that starts when planners and project developers arrive in a virgin area. From that point on, there are implications for children’s vulnerability. But tourism has a life cycle and is subject to a number of external influences (e.g. political unrest, natural disasters, etc.). When a region loses its attraction, the resulting unemployment leads to worsening conditions, raising new threats for children. The debate on how deeply the responsibility of a private company extends into its value chain is still developing.<sup>126</sup> Instruments such as The Code now interpret the responsibility of the value chain in a rather narrow way, and most signatories focus only on their direct suppliers. But even so, the network is quite extensive, reaching into local economies and including small enterprises and informal entrepreneurs, such as taxi drivers, guides and street- and beach-vendors.

The travel industry Kuoni has developed a “supplier code of conduct”, including a clause specifying intolerance for sexual exploitation of children in travel and tourism. About 90% of Kuoni’s contracts with suppliers include this code of conduct. As with any large international company, there are different levels of commitment for actions against child sexual exploitation among different subsidiaries within the Kuoni Group. With more than 25,000 suppliers around the world, Kuoni adopts a risk-based approach to determine the extent to which they will perform verification checks on policy and implementation of actions where child sex exploitation is concerned and the frequency with which these checks are made.<sup>127</sup>

As part of the “I am the wall” project in Colombia, the Renacer Foundation worked with two local universities to design a Diploma course that includes tourism topics, such as the history of the tourism sector, customer service, social responsibility and sustainable tourism. Participants in the first graduating class created a network of informal tourist service providers dedicated to

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<sup>125</sup> Private conversation between ASONAHORES, Dominican Republic and Frans de Man, Retour Foundation, 2016.

<sup>126</sup> When tourism development takes place in developing countries and regions that are geographically distant from the administrative centre, weak conditions of governance might exist. Article 23 of the UNGP, dealing with the responsibility of business in situations where the conditions for respect and protection of Human Rights are not favourable might be applicable here.

<sup>127</sup> Fair Trade Tourism (October 2015), “Implementing the Tourism Child Protection Code, Examples of Successful Action.”



preventing sexual exploitation of children in travel and tourism, composed of street vendors, artisans, sellers of cell phone credit, people who rent out beach tents and taxi drivers – all of whom engaged actively in prevention strategies. As a result, 64 companies committed to preventing sexual exploitation in travel and tourism as part of their CSR strategy.<sup>128</sup>

In the Gambia, according to recent research carried out by ECPAT Netherlands and the Child Protection Alliance/ECPAT Gambia, the sexual exploitation of children in tourism is closely related to the so-called “friendship business”, involving small-scale formal or informal entrepreneurs (taxi drivers, tourist guides, craft market vendors, fruit vendors, juice pressers etc.) or brokerage and pimping. Such middlemen often commit these crimes (knowingly or unknowingly) while carrying out their work as suppliers to the tourism industry. Taxi drivers, guides and others admit that they know of colleagues who play a role in facilitating sexual exploitation of children. The Gambian Tourism Board, in cooperation with the Child Protection Alliance, organised training and awareness-raising activities on child rights, tourism ethics and other relevant issues for taxi drivers, guides and others. Hotels that work with these suppliers were actively involved in supporting the training. As a result, those in direct contact with tourists are aware of The Code and discuss it amongst themselves during meetings and at public gatherings, and spread the message in their own communities.<sup>129</sup> From evaluations it is clear that involving these small-scale entrepreneurs through the value chain has an impact on the prevention of sexual exploitation of children in Gambian tourism.<sup>130</sup>

### 3.10 Business Policies

To embed protection measures into core activities, tourism businesses should establish a company policy against sexual exploitation of children. This policy must be integrated into their CSR and human rights policies. It should also be elaborated through explicit company procedures, to facilitate reporting and create a protective framework in which employees feel free and safe to report. A final element of a business policy relating to human rights should be transparency, and results should be included in annual reporting on CSR performance.

For a good and coherent company policy, it is imperative to understand why it is necessary for the company to have one. Kuoni describes the basis for its policy under the heading: *It's about taking responsibility, not about being asked*. The moral obligation to protect society's weakest members, managing risk and reputation, ensuring legal compliance and protecting the brand are drivers behind Kuoni's efforts against child sex exploitation. While customers generally do not ask about the protective measures taken against child sex exploitation, Kuoni's work in this area provides

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<sup>128</sup> ECPAT International (November 2014), *Regional Report of Latin America on the Commercial Sexual Exploitation of Children: Developments, Progress, Challenges and Recommended Strategies*.

<sup>129</sup> Frans de Man and Adama Bah (2014), *op. cit.*

<sup>130</sup> *Ibid.*

quality experiences for its customers, which the company believes is an unspoken expectation from customers to provide them with hotels that have responsible business practices.

Based on the idea that protecting children is part of the 'people' component of sustainable development, AccorHotels integrated the Code into its CSR and combines it with other sustainability programmes. AccorHotels' actions are based on research confirming that CSR and performance are related. These findings show that: CSR has a positive effect on guest satisfaction and a positive effect on hotel profitability. Integration takes place into the basic element of AccorHotels's CSR programme, which has seven pillars, 21 commitments and objectives in 92 countries. One of the commitments is to protect children from abuse through informing and training employees, raising awareness among customers and suppliers, developing relations with public authorities and facilitating the reintegration of child victims of sexual exploitation in the context of travel and tourism.<sup>131</sup>

Many small and medium-sized companies also have a modern approach to CSR. One example of many is Abang Africa in South Africa, where the Code is implemented on the basis of a responsible tourism policy and company profile. The Code is integrated into its policies on responsible tourism, partners are selected carefully, monitoring is carried out and information is given to clients. Abang Africa cooperates with destinations that: contribute to the conservation of Africa's wildlife, habitats and natural resources; inform and educate tourists on sustainable tourism practices; and contribute to positive impacts within the communities and environments of impact.

The Hilton hotel group has taken the important step of incorporating their policy into procedures and a Code of Conduct for its personnel, elaborating their rights and obligations. Because of the delicate nature of this work and problematic situations that can rise when action is undertaken, employees have to be instructed carefully and assured that by acting to protect children they do not risk losing their job and can count on management support. Hilton's Code of Conduct includes a procedure for reporting that includes protection for the reporting employee. If an employee has reason to believe that anyone acting on behalf of Hilton has violated this Code of Conduct, behaved unethically (or exposed Hilton to legal or reputational risks), he/she is required to report such potential violations immediately.<sup>132</sup>

### **3.11 Working with Stakeholders in Local Communities**

The success of all these initiatives very much depends on the support they receive from the communities where tourism and the related sexual exploitation takes place. Local authorities, civil

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<sup>131</sup> Fair Trade Tourism, October 2015), *op. cit.*

<sup>132</sup> *Ibid.*

society and the local private sector are all critical for creating a multi-stakeholder commitment to address this issue. In the context of The Code, “key people” are considered to be those at travel destination with whom the tourism company co-operates without having a signed contract. These people could be individuals or businesses that have substantial contact with customers (e.g. restaurant owners, bar owners, taxi drivers), as well as people likely to exert influence within local communities (e.g., the police, decision-makers, mayors, representative of local NGOs, etc.). Important key people could also include those engaged in labour unions or customs officers.

In Colombia, the Renacer Foundation teamed up with the tourism industry and local government to create a series of images of touristic highlights Bogotá and Cartagena, integrating The Code into wider campaigns. In Bogotá, it is an integral part of a wider promotion campaign called “Tourist Capital, Protector of Children”, supported by the District Tourism Institute.<sup>133</sup> In Cartagena the images are part of the “I am the Wall” initiative (referring to the ancient wall surrounding the city of Cartagena de Indias, a major tourist attraction). The effort is designed to protect children and adolescents, inviting citizens to construct a safe environment and prevent and combat sexual exploitation of children in travel and tourism. “I Am the Wall” is a joint initiative of the National Tourism Corporation, the Renacer Foundation and UNICEF. These and other similar campaigns seek to promote more responsible tourism that involves all stakeholders, including the general public, using broader themes.

Europe’s TUI travel and tourism group works with PLAN Netherlands and PLAN International to empower youth in its destinations. Realizing that sexual exploitation of children in the context of travel and tourism was silently growing in northeast Brazil, TUI Netherlands and its partners launched a campaign to say ‘NO’ to sexual exploitation of children in travel and tourism in the coastal towns of Tibau do Sul, Pipa and the city of Natal in north-eastern Brazil.<sup>134</sup> In cooperation with PLAN, the project trained youth mobilisers to assist their communities to be vigilant about child sexual exploitation. Another goal was to help vulnerable youth to find employment in tourism.<sup>135</sup>

In Mombasa, where sexual exploitation of children in the context of travel and tourism is an acknowledged problem, Kuoni supports Kenya’s Child Welfare Society in the ‘Children at Risk’ project, with the intent of expanding the range of options available to people in the local villages and ensuring that children are better protected against sexual exploitation. The Child Welfare Society is building a counselling centre for children and adolescents, with Kuoni’s financial support. Kuoni also provides financial support to its Indian partner, Children’s Rights in Goa (CRG), which aims to improve children’s awareness of their rights and protect them from

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<sup>133</sup> <http://www.Bogotáhumana.gov.co>

<sup>134</sup> <http://metro.co.uk/2013/11/07/world-responsible-tourism-awards-honours-tui-nederland-for-protecting-children-from-sex-tourism-in-brazil-4176610/#ixzz3o9kBcRnP>.

<sup>135</sup> Implementing the Tourism Child Protection Code, examples of successful action, Fair Trade Tourism, October 2015, Research & text by Frans de Man, funded by ECPAT Netherlands

exploitation. Kuoni has supported CRG to establish a Child Resource Centre that is now a refuge for children working in local markets, offering them literacy courses, counselling and livelihood training.<sup>136</sup>

The International Tourism Partnership (ITP), a programme of Business in the Community, brings together the world's leading international hotel companies around issues of social and environmental responsibility in the industry. ITP manages a Youth Career Initiative (YCI), which originated in Bangkok in 1995 as an initiative of the Pan Pacific Hotels Group and has expanded globally. The programme consists of six-months of education and training that provides disadvantaged young people with life and work skills, improving their employability, enhancing their long-term social and economic opportunities – and thereby reducing their vulnerability to sexual exploitation in travel and tourism. YCI works in partnership with the hotel industry, which provides the human, operational and training resources to deliver the programme. Since 2010, YCI began to include rehabilitated child victims of sexual exploitation in their programmes, with support from the US Department of State's Office to Monitor and Combat Human Trafficking, which has made it possible to implement the programme in Mexico City and Hanoi.<sup>137</sup>

One of the stakeholder groups often overlooked is youth. Increasingly, however, initiatives are including youth participation as an integral element. The success of this approach can be seen in a number of campaigns where youth were consulted about the most pressing issues and assisted with the dissemination of information to local stakeholders and tourists. On the beaches of Puerto Plata, the Dominican Republic, regularly, youth groups organise a day to contact tourists and beach vendors to discuss their concerns about sexual exploitation and hand out leaflets.

### **3.12 Reporting Systems**

One of the crucial elements for eradicating sexual exploitation of children in the context of travel and tourism is the prosecution of perpetrators. It is essential that mechanisms for the reporting of suspected cases are in place and supported. Reporting systems have been set up and are being improved every year. Tourism workers, tourists and the public in general have to be made aware that reporting is necessary and possible.

In 2009 the Austrian Ministry of Economy, Family and Youth, together with Germany and Switzerland, launched the "Gegen das Wegsehen" ("Don't look away") campaign to send a coordinated message against sexual exploitation of children in travel and tourism and motivate travellers to report suspicious cases. The campaign was also implemented in Poland, the

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<sup>136</sup> Kuoni Group (2015), *Kuoni submission to the Global Study on the Sexual Exploitation of Children in Travel and Tourism*, Zürich.

<sup>137</sup> UNWTO (2014), *15 Years of the UNWTO World Tourism Network on Child Protection: A Compilation of Good Practices*.

Netherlands, Luxemburg and France. Based on this campaign, in 2011, ECPAT partners in Europe designed the current EU-wide “Don’t Look Away” project,<sup>138</sup> which calls upon all stakeholders to take action to address sexual exploitation of children.<sup>139</sup> The objective is to prevent sexual exploitation of children in travel and tourism by reducing social tolerance for these behaviours and increasing responsible behaviour through: a) awareness-raising campaigns (including sports event); b) a study of reporting mechanism; c) reinforcement of online reporting mechanisms in the EU; and (d) capacity building and lobbying.<sup>140</sup> A major achievement was the development of one European wide, on-line reporting platform for suspected cases of sexual exploitation of children in travel and tourism.<sup>141</sup> Following an awareness-raising campaign, a number of suspected child abuse cases were reported throughout Europe, which in some cases led to arrests. Stakeholders involved in the process included ministries of justice, the tourism industry and police.

In Canada, the International Bureau of Children’s Rights, One Child, Plan Canada and UNICEF Canada developed a campaign to promote reporting of child sexual exploitation in travel and tourism to the national hotline, Cybertip.ca. The campaign was supported by Air Canada, and related materials were displayed in airports and by travel agencies and tour operators.<sup>142</sup>

In the Netherlands in 2013 TUI teamed up with the Dutch Ministry of Security and Justice, the Dutch border police, national police, the Dutch tourism association, ECPAT and Plan Netherlands to launch a poster campaign in three major Dutch airports to inform tourists about sexual exploitation of children in travel and tourism and encourage them to report suspected offenders by gathering good-quality information.

Argentina, Brazil and Paraguay implemented a three-way border awareness-raising campaign in 2013 called “Combating the Sexual Exploitation of Children”<sup>143</sup> to inform the general public about the problem and encourage them to report it. Materials in Portuguese, Spanish and Guarani were disseminated and professionals in the education, tourism, hotel and transport sectors were trained on how to identify and report child sexual exploitation. The campaign had a broad base of support, including Paraguay’s Secretariat of Childhood and Adolescence, the Misiones provincial government and Ministry of Human Rights (for Argentina), the Foz de Iguazú Municipal

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<sup>138</sup> ECPAT International (2014), *Regional Report of Europe on the Commercial Sexual Exploitation of Children: Developments, Progresses, Challenges and Recommended Strategies*.

<sup>139</sup> Partners from different sectors participated in several European countries (Netherlands, Germany, Belgium, Switzerland, United Kingdom, Austria, Luxembourg, Poland, Romania, Estonia, Bulgaria, Ukraine, Spain, France, Italy) and six countries in the global South (Brazil, Gambia, Kenya, Madagascar, Senegal and South Africa).

<sup>140</sup> [www.ecpat.net/resources](http://www.ecpat.net/resources).

<sup>141</sup> [www.reportchildsectourism.eu](http://www.reportchildsectourism.eu).

<sup>142</sup> ECPAT International (2014, draft), *Regional Report of North America on the Commercial Sexual Exploitation of Children: Developments, Progress, Challenges and Recommended Strategies*.

<sup>143</sup> Itaipú Binacional, “Compromiso tri-nacional contra la explotación sexual infanto-juvenil”, November 2013, accessed 28 June 2015, <http://www.itaipu.gov.py/es/sala-de-prensa/noticia/compromiso-trinacional-contra-la-explotacion-sexual-infanto-juvenil>.

Secretariat for Social Assistance and Tourism and the Xuxa Meneghel Foundation and Itaipú Binacional from Brazil, as well as the ILO.<sup>144</sup>

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## 4. CONCLUDING REMARKS AND RECOMMENDATIONS

Ever since the First World Congress against Commercial Sexual Exploitation of Children in 1996, it has been widely recognised that the travel and tourism sector is not the cause of child sexual exploitation, but that its services, facilities and infrastructure, including transportation networks and accommodation facilities, can be misused for the sexual exploitation of children.

The three World Congresses placed the issue of sexual exploitation of children in travel and tourism on political agendas worldwide. Over the past two decades, many countries – involving Government, civil society and private sector actors - have taken action to address it, as a critical dimension of a broader societal response to sexual exploitation of children in general. The Stockholm Agenda for Action, together with international human rights frameworks, provide a solid framework for action, outlining the roles and responsibilities of key actors.

Many countries have approached the problem from a law enforcement perspective, enacting or strengthening laws to make all forms of sexual exploitation a crime, regulating corporal liability and supporting judicial cooperation among countries to bring perpetrators to justice. Various countries have adopted national actions plans that address the issue within a broader agenda of preventing and responding to child sexual exploitation and violence against children in other settings. Several countries have also launched public information and education campaigns to raise awareness of the problem and encourage reporting of suspected cases. Some have taken a comprehensive approach addressing all of these approaches.

More and more countries have adopted national codes of conducts promoting corporate social responsibility within the travel and tourism sector, simultaneously as industry driven codes have been adopted by individual companies. Major efforts have been made to train and raise awareness among the travel and tourism sector and travellers and tourists of the problem and how to report it. The focus on prevention, and the role of the sector in preventing that its services or facilities are misused for the purpose of sexual exploitation of children, has helped avoid stigmatization of the sector as facilitating or promoting such practices.

In all countries a multi-stakeholder approach has been required to effectively protect children from sexual exploitation in the context of travel and tourism, involving different government ministries

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<sup>144</sup> ECPAT International (n/d), “Informe de Monitoreo de Países – Paraguay”; “Informe de Monitoreo de Países –Argentina.”

and institutions as well as civil society and the private sector. The involvement of both the public and private travel and tourism sector (i.e., tourism ministries, private companies, trade associations, etc.) has been essential to mobilising the sector as a whole and for the promotion of corporate social responsibility.

Many countries that have addressed sexual exploitation of children in the context of travel and tourism as part of a broader response to child sexual exploitation, with a focus on both prevention and response, seem to have been most successful in addressing the problem. These countries have recognised that a multi-stakeholder approach involving Government authorities from different sectors - Ministries of Justice, Social Welfare, Education, Health and Tourism as well as local authorities, civil society and the private sector is essential to successfully address child sexual exploitation in any setting.

The town of Cabarete in the Dominican Republic offers a good example of the success of multi-sectoral initiatives. Through joint action between the local government, a local NGO and the regional tourism association, awareness of sexual exploitation of children among tourists, hotels, restaurants, taxi drivers, beach vendors, tourism employees, local communities, government officials, law enforcement – and above all young people – has increased enormously. Reduced tolerance and acceptance of sexual exploitation of children in Cabarete has led to a decrease in the number of girls exploited in prostitution, and Cabarete seems to have become much more attractive for travelling families, building a stronger foundation for sustainable tourism.<sup>145</sup>

While many efforts have received support from bilateral and multilateral agencies and international organisations and networks (such as UNICEF, ILO-IPEC, ECPAT and UNWTO), ownership by national governments, civil society and private sectors is critical to ensure sustainability and long-term commitment to addressing this often sensitive issue in national strategies and plans.

International and regional cooperation (particularly in Asia, Europe and Latin America) has been fundamental to achieving progress. Many countries that were initially reluctant to address sexual exploitation of children in travel and tourism, fearing that it would have a negative impact on tourism, have eventually taken action within broader regional approaches. In Latin America, as a result of mobilisation of the travel and tourism sector at the regional level and the adoption of declarations and regional action plans, country road maps were developed to promote co-responsibility of the public and private tourism sector - through joint actions by tourism ministries and national tourism associations to promote corporate social responsibility and the adoption of the Code of Conduct.

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<sup>145</sup> Defence for Children, Leiden (2013), *op. cit.*

Efforts to prevent sexual exploitation of children in travel and tourism have focused heavily on tourists, and how to prevent them from engaging in sexual exploitation of children. Over the past two decades new approaches to human rights and children's rights, to CSR and to social impact assessments, have led to new interpretations of businesses' responsibility for their value chain, which in turn raise questions about how the tourism sector value chain affects the vulnerability of children. The way tourism is developed and how it manifests itself in communities has an effect on children and adolescents. In debates on sustainable tourism and human rights, the sector is being challenged to take responsibility for the whole chain of tourism development, which in the case of children's vulnerability, begins when project developers first arrive and start to create tourism infrastructure.

To effectively prevent the sexual exploitation of children in the context of travel and tourism, the causes of children's vulnerability must be addressed, and be the foundation for any intervention. This includes addressing weak law enforcement and protection systems, lack of job opportunities for young people and adolescents, as well as prevailing social norms around childhood, gender, masculinity and sexuality. It is also critical to address how the travel and tourism sector affects the vulnerability of children. In the debate on the implementation of the United Nations Guiding Principles on Business and Human Rights in sustainable tourism, the travel and tourism sector is challenged to take responsibility for the whole chain of tourism development. In other words, the effects of tourism on the vulnerability of children should be addressed and taken into account from the first moment the project developers arrive in a region to start creating a tourism infrastructure.<sup>146</sup>

Lessons learned from over the past 20 years of addressing sexual exploitation of children in the context of travel and tourism, therefore suggest that:

- The travel and tourism sector can play a critical role in the prevention of sexual exploitation of children through taking measures to prevent that their facilities or services are used for, or facilitate, the sexual exploitation of children. This is critical for a sustainable tourism development.
- In engaging with the travel and tourism sector, emphasis should be placed on their role in *preventing* the problem, in coordination with other stakeholders such as law enforcement, justice sector, social welfare, education and health sectors.

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<sup>146</sup> UNICEF and PLAN in the Dominican Republic are currently developing a research project to address this issue in the developing tourism region of Pedernales.



- The involvement of both the public and private travel and tourism sector is essential, i.e. the Ministries of Tourism and the tourism associations, hotel chains, travel agencies and tour operators etc.
- Local ownership of governments, civil society and the private sector is critical to ensure sustainability and long-term commitment to address this extremely sensitive issue.
- Work to prevent sexual exploitation of children in travel and tourism must be part of broader efforts and strategies to address sexual exploitation and abuse of children in a country. A comprehensive, multi-stakeholder and multi-sectoral approach is needed. Efforts need to focus both on prevention and response, including the strengthening of national child protection systems (e.g. laws, policies and comprehensive services) and addressing attitudes, practices and social norms that are harmful to children such as social tolerance of child sexual exploitation and abuse. Root causes of children's vulnerability must be the foundation for any intervention.
- Increased focus should be placed on assessing and addressing how the travel and tourism sector affects the vulnerability of children. The travel and tourism sector should be challenged to take responsibility for the whole chain of tourism development, as opposed to the conventional focus on preventing travellers and tourists from engaging in sexual exploitation of children.
- Multi-country initiatives in one region or across regions, is an effective way to enhance the sharing of knowledge and lessons learned on effective policy and programmes approaches, and create synergies and collaboration among countries simultaneously addressing the issue.
- Knowledge generation through research and documentation of promising experiences and lessons learned, and monitoring and evaluation of policies and programmes to assess impact and generate evidence on effective approaches is urgently needed.

Child Protection Section  
Programme Division  
UNICEF Headquarters

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