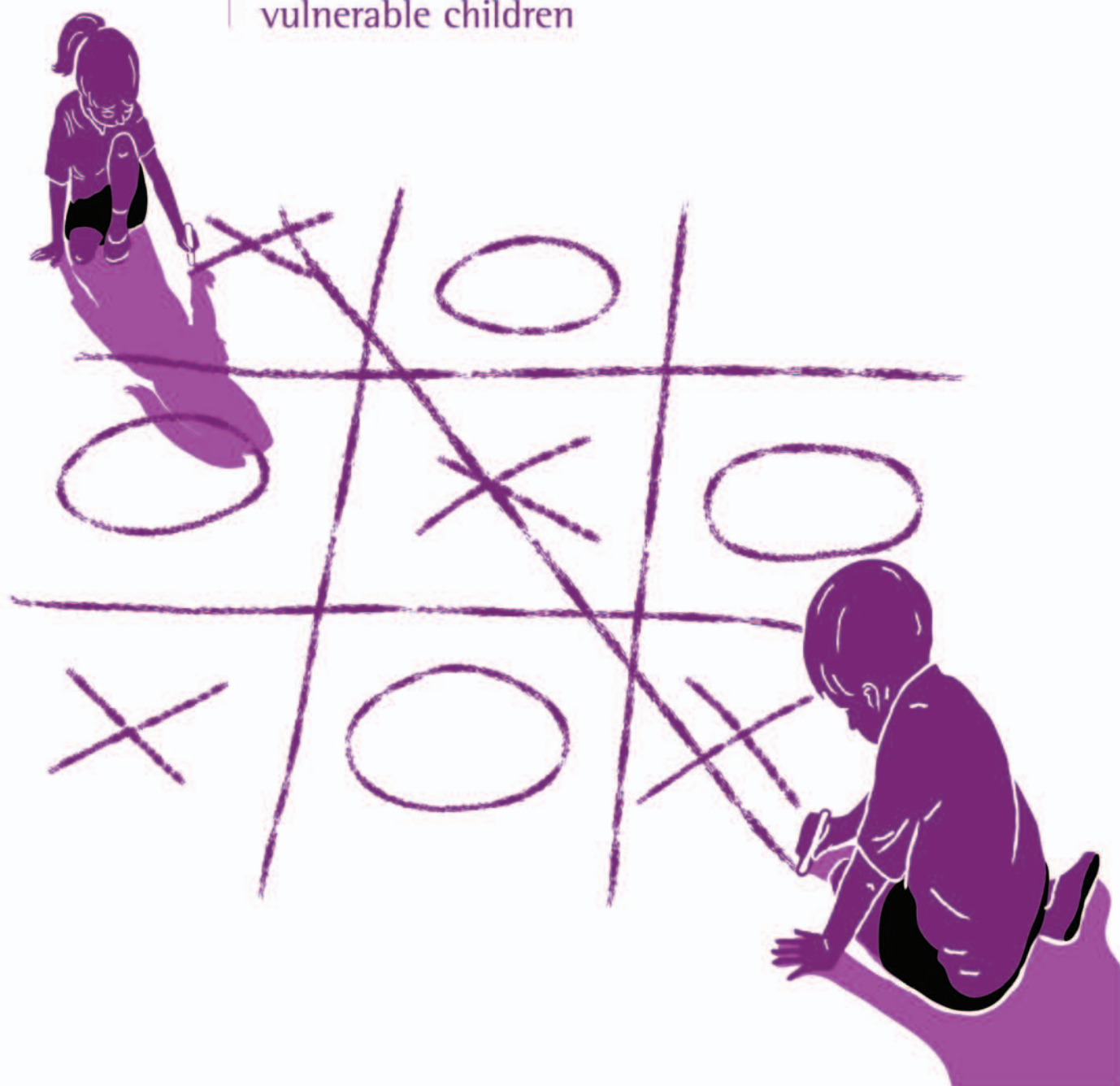




Protecting Children
Everywhere

The end of the line for child exploitation

Safeguarding the most
vulnerable children



ECPAT UK

THE END OF THE LINE FOR CHILD EXPLOITATION

Safeguarding the most vulnerable children

Christine Beddoe
ECPAT UK
2006

ECPAT UK is the national representative of ECPAT (End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes) a global movement in over 70 countries. ECPAT UK represents a coalition of leading charities within the UK including: Anti-Slavery International, Barnardo's, Jubilee Campaign, NSPCC, Save the Children UK, The Body Shop Foundation, The Children's Society, UNICEF UK, and World Vision UK. ECPAT UK works to campaign, research, deliver training and work with all sectors of the community to raise awareness about the commercial sexual exploitation of children.

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ECPAT UK

Grosvenor Gardens House

35 – 37 Grosvenor Gardens

London SW1W 0BS

Telephone: +44 (0) 20 7233 9887

Fax: +44 (0) 20 7233 9869

Email: info@ecpat.org.uk

Website: www.ecpat.org.uk

Disclaimer

This report does not set out to be a comprehensive study of sex offenders. The intention is to highlight the challenges faced by all agencies working to safeguard children, both in the UK and abroad.

All case information in this report is from open source material and documents available to the public. Every care has been taken to check that all the facts available are accurate. However, this report does not claim accuracy in assessing the total number of British sex offenders who travel abroad. Such data is currently unavailable.

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Christine Beddoe
August 2006



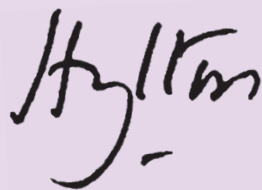
Foreword

Over ten years ago, I first heard of the appalling sexual abuse of children and young people that was (and alas still is) happening in many countries. It was first widely known in South-East Asia, where it affected the most vulnerable children, coming from the poorest sections of their countries. Since then abuses have been discovered in almost all continents, and regrettably they overlap with the phenomenon of trafficking in children and adults, for sexual and labour exploitation.

In 1996 I introduced in the House of Lords the Sexual Offences (Amendment) Bill, providing extra-territorial jurisdiction for British Courts in child abuse cases. This went through all its stages, but ran out of time in the House of Commons, even though it was sponsored by the late Rt Hon Michael Alison MP. The Government then took up the cause and carried the Sex Offenders Act 1997.

I am now very pleased to commend this 10-year Review of hard work and continuous campaigning by ECPAT UK. In Great Britain we now have the necessary legislation. What is needed is the fullest and most active implementation. This will require close cooperation between all law enforcement agencies both at home and overseas. It is essential that police and the courts are supported by social services and by voluntary and charitable organization. The latter can do so much to gather evidence of crimes, to support witnesses and to change the climate of opinion.

I trust that this Review will be read widely and discussed. If this happens, it will serve to discourage sexual exploitation and to combat it where it occurs.



The Lord Hylton

July 2006

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Executive Summary

In 1994 the Coalition on Child Prostitution and Tourism was established to campaign against child sex tourism and lobby for laws to prosecute British nationals who sexually abuse children abroad. In 1997 the Coalition became ECPAT UK, the UK national representative of ECPAT, the international campaign to End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes. ECPAT was formerly known as End Child Prostitution in Asian Tourism. ECPAT UK is still an active coalition representing major childrens charities and human rights organisations.

The First World Congress against the Commercial Sexual Exploitation of Children was held in Stockholm, Sweden 27 –31st August 1996. It was the culmination of a process which began in 1994 when ECPAT first proposed a global event to bring the extent of the abuse and exploitation of children to the attention of world leaders. The Congress was co-organised by ECPAT, UNICEF and the NGO Group for the Convention on the Rights of the Child. The government of Sweden hosted the event and Queen Silvia of Sweden gave her royal patronage to the Congress. More than 1,300 participants from over 130 countries attended this week long Congress: 718 government officials representing 122 countries (including the United Kingdom), 105 representatives from the United Nations and inter-governmental organisations, 471 NGO representatives and a delegation of 47 young people. . The Congress was unique in that it was the first time at a world conference that official government and UN delegations met with NGOs as equal participants. As the German newspaper, Die Zeit reported, the Congress “...was strong evidence of an emerging new power in society – the grassroots NGOs”. The Congress concluded with the unanimous adoption of the Stockholm Declaration and Agenda for Action, whereby 122 States committed themselves to “a global partnership against the commercial sexual exploitation of children”.

On this 10th anniversary of the Stockholm World Congress, ECPAT UK goes back to its origins to review the UK’s achievements in preventing, disrupting and prosecuting British nationals who abuse children abroad.

Sadly, the overall assessment is that the UK has failed to protect the most vulnerable children, failed to prevent abuse by British nationals and failed in our commitments made at

Stockholm to develop, implement and monitor a comprehensive National Plan of Action to Combat the Commercial Sexual Exploitation of Children.

This report does not set out to be a comprehensive study of sex offenders. The intention is to highlight the challenges faced by all agencies working to safeguard children, both in the UK and abroad.

By bringing this report into the public domain ECPAT UK hopes to reawaken the outrage and concern that was generated ten years ago. It is a national shame that British sex offenders continue to exploit the most vulnerable, the weak and the poor. What makes it is even worse is that, ten years on from Stockholm, we have much more sophisticated communications and technology that enables their abuse to be facilitated, filmed and distributed hundreds or thousands of times easier and cheaper than in 1996. This time we have to make it the end of the line.

Christine Beddoe
Director
ECPAT UK

“The commercial sexual exploitation of children is a fundamental violation of children’s rights. It comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery”

Statement from The Declaration and the Agenda for Action from the First World Congress Against the Commercial Sexual Exploitation of Children, Stockholm, 1996

The sexual abuse of children perpetrated by foreign nationals in tourism destinations, was first formally investigated in South East Asia in the late 1980s. One of the first organizations to expose ‘child sex tourism’ was the Bangkok based Ecumenical Coalition On Third World Tourism (ECTWT) which had been monitoring the impacts of tourism in Asia since 1982. ECTWT researchers investigated the growth in tourism related child prostitution in several Asian countries including Thailand, the Philippines, Sri Lanka and Taiwan. While largely anecdotal, this early research found that child prostitution was reaching alarming levels and that while the highest level of demand for children in prostitution was from local men, it was increasingly also coming from foreign tourists. The research findings were the impetus for a number of Asian-based non-governmental organisations to launch the international Campaign to End Child Prostitution in Asian Tourism (ECPAT) in 1990. The ECPAT international movement has grown to encompass national representatives in over 70 countries. ECPAT UK was one of the first European ECPAT partners and was established in 1994 as The Coalition Against Child Prostitution and Tourism to campaign for new laws to prosecute British nationals travelling abroad to abuse children.

Children. At that time, no third Congress was planned. However, in 2005, a global review of the Yokohama and Stockholm declarations was undertaken in each region of the world. The European Review was hosted by the Council of Europe and held in Ljubljana, Slovenia, in June, 2005. Delegates were once again asked to provide a country report and account to the rest of the world on what they had achieved against the commercial sexual exploitation of children. Her Majesty’s Government did not send a delegation to Ljubljana.

Ten years on from the Stockholm Congress, the problems have become significantly more complex with the use of new technologies, cheaper air travel, visa free travel and new countries opening their borders to visitors. Ten years on, the world has generated a mountain of expertise on these issues, yet we still have an extreme problem with the abuse of children by those who travel abroad to poor and vulnerable communities. A raft of new laws and international declarations have been signed but it is only through their practical implementation that children will be protected.

THE WORLD SPEAKS OUT

The first World Congress Against the Commercial Sexual Exploitation, held in Stockholm in 1996, began to address some of these issues and the international community began to take notice. In order to follow up the obligations and commitments made by governments and others, a second World Congress was held in Yokohama, Japan, in 2001. This time, governments were asked to report on what they had achieved. The UK Government sent a delegation and reported on new laws and policies introduced since the Stockholm Congress and announced the development of a new National Plan of Action Against the Commercial Sexual Exploitation of

The Challenges

It is impossible to estimate how many children have been affected by child sex tourism. The covert and criminal nature of child sex crimes and the vulnerability of children, especially those living in poverty, make data collection a difficult task. Those most at risk of abuse include children with low or no education, those who are homeless, orphaned, working on the streets, trafficked, from broken families, children affected by drug and alcohol abuse, and those who have already been abused within their family. Children in these circumstances often do not have the confidence, power or opportunity to speak out and they become invisible victims. Both boys and girls are abused in a range of settings.

¹ The declarations from each of these significant world events are listed in the Appendices

Child sex tourism is part of the global phenomenon of commercial sexual exploitation of children. It includes:

- The buying and selling of children for prostitution
- Paedophilia-related child sexual abuse
- The production of child abuse images and other forms of pornography involving children.

The perpetrators of this abuse, often called child sex tourists, have more recently been called travelling sex offenders. In this report, we introduce the term Itinerant Offender since while offenders travel from one place to the next to abuse children and young people, not all of them are classified as tourists and not all will go to tourist destinations. Itinerant offenders use their relative wealth and ability to travel to avoid detection. Typically, they go to places where they think they will not get caught, often locations where there are low levels of education, poverty, ignorance, corruption, apathy, lack of law enforcement or government policy. Itinerant offences include the abuse of children by people who have deliberately established orphanages, children's projects and schools in vulnerable communities for the sole purpose of feeding their abusive behaviour. In Chapter 3 we highlight several of these cases involving British nationals.

Children migrate to tourism destinations in order to find work or simply because they have nowhere else to go. Traditionally, tourism destinations lack the protective environment found elsewhere in cities and villages since they are not locations where children's organisations or government social welfare departments develop outreach programmes or provide services to the poor and marginalised. (see Chapter 4 for further discussion)

ADULT SEX TOURISM AND CHILDREN

As a children's rights organisation, ECPAT UK does not work on issues concerning the sexual exploitation of adults. However, an understanding of the adult sex tourism environment is critical to understanding how children are bought and sold on the fringes of this economy.

As well as reflecting and reproducing wider systems of gender injustice, then, sex tourism has to be understood as one facet of the larger problem of North-South inequality and exploitation.

*J O'Connell Davidson (1998) Prostitution,
Power and Freedom p.87*

Sex tourism involving the sexual exploitation of adults exists in every region of the world. Prostitution exists without tourism, but when prostitution and tourism become dependent on each other we get sex tourism, which is most prevalent in developing countries where tourism has flourished but has provided few economic benefits for local communities, especially women. The sex tourism 'ghetto' often sits on the fringes of a tourism destination or resort area and feeds an extraordinary, often illegal, economy of pimps, bar and brothel owners, traffickers, protection rackets and the corruption of officials. Children, particularly girls, are sold and lured into the sex tourism industry to feed an ever-growing market for virgins who are free from HIV/AIDS. The prostitution market relies on new 'fresh faces and bodies', increasing the need to move women and children from one place to the next. This fuels a vast human trafficking network to supply the market at a local, regional or international level. Continually moving women and children from one place to the next is also a tactic to avoid detection.

The buyers of sex are not only those 'pervs', the sleazy older male with no social skills as portrayed by the tabloid press. Hundreds or thousands of 'normal' Western male tourists become patrons of bars and brothels for an exotic one-off experience; stag weekends and end-of-season sporting trips are fuelling the big business of sex tourism all over the world, from Latvia to Brazil. At its worst, sex tourism is a modern form of slavery where women and children are victims of physical, sexual and emotional abuse, held against their will, identification papers removed. It is impossible to eradicate child exploitation in tourism without recognising the economic significance and politics of the sex tourism industry as a whole. However, ECPAT groups around the world are working together with police, the tourism industry, governments and community groups to develop local and international strategies to challenge these criminal practices.

EXPATRIATE OFFENDERS

Case study evidence shows how difficult it is to get a conviction for the sexual abuse of children committed by an offender who is a long-term expatriate resident in a developing country. These offenders often groom the whole community by providing a wealth of goods and services to everyone. The dependency created is such that the wider community will rally around the offenders to protect the riches they provide, even in the knowledge that children have been

The end of the line for child exploitation

abused. Victims and their families who complain may often be harassed for causing a loss to the whole community. This creates a situation of intimidation and fear, even if no direct threat comes from the alleged offender. In cases, such as French national Pierre Guynot, we have witnessed extreme abuse over many years. (see Chapter 3 for more discussion of Grooming).

Pierre GUYNOT, France national aged 44 years.
Arrested by Cambodian Police on May 31 2001,
Sihanoukville, Cambodia

Guynot was operating, or planning to operate, an on-line club called the Sihanoukville Dungeon Savage Men's Club. Police analysis of computer files revealed thousands' of pornographic images of children, and plans for operating a sex club specialising in the sadistic sexual abuse of children. Photos revealed children with their genitals bound with sado-masochistic accessories. Police uncovered a torture chamber in his house and children testified that they were kept locked in containers at his house. Guynot had lived in Cambodia for seven years and was operating a Go-Cart business involving 'adopted' male street children from the Sihanoukville area.

The Phnom Penh Post (7-20 December, 2001) reported "In the village, the Post spoke to several people who are Guynot's neighbors; some were angry, others sympathetic. The local tailor said Guynot had done good things for the villagers, including building roads and bridges. During the trial, the mothers of the six boys complained their children's health had deteriorated. That was not their only problem, though – they were being victimized by their classmates and other people in the village. Both Sok and Sao [victims of Guynot] have now quit school to avoid further pain. "I am accustomed to people's mockery," said Sao"

Guynot was never convicted, he stayed in Cambodia and died of a heart attack in 2006.



The Anchorage Orphanages

India. March, 2006.

Two British men were found guilty under Sections 373, 374 and 377 of the Indian Penal Code, fined \$35,000 each and sentenced to six years imprisonment for the sexual abuse of children at the Anchorage Orphanage in Mumbai. This case exposed the complexity of investigation and judicial process when the accused are foreign nationals.

One of the men, DG, had set up the Anchorage orphanage for street children in 1995 and had ran the orphanage with funds raised in the UK under a separate charity. AW was known to be a visitor and volunteer at the orphanage over several years. In 1999 one boy made a complaint during an investigation of a German national and gave evidence that he lived at the Anchorage shelter and had sex with several foreigners who would visit. No follow up was done at this time. In 2001 the children's organisation ChildLine India received the first formal complaint from other boys at the orphanage. Police began to investigate and charges were laid but DG and co-accused AW were already back in the UK. At the same time official Indian government inspectors reported the terrible conditions in the orphanage and allegations of children being beaten.

In 2002 Indian police issued international arrest warrants through an Interpol Red Corner notice. The following month DG travelled from the UK to Kenya to investigate setting up an orphanage, then later moved to Tanzania and was successful in setting up orphanages in Dar es Salaam and Bagamoyo, a small coastal town. DG continued to raise funds in the UK for these so-called philanthropic activities in both Tanzania and India – he also travelled to other countries in this period – never being apprehended despite the Interpol Red Corner Notice for his arrest.

In 2003 AW was travelling to Bermuda via the USA and was apprehended by American authorities due to the international arrest warrant and they eventually deported him to India. In 2004 a British newspaper investigation revealed that DG had set up the orphanages in Tanzania and exposed both of the accused. Soon after the Indian government requested Tanzania to extradite DG to face charges but the case failed in 2005 as there is no extradition treaty between India and Tanzania. Not long after DG is deported from Tanzania to Britain but in June 2005 British police failed to arrest him on his arrival in the UK. The same British newspaper exposed that DG has been staying with his sister in London for several weeks. In July 2005 DG voluntarily returned to Mumbai to challenge the charges against him. The Indian courts were successful in reaching a conviction of the two men and an appeal was overturned.

In December 2003 a formal inquiry was held by the UK Charities Commission into the British charity responsible for raising funds for the Anchorage orphanage in India. The inquiry was set up only to look at fiscal accountability. The inquiry results are published on the Charities Commission website and confirm that: Funds raised by the Charity for use by the Anchorage Shelter were transferred to an offshore bank account in Jersey. The offshore account was under the control of one of the trustees who worked for the Anchorage Shelter in India. The Commission found that the offshore account had been opened in the Charity's name, but only one trustee had control of it and the remainder of the trustees were not aware that the offshore account was held in the Charity's name. [That particular trustee was DG.] Funds from the Charity continued to be paid into the offshore account until August 2003. The trustee in control of the offshore account was unable to provide a full account of the expenditure of funds. Due to the lack of information on charitable expenditure and in order to expedite the Inquiry, the Charities Commission visited the Anchorage Shelters in Tanzania. By undertaking a detailed examination of the cash transactions and interviews held with various employees, it was established that grants from the Charity were being utilised to benefit 'street children' in Dar es Salaam and Bagmayo. DG resigned as a Trustee of the UK based charity during the Inquiry. The Inquiry was closed in January 2005 and made no formal statements on the allegations of abuse even though the outstanding Interpol Red Corner notice on DG, the Trustee and founder of Anchorage orphanages, was active at the time of their investigation.

On 20 March 2006 ECPAT UK wrote to the Parliamentary Under Secretary of State for the Home Office asking for a full investigation into the reasons why DG was not apprehended when he returned to the UK in June 2005 even though there was an Interpol Red Corner Notice issued. ECPAT UK also asked the government for an investigation into the money trail in the UK that supported the Anchorage orphanages between 1995 and 2006. During the case several Indian newspapers reported that Indian government officials expressed their frustration that they received so little support by the British authorities to assist in the return of both DG and AW.

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Thailand. July, 2006

British national DG, aged 64, was arrested on 8 July for the brutal stabbing murder of his 26 year old Thai wife in Pattaya, Thailand. It has also been revealed that DG was convicted of sex offences including attempted rape and indecent assault on a young girl at Newcastle Crown Court on March 2, 2001. He had travelled to Pattaya several months each year for several years prior to this and had married in Thailand. He was given a five-year jail term in 2001 and was released after serving his sentence. DG was on the Sex Offenders Register and UK police were informed of his travel plans to Thailand.

Thailand. March, 2000

70 year old British national, JP, was charged by Thai police with sexual offences against two girls aged 13 and 14 in Pattaya in March 2000. Newspaper reports show he had been charged in 1997 in Pattaya for the sexual molestation of a boy. On that occasion he was fined and released.

Philippines. July, 2006

British national, BE, a university lecturer, was charged by the Philippines police in July, 2003 for rape of a minor, keeping a minor against her will and the possession of dozens of home made VHS tapes containing images of himself engaging in sexual acts with girls and women. The rape charge was later dropped. In subsequent court sessions in July 2006 the witness of the second charge was said to have disappeared leading both the prosecution and defence to ask for the case to be dismissed. During this time BE has not been held in detention. At the time of his arrest in 2003 police gave evidence that he was showing the witness, a 14 year old at the time, video images he had made himself of sexual acts with other minors.

2. The Legal And Policy Environment

INTERNATIONAL LAW

The United Nations Convention on the Rights of the Child (UN CRC) that came into force on 2 September 1990 is the guiding framework for the international protection of children. The UN CRC is the most widely ratified international treaty with 140 signatories and 192 parties to the Convention.

The UN CRC contains a number of articles concerned with the protection of children against abuse and exploitation, in particular Articles 34 and 35 as follows:

Article 34

State Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes State Parties shall in particular take all appropriate national, bi-lateral and multi-lateral measures to prevent:

- The inducement or coercion of a child to engage in any unlawful sexual activity;
- The exploitative use of children in prostitution or other unlawful sexual practices;
- The exploitative use of children in pornographic performances and materials.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Whilst the UN Convention on the Rights of the Child (UNCRC) is the most widely ratified of all the core human rights conventions, implementation remains varied. It is essential that states parties have the necessary legal framework in place to be able to implement the convention effectively. The UK continues to promote further signature, ratification and implementation of the CRC and its optional protocols, both through bilateral contacts and through multilateral channels such as the EU's dialogues with other countries. We also continue to support the work of the UN Office of the High Commissioner for Human Rights (OHCHR) in this regard. This includes OHCHR's work to support and make as effective as possible the treaty monitoring body that examines states' compliance with the CRC.

Ian McCartney (Minister of State (Trade), Foreign & Commonwealth Office) quoted in House of Commons Hansard Written Answers 13 July 2006.

EXTRA-TERRITORIAL LEGISLATION

Further to the UN Convention on the Rights of the Child, the Optional Protocol to the Convention on the Sale of Children, Child Prostitution and the Trafficking of Children (2002) specifically addresses the international dimensions of child exploitation. It obliges State Parties to adapt or adopt extra-territorial legislation to prosecute citizens for crimes they have committed abroad. This firmly places responsibility on all countries to address the exploitation of children regardless of where the offence was committed or the nationality of the victim.

Extra-territorial laws have become the vehicle for many countries to address child sex tourism in law. However, two international legal principles have complicated the effective implementation of extra-territorial provisions: double criminality and double jeopardy.

1. Double Criminality

This entails that for the extra-territorial legislation to be implemented, the act involved must be illegal according to both the laws of the offender's country, and the country where the offence takes place. The principle of double criminality is not consistent with international legal norms, established by a near-universal ratification of the Convention on the Rights of the Child. Under the Convention, all ratifying countries share responsibility for the world's children, so that the prosecution of child sex offenders is no longer a question of protecting the interests of another country, but rather a question of fulfilling international obligations to persons unable to protect themselves.

2. Double Jeopardy (ne bis in idem)

A person who has been acquitted or convicted of an offence cannot be prosecuted more than once for the same offence; it is a rule of basic fairness. However, the principle should only be applied if the person was acquitted, or the sentence was fully served. It should not be used to allow offenders to escape prosecution if the sentence was only partially served or where the offender absconds.

The end of the line for child exploitation

THE UK LEGAL ENVIRONMENT

Sexual Offences Act (2003)

Unlike Australia, New Zealand and several other countries, the UK did not introduce a separate Act in Parliament specific to child sex tourism offences. However, when extra-territorial jurisdiction for sex offending was first incorporated into British law with the Sex Offenders Act of 1997, sections of this Act addressed organised child sexual exploitation through sex tourism. The law was amended in 2003 with the introduction of the Sexual Offences Act that introduced a more robust approach to the prosecution of sexual offending in the UK as well as abroad. The new Act also incorporated provisions for those with convictions abroad to be placed on the UK Sex Offenders Register. Sexual offences committed after midnight on the 30 April 2004 are subject to the Act. Sexual Offences committed before this date are covered by the law in force at that time.

The Sexual Offences Act (2003) has additional provisions for the abuse of children through prostitution or pornography.

SECTIONS 47–50

These sections address the commercial sexual exploitation of children under 18. Specifically these offences are:

- Section 47 – paying for the sexual services of a child;
- Section 48 – causing or inciting child prostitution or pornography;
- Section 49 – controlling a child prostitute or a child involved in pornography;
- Section 50 – arranging or facilitating child prostitution or pornography.

It is important to point out that within the definition of these provisions that consent is not in issue; irrespective of whether or not a child consents to the activity, it is those who exploit children who commit a criminal act. It is also useful to note that the definition of ‘payment’ is very wide and does not just refer to payment in cash.

Offences outside the United Kingdom

THE UK EXTRA-TERRITORIAL LAWS

This section of the Sexual Offences Act (2003) confirms that the law can be used for offences outside the UK but reinforces the principle of double criminality. This section applies to Schedule Two offences only applicable to child victims aged under 16.

SECTION 72

- (1) Subject to subsection (2), any act done by a person in a country or territory outside the United Kingdom which-
 - (a) constituted an offence under the law in force in that country or territory, and
 - (b) would constitute a sexual offence to which this section applies if it had been done in England and Wales or in Northern Ireland, constitutes that sexual offence under the law of that part of the United Kingdom.
- (2) Proceedings by virtue of this section may be brought only against a person who was on 1st September 1997, or has since become, a British citizen or resident in the United Kingdom.
- (3) An act punishable under the law in force in any country or territory constitutes an offence under that law for the purposes of this section, however it is described in that law.

ECPAT UK believes that, in order to be consistent with the United Nations Convention on the Rights of the Child, Section 72 must be amended to include offences against all persons up to the age of 18.

Section 72 reaffirms the principle of double criminality first introduced in the 1997 Sex Offenders Act. It contravenes the principles and spirit of the UN Convention on the Rights of the Child to which the UK is a signatory, as well as the 1996 Stockholm Agenda for Action Against the Commercial Sexual Exploitation of Children. Indeed, since 1997 a number of European countries have removed the dual criminality principle from national legislation. Australia and New Zealand never included it from the beginning. ECPAT UK believes that Double Criminality should not apply to the Sexual Offences Act, 2003 because we have a duty to protect all children, everywhere, irrespective of irregularities in national laws.

The Three-Day Loophole

SECTION 86

Notification requirements: travel outside the United Kingdom

Currently all sex offenders who are subject to Notification Orders (who are placed on the Sex Offenders Register) are required to notify the police of their intention to travel outside the UK for over three days. However, with the increase of cheap air travel to many locations in Europe and particularly vulnerable communities in Central and Eastern Europe, British sex offenders can easily access these destinations in under three days. Indeed, there are confirmed cases of child sexual abuse involving British nationals in the Czech Republic, Romania, Bulgaria, Spain and France. All these countries can be accessed in under three days. ECPAT UK believes that notification of all travel abroad should be obligatory, regardless of the length of stay.

The Role of Embassies

SECTION 97 Notification orders: applications and grounds

Section 97 provides the police with power to apply to the magistrates' court for an order making a cautioned or convicted offender subject to the notification requirements for a relevant offence abroad. In other words, even if not convicted, as long as there was a caution or a relevant finding, a British national can be placed on the Sex Offenders Register for offences abroad. The chief officer of police may apply for an order if the defendant resides in his police area or the chief officer believes that the person is currently in or is intending to come into his police area.

This is a very useful part of the legislation but it requires information to be passed to the police in the UK on a timely basis. British Embassies and the Foreign and Commonwealth Office (FCO) are in a good position to assist. ECPAT UK is aware that the FCO does inform the UK when there is deportation of a British national but there are many instances where embassies do not take a proactive role. This is because of a perceived contradiction between monitoring cases of individuals for risk of flight during bail; and upholding consular obligations to protect them as British citizens. ECPAT UK believes the role of embassies and of the FCO need to be reviewed and that these are incorporated and integrated into a wider strategy of managing information on sex offenders.

PREVENTING FURTHER ABUSE

SECTION 114 – 122 Foreign Travel Orders

Section 114 provides for a civil, preventative order the foreign travel order (FTO). An FTO enables the courts to prohibit persons who are “qualifying offenders” (those guilty of sexual offences against a child under 16, either in the UK or abroad) from travelling abroad. An FTO may be made on application by the police to a magistrates' court. If issued, it will place a prohibition on a sex offender from travelling abroad either to a named country or countries, or to anywhere in the world other than a named country.

ECPAT UK believes that a major review is required of the use, application and effect of FTOs. Only two FTO applications were submitted in 2004, with only one being issued. ECPAT UK believes the FTO process is cumbersome and not being used. There is little guidance available on the use or benefit of FTOs.

ECPAT UK also considers it redundant to have to name a specific country or region on the FTO application.

International case evidence suggests that offenders prohibited from travelling to one destination will simply choose another. This displacement theory proves that when the spotlight is on one country, offenders will move to where they think they are least likely to be caught. FTOs that name specific countries, such as Thailand or the Philippines, are operating on the basis that child sex tourism only happens in a handful of countries rather than on the universality of the UN Convention on the Rights of the Child to protect all children, everywhere. FTOs that name specific countries just push the problem elsewhere.

Other relevant legislation

The Criminal Justice (Terrorism and Conspiracy) Act, 1998, makes it an offence for a person to conspire to commit an offence outside the UK, including sexual offences against children. This provision makes the organisation of sex tours or travel with the intent of abusing a child an offence.

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THE POLICY ENVIRONMENT

A NATIONAL PLAN OF ACTION

The Stockholm Declaration and Agenda for Action requires state parties to develop a national plan of action against the commercial sexual exploitation of children (CSEC). The UK set about doing this in 1997 under the auspices of the Department of Health and with the support of a strong multi-agency consultation process involving government and non-government agencies. At the Second World Congress in Yokohama, 2001, the UK government stated in its presentation to plenary that

“The UK’s National Action Plan against CSEC was published earlier this year. The Plan was widely welcomed within the UK and has been endorsed by the devolved administrations in Scotland, Wales and Northern Ireland and by a wide range of NGOs and relevant professional organisations in the UK, many of who contributed to its development. We are anxious that the UK National Plan should be a living document that continues to provide a focus on priorities for on-going action. In order to achieve this the UK Government has made a commitment to review our National Plan annually and keep updating it regularly”.ⁱ

The plan of action of 2001 is called the National Framework to Safeguard Children from Commercial Sexual Exploitation. However, it is disappointing to note that this publication has neither been updated nor has the government convened a meeting of the working group in almost two years. This means that there is no current UK National Action Plan to combat the Commercial Sexual Exploitation of Children. While ECPAT UK acknowledges that there are Home Office consultations taking place to develop a National Plan on Human Traffickingⁱⁱ a comprehensive approach to safeguarding children within the international context has been lost.

OTHER INITIATIVES

In 2005 the Home Office launched a ‘stock-take’ of the Sexual Offences Act (2003), an interim review of the legislation. ECPAT UK presented a submission to the stock-take in which we raised all the above concerns regarding the legislation, and

discussed the need for a higher-level specific review process to look at the management of offenders who travel. We believe this should include inputs from a diverse range of stakeholders in the UK and abroad, together with an analysis of past and present cases. The cases that are now coming to light show that British Itinerant Offenders pose a major threat to the safety of children both here and abroad. The Association of Chief Police Officers (ACPO) have a nominated focal point for Sex Tourism issues, and there is a multi-agency group facilitated by the Home Office to discuss emerging trends and issues, although this has not met for over twelve months.

ECPAT UK believes that a more rigorous response is needed. This would include increased efforts to support the training and guidance of enforcement officers in the UK as well as abroad (including customs, immigration and police) to enable a more consistent and co-ordinated response, as well as increasing the knowledge of prosecutors and judges, specific to offences committed abroad. There is an on-going need for the UK government to support a wide range of prevention strategies through its international aid efforts and poverty alleviation strategies. The Department for International Development should be part of any multi-agency response.

CEOP

ECPAT UK welcomed the launch of the Child Exploitation and On-Line Protection Centre (CEOP,) in April, 2006. CEOP brings together the combined expertise of the National Crime Squad, the National Criminal Intelligence Service – Serious Sex Offender Unit, the Paedophile Online Investigation Team (POLIT) and other specialist government and non-government agencies. Based in London, CEOP is intended to locate perpetrators and track registered offenders who have failed to comply with their notification requirements under the Sexual Offences Act (2003). This includes tracking offenders who travel abroad and either disrupting or preventing their travel, disseminating intelligence to international forces and specifically targeting offenders while they remain overseas. The international team will work with overseas authorities and specialist agencies to share good practice, enhance tracking capabilities and minimise the risk caused by the global internet. Although CEOP has no explicit legal identity of its own and is established under the statutory umbrella of the Serious and Organised Crime Agency (SOCA), it will operate independently from it. ECPAT UK fully supports the aims and objectives of CEOP.

ⁱ Speech presented by David Holmes, Department of Health, England prepared for the Second World Congress Against Commercial Exploitation of Children. Yokohama, Japan 17 –20 December, 2001.

ⁱⁱ Home Office (2006) Tackling Human Trafficking. Consultation on proposals for a UK Action Plan

The Virtual Global Taskforce

Working within the CEOP Centre is the Virtual Global Taskforce (VGT). The VGT is made up of law enforcement agencies from around the world – CEOP, the Australian Hi-Tech Crime Centre, the Royal Canadian Mounted Police, the US Department of Homeland Security and INTERPOL – working together to fight child abuse online. It aims to build an effective, international partnership to help to protect children from online child abuse. Its objectives are:

- to make the Internet a safer place;
- to identify, locate and help children at risk; and
- to hold perpetrators appropriately to account.

ECPAT is a partner of the Virtual Global Taskforce.

While we welcome new initiatives such as CEOP and VGT we also hope that this begins a new era for victim-focussed investigations as well as criminal-led investigations and that it underscores the need for a dual policing ethos to truly combat child exploitation.

JOINED UP THINKING

ECPAT UK has observed that most sex offenders who have been charged for the sexual abuse of children abroad have never been convicted in their own country. From the UK perspective, we must have a wider prevention and disruption strategy that does not only focus on the actions of registered sex offenders. More attention must be given to British nationals who are resident abroad and who have been charged or have allegations against them for child abuse and exploitation. It is known that some of these individuals facilitate the abuse of children for others or act as a 'hub' of contact for children. They are therefore part of a serious and organised threat to children and the British Government has a responsibility to act in the most expeditious way to protect children from these individuals. ECPAT UK believes that a more robust and systematic approach to international co-operation is needed, particularly building agreements with other governments to extradite British nationals in order to face charges in the UK under the Sexual Offences Act, 2003.

India. December, 2005

British national, DR, was arrested leaving Bangalore airport on Christmas Day 2005 on a flight bound for Heathrow airport. Indian police detained the man and two teenage boys, all who were travelling on false Mexican passports. The two boys, aged 16 years, were of Afghani and Iranian origin. Information from both Indian and British police confirms that DR had brought boys illegally into the UK and possibly other European countries like this on several occasions but he was never charged in the UK. DR was known to have lived in Goa for over ten years before moving to Bangalore. He had no visa or residency permit.

Albania. May, 2006

British national, JB, the co-ordinator of an orphanage called 'His Children Home' was charged in Tirana in May 2006 for the sexual abuse of children and supplying children to other foreigners for the purpose of sexual abuse. Two other Scottish born men who were working with JB are also wanted but have fled the country. Reports on conditions at the Home say the orphanage was squalid. JB is alleged to have advertised children on the Internet for foreign visitors.

Suicide of ex-care home boss facing child sex charges

July 12, 2006

A SUSPECTED paedophile has committed suicide after being charged with sexually abusing up to 300 underaged boys in Thailand. Nicholas Rabet, 56, was the deputy director of a children's home in Islington [north London] in the 1980s and was one of several members of Islington Social Services accused of abusing boys in their care.

At the time, the investigation into the allegations was not followed through, allegedly because the inquiry panel was stifled by political correctness. But as a precaution Rabet's name was put on the sex register and he was forbidden from working with children [this register pre-dates the current Sex Offenders Register]. Despite being blacklisted, Rabet went on to set up a children's activity centre in East Sussex and it was not long before allegations of sexual abuse began to surface again.

In 1991 police raided his home and found hundreds of pictures of young boys, gay pornography and a collection of male underwear. But again the investigation fell apart and Rabet was never charged. It was after this incident that he fled to Thailand's sex capital Pattaya. There, it is alleged, he would lure boys between the ages of six and 14 to his home by allowing them to play computer games there for free. But they were only allowed to play the games with their clothes off – supposedly to stop them stealing them.

Rabet would hang a bell outside his front door to signal that his kids "video arcade" was open and would allegedly pay the children about £10 to perform sexual acts on him. If the boys introduced their young friends to him, they were paid a "commission".

The Thai authorities only found out about his scheme when teachers complained to the police that their students often disappeared from school only to return later with their pockets full of money. After raiding Rabet's home they found games consoles, snacks, bags of children's clothes and sexual lubricant.

Detectives reckon that as many as 300 boys may have played at his house over a 10 year period. Rabet was arrested last July after being identified by three of his alleged victims. He was released on bail but on May 14 [2006] he was found dead in his bedroom with a plastic bag taped over his head and his wrists handcuffed to his ankles. A suicide note was found next to his body, which read: "Sorry I have to leave you like this but it is the only way to escape the stress of my life. "Thank you for everyone who has tried to help me through but this seems to be my only way out".

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Note: ECPAT UK notified the British authorities of Rabet's arrest in Thailand in 2005. We are disappointed that the British authorities did not apply diplomatic negotiations for Rabet to be refused bail, given his past history and the high risk of re-offending. Rabet's alleged suicide has denied hundreds of children the right to justice.

3. The Offending Environment

Only five British offenders have ever been convicted under the extra-territorial laws in the UK. This is astonishing given the concerted efforts of the past ten years and the high level of interest in the issue. Other countries have done much better in indicting and convicting child sex offenders.

Country	Date that the extra-territorial law was introduced	Charged/Indicted	Convicted/pending
Australia*	1994	24	14 convicted 5 pending
United States**	2003	50	29
United Kingdom	1997 Sex Offenders Act	Not known	3
* Information provided by Child Wise (ECPAT in Australia) ** information provided by ECPAT USA	2003 Sexual Offences Act	Not known	2

ECPAT UK considers several main obstacles have prevented the implementation of extra-territorial legislation. The first obstacle relates to the policy adopted at the time of the introduction to the Sex Offenders Act in 1997, reaffirmed in subsequent years, namely, that it is the responsibility of foreign governments to crack down on the sex trade and prosecute those involved. While supporting this statement in principle, ECPAT UK argues that every assistance should be afforded to foreign governments to increase their capacity to achieve this outcome. This includes, but is not limited to, the establishment of bi-lateral agreements for intelligence sharing and co-operation in order to minimise the risk to children through under-resourced investigations and inadequate protection for child witnesses. Although the UK police, under the auspices of the new Child Exploitation and On-Line Centre (CEOP) are currently providing training to foreign police agencies, a more comprehensive and strategic global approach to intelligence sharing and mutual assistance is needed.

ECPAT UK argues that relevant information relating to past history of a convicted sex offender should be forwarded to foreign police upon the apprehension of a British suspect and that this co-operation should continue throughout the case.

On 30 August 1997, the governments of the United Kingdom and the Philippines signed a Memorandum of Understanding on Combating Child Abuse, allowing for bi-lateral exchange of information on British sex offenders. Unfortunately, this agreement had an initial time period of three years. It lapsed and was not reinstated; nor does it appear to have been evaluated. It could be argued that failure to renew this agreement has led to gaps in intelligence sharing and co-operation.

Another major obstacle to investigation and prosecution under extra-territorial legislation is a certain lack of understanding in the UK about the nature of offending in overseas environments, particularly the lengthy grooming process that is often set up by offenders on one or more visits, without actual contact abuse necessarily taking place. Until the launch of CEOP in April 2006, no single government agency was responsible for the proactive collection, analysis or distribution of data on offences committed by UK offenders abroad, and prosecuted either here or abroad. The National Criminal Intelligence Service – Serious Sex Offender Unit (now within CEOP) was able to share intelligence internationally but with limitations on resources it was not able to be proactive on gathering intelligence around the world. This fragmented response to policing has led to intelligence gaps which place children at risk in the UK as well as all over the world.

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DEFINING OFFENDERS

There are certain problems with defining offenders. Reference books and training manuals have tried to define and re-define the concept of 'child sex tourist'. Many of these have looked specifically at the psychology of offenders, making distinctions between paedophile offenders who intentionally travel to abuse children, and those who will occasionally pay for sex with a child through moral indifference, racism or sexism. This is most likely to occur in a prostitution environment. Critics of the term 'child sex tourist' argue that the aberrant abuse of children is not just about people abusing children on holiday or in holiday destinations since many are expatriates living in the community or travelling on business. Others challenge the perception that by linking child sexual abuse and tourism, that it somehow sanitises the real meaning, making it sound like a justifiable form of tourism. Another term, – 'Travelling Sex Offenders' – has recently emerged to describe those who abuse children abroad. This term too has limitations; although it covers the category of sex offenders who travel to abuse children, it seems to imply that one is or has to be an offender prior to travelling.

ECPAT UK has considered at length the use of language and terminology to describe the wide range of offending behaviours and circumstances relating to British nationals who abuse children abroad. Of course, from the child's point of view, the definition, psychology or intent makes no difference – the abuse they suffer is no less horrendous because of one attitude or another.

ITINERANT OFFENDER

In this publication ECPAT UK introduces the term Itinerant Offender to denote an offender who travels from place to place. [This term eliminates the need to distinguish between paedophile sex offenders and prostitute users.] It covers abuse that takes place in locations not normally associated with tourism, such as orphanages. It also covers the abuse of children by domestic (as opposed to international) tourists, an emerging problem in many countries.

ECPAT UK has been monitoring information related to British itinerant offenders since 1993. In this period we have documented case information and have attempted to track the progress of cases prosecuted in other countries. This is a Herculean task particularly as most cases have simply been

abandoned or the alleged offender has disappeared when on bail. Even more frustrating is that several individuals have appeared in overseas court records more than once, then disappeared only to reappear a year or two later on separate charges, with no connection being made between the two incidents. To date we have collated case information on 90 British nationals charged with offences related to child sex sexual abuse overseas. ECPAT UK has always passed on case information to the British authorities to ensure that these cases are monitored.

It is easy to point the finger at foreign courts and police and accuse them of being corrupt or inefficient in allowing cases to disappear from the records. Child victims and their families are regularly intimidated into withdrawing charges or evidence when other members of the community benefit from the money being spent by the offender. Poverty does not excuse corruption but often is the reason it exists. However, it is inexcusable for the British government to stand by and do nothing about these individuals and the risk they pose to children abroad and in the UK. Offenders select precisely their destinations because they know the extreme vulnerability of children and weakness of the judicial process.

'This problem will only properly be solved if the countries who receive the tourists crack down on the brothels which sell the children and the pimps who organise the trade. Those countries are in the best position to prosecute offenders.'

UK Government Intervention during the plenary session at the World Congress Against Commercial Sexual Exploitation of Children, 27 –31st August 1996.

ECPAT UK works with many partners abroad to understand the behaviour and actions of Itinerant Offenders. We have asked the Cambodian based NGO Action Pour Les Enfants (APLE) to describe the grooming methods that offenders use in Cambodia.

GROOMING ABROAD: THE CAMBODIAN CONTEXT

Paedophiles, as established through research, “prime their victims over time through a process known as grooming. This has a dual purpose of securing the cooperation of the victim and reducing the risk of discovery or disclosure.”¹ In different regions, this grooming process takes on different forms according to the environment, culture and sensitivities of the community at large.

In recent years, Cambodia has become one of the principal South East Asian destinations for foreign sex offenders. This is primarily the result of an established sex industry, a low age of consent, inadequate legislation, poorly resourced and uneducated law enforcement and, most importantly, poverty. Furthermore, a destination shift has occurred as the result of neighbouring and other Asian countries prioritising the prosecution of child sex offenders.

This last point is important because it means that foreign offenders abusing children are often able to transpose their grooming techniques from one Asian country to another without much alteration, since customs and practices are similar.

The most obvious grooming activities employed in Cambodia, are not vastly different from those used in the West. All children welcome gifts, trips and outings. For example, a fun fair offering rides and roller-skating, situated on the banks of the Mekong in the heart of Phnom Penh, is frequently used as grooming grounds. Child sex offenders may often have video games in their private residences or role play entertainers or clowns which ensure children will spend copious amounts of time in their company. However, it is important to realise that even the smallest of gifts has a comparatively huge effect on Cambodian children who can be readily groomed by foreign offenders without much effort or monetary input. For example, a child sex offender who offers a mobile telephone to a child as a method of grooming has two effects. Firstly, the child is most often from an extremely poor background

and therefore sees this as a truly wonderful gift, as no one in their community has a mobile telephone. Secondly, it allows the offender to directly arrange meetings with the child and his/her friends either whilst in Cambodia or abroad without the risk of being seen in public places with the child/children.

Poverty is the fundamental factor which enables foreign sex offenders to manipulate and create the foundation for the grooming process. A relationship of dependency is easily established in Cambodia where 36% of the population are living below the poverty line². This relationship of dependency means that children actively pursue relationships with foreigners, in essence, a facet of child prostitution. Children who are orphaned or who have to support family members (who may be alcoholics or gamblers) are pushed into child prostitution. For example, a child shining shoes might earn 1000 riel per day (US\$0.25) but could potentially earn US\$20.00 if he or she has sex with a foreigner.

Over 1.5 million children between the ages of 5 and 14 years are estimated to be working in Cambodia³, many of which are hawkers taking advantage of the growing tourism market. It is therefore not surprising that foreign sex offenders have easy access to children.

Furthermore, as a result of a sizeable and vulnerable community of children, working and living on the streets, foreign offenders not only have access to one or two children but large groups. Street-children often belong to gangs, and as a result of having to support drug habits, the leader or other members of the group who are approached by or have had sex with foreigners will offer or encourage other members of the group to do the same.

Action Pour Les Enfants, Cambodia (APLE), has categorised the active grooming process by foreign sex offenders where a relationship of support or dependency exists, as ‘god-fathering’. It is common for foreign child sex offenders to assume the fatherly duties of monetary support, discipline, education (often in the form of English lessons), and food and shelter. Consequently, such ‘god-fathers’ are grooming the child, the child’s relatives and other persons close to the family by providing housing, luxuries such as televisions, video games and radios, or even the basic necessities that an ordinary Cambodian family is often unable to afford.

1 <http://www.ncis.co.uk/ukta/2002/threat09.asp>

2 The latest national poverty line is approximately US\$0.45 per day, according to the World Bank

3 The Cambodia Child Labour Survey IPEC-SIMPOC 2001

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This relationship of support therefore creates dependency on and trust in the foreigner who appears to be giving and kind. This ensures both the child's silence and the family's inaction or disbelief should the child divulge information pertaining to abuse.

A further two factors ensure a code of silence: firstly, open reference to sexual conduct and public affection are taboo within Cambodian society, and secondly, a societal and age hierarchy is deeply entrenched in Khmer culture. Unfortunately, children are therefore unwilling or afraid to speak openly with their parents and persons in positions of authority about inappropriate conduct or sexual abuse. A foreign child sex offender can therefore openly groom a child with little fear of disclosure.

Unfortunately, in many cases on which APLE has worked, parents or family members have known of the abuse, but as a result of the monetary support, have proved reluctant to sever the relationship between the foreigner and their child.

The huge push to learn English in Cambodia has given sex offenders an excuse to pose as English teachers and to invite children into their private residence or guesthouse. Such sex offenders might charge a reduced rate for lessons which ensures the parents' support and trust. Consequently after developing a relationship with the child through a number of classes, a platform for abuse has been established.

Grooming in Cambodia often takes the form of a marriage engagement. APLE has monitored a number of cases where a foreign child sex offender has made an agreement with the family to marry their daughter, aged between 12 and 13 years, when she reaches the age of 18⁴. This engagement thus builds a relationship of trust with the parents, and means that the offender has access to the girl without the disapproval of the family or the community.

Furthermore, some foreign sex offenders have married Khmer widows who have children. The marriage provides the widow and her children with support, food, education and health care and creates the perfect environment for abuse and for inaction should the abuse be discovered.

The use of the Internet in Cambodia has exploded in recent years, so that one can find as many as five internet cafés on

one block in the capital, Phnom Penh. As a result of competition and in order to ensure a profit margin, many Internet cafés have not installed necessary anti-profanity systems and safeguards. Foreign child sex offenders therefore have access to the Internet which they employ as a grooming tool to desensitise children to acts of abuse and to create a method of communication when the sex offender is abroad. Furthermore, as Cambodian children are new to the phenomenon of online child abusive images they might not view posing naked, when asked to do so, as an act of child sexual exploitation.

Lastly, one must not overlook the major role of establishment-based child sex abuse. As a result of the market for virgins, foreign offenders are able to gain access to children through brothels into which younger and younger girls, sometimes boys, are being lured or sold into prostitution. Additionally, an intermediary might approach foreign offenders, offering the sexual services of children of various ages. However, for obvious reasons, in such cases offenders do not need to employ grooming methods.

ABOUT APLE

In 2003 the PROTECT project was started by Action Pour Les Enfants (APLE) and its international partner Global Humanitaria Spain in order to protect Cambodian children from the activities of child sex offenders.

The main objectives of PROTECT are to reduce incidents of child sexual exploitation, legally protect as well as socially rehabilitate sexually abused children in Cambodia. APLE actively contributes to the national and international movement in trying to eliminate all forms child sexual exploitation and strongly encourages the revision of the various procedures used worldwide to ensure accountability.

protect@globalhumanitaria.com

⁴ In terms of Article 5 of the Marriage and Family law, a woman can only get married on attaining the age of 18.

ITINERANT OFFENDERS, ORPHANAGES AND CHARITIES

There is nothing more heinous than the abuse of children by those who are responsible for their care. Even worse are those offenders who deliberately set up orphanages, childcare facilities and children's projects in order to lure children into their trust. ECPAT UK has seen information on several cases where a British offender has planned meticulously how to guarantee access to the most vulnerable children. Questions still go unanswered about how they were able to raise funds through UK charities to facilitate their abuse. Although most countries have regulations for establishing a charity home or school, in the poorest of countries few people are in the

position to turn down the offer of a new foreign-funded facility to give hope to children. By creating financial dependency within the vulnerable communities, offenders are often protected by others in the community and victims have nowhere to go for help. These locations act as a hub for other offenders and networks develop around them. To date, there has been no conviction under UK law for these types of offences. However, the case examples shown in this report illustrate the British involvement in organised child abuse and paedophile rings abroad.

"It was supposed to be a village for orphans of the Ethiopian famine, a shelter for children who had lost their parents to the ravages of drought, crop failure and starvation. Here, they could eat plentifully and become part of one bigger "family" of orphans and their carers. Instead, this safe haven was targeted by a group of paedophiles led by a Briton, DC, a former aid worker who was sentenced to nine years hard labour in jail in Addis Ababa for sexually abusing 15 boys in his care. He was also found guilty of procuring five boys for two of his paedophile friends. DC came to work for the Swiss-based charity, Terre des Hommes, (TdH) in July 1994, moving to Ethiopia to become its children's representative. He operated from two bases, one in the capital Addis Ababa and the other at Jari, an eight-hour drive away in the parched region of South Wollo.

With more than 300 children in his care, DC became a father figure and encouraged a loving attitude from all the children. They developed a trust that came to be extended to the other white men who started hanging around the village with DC. What neither Terre des Hommes, nor the children, knew was that DC had been convicted of a sexual offence in Britain in 1965 when he was training to be a teacher. A court found that he had "groomed" a young boy and taken him to a country lane where he put pressure on him to perform a sex act.

One of the children said: "We feel very sorry because we are the victims. If David didn't admit it himself, no one would have told on him. They told us they liked us and loved us, and we didn't know it was wrong. DC was like our father. Everybody liked him and trusted him and loved him. We don't have a mother or a father. We don't want anyone to think we have been sexually abused."

*The Guardian, Audrey Gillan, Friday August 8, 2003. Guardian Unlimited.
'Father' Who Shattered Dreams of Orphans. Retrieved June 8, 2005, from
<http://www.guardian.co.uk/child/story/0,7369,1014481,00.html>*

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ITINERANT OFFENDERS, CHILD PORNOGRAPHY AND NEW TECHNOLOGIES

We can no longer neatly separate the issues of child sex tourism and the viewing, making or distribution of child pornography, including child abuse images. More and more case evidence confirms that British offenders who abuse children abroad have in their possession child abuse images and/or the equipment to distribute the images they make themselves while they are abroad. Most often this includes digital camera equipment and images stored on laptop computers or on portable devices.

In May 2005, a New Zealand national resident in the UK was convicted under UK law for offences related to the possession of child pornography and inciting a child to perform an illegal act. After seizing his home computer, police found almost 4,000 images including 212 images taken in Cambodia during a five-day holiday and 372 images taken in the Philippines.

ECPAT UK is concerned that UK investigations into the possession of child pornography, including child abuse images, are not making the links to itinerant offenders and are missing opportunities to protect children abroad. Investigations into victim identification are improving, but there is still a long way to go. This is particularly acute with reference to the identification of children in developing countries. According to INTERPOL, less than 500 children have ever been identified from the many hundreds of thousands of child abuse images, produced over decades, that are still in circulation.

ECPAT UK believes that those who regularly view child abuse images but have not yet sexually assaulted a child may be motivated to travel abroad to abuse because of the perceived anonymity and lower risk of being caught. If successful, as well as the crimes committed abroad, the risk they pose in the UK may also increase should they become more confident in their abusive activities.

A recent study on Internet based child pornography⁵ conducted by the US-based National Center for Missing & Exploited Children concluded that within a 12 month period beginning July 1, 2000, most of the 1713 arrests {in the US} had images of pre-pubescent children (83%) and images graphically depicting sexual penetration (80%). Almost all

arrested were male and of those 91% were white and 86% were older than 25 years. Approximately one in five of those arrested possessed images depicting sexual violence against children such as rape, bondage and torture

In June 2005, the Justice and Home Affairs Ministers for the G8 agreed in principle to plans to develop a new international database that would combine photographs of known sex offenders as well as pornographic images from all the G8 nations in order to make identification of abusers and victims easier. Once fully agreed and operational, this new hi-tech tool will be accessible to the international law enforcement community and will be a giant move forward in the detection of international child sex crimes. But we cannot forget the thousands of children in countries such as Cambodia, Thailand, Kenya and Romania who are abused and photographed for individual collections. There is a critical lack of attention to the impact on children in less developed countries because of the lack of skills and resources. ECPAT UK believes that much more work must be done by the authorities in the UK and other G8 countries to help identify and provide support to these children who might still be suffering. This will require increased resourcing and international co-operation between police forces and child protection organisations at an international, national and local level.



⁵ Wolak, Finkelhor & Mitchell (2005) Child Pornography Possessors Arrested in Internet-Related Crimes: Findings from the National Juvenile Online Victimization Study. NCMEC www.missingkids.com

A British national, (aged 24), was arrested at Don Muang airport on charges of sexual abuse of Thai children and distribution of their pornographic pictures on the Internet. He was arrested around midnight as he was waiting to board a flight to Dubai. Police also seized his video camera and digital photo camera. The man entered the country as a tourist on 17 August last year. During his stay at an apartment in the Sukhumvit area, the man paid Thai boys to have sex with him. He also produced pornographic photos of them, which he posted on his website for purchase by his "customers". British police wanted him arrested after some of the photos he made turned up in Manchester, England. He had produced more than 300 child porn photos during his stay in Thailand. He mainly abused poor boys, who were selling flower garlands in the street.

(The Bangkok Post, Bangkok, Jan 16, 2003)

Note: Through his solicitor this offender has recently requested a Royal Pardon from the King of Thailand.

LOCATION OF ABUSE

While the early focus on the prevention of child sex tourism centred on Thailand, the Philippines and Sri Lanka, case evidence confirms a growing global problem. British nationals have been charged for child abuse offences in Albania, Brazil, Bulgaria, Cambodia, Czech Republic, Dominican Republic, Ethiopia, France, Gambia, Germany, Ghana, India, Japan, Nepal, Philippines, Romania, Spain, Thailand, South Africa, Sri Lanka, the United States of America and Vietnam.

Sri Lanka. September, 2005

British national, MS, was charged by Sri Lankan authorities for sexually abusing two children between August and September 2005. MS fled to the north of the island with two children and their families and was apprehended by the LTTE (Liberation Tamil Tigers of Eelam) who control the far north of the country. The police and two priests who were following him were also detained by LTTE (or Tamil Tigers as they are known). MS, who had previous convictions in the UK for the sexual abuse of seven children in 1994, was returned by the LTTE to Colombo police. The LTTE rebels kept the police imprisoned on suspicion of spying for a further 8 months and they were released in July 2006. The case has raised questions about whether foreign sex offenders have used the route through the rebel held north-east to escape to India in previous cases where foreign alleged offenders have disappeared on bail.

Gambia. July, 2004

British national, JM, was charged by Gambian police for the rape of a 10 year old girl in July 2004. He was taken into custody and his passport was locked in a safe. He denied the charges and was granted bail of £20,000. Days before he was due to appear in court he applied to the British Embassy for a new passport and was duly issued one and he fled the country back to Scotland. The Magistrate was highly critical of the British High Commissioner and the UK authorities for allowing this to happen. The High Commissioner responded by claiming he thought the case had been dismissed. The British lawyer for JM confirmed that the case had not been dismissed.

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THE FIRST UK EXTRA-TERRITORIAL CASE:

January, 2000.

A British paedophile who ran a French campsite has become the first person jailed in the UK for sex crimes committed abroad. KB, 63, from Exeter, Devon, was sentenced to three years after admitting six indecent assaults on girls aged between five and 12. Judge Henry Blacksell, at Middlesex Crown Court, told KB he was “calculating, self-justifying and deceptive”.

The assaults happened between 1997 and 1999 at Le Grand Botives, a converted farm in Malguenac, Brittany, northern France. KB, a retired engineer, had bought the site in 1993 and managed it with his wife of 37 years. The court heard that he set out to attract families with young daughters and gained parents’ trust by acting as a babysitter and children’s entertainer.

He screened people seeking to book holidays at the resort, dissuading teachers, social workers and police officers from staying there. As he logged the families who were staying with him in a ledger, he used a marker pen to highlight the ages of any daughters.

KB, described by police officers as outgoing and intelligent, took videos and photographs of children playing. He asked parents if he could use photos of some children for publicity shots. Thomas Wilkins, prosecuting, said KB “groomed” potential victims by secretly showing them films featuring nudity. KB at first denied any wrongdoing after he was arrested last September at Plymouth as he arrived on a ferry from Brittany. He said he had simply tried to create a campsite for “fun, freedom and happiness, screaming and giggling”.

BBC News (2000, January 21). Campsite Owner Jailed for Sex Attacks.

*Retrieved June 13, 2005, from
<http://news.bbc.co.uk/1/hi/uk/613017.stm>*

Ghana/UK. January, 2006

British national AK was sentenced in the UK for offences related to the sexual abuse of children in Ghana. The case was tried under the UK extra-territorial provisions in the Sexual Offences Act (2003) and was an excellent example of co-operation and collaboration between different police agencies in the UK and Ghana. AK was charged of multiple rape, sexual assault and a range of other charges including the production of child abuse images which occurred between October 2004 and May 2005 as he travelled several times to Ghana. He was also charged for separate offences in the UK for the abuse of British children. AK received a landmark sentence in extra-territorial cases within the UK. In January, 2006 Judge Roger Chapple upon sentencing AK to an indefinite period with a minimum of 5 years said “You took advantage of the abject poverty and the circumstances in which children in Africa and other countries find themselves. You plied them with meals, treats and alcohol and then you sexually abused them in the most appalling ways.”



4. The Tourism Environment

The travel and tourism industry can play an active role in preventing child abuse by developing policies and programmes that support local and international actions. The engagement of hotels and other businesses in tourism areas is essential to provide information to authorities, support children in need, create education and employment opportunities for young people, and take the message to tourists (both local and international) that child abuse is unacceptable. There is also a role for Tourism Authorities to sit side by side with social welfare, police and other agencies in the development of national plans of action.

Tourism is not the cause of child exploitation but the nature of the tourism environment can provide all the factors necessary to make children vulnerable to abuse. They include, but are not limited to:

- Poor tourism planning leads to displacement of communities and loss of traditional livelihood;
- Children are encouraged to sell trinkets and informal services;
- The inequitable distribution of wealth that creates a gap between the tourist 'haves' and local 'have-nots' especially noticeable for housing, electricity and clean water;
- The erosion of traditional values and norms in tourist destinations related to standards of dress and behaviour;
- Perceptions that foreign tourists always have wealth and high status;
- High levels of consumerism in tourist destinations;
- Lack of police and social welfare professionals in tourism destinations;
- The demand for adult sex services from domestic and foreign tourists;
- Lack of inhibitions and responsibility of tourists – the 'it's not my home' mentality;
- No integration of human rights and children's rights in tourism industry training or policy-making.

Tourism often demands opening up 'new' areas in previously undeveloped destinations. This underscores the need for a social audit of tourism practices to identify the impacts on local communities, especially children. Furthermore, global tourism is developing rapidly, and both inter-regional and intra-regional tourism is expanding creating a vast movement of people in all directions. Children's Rights must be built into the development of tourism policy and tourism master plans. For these reasons, local tourism associations must be connected to regional and international child protection initiatives. At the most basic level, there is an immediate need for training and awareness-raising of tourism workers, and the building of relationships between the tourism sector and the NGO community to help NGOs get access to areas from which they are normally excluded.

AWARENESS RAISING CAMPAIGNS

Most international campaigns to prevent the sexual exploitation of children in tourism over the past ten years have been designed to raise awareness. Many of them appear to have been successful in achieving this outcome although few campaigns are ever fully evaluated for long-term changes in behaviour and attitude. Looking at a range of campaign tools such as brochures and posters, most examples target awareness of offending behaviour of adults and do not challenge the core reasons why children are vulnerable, such as social exclusion, poverty, gender inequality, lack of education or employment opportunities. We should not forget that preventing child abuse goes beyond raising awareness which does not automatically lead to a change of behaviour. Without concrete strategies and actions to improve the quality of life for children and their families, children will always be vulnerable to abuse and exploitation. The travel and tourism industry can play a significant role in enhancing sustainable economic and social development but only if they promote and protect human rights as a core principle of business development.



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UNITED NATIONS WORLD TOURISM ORGANISATION (UNWTO)

Following their participation at the World Congress Against the Commercial Sexual Exploitation of Children in 1996, UNWTO set up the 'Child Prostitution and Tourism Task Force' to prevent, uncover and isolate the sexual exploitation of children in tourism. This open-ended action group, including government organizations, national tourism administrations, tourism industry associations, international organizations, NGOs and the media, is still on-going and meets twice a year in London and Berlin.

In 1997, the UNWTO launched an international campaign to prevent the sexual exploitation of children in tourism and has supported a number of international projects including the development of the Code of Conduct against the sexual exploitation of children in tourism.¹ Condemnation of child exploitation has been included in the UNWTO Global Code of Ethics for Tourism. The UNWTO Task Force reports to the Global Committee on Tourism Ethics, now accountable to the UN General Assembly.

INTERNATIONAL TRAVEL AND TOURISM INDUSTRY POLICIES

The following international travel and tourism organisations have developed policies or statements against the sexual exploitation of children:

- The International Hotel and Restaurant Association (IH&RA)
- The International Federation of Tour Operators (IFTO)
- The International Federation of Women's Travel Organisations (IFWTO)
- The IUF/UITA/IUL – trade union representation for hotel and catering workers
- Universal Federation of Travel Agents Associations (UFTAA)
- Pacific Asia Travel Association (PATA)
- International Air Transport Association (IATA)
- In Europe policy statements have been made by HOTREC and ECTAA.

UK TRAVEL AND TOURISM INDUSTRY POLICY

ECPAT UK has been working with the travel and tourism industry for over ten years.

We have enjoyed strong support from the Association of British Travel Agents² (ABTA), the Federation of Tourism Operators (FTO)³ and many UK travel and tourism schools and businesses. The FTO Responsible Tourism Committee – Statement of Commitment says:

We oppose and actively discourage illegal, abusive or exploitative forms of tourism. In particular we support the work of ECPAT and will endeavour to work with them in developing guidelines for tour operators and their customers.

In 2005, ECPAT UK received support from the Travel Foundation⁴ to work with UK based tour operators to develop training and policy advice.

In 2003 ECPAT was presented with the British Airways 'Tourism for Tomorrow' Award for the development of the Code of Conduct to Protect Children from Sexual Exploitation in Tourism. ECPAT was selected from nearly 80 entries in 38 countries.

1 www.thecode.org

2 www.abta.com

3 www.fto.co.uk

4 www.thetravelfoundation.org.uk

5. Country Reports

As part of ECPAT UK's work to monitor the sexual exploitation of children in tourism worldwide we produce brief country reports to give an overview of the individual country context. These reports are not exhaustive but they are produced to help give a context for researchers and others interested in the protection of children. The five country reports below are researched using reports from publicly available government and non-government sources. The country reports below are for: Dominican Republic, The Gambia, Thailand, Sri Lanka and Kenya. Sources for these reports are listed at the end of this section.

Dominican Republic

1. Background

Although there is a recognised sex industry in the Dominican Republic, those women and children involved are socially stigmatised and harassed. In the past the police regularly rounded up and arrested those involved in prostitution. Corruption within the military and police force was also recognised as widespread. Since 1998 police clampdowns on outdoor prostitution in Boca Chica and Sosua have resulted in large numbers of women and girls being arrested and fined. A number of bars that had children working for them were closed down and their owners fined or deported. The result of the clampdown was a reduction in sex tourism in Boca Chica and Sosua, although not in the Dominican Republic as a whole, as sex tourists appeared to travel to other areas such as Cabarete. Elections in 2001 saw the new government determined to eradicate police corruption. Rather than the military police policing the tourist areas, high numbers of tourist police were employed. As well as increased police powers, the new tourist police were given higher salaries and have become less threatening and more tourist-orientated. However, policing towards prostitution offences remained largely the same, and while attitudes amongst police may be changing in relation to children being viewed as victims rather than 'prostitutes', there is still some way to go for women and children involved in prostitution not to be treated as criminals.

2. The legal environment

The age of consent is eighteen years of age. The Code of Minors has recently been revised and has strengthened provisions against child abuse, including physical and emotional mistreatment, sexual exploitation and child labour. The offences of child abuse carry a sentence of between twenty to thirty years and \$2,000 – \$10,000 fine. In the past, offenders

arrested for sexual abuse against children have rarely been prosecuted, but are instead deported to their country of origin. Between 2000 – 2001 two Spaniards, one Italian, one Canadian and one German were deported for sexually abusing children. The police have also charged three local people involved in organising trafficking networks of children from poor provinces to tourist areas. The new law was ratified in 2003.

3. The vulnerability of children

According to newspaper reports approximately 30,000 children and adolescents are involved in the sex industry in the Dominican Republic. Two thirds of those are girls. The main reason for entering prostitution is to support themselves, their children or their family. It has also been found that girls enter prostitution with the aspiration of meeting a rich foreign man that takes them abroad. Children become involved in prostitution through friends and family who encourage them to migrate and help them to find jobs and settle into tourist areas. Boys entering prostitution as teenagers often aim for the top end of the market as 'Sanky Pankies'¹, these are the men who often work for hotels or have some other employment in the tourist sector but mostly provide sexual services for tourist women.

Children are increasingly vulnerable to sexual exploitation due to:

Sexual violence and intra-family violence: High levels of sexual and domestic violence leave children, particularly girls, vulnerable to sexual exploitation outside of the home. A 'double standard' for female sexuality exists within the Dominican Republic, with female virginity being prized, yet the men are urged to become sexually active from an early age. In some areas of the Dominican Republic, 25 percent of girls in prostitution had been raped. Low levels of self esteem and confidence, coupled with the loss of virginity and exposure to violence leaves girls in particular, vulnerable to entering prostitution.

¹ Also known as 'Hanky Pankies', 'Sankie Pankies'.

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Patriarchal society: Dominican society is male orientated, with men running the household and having dominance over women. While some attitudes are changing and females are able to actively look for work rather than being kept in the home, there are few alternatives for earning money. Job opportunities still only exist in the 'female' domain of cleaning, cooking and clothing manufacturing. This leaves little opportunity for a girl to earn money to support her family. Boys are often more able to find work outside of prostitution but may become involved when working in the informal tourist industry, where prostitution with tourists will earn them extra money.

Teenage pregnancy: Teenage pregnancy within the Dominican Republic is high with 13.3% of fifteen- to nineteen-year-olds becoming mothers and 403 babies born to girls under fifteen in 2003. With little opportunities to earn money, girls enter prostitution. UNICEF found that forty-eight to sixty percent of girls in prostitution had children, and the majority of these come from the poorer sector of society with 'weak' family structures.

4. The offending environment

The Dominican Republic attracts tourists looking for sex. They come from many different nationalities, backgrounds and with different sexual preferences. Of those who engage in sexual acts with children a small number are men who might be described as 'paedophiles' who have a specific sexual interest in children. The others are 'ordinary' opportunistic sex tourists, who travel in search of cheap, anonymous sex with multiple partners and will use teenage girls or boys if they are available. These men tend to stay in smaller hotels or private accommodation in tourist resorts with large expatriate communities such as Sousa, Boca Chica or Santo Domingo.

5. The tourism environment

The Dominican Republic received over two million visitors in 2000. European tourists accounted for 57 percent of visitors in 1998 with 30 percent from Canada and US (Ministry of Tourism Office, 1998). Tourism is one of the largest employment sectors in the Dominican Republic with an estimated 44,000 Dominicans employed directly in the formal hotel sector and approximately 110,00 indirectly employed in the tourism industry in 1995. However, they are often employed in low paid jobs, as higher paid jobs go to expatriate workers or locals with a good education. Research reports have shown that foreigners seeking to abuse younger women and children tend to stay in smaller hotels in resorts with large expatriate communities such as Sosua, Boca Chica or Las Terreras or stay at all-inclusive hotels in resort areas, but go to short-stay hotels to engage in sexual acts and prostitution. On complexes such as Playa Dorada taxi drivers or Motoconcho are often willing intermediaries, providing transport to local prostitutes, procuring girls and women and advising on short-stay hotels in exchange for a fee on top of the fare. Some supplement their income by procuring girls as young as 12 or 13 years old for tourists.



The Gambia

1. Background

UNICEF research in The Gambia (2003) shows that children abused through prostitution can be as young as ten years old. In some cases older girls, aged over fifteen say that they are younger in order to attract customers. Child sex tourism is particularly prevalent around the Tourist Development Area, as well as in Kololi, Senegambia and Pipeline. Although there are some cases of children being pressurised into prostitution by their family, children will often be seen to work alone or in a small group. Sometimes an older 'brother' may set up the transaction. In other cases, a man may become known to tourists as a good 'intermediary' and be recommended to their friends. In this case, the 'intermediary' will receive money from both the tourist and the child for initiating contact.

Research by Terre des Hommes (2003) outlines the ways in which tourists access children:

- Hotel workers or security guards take children to tourist's rooms for money;
- Bumsters (beach boys) act as intermediaries between the tourist and the child;
- Taxi drivers who act as intermediaries for a fee;
- Young men who can be seen driving around the tourist area in four-wheel drives and appear to provide services to tourists (often illegal);
- Approaching children who are selling fruit or peanuts on the beach;
- Making contact with a family and offering financial help for buying food and then offering school sponsorship to children;
- Going to schools to offer children sponsorship,
- Getting a child's mobile phone number and then offering them free educational materials and school sponsorship.

2. The legal environment

The Gambia ratified the United Nations Convention on the Rights of the Child on 3rd August 1990, and the African Charter on the Rights and Welfare of the Child in September 2000, both of which require the government to protect children from sexual exploitation.

The main legislation is the Tourism Offences Act, 2003, which

is wide-ranging and defines a child as anyone under eighteen, although the legal age of consent is sixteen years. The Tourism Act stipulates that anyone employed in the tourism industry is committing an offence if s/he makes any sexual advances or offers any illegal service or product to a tourist. Such an offence leads to a fine, imprisonment of a maximum of two years and disqualification from tourism related work for ten years. The Act also states that owners, occupiers and managers of property can face a fine and five years in prison if they knowingly allow a child to use their premises for the purposes of sexual activity.

Under Article six of the Act, a tourist who sexually abuses a child commits an offence whether or not the child consented and whether or not at the time of the sexual abuse the tourist believed the child to be over eighteen years of age. On conviction the offender could face imprisonment of up to fourteen years.

3. What makes children vulnerable?

While Gambian children are abused through prostitution, children from other nationalities are also abused. Gambia has large communities of refugees from war torn neighbouring countries, and nationalities include Sierra Leonean, Senegalese, Congolese, Guinean, and Liberian. Many of these children may be living in the Gambia without their families, making them vulnerable to exploitation.

The main reasons that children in the Gambia become vulnerable to exploitation include:

Poverty: A 2004 report by the United Nations Development Programme states that 82.9 percent of the population lives on less than US\$2 a day.

Gender discrimination: Females are discriminated against, resulting in less access to education, employment or land resources. The effects of poverty fall heavily on women and girls, leaving them very vulnerable to various forms of exploitation. However, boys are also vulnerable due to their parents' situation, and children often work as vendors or apprentices to bring an income into the family and are often in situations that put them at risk.

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Early marriage: Early marriage is common in the Gambia, and a significant age gap between an older husband and his young wife is considered culturally acceptable. While there are many problems associated with early marriage, the death of an older husband or divorce often leaves the wife and her children without any means of financial support. This lack of financial resources can lead to young widows or divorcees being pushed into prostitution. Additionally, if a girl is not married early she is often viewed as a drain on her parents' resources and may feel pressured to contribute to the household.

'Glamorous' lifestyle: Girls also end up being sexually exploited because they associate prostitution with a 'glamorous' lifestyle. UNICEF (2003) found that some girls feel envious of their friends wearing fashionable clothes and hanging out in nightclubs. It is also considered fashionable to have a 'white' boyfriend because of opportunities to travel abroad. Thus, girls who are not forced into prostitution because of poverty or coercion become involved as a way to "escape victimisation of poverty, abandonment and sexual abuse or harassment at home where they feel powerless".

4. The offending environment

While this briefing looks specifically at foreigners who sexually abuse children, it must be noted that there is also a demand for children in prostitution by Gambians themselves. According to a 2003 UNICEF report the existence of 'sugar daddies' (also locally called 'Mafia Pas' or 'Big Bosses'), i.e. older men having sexual relationships with girls in return for basic needs and sometimes luxury gifts, is common in the Gambia. However, some of the women and children are looking for more 'open' prostitution in order to meet foreign men (toubabs) who pay more money, and potentially enable them to get a visa to travel to Europe.

5. The tourism environment

In 2002 tourism income contributed to approximately 4.2 percent of the Gambia's Gross Domestic Product (GDP). Approximately 10,000 local people are directly or indirectly employed in the tourist industry, predominantly in low earning or insecure jobs that last for the six-month tourist season. However, due to the wage earner often supporting an extended family, some five to ten times this number (and possibly ten percent of the population) may be totally dependent on tourism. With so many people dependent on the tourism industry, codes and practices are required to ensure that exploitation does not occur in this sphere.

In relation to child sex tourism, the Gambian Government is part of the Task Force to Protect Children from Sexual Exploitation in Tourism, a multi-agency group set up by the World Tourism Organisation. The group aims to "prevent, uncover, isolate and eradicate the exploitation of children in sex tourism". Other measures in collaboration with non-governmental organisations include the development of a national plan of action and the establishment of a National Task Force on Child Sex Tourism and an on-going programme of training for tourism stakeholders. Some of these have been held in partnership with ECPAT partners.



Thailand

1. Background

Sex tourism in Thailand can trace its origins to the presence of American military on rest and recreation leave during the Vietnam War from 1962. Today it is part of a burgeoning sex industry that includes prostitution, pornography and human trafficking. Although local men make up the majority of the purchasers of sex, foreign tourists are a significant proportion of these.

Due to the hidden nature of child sexual abuse reliable figures are hard to compile and cases difficult to document. Available figures estimate that some 30,000 to 40,000 children under eighteen years of age, not including foreign children, are exploited as prostitutes. But, the number of Thai children in the sex industry is falling due to improvements in the economy, educational opportunities and legislation. Instead, many of the children being exploited are from neighboring border countries, or ethnic hill tribe children trafficked within the country from the north. This is being organised by criminal networks that operate much of the sex tourism industry and utilise pre-existing drug smuggling routes for trafficking people. According to the US State Department's Trafficking in Persons Report (2005), "widespread sex tourism in Thailand encourages trafficking for commercial sexual exploitation". The US report also notes that while the government shows some signs of preventing trafficking via law enforcement and curbing corruption, it is still failing to protect child trafficking victims of trafficking.

Since procuring children for sex is illegal in Thailand the transactions generally take place off-street in bars, brothels or hotel rooms. However, tourists have been known to directly approach children on the streets or beaches. Although pimps are not the norm in mediating for sex with women, they are often involved in the exploitation of children. Relatives and acquaintances also play a role in coercing or persuading children to 'help' the family economically by prostituting themselves.

2. The legal environment

Thailand has been a signatory to the UN Convention on the Rights of the Child since March 27, 1992, and accepts the definition of a child as anyone not over eighteen years of age. However, under domestic law there are different ages of consent depending on the crime committed. According to Thailand's

criminal law anyone raping or committing indecent acts against children under fifteen faces seven to twenty years in prison. Child prostitution is illegal under the Prostitution Prevention and Suppression Act (1996). Anyone having sex with a child between fifteen and eighteen years of age faces a fine and a prison sentence. The lengthier sentences are reserved for the procurers and traffickers of children into prostitution who face up to twenty years in prison. Parents who allow a child to enter into prostitution also face punishment. Although the law has provisions to protect witnesses and victims in court these are not widely used. There are detailed provisions, including extra-territorial laws for punishing traffickers in the Measures in Prevention and Suppression of Trafficking in Women and Children Act (1997).

In March 2005, a Cambodian woman was convicted and sentenced to eighty-five years imprisonment for trafficking eight Cambodian girls to Thailand and Malaysia. From 1996 to 1999, there were thirty-seven cases involving foreign sex offenders under investigation by Thai police in Pattaya, a well known location for paedophile sex offenders.

3. What makes children vulnerable?

While there is a general reduction in the number of Thai children in the sex industry this is not true for all children. The northern hill tribe children are especially vulnerable to internal trafficking due to state policies that discriminate against them in education and citizenship and thus expose them to poverty and disadvantage. The majority of trafficked children are from Burma, Laos, China and Cambodia.

The reasons why and how children are commercially sexually exploited are numerous and include:

Poverty: A third of the population lives on less than US\$2 a day and in the agricultural northeast one in six people lives on less than US\$1 a day.

Ethnic hill tribe children: There are approximately 800,000 to 900,000 hill tribe people living in the border region of northern Thailand. They suffer from disproportionate levels of poverty in relation to the general population and most of them lack citizenship cards. This means that they do not have

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access to health care or primary school, which limits their further education or employment opportunities. This discrimination makes the children and women especially vulnerable to trafficking and other forms of sexual abuse.

Trafficked children: Many children are trafficked into or within the country through criminal networks, acquaintances, former trafficking victims and border police and immigration officials who transport them to brothels across Thailand. Because foreign children are unable to speak the Thai language and are often considered illegal immigrants, they are particularly vulnerable to physical abuse and exploitation.

Sense of duty: According to traditional customs the first duty of a girl is to support her family in any way she can. Due to this sense of duty and to pay off family debts, many girls have been forced into prostitution and some have even 'married' their abusers.

4. The offending environment

The economic power of foreign tourists makes the sex industry in Thailand so lucrative for organised criminal gangs and the extensive network of foreign bar owners. According to research conducted in 1994 by British academic Julia O'Connell Davidson: British men who frequent prostitutes and who may sexually abuse children in Thailand can be characterised within three different categories. These have been identified as the 'Macho Lads', 'Mr. Average' and the 'Cosmopolitan Men'. Macho Lads are in their early twenties who travel in groups and seek sex with many girls or women and congregate around the resort of Pattaya. 'Mr. Average' is generally older, on a second or third trip to Thailand and seeks a longer-term relationship with a prostitute. 'Cosmopolitan Men', well-read and traveled, fail to see any similarity between themselves and other male sex tourists. What all these men have in common is their denial of the exploitative nature of their activities. They frequently rationalize their behavior as benefiting the women, children and the local economy. Although this research is over ten years old more recent anecdotal information confirms that it is still an accurate description.

5. The tourism environment

According to the Tourism Authority of Thailand (TAT) there were twelve million tourists in 2004. Tourism is a major foreign currency earner for Thailand, accounting for six percent of its gross domestic product (GDP). The Royal Thai Government is working with the tourism industry, non-governmental and international organisations, including ECPAT, to develop campaigns and policies. The TAT works with tourist police in detecting and prosecuting sex tourism operators found guilty of organising child sexual exploitation and has been involved in blacklisting foreigners and banning them from entering Thailand and passing information on alleged offenders to foreign police.



Sri Lanka

1. Background

In Sri Lanka an estimated 36,000 children are believed to be victims of prostitution, according to a study by UNICEF in 1998. Both boys and girls are equally vulnerable to trafficking by criminal networks for the purposes of coerced labour and sexual exploitation. According to the 2005 US State Department Trafficking in Persons Report the Government of Sri Lanka is making progress towards eliminating trafficking. In 2006 a new campaign was launched in partnership with UNICEF and local organisations that has brought attention to the need for greater protection of children in tourism. The problem of child sexual exploitation and sex tourism appears to be a major issue in coastal areas, particularly in the South and South West. In these areas it is places such as Hikkaduwa, Negombo, Mt. Lavinia and Galle that report the highest incidence of abuse. But more recent reports suggest abuse is prevalent in hill country areas in the centre of the island as well. Local organisations argue that child sex tourism exists because of the level of poverty and unemployment. Poorer families are unable to send their children to school and depend on their children to supplement family income.

2. The legal environment

Sri Lanka ratified the United Nations Convention on the Rights of the Child (CRC) in 1991. In 2002, the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography was signed and the ILO Convention 182 on the Worst Forms of Child Labour ratified. Under domestic law, the definition of a child is anyone below the age of eighteen years and child abuse includes all acts of sexual violence against, trafficking in and cruelty to children. The law prohibits the use of children in exploitative labour or illegal activities. The penalties for sexual exploitation and child trafficking range from five to twenty years imprisonment and an unspecified fine. Procurers and those who knowingly allow a child to be abused on their premises also face the same sentences as those directly abusing a child. Between 1994 and 2003 nineteen foreign sex offenders have been convicted in Sri Lanka for child abuse. The government also operates a Cyber-Watch Project, which contains a database of suspected sex offenders.

3. What makes children vulnerable?

The Boxing Day Tsunami in 2005 significantly increased the vulnerability of children living in coastal areas. Many children orphaned by the Tsunami or by the ongoing conflict in North-East Sri Lanka could be considered at risk. Others who are from inland rural areas, including street children and child domestic workers are also easily tempted by false promises of employment into situations of abuse.

Lack of parental supervision: Many parents work for a daily wage in fishing hamlets and other trades that force them to leave their children alone and unsupervised. In addition, the export of female labour to the Middle East has left many young children at risk of exploitation. It is mothers who are considered the primary carers of children. Lack of maternal care within the family is reported to increase vulnerability to abandonment and abuse.

Sexual and intra-family violence: There appears to be some correlation between domestic violence, intra-familial abuse and prostitution. For girls, losing their virginity before marriage carries a heavy social stigma in Sri Lankan society and often leaves them with few options other than prostitution for economic security.

Ethnic conflict: Ethnic conflict has left an estimated one million children displaced or abandoned in Sri Lanka. This exposes them to criminal networks that traffic children to various parts of the country into all kinds of labour, including sexual exploitation.

4. The offending environment

The children, both boys and girls, are often introduced to sex tourism by a 'trustworthy other' who may be an older child, neighbours, or known foreigners. One reason offenders give for seeking children in Sri Lanka is because they perceive them as being submissive compared to children from other countries. The prostitution of children in Sri Lanka is usually organised through brokers or pimps. Trishaw (three wheeler) drivers, acting as intermediaries, are the main and often first point of contact for sex offenders when procuring children for sexual purposes. The abuse of children usually occurs in small guesthouses or private villas. Much of the abuse remains undetected and unreported because of its covert nature.

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5. The tourism environment

In 1997, with cooperation from local and international NGOs a Task Force on child protection was set up. This in turn led to the formation of a National Child Protection Authority (NCPA) in 1999 that has the mandate to investigate child abuse cases in collaboration with police. The Sri Lanka Tourist Board is the main regulatory body overseeing tour operators and guides. In Negombo, there is a Tour Guides Association regulating and registering trishaw drivers and awarding them a certificate of membership. However, in most of the coastal regions the tour guides are not registered with the Sri Lanka Tourist Board and thus have little accountability or regulations governing their behaviour and quality of services. The Tourist Board has now initiated a Plan of Action with the government that is meant to train staff, provide information to travellers and cooperate with authorities on child sex tourism issues. A new programme was launched in partnership with UNICEF in 2006 with a major public awareness campaign against the sexual exploitation of children in tourism. Local Sri Lankan NGO PEACE, was one of the founding members of the ECPAT network in 1989 and has been involved in tourism training and campaigns for many years.



Kenya

1. Background

Although there is little data to verify the true scale of the problem, children are clearly vulnerable to such abuse given the levels of poverty and the large numbers of street children and children orphaned by AIDS. UNICEF estimates that some 30,000 Kenyan children are being exploited in the sex industry and that this figure is likely to be an underestimate due to the lack of monitoring and the social stigma inhibiting children from reporting abuses. Foreign tourists and expatriates have been known to procure children as domestic workers in private residences thus avoiding detection. On the beach resorts of Mombassa and Malindi, local children's organisation report the sexual abuse of both boys and girls by foreign tourists. Children frequent the beaches in front of resorts to beg or to sell trinkets.

2. The legal environment

Kenya ratified the Convention on the Rights of the Child on 30 July 1990 and also signed the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. In order to bring its legislation in conformity with international obligations, Parliament enacted the Children's Act in 2002, which defines a child as anyone who is under the age of 18 and provides protection from sexual exploitation, including prostitution and pornography. It also includes provisions guaranteeing free basic education and the right to health care for children. Under the Children's Act the National Council for Children's Services and Children's Courts have also been established to promote and protect the best interests of the child. Other legislation that protects children is the Criminal Law (Amendment) Act, which entered into force in July 2003 and harmonized the penalties for rape and defilement to the maximum sentence of life imprisonment. Attempted rape is punishable by life imprisonment and ignorance of the age of a female victim of rape is irrelevant in establishing criminal responsibility. New legislation has been put before Parliament in 2006 which will strengthen laws against child sexual abuse and exploitation involving foreigners.

3. What makes children vulnerable?

Kenyan children and those children trafficked into Kenya are exposed to a wide range of exploitative situations and vulnerabilities. Some of these are:

Poverty and migration: According to Government figures an estimated 15 million people are living in poverty in Kenya, i.e. some 52 percent of the population. This has led to many rural children, with or without their families, migrating to urban cities to seek better opportunities and employment. However, these families and children simply exchange the poverty of the rural areas with the poverty of the urban cities by living in overcrowded slums. Many of the children end up living on the streets.

Street children: Research suggests that some 250,000 children, including 60,000 in Nairobi, are living on the streets and are extremely vulnerable to sexual abuse, including commercial sexual exploitation. Children living on the streets and destitute children often have no alternative but to exchange "sex for survival" in order to pay for food or a drug dependency formed as a result of their life on the streets. This situation is often mediated by older 'protectors' who exploit these children by pimping them to other street members, the public and sex tourists. According to ECPAT, a child rights organisation and local Kenyan representative of the ECPAT International network, independent agents with multilingual skills facilitate contact between children and sex tourists in Mombassa's and Malindi's bars, nightclubs and discotheques.

HIV/AIDS and the breakdown of family support: An estimated 2.1 million adults and children in Kenya are living with HIV/AIDS, the ninth highest HIV prevalence rate in the world. U.S. Census Bureau projections for 2005 indicated that there would be about 820 deaths per day from AIDS in Kenya and to date there are some 1.8 million AIDS orphans who are particularly vulnerable to sexual abuse because of the lack of parental oversight. In addition, they and other children are at increasing risk due to the prevalent belief that having sex with a young child reduces the possibility of HIV infection or, with an infant, will cure the infection.

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Organised prostitution: The rising number of AIDS orphans has contributed to the increase in children being lured into the sex industry. According to the International Labour Organization (ILO) some 30,000 girls under the age of 19 years are engaged in prostitution in Kenya. This figure is believed to be an underestimate of the true extent of the problem.

Early marriage: Research indicates that most early marriages are forced upon young girls who are taken as a second or third wife. These girls suffer from domestic violence and poverty and they are often abandoned once their husband take another wife. Not enough is known about their condition, but they are clearly a highly exploited group that has little recourse to any assistance or care.

Child labour: Child labor is prevalent in Kenya, with an estimated 41.3 percent of children between 10 and 14 years of age being exploited for cheap labor. Children in domestic service, especially in residences catering or owned by expatriates are potentially at risk of sexual exploitation.

Trafficking: The US State Department Trafficking Report (2005) states that children are being trafficked internally from rural to urban areas by individuals and criminal networks for the purpose of commercial sexual exploitation. Most of the traffickers lure children and their families with promises of employment and marriage. Children from Burundi and Rwanda are also trafficked to the country's coastal areas for exploitation in the sex tourism industry.

3. The offending environment

The methods used by sex offenders to access children are varied, but often involve an intermediary, be it hotel staff, tour guides, street pimps, family members, criminal networks and various other intermediaries in the sex industry. It is reported that some young girls working in Malindi as domestic help for foreign tourists have had abusive images taken of them for distribution to people abroad.

5. The tourism environment

Since the 1970's the popularity of Kenya as a tourist destination has continued to rise. There were 1,361,000 visitors to Kenya in 2004 as compared to 969,000 in 1999; the majority coming from the United Kingdom, Germany, France, Switzerland and Italy. The Government believes that the problem of sexual exploitation of boys has arisen due to a direct result of foreign sex offenders coming to Kenya. Whether this is true or simply a denial of the sexual abuse of boys in local society is unknown. Apart from enacting new legislation to control the problem of child sexual abuse, the Ministry of Tourism and Wildlife has instituted a Beach Management Programme. Under this programme, the beach traders are organized into a Beach Operators Association, with about 6,000 members. This Association hopes to prevent the pimping and exploitation of children by rogue traders.

Since 2001 the Kenyan Government and Tourism Ministry have become more aware of the national issue of child sex tourism and set in motion initiatives to combat it. For example, the Mombassa and Coast Tourism Association carry out campaigns amongst member hotels and tour operators on the rights of the child. The Government is also undertaking a registration program for coastal guesthouses. In 2005, as part of the implementation of the Code of Conduct against the sexual exploitation of children in tourism, adopted by the Kenyan tourism industry, government agencies and NGOs, a series of awareness raising and training seminars and workshops were organised by 2 ECPAT partners – End Child Prostitution in Kenya (ECPIK) and Respect (Austria). These workshops were provided to police, tourism and social welfare agencies along the coastal areas and highlighted the roles and responsibilities of various stakeholders in combating the exploitation of children.

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ECPAT UK PRESENTED WITH TEN YEAR ACHIEVEMENT AWARD

On the 19 July 2006 ECPAT UK was awarded UNICEF UK's 60th anniversary award. UNICEF only makes these awards once every ten years. The awards are discretionary, made to individuals and organizations to recognize their exceptional contribution to the fulfilment of UNICEF's mission for children during the last decade.

The award was presented by Lord Attenborough and the following citation was read by David Stanton, Chairman of UNICEF UK.



*Lord Attenborough and Christine Beddoe,
Director. ECPAT UK*

ECPAT UK is part of an international network of ECPAT groups in over 60 countries – ECPAT stands for End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes. It has been an invaluable partner of UNICEF UK's in its work to tackle child trafficking. Integral to UNICEF UK's End Child Exploitation campaign and more since, ECPAT UK has been tireless in drawing attention to child exploitation and it constantly challenges government and other agencies to respond to the needs of children. Its integrity, focus and effectiveness has seen it become a key, influential voice among decision makers. As a result, ECPAT UK has helped achieve significant strides for children's rights in the UK.



6. Conclusions

“[Lord Hylton]I accept that it is normally much better for British paedophiles to be prosecuted in the countries in which they commit their offences. If necessary they should be extradited from the United Kingdom to stand trial. In the nature of things, however, not all such offenders will be charged overseas and we do not have comprehensive extradition treaties with all the other countries. That is why we need a reserve power for our own courts. The power will probably not be used frequently but even one or two cases a year would have a powerful deterrent effect. Potential offenders would know that even if they escaped scot free while overseas, retribution could come after they return here. It should be as risky and as dangerous to molest children overseas as it is already to do so at home.”

House of Lords, Hansard report, 21 Feb 1996: Column 1120

The above words spoken by the Lord Hylton during a debate on the passing of the 1996 Sexual Offences (Amendment) Bill are as true today as they were in 1996. It should be as risky and dangerous to molest children overseas as it already is at home. To be an effective deterrent, the law must be implemented, promoted and understood by all those who have responsibility to safeguard children. Although numerous cases now exist of British nationals arrested by other countries, the fate of these cases is often to be clouded by corruption or by a lack of capacity to sustain the investigation through to a conclusion. Those who do get convicted and sentenced in the country where the offences take place are not necessarily deported, leaving uncertainty as to their whereabouts or subsequent actions. Moreover, they are not automatically placed on the UK Sex Offenders Register, even though the provisions exist to do so.

ECPAT UK is concerned that the UK has fallen well behind other countries in its obligations under the 1996 Stockholm Declaration and Agenda for Action and subsequent follow-up in Yokohama in 2001. One tangible outcome of this is that the extra-territorial laws have not been the powerful deterrent as described by Lord Hylton. British nationals have continued to abuse children abroad, irrespective of the law.

It is a national shame that United Kingdom has not done more to safeguard the world's most vulnerable children. It is unacceptable that the UK has no current comprehensive

National Action Plan against the commercial sexual exploitation of children. While there has been much progress over the past ten years, including new laws and the most recent launch of the police led Child Exploitation and On-Line Protection Centre – potentially a world leader in technical, logistical and operation support for law enforcement – it is not enough.

The vulnerability of children remains the same as it was in 1996 at the Stockholm World Congress Against the Commercial Sexual Exploitation of Children. In many instances, indeed, it has become worse. Civil conflict, natural disasters and the AIDS pandemic have left millions of children orphaned and homeless over the past 10 years. Air-travel has become so much cheaper with budget airlines and holiday packages that one can travel almost anywhere in the world. The flood of new technology provides a catalyst for abusing children in a way never imagined at the Stockholm World Congress. To show how far we have come, the Bangkok headquarters of ECPAT International did not have Internet or email during the 1996 preparations for the Stockholm World Congress. Only a handful of those NGOs from the 122 countries that participated at the Congress had access to email and all international communication was done by fax or telephone.

In order to combat the sexual exploitation of children, there must be a comprehensive, co-ordinated partnership between many stakeholders: not only the police and the Home Office, but prosecutors, lawyers, embassies, NGOs, the travel industry, and the media, to name a few. ECPAT UK hopes that this report will remind us all of the outrage that was felt in 1996, and that it will encourage renewed partnerships and increased action both in the UK and internationally.

ECPAT UK acknowledges the major achievements since 1996 but we are also mindful of the major gaps that still exist to guarantee that all legislation, policies and practice are child centred and victim focussed. On the following page we set out our recommendations to make sure these gaps are closed and that children everywhere receive the highest level of protection, care and support.

ECPAT UK firmly believes that children must be placed at the centre of any recommendation. The ‘best interest of the child’ principle should guide all policy, legislation and practical responses to child protection.

Policy

- An immediate review of all UK policy and practice that relates to the management of Itinerant Offenders, including, but not limited to, consultation with police and other stakeholders about why the Sexual Offences Act (2003) is not being used widely for extra-territorial crimes against children.
 - A review of how the UK police can assist local police to support in-country investigations. A very positive example of this would be the development of Rapid Deployment Teams with a UK multi-agency team of police, legal advisor and social worker to work in tandem with their international counterparts. This would provide immediate assistance when children are being abused by a British national and where the local authorities do not have the capacity to respond.
 - The development of a Home Office-led experts group to provide on-going support and evaluation of legislation, investigation and monitoring of the UK’s commitments to children abroad.
 - A review of the role of the Foreign and Commonwealth Office, including embassies and missions, in monitoring cases of British nationals arrested abroad and how this information is passed on to law enforcement agencies in the UK.
 - A review of training needs for UK-based police, for the Crown Prosecution Service and the Judiciary around offences committed abroad.
 - Increased support from the Department for International Development to support education and alternative employment opportunities for street children, working children and children in extremely difficult circumstances.
 - Increased involvement of the Charities Commission in scrutinising UK-based charities that fund-raise for orphanages, children’s shelters and schools abroad.
- An education campaign at airports and throughout the UK to educate people about the law and its intention. This should involve the travel and tourism industry and NGOs who can co-ordinate with partners abroad.
 - An immediate review of past and present cases of UK offenders who have been charged with offences committed abroad and analysis of these cases in order to assist government in understanding the full context of offending patterns, including grooming in an overseas context.
 - An investigation into how victim identification mechanisms for children abused in pornography within the UK can be better extended to countries across the world so that child victims can be identified and supported.
 - An investigation into how children who have been abused by British nationals can apply to the courts for restitution or compensation for the abuse they have suffered.

And finally

- An evaluation of the 2001 National Framework for Safeguarding Children from Commercial Sexual Exploitation process. The results of this evaluation should be used to inform and develop a new National Plan of Action that allows us to honour the obligations to children made by Her Majesty’s Government in Stockholm in 1996 and in Yokohama in 2001.

“[Lord Ackner]the passing of this type of legislation will provide a valuable deterrent. As is the case with some airlines, specific warnings on certain matters can be given to passengers. In the case of this Bill those warnings would no doubt be directed to citizens of, or those resident in, the United Kingdom, and would contain an indication that a recent Act had been passed which put them at risk of incurring severe penalties if they committed sexual offences with children abroad. That would instil fear among quite a high proportion of those engaged in this sort of activity. I have little doubt that it would act as a significant deterrent.”

House of Lords, Hansard report, 21 Feb 1996: Column 1123
The late Lord Ackner Q.C, PC, 1920 –2006, was a distinguished barrister, judge and Law Lord.

Legislation

- The removal of Dual Criminality from the Sexual Offences Act (2003)
- The closure of the three-day loophole in the Act, with the recommendation that all registered sex offenders must notify of all foreign travel.
- A review of the Foreign Travel Order provisions, and an exploration of other more rigorous models that can be used to restrict travel for high-risk offenders.

Practical solutions

- A phone free hotline from anywhere in the world to report abuse and a dedicated on-line response hotline, linked to the Virtual Global Taskforce

Appendices

1 THE STOCKHOLM DECLARATION First World Congress against Commercial Sexual Exploitation of Children Stockholm, Sweden, 27 – 31 August

Declaration

1. We, gathered in Stockholm for the World Congress against Commercial Sexual Exploitation of Children, representing the Governments of 122 countries, together with non-governmental organizations, the End Child Prostitution in Asian Tourism (ECPAT) campaign, UNICEF and other agencies within the family of the United Nations, and other concerned organizations and individuals worldwide, hereby commit ourselves to a global partnership against the commercial sexual exploitation of children.

The Challenge

2. Every day, more and more children around the world are subjected to sexual exploitation and sexual abuse. Concerted action is needed at the local, national, regional and international levels to bring an end to the phenomena.
3. Every child is entitled to full protection from all forms of sexual exploitation and sexual abuse. This is reaffirmed by the Convention on the Rights of the Child, an international legal instrument of universal significance (of which there are 191 States Parties). States are required to protect the child from sexual exploitation and sexual abuse and promote physical and psychological recovery and social reintegration of the child victim.
4. According to the Convention on the Rights of the Child, the best interests of the child shall be a primary consideration in all actions concerning children, and their rights are to be enjoyed without discrimination of any kind. In all matters affecting the child, the views of the child should be given due weight, in accordance with the age and maturity of the child.
5. The commercial sexual exploitation of children is a fundamental violation of children's rights. It comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery.
6. Poverty cannot be used as a justification for the commercial sexual exploitation of children, even though it

contributes to an environment which may lead to such exploitation. A range of other complex contributing factors include economic disparities, inequitable socio-economic structures, dysfunctioning families, lack of education, growing consumerism, urban-rural migration, gender discrimination, irresponsible male sexual behaviour, harmful traditional practices, armed conflicts and trafficking of children. All these factors exacerbate the vulnerability of girls and boys to those who would seek to procure them for commercial sexual exploitation.

7. Criminals and criminal networks take part in procuring and channeling vulnerable children toward commercial sexual exploitation and in perpetuating such exploitation. These criminal elements service the demand in the sex market created by customers, mainly men, who seek unlawful sexual gratification with children. Corruption and collusion, absence of and/or inadequate laws, lax law enforcement, and limited sensitization of law enforcement personnel to the harmful impact on children, are all further factors which lead, directly or indirectly, to the commercial sexual exploitation of children. It may involve the acts of a single individual, or be organized on a small scale (e.g. family and acquaintances) or a large scale (e.g. criminal network).
8. A wide range of individuals and groups at all levels of society contribute to the exploitative practice. This includes intermediaries, family members, the business sector, service providers, customers, community leaders and government officials, all of whom may contribute to the exploitation through indifference, ignorance of the harmful consequences suffered by children, or the perpetuation of attitudes and values that view children as economic commodities.
9. The commercial sexual exploitation of children can result in serious, life-long, even life threatening consequences for the physical, psychological, spiritual, moral and social development of children, including the threat of early pregnancy, maternal mortality, injury, retarded development, physical disabilities and sexually transmitted diseases, including HIV/AIDS. Their right to enjoy childhood and to lead a productive, rewarding and dignified life is seriously compromised.
10. While laws, policies and programmes exist to counter the commercial sexual exploitation of children, greater political will, more effective implementation measures, and adequate allocation of resources are needed to give effect to the spirit and letter of these laws, policies and programmes.
11. The primary task of combating the commercial sexual exploitation of children rests with the State and families.

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The civil society also has an essential role to play in preventing and protecting children from commercial sexual exploitation. It is imperative to build a strong partnership between Governments, international organizations and all sectors of society to counter such exploitation.

The Commitment

12. The World Congress reiterates its commitment to the rights of the child, bearing in mind the Convention on the Rights of the Child, and calls upon all States in cooperation with national and international organizations and civil society to:

- Accord high priority to action against the commercial sexual exploitation of children and allocate adequate resources for this purpose;
- Promote stronger cooperation between States and all sectors of society to prevent children from entering the sex trade and to strengthen the role of families in protecting children against commercial sexual exploitation;
- Criminalize the commercial sexual exploitation of children, as well as other forms of sexual exploitation of children, and condemn and penalize all those offenders involved, whether local or foreign, while ensuring that the child victims of this practice are not penalized;
- Review and Revise, where appropriate, laws, policies, programmes and practices to eliminate the commercial sexual exploitation of children;
- Enforce laws, policies and programmes to protect children from commercial sexual exploitation and strengthen communication and cooperation between law enforcement authorities;
- Promote adoption, implementation and dissemination of laws, policies, and programmes supported by relevant regional, national and local mechanisms against the commercial sexual exploitation of children;
- Develop and Implement comprehensive gender-sensitive plans and programmes to prevent the commercial sexual exploitation of children, to protect and assist the child victims and to facilitate their recovery and reintegration into society;
- Create a climate through education, social mobilization, and development activities to ensure that parents and others legally responsible for children are able to fulfill their rights, duties and responsibilities to protect children from commercial sexual exploitation;
- Mobilize political and other partners, national and international communities, including intergovernmental organizations and non-governmental organizations, to

assist countries in eliminating the commercial sexual exploitation of children; and

- Enhance the role of popular participation, including that of children, in preventing and eliminating the commercial sexual exploitation of children.

13. The World Congress adopts this Declaration and Agenda for Action to assist in protecting child rights, particularly the implementation of the Convention on the Rights of the Child and other relevant instruments, to put an end to the commercial sexual exploitation of children worldwide.

Poverty cannot be used as a justification for the commercial sexual exploitation of children, even though it contributes to an environment which may lead to such exploitation. A range of other complex contributing factors include economic disparities, inequitable socio-economic structures, dysfunctioning families, lack of education, growing consumerism, urban-rural migration, gender discrimination, irresponsible male sexual behaviour, harmful traditional practices, armed conflicts and trafficking of children. All these factors exacerbate the vulnerability of girls and boys to those who would seek to procure them for commercial sexual exploitation.

II THE STOCKHOLM AGENDA FOR ACTION AGAINST COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN

1. The Agenda for Action aims to highlight existing international commitments, to identify priorities for action and to assist in the implementation of relevant international instruments (see Annex I). It calls for action from States, all sectors of society, and national, regional, and international organizations, against the commercial sexual exploitation of children.

2. Coordination and Cooperation:

i) Local/National Levels

- a) urgently strengthen comprehensive, cross-sectoral and integrated strategies and measures, so that by the year 2000 there are national agenda(s) for action and indicators of progress, with set goals and time frame for implementation, targeted to reducing the number of children vulnerable to commercial sexual exploitation and nurturing an environment, attitudes and practices responsive to child rights;
- b) urgently develop implementation and monitoring mechanism(s) or focal point(s) at the national and local levels, in cooperation with civil society, so that by the year 2000 there are data bases on children vulnerable to commercial sexual exploitation, and on their exploiters, with relevant research and special attention to disaggregating data by age, gender, ethnicity, indigenous status, circumstances influencing commercial sexual exploitation, and respect for confidentiality of the child victims especially in regard to public disclosures;
- c) foster close interaction and cooperation between the government and non-government sectors to plan, implement and evaluate measures against the commercial sexual exploitation of children, coupled with campaigns to mobilize families and communities to protect children from commercial sexual exploitation, and with adequate allocation of resources;

ii) Regional/International Levels

- d) promote better cooperation between countries and international organizations, including regional organizations, and other catalysts which have a key role in eliminating the commercial sexual exploitation of children, including the Committee on the Rights of the Child, UNICEF, ILO, UNESCO, UNDP, WHO, UNAIDS, UNHCR, IOM, the World Bank/IMF, INTERPOL, UN Crime Prevention and Criminal Justice Division, UNFPA, the

World Tourism Organization, the UN High Commissioner for Human Rights, the UN Centre for Human Rights, the UN Commission on Human Rights and its Special Rapporteur on the Sale of Children, and the Working Group on Contemporary Forms of Slavery, each taking guidance from the Agenda for Action in their activities in accordance with their respective mandates;

- e) advocate and mobilize support for child rights, and ensure that adequate resources are available to protect children from commercial sexual exploitation; and
- f) press for full implementation of the Convention on the Rights of the Child by State Parties, including requirements for reporting to the Committee on the Rights of the Child in accordance with existing deadlines, and encourage follow-up of countries' progress towards full realization of child rights in the context of other relevant United Nations organs, bodies and mechanisms, including the UN Commission on Human Rights and its Special Rapporteur on the Sale of Children.

3. Prevention:

- a) provide children with access to education as a means of improving their status and make primary education compulsory and available free to all;
- b) improve access and provide relevant health services, education, training, recreation and a supportive environment to families and children vulnerable to commercial sexual exploitation, including those who are displaced, homeless, refugees, stateless, unregistered, in detention and/or in state institutions;
- c) maximize education on child rights and incorporate, where appropriate, the Convention on the Rights of the Child into formal and non-formal education for all communities, families and children;
- d) initiate gender-sensitive communication, media and information campaigns to raise awareness and educate government personnel and other members of the public about child rights and the illegality and harmful impact of the commercial sexual exploitation of children, and promote responsible sexual attitudes and behaviour in society, in keeping with the child's development, sense of dignity and self-esteem;
- e) promote child rights in family education and family development assistance, including an understanding that both parents are equally responsible for their children, with special intervention to prevent sexual violence against children;

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- f) identify or establish peer education programmes and monitoring networks to counter the commercial sexual exploitation of children;
- g) formulate or strengthen and implement gender-sensitive national social and economic policies and programmes to assist children vulnerable to commercial sexual exploitation, families and communities in resisting acts that lead to the commercial sexual exploitation of children, with special attention to family abuse, harmful traditional practices and their impact on girls, and to promoting the value of children as human beings rather than commodities; and reduce poverty by promoting gainful employment, income generation and other supports;
- h) develop or strengthen, implement and publicize relevant laws, policies and programmes, to prevent the commercial sexual exploitation of children, bearing in mind the Convention on the Rights of the Child;
- i) review laws, policies, programmes and practices which lead to or facilitate the commercial sexual exploitation of children and adopt effective reforms;
- j) mobilize the business sector, including the tourism industry, against the use of its networks and establishments for the commercial sexual exploitation of children;
- k) encourage media professionals to develop strategies which strengthen the role of the media in providing information of the highest quality, reliability and ethical standards concerning all aspects of commercial sexual exploitation of children; and
- l) target those involved with commercial sexual exploitation of children with information, education and outreach campaigns and programmes to promote behavioural changes to counter the practice.

4. Protection:

- a) develop or strengthen and implement laws, policies and programmes to protect children and to prohibit the commercial sexual exploitation of children, bearing in mind that the different types of perpetrators and ages and circumstances of victims require differing legal and programmatic responses;
- b) develop or strengthen and implement national laws to establish the criminal responsibility of service providers, customers and intermediaries in child prostitution, child trafficking, child pornography, including possession of child pornography, and other unlawful sexual activity;
- c) develop or strengthen and implement national laws, policies and programmes that protect child victims of commercial sexual exploitation from being penalized as

- criminals and ensure that they have full access to child-friendly personnel and support services in all sectors, and particularly in the legal, social and health fields;
- d) in the case of sex tourism, develop or strengthen and implement laws to criminalize the acts of the nationals of the countries of origin when committed against children in the countries of destination (“extra-territorial criminal laws”); promote extradition and other arrangements to ensure that a person who exploits a child for sexual purposes in another country (the destination country) is prosecuted either in the country of origin or the destination country; strengthen laws and law enforcement, including confiscation and seizure of assets and profits, and other sanctions, against those who commit sexual crimes against children in destination countries; and share relevant data;
- e) in the case of trafficking of children, develop and implement national laws, policies and programmes to protect children from being trafficked within or across borders and penalize the traffickers; in cross border situations, treat these children humanely under national immigration laws, and establish readmission agreements to ensure their safe return to their countries of origin accompanied by supportive services; and share relevant data;
- f) identify and strengthen or establish networks between national and international law enforcement authorities, including INTERPOL, and civil society to monitor against the commercial sexual exploitation of children; set up special units among law enforcement personnel, with adequate resources and child-friendly facilities, to counter the commercial sexual exploitation of children; appoint liaison officers aimed at guaranteeing child rights in police investigations and judicial procedures for the exchange of key information; and train all law enforcement personnel on child development and child rights, in particular the Convention on the Rights of the Child, other relevant human rights standards and national legislation;
- g) identify and encourage the establishment of national and international networks and coalitions among the civil society to protect children from commercial sexual exploitation; foster action and interaction among communities, families, non-governmental organizations, the business sector, including tourist agencies, the World Tourism Organization, employers and trade unions, computer and technology industry, the mass media, professional associations, and service providers to monitor and report cases to the authorities, and to adopt voluntary ethical codes of conduct; and

- h) create safe havens for children escaping from commercial sexual exploitation, and protect those who provide assistance to child victims of commercial sexual exploitation from intimidation and harassment.

5. Recovery and Reintegration:

- a) adopt a non-punitive approach to child victims of commercial sexual exploitation in keeping with the rights of the child, taking particular care that judicial procedures do not aggravate the trauma already experienced by the child and that the response of the system be coupled with legal aid assistance, where appropriate, and provision of judicial remedies to the child victims;
- b) provide social, medical, psychological counseling and other support to child victims of commercial sexual exploitation, and their families, paying particular attention to those with sexually transmitted diseases, including HIV/AIDS, and with a view to promoting the self-respect, dignity and rights of the child;
- c) undertake gender-sensitive training of medical personnel, teachers, social workers, non-governmental organizations and others working to help child victims of commercial sexual exploitation on child development and child rights, bearing in mind the Convention on the Rights of the Child and other relevant human rights standards;
- d) take effective action to prevent and remove societal stigmatization of child victims and their children; facilitate the recovery and reintegration of child victims in communities and families; and where institutionalization of the child is necessary, ensure that it is for the shortest possible period in accordance with the child's best interests;
- e) promote alternative means of livelihood with adequate support services to child victims and their families so as to prevent further commercial sexual exploitation; and
- f) adopt not only legal sanctions against the perpetrators of sexual crimes against children, but also socio-medical and psychological measures to create behavioural changes on the part of the perpetrators.

6. Child Participation:

- a) promote the participation of children, including child victims, young people, their families, peers and others who are potential helpers of children so that they are able to express their views and to take action to prevent and protect children from commercial sexual exploitation and to assist child victims to be reintegrated into society; and
- b) identify or establish and support networks of children and young people as advocates of child rights, and include children, according to their evolving capacity, in developing and implementing government and other programmes concerning them.

Annex 1

The Agenda for Action refers to many international instruments, recommendations and targets which have bearing on children and their families. They include the following:

- the 1930 ILO Convention No. 29 concerning Forced or Compulsory Labour
- the 1948 Universal Declaration of Human Rights
- the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others
- the 1957 ILO Convention No. 105 concerning the Abolition of Forced Labour
- the 1966 International Covenant on Civil and Political Rights
- the 1966 International Covenant on Economic, Social and Cultural Rights
- the 1973 ILO Convention No. 138 concerning Minimum Age for Admission to Employment
- the 1979 Convention on the Elimination of All Forms of Discrimination against Women
- the 1989 Convention on the Rights of the Child
- the 1990 World Declaration on the Survival, Protection and Development of Children and its Plan of Action
- the 1992 Programme of Action of the United Nations Commission on Human Rights for the Prevention of the Sale of Children, Child Prostitution and Child Pornography
- the 1993 Vienna Declaration and Programme of Action of the World Conference on Human Rights

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- the 1993 United Nations Declaration on the Elimination of Violence against Women
- the 1994 Cairo Declaration and Programme of Action of the World Conference on Population and Development
- the 1995 Copenhagen Declaration and Plan of Action of the World Summit on Social Development
- the 1995 Beijing Declaration and Platform for Action of the Fourth World Conference on Women
- the 1996 Programme of Action of the United Nations Commission on Human Rights for the Prevention of the Traffic in Persons and the Exploitation of the Prostitution of Others.

The Agenda for Action takes note of the recommendations of the Committee on the Rights of the Child and the Special Rapporteur on the Sale of Children. It acknowledges the initiatives of many international and regional organizations, including INTERPOL, World Tourism Organization (in particular, the 1995 World Tourism Organization Statement on the Prevention of Organized Sex Tourism) and the Council of Europe (in particular, the 1991 Recommendation No. R91 (11) concerning Sexual Exploitation, Pornography and Prostitution of, and Trafficking in, Children and Young Adults). It also recognizes the process of evolving a possible Optional Protocol on the sale of children, child prostitution and child pornography.

In the case of sex tourism, develop or strengthen and implement laws to criminalize the acts of the nationals of the countries of origin when committed against children in the countries of destination (“extra-territorial criminal laws”); promote extradition and other arrangements to ensure that a person who exploits a child for sexual purposes in another country (the destination country) is prosecuted either in the country of origin or the destination country; strengthen laws and law enforcement, including confiscation and seizure of assets and profits, and other sanctions, against those who commit sexual crimes against children in destination countries; and share relevant data;



III THE YOKOHAMA GLOBAL COMMITMENT 2001

Our Follow-Up:

1. We, representatives from governments, intergovernmental organizations, non-governmental organizations, the private sector, and members of civil society from around the world, have gathered together in Yokohama, Japan, at the Second World Congress against Commercial Sexual Exploitation of Children (17-20 December 2001) ("The Yokohama Congress"). Five years after the First World Congress against Commercial Sexual Exploitation of Children held in Stockholm, Sweden in 1996, we have reviewed developments as a follow-up process to strengthen our commitment to protect children from sexual exploitation and sexual abuse.
2. We reaffirm, as our primary considerations, the protection and promotion of the interests and rights of the child to be protected from all forms of sexual exploitation, and we welcome the following developments, visible in a number of countries, since the First World Congress:
 - the greater emphasis on the rights of the child and the call for more effective implementation of the Convention on the Rights of the Child by State Parties to create an environment where children are able to enjoy their rights ;
 - the increasing mobilization of governments, local authorities and the non-governmental sector, as well as the international community, to promote and protect the rights of the child and to empower children and their families to safeguard their future;
 - the adoption of multi-faceted, inter-disciplinary measures, including policies, laws, programmes, mechanisms , resources and dissemination of the rights of the child, to ensure that children are able to grow up in safety and dignity;
 - enhanced actions against child prostitution, child pornography and trafficking of children for sexual purposes, including national and international agendas, strategies or plans of action to protect children from sexual exploitation, and new laws to criminalize this phenomenon, including provisions with extra-territorial effect;
 - the promotion of more effective implementation/enforcement of policies, laws and gender-sensitive programmes to prevent and address the phenomenon of sexual exploitation of children, including information campaigns to raise awareness, better educational access for children, social support measures for families and children to counter poverty, action against criminality and the demand for sexual exploitation of children, and prosecution of those who exploit children;
 - the provision of child-sensitive facilities such as telephone helplines, shelters, and judicial and administrative procedures to prevent violations of the rights of the child and to provide effective remedies;
 - the comprehensive, systematic and sustained involvement of the private sector, such as workers' and employers' organizations, members of the travel and tourism industry, the communications industry, including Internet service providers, and other businesses, in enhancing child protection, including their adoption and implementation of corporate policies and Codes of Conduct to protect children from sexual exploitation;
 - greater participation by children and young people in promoting and protecting their rights, notably through young people's networks and forums and the involvement of young people as peer communicators and counselors;
 - the development of international and regional standards to protect children from sexual exploitation through new instruments, including the following: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (2000); and the Convention on Cybercrime (2001), while noting relevant provisions of the Rome Statute of the International Criminal Court (1998);
 - the entry into force of the International Labour Organization (ILO)'s Convention No.182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (complemented by ILO Recommendation No.190) on 19 November 2000, and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography on 18 January 2002;
 - the progress made in the preparations for the forthcoming Special Session of the General Assembly on Children, including its outcome document;
 - the emergence of a broader partnership among and between local and national governments, intergovernmental organizations, non-governmental organizations, regional/sub-regional and international organizations, communities, and other key actors, and closer linkage between the United Nations and other monitoring mechanisms on the issue, especially the Committee on the Rights of the Child and the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography of the Commission on Human Rights under the United Nations Commission on Human Rights.

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3. We take into account with appreciation the regional consultations held in Bangkok, Thailand; Rabat, Morocco; Dhaka, Bangladesh; Montevideo, Uruguay; Budapest, Hungary; and Philadelphia, United States of America (see Annex); and various national seminars leading up to the Yokohama Congress, and related activities, including those with young people's participation, and their conclusions and recommendations enriching the content of our follow-up action, and we encourage their effective implementation by governments that have participated in them in partnership with all stakeholders, including non-governmental organizations, intergovernmental organizations, and young people.
4. We recognize that much more needs to be done to protect children globally and express our concerns at the delays in the adoption of needed measures in various parts of the world.

Our Global Commitment:

5. We have come together to:
 - reiterate the importance and the call for more effective implementation of the Convention on the Rights of the Child by State parties and related instruments, and underline our belief in the rights of children to be protected from commercial sexual exploitation in the form of child prostitution, child pornography and trafficking of children for sexual purposes;
 - encourage early ratification of the relevant international instruments, in particular, ILO Convention No.182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography;
 - reaffirm our commitment to build a culture of respect for all persons based upon the principle of non-discrimination and to eliminate commercial sexual exploitation of children, in particular by sharing the lessons learnt since the First World Congress, and by improving cooperation in this regard;
 - recommit to the Declaration and Agenda for Action of the First World Congress ("The Stockholm Declaration and Agenda for Action"), and in particular to developing national agendas, strategies or plans of action, designated focal points and comprehensive gender-disaggregated data collection, and effective implementation of measures, including child-rights based laws and law enforcement;
 - reinforce our efforts against commercial sexual exploitation of children, in particular by addressing root causes that put children at risk of exploitation, such as poverty, inequality, discrimination, persecution, violence, armed conflicts, HIV/AIDS, dysfunctioning families, the demand factor, criminality, and violations of the rights of the child, through comprehensive measures, including improved educational access for children, especially girls, anti-poverty programmes, social support measures, public awareness-raising, physical and psychological recovery and social reintegration of child victims, and action to criminalize the commercial sexual exploitation of children in all its forms and in accordance with the relevant international instruments, while not criminalizing or penalizing the child victims;
- emphasize that the way forward is to promote closer networking among key actors to combat the commercial sexual exploitation of children at the international, inter-regional, regional/sub-regional, bilateral, national and local levels, in particular, among communities and the judicial, immigration and police authorities, as well as through initiatives interlinking the young people themselves;
- ensure adequate resource allocation to counter commercial sexual exploitation of children, and to promote education and information to protect children from sexual exploitation, including educational and training programmes on the rights of the child addressed to children, parents, law enforcers, service providers and other key actors;
- reiterate that an essential way of sustaining global action is through regional/sub-regional and national agendas, strategies or plans of action that build on regional/sub-regional and national monitoring mechanisms and through strengthening and reviewing existing international mechanisms with a monitoring process, to improve their effectiveness as well as the follow-up of their recommendations, and to identify any reforms that may be required;
- take adequate measures to address negative aspects of new technologies, in particular, child pornography on the Internet, while recognizing the potential of new technologies for the protection of children from the commercial sexual exploitation, through dissemination and exchange of information and networking among partners;
- reaffirm the importance of the family and strengthen social protection of children, young people and families through awareness-raising campaigns and community-based surveillance/monitoring of commercial sexual exploitation of children;
- commit ourselves to promoting cooperation at all levels and to combining efforts to eliminate all forms of sexual exploitation and sexual abuse of children worldwide;
- declare that the sexual exploitation of children must not be tolerated and pledge to act accordingly.

IV YOKOHAMA REVIEW ON COMBATING SEXUAL EXPLOITATION AND ABUSE OF CHILDREN

EUROPE AND CENTRAL ASIA REGION Ljubljana, Slovenia 8-9 July 2005

Some conclusions by the Presidency of the final Session

1. During the last two days, we have re-affirmed our commitment to the Stockholm Declaration and Agenda for Action, the Yokohama Global Commitment and the Budapest Plan of Action and encouraged all countries to implement these as a matter of urgency.
2. We have reiterated the importance of the UN Convention on the Rights of the Child, as well as of the European Convention on Human Rights, as the fundamental standards for all our actions to promote and protect the rights of the child.
3. We have taken note of the decisions adopted during the 3rd Summit of Heads of States and Governments of the Council of Europe (Warsaw, 16-17 May 2005).
4. We have heard the plea from our young people and we will forward it to our Governments.
5. We have underlined the importance of ratifying and implementing rapidly and effectively the international instruments of the United Nations, the Council of Europe and ILO on the protection of children against sexual exploitation and abuse and of ensuring an effective and rapid implementation of these instruments. These are the following: the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000);
 - the ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999);
 - the UN Convention against Trans-national Organized Crime (2000) and its supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000) and Protocol against the Smuggling of Migrants by Land, Air and Sea (2000);
 - the Revised European Social Charter, Council of Europe (1996);
 - the Convention on Cyber-Crime, Council of Europe (2001);
 - the Council of Europe Convention on Action Against Trafficking in Human Beings (2005);
 - the Rome Statute of the International Criminal Court (1998);
 - the European Convention on the exercise of children's rights (1996).
6. We must accelerate the implementation of the commitments already pledged since Stockholm
 - (i) to develop and up-date national plans of action against sexual exploitation and abuse of children, in consultation with professionals, NGO's, children and young people and others engaged in the fight against this scourge;
 - (ii) to establish national focal points on the sexual exploitation and abuse of children
 - (iii) to promote a European Network of focal points on sexual exploitation and abuse of children;
 - (iv) to encourage exchange of information, research, studies, technical assistance and best practices on ways to address sexual exploitation and abuse of children; and
 - (v) to ensure that adequate resources are allocated to sustain these measures.
7. It is also important to take stock of new knowledge and encourage the Council of Europe, UNICEF and their member States and the NGOs to carry out accelerated actions in order to:
 - (i) understand and reduce demand;
 - (ii) mobilize non-traditional actors;
 - (iii) tackle the challenges of new technologies that have emerged since Yokohama and consider the possibility of drafting a Protocol to the Convention on Cybercrime (ETS 185) concerning, inter alia, mobile phones;
 - (iv) consider the possibility of extending the G8 database of pedopornographic images to all Parties to the Convention on Cybercrime (ETS 185); and
 - (v) co-operate with the private sector and other social partners.
8. We must build on the work already done in policy formulation and knowledge development and enhance professional training and exchanges; we must also give special attention to experiences in vulnerability mapping and in victim support, including long term needs of victims, alternative livelihood skills and family-based recovery programmes.
9. It is vital to include children and young people as partners in decision-making, in the development of instruments and their implementation and monitoring, in the training of professionals and in other areas where they can contribute as partners together with adults to fight sexual exploitation and abuse of children.
10. Co-operation between the Council of Europe and civil society organisations regarding awareness raising, training of professionals and the development of legal measures must be developed.

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11. We will follow with great interest and encourage the work of the Council of Europe in the area of victim protection.
12. It is important to promote co-operation between all the interested parties and examine the possibility of opening the “Daphne Toolkit”, which at present only covers the 25 States of the European Union, to the 46 States of the Council of Europe, and even to the participating countries from Central Asia present at this Conference.
13. The Council of Europe must implement the political Declaration and the Action Plan of the Warsaw Summit in order to “elaborate measures to stop sexual exploitation of children, including legal instruments if appropriate, and involve civil society in this process”. At this point, I have noted with great interest that the Working Group IV on legal procedures has recommended the elaboration of a treaty in this area.
14. We must update and use on a regular basis the tool “REACT on sexual exploitation and abuse of children” for reviewing States’ efforts to implement the commitments made at the World Congresses, its preparatory meetings and in international instruments in order to identify lessons and models that can be shared across the region and contribute to improved action, and to continue to identify gaps and challenges outstanding. In this regard, the inclusion of Ombudspersons for children, social actors, children and young people in the review and discussions related to it is to be encouraged.

It is vital to include children and young people as partners in decision-making, in the development of instruments and their implementation and monitoring, in the training of professionals and in other areas where they can contribute as partners together with adults to fight sexual exploitation and abuse of children.



V ECPAT INTERNATIONAL

End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes.

ECPAT International is a global movement dedicated to eliminating the commercial sexual exploitation of children. It seeks to encourage the world community to ensure that children everywhere enjoy their fundamental rights free from all forms of commercial sexual exploitation. ECPAT began as a campaign to End Child Prostitution in Asian Tourism. ECPAT International started with a small office in Bangkok and has grown to encompass a movement that spans over 70 countries around the world. Today, ECPAT International, still based in Bangkok, continues to monitor the commitments made in Stockholm and Yokohama and plays a pivotal international role in campaigning against the commercial sexual exploitation of children. ECPAT networks across the globe have raised the global consciousness about 'child sex tourism' and other forms of commercial sexual exploitation of children. Through national level actions ECPAT groups have lobbied governments to introduce laws to make 'child sex tourism' an extra-territorial crime.

ECPAT International
328 Phaya Thai Road,
Bangkok, Thailand

Tel +66 2 215 3388
Fax +66 2 215 8272
Info@ecpat.net
www.ecpat.net

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VI COUNTRIES WITH EXTRA-TERRITORIAL LAWS TO PROTECT CHILDREN

To date 32 countries have extra-territorial provisions in law to prosecute their citizens for the abuse of children if the offence takes place elsewhere.

Algeria, Australia, Austria, Belgium, Cyprus, Canada, China, Denmark, Ethiopia, Finland, France, Germany, Iceland, Ireland, Italy, Japan, Lao PDR, Luxembourg, Mexico, Morocco, Netherlands, New Zealand, Norway, Portugal, Slovenia, Spain, Sweden, Switzerland, Taiwan, Thailand, United Kingdom, United States





ECPAT UK

Grosvenor Gardens House
35 – 37 Grosvenor Gardens
London SW1W 0BS
Telephone: +44 (0) 20 7233 9887
Fax: +44 (0) 20 7233 9869
Email: info@ecpat.org.uk
Website: www.ecpat.org.uk