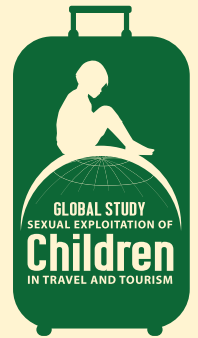


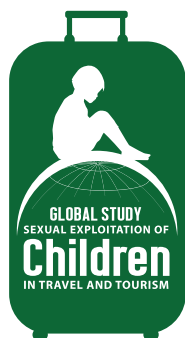
GLOBAL STUDY ON SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM

REGIONAL REPORT

SOUTHEAST ASIA

2016





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MAY 2016

The Southeast Asia regional desk review on Sexual Exploitation of Children in Travel and Tourism was conducted and written by Aneka Farrington.

The review was conducted in the framework of the Global Study on Sexual Exploitation of Children in Travel and Tourism. More information can be found in www.globalstudysectt.org.

The views expressed are those of the author and do not necessarily reflect those of ECPAT International.

May 2016

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The Global Study has been made possible with the financial support from the Ministry of Foreign Affairs of the Netherlands through Defence for Children-ECPAT Netherlands



Ministry of Foreign Affairs of the
Netherlands



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ACKNOWLEDGEMENTS

ECPAT would like to thank the Southeast Asian members of the Network of ECPAT International for their support and input in the Southeast Asian desk review. The network members provided valuable and actual information from the ground that helped shape this report.

At the Consultation on Sexual Exploitation of Children in Travel and Tourism in Southeast Asia organised by ECPAT International held in Chiang Mai on 6 and 7 May 2015, the 34 participants were invited to provide their comments and suggestions to the draft report, that was sent to them in advance and presented at the consultation by the writer Aneka Farrington. Initial research for the report was done by Ramesh Shrestha former UNICEF Representative in Myanmar. Various research support was provided by Emilia Pool Illsley, researcher ECPAT International and Michael Jensen, researcher ECPAT International.

Finally, we are grateful to Defence for Children-ECPAT Netherlands for their trust in ECPAT International to conduct the Global Study on Sexual Exploitation of Children in Travel and Tourism of which this report is part of.

FOREWORD

More children than ever are at risk of being sexually exploited by travellers and tourists and no country is immune. Since the early 1990s when evidence came to light that travellers were sexually abusing and exploiting children in Southeast Asia, sharp increases in travel and tourism have multiplied the opportunities and venues available to travelling child sex offenders worldwide.

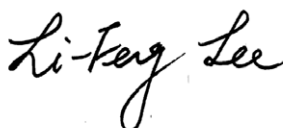
Southeast Asia welcomed a record 97 million international visitors in 2014 and was identified as the fastest growing region for tourism in the world, including the ever-increasing number of Chinese travellers which reached 109 million worldwide in 2014 compared to just 10 million in 2000.

The explosion of the internet and mobile technology has afforded perpetrators anonymity and hidden pathways to groom children and seduce them via social media and internet games. Likewise, new travel and tourism services like home-stays, voluntourism and the shareconomy have increased this anonymity and heightened children's vulnerability.

However, progress has been made since the First World Congress against Commercial Sexual Exploitation of Children held in Stockholm in 1996. Twenty years later, world leaders from nearly every country in the world have approved global targets to end the sexual exploitation of children in the Sustainable Development Goals, which replace the Millennium Development Goals from 2016 onwards. The world has recognised that we cannot allow children to fall victim to this devastating experience, which has life-long consequences on their mental and physical well-being.

This report provides an updated picture of the environment in which sexual exploitation of children in travel and tourism persists in Southeast Asia and proposes a set of recommendations to improve government, non-government and private sector responses to prevent and combat this crime. As such, it will assist in the realisation of the Sustainable Development Goals related to children's right to live free from sexual exploitation.

After twenty-five years of working on the issue, ECPAT cannot emphasise enough how important it is to join efforts and take advantage of multi-sector cooperation to fight this deplorable trend. This report is an open invitation to work with ECPAT and its partners and join the fight against sexual exploitation of children in travel and tourism because together we can eliminate this crime and make childhood safe again.



Ms. Li-feng Lee
ECPAT Regional Representative
for East Asia

ACRONYMS

ACF	ASEAN Children's Forum	MMS	Multimedia Message Service
ACWC	ASEAN Commission on the Promotion and Protection of the Rights of Women and Children	MoLISA	Vietnamese Ministry of Labour, Invalids and Social Affairs
AFP	Australian Federal Police	MoSVY	Cambodian Ministry of Social Affairs, Veterans and Youth
APLE	Action Pour Les Enfants	MOU	Memorandum of Understanding
ASEAN	Association of Southeast Asian Nations	MYF	Mekong Youth Forum
ASEANAPOL	Association of National Police Forces of the ASEAN Region	NGO	Non-Government Organisation
AusAID	Australian International Aid Agency	NCOS	National Child Offender Register
COMMIT	Coordinated Mekong Ministerial Initiative against Trafficking	NPA	National Plan of Action
CD	Compact Disc	NTA	National Tourism Authority
CEFACOM	Centre for Family Health and Community Development	OHCHR	Office of the High Commission of Human Rights
CEOP	Child Exploitation and Online Protection Centre	OPSC	Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography
CNCC	Cambodian National Council for Children	PKPA	Centre for Study and Child Protection (Pusat Kajian dan Perlindungan Anak)
CRC	Convention on the Rights of the Child	SARS	Severe Acute Respiratory Syndrome
CSEC	Commercial Sexual Exploitation of Children	SCF	Save the Children
CSO	Civil Society Organisation	SECTT	Sexual Exploitation of Children in Travel and Tourism
CST	Child Sex Tourism	SEZ	Special Economic Zone
DSWD	Philippine Department of Social Welfare and Development	SMS	Short Message Service
DVD	Digital Video Disc	TdH	Terre des Hommes
ECPAT	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes	TIP	Trafficking in Persons
EICYAC	ECPAT International Child and Youth Advisory Committee	UN	United Nations
FTO	Foreign Travel Order	UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
FTZ	Foreign Trade Zone	UNICEF	United Nations Children's Fund
GDP	Gross Domestic Product	UNODC	United Nations Office on Drugs and Crime
ICMEC	International Centre for Missing and Exploited Children	UNTCO	United Nations Convention against Transnational Organized Crime
ICT	Internet and Communication Technology	UNWTO	United Nations World Tourism Organisation
IJM	International Justice Mission	VCD	Video Compact Disc
ILO	International Labour Organisation	VGT	Virtual Global Taskforce
IOM	International Organisation for Migration	WHO	World Health Organisation
INTERPOL	International Criminal Police Organisation	YPP	Youth Partnership Program for Child Survivors of Commercial Sexual Exploitation

EXECUTIVE SUMMARY

Southeast Asia welcomed a record 96.6 million international visitors in 2014 and was identified as the fastest growing region for tourism in the world. The current and forecast exponential growth in tourism arrivals and receipts represents a veritable boom for all eleven countries within the region. However, the negative impacts of this growth should not be overlooked.

The sexual exploitation of children in travel and tourism (SECTT) represents a most insidious, troubling and enduring phenomenon that has plagued the region for several decades. Twenty-five years after the United Nations General Assembly adopted the Convention on the Rights of the Child (CRC), and almost twenty years after the inaugural World Congress against the Commercial Sexual Exploitation of Children, this crime against children persists in spite of concerted global efforts. Whilst many advances have been made in the fight against SECTT, the clandestine and ever changing nature of this phenomenon has consistently outpaced every attempt to respond.

This regional study aims to synthesise the most recent data and research pertaining to SECTT in Southeast Asia with a view to informing future actions by governments and other stakeholders, and more broadly, seeks to contribute to the Global Study on the Sexual Exploitation of Children in Travel and Tourism.

SECTT is a product of the complex interplay between a range of historical, cultural, social, and economic factors occurring on a global, regional, national and local level. The changing nature of travel and tourism combined with enduring poverty and inequality throughout the region influence both supply and demand with regard to SECTT. Social norms present across the region serve to foster an environment of opportunity and permissibility with regard to the sexual exploitation of children. Further exacerbating the problem has been the dramatic development in Internet and communications technologies that has expanded and diversified opportunities to sexually exploit, or to profit from the sexual exploitation of, vulnerable children.

Scale and Scope of SECTT in Southeast Asia

Analysis of available recent research relating to SECTT in each of the eleven countries indicates that SECTT is prevalent in the region and that there exist strong indications that the magnitude is increasing.

Whilst traditional destinations for foreign child sex offenders such as Thailand and the Philippines continue to draw offenders, countries such as Cambodia, Vietnam

and Indonesia are also believed to be key destinations for those seeking to sexually exploit children. Countries such as Lao PDR, Myanmar and Timor-Leste are becoming increasingly popular tourism destinations and, whilst little data exists, anecdotal evidence suggests that opportunities for SECTT definitely exist and it is likely that SECTT has begun to take root on a smaller scale in these destinations.

The vast majority of child sex offenders frequenting Southeast Asia are men and whilst child sex offenders are most likely to be nationals, foreign or transnational child sex offenders from a range of countries are also known to be exploiting vulnerable children in the region. Anecdotal evidence suggests that men of Asian origin are more likely than others to seek to sexually exploit virgin girls.

Transnational child sex offenders are gaining access to vulnerable children, both boys and girls, via establishment-based prostitution in bars, karaoke venues, beer gardens, massage parlours and brothels, by direct or facilitated solicitation of children living and/or working in public places such as the streets, beaches, marketplaces and other locations, and also via voluntary or professional engagement in child-contact roles including in schools, orphanages, and NGOs. Grooming of children by foreign child sex offenders is widespread.

Offenders are regularly gathering child abuse imagery in the course of their exploitation. Such imagery is often shared with other offenders and used to groom and/or blackmail children into ongoing sexual exploitation.

Critical Current and Emerging Trends in SECTT in Southeast Asia

The explosive pace and myriad manifestations of globalisation are rapidly changing the scope and nature of SECTT. Understanding the most pressing current manifestations of SECTT and carefully examining those that are newly emerging is vital to ensuring a timely and targeted response.

Until recently SECTT was primarily seen as a crime committed by foreigners. There is now growing acknowledgement that domestic tourists and travellers and cross-border and/or intraregional tourists and travellers are also implicated in SECTT. Research into the scope and nature of SECTT amongst these groups, as well as inquiry into the nexus between domestic and international demand for SECTT is urgently required.

Tourism growth in the region has expanded and diversified dramatically in recent years. Independent

travel is booming, as are new forms of tourism including ecotourism, homestays, volunteer tourism that are allowing travellers to access previously isolated areas. The increasing ease and decreasing cost of travel are also contributing to the movement of significant numbers of tourists into new destinations. Countries within the region that have largely been off the tourism radar due to political instability and/or conflict are now beginning to open up. These developments present potentially grave threats to vulnerable children, including the threat of SECTT.

There is growing acknowledgement that boys are also highly vulnerable to SECTT and that their experiences of exploitation are little understood and often de-valued. Boys are also reported to be most commonly involved in street-based sexual exploitation by child sex offenders.

The direct or facilitated solicitation of children, both girls and boys, in public places, as opposed to traditional establishments such as brothels, bars, hotels, and karaoke clubs offering child prostitution, is believed to be on the rise in the region.

Another area of grave concern is the infiltration by transnational child sex offenders of pseudo-care professions such as teaching, work with child-focused NGOs in shelters and orphanages and the like, in a professional or voluntary capacity.

As a result of a combination of vulnerabilities, street children, children who migrate alone or with their families, children who remain at home when their parents migrate, refugee and internally displaced children, stateless children and indigenous children are at significant risk of SECTT in Southeast Asia. Research into these groups and their vulnerability to and/or exposure to SECTT is lacking.

In the pursuit of economic development, a number of Southeast Asian countries have allowed large-scale foreign investment in tourism and other sectors and the proliferation of Special Economic and Free Trade Zones. These developments, often accompanied by casinos and a range of entertainment venues including bars, restaurants, and brothels, represent a high-risk locale for SECTT. Many of these developments have targeted particular groups of Asian tourists from neighbouring countries or those located in close proximity. Again, very little research exists that examines the situation for vulnerable and/or exploited children in these locations.

And finally, the proliferation of the Internet and other related communication technologies has presented a range of new modalities of solicitation and exploitation for child sex offenders. Online grooming and solicitation, the increasing ease and profitability of child pornography, and the advent of cybersex or webcam child sex tourism have rapidly changed the *modi operandi* of offenders and have resulted in unprecedented numbers of vulnerable

children being exploited across the region both directly and indirectly, within the region and without.

The dearth of research into these current and emerging phenomena heightens the threat to children and delays essential actions to combat the ever evolving menace that is SECTT.

Responses to SECTT in Southeast Asia

Throughout Southeast Asia, enormous efforts have been made to combat SECTT over recent years. At the regional level, ASEAN has acknowledged the issue in a range of regional declarations and initiatives including regional taskforces and public education campaigns. At the national level, the commitment and capacity of governments to combat SECTT has varied across the region. The development of National Plans of Action, the establishment of coordination and cooperation mechanisms and actions, the development, revision and application of legal frameworks, the implementation of prevention programs, the provision of support services to victims and the engagement of children and young people have been undertaken to a greater or lesser extent. In some instances, civil society organisations have been the driving force behind counter-SECTT activities across the region. Significant challenges remain.

Furthermore, international contributions to counter-SECTT actions in the region have come in the form of the establishment and/or tightening of extraterritorial legislation, the development of sex offender registration and notification systems, the building of cooperative relationships between regional, national and international law enforcement agencies and a range of other complementary initiatives.

In spite of these efforts, the phenomenon of SECTT continues, largely unabated.

Recommendations

In response to the situational analysis on SECTT in Southeast Asia, a set of recommendations has been developed. These recommendations offer a framework for revitalising efforts by governments, civil society organisations and the private sector with a view to combatting SECTT in the region.

These recommendations focus on: -

- International and Regional Instruments and Cooperation;
- Understanding and Addressing Current and Emerging Trends;
- Legal Frameworks and Law Enforcement;
- National Plans of Action and Policy Development; and
- Corporate Social Responsibility and the Engagement of the Private Sector.

CHAPTER 1

INTRODUCTION

CONTEXT

Blessed with a wealth of natural beauty and a diverse historical and cultural heritage, the region of Southeast Asia has become one of the most popular destinations for tourists from around the world. According to the United Nations World Tourism Organisation (UNWTO), the region welcomed a record 96.6 million international visitors in 2014.¹ Three Southeast Asian capital cities, Bangkok, Singapore and Kuala Lumpur, ranked in the top ten most visited cities in the world in 2014.² Steady growth across the region within the travel and tourism industry over recent years has, in turn, generated significant economic growth along with burgeoning employment opportunities both within the travel and tourism industry itself, but also indirectly in construction, agriculture and other goods and services sectors. Whilst the advantages of such growth are undeniable, a range of less visible and less desirable impacts has been an unintended consequence of this unprecedented growth.

One of the most insidious negative impacts has been the sexual exploitation of children in travel and tourism destinations (SECTT). Whilst recognised for decades, researchers first documented the issue in the 1980s.³ In 1990, in response to growing concerns regarding the impact of this problem and a determination to work toward the elimination of this crime against children, ECPAT was established in Thailand. The First World Congress against the Commercial Sexual Exploitation of Children in Travel and Tourism co-organised by ECPAT International in 1996 was the pioneering global effort toward eradicating this scourge. A major outcome of the First World Congress was the development of an Agenda for Action against Commercial Sexual Exploitation of Children.⁵ The Agenda for Action called 'for action from

States, all sectors of society, and national, regional, and international organizations against the commercial sexual exploitation of children'. In the almost twenty intervening years, enormous efforts have been made to address this most pressing issue, nevertheless, SECTT appears to continue unabated. The threat endures but the nature of this threat is indeed dynamic.

The world has changed dramatically in recent years. The travel and tourism industry has witnessed an explosion in both domestic and international visitor arrivals fuelled, in part, by a growing middle class, increased leisure time, more affordable travel, more accessible destinations, greater marketing of travel destinations, the opening up of borders, and, importantly, incredible technological developments that facilitate travel and tourism. This surge in tourism numbers and the accompanying interest in new and more isolated locales represent potential threats to children, particularly amongst vulnerable communities. This increased capacity to travel, the diversification of destinations, strictly enforced laws and social norms preventing the sexual exploitation of children in many developed countries, and the relative anonymity of the Internet have conspired to increase the demand for children for the purposes of sexual exploitation.

Many parts of Southeast Asia remain plagued by unrelenting poverty and a significant proportion of the population remains vulnerable due to limited levels of education, a general lack of recognition of human and children's rights, severely compromised opportunities to derive income, and in many cases, a total absence of social and welfare support systems. These vulnerability factors are implicated in the supply of children for the purposes of sexual exploitation. Efforts

¹ UNWTO, World Tourism Barometer, Volume 13 (Madrid: UNWTO, January 2015), 4. Accessed 7 February 2015. http://dtxqtq4w60qp.cloudfront.net/sites/all/files/pdf/unwto_barom15_01_january_excerpt_1.pdf

² Dr. Yuwa Hedrick-Wong & Desmond Choong, "MasterCard 2014 Global Destination Cities Index", 4. Accessed 7 February 2015. http://newsroom.mastercard.com/wp-content/uploads/2014/07/Mastercard_GDCI_2014_Letter_Final_70814.pdf

³ Christine Plüss. "Quick Money Easy Money? A Report on Child Labour in Tourism", (working paper 1/99 of the Working Group on Tourism and Development, Basel: Swiss Agency for Development and Cooperation, 1999).

⁴ "Declaration and Agenda for Action: 1st World Congress against Commercial Sexual Exploitation of Children" (Stockholm, Sweden, 27-31 August 1996). Accessed 7 February 2015. http://www.ecpat.net/sites/default/files/stockholm_declaration_1996.pdf

⁵ Ibid., 3.

to protect vulnerable children are routinely jeopardised by ambiguous and/or ineffective legislation, under resourced, ineffective or corrupt law enforcement, a lack of consensus around key definitions,⁶ a failure of collective action, and a chronic lack of robust evidence and comparable data.

Southeast Asia represents a cluster of eleven countries including Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam, all of whom are members of the Association of Southeast Asian Nations (ASEAN), plus Timor-Leste, which applied for membership of ASEAN in 2011 and is currently awaiting a decision by the ASEAN Coordinating Council.⁷ In 2014, Southeast Asia recorded a combined population of 625.9 million along with a combined Gross Domestic Product (GDP) of \$US2.46 trillion.⁸ The region is characterised by a diversity of forms of governance ranging from an absolute monarchy in Brunei Darussalam, to a single party socialist state in Vietnam, a military regime newly transitioning to a more democratic form of governance in Myanmar, along with more nominally democratic countries such as Singapore and the Philippines.⁹ Similarly, the region is characterised by countries at very different stages of development with all eleven countries experiencing both shared and unique challenges.

With regard to tourism, each of the Southeast Asian countries has a unique experience in terms of its pathway to becoming a tourism destination, the experiences it offers the traveller, and the nature of tourism infrastructure in place. One commonality is the fact that all of these countries are experiencing steady and sizeable tourism growth. Adverse conditions over recent years such as the Asian Financial Crisis (1997), the SARS epidemic (2002/3), the South Asian Earthquake and Tsunami (2004), the H5N1 pandemic (2004) and the H1N1 pandemic (2009), along with various political upheavals, natural disasters, and civil strife have largely failed to deter tourists from visiting the region. According to the UNWTO, tourism growth in Southeast Asia over the nine years to 2013 has averaged 8.5% making it the fastest growing region in the world over this period.¹⁰ In 2013, established destinations continued to welcome significant and ever increasing

numbers of tourists. Thailand saw a total of almost 27 million international visitor arrivals representing an 18.8% increase in annual growth.¹¹ Further, emerging destinations such as Cambodia (4.2 million arrivals, an annual increase of 17.5%) and Vietnam (7.5 million arrivals, and increase of 10.6%) clearly illustrate the strong tourism growth in the region.¹² Most striking of all was the dramatic increase in arrivals and growth rates in small, very new tourism destinations such as Myanmar, which experienced a 51.7% annual growth rate in 2013 with a total of 900,000 international visitor arrivals, and Timor-Leste, which welcomed 78,000 international visitors representing a 41.5% annual growth rate.¹³ UNWTO forecasters predict that in the next fifteen years growth in tourism will continue worldwide but particularly so in the Asia-Pacific Region and, likewise, in emerging economies.¹⁴

Tourism growth trends and forecasts for Southeast Asia, considered in light of the critical, dynamic and enduring threat to young lives posed by SECTT, demand that efforts to better understand this phenomenon and to work toward its eradication be redoubled. This study represents a critical step toward this goal.

OBJECTIVES

The overarching objective of this study is to contribute to eradicating SECTT through the provision of region-specific, evidence based knowledge that will serve to underpin and guide effective decision-making. This study also seeks to:

- Offer a regional snapshot describing the issue of SECTT, with a particular emphasis on capturing emerging trends and new developments;
- Synthesise, where possible and available, relevant statistical data and figures pertaining to both child victims and offenders;
- Map and assess current regional, national and local responses to the SECTT including legislation, sensitisation campaigns, capacity building and a range of measures and interventions by different stakeholders to address the challenge; and to
- Propose a set of recommendations that will serve to inform and enhance government, non-government and private sector responses to SECTT.

⁶ Subgroup Against the Sexual Exploitation of Children, NGO Group for the Convention on the Rights of the Child, *Semantics or Substance? Towards a shared understanding of terminology referring to the sexual abuse and exploitation of children*, (Bangkok: ECPAT International, 2005). Accessed 8 February 2015. <http://www.ecpat.net/sites/default/files/Semantics%20or%20Substnce.pdf>

⁷ ASEAN Secretariat, "Timor-Leste Remains Committed To Joining ASEAN", ASEAN Secretariat News, 4 November 2014. Accessed on 8 February 2015. <http://www.asean.org/news/asean-secretariat-news/item/timor-leste-remains-committed-to-join-asean>

⁸ Business Victoria. "Export to Southeast Asia", Accessed 28 July 2015. <http://www.business.vic.gov.au/export/export-markets/south-east-asia>

⁹ See Eduardo T. Gonzalez and Magdalena L. Mendoza, "Governance in Southeast Asia: Issues and Options", *Philippine Journal of Development* 57, vol XXXI, No.1 (First Semester 2004): 140-142.

¹⁰ UNWTO, *Tourism Highlights: 2014 Edition*. (Madrid: UNWTO, 2014), 4-7. Accessed 8 February 2015. http://dtxqtq4w60xqpw.cloudfront.net/sites/all/files/pdf/unwto_highlights14_en.pdf

¹¹ *Ibid.*, 9.

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ *Ibid.*, 14-15.

JUSTIFICATION

SECTT is an intolerable and abhorrent crime and a flagrant child rights violation that can have significant, often long-term, negative effects on an individual child and furthermore, has the capacity to negatively impact families, communities and wider society.

Twenty-five years after the United Nations General Assembly adopted the Convention on the Rights of the Child (CRC), and almost twenty years after the inaugural World Congress against the Commercial Sexual Exploitation of Children, this crime against children persists in spite of concerted global efforts. Whilst many advances have been made in the fight against SECTT, the clandestine and ever changing nature of this phenomenon has consistently outpaced every attempt to respond.

For the most part, Southeast Asian nations have signed and ratified the key international instruments which pledge commitments to the protection of children as a matter of the highest priority including:

- The United Nations Convention on the Rights of the Child (1989)¹⁵ and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (2000);¹⁶
- The United Nations Convention against Transnational Organised Crime (2000)¹⁷ and the Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2003);¹⁸ and
- The International Labour Organisation (ILO) Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999).¹⁹

There remain, however, several exceptions. For instance, Brunei Darussalam and Singapore are yet to sign the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.²⁰ Singapore is also yet to sign the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.²¹ It should be noted that even amongst signatory countries, a continuum exists with regard to the willingness and capacity of individual countries to fully uphold and implement such conventions.

Additionally, a number of non-binding international instruments serve to highlight the issue of SECTT and to fortify global actions to address the phenomenon including:

- The Stockholm Declaration and Agenda for Action (1996);²²
- The Yokohama Global Commitment against the Sexual Exploitation of Children (2001);²³
- The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents (2008);²⁴
- The UNWTO Global Code of Ethics (1999);²⁵ and
- The Code (The Code of Conduct for the Protection of Children from Sexual Exploitation of Children in Travel and Tourism).²⁶

¹⁵ UN General Assembly Resolution, Convention on the Rights of the Child, UN Doc. 44/25 (20 November 1989). Accessed 9 February 2015. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

¹⁶ UN General Assembly Resolution, Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, UN Doc. A/RES/54/263 (25 May 2000). Accessed 9 February 2015. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>

¹⁷ UN General Assembly Resolution, Convention against Transnational Crime, UN Doc. 55/25 (15 November 2000). Accessed 10 February 2015. <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

¹⁸ UN General Assembly Resolution, Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, UN Doc. 55/25 (25 December 2003). Accessed 10 February 2015. <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

¹⁹ International Labour Organisation, Convention 182: Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999). Accessed 10 February 2015. <http://www.ilo.org/public/english/standards/reim/ilc/ilc87/com-chic.htm>

²⁰ UN Office of the High Commissioner for Human Rights, Status of Ratification Interactive Dashboard. Accessed 9 February 2015. <http://indicators.ohchr.org/>

²¹ Ibid.

²² "Declaration and Agenda for Action: 1st World Congress against Commercial Sexual Exploitation of Children".

²³ "Yokohama Global Commitment: 2nd World Congress against Commercial Sexual Exploitation of Children" (Yokohama, Japan, 17-20 December 2001). Accessed 10 February 2015. http://www.ecpat.com/EI/Global_yokohama.asp

²⁴ "Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents: Third World Congress Against Sexual Exploitation of Children and Adolescents" (Rio de Janeiro, Brazil, 25-28 November 2008). Accessed 9 March 2015. http://www.ecpat.net/sites/default/files/WCIll_Outcome_Document_Final.pdf

²⁵ UN General Assembly Resolution, Global Code of Ethics for Tourism, UN Doc. A56/212 (2001). Accessed 10 February 2015. <http://dtxq4w60xqpw.cloudfront.net/sites/all/files/docpdf/gcetbrochureglobalcodeen.pdf>

²⁶ "The Code", The Code website. Accessed 10 February 2015. <http://www.thecode.org/>

These international instruments have, to a greater or lesser extent, been the backdrop to an array of regional, bilateral, national and local efforts to combat SECTT in Southeast Asia by States, regional organisations, international and non-government organisations (NGOs), and the private sector. Great strides have been made, research has been undertaken, and there exist countless examples of good practice. Nonetheless, SECTT endures, transforms and evolves prompting a need for critical reflection and a careful examination of both the current situation and emerging trends in order to inform an evidence-based approach to future efforts in the fight against SECTT. The Global Study, and in particular, this analysis of the situation in Southeast Asia, aims to contribute to this important process.

METHODOLOGY

This study takes the form of a desk review of secondary data pertaining to SECTT in Southeast Asia. It aims to draw upon and synthesise available data in the form of research reports, policy briefs, project reports, program evaluations, situational analyses, articles and other relevant documents. The study will propose a number of broad recommendations for future action based upon the information drawn from the available secondary data.

This regional study will contribute, along with data gathered from ECPAT Members and other key stakeholders during a Regional Consultation in Chiang Mai in May 2015, to the final version of the Global Study on the Sexual Exploitation of Children in Travel and Tourism to be delivered in 2016.

LIMITATIONS

The clandestine and criminal nature of SECTT severely inhibits access to credible data on the nature and extent of the phenomenon. Cultural and social taboos associated with SECTT, and in many cases, justifiable fear of the repercussions of reporting, or even discussing, SECTT also serve to compromise the availability of data. In Southeast Asia, capacity and willingness to document relevant and comparable data further compromise the nature and extent of information on SECTT. Furthermore, even in cases in which data on SECTT is gathered, certain States are reluctant to disclose such information due to political, cultural and social sensitivities. These limitations should be kept in mind with regard to this study.

CHAPTER 2

SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM: TERMINOLOGY AND LINKAGES

Whilst there is almost universal consensus regarding the critical importance of eradicating the sexual exploitation of children, there exists a palpable lack of consensus around the terminology associated with this phenomenon. Without a shared language, an agreed vocabulary with agreed definitions, it is difficult to ensure a shared understanding of the phenomenon. Disunity and inconsistency regarding terminology can serve to weaken efforts to address this issue. Indeed, the implications of inconsistent terminology can impact the nature and comparability of research data both quantitative and qualitative, can negatively influence the development and application of policy and legislation, may compromise the quality of program interventions, and may jeopardise the integrity of the global movement or individual actors in the eyes of key stakeholders such as governments, international donors, and the wider community.

The **sexual exploitation of children** involves the sexual abuse of children and young people under 18 years of age through the exchange of penetrative or non-penetrative sexual acts including any physical contact such as touching, sharing erotic verbal messages or visual images including photographs and other imagery, in exchange for money, drugs, food, shelter, protection, or any other form of favours or without any such transactions, and with or without consent of the exploited individual. Sexual exploitation also refers to the use of and/or portrayal of children and young people in the production of pornographic materials for personal use, commercial use, or for the purpose of exchange or sharing through the Internet.^{27,28} There exist a range of

other terms that are regularly used to describe the sexual exploitation of children including **sexual exploitation of children through prostitution** and the **commercial sexual exploitation of children (CSEC)**. The basic essence of the phenomenon is that children are used with or without consent, with or without exchange of any payments or favours, for the purpose of performing sexual acts.

This study is specifically concerned with the **sexual exploitation of children in travel and tourism (SECTT)**. Previously, the term **child sex tourism (CST)** was favoured to describe this phenomenon and it was defined by ECPAT International as:

*...the commercial sexual exploitation of children by persons who travel from one place to another, usually from their own country to another usually less developed country to engage in sexual acts with children.*²⁹

Further, the UNWTO defined sex tourism more generally as follows:

*Sex tourism can be defined as trips organised from within the tourism sector, or from outside the sector but using its structures and networks with the primary purpose of effecting a commercial sexual relationship by the tourist with residents at the destination.*³⁰

It is important to note that, aside from a minority of unscrupulous operators, the travel and tourism industry

²⁷ UNICEF, UNESCAP and ECPAT, Commercial Sexual Exploitation of Children and Child Sexual Abuse: A Regional Report. (Bangkok: UNICEF, UNESCAP and ECPAT, 2006). Accessed 12 February 2015. http://www.unicef.org/eapro/Pacific_CSEC_report.pdf

²⁸ Subgroup Against the Sexual Exploitation of Children, Semantics or Substance?, 56.

²⁹ Ibid., 21.

³⁰ Ibid.

is not to blame for the existence of SECTT but rather, that those who perpetrate this crime regularly utilise tourism infrastructure as a vehicle for gaining access to vulnerable children for the purposes of sexual exploitation. In this sense the travel and tourism industry occupies a unique position in that it is often at the frontline in terms of identifying this crime.

The shift toward the use of the term sexual exploitation of children in travel and tourism (SECTT) has arisen in response to the ever-evolving nature of this problem and the resultant deficiencies in earlier terminology in terms of adequately capturing the essence of the problem. Sexual exploitation of children in travel and tourism (SECTT) serves to better encompass the broader spectrum of offenders who seek to sexually exploit children in the context of the travel and tourism industry. This term moves beyond merely international tourists and includes those who travel domestically for business or pleasure, and those who live in another country as an expatriate for brief or extended periods of time, and in the course of their travel experience, sexually exploit children. This term also explicitly emphasises the fact that such acts represent a form of exploitation.

It should also be noted that the *modi operandi* of those who sexually exploit children in the course of the travel or tourism experience vary dramatically and can range from those who travel with the specific objective of engaging in the sexual exploitation of children who are often referred to as **preferential child sex offenders**, to those who could be better described as **situational child sex offenders** in that they engage in the sexual exploitation of children in an opportunistic manner as an adjunct to their travel or tourism experience. A proportion of the former are identified as paedophiles.

It is important to clarify the definition of **paedophilia** as this term is often used inappropriately and to grave effect. The World Health Organisation (WHO) defines paedophilia as a sexual preference for children, boys or girls or both, usually of pre-pubertal or early pubertal age.³¹ It is stated that a paedophile may have either

an exclusive sexual interest in children or, may have a primary sexual interest in children whilst also possessing a sexual interest in adults.³² In this medically oriented definition, a paedophile is an individual who holds such preferences and may or may not act upon them. From a law enforcement perspective, a paedophile is more often defined as an adult who acts upon their sexual preference for children.³³

The production, distribution and consumption of **child pornography** all constitute, and contribute to, the sexual exploitation of children. The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2005) defines child pornography in Article 2c as follows:

...any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

Definitions of child pornography vary widely and are determined by 'moral, cultural, social and religious beliefs both between and within societies'.³⁵ As such, vast differences are naturally encountered in the legislation pertaining to child pornography in different countries.

As with other terms, child rights advocates are continually reflecting on the most appropriate terminology to describe what is commonly referred to as child pornography. The use of term **child abuse images**, as opposed to child pornography, is gaining traction as it is seen to more accurately describe the phenomenon. This term is explicit about the fact that such images are inextricably linked to the sexual abuse and exploitation of children. For the purposes of this study, these two terms are used interchangeably. Children experience direct sexual exploitation by those who make child pornography whether it is for private or wider consumption. The dissemination of this material both in a physical and/or in a digital format also represents sexual exploitation of such children that may endure as long as these images remain in circulation. Those who purchase,

³¹ World Health Organisation, The ICD-10; Classification of Mental and Behavioural Disorders: Diagnostic criteria for research (Geneva: WHO, 1993), F65.4. Accessed 12 February 2015. <http://www.who.int/classifications/icd/en/GRNBOOK.pdf>

³² Subgroup Against the Sexual Exploitation of Children, *Semantics or Substance?*, 50.

³³ Kylie Miller, 'Paedophilia: Policy and Prevention: Detection and Reporting of Paedophilia: A Law Enforcement Perspective' (ND), 2. Accessed 11 February 2015. http://www.aic.gov.au/media_library/conferences/paedophilia/miller.pdf

³⁴ UN General Assembly Resolution, Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

³⁵ Subgroup Against the Sexual Exploitation of Children, *Semantics or Substance?*, 31.

consume and/or possess child pornography participate in the sexual exploitation of children and serve to create demand for child pornography and thereby contribute to furthering the sexual exploitation of children. It is also suggested that the consumption of child pornography serves to incite some individuals to later directly sexually exploit children.³⁶ Child pornography is often reportedly used by those who make such materials and those seeking to directly sexually abuse a child, as a tool to normalise the type of sexual behaviour that is demanded of children whom they intend to exploit. Forcing children to view such images is, in and of itself, a form of sexual exploitation.

Child pornography is linked to the travel and tourism industry in that those who produce child pornography often travel to locations that will allow them to gain largely unfettered and anonymous access to vulnerable children at a calculated low risk. Such individuals essentially co-opt the travel and tourism industry in their pursuit of sexual gratification and/or financial gain.

It is also relevant to draw attention to the emerging phenomenon of virtual child pornography. Virtual child pornography has been described, in two possible guises as follows:

Wholly computer-generated child pornography is made with computer-generated images, without using any actual children or photos of actual children; morphed child pornography is made with photos of actual children manipulated into an unidentifiable minor.³⁷

This form of child pornography, understandably, continues to generate much debate over whether it constitutes a form of sexual exploitation of children, and likewise, whether it encourages the direct sexual exploitation of children.

Finally, the links between SECTT and **child trafficking** are relevant to this discussion. Whilst children are trafficked for a range of purposes, significant numbers of children, both girls and boys, are trafficked for the explicit purpose of sexual exploitation. Further, a proportion of children trafficked for other purposes (i.e. domestic work, begging, selling small items in the streets or in nightclubs, and so on) find themselves in situations in which they are also or subsequently sexually abused and exploited. According to the Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), “the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation” is considered as trafficking even in the absence of any of the conditions that characterise trafficking amongst adults including by means of threat, force or other means of coercion, abduction, fraud, deception, abuse of power, position of vulnerability or giving and receiving of payments or benefits to achieve consent.³⁹ Put more succinctly, this definition contends that the sexual exploitation of children and, in turn, SECTT, represents a form of child trafficking.

This brief discussion of what constitutes SECTT and some of the important related concepts underpinning this regional analysis is by no means an exhaustive or authoritative presentation of the full range of perspectives regarding the terminology associated with this phenomenon. The importance of creating a space for ongoing dialogue focussed on working together toward greater consensus around appropriate terminology amongst the key stakeholders with a view to harmonising and enhancing key national and regional instruments and legislation cannot be underestimated.

³⁶ Subgroup Against the Sexual Exploitation of Children, *Semantics or Substance?*, 27.

³⁷ Shepard Liu, “Ashcroft, Virtual Child Pornography and First Amendment Jurisprudence” *UC Davis Journal of Juvenile Law and Policy* 11, no.1 (2007): 2-3. Accessed 12 February 2015. <http://jjlp.law.ucdavis.edu/archives/vol-11-no-1/07%20Liu%2011.1.pdf>

³⁸ This protocol is also often referred to as the Palermo Protocol (2000).

³⁹ UN General Assembly Resolution, *Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, article 3c.

CHAPTER 3

SECTT IN SOUTHEAST ASIA: DESCRIBING THE CURRENT SITUATION

The sexual exploitation of children in travel and tourism is a product of the complex interplay between a range of historical, cultural, social, and economic factors occurring on a global, regional, national and local level. Any change within this complicated milieu has a corresponding impact on the scope and nature of the phenomenon of SECTT. Rapid and unprecedented globalisation, in its many guises, with its manifold impacts, has played a significant role with regard to both the supply and demand for SECTT. This chapter seeks to describe the current situation pertaining to SECTT in Southeast Asia via a discussion of some of the key factors that have played a role in enabling and evolving this phenomenon. Whilst the discussion has been separated into several key sections, there is unavoidable overlap between sections.

THE CHANGING FACE OF TRAVEL AND TOURISM

The changing face of travel and tourism on a global scale represents a key factor contributing to the demand for SECTT. The supply of children for the purposes of SECTT has also been impacted by new developments in the travel and tourism industry. These two enabling factors will be explored below.

A staggering 1.1 billion international tourists travelled abroad in 2014, a 4.7% increase on the previous year, according to the UNWTO.⁴⁰ This figure represents a 169% increase in the fifteen-year period 2000 through 2014.⁴¹ The incredible and unstinting growth in the travel and tourism industry in recent years has made it one of the fastest growing economic sectors in the world today. This growth has, in turn, served to drive socio-economic progress on a global scale. According to the UNWTO, tourism comprises 9% global GDP and one in every eleven jobs is connected with the tourism industry.^{42,43}

Global tourism growth has been facilitated by many factors including greater wealth, an expanding middle class, the increased availability of leisure time, a reduction in the cost of both domestic and international travel, a greater range of travel destinations and services, and the advent of the Internet as a means of promoting, researching and arranging travel. Governments have encouraged travel and tourism as a means to economic development and employment generation. The globalised marketplace has demanded and normalised widespread business travel and an expatriate lifestyle. The easing of visa restrictions and other travel-enabling measures by governments have further facilitated this increase. This trend is predicted to continue unabated into the future. The diversification of the travel and tourism industry has expanded the market with options for budget to luxury tourism, pilgrimage tourism, health tourism, educational tourism, adventure tourism, ecotourism, and voluntourism to name but a few of the many permutations.

Whilst Southeast Asia has long been a destination for travellers and tourists alike, large-scale tourism is a reasonably recent phenomenon. Thailand became a favoured destination for U.S. soldiers seeking R&R (Rest and Recuperation) during the Vietnam War in the late 1960s and early 1970s. Their presence in Thailand popularised the destination and was a catalyst in the development of tourism infrastructure. It is reported that in 1967, Thailand received 336,000 international tourism arrivals and an additional 54,000 soldiers. Similarly, the Philippines, where U.S. military personnel were stationed from the 1950s until the early 1990s, became known for its natural beauty and warm hospitality. Certainly, in this period, both of these destinations were also associated with the provision of entertainment services such as

⁴⁰ UNWTO, World Tourism Barometer, 1.

⁴¹ Ibid., 4.

⁴² These figures include direct, indirect and induced income/employment associated with the tourism industry.

⁴³ UNWTO, "Why Tourism?" Accessed 15 February 2015, <http://www2.unwto.org/content/why-tourism>

⁴⁴ Voluntourism is defined as tourism with a view to engaging in a voluntary capacity to assist a community, a charity or similar.

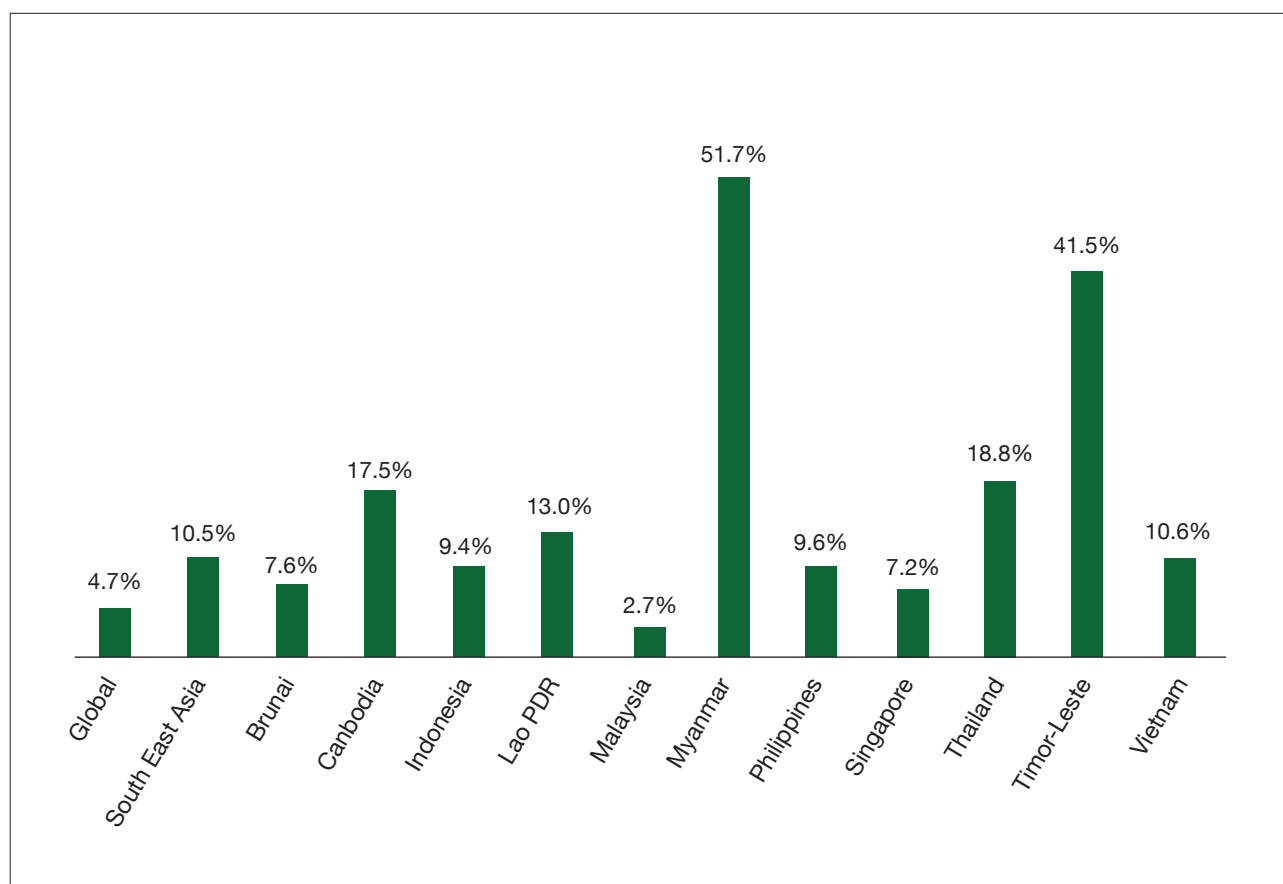
⁴⁵ Porphant Ouyyanont, "The Vietnam War and Tourism in Bangkok's Development 1960-1970", *Journal of Southeast Asian Studies* 39, no. 2 (September 2001): 164. Accessed 15 February 2015. <http://repository.kulib.kyoto-u.ac.jp/dspace/bitstream/2433/56779/1/KJ00000132246.pdf>

restaurants, bars, clubs, brothels and massage parlours that sprang up in response to demand for entertainment and sexual services by US soldiers.⁴⁵ The tourism industry began to expand and diversify quickly in response to the multiple social, economic and technological factors outlined above.

Whilst Thailand, the Philippines and Indonesia, along with Singapore and Malaysia, now represent more established tourism destinations, for a variety of reasons, a number of neighbouring countries have more recently come to prominence as destinations for regional and international travellers. Cambodia and Vietnam are now becoming more established markets, and countries such as Lao PDR, Myanmar and Timor-Leste are now beginning to develop their tourism destinations and infrastructure with a view to enjoying the potential economic, employment and social benefits that are seen to flow from tourism development.

In Southeast Asia, a total of 96.6 million international visitors, an 8.5% increase on the previous year, were recorded in 2014.⁴⁶ This figure represents a 266% increase in arrivals in the fifteen-year period 2000 through 2014. In 2013, Southeast Asia recorded US\$107.4 billion in international tourism receipts and the region was the fastest growing tourism destination in the world in terms of international visitor arrivals.⁴⁷ Growth figures in 2013 for established destinations such as Thailand (19%) and emerging destinations such as Cambodia (18%) and Vietnam (11%) are well above both the global and the regional average.⁴⁸ Even more striking was the dramatic increase in arrivals and growth rates in small, very new tourism destinations such as Myanmar, which experienced a 52% annual growth rate in 2013 with a total of 900,000 international visitor arrivals, and Timor-Leste, which welcomed 78,000 international visitors representing a 42% annual growth rate.⁴⁹ Annex 1: Tourism Data for Southeast Asia summarises these figures.

Figure 1: Southeast Asian Tourism Growth Rates (2012-2013)



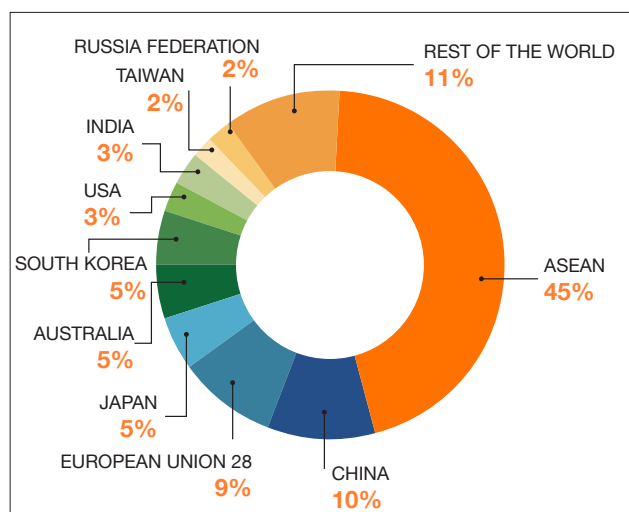
⁴⁶ UNWTO, World Tourism Barometer, 4.

⁴⁷ UNWTO, Tourism Highlights 2014 Edition, 5.

⁴⁸ Ibid., 7.

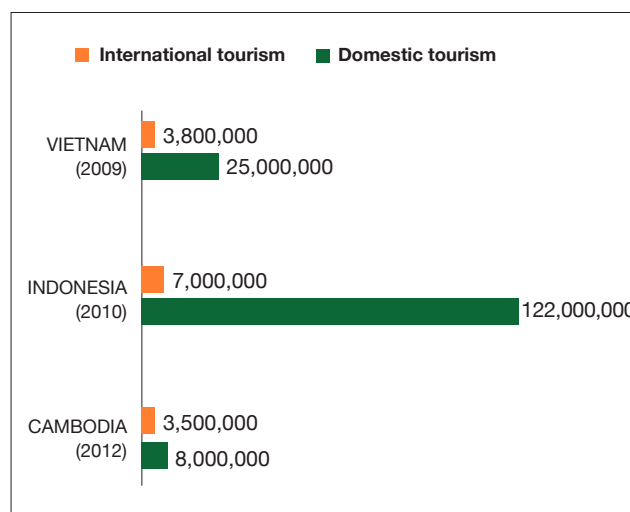
⁴⁹ UNWTO, Tourism Highlights 2014 Edition, 7-9.

Figure 2: Source Countries of International Arrivals to ASEAN (2012)



The country of origin of international arrivals in Southeast Asia also presents a valuable insight into the changing nature of tourism in the region. Intra-regional tourism represents a significant proportion of the international visitor arrivals in Southeast Asia. According to figures compiled by the ASEAN Secretariat, intra-regional tourism comprised 45% of all international tourism within the ten ASEAN nations (excluding Timor-Leste) in 2012.⁵⁰ Amongst the remaining 55% of international tourist arrivals to ASEAN, the largest source countries were China (10% of arrivals), the European Union (9%), and Japan (5%).⁵¹ Other significant source countries included Australia, the Republic of Korea, the USA, India, Taiwan and the Russian Federation. In terms of growth, certain markets appear to be expanding at a more rapid rate. In particular, arrivals from East Asia (China, Japan and the Republic of Korea) plus South Asia (India and to a lesser extent Pakistan) are burgeoning and the growing wealth, particularly amongst East and South Asia's middle class, presents an enormous future tourism potential.⁵² Southeast Asia itself is experiencing a similar socio-economic trend. Additionally, the Russian Federation has recently become a significant source of international tourist arrivals, particularly since

Figure 3: Domestic versus International Tourism in Three ASEAN Countries



the 2008 energy boom that saw tourist numbers soar in Thailand, Vietnam, Cambodia and the Philippines.^{53,54}

It is also important to note the large and growing domestic tourism market that exists in much of the region. For instance, according to a survey in 2010, an estimated total of 122 million Indonesians travelled within Indonesia.⁵⁵ The Vietnamese Administration of Tourism (VNAT) reported that one in every three residents, thus a total of 25 million Vietnamese, travelled domestically in 2009.⁵⁶ Domestic tourism in Cambodia was calculated at approximately eight million tourists in 2012, more than twice the number of international tourists.⁵⁷ Beyond those who identify as tourists, there are also significant numbers of individuals who move around a country in the course of employment, for example, bus, truck and train drivers, tour guides, businessmen, seasonal workers, miners, fisherman, loggers, construction workers, and so on. Domestic leisure and business travellers also create a demand for tourism infrastructure and services representing an economic opportunity for destinations but equally, presenting a range of risks to local communities including the potential for SECTT.

⁵⁰ ASEAN Secretariat, "Table 30: Top Ten Country/Regional Sources of Visitors to ASEAN as of 31 January 2014". Accessed 15 February 2015. <http://www.asean.org/news/item/tourism-statistics>

⁵¹ Ibid.

⁵² Will Greene, "The Changing Demographics of Tourism in Southeast Asia", TigerMINE Ventures, 18 December 2012. Accessed 15 February 2015. <http://www.tigermine.com/2012/12/18/changing-demographics-tourism-southeast-asia/>

⁵³ Michael Sainsbury, "Russian travelers shun Southeast Asia as currency crisis bites", Nikkei Asian Review, 30 January 2015. Accessed 15 February 2015. <http://asia.nikkei.com/Business/Trends/Russian-travelers-shun-Southeast-Asia-as-currency-crisis-bites>. Despite the fact that the number of tourists has decreased, after an initial rise following the 2008 energy boom, there continues to be a large number of Russian tourists choosing Southeast Asia over traditional destinations.

⁵⁴ In early 2015, in response to a dramatic collapse in the Russian rouble against the US dollar and other Asian currencies as a result of falling global energy prices and Western sanctions due in response to Russian military action in the Ukraine, tourism numbers were reportedly down.

⁵⁵ UNWTO Commission for East Asia and the Pacific and UNWTO Commission for South Asia, "Initial Findings of UNWTO Study on Domestic Tourism Across Asia and the Pacific" (paper prepared for the 24th Joint Meeting of the UNWTO Commissions for East Asia and the Pacific and South Asia, 4 May 2012), 8. Accessed 15 February 2015. http://dtxqt4w60xqpw.cloudfront.net/sites/all/files/background_doc_domestic_tourism_study_overview.pdf

⁵⁶ Huong Thanh Bui and L. Joliffe, "Vietnamese Domestic Tourism: An Investigation of Travel Motivations. Austrian Journal of South-East Asian Studies 4, no.1 (2011): 11. Accessed 15 February 2015. http://www.seas.at/aseas/3_2/ASEAS_4_1_A2.pdf

⁵⁷ ASEAN Tourism, "ASEAN and the Rise of Tourism in Cambodia", ASEAN Tourism News, 25 November 2013. Accessed 15 February 2015. <http://www.aseantourism.travel/news/detail/asean-and-the-rise-of-tourism-in-cambodia>

Whilst the benefits of tourism are many and well documented, the rapid and revolutionary development of the industry has had a range of negative impacts including the increased threat and incidence of SECTT. First, an increased number of tourists naturally brings with it an increased number of potential child sex offenders be they situational or preferential offenders. This influx of potential offenders creates a market for children for the purposes of sexual exploitation whereupon unscrupulous operators, desperate parents and vulnerable children become involved in meeting this demand. The sharing of information by travelling sex offenders about the ready supply of children for the purposes of sexual exploitation then serves to further increase demand. The cycle continues as long as a suitably permissive environment endures. The burgeoning tourism industry in much of Southeast Asia presents as a largely permissive environment. This will be explored further in the later section entitled 'Social Norms and Harmful Traditions' but in short, the travel and tourism industry in Southeast Asia represents such an enormously important economic benefit to a country, and to individual destinations, that stakeholders are often willing to overlook negative impacts for the sake of economic gain.

An increasing volume of tourism arrivals can also serve to prompt migration (typically domestic but also cross-border) of vulnerable individuals and families to tourism destinations in search of a share of the financial spoils. Some migrate to work directly in the tourism industry, others to work in subsidiary industries that service and supply the tourism industry, and others, often the most vulnerable (those lacking education and/or vocational skills, irregular migrants, street children amongst others) seek money or assistance in tourism destinations in any way they can.

Additionally, in the hope of attracting tourism arrivals or conversely, in response to an influx in tourism arrivals, governments embark on, or permit, tourism-related infrastructure projects that have the potential to negatively impact vulnerable communities. Forced evictions and land acquisitions regularly occur, pushing already vulnerable populations to the brink.

Vulnerable children often represent a vital means of income generation for their families. Children are regularly seen working in Southeast Asian tourism destinations selling small items such as tissues, cigarettes, newspapers, postcards or flowers, as shoe-shiners, or as beggars. In many cases, these children are working on the street, on the riverside or beach, and in bar and restaurant districts. Such children are highly vulnerable

to sexual exploitation. A certain proportion of children are also involved in the direct provision of sexual services in a nominally 'freelance' fashion and/or in a range of commercial settings such as brothels, bars, and music and entertainment venues.

In short, children are available for the purposes of sexual exploitation purely because a demand exists. An increase in tourism numbers can easily result in an increase in travelling child sex offenders. The availability of children for the purposes of sexual exploitation in combination with a low risk of detection, serves to further increase the desirability of a particular country or specific location to those who seek to sexually exploit children.

The growth in tourism in Southeast Asia, whilst bolstering the economy and increasing employment opportunities for some, has in many cases failed to have the promised trickle-down effect. In this sense, in many destinations, tourism has served to accentuate the inequalities that exist both between the traveller and local community members and likewise, between tourism operators, who may be well-off local or foreign business owners, and local community members.

The global expansion and diversification of the tourism market is also a response to a growing diversity of interests and desires amongst travellers. Whilst organised group travel represents a proportion of the tourism load, there is an increasing capacity for and tendency toward independent travel. The proliferation of budget airlines has significantly contributed to international visitors arrivals but has also exponentially increased opportunities for travel within the region. A recent estimate suggested that low cost air carriers' account for almost 60% of all air trafficking in Southeast Asia⁵⁸ and figures suggest that at least seventy-five low cost airlines are now registered in Asia with a significant proportion of these bringing domestic, intra-regional and extra-regional travellers to Southeast Asia.⁵⁹

Contemporary tourists are increasingly seeking an authentic travel experience that brings them into contact with local communities. The rise in ecotourism, homestays and other community based tourism sees travellers moving into previously isolated communities where traditional lifestyles have, until recently, remained largely intact. This opening up can have benefits but has clearly evident risks – and one such risk is the sexual abuse and exploitation of children in an environment that is either oblivious of the risk or the impact, and due to a desire to participate in the market for financial gain, may be unlikely and/or afraid to address this problem.

⁵⁸ Ned Resnikoff, "AirAsia jet incident could be test for SE Asia's thriving budget carriers", Al Jazeera America, 28 December 2014. Accessed 16 February 2015. <http://america.aljazeera.com/articles/2014/12/28/latest-plane-disappearancehitsboominglowcostairlineindustry.html>

⁵⁹ Luc Citrinot, "Too many low cost airlines in Asia?", Daily Travel News Asia Pacific, 7 April 2014. Accessed 16 February 2015. <http://www.traveldailynews.asia/news/article/55246/too-many-low-cost-airlines>

The nature of travel has also changed. An expatriate lifestyle is increasingly becoming an option as a result of the globalised marketplace and a demand for a diversity of specialist skills, particularly in less developed economies. Global companies are promoting the concept of employee mobility. Governments in the region are working to facilitate opportunities for labour mobility. Many developing countries are welcoming unprecedented numbers of short and long term expatriates with a view to drawing on their skills, stimulating trade and business opportunities, increasing foreign investment and spending in the economy. Governments within Southeast Asia have facilitated this movement via the easing of visa restrictions, adjustments to investment and property ownership laws, and through concerted policies to attract longer-term visitors including retirees. Along with traditional tourists, expatriates, migrant workers and other long-stay residents have been implicated in the sexual exploitation of children across the region.⁶⁰

THE IMPACT OF POVERTY AND DISADVANTAGE ON SECTT

Poverty renders individuals vulnerable to exploitation, and consequently, it is a critical driver in the supply of children for SECTT. Poverty severely compromises choice and opportunity, and in desperation, individuals are forced by their circumstances to make difficult and unenviable choices with survival as the ultimate goal. Annex 2: Key Figures Relating to Poverty in Southeast Asia outlines some of the most pertinent comparable data on poverty in the region.

Southeast Asia is a region marked by significant economic disparity. This disparity represents both a cause and a symptom of stark differences between and within countries in terms of historical, geographical, demographic, political, ethnic, religious, and social factors. Southeast Asia is, at one end of the continuum, home to developed nations with thriving economies such as Singapore and Malaysia. At the other end of the continuum, countries such as Cambodia and Timor-Leste have been plagued by the multiple and devastating impacts of war and instability. Across the region, it is fair to say that rural, minority, and migrant populations, are generally characterised by greater disadvantage than urban populations. The absence of a safety net in the form of a social welfare system, and likewise functioning health systems, child protection systems, and access to free education, are also features of most Southeast Asian nations.

Poverty can take many forms but is most commonly characterised by a lack or absence of income which influences access to, amongst other things, food, shelter, transport, medical assistance, education, vocational training, and employment. Poverty may be an enduring state or may be the result of a sudden change in circumstances such as the loss of income, the breakdown of a relationship, illness, injury or death, or significant financial debt. Families experiencing severe economic stress may find their capacity to cope is compromised on both a physical and an emotional level. Such circumstances may force parents to rely upon their children to contribute to household income generation. Likewise, the disintegration of the family unit, often as a result of the impacts of economic stress, can force children to fend for themselves. For most poor children, the opportunities for income generation are extremely limited and tend to exist at the margins of society. These jobs might include scavenging, begging, smuggling, selling food or other small items, working as labourers and in some cases, children may become involved in selling sexual services.

While this is not a new phenomenon, levels of migration are increasing within Southeast Asia,⁶¹ along with a pull toward urban centres, tourism destinations and other potential sources of employment and income. As a result, children may be left at home with relatives by parents migrating domestically or across borders, or they may accompany their parents. The number of children migrating without parents in order to support themselves and their families is also reportedly increasing.⁶² In a migration setting, children experience significant vulnerability to a range of threats including sexual exploitation.

As noted earlier, tourism presents both an opportunity and a threat with regard to poverty and disadvantage. Tourism can create a range of new employment opportunities, both directly and indirectly, that may serve to lift economically compromised individuals and families out of poverty. The expansion of tourism into lesser known and more isolated regions, and the advent of ecotourism and community-based tourism, may present an opportunity for otherwise disadvantaged communities to benefit financially from the tourism boom. However, the benefits of tourism may not be shared by all, and when inappropriately managed, may exacerbate existing inequalities. Those who struggle to participate formally in the tourism sector, typically the most disadvantaged and the poorest of the poor, may find themselves mired in the exploitative shadow economies

⁶⁰ Child Wise, 2007 ASEAN Child-Sex Tourism Review (Melbourne: Child Wise, 2007), 9.

⁶¹ Andy West, Children on the Move in South-East Asia: Why Child Protection Systems are Needed (London: Save the Children UK, 2008), 1. Accessed 22 March 2015. <http://resourcecentre.savethechildren.se/sites/default/files/documents/3762.pdf>

⁶² Mark Capaldi, The Child's Journey In Search of Rights: Determining and Addressing Points of Vulnerability in Independent Child Migration in Thailand: Summary Report (The Hague: Terre des Hommes, 2014), 7. Accessed 22 March 2015. http://destination-unknown.org/wp-content/uploads/ICM-Thailand_Summary-Report_ENGLISH_20.3.14.pdf

that, in response to demand, accompany tourism growth. SECTT represents one such economy that profits from the supply of vulnerable children.

THE IMPACT OF SOCIAL NORMS ON SECTT

The sexual exploitation of children is a product of a particular set of circumstances that create an environment of both opportunity and permissibility. Social norms go a long way to explaining how the phenomenon of SECTT has come about and why it endures. Whilst such norms vary greatly both within and between countries, and within and between communities, some generalisations can be made which help to better understand how SECTT can be, to a large extent, tolerated by certain communities.

Broadly speaking, prevailing attitudes toward women and children are a major factor in creating a permissible environment for the sexual exploitation of children.⁶³ A lack of recognition of the rights of women and children both amongst the wider community who effectively serve as gatekeepers and amongst those who seek to sexually exploit women and children goes a way to explaining the phenomenon. Throughout the region, children are expected to contribute to the family through paid or unpaid labour and there is a widespread expectation that children will respect their elders without question.⁶⁴ Children are still viewed, in many cases, as possessions of their parents and as such, children are beholden to their parent's demands.⁶⁵ Typically, girl children, along with adult women, have lower status than men and male children. Girls are socialised to be submissive and to see themselves as inferior to men and at their service.⁶⁶ As a consequence of such beliefs, women and children are at a heightened and seemingly widely accepted risk of discrimination, violence and exploitation.⁶⁷

Similarly, traditional attitudes toward women, in particular in relation to beliefs about chastity and virginity as virtues, have significant negative impacts on women and girl children.⁶⁸ Unmarried women and girls who are unchaste or no longer virgins are regarded with high levels of disdain and worthy of neither marriage nor respect. Likewise, notions of consent are not widely recognised. Conversely, there is widespread acceptance of a man's right to sex, marital, extramarital or otherwise. Generally speaking, any such behaviour confers no negative connotations or repercussions for men.⁶⁹

Racist and classist attitudes toward certain sections of the population including minorities and migrants are clearly palpable and highly discriminatory.⁷⁰ When individuals from such communities are women or children, the intersection of this combination of discriminatory attitudes only condemns such populations to greater marginalisation and vulnerability.⁷¹

Further exacerbating the situation is the growth in consumerism in which practically everything can be bought or sold. The commodification of women, children and sex has been a symptom of this emerging perspective and has, in the minds of some, rationalised the sexual exploitation of women and children.⁷² Financial power is viewed as the ultimate goal and conspicuous consumption, particularly of high status goods and services including, in many cases, sexual services, is not widely regarded as shameful.

Consumerism has also been linked to the supply of children for the purposes of sexual exploitation.⁷³ In some cases parents have been known to sell, rent or offer their child for the purposes of sexual exploitation having been lured by promises of financial and material gain and consequential increases in their social status.⁷⁴ Similarly some children are enticed by these promises and make independent decisions (although this is still not considered consent) to participate in this type of arrangement.

⁶³ ECPAT International, *The Commercial Sexual Exploitation of Children in East and South-East Asia: Developments, progress, challenges and recommended strategies for civil society* (Bangkok: ECPAT International, 2014), 9. Accessed 26 February 2015. http://ecpat.net/sites/default/files/Regional%20CSEC%20Overview_East%20and%20South-East%20Asia.pdf

⁶⁴ *Ibid.*, 9.

⁶⁵ ECPAT Philippines, *Philippines Alternative NGO Report 2011 – Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography* (Manila: ECPAT Philippines, 2011), 10. Accessed 22 March 2015. <https://www.crin.org/en/library/un-regional-documentation/philippines-alternative-report-2011-opsc>

⁶⁶ Giulia Patané, "Child Labour and Vulnerability to CSEC. Investigating Work and Gender Structures", *ECPAT International Journal* 8 (October 2013): 21. Accessed 22 March 2015. http://www.ecpat.net/sites/default/files/Journal_Oct2013.pdf

⁶⁷ J.K. Reimer, *At What Price Honour? Research into domestic trafficking of Vietnamese girl children for sexual exploitation from urban slums in Phnom Penh, Cambodia* (Phnom Penh: Chab Dai Coalition, 2006), 47-48. Accessed 19 February 2015. <http://www.no-traffic-king.org/content/pdf/pages%201-40%20from%20at%20what%20price,%20honour.pdf>

⁶⁸ World Vision Australia, *Sex, Abuse and Childhood* (Melbourne: World Vision Australia, 2014), 44-46. Accessed 27 February 2015. <http://www.wvi.org/asiapacific/childsafetourism>

⁶⁹ Alicia Burke and Stefania Ducci, *Trafficking of Minors for Commercial Sexual Exploitation – Thailand*, (Torino: United Nations Interregional Crime and Justice Research Unit, 2005), 20. Accessed 26 March 2015. http://www.unicri.it/topics/trafficking_exploitation/archive/minors/countries_partners/dr_thailand.pdf

⁷⁰ *Ibid.*

⁷¹ UNICEF EAPRO, *Child Trafficking in East and South-East Asia: Reversing the Trend* (Bangkok: UNICEF EAPRO, 2009), 26. Accessed 25 February 2015. <https://www.unicef.org.nz/store/doc/Unicefreport-reversingthetrend-Aug09.pdf>

⁷² Giulia Patané, "Child Labour and Vulnerability to CSEC.", 21-22.

⁷³ J.K. Reimer, *At What Price Honour?*, 46-47.

⁷⁴ *Ibid.*, 47-48.

The prevailing climate of social norms that are permissive of the sexual exploitation of children affects the way that individuals, families, local communities, government and law enforcement officials respond to the problem – their willingness to protect vulnerable children, their willingness to report offenders, their tolerance of offenders in their midst, their commitment to prevent this crime.

Social norms also inform the attitudes and behaviours of those who sexually exploit children. Prevailing negative and discriminatory attitudes toward women and children, in concert with an inflated sense of entitlement and sharp power differential between the offender and the victim, serve to facilitate this crime.⁷⁵

THE IMPACT OF ADVANCES IN INTERNET AND COMMUNICATIONS TECHNOLOGY ON SECTT

Without doubt, the incredible advances in Internet and Communication Technology (ICT) have contributed to an exponential expansion of opportunities for commerce and communication. Many developing countries, including those in Southeast Asia, have responded with vigour and enthusiasm to these opportunities. Developments in ICT have also revolutionised the nature and scale of the travel and tourism industry. The nexus between these two developments has inadvertently created new and unprecedented opportunities and modalities for child sex offenders.

The advent and dramatic proliferation of technologies such as the Internet (via websites, chatrooms, email, VoIP, social media, blogging, file sharing, live streaming and so on) and the use of mobile phones (including telephone, SMS, MMS, camera, along with the associated opportunities when connected to the Internet) have effectively facilitated simple, rapid, inexpensive, relatively covert, and often untraceable contact between child sex offenders and other child sex offenders, between child sex offenders and those who facilitate the sexual exploitation of children, and direct connections between child sex offenders and vulnerable children.

Whilst many developed countries have enjoyed widespread access to the Internet and other communication technologies for some time, developing countries have demonstrated a sudden and insatiable

appetite for mobile phone technology, Internet access and associated technologies. ICT uptake in the developing world had, until recently, presented a barrier to the efficient transmission of child abuse images. This is no longer the case. Annex 3: Key Indicators of ICT Uptake outlines the level of mobile subscriptions and the percentage of Internet users in the eleven Southeast Asian nations along with several other nations for comparative purposes. The sheer speed and enormous breadth of such developments mean that efforts to establish policies, laws and instruments to ensure the ethical and safe use of ICT tools are sorely outpaced.

Child sex offenders, both preferential and situational, now have largely unfettered access to information about recommended locations, in situ facilitators, and other details that enable access to vulnerable children. Offenders are now able to engage in grooming of potential victims from a distance via the use of the Internet. The Internet and mobile phones are now used to arrange direct meetings with vulnerable children for the purposes of sexual exploitation. Mobile phones, tablets and laptop computers with built-in, high quality cameras facilitate the documentation and storage of child abuse images. The Internet enables the easy distribution of these images. The ability to upload and download child abuse images anywhere, anytime and with minimal risk of detection, especially in the realms of the dark web has dramatically increased the demand and supply of such images. Increasingly discreet physical storage devices and the capacity to store imagery in a digital form in cyberspace, empower and embolden offenders and those who profit from providing such imagery. Also of grave concern is the phenomenon of live streaming of sexual abuse imagery via the Internet. As with other forms of child pornography, child sex offenders need not travel in a physical sense to participate in the sexual abuse and exploitation of children. In effect, they travel vicariously via the Internet but the impact of their exploitative behaviour is felt in the destination, and later beyond when the images are streamed or transmitted elsewhere. According to the UN Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, the production and distribution of child pornography has an estimated value of between \$US3 billion and \$US20 billion.⁷⁶

⁷⁵ See Heather Montgomery, "Buying Innocence: Child Sex Tourists in Thailand", *Third World Quarterly* 29, no.5 (2008).

⁷⁶ UN Human Rights Council. "Report of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography. Twelfth Session", UN Doc. A/HRC/12/23 (13 July 2009), 10. Accessed 27 February 2015. <http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A.HRC.12.23.pdf>

THE CURRENT SCALE AND SCOPE OF SECTT IN SOUTHEAST ASIA

This section seeks to draw together the available data and research findings in order to illustrate the current situation with regard to SECTT in Southeast Asia. It is important to consider the data presented herein in light of a range of critical limitations including the following:

- Research into SECTT is inherently difficult due to the clandestine nature of the phenomenon;
- Baseline data is virtually non-existent making comparisons and analysis of trends practically impossible;
- Many figures that are widely quoted are, at best, an educated guess;
- Most studies that are undertaken are small scale;
- Official data is often criticised as being overly conservative;⁷⁷
- A significant proportion of available data is becoming out-dated as the phenomenon is rapidly changing and limited new research is available;
- Many of the claims made in available research have not been fully verified or tested for their veracity;
- In many instances, identifying relevant data is complicated by the intersection of various related areas including CSEC, child trafficking, SECTT, sexual exploitation of children through prostitution amongst others;
- Some research is compromised by the lack of willingness of relevant sources/informants to share critical information, for political or other reasons, that would otherwise provide a more accurate or complete picture; and finally
- In spite of the concern that SECTT raises, there remains a dearth of both quantitative and qualitative research.

The SECTT situation in each country will be presented below followed by a summary of the key regional trends.

BRUNEI DARUSSALAM

Very little is known about the presence, or otherwise, of SECTT in Brunei Darussalam. Brunei experiences low numbers of international tourists. In the 2014 Trafficking in Persons (TIP) Report, the US Government identified Brunei as a destination country for women and girls subjected to sex trafficking.⁷⁸

CAMBODIA

In recent years, Cambodia became one of the most significant destinations in the region for travelling child sex offenders. The rationale for this ignominious popularity was explained by a complex combination of factors including the dramatic rise in tourism numbers, the increasing accessibility of Cambodia, the significant level of poverty and inequality that endures, and the low likelihood of detection. Cambodia is also believed to have seen an increase in travelling child sex offenders as a result of preventative efforts in more traditional hotspots such as Thailand. It should also be noted that Cambodia is home to a significant number of local and international NGOs, including many working toward the protection of children's rights. Likely as a result of the combination of the severity of the problem and the preponderance of NGOs, far more information is known about the problem in Cambodia than elsewhere in the region as indicated by the available research and data.

Whilst data on the number of children involved in sexual exploitation of children through prostitution in Cambodia is difficult to obtain, estimates in 2002 suggested that just over 20,000 people were involved in the sex industry.⁷⁹ Figures touted by the Cambodian Government around the same period suggested that children represented up to 30% of those involved in the sex industry. This study also suggested that the number of sex workers is proportionately higher in places with high density of tourist population compared to places with less or no tourism. Research indicated that, by 2008, the number of children involved in prostitution

⁷⁷ ECPAT International, *The Commercial Sexual Exploitation of Children in East and Southeast Asia*, 12.

⁷⁸ US Department of State, *Trafficking in Persons Report – June 2014* (Washington: US Department of State 2014), 110. Accessed 18 February 2015. <http://www.state.gov/documents/organization/226845.pdf>

⁸⁰ Thomas M. Steinfatt, S. Baker and A. Beese, "Measuring the Number of Trafficking Women in Cambodia: 2002. Part I of a series" (paper presented at the conference *The Human Rights Challenge of Globalization in Asia-Pacific-US: Trafficking in Persons, Especially Women and Children*, Honolulu, Hawaii, 13-15 November, 2002). Accessed 19 February 2015. http://www.childtrafficking.com/Docs/steinfatt_2002_measuring_cambodia.pdf

⁸¹ "Child-sex tourism in South-East Asia: Unwanted Visitors: The law catches up with travelling paedophiles", *The Economist*, 21 August 2008. Accessed 19 February 2015. <http://www.economist.com/node/11985386>

⁸² T.M. Steinfatt and S. Baker, *Measuring the Extent of Sex Trafficking in Cambodia – 2008*. Siren Trafficking Estimates. (Bangkok: UNIAP, 2008) Accessed 24 March 2015. http://www.no-trafficking.org/reports_docs/estimates/uniap_cb_estimates_report.pdf

⁸³ IJM, *Commercial Sexual Exploitation of Children in Cambodia: A venue-based application of time-space sampling to measure prevalence in Phnom Penh, Siem Reap and Sihanoukville*. (Washington DC: International Justice Mission, 2013), 8. Accessed 20 February 2015. <https://www.ijm.org/sites/default/files/resources/CSEC%20Prevalence%20-%20Cambodia%20-%20FINAL%20-%2012%20Sept%202013%20%281%29.pdf>

had dropped sharply and that children made up a 'very small' proportion of the sex industry in Cambodia.^{80,81,82} Research undertaken in 2013 by the International Justice Mission (IJM) in Cambodia also supports this theory.⁸³ A 2013 IJM study into the prevalence of sexual exploitation in commercial sex establishments in Phnom Penh, Siem Reap and Sihanoukville indicated that children comprise 8.16% of those involved in the establishment-based sex industry in these three locations. Furthermore, the data suggested a prevalence rate of 0.75% for children fifteen years and under and that older minors (16-17 years of age) represented 7.14% of all sex workers.⁸⁴ A follow-up study conducted by IJM in 2015 and as yet unpublished points to a further reduction with children estimated to comprise 2.22% and a drop in the prevalence rate of children less than fifteen years to 0.10%.⁸⁵ These figures represent a dramatic reduction in the number of children involved in establishment-based commercial exploitation in Cambodia. Qualitative data points to an increased law enforcement response as the major reason for the reduced prevalence. Establishments with the highest number of minors (particularly large, more expensive karaoke bars in Phnom Penh and Siem Reap) were typically those frequented by Cambodian nationals and Asian tourists.⁸⁶

Cambodian NGO Action Pour Les Enfants (APLE) undertook a comprehensive review of the 288 cases involving child sex offenders (210 perpetrators of sexual exploitation, 170 of whom were foreigners, and 78 accomplices to the crime) that the organisation had investigated and which had resulted in arrest between 2003 and 2013.⁸⁷ Those arrested represented twenty-six different nationalities (including Americans, French and British, nationalities that represent 17.5%, 11.9% and 8.6% of the convicted perpetrators respectively).⁸⁸ All perpetrators were male whereas amongst the accomplices, 62.2% were female.⁸⁹ In total, the perpetrators were responsible for the sexual exploitation of at least 495 children. Sixty-two percent of victims were boys and the remaining 38% were girls.⁹⁰ Amongst the perpetrators, 29% were tourists and the remaining

71% were short or long-term residents or businessmen in Cambodia. Fourteen perpetrators (7%) worked in organisations in which they could gain access to children including five individuals working as teachers and nine working for NGOs.⁹¹ Of this group employed in child-contact roles, seven individuals (50%) had prior child sex convictions and another was wanted in his home country for child sex crimes.⁹² Of grave concern is the finding that 28% of foreign perpetrators had a previous conviction for child sex offences. Only 3% had no prior conviction and the status of the remaining 69% was unknown.⁹³

APLEs 2006 study of street-based child sexual exploitation in the capital Phnom Penh, and in the beachside resort town of Sihanoukville found that foreign tourists and residents, or facilitators working on their behalf, were approaching children directly in the street, on the beach, in markets and other public areas.⁹⁴ The study noted that child sex offenders were regularly involved in sophisticated grooming behaviours to secure the participation of the child. Offenders were reportedly purchasing food and clothing for children, taking them on holidays, amongst other means, to gain the child's trust. Later, offers to pay for a child's education were reportedly regularly made. Contact was sometimes made with the child's family whereupon further financial and material gifts were offered. APLE contends that 80% of child victims of street-based exploitation are male.⁹⁵ Interviews with children (n=26) suggested that 58% were living or working on the street or both, 88% had their first sexual encounter with a male foreign national, 50% of children were groomed by an offender, 27% had watched pornography with an offender, and 50% stated that the offender/s had recorded child abuse images of them. Furthermore, child victims were paid between US50 cents and US\$20 per encounter. The majority of the sexual exploitation occurred in the privately rented homes of foreigners.

Also in 2006, APLE undertook a study on street-based child sexual exploitation in seven different Cambodian provinces – Svay Rieng, Battambang, Banteay

⁸⁴ *Ibid.*, 8.

⁸⁵ Personal Communication with Atty. Jesse Rudy, National Director, International Justice Mission, Philippines, 13 May 2015.

⁸⁶ *Ibid.*

⁸⁷ APLE Cambodia, *Investigating Travelling Child Sex Offenders: An Analysis of the Trends and Challenges in the Field of Child Sexual Abuse and Exploitation in Cambodia*. (Phnom Penh: APLE Cambodia, February 2014). Accessed 19 February 2015. <http://www.aplecambodia.org/images/Analytical%20Report%20on%20Investigating%20Traveling%20Child%20Sex%20Offenders%20Web%20Version.pdf>

⁸⁸ *Ibid.*, 8-9.

⁸⁹ *Ibid.*, 9.

⁹⁰ *Ibid.*, 10.

⁹¹ *Ibid.*, 11-12.

⁹² *Ibid.*

⁹³ *Ibid.*, 11.

⁹⁴ Katherine Keane, *Street-Based Child Sexual Exploitation in Phnom Penh and Sihanoukville: A Profile of Victims*. (Phnom Penh: APLE, October 2006), 10. Accessed 19 February 2015. http://www.humantrafficking.org/uploads/publications/Street-based_CSE_a_profile_of_victims_Oct06.pdf

⁹⁵ *Ibid.*, 12.

⁹⁶ Raphael Renault, *Survey on Street-Based Child Sexual Exploitation in Cambodia: Overview of 7 Provinces*. (Phnom Penh: APLE, January-March 2006). Accessed 19 February 2015. http://www.humantrafficking.org/uploads/publications/survey_on_street_cse_in_7_provinces-april06.pdf

Meanchey, Siem Riep, Ratanakiri, Kampot/Kep and Koh Kong.⁹⁶ This study concluded that travelling child sex offenders were moving beyond the capital Phnom Penh and into more remote areas where they were networking with other offenders, and cultivating relationships with business owners, local officials and others in order to gain access to children without detection. Cases of travelling child sex offenders gaining access to children via employment in, or sponsorship of, orphanages and shelters were recorded. Offenders were found to be using grooming techniques directly with their victims but also their victim's families and communities through marriage of vulnerable single mothers, repairing or building a family's home, digging wells, and other financial contributions to gain the trust of the networks around the child.⁹⁷

Sexual exploitation of children through prostitution involving Cambodian, ethnic Vietnamese Cambodian and Vietnamese women and children is reported to occur in major cities and tourism destinations throughout the country including Phnom Penh, Siem Reap, Poipet, Koh Kong, and Sihanoukville. Svay Pak, a brothel district just outside Phnom Penh notorious for the availability of children for the purposes of sexual exploitation, has operated for many years and despite increased scrutiny, remains operational.⁹⁸ It is reported that Svay Pak is used as a transit point for child sex trafficking victims from Vietnam.

Children are available in brothels, beer gardens, massage parlours, salons, karaoke bars and other sites. The clients of these children are most commonly Cambodian nationals however, with regard to SECTT, significant numbers of Asian and Western men are engaging in the sexual exploitation of children. Case data suggests that offenders are coming from Korea, Japan, China, France, Australia, New Zealand, Germany, Switzerland, the Netherlands, the UK and the U.S.⁹⁹ Anecdotal evidence points to different *modi operandi* for Asian and Western child sex offenders. Asian offenders tend to access

children via facilitators who arrange for children to be brought to a hotel or private residence, whereas Western child sex offenders are often more visible in that they are more likely to make direct contact with children in public places.¹⁰⁰

In 2014, virgin women and girls were still a sought-after commodity in Cambodia, particularly amongst Asian offenders.¹⁰¹ A 2006 study by the Chab Dai Coalition into trafficking for the purposes of sexual exploitation of ethnic Vietnamese girl children from four urban slums in Phnom Penh indicated several key trends.¹⁰² First, young girls, typically around the age of thirteen, were sold for their virginity at a price of US\$300-500 for a two to four week period after which they returned to their normal lives. The majority of the offenders were Asian expatriates including those from Japan, Taiwan, and China. Second, girls were sold into the sex industry for the longer term. Third, in one slum community, a new and rudimentary form of 'sponsorship' by foreign men (typically Asian men but also Western men) was reported to be emerging. Families were paid US\$150-300 per month to care for the girl (the youngest was reportedly two years old) in order to ensure access to young girls, once the foreigner was ready, for the purposes of sexual exploitation.

In 2013, APLE claimed to be observing a significant increase in cases involving offenders gaining access to children through institutions such as schools, orphanages shelters and the like. They raised concerns about the distinct lack of child protection standards being applied in Cambodia.

APLE also reported, in 2013, that one quarter of all victims assisted by the NGO in the past decade report that their first contact with their offender was online.¹⁰⁴ In a survey of case data pertaining to foreign child sex offenders, 14% of these offenders were in the possession and/or production of child abuse images with an estimate of a possession rate averaging 500 images per offender.¹⁰⁵

⁹⁷ Raphael Renault, *Survey on Street-Based Child Sexual Exploitation in Cambodia*, 13.

⁹⁸ US Department of State, *Trafficking in Persons Report 2014*, 121.

⁹⁹ APLE, *Investigating Travelling Child Sex Offenders*, 8-9.

¹⁰⁰ The Protection Project, *International Child Sex Tourism: Scope of the Problem and Comparative Case Studies*. (Baltimore: The John Hopkins University, January 2007), 107-108. Accessed 19 February 2015. http://www.protectionproject.org/wp-content/uploads/2010/09/JHU_Report.pdf

¹⁰¹ US Department of State, *Trafficking in Persons Report 2014*, 207.

¹⁰² J.K. Reimer, *At What Price Honour?*, 38.

¹⁰³ Presentation given by Seila Samleang, Director of APLE, at the ECPAT East & South-East Asia Regional Consultation against the Commercial Sexual Exploitation of Children, Taipei, Taiwan, 25-27 August 2014, quoted in ECPAT International, *The Commercial Sexual Exploitation of Children in East and Southeast Asia*, 23.

¹⁰⁴ *Ibid.*, 24.

¹⁰⁵ *Ibid.*

INDONESIA

The 2014 TIP Report identifies the Riau Archipelago, in particular Batam and Bintan Islands off the coast of Singapore, and Bali as key locations for SECTT in Indonesia.¹⁰⁶

With regard to the situation in Batam, a 2009 report by the National Coalition for the Elimination of Commercial Sexual Exploitation of Children (PKPA, the ECPAT Affiliate Group in Indonesia) noted that the Indonesian Department of Social Affairs had calculated that more than 3000 tourists from Singapore and Malaysia visit the island every week for sex services.¹⁰⁷ It was estimated that 5000-6000 individuals are involved in the sex industry in Batam and that up to 30% are children.¹⁰⁸

In 2009, a rapid assessment study of 272 children involved in commercial sexual exploitation in seven key locations across Indonesia – Jakarta, Lampung, Lombok, Batam, Bandung, Bali and Pontianak – it was found that children between the ages of 12 and 18 were victims of sexual exploitation via prostitution, pornography, child trafficking for sexual purposes, sex tourism and child marriage.¹⁰⁹

Travelling child sex offenders operating in Indonesia are known to come from a wide range of source countries including Indonesia, Malaysia, Singapore, Thailand, Australia, the UK, Bangladesh, Japan, Korea, China and Saudi Arabia.¹¹⁰ They have been travellers, expatriates, ship crews, project workers, and construction workers.

In a review of data gathered by the Australian Federal Police (AFP) for 2013-2014, Indonesia was ranked the number one destination for registered Australian travelling child sex offenders with a total of 293 visits.¹¹¹ This figure is almost twice the number of visits by registered Australian travelling child sex offenders to Thailand, ranked at number three, in the same period.¹¹² It should be reinforced that this figure represents only registered cases and also only the primary destination as identified by the offender when notifying the AFP of their travel plans.

According to data on those convicted by Indonesian courts for committing or facilitating the commission of sexual offences against children between 2010 and 2014, a total of 137 individuals received convictions (child pornography 12%, sexual exploitation of children through prostitution 13%, child sex tourism 21%, child sex trafficking 54%).¹¹³ Furthermore, analysis of child victims associated with these cases suggests that a total of 264 children were identified.¹¹⁴ The vast majority of identified victims were girls (88%) and this figure was common across the four categories of child pornography, sexual exploitation of children through prostitution, child sex tourism and child sex trafficking.¹¹⁵

In 2012, ECPAT Indonesia undertook a study into the online sexual abuse of children in Indonesia which explored the availability of child pornography, the production and distribution of child pornography, and the use of online tools such as Facebook, Blackberry Messenger, Blogs and Twitter by pimps and other facilitators for the purposes of arranging the commercial sexual exploitation of children and adolescents.¹¹⁶ The largely qualitative data gathered indicates a significant and growing problem in Indonesia.

¹⁰⁶ US Department of State, *Trafficking in Persons Report 2014*, 207.

¹⁰⁷ ECPAT International, *Global Monitoring Report: Status of Action against Commercial Sexual Exploitation of Children: Indonesia*. 2nd ed. (Bangkok: ECPAT International, 2011), 12. Accessed 19 February 2015. http://ecpat.net/sites/default/files/a4a_v2_eap_indonesia.pdf

¹⁰⁸ *Ibid.*

¹⁰⁹ National Coalition for the Elimination of Commercial Sexual Exploitation of Children, Ministry of Women's Empowerment and UNICEF. Report on seminar and workshop on the results of rapid assessment on the situation on CSEC in Indonesia held in Jakarta 2-3 September 2009. Report in Bahasa. Medan, Indonesia: Koalisi Nasional cited in UNICEF EAPRO, *Child Maltreatment: Prevalence, Incidence and Consequences in the East Asia and Pacific Region: A Systemic Review of Research*. Strengthening Child Protection Systems Series: No.1 (Bangkok: UNICEF EAPRO, 2012), 85. Accessed 18 February 2015. http://www.unicef.org/eapro/Child_Maltreatment.pdf

¹¹⁰ Presentation by Ahmed Sofian, ECPAT Indonesia, at the Southeast Asia Regional Consultation on the Global Study on SECTT (Chiang Mai, Thailand, 6 & 7 May 2015).

¹¹¹ Australian Federal Police, *Operational Intelligence Report: National Child Offender System (NCOS): Offender travelling trends and patterns within Vietnam – January 2013 to December 2014* (Canberra: Australian Federal Police, 2014), 4.

¹¹² *Ibid.*

¹¹³ Presentation by Ahmed Sofian, ECPAT Indonesia, at the Southeast Asia Regional Consultation on the Global Study on SECTT (Chiang Mai, Thailand, 6 & 7 May 2015).

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*

¹¹⁶ Ahmad Sofian, *The Scope and Magnitude of Online Sexual Abuse of Children in Indonesia* (Jakarta: ECPAT Indonesia, 2014).

LAO PDR

In 2011, an investigation into CSEC in Lao PDR, found children to be involved in prostitution, primarily in beer bars and karaoke shops, throughout the country.¹¹⁷ Offenders were identified as Lao, Thai, Chinese and other Asian businessmen, professionals, immigrant workers and officials. Regulation of beer bars and karaoke shops had resulted in limitations being imposed on the number of girls permitted to work in such establishments which, in turn, created a mobile form of prostitution in which girls are on-call, either in arrangement with an establishment or in a freelance capacity. It is not clear what percentage of such 'mobile phone girls' are children.¹¹⁸ Anecdotal evidence suggests that Thai tourists visiting Lao PDR, particularly those travelling in male only groups, have sometimes requested school age girls.¹¹⁹

With regard to child pornography, findings of the same report into CSEC suggest that CD shops, particularly in the capital Vientiane, have child pornography available for download to mobile phones and memory sticks.¹²⁰ There are also reports of Lao teenagers recording themselves performing sexual acts for sale via CD shops in the capital. Furthermore, research amongst the men-who-have-sex-with-men community in Lao PDR indicated that local young men are selling pornographic images online to foreign clients with payments made via electronic transfer through services such as Western Union. This online contact is also a means of information sharing between local men and boys and foreign child sex tourists. The scope of the involvement of underage boys is unknown.¹²¹

Anecdotal evidence suggests that Thai and Chinese businessmen, and other Asian nationals, are travelling to Lao PDR to have sex with children. In interviews conducted in key border towns of Savannakhet and Champassak, it was reported that Lao nationals and Thai men travelling across the border on group tours on weekends were seeking sex with children.¹²²

Concerns have been raised about the trafficking of Vietnamese and Chinese women and girls, and boys and girls from Lao PDR to border areas, casinos, newly established Special Economic Zones, and to some of the country's larger cities for the purposes of sexual exploitation by migrant workers and Asian tourists.¹²³

No data is available to date pertaining to the presence or arrest of foreign child sex offenders in Lao PDR.

MALAYSIA

Malaysia has been identified as a sex trafficking destination for women and children from other countries, including those from other Southeast Asian nations.¹²⁴ According to child rights activists in Malaysia, the capital Kuala Lumpur is home to a thriving sex industry in which children, some as young as thirteen, comprise an unknown proportion.¹²⁵ It is claimed that these children are typically of Malaysian, Indonesian, Thai and Indian origin. These children, who number in the thousands, reportedly operate out of dilapidated low-cost apartments in the capital rather than brothels in order to avoid detection by the authorities. Estimates suggest that up to 150 children are forced into the sex industry each year.

Very little information is otherwise available pertaining to SECTT in Malaysia.

MYANMAR

The United Nations Population Fund (UNFPA) and Save the Children (STC) undertook a study in 2010 surveying 58 female sex workers under the age of twenty-five in three cities in Myanmar. Their findings demonstrated that 12% of respondents were aged 10-14 years and a further 33% of respondents were aged 15-19 years.¹²⁶

¹¹⁷ Child Frontiers, UNICEF, UNIAP, Save the Children and World Vision, Report on the Commercial Sexual Exploitation of Children in Lao PDR (Vientiane, 2011), 14.

¹¹⁸ *Ibid.*, 20.

¹¹⁹ *Ibid.*, 21.

¹²⁰ *Ibid.*, 24.

¹²¹ *Ibid.*, 27.

¹²² *Ibid.*, 32.

¹²³ US Department of State, Trafficking in Persons Report 2014, 239.

¹²⁴ *Ibid.*, 260.

¹²⁵ Press TV, "Malaysia: Haven for Child Prostitution", CRIN webpage, 21 February 2011. Accessed 22 March 2015. <https://www.crin.org/en/library/news-archive/malaysia-haven-child-prostitution>

¹²⁶ UNICEF and Ministry of National Planning and Economic Development, Government of Myanmar, Situation Analysis of Children in Myanmar (Yangon: UNICEF and Ministry of National Planning and Economic Development, 2012), 116. Accessed 8 March 2015. http://www.unicef.org/eapro/Myanmar_Situation_Analysis.pdf

According to staff of the Sex Workers Association in Myanmar (CBO Network) both male and female children as young as fifteen years of age are increasingly engaging in sex work in Yangon and foreign tourists are using their services.¹²⁷ There are also reports of children involved in prostitution in towns such as Mawlamyine and Kyakhtiyo.¹²⁸

Investigations by responsible tourism organisation Tourism Transparency suggested that in 2013, at least one Japanese website was promoting travel to Myanmar for the purposes of sex tourism and offering a list of hotels that could make the necessary arrangements.¹²⁹ Anecdotal evidence also suggests that some hotel owners in Myanmar are willingly connecting tourists with sex workers when asked. It is not clear whether such clientele specifically target children.¹³⁰

Emerging recently from many years of relative isolation, Myanmar is opening up to tourism via the relaxation of visa restrictions, the advent of new transport connections with neighbouring countries and enhanced efforts to promote Myanmar as a land of natural beauty and rich cultural heritage. Officials have been mindful of the experiences of other Southeast Asian nations with regard to SECTT. In 2014, Myanmar took pre-emptive action to bar entry to the country by six foreign nationals (one American, three British, one Canadian, and one German) based on information pertaining to prior sexual offences against children.¹³¹ In 2013, it was reported that 13 foreigners had been blacklisted from Myanmar for engaging in or attempting to engage in the sexual exploitation of children whilst in Myanmar.¹³²

No further data pertaining to SECTT in Myanmar is currently available.

PHILIPPINES

The Philippines has long been a well-known location for SECTT. UNICEF suggests that the Philippines may have recently surpassed Thailand as the country with the highest prevalence of SECTT.¹³³ Paradoxically, whilst significant research and data relating to the problem of SECTT was available in the Philippines in the latter part of last century, there appears to be a dearth thereafter.¹³⁴ Commentators suggest that this may be a result of a greater focus by government and NGOs on the issue of trafficking and a consequential neglect of the issue of SECTT.¹³⁵

According to Terre des Hommes, estimates by the NGO Preda Foundation and confirmed by both the Philippines Department of Justice and researchers at the University of the Philippines, suggest that approximately 100,000 children are victims of all forms of sexual exploitation. Furthermore, it is estimated that tens of thousands of children have been victimised by the new phenomenon of Webcam Child Sex Tourism (discussed later in this study).¹³⁶

In 2014, the Department of Social Welfare and Development (DSWD) handled 180 cases of child sexual exploitation, 33% of these children were under 14 years of age.¹³⁷ According to the Council for the Welfare of Children (CWC) for every case that is reported to authorities, hundreds more go unreported.¹³⁸

Significant numbers of women and children are involved in the often highly visible commercial sex industry that caters to both Filipino nationals and foreign tourists. According to the 2014 TIP Report, boys and girls are also widely exploited for sexual purposes both within and outside of the commercial sex industry.¹³⁹ Offenders typically come from Australia, East Asian countries, Europe and the United States.¹⁴⁰

¹²⁷ Thi Thi Thein (Myanmar Centre for Responsible Business), email communication, 17 March 2015.

¹²⁸ Ibid.

¹²⁹ Justin Bergman, "Can Burma Avoid The Curse of Sex Tourism?", Time Magazine, 12 April 2013. Accessed 24 March 2014. <http://world.time.com/2013/04/12/can-burma-avoid-the-curse-of-sex-tourism/>

¹³⁰ Justin Bergman, "Can Burma Avoid The Curse of Sex Tourism?"

¹³¹ US Department of State, Trafficking in Persons Report 2014, 117.

¹³² Bergman, "Can Burma Avoid The Curse of Sex Tourism?"

¹³³ The Protection Project, International Child Sex Tourism, 134.

¹³⁴ Ibid.

¹³⁵ Ibid., 135.

¹³⁶ Terre des Hommes, Webcam Child Sex Tourism: Becoming Sweetie: a novel approach to the global rise of Webcam Child Sex Tourism. (The Hague: Terre des Hommes, 2014), 24. Accessed 27 February 2015. <http://www.terredeshommes.org/wp-content/uploads/2013/11/Webcam-child-sex-tourism-terre-des-hommes-NL-nov-2013.pdf>

¹³⁷ Fritzie Rodriguez, "Kids aren't supposed to be for sex", Rappeler Online, 26 February 2015. Accessed 22 March 2015. <http://www.rappler.com/move-ph/issues/gender-issues/85034-commercial-sexual-exploitation-children>

¹³⁸ Ibid.

¹³⁹ US Department of State, Trafficking in Persons Report 2014, 313.

¹⁴⁰ Carmen R. Zafft and Sriyani Tidball, "A Survey of Child Sex Tourism in the Philippines" (paper presented at the Second Annual Interdisciplinary Conference on Human Trafficking, Lincoln, Nebraska, 30 September-2 October, 2010), 13. Accessed 19 February 2015. <http://digitalcommons.unl.edu/humtrafconf2/22>

Law enforcement authorities suggest that 10-15% of sexual crimes against children in the Philippines are committed by foreigners.¹⁴¹ Perpetrators are typically male foreign sex tourists, military personnel on leave, and foreign businessmen. As in many other Southeast Asian nations, a range of nationalities from both Western and Asian countries are implicated in SECTT in the Philippines with a particularly notable rise in numbers from South Korea. As in Cambodia, it is reported that virginity-seeking is highly prevalent in the Philippines.¹⁴² It has also been claimed that some female tourists have purchased sexual services with adolescent children in the Philippines.¹⁴³

The main destinations for travelling child sex offenders have been identified as Las Pinas, Ermita, Manila, Ilocos Norte, San Pablo City, Cebu City, Tagbilaran, Puerto Galera, Angeles City, Sabang and Boracay.¹⁴⁴

In August 2009, Metro Manila (including Pasay City, Paranaque and Manila City) was the subject of an unpublished IJM study into the prevalence of child sex trafficking. Ninety commercial sex establishments (among 286 identified) were surveyed indicating a prevalence of child sex trafficking of 7.95%. A 2014 follow-up study, also unpublished, including the three areas surveyed in the earlier study along with the inclusion of Quezon City and Makati, suggesting a prevalence rate of child sex trafficking of 5.03%, a 37% decrease on the earlier study.¹⁴⁵

Two cities, Olongapo City and Angeles City, are long-standing sex tourism destinations that were established in proximity to two U.S. military bases in times passed. Whilst the U.S. officially withdrew troops from the Philippines in the early 1990s, these destinations have continued to prosper and sex tourists and foreign child sex offenders still reportedly flock to these cities in high numbers. In 2011, U.S. Ambassador to the Philippines, Harry Thomas Jr. created a significant amount of controversy by suggesting that up to 40% of foreign male tourists were coming to the Philippines for the purposes

of sex.¹⁴⁶ Angeles City is reported to cater, in large part, to American men. Reports suggest that the availability of young girls is openly promoted by bars and clubs throughout the city.¹⁴⁷ An estimated 13,000 Australian men are also reported to visit Angeles City each year. Given that almost the entire economy of the city is based on the sex industry, it is not difficult to discern their attraction to this location.¹⁴⁸ In February 2012, IJM conducted an as yet unpublished prevalence study into child sex trafficking in Angeles City. Based on visits to 90 commercial sex establishments (randomly selected from a total of 317 identified venues), 8.74% of those working in such establishments were children.¹⁴⁹ A follow-up study is planned for 2016 to determine the impact of IJM interventions to address child sex trafficking in partnership with local law enforcement agencies.

In Cebu City, casinos, strip clubs, massage parlours and bars are known to cater to Western clients, especially British men. Cebu City is home to Barangay Kamagayan, a slum red-light district that is reported to be the centre of an alarming level of child sexual exploitation by tourists.¹⁵⁰ Local authorities estimate that 10,000 women and girls work in prostitution in the Cebu province and 40% are believed to be children. As part of a comprehensive evaluation of IJMs Justice Systems Transformation Program (Project Lantern) in Cebu, independent evaluators surveyed bars, brothels, massage parlours, malls and other venues in order to assess the prevalence rates of child sex trafficking.^{152,153} In October 2006, 6.6% of those working in such establishments were considered minors. In August 2008, this figure had dropped to 2.2% and in the final study undertaken in May 2010, a further reduction was recorded with a prevalence rate of child sex trafficking estimated at 1.5%. An overall reduction in the availability of minors in commercial sex establishments in Cebu in the three and a half year period during which Project Lantern was operating is estimated at almost 80%. Ongoing data collection by IJM suggests that the 2010 prevalence rate of 1.5% has held steady since that time.

¹⁴¹ The Protection Project, *International Child Sex Tourism*, 135.

¹⁴² *Ibid.*, 136.

¹⁴³ ECPAT International, *The Commercial Sexual Exploitation of Children in East and South-East Asia*, 21.

¹⁴⁴ Child Wise, 2007 ASEAN Child Sex Tourism Review, and The Protection Project, *International Child Sex Tourism*, cited in Zafft and Tidball, "A Survey of Child Sex Tourism in the Philippines", 14.

¹⁴⁵ Personal Communication with Atty. Jesse Rudy, National Director, International Justice Mission, Philippines, 13 May 2015.

¹⁴⁶ Philip Tubeza, "US Envoy Says: 40% of foreign male tourists come to the Philippines for sex", *Philippine Inquirer Daily*, 22 September 2011. Accessed 24 March 2015. <http://globalnation.inquirer.net/13227/40-of-foreign-male-tourists-come-to-philippines-for-sex/>

¹⁴⁷ The Protection Project, *International Child Sex Tourism*, 134.

¹⁴⁸ *Ibid.*, 135.

¹⁴⁹ Personal Communication with Atty. Jesse Rudy, National Director, International Justice Mission, Philippines, 13 May 2015.

¹⁵⁰ The Protection Project, *International Child Sex Tourism*, 134.

¹⁵¹ *Ibid.*, 137.

¹⁵² Personal Communication with Atty. Jesse Rudy, National Director, International Justice Mission, Philippines, 13 May 2015.

¹⁵³ Edward R. Maguire and Megan Gantley, *Wave 3 Assessment for Project Lantern: Final Report* (Fairfax, VA: Crime and Justice Analysts Inc, 2010).

In 2008, a study into SECTT undertaken in Boracay Island described a situation in which young girls and boys were found living in brothels behind world-class hotels and resorts.¹⁵⁴ ECPAT Philippines notes that Boracay is also reputedly a centre for cybersex.¹⁵⁵

Sabang and Puerto Galera in Mindoro are also known hot spots for travelling child sex offenders however, they have a reputation for a more clandestine industry. Sabang reportedly attracts Western preferential child sex offenders and very few other tourists.¹⁵⁶ Foreign property ownership, particularly of bars and clubs, typically by Western men married to Filipina women, is significant in the Philippines. Australians are reported to own establishments in key locations, Europeans own most of the local bars in Puerto Galera, and Koreans are increasingly investing in properties in Boracay.¹⁵⁷

Anecdotal evidence suggests that many foreign nationals are assisted in procuring children, often very young children, for the purpose of producing child pornography, by a network of local Filipino facilitators.¹⁵⁸ The production of child pornography on a small scale, but also by large-scale international networks, is widespread in the Philippines. Government officials have estimated that the child pornography industry in the Philippines is one of the biggest in the world earning more than US\$1 billion per year.¹⁵⁹ Trinidad (2005) notes that, based on documented cases, foreign nationals produce more child pornography than locals.¹⁶⁰ Angeles City is widely acknowledged as the centre of the hard-core child pornography industry. Cybersex dens are the most recent development in the Philippines and involve both adults and children performing live sex acts that are streamed via the Internet.^{161, 162}

SINGAPORE

Little data is available regarding the existence of SECTT in Singapore.

Singaporean citizens, however, are reported to comprise 50% of the clientele frequenting prostitution establishments in the nearby Indonesian islands of Batam and Bintan in the Riau Archipelago.¹⁶³ Singaporeans have also been reported to travel to Thailand, particularly to areas in the south of the country, and to Cambodia to participate in SECTT.¹⁶⁴

More generally speaking, research indicates that women and children from Bangladesh, Indonesia, Philippines, Thailand and China are trafficked into Singapore, often for the purposes of sexual exploitation. Research undertaken in 2010 by ECPAT International and Dr. Sallie Yea indicated that trafficked women and children were found to be working in commercial sex establishments, in street prostitution, and others were forced to provide sexual services in hotels and in forest brothels located in nature reserves and parks largely servicing migrant workers housed in nearby dormitory complexes.¹⁶⁵ This report concluded child trafficking for sexual purposes appeared to be fuelled by local demand but also by demand from foreign male migrant workers and also travellers.¹⁶⁶

Also of concern in Singapore is the phenomenon of *enjo kosai* also known as compensated dating in which both adolescent girls and boys use the Internet and mobile phones in order to exchange sexual services in order to access modern consumer goods and/or pocket money.¹⁶⁷ The links between this phenomenon and SECTT have not been investigated.

¹⁵⁴ Zafft and Tidball, "A Survey of Child Sex Tourism in the Philippines".

¹⁵⁵ The Protection Project, International Child Sex Tourism, 135.

¹⁵⁶ Ibid..

¹⁵⁷ Ibid., 136.

¹⁵⁸ ECPAT International, The Commercial Sexual Exploitation of Children in East and Southeast Asia, 24.

¹⁵⁹ ECPAT International, Global Monitoring Report: Status of Action against Commercial Sexual Exploitation of Children: Philippines. 2nd Ed. (Bangkok: ECPAT International, 2011), 11. Accessed 19 February 2015. http://ecpat.net/sites/default/files/a4a_v2_eap_philippines.pdf

¹⁶⁰ Cited by The Protection Project, International Child Sex Tourism, 139.

¹⁶¹ Ibid., 140.

¹⁶² US Department of State, Trafficking in Persons Report 2014, 313.

¹⁶³ ECPAT International, Global Monitoring Report: Status of Action against Commercial Sexual Exploitation of Children: Singapore (Bangkok: ECPAT International, 2011), 13. Accessed 19 February 2015. http://ecpat.net/sites/default/files/a4a_v2_eap_singapore_2nd_edition.pdf

¹⁶⁴ Ibid., 14.

¹⁶⁵ ECPAT International and Yea, Sallie, Commercial Sexual Exploitation and Trafficking of Children and Young People in Singapore (Bangkok: ECPAT International, 2010), 3. Accessed 7 March 2015. <http://unwomen-nc.org.sg/uploads/FINAL%20Singapore%20Research%20Report%2021%20June%202011.pdf>

¹⁶⁶ Ibid., 20.

¹⁶⁷ Ibid., 3-4.

THAILAND

Thailand has long been recognised as a global magnet for both sex tourism and SECTT. Traditional destinations such as Bangkok, Pattaya and Phuket remain veritable hubs for SECTT. Other destinations for foreign men seeking to sexually exploit children include Songkhla (Hat Yai) and Chiang Mai.¹⁶⁸ By far the most common form of SECTT involves foreign men seeking a young, attractive female or male for the purposes of sex without a particular preference for children. However, this demand for youth and beauty creates a market for children within the sex industry.¹⁶⁹

Local NGOs suggest that whilst it is still possible to detect the presence of children for the purposes of sexual exploitation in places such as Bangkok, children are becoming less visible and are a more risky prospect for foreign sex offenders and thus, perpetrators are venturing to more isolated locations both within Thailand and in neighbouring countries.¹⁷⁰ As in other countries within the region, SECTT is shifting from brothels or establishment-based exploitation to street-based exploitation. Growing concern over foreign child sex offenders finding employment in child-contact occupations, in particular teaching, has been generated by a number of high profile arrests.¹⁷¹

Whilst organised crime was implicated in the facilitation of SECTT in the past, this now appears only to be the case with very young children.¹⁷²

In research undertaken in Lao PDR, interviews with outreach workers and transgender peer educators in the capital Vientiane, indicated that many Lao boys who identify as homosexual or transgender, travel to locations such as Pattaya, Phuket and Bangkok to become involved in bar and street-based prostitution. The offenders are reported to be primarily older Western men.¹⁷³

Perpetrator nationalities tend to mirror the nationalities of tourism arrivals with Japan, China, Taiwan, Singapore, Malaysia, Hong Kong, South Korea, Australia, the US, the UK and other European nations highly represented. The

2014 TIP Report reveals that Thailand denied entry to a total of 79 known foreign child sex offenders in 2013.¹⁷⁴

According to the AFP, Thailand was ranked as the third most visited destination for Australian registered child sex offenders in 2013-2014.¹⁷⁵ These offenders made at least 148 visits to Thailand during this two-year period.

Research has revealed that in 2009, amongst sixteen cases involving the arrest of foreign perpetrators the vast majority of these perpetrators were found with self-produced child pornography using their own digital recording devices.¹⁷⁶

TIMOR-LESTE

No specific data is available regarding the existence of SECTT in Timor-Leste.

Research by the Alola Foundation (2004) attested to the existence of a commercial sex industry operating in Timor-Leste, and to the presence of women and girls, from both Timor-Leste and a range of other countries, who had been trafficked for sexual exploitation. Whilst the major clientele of the nation's sex industry are East Timorese men, the long-standing presence of significant numbers of UN peacekeepers, UN staff and other aid workers is believed to have been a factor in creating demand for the sex industry.¹⁷⁷ Of the sex workers interviewed (n=38) in this study, a proportion were under the age of eighteen, some as young as fourteen years of age, and many began sex work when they were under eighteen years of age. Perpetrators were reported to be Portuguese, Australian, Thai, Chinese and a multitude of other nationalities.¹⁷⁸

Additionally, the study indicated the presence of boys as young as thirteen years of age working in the sex industry providing services to both local and foreign men.¹⁷⁹ The average age to begin sex work amongst the male sex workers interviewed was fourteen and a half years of age (n=4). One boy interviewed began sex work at the age of nine years. An estimated 75% of male sex workers are under the age of eighteen years.¹⁸⁰

¹⁶⁸ The Protection Project, *International Child Sex Tourism*, 156.

¹⁶⁹ *Ibid.*, 159.

¹⁷⁰ CEOP - NCA, *Threat Assessment of Child Sexual Exploitation and Abuse June 2013* (London: National Crime Authority, 2013), 16. Accessed 6 March 2015. http://ceop.police.uk/Documents/ceopdocs/CEOP_TACSEA2013_240613%20FINAL.pdf

¹⁷¹ ECPAT International, *Global Monitoring Report: Status of Action against Commercial Sexual Exploitation of Children: Thailand*. 2nd Ed. (Bangkok: ECPAT International, 2011), 12. Accessed 19 February 2015. http://resources.ecpat.net/A4A_2005/PDF/EAP/A4A2011_EAP_Thailand_FINAL.pdf

¹⁷² ECPAT International, *Global Monitoring Report: Thailand*, 11.

¹⁷³ Child Frontiers et. al., *Report on the Commercial Sexual Exploitation of Children in Lao PDR*, 33.

¹⁷⁴ US Department of State, *Trafficking in Persons Report 2014*, 376.

¹⁷⁵ Australian Federal Police, *Operational Intelligence Report: National Child Offender System (NCOS): Offender travelling trends and patterns within Vietnam – January 2013 to December 2014* (Canberra: Australian Federal Police, 2014), 4.

¹⁷⁶ ECPAT International, *The Commercial Sexual Exploitation of Children in East and Southeast Asia*, 24.

¹⁷⁷ Alola Foundation, *Trafficking in East Timor: A Look at the Newest Nation's Sex Industry* (Dili, Timor-Leste: Alola Foundation, 2004), 12-14. Accessed 19 February 2015. http://www.humantrafficking.org/uploads/publications/ALOLA_20TRAFFICKING_20REPORT_20_English_.pdf

¹⁷⁸ *Ibid.*, 17.

¹⁷⁹ *Ibid.*, 28.

¹⁸⁰ *Ibid.*

VIETNAM

Research compiled by the AFP (2013-2014) regarding the *modi operandi* of known and registered Australian child sex offenders entering Vietnam highlights some critical information.¹⁸¹ During the 22-month period of the study, a total of 41 registered Australian child sex offenders visited Vietnam (eight of whom were Viet Kieu – returned Vietnamese who have settled overseas) via Ho Chi Minh City on a total of 68 occasions. The modal length of stay was 27.3 days, a period that is considered a long-stay. A total of 73% of these offenders stayed in hotels, the majority of which were characterised as budget mini-motels with no-star rating and many of these were located in districts that are not consistent with regular tourist or expatriate populations. The remaining 27% stayed in private accommodation. Concerns were also raised about the potential for deviations from the reported travel schedule by some of these offenders to other locations within Vietnam but also to neighbouring and highly vulnerable countries such as Cambodia and Lao PDR.

In 2011, UNICEF Vietnam and the Vietnamese Ministry of Labour, Invalids and Social Affairs (MoLISA), published an analysis of CSEC in five cities and provinces across the country. In this study, 76% (n=37) of interviewed children working in prostitution reported that they received foreigner customers. This study found that both boys and girls were sought for the purposes of sexual exploitation. Some of these children were involved in establishment-based prostitution and others tended to be children living and working on the streets. Information from a range of sources suggested that the foreign offenders came from Australia, Austria, Germany, Korea, the UK, and the US. Children also reported that both local and returned Viet Kieu (Vietnamese people who have settled overseas) form a proportion of those who exploit them. Foreign offenders were reported to make contact with children via Xe Om (motorbike taxi drivers) and taxi drivers, via karaoke bar owners or by befriending children (most often boys) working on the street.

Anecdotal evidence gathered from children interviewed indicated that, on occasion, foreign women have been known to seek out young boys for the purposes of sexual exploitation. The key destinations for child sex offenders were identified as Ho Chi Minh City, Ha Noi, Hai Phong, Da Nang, Nha Trang, Hue, Hoa Binh, Lao Cai and Sa Pa. The Vietnam National Administration of Tourism (VNAT) noted a growing tendency toward SECTT in more rural and remote regions. Furthermore, child pornography was found to be widely available in the form of DVDs and via the Internet. Thirty-eight percent of children working in prostitution (n=37) reported that their exploiters had collected sexual images during the course of their interactions. The study also revealed that ‘body show’ and ‘chat sex’ were becoming increasingly popular activities involving children uploading a photo or live footage of themselves naked or engaged in a sexually provocative act.

In 2010, a situational analysis conducted by UNICEF indicated that children comprised approximately 15% of all female sex workers.¹⁸³

In 2006, the Centre for Research, Family Health and Community (CEFACOM) undertook a study into the existence of child sex tourism in Hanoi, Nha Trang and Ho Chi Minh City.¹⁸⁴ The research suggested that foreign child sex offenders were making contact with children working on the streets and were typically seeking girls as young as twelve. SECTT was observed to exist in Ho Chi Minh City in backpacker areas. In Hanoi, karaoke bars were found to be a key source of children for the purposes of SECTT and whilst pimps played a role in this phenomenon, many children were found to be negotiating directly with customers due to their ability to communicate in English.¹⁸⁵

Interpol Vietnam reported in January 2006 that it had received a list of 21 German child sex offenders who had either entered Vietnam or had plans to do so. Very little is known about the phenomenon of child pornography in Vietnam. Several foreign offenders have been found in possession of child abuse images, often images they captured themselves during the sexual exploitation of children.¹⁸⁶

¹⁸¹ Australian Federal Police, Operational Intelligence Report: National Child Offender System (NCOS): Offender travelling trends and patterns within Vietnam – January 2013 to December 2014 (Canberra: Australian Federal Police, 2014), 5.

¹⁸² UNICEF Vietnam and the Vietnamese Ministry of Labour, Invalids and Social Affairs, *An Analysis of the Commercial Sexual Exploitation of Children in Selected Provinces and Cities of Vietnam*. (Hanoi: UNICEF Vietnam, 2011). Accessed 17 February 2015. http://www.unicef.org/vietnam/bao_cao_CSEC_tiang_anh_04-12.pdf

¹⁸³ UNICEF EAPRO, *Child Maltreatment*, 85.

¹⁸⁴ ECPAT International, *Global Monitoring Report: Status of Action against Commercial Sexual Exploitation of Children: Vietnam*. 2nd Ed. (Bangkok: ECPAT International, 2011), 11. Accessed 19 February 2015. http://ecpat.net/sites/default/files/a4a_v2_eap_vietnam.pdf

¹⁸⁵ *Ibid.*

¹⁸⁶ *Ibid.*

REGIONAL OVERVIEW

- No data is available to determine how many children are affected by SECTT in Southeast Asia. Similarly, no data exists that can clearly prove that SECTT is increasing or decreasing within the region. The available evidence suggests that SECTT is prevalent within the region and there are strong indicators that the magnitude is increasing.
- Traditional destinations for foreign child sex offenders such as Thailand and the Philippines continue to draw significant numbers of offenders, countries such as Cambodia, Vietnam and likewise, Indonesia appear to be significant destinations for those seeking to sexually exploit children. Brunei, Malaysia and Singapore tend to be regarded as sending countries for child sex offenders rather than a destination and whilst little data is available to indicate whether foreigners are engaging in SECTT in these countries, all three countries are believed to have children, local or from overseas, involved in the sex industry. The remaining countries such as Lao PDR, Myanmar and Timor-Leste are newly emerging tourism destinations and very little is known about whether child sex offenders are beginning to target these countries. Given that these countries present the potential child sex offender with relative anonymity, a likely supply of vulnerable children, and little community awareness of the threat, it could be posited that the phenomenon of SECTT has most likely begun to take root on a small scale in these destinations.
- Whilst child sex offenders are most likely to be nationals of the country in question, the available evidence indicates that men from a range of countries are coming to Southeast Asia to engage in SECTT. In most countries, the nationalities of child sex offenders tend to mirror the international tourism arrivals data to an extent.
- The vast majority of child sex offenders frequenting Southeast Asia are men and this is borne out in the case data pertaining to those arrested and in qualitative research in which children have been interviewed. However, anecdotal evidence gathered in a number of countries points to a small, unsubstantiated number of females seeking sex primarily with adolescent boys.
- Regional data suggests that situational or opportunistic child sex offenders are more likely to be those who engage in SECTT with girls. Preferential or predatory child sex offenders may be more inclined toward engaging in SECTT with boys than situational child sex offenders but there are many cases where such offenders are more inclined to exploit girls only, or both boys and girls.
- Analysis of the diverse *modi operandi* of travelling child sex offenders operating in the region suggests that the use of terms such as preferential and situational offenders may be misleading and limiting given the range of motivations, behaviours, and methods that are exhibited. A more useful conception may be that of a continuum. This idea warrants greater consideration.
- Across the region, foreign child sex offenders are gaining access to children in a number of key ways. First, offenders are seeking out young people and children in establishments such as bars, restaurants, hotels, massage parlours, beer gardens, salons and karaoke venues. Evidence gathered suggests that the prevalence of children in establishment-based sexual exploitation is reducing in areas where strong law enforcement actions have been implemented. Second, offenders are either making direct contact with vulnerable children who live and work on the street, the beach, the riverside and/or other public places in known tourism destinations, or are relying on local facilitators to make such arrangements on their behalf. The available evidence suggests that street-based sexual exploitation of children is increasing. Third, children continue to be sexually exploited by individuals who seek voluntary work or employment in child-contact institutions such as schools, churches, shelters, NGOs, sports clubs, orphanages and the like. The UK's Child Exploitation and Online Protection Centre (CEOP) confirmed that a disproportionate number of travelling sex offenders seek access to children through child-contact work.¹⁸⁷ Fourth, ecotourism, cultural tourism and voluntourism ventures are providing a means by which offenders can gain contact with vulnerable children via a seemingly legitimate channel.

¹⁸⁷ CEOP – NCA, Threat Assessment of Child Sexual Exploitation and Abuse June 2012 (London: CEOP – NCA, June 2012), 12. Accessed 6 March 2015. http://ceop.police.uk/Documents/ceopdocs/CEOPThreatA_2012_190612_web.pdf

- Foreign child sex offenders are seeking out both girls and boys for the purpose of SECTT. Regional data points to higher numbers of girls involved in establishment-based sexual exploitation and higher numbers of boys involved in street-based sexual exploitation. It has been hypothesised that this may be due to the fact that there is a predominance of boys working and living on the streets.¹⁸⁸
- Whilst no ethnographic evidence currently exists, qualitative observations from a range of sources indicate that men of Asian origin, in particular those from China, Japan, Taiwan, South Korea and Vietnam, are more likely than other nationalities to seek to sexually exploit virgins. These nationalities are also reported to be more inclined to seek to sexually exploit girls rather than boys. And whilst Western child sex offenders are more likely to engage with children via street-based contact, Asian men are said to favour more discreet interactions and as such, tend toward establishment-based exploitation or the use of local facilitators to arrange for encounters in hotels or apartments.¹⁸⁹
- Grooming of children by foreign child sex offenders is occurring across the region. This grooming may begin with online contact and may involve continued contact via the Internet and/or mobile telephones, or it may be partially or entirely undertaken in face-to-face encounters. In some cases, foreign child sex offenders have been known to ingratiate themselves with a child's family and the wider community. Reports from the region describe how certain foreign child sex offenders have managed to embed themselves in communities via intentional networking with local officials and those in positions of power in order to protect themselves from detection and/or arrest.
- Child sex offenders are reported to be regularly gathering child abuse imagery in the course of their sexual exploitation of children. These child abuse images are often subsequently shared with other offenders and are reportedly used to both groom children and to blackmail victims into ongoing sexual exploitation. Whilst data on the prevalence and growth or otherwise of the child pornography industry within the region is lacking, all intelligence points to an alarming and potentially burgeoning problem, particularly with regard to the emerging trend of live streaming of child pornography.

¹⁸⁸ Giulia Patané, "Child Labour and Vulnerability to CSEC," 19.

¹⁸⁹ ECPAT International, *The Commercial Sexual Exploitation of Children in East and South-East Asia*, 21.

CHAPTER 4

CRITICAL CURRENT AND EMERGING TRENDS IN SECTT

This chapter seeks to focus attention on several key current and emerging trends in SECTT. In fact, many of these trends are interlinked however, with a view to clarity, distinctions have been made in the discussion below. Whilst many of the key trends have been touched on in the earlier discussion regarding the available research into SECTT at a national and regional level within Southeast Asia, this chapter seeks to explore some of these in greater depth but also to identify some other trends that may increasingly impact SECTT in the years to come. Keeping abreast of emerging trends presents the best opportunity to ensure that efforts to combat SECTT are targeted in a timely and responsive manner. The explosive pace and manifold manifestations of globalisation are rapidly changing the scope and nature of this crime. What remains relatively constant amidst this climate of change however, is the enduring demand for children for the purposes of sexual exploitation and a continuing supply of vulnerable children.

DOMESTIC, INTRAREGIONAL AND INTRA-ASIAN TRAVEL AND TOURISM AND SECTT

The domestic tourism market in most Southeast Asia nations is significantly larger than the international tourism market. Whilst in 2010, Indonesia welcomed just over seven million international visitors,¹⁹⁰ a staggering 122 million Indonesians travelled within the country.¹⁹¹ Similarly, whilst Cambodia recorded just over three and a half million international visitor arrivals in 2012,¹⁹² the same year an estimated eight million Cambodians travelled domestically.¹⁹³

Across the region, local men represent the largest proportion of customers of the sex industry seeking out both women and children. In the Philippines, evidence suggests that nine out of ten of those who exploit of children involved in CSEC are local men. Law enforcement authorities estimate that foreign men commit 10-15% of sexual crimes against children in the Philippines.¹⁹⁴ In Cambodia, research has estimated that Cambodia nationals account for 49% of the demand for virgins in the country.¹⁹⁵

Intraregional travellers, those from other Southeast Asian nations, or Intra-Asian travellers from other nearby neighbours such as East Asian countries including China, Japan, South Korea and Taiwan, are also believed to represent a significant proportion of those who perpetrate SECTT within the region.¹⁹⁶ In 2012, 44% of international visitor arrivals to ASEAN countries were those from other ASEAN countries. East Asian international visitor arrivals comprised a further 22% (China 10.5%, Japan 5%, South Korea 4.5%, Taiwan 2%)¹⁹⁷ of international visitor arrivals to ASEAN. These figures combined illustrate that almost two-thirds of all visitors to ASEAN were of East or Southeast Asian origin.

Attention has typically been deflected away from sexual exploitation of children perpetrated by local and other Asian men with foreign men involved in SECTT being the major focus of actions and denunciations by governments, law enforcement, the NGO community and the media. This is likely related, in part, to the fact that Western men are generally more identifiable in Asia but also, may be explained by the proactive efforts of a number of Western governments with regard

¹⁹⁰ World Bank. "World Development Indicators Database: International Tourism (number of arrivals)". Accessed 25 February 2015. <http://data.worldbank.org/indicator/ST.INT.ARVL>

¹⁹¹ UNWTO Commission for East Asia and the Pacific, "Initial Findings of UNWTO Study on Domestic Tourism Across Asia and the Pacific", 8.

¹⁹² World Bank. "World Development Indicators Database: Indicator: International Tourism".

¹⁹³ ASEAN Tourism, "ASEAN and the Rise of Tourism in Cambodia".

¹⁹⁴ ECPAT International, Global Monitoring Report – Philippines, 9.

¹⁹⁵ ECPAT International, Global Monitoring Report on the Status of Action against Commercial Sexual Exploitation of Children – Cambodia. 2nd Ed. (Bangkok: ECPAT International, 2012), 14. Accessed 25 February 2015. http://www.ecpat.net/sites/default/files/a4a_v2_eap_cambodia.pdf

¹⁹⁶ ECPAT International, The Commercial Sexual Exploitation of Children in East and South-East Asia, 21.

¹⁹⁷ ASEAN Secretariat, "ASEAN Tourism Statistics – Table 30: Top Ten Country/Regional Sources of Visitors to ASEAN".

to addressing child sex offences committed by their own citizens operating in the region.¹⁹⁸ Indeed, both deserve due attention. Very little is documented about the behaviour of domestic, intraregional and intra-Asian tourists with regard to SECTT and still less is known about whether domestic demand influences international demand or vice-versa. The sheer numbers of domestic and intraregional tourists presents a potentially serious and significant threat to vulnerable children. Forecasts point to an ever-increasing number of domestic, intraregional and intra-Asian tourists within the region and as such, research into the magnitude and nature of the threat of SECTT posed by domestic, intraregional and intra-Asian tourism and the nature of the nexus between domestic demand and international demand for SECTT should be undertaken as a matter of urgency.

NEW DESTINATIONS, NEW RISKS

Southeast Asia has seen sustained tourism growth in recent years and this growth has been, in part, a product of the opening up of the region in both a political and practical sense. In recent years, countries that had been largely off the tourism radar such as Cambodia, Vietnam and more recently Lao PDR, have become increasingly popular destinations for international tourists. Myanmar and Timor-Leste represent the newest tourism destinations in the region with international visitor arrivals increasing by 51.7% and 41.5% respectively between 2012 and 2013.¹⁹⁹

Whilst Timor-Leste has seen substantial growth, the volume of tourists still remains the smallest in the region with 78,000 international visitor arrivals in 2013.²⁰⁰ However, given the size of the island and the local population, this influx represents a substantial and palpable change. Timor-Leste is far more isolated in terms of transport connections and generally unreachable by budget carriers making it a far more complicated and potentially expensive destination for international tourists.

Myanmar has been recording exponential tourism growth since 2011 when the military junta ceded power to the nominally civilian government. Prior to this time, tourism was widely frowned upon in response to calls by National League for Democracy leader and Nobel Peace Laureate Aung San Sui Kyi to boycott tourism in protest at the

political and human rights situation that pervaded the country. With the handover of power, significant efforts to attract international tourism have reaped benefits. Accessibility has also dramatically increased with more airlines, including budget airlines, bringing international tourists both to and around the country. The latest development has been the introduction of E-visas in late September 2014 allowing tourists from 67 countries to apply for visa online.²⁰¹ Forecasts for international tourism arrivals in 2015 have recently revised upward to a staggering five million arrivals.²⁰² Changing tourism patterns also being recorded with 67% of tourist arrivals in 2014 exclusively from Thailand, Japan and China, and a shift away from package tourism toward flexible independent travellers who, along with business travellers, accounted for up to 70% of tourist arrivals in 2014.²⁰³

Rapid tourism growth in both Myanmar and Timor-Leste represents a very real threat to the significant proportion of vulnerable children in each country. Whilst other countries in the region have been working to counter the threat of travelling child sex offenders for many years, these two countries are far behind in terms of their capacity to prevent the problem and to protect vulnerable children. International law enforcement specialists agree that the displacement effect²⁰⁴ in which child sex offenders move to different locations in response to heightened risk of detection as a result of law enforcement actions, NGO activity and so forth in a particular location, definitely poses a risk to new tourism destinations such as Myanmar and Timor-Leste.

Virtually no data exists documenting SECTT in these countries. The lack of data however, does not necessarily mean that SECTT is not occurring in these locations and a range of factors conspire to indicate that both Myanmar and Timor-Leste could be attractive destinations for travelling child sex offenders. The fact that Myanmar has denied entry to known foreign child sex offenders demonstrates the likelihood that others, particularly those who have no recorded convictions, are choosing to visit Myanmar. In a recent article in the Myanmar Times,²⁰⁵ Myanmar tourism officials and business owners highlighted some of the challenges faced by the rapidly expanding industry. One identified issue was the comparatively high cost and limited capacity of hotels in Myanmar that may compromise tourism growth. This problem was met with suggestions such as:

¹⁹⁸ World Vision Australia, *Sex, Abuse and Childhood*, 18.

¹⁹⁹ UNWTO, *Tourism Highlights 2014 Edition*, 9.

²⁰⁰ *Ibid.*

²⁰¹ Mark Inkey, "Flights, e-visas drive dramatic growth of tourism in Burma", *Asian Correspondent*, 12 January 2015. Accessed 26 February 2015. <http://asiancorrespondent.com/129704/flights-e-visas-drive-massive-growth-of-tourism-in-burma/>

²⁰² *Ibid.*

²⁰³ *Ibid.*

²⁰⁴ CEOP-NCA, *Threat Assessment of Child Sexual Exploitation and Abuse June 2013*, 16.

²⁰⁵ Zaw Win Than, "Growing pains as Myanmar hits 2 million visitor mark", *Myanmar Times*, 24 February 2014. Accessed 26 February 2015. <http://www.mmtimes.com/index.php/lifestyle/travel/9679-industry-concerns-over-tourism-growth.html>

New destinations need to be promoted and some local rules changed to allow visitors to stay overnight through homestay programs.²⁰⁶

Accessibility to the remote and emerging destinations is getting easier ...However, we need to have better coordination between the relevant ministries and regional governments in order to... develop the off-the-beaten-track destinations.²⁰⁷

These may be logical and practical solutions to the challenges facing the industry and they also may prove to be an effective means by which to share the economic benefits of tourism with a wider proportion of the population. However, they also trigger child protection related concerns when considered in the light of knowledge about the behaviour of travelling child sex offenders in the region.

Interestingly, in 2011 in Myanmar, the National League for Democracy issued a statement overturning their earlier position encouraging the boycott of tourism in Myanmar and instead, welcoming responsible tourism. In this statement they acknowledged the threat of SECTT:

Large numbers of imperceptive and uncaring tourists could undermine the social cultural and moral structure of local communities. The danger lies not only in conscious misconduct on the part of visitors but also in well meaning but injudicious behaviour. While the callous exploitation of sex tourists presents an obvious evil, thoughtless practices such as the indiscriminate distribution of money or gifts that have made habitual beggars of children in some communities do not receive enough attention. The genuine development of a country requires the promotion not only of the standard of living but also of self respect and self reliance in the people.²⁰⁸

Beyond the expansion of tourism into these less visited, more isolated countries, a similar trend is occurring within most countries in the region as the increased volume and diversity of tourists seek out new and more exotic locations beyond the traditional tourist hot-spots. Governments have also begun to diversify their tourism offerings with a view to attracting new and repeat visitors

and in an effort to encourage travellers to stay longer in-country. Tourism is increasingly penetrating more rural and isolated locations as tourists search for unique experiences. This trend has potential benefits for local communities but certainly presents a range of critical risks including the displacement of SECTT.^{209,210}

BOYS AND SECTT

Up until recently, there was little mention of boys in relation to the phenomenon of SECTT. The factors influencing this greater visibility and/or availability are unclear however, it may be related to a changing community consciousness around the impact that SECTT can have upon children regardless of their gender, or perhaps to changing patterns within the region with respect the both demand for and supply of boys for the purposes of sexual exploitation. In a report into child trafficking in East and Southeast Asia in 2009, UNICEF identified the sexual exploitation of boys as a priority issue, stating the following:

The sexual exploitation of boys, while not as widespread as that of girls in the region, is still a problem that is legally and socially unrecognized in some countries. Boys are perceived as not possessing virginity and 'honour' that can be lost, meaning that their experiences are often not considered to be harmful or taken seriously. Partly because they are unimpregnable, they are regarded as requiring less protection than girls and as capable of protecting themselves.²¹¹

Research by World Vision (2014) with children, parents and duty bearers in Cambodia, Lao PDR, Thailand and Vietnam largely supported these assertions.²¹²

Data emerging from the region points to increasing numbers of boys involved in street-based prostitution.²¹³ This does not necessarily mean that boys are solicited only on the street but also in other public places such as on the beach, by the river, at marketplaces, entertainment districts and similar, essentially in locations that attract travellers and tourists, locations in which they can make contact with those seeking sex or facilitators acting on their behalf. As noted earlier, data pertaining to

²⁰⁶ Ibid.

²⁰⁷ Ibid.

²⁰⁸ National League for Democracy, "Statement No. 10/01/11", 20 May 2011, 2. Accessed 26 February 2015. <http://www.burmacampaign.org.uk/images/uploads/NLD-tourism-statement-10-5-11.pdf>

²⁰⁹ Child Wise, 2007 ASEAN Child-Sex Tourism Review, 9.

²¹⁰ ECPAT International, The Commercial Sexual Exploitation of Children in East and South-East Asia, 23.

²¹¹ UNICEF EAPRO, Child Trafficking in East and South-East Asia: Reversing the Trend, 35.

²¹² World Vision Australia, Sex, Abuse and Childhood, 34-35.

²¹³ Katherine Keane, Street-Based Child Sexual Exploitation in Phnom Penh and Sihanoukville, 12.

288 child sex offenders arrested in Cambodia between 2003 and 2013 indicated that of the 495 victims of these offenders, 62% were boys.²¹⁴

Evidence suggests that boys are less likely to be engaged in establishment-based commercial sex. This may explain their absence in much of the research that tends to focus on establishment-based commercial sex in which women and girls are more prevalent. There exists a dearth of information about boys and SECTT – their pathways into exploitation, the nature of their experiences, and the impact of their exploitation. Similarly, little research has been undertaken to gain insight into those who seek to sexually exploit boys – their characteristics and their *modi operandi*. Anecdotal evidence suggests that whilst men are more often the offenders, women too have been implicated in the sexual exploitation of adolescent boys.^{215,216}

A SHIFT TOWARD STREET-BASED SEXUAL EXPLOITATION OF CHILDREN

Research and anecdotal evidence from the region is pointing to an increase in the street-based sexual exploitation of children. Whereas in the past, SECTT was very much tied to establishment-based sexual exploitation of children particularly focusing on brothels, clubs and bars, some travelling child sex offenders are reported to be soliciting sex from children in public places. The rationale for this subtle shift is not immediately clear though various theories have been posited. For instance, that widely publicised crackdowns and sting operations focussing on commercial sex establishments have scared potential customers away; that vulnerable children and unscrupulous facilitators in search of economic gain are increasingly soliciting travellers; or perhaps the fact that interactions with street children and children working on the street or in tourism sites are increasingly commonplace amongst travellers (particularly in certain locations) which allows offenders to surreptitiously groom children under the guise of friendliness or altruism. In the absence of research into this phenomenon, these theories remain merely speculation.

It is also worth noting that it has been suggested that Western men are more commonly implicated in the street-based solicitation of children for the purposes of sexual exploitation than Asian men. Conversely, Asian men have been more commonly implicated in establishment-based sexual exploitation of children throughout the region. The available research, limited though it is, does not appear to explicitly confirm these assumptions. In order to better understand the veracity of these claims and to target interventions accordingly, more comprehensive research is required.

VOLUNTOURISM AND ORPHANAGE TOURISM

Voluntourism is a newly coined term that describes individuals undertaking a working holiday in which they volunteer their labour in the service of a charitable cause. Voluntourism is promoted as a means by which individuals can participate in an authentic experience that offers a positive contribution to the destination. In many instances, volunteers pay a fee that covers their travel, living expenses, and a financial contribution to the relevant charitable organisation. Voluntourism is presently one of the fastest growing sectors of the tourism market. In 2008, an estimated 1.6 million volunteer tourists generated between US\$1.7 billion and US\$2.6 billion globally.²¹⁸

One incarnation of voluntourism involves international travellers and tourists visiting and often volunteering to assist at orphanages and other children's shelters. In Southeast Asia this phenomenon is reported to be rife and grave concerns have been raised for the safety and wellbeing of children who are resident in such establishments. A UNICEF-supported study by the Cambodian Government in 2011 presented a disturbing picture of this practice in action. The study identified an increase in the number of institutional care facilities for children run by NGOs since 2005, with only 21% of these facilities run by the State.²¹⁹ Further findings revealed that in the five-year period between 2005 and 2009, 44% of children were placed in institutional care by one parent, both parents, or extended family.²²⁰

²¹⁴ APLE Cambodia, *Investigating Travelling Child Sex Offenders*, 10.

²¹⁵ UNICEF Vietnam and MoLISA, *An Analysis of the Commercial Sexual Exploitation of Children in Selected Provinces and Cities of Vietnam*, 76-77.

²¹⁶ ECPAT International, *The Commercial Sexual Exploitation of Children in East and South-East Asia*, 21.

²¹⁷ Elizabeth Edwards, "Buying the feeling of doing good – 'voluntourism' is growing", *The Sydney Morning Herald*, 20 December 2014. Accessed 26 March 2015. <http://www.smh.com.au/it-pro/buying-the-feeling-of-doing-good--voluntourism-is-growing-20141220-125k4r.html>

²¹⁸ Tourism Research and Marketing Group, *Volunteer tourism: A global analysis* (2008), cited in Claire Ellis, "Volunteer Tourism (Voluntourism): Changing the Volunteer Options". Accessed 25 February 2015. http://www.google.com.au/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=OCB0QFJAA&url=http%3A%2F%2Fwww.volunteeringtas.org.au%2Fwp-content%2Fuploads%2F2012%2F10%2FVM_University-of-Tasmania-Claire-Ellis.pdf&ei=gKfuVOOrEoiR8QXshIDYBw&usq=AFQjCNEpsTmeybl0-0R73gJ-BeFKi9RkdA&bvm=bv.86956481,d.dGc

²¹⁹ UNICEF and Cambodian Ministry of Social Affairs, Veterans and Youth, *With the Best of Intentions: A Study of Attitudes Towards Residential Care in Cambodia* (Phnom Penh: UNICEF and MoSAVY, 2011), 8. Accessed 26 March 2015. http://www.unicef.org/cambodia/Study_Attitudes_towards_RC-English.pdf

²²⁰ *Ibid.*

It has been suggested that many orphanages are deriving funds, which are regularly misused by unethical and unscrupulous orphanage directors, by accepting volunteer tourists. Claims have also been made that suggest that orphanages actively seek out children who are not orphans, sometimes offering payment to parents, as a means of sourcing funding from international donors and visitors.²²¹ In some cases, children are reportedly forced to perform for, befriend and actively solicit funds from donors and visitors. Children are also regularly alone with visitors and volunteers and in some cases, visitors and/or volunteers are permitted to take children out of the facility for periods of time – for a meal, to visit the cinema, to stay overnight. Such circumstances pose a range of grave threats to vulnerable children. It has been posited that the boom in orphanages may be a symptom of the growth in the tourism industry and the associated money that it brings.

Furthermore, in most cases, visitors and volunteers are rarely vetted in terms of their qualifications, skills, references and background checks. In a recent German study into both commercial and non-commercial organisations offering international volunteering experiences, 22 out of 23 operators have no child protection policy and less than half required a police clearance.²²² This represents a major child protection threat for a number of reasons, not least of which is the significant risk of abuse and exploitation by travelling child sex offenders. According to CEOP, pseudo-care work is a known typology of travelling child sex offenders.²²³ In a review of 1200 investigations involving British travelling child-sex offenders (2006-2011) between seven and nineteen percent of offenders had been employed in roles that enabled them regular, unfettered contact with children.²²⁴

There also exists the potential that the privacy of vulnerable children is compromised by the common practice of visitors and volunteers taking photos, posting these on social media and thereby, potentially presenting a further child protection threat to children into the future.

In light of the growing phenomenon of voluntourism and its offshoot, orphanage tourism, urgent steps should be undertaken to address the glaring child protection threats that are associated with unregulated, unethical and unwitting management of orphanages and shelters across the region. Similarly, advocacy amongst volunteer-sending organisations and businesses about the ethics and risks associated with both the selection and placement of volunteers in sensitive environments amongst vulnerable individuals should be a priority. The regulated implementation of rigorous child protection policies and practices, and the monitoring of these policies and practices, in all child-contact related professions throughout the region should be a priority for governments looking to ensure that vulnerable children are kept safe from predators.

TEACHING AS A PATHWAY TO SECTT

As noted in the previous section, transnational child sex offenders often seek to make contact with children via seemingly legitimate or altruistic means such as through child-contact employment including teaching. In recent years, a disturbing number of foreign child sex offenders have been arrested in Southeast Asia, most notably in Thailand and Cambodia.^{225,226} It is important to reiterate the CEOP case data identified earlier which indicates that over a ten-year period suggests that between seven and 19% of convicted British transnational child sex offenders committed child sex crimes whilst employed as a teacher or in another child-contact profession.²²⁷

Transnational child sex offenders exploit simplified visa conditions and the relative ease of finding employment in language schools and other local schools in Southeast Asia as a means to gain access to children. The absence of background checks, the dearth of child protection policies that exist in this sector, and the general lack of awareness about the risks associated mean that transnational child sex offenders are rarely vetted by their employers in spite of the fact that a significant number

²²¹ Monica Pitrelli, "Orphanage tourism: help or hindrance?", *The Telegraph*, 3 February 2012. Accessed 25 February 2015. <http://www.telegraph.co.uk/expat/expatlife/9055213/Orphanage-tourism-help-or-hindrance.html>

²²² Bread for the World, Working Group on Tourism and Development and ECPAT Germany, *From Volunteering to Voluntourism: Challenges for the Responsible Development of a Growing Travel Trend* (Berlin: Bread for the World, 2015), 14.

²²³ "CEOP launch a new way to prevent UK child sex offenders from abusing children overseas", CEOP - NCA Press Releases, 18 October 2012. Accessed 25 February 2015. <http://ceop.police.uk/Media-Centre/Press-releases/2012/CEOP-launch-a-new-way-to-prevent-UK-child-sex-offenders-from-abusing-children-overseas/>

²²⁴ *Ibid.*

²²⁵ ECPAT International, *The Commercial Sexual Exploitation of Children in East and South-East Asia*, 23.

²²⁶ Katherine Keane, *Street-Based Child Sexual Exploitation in Phnom Penh and Sihanoukville: A Profile of Victims*, 12.

²²⁷ "CEOP launch a new way to prevent UK child sex offenders from abusing children overseas", CEOP - NCA Press Releases.

of those who are later arrested are found to have prior convictions for child sex offences in their home country. Even if due diligence was applied by schools throughout the region in terms of undertaking thorough background and reference checks and requiring the production of a police check, the reality is that only a small percentage of child sex offenders are ever convicted.

It has been suggested that whilst sexual exploitation by foreign teachers represents a small percentage of arrests within the region, the available evidence indicates that this particular modus operandi continues to be practiced by offenders and that this form of sexual exploitation represents an increasing and alarming problem that could potentially affect significant number of children.

PARTICULARLY PRECARIOUS POPULATIONS AND SECTT

A critical piece in the complex puzzle that explains the existence, and persistence, of SECTT in the region is understanding the particular vulnerabilities that perpetuate the supply of children. Whilst poverty and inequality underpin vulnerability, this is manifested in particular ways and materialises in the form of particular populations that possess a heightened vulnerability to all forms of exploitation including SECTT. Highly vulnerable populations tend to be those who have severely compromised opportunities and very limited access to any form of protection. Of significant concern in terms of vulnerability to SECTT in Southeast Asia are street children, children who migrate alone or with their families, children who remain at home when their parents migrate, refugee and internally displaced children, stateless children and indigenous children.²²⁸

Children living and working on the streets are a common sight throughout the region. The circumstances of these children vary, however, a significant proportion of street children are those who have diminished citizenship or no citizenship at all. Many street children have migrated, either internally or across international borders, with or without parents, as a means to escape grinding poverty, civil strife and/or persecution, and compromised opportunities with a view to seeking out some form of economic gain that was previously unattainable. Such children are highly vulnerable to direct solicitation for the purposes of SECTT but are also extremely vulnerable to trafficking for the purposes of sexual exploitation.

It has been reported that a sizeable proportion of girls involved in the sex industry in Thailand in recent years were from the ethnic minority hill tribe communities in Northern Thailand – the Akha, Lahu, Lisu, Thai Yai, Thai Leu and Luwa groups – who are denied citizenship in Thailand in spite of the fact that most have lived in Thailand for generations.²²⁹ Such communities have continually suffered extreme marginalisation due to their non-citizenship and the fact that they are broadly viewed by the majority Thai population as of a lower cultural status.²³⁰ Whilst these and other particularly precarious populations are not all living or working on the streets, a proportion of them are due to a dearth of opportunities in terms of accommodation and employment.

Little research exists which explores the nexus between these particularly precarious populations and SECTT.

LARGE SCALE TOURISM DEVELOPMENTS, SPECIAL ECONOMIC ZONES AND SECTT

Across the region, governments have been working to secure economic growth, employment and investment opportunities through a range of measures including the facilitation of large-scale foreign investment in tourism and other sectors, the establishment of casinos and golf courses, and the establishment of Special Economic Zones (SEZs). In many cases, these developments have been linked to compulsory land acquisitions, land speculation, forced relocations, and significant negative impacts on affected communities.²³¹ Companies from China, South Korea and Japan have dominated participation in these ventures.

For instance, in recent years, South Korean tourism and investment in the Philippines has grown exponentially. South Korean hotel and casino operators along with development companies have been involved in major investments across the country. These companies have developed and continue to expand their investments in beach resorts and their support facilities such as spas, nightclubs and golf courses targeted at South Korean tourists. They have also been engaged in the development of retirement communities, casinos and English language schools. The Philippines is a known destination for Korean sex tourists, and the number of Korean offenders travelling there appears to be increasing.²³² Viewed with this in mind and

²²⁸ UNICEF EAPRO, *Child Trafficking in East and Southeast Asia*, 35-36.

²²⁹ Alicia Burke and Stefania Ducci, *Trafficking of Minors for Commercial Sexual Exploitation – Thailand*, 20.

²³⁰ *Ibid.*, 20.

²³¹ "Cambodia: Villagers squeezed out for Chinese mega-resort project", Tourism Investigation and Monitoring Team. *Southeast Asian Tourism Monitor* 6, no.1. (January-February 2015): 3-4.

²³² Michael Ha, "Outreach Services Planned for Korean-Filipino Children", *The Korea Times*, 14 December 2008. Accessed 28 March 2015. http://www.koreatimes.co.kr/www/news/nation/2009/01/116_36086.html

acknowledging that the Philippines is also a hub for child sex tourism, these developments should raise alarm bells for those concerned about child protection.

SEZs and Free Trade Zones (FTZs), namely areas within a country's borders in which special business and trade laws apply as a means to stimulate trade, investment and job creation, have been established by a number of governments throughout the region in recent years. Some examples of these locations include (but are not limited to) Batam and Bintan Islands in Indonesia, Sihanoukville, Koh Kong, Poipet, Bavet, and Phnom Penh in Cambodia, Boten in Lao PDR, Yangon, Mawlamyine, and Myawaddy in Myanmar, and Subic Bay and Clark in the Philippines. Perhaps unsurprisingly, these locations are for the most part, the very same locations that have been identified in the earlier section as known locations for SECTT. The description of Boten in Lao PDR below sums up the nature of such zones:

*Boten quickly became a Gold Rush-style boomtown and, like many such towns, renowned for gambling, crime and bustling brothels.*²³³

The proliferation of casinos in these zones has attracted cross-border, intraregional and intra-Asian tourism with enormous numbers of Chinese citizens entering Cambodia, Lao PDR, Myanmar, and the Philippines for the purposes of gambling. Thai citizens regularly cross into Cambodia, Lao PDR and Myanmar for the same purpose, as do Vietnamese citizens into Cambodia. Vietnam recently declared the previously isolated Phu Quoc Island an SEZ and approved a large casino development coupled with attractive incentives for investors and visa exemptions for foreign visitors.²³⁴

Very little research has been undertaken into the existence and nature of SECTT in such locations although the available evidence would suggest that these enclave-like zones represent an extremely high-risk zone for the sexual exploitation of children. The following passage documenting the experiences of an investigative journalist from The New York Times in Mong La, a town in North-Eastern Myanmar on the border with China, serves to illustrate that greater attention should be

devoted to understanding and addressing the associated risks to children:

*Mong La thrives by appealing to humanity's more base desires. Hotel rooms are littered with palm cards hawking 'newly arrived virgins', 'mother-daughter combos' and 'sassy sixteen year olds with large breasts' and hotel televisions broadcast round the clock Japanese pornography along with Chinese historical dramas and South Korean soap operas.*²³⁵

ICT-RELATED TRENDS AND SECTT

As noted earlier, the proliferation of the Internet and related communication technologies has resulted in a rapid diversification of opportunities for child sex offenders to plan and book their travel, to communicate anonymously with other child sex offenders, to access, produce and disseminate child abuse images, and to participate in virtual sexual encounters with children without leaving home. Increasingly sophisticated technologies allow those who produce, trade and purchase child pornography to avoid detection. The available evidence points to a disturbing increase in availability of child pornography online.²³⁶ The milieu in which a significant proportion of such exploitation is believed to occur is one that is largely anonymous and extremely difficult to detect and combat. The incredible pace of technological change sees governments, law enforcement agencies, and the wider community struggling to keep pace and to put in place mechanisms that will prevent exploitation by child sex offenders and those who profit from the production and dissemination of child pornography in all its forms.

The Rise of Online Grooming

Online grooming, also known as cyber enticement or online solicitation, is the process whereby child sex offenders target children using the Internet, largely via social media sites, for the purposes of selecting and recruiting children for the purposes of sexual exploitation. Grooming essentially refers to the means by which a child sex offender gradually gains the confidence and

²³³ Ron Gluckman, "Bungle in the Jungle", Forbes, 27 July 2011. Accessed 28 March 2015. <http://www.forbes.com/global/2011/0808/companies-laos-china-economy-gambling-gangsters-bungle-jungle.html>

²³⁴ "Vietnam's Phu Quoc Island becoming an Investors' Paradise", Tourism Investigation and Monitoring Team. Southeast Asian Tourism Monitor 6, no. 1. (January-February 2015): 8.

²³⁵ Andrew Jacobs, "A Border City on the Edge of the Law", The New York Times, 24 February 2014. Accessed 28 March 2015. http://www.nytimes.com/2014/02/25/world/asia/a-border-city-on-the-edge-of-the-law.html?_r=0

²³⁶ Terre des Hommes, Webcam Child Sex Tourism. Becoming Sweetie: a novel approach to the global rise of Webcam Child Sex Tourism, 35-36.

²³⁷ UN Human Rights Council, "Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Twenty-eighth session", UN Doc A/HRC/28/56 (22 December 2013), 10. Accessed 1 March 2015. <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Pages/ListReports.aspx>

²³⁸ ECPAT International, The Use of Information and Communication Technologies in Connection with Cases of Child-Sex Tourism in East and South east Asia. (Bangkok: ECPAT International, 2010), 47. Accessed 27 February 2015. http://www.ecpat.net/sites/default/files/ecpat_jour_nal_mar2010_final_0.pdf

trust of a child with a view to ensuring that the child later acquiesces to sexual contact.²³⁷ Cases of child sex offenders grooming young people via chatrooms and social media sites are increasingly being documented in Southeast Asia.²³⁸ There are also increasing reports of child sex offenders persuading children to engage in sexual activity in front of a webcam whereupon the images and/or footage, once recorded, can then be sent to the offender, and likely elsewhere.²³⁹ Offenders have been known to use such images and/or footage as a means to shame or blackmail a child into continued involvement. This form of blackmail has been referred to as *sextortion*.²⁴⁰

The act of exposing children to child pornography is considered both a form of grooming and sexual exploitation and it is reported that developments in ICT such as the proliferation of mobile phones and widespread Internet access throughout Southeast Asia are enabling child sex offenders easy access to child pornography for the purpose of 'normalising' certain sexual behaviours in order to facilitate the sexual exploitation of a child.

A recent study by World Vision undertaken in Thailand, Laos, Cambodia and Vietnam revealed limited understanding among parents regarding what constitutes child sexual abuse.²⁴¹ The study concluded that most adults in these countries understand the sexual abuse of children as penetrative rape of girls. Other sexually abusive acts including grooming and inappropriate relationships between adults and children are typically not construed as sexual abuse of children.²⁴² This research also concluded that very few children or parents in the region were aware of the threat of online grooming by child sex offenders.²⁴³ Supervision of children's use of mobile phones and/or the Internet was almost universally non-existent with parents' key concerns centring on children developing an addiction to online gaming or exposure to pornographic material.²⁴⁴ Attitudes such as these amongst parents and other members of the

community highlight the lack of protective mechanisms that exist in the region and the lack of awareness of the impacts of sexual abuse and exploitation on children, especially boys.

Cybercafés, Cybersex Dens and SECTT

Cybercafés have proliferated throughout Southeast Asia in response to the widespread availability of the Internet, increased broadband bandwidth, and a growing demand by both the local population and foreign tourists for Internet access. Cybercafés are also increasingly attracting significant numbers of children and young people who engage in regular online gaming.²⁴⁵ Concerns have been raised about the vulnerability of children and young people in cybercafés who may be targeted by travelling child sex offenders using a cybercafé as a point of contact with children. Children involved in online gaming may be particularly vulnerable to sexual exploitation in that gaming requires money and can leave children and young people in debt.

A further concern is that some cybercafés offer both the requisite technology and suitable privacy to facilitate webcam sexual exploitation in which children and young people may be groomed to provide child sex offenders with still images or live streaming of sexual acts. In the absence of any form of code of conduct in most cybercafé premises and given the lack of understanding amongst staff around the child protection risks, cybercafés may inadvertently facilitate the sexual exploitation of children.²⁴⁶

Cybersex involving children is reportedly also offered from private computers in private homes or in a more insidious manner via cybersex dens that operate as a virtual online brothel. The Philippines is believed to be a key location in Southeast Asia for organised cybersex involving children with numerous cases coming to light in recent years. It has been estimated that tens of thousands of children in

²³⁹ UN Human Rights Council, "Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Twenty-eighth session", UN Doc A/HRC/28/56, 11.

²⁴⁰ INTERPOL, "INTERPOL-coordinated operation strikes back at sextortion networks", 2 May 2014. Accessed 26 March 2015. <http://www.interpol.int/News-and-media/News/2014/N2014-075>

²⁴¹ World Vision Australia, *Sex, Abuse and Childhood*, 70.

²⁴² *Ibid.*

²⁴³ *Ibid.*, 10.

²⁴⁴ *Ibid.*

²⁴⁵ ECPAT International, *The Use of Information and Communication Technologies in Connection with Cases of Child-Sex Tourism in East and South east Asia*, 24.

²⁴⁶ *Ibid.*, 35.

²⁴⁷ Terre des Hommes, *Becoming Sweetie: a novel approach to the global rise of Webcam Child Sex Tourism*.

the Philippines alone are exploited by what is described by the Dutch NGO Terre des Hommes, as Webcam Child Sex Tourism.²⁴⁷

Webcam Child Sex Tourism involves adults, usually men, offering payment or other rewards for the opportunity to direct and view live streaming of children, usually in another country, performing sexual acts. According to a ground-breaking investigation by Terre des Hommes in the Philippines, children are often coerced or encouraged to engage in webcam sex shows by parents, a family member or a community member, and sometimes they will decide for themselves whether they will participate.²⁴⁸ In an effort to gain insight into the prevalence of this

problem, four researchers posed as prepubescent Filipina girls for a total of 1,600 hours over a ten-week period.²⁴⁹ During this time more than 20,000 predators made contact seeking webcam sex shows, indicating a disturbing and vast demand for webcam sex tourism.²⁵⁰

In conclusion, this brief discussion of some of the current and emerging trends with regard to SECTT in Southeast Asia illustrates an urgent need for efforts to gather both quantitative and qualitative data that will elucidate the scope and nature of these trends. Once in possession of a more comprehensive and tangible picture, interventions can be targeted to combat this ever-evolving child protection threat.

²⁴⁸ *Ibid.*, 13.

²⁴⁹ *Ibid.*, 14.

²⁵⁰ *Ibid.*, 14-15.

CHAPTER 5

INTERNATIONAL, REGIONAL, NATIONAL & LOCAL RESPONSES TO SECTT

In the two decades since the First World Congress against the Commercial Sexual Exploitation of Children in Travel and Tourism in Stockholm, Sweden, Southeast Asia has been particularly active in its efforts to combat SECTT. At the regional, national, provincial and local levels, a range of stakeholders has worked to address the key areas of coordination and cooperation, prevention, protection, prosecution and child participation. In spite of great strides forward, the challenges associated with addressing this phenomenon endure and demand new solutions in order to ensure that children throughout Southeast Asia are protected from SECTT. Achieving a balance between addressing the longer term issues such as the critical structural and systemic issues that create an environment in which the sexual exploitation of children is tolerated and which render children vulnerable to exploitation, and addressing the very pressing and immediate issues that leave children vulnerable to imminent and/or ongoing sexual exploitation today is an unenviable and difficult task. A further challenge is keeping the issue of SECTT on the table in an already saturated environment in which a range of critical children's rights issues compete for attention, action and funding. Southeast Asia has had many successes and has produced many good practice examples. This section seeks to explore some of the more recent responses to the problem of SECTT in the region.

REGIONAL ACTIONS TO COMBAT SECTT

Regional actions to combat SECTT have tended to be confined to actions undertaken by ASEAN Member States. Given that Timor-Leste is not presently a member of ASEAN, the country has not been involved in the majority of the regional actions in recent years. ASEAN has actively participated in the formulation of a range of declarations and treaties that relate to the broad protection of children and more specifically to the protection of children from the threats of child trafficking, CSEC and SECTT. As is often the case, the signature or ratification of declarations and treaties is not necessarily indicative of concrete will, capacity and/or action to realise the inherent values and commitments that are contained within such instruments.

One of the earliest commitments to children made by ASEAN Member States was the **Declaration on the Commitments for Children in ASEAN (2001)**.²⁵¹ This declaration is concerned with ASEAN's commitment to children's rights and Article 15 specifically calls on Member States to:

Protect children from all forms of violence, abuse, neglect, trafficking and exploitation while at home, in school or in the community.

Shortly thereafter, recognising the critical role that tourism would play in the development of ASEAN, the **ASEAN Tourism Agreement (2002)**²⁵² was signed by Member States. Importantly, in Article 5: Quality Tourism the following clause relating to SECTT, amongst other forms of exploitation, was included:

²⁵¹ "Declaration on the Commitments for Children in ASEAN", (Singapore, 2 August 2001). Accessed 5 March 2015. http://www.kekidatabank.be/docs/Instrumenten/Regional_organisations/2001%20Declaration%20on%20the%20Commitments%20for%20Children%20in%20ASEAN.pdf

²⁵² ASEAN, Tourism Agreement (Phnom Penh, 2002). Accessed 6 March 2015. <http://agreement.asean.org/media/download/20140119115530.pdf>

Member States shall ensure quality tourism by ... taking stern measures to prevent tourism-related exploitation of people, particularly women and children.

Member States, acknowledging the influences of globalisation and the nature of transnational crime, developed and signed the **ASEAN Treaty on Mutual Legal Assistance in Criminal Matters (2004)**.²⁵³ This treaty serves to facilitate collaboration and cooperation between law enforcement agencies and judicial authorities in order to ensure the successful investigation, prosecution and punishment of offenders, particularly those who have committed transnational offences. Whilst this treaty applies broadly to a range of criminal matters, it theoretically has application in cases involving transnational child sex offenders.

As concerns about human trafficking mounted, ASEAN Member States developed and signed the **ASEAN Declaration against Trafficking in Persons, Particularly Women and Children (2004)**.²⁵⁴ This declaration reaffirms ASEAN's commitment to the UN Convention on Transnational Organised Crime and the relevant Optional Protocols. It is specifically concerned with addressing the problem of trafficking via enhanced information sharing and cooperation. This declaration is also concerned with safeguarding the dignity of victims.

In 2004, the countries of the Greater Mekong Sub-region (Cambodia, China, Lao PDR, Myanmar, Thailand and Vietnam), signed a Memorandum of Understanding (MOU) to enact the **COMMIT Initiative**.²⁵⁵ COMMIT (Coordinated Mekong Ministerial Initiative Against Trafficking) is concerned with combatting human trafficking in the Greater Mekong Sub-Region. The initiative is governed by national taskforces comprising government officials from the ministries most relevant to combatting human trafficking. Sub-regional Plans of Action are implemented across the region in partnership with government departments, UN agencies, NGOs and other organisations. The UNIAP (United Nations Interagency Project on Trafficking) is responsible for the technical, financial, monitoring, reporting and logistical support for the activities under COMMIT. Whilst COMMIT

is concerned primarily with human trafficking, some of the activities that have been undertaken in the region have been relevant to combatting SECTT.

In 2006, with the support of the AusAID-funded **Child Wise Tourism Program, the ASEAN Regional Taskforce to Prevent Child Sex Tourism** was established and in 2007, the **ASEAN Regional Education Campaign to Combat Child Sex Tourism** was unveiled and subsequently implemented in all ten ASEAN countries.

Between 2010 and 2014, the AusAID-funded **Project Childhood** was implemented the Greater Mekong sub-region of Cambodia, Lao PDR, Thailand and Vietnam.²⁵⁶ The **Protection Pillar** was implemented by the UNODC, in partnership with INTERPOL, and sought to enhance capacity within law enforcement agencies to respond to SECTT. The **Prevention Pillar**, implemented by World Vision, worked with governments, the tourism industry and communities to prevent SECTT through awareness raising and through strengthening community resilience.

In 2010, the **ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC)**²⁵⁷ was established and its mandate is concerned with:

- Assisting Member States to comply with all international and ASEAN instruments relating to the rights of women and children;
- Encouraging periodic reviews of relevant legislation, regulations and policies that affect women and children;
- Capacity building of relevant stakeholders to enable the participation of women and children in dialogue and consultation;
- Conducting and sharing relevant research; and
- Advocating on behalf of women and children.

This particular commission has experienced some initial difficulties relating to the fulfillment of its mandate due to the absence of a secretariat, limited funding, limited consultation with civil society organisations and an apparent lack of transparency.²⁵⁸

²⁵³ ASEAN, Treaty on Mutual Legal Assistance in Criminal Matters (Kuala Lumpur, 2004). Accessed 6 March 2015. <http://agreement.asean.org/media/download/20131230232144.pdf>

²⁵⁴ ASEAN, "Declaration Against Trafficking in Persons Particularly Women and Children" (29 November 2004). Accessed 5 March 2015. <https://www1.umn.edu/humanrts/research/Philippines/ASEAN%20Declaration%20Against%20Trafficking%20in%20Persons%20Particularly%20Women%20and%20Children.pdf>

²⁵⁵ ECPAT International, The Commercial Sexual Exploitation of Children in East and South-East Asia, 39.

²⁵⁶ UNODC, Combating Child Sex Tourism (Bangkok: UNODC, 2014), 3.

²⁵⁷ Forum-Asia, Four Years on and Still Treading Water: A Report on the Performance of the ASEAN Human Rights Mechanism in 2013 (Bangkok: Forum-Asia, 2014), 17. Accessed 8 March 2015. <http://www.forum-asia.org/uploads/publications/2014/November/@s-lsi%20Forum%20Asia%20Revisi.pdf>

²⁵⁸ Ibid., 33.

More recently, the ASEAN Senior Officials Meeting on Social Welfare and Development (SOMSWD) organised two important regional conferences with particularly relevance to counteracting SECTT. These conferences, ***the Conference on Cyber Pornography and Cyber Prostitution-Free Southeast Asia*** (18-22 June 2012, Manila, Philippines) and the 2nd ***Conference on Working Toward a Cyber Pornography and Cyber Prostitution-Free Southeast Asia*** (22-26 April 2013, Tagbilaran, Bohol, Philippines) concluded with a range of key recommendations with a view to:

- Strengthening national legislations to define, prohibit and criminalize, in accordance with existing international human rights standards, all acts of sexual exploitation of children and adolescents, particularly cyber pornography and cyber prostitution;
- Promoting ASEAN cooperation concerning extraterritorial jurisdiction and mutual legal assistance to facilitate effective prosecution of perpetrators of all acts of sexual exploitation of children and adolescents and appropriate sanctions of such extraditable offences;
- Strengthening telecommunication regulations to cover non-commercial and commercial sectors, and to standardise data retention policies for service providers; and
- Developing a clear code of conduct and referral system or inter-agency coordination mechanism in monitoring, reporting and handling cases and victims of cyber pornography and cyber prostitution in ASEAN Member States.²⁵⁹

In 2013, delegates attending an INTERPOL Specialist Group on Crimes against Children meeting agreed to establish an annual ***INTERPOL Southeast Asia Working Party on Crimes against Children*** with a view to bringing together relevant stakeholders to share best practice, intelligence and investigation techniques, to strengthen international and cross border networks, and to raise awareness on crimes against children including the sexual exploitation of children.²⁶⁰

Also in 2013, ASEAN Member States signed the ***Declaration on the Elimination of Violence Against Women and the Elimination of Violence Against Children in ASEAN***.²⁶¹ This declaration is relevant to combating SECTT in that it commits Member States to

protecting a range of vulnerable groups including children who are sexually exploited and children affected by cyber pornography and cyber prostitution. In response to this declaration and mounting concern over the threat posed to children in the region by criminal offences associated with Internet and communications technologies as noted at the ASEAN Ministerial Meeting on Transnational Crime in Lao PDR in September 2013, the ***ASEAN Senior Officials Meeting on Transnational Crime Working Group on Cybercrime***²⁶² was established and the first meeting was held in Singapore in May 2014.

It is important to note that no specific instrument or forum currently exists to address regional cooperation with regard to combating SECTT.

NATIONAL PLANS OF ACTION TO COMBAT SECTT

A key outcome of the First World Congress Against CSEC in 1996 was The Stockholm Declaration and Agenda for Action. One of the priority actions therein was the development of National Plans of Action (NPA) to counter CSEC. The development of an NPA is widely interpreted as indicative of a country's commitment to addressing the phenomenon of CSEC and, in turn, SECTT. Such a plan is seen as a means by which countries can ensure that coordinated, multidisciplinary efforts in the form of tangible strategies, programs and activities are delivered in a timely fashion with sufficient resources and with a means to monitor progress. The importance of NPAs in the fight against CSEC was reaffirmed both at the Second World Congress Against CSEC in Yokohama in 2001 and again at the Third World Congress Against CSEC in Rio de Janeiro in 2008.

Amongst the eleven countries in Southeast Asia, no country has a SECTT-specific NPA. Several countries have NPA's that are focussed on trafficking and the sexual exploitation of children. A number of existing NPAs make reference to SECTT; others do not. Some countries do not possess any relevant NPA that addresses the sexual exploitation of children, CSEC, or SECTT. It has been reported that, in cases where NPAs with some relevance to SECTT have been developed, delays in the adoption of the NPA and significant budgetary or human resource constraints have sorely compromised implementation. Table 1 below describes the current status of NPAs in Southeast Asia.

²⁵⁹ ASEAN Secretariat, "ASEAN's Cooperation on Cybersecurity and against Cybercrime" (presentation prepared for the Octopus Conference: Co operation Against Cybercrime, Strasbourg, France, 4 December 2013). Accessed 6 March 2015. http://www.sbs.ox.ac.uk/cybersecurity-capacity/system/files/ASEAN%27s_Cooperation_on_Cybercrime_and_Cybersecurity.pdf

²⁶⁰ UNODC, "INTERPOL-UNODC meeting agrees to form annual Southeast Asian Working Party on Crimes against Children", 27 March 2013. Accessed on 17 May 2015. <http://www.unodc.org/southeastasiaandpacific/en/2013/03/interpol-childhood/story.html>

²⁶¹ "The Declaration on the Elimination of Violence against Women and Elimination of Violence against Children in ASEAN." Accessed 8 March 2015. http://www.ohchr.org/Documents/Issues/Women/WG/ASEANdeclarationVaW_violenceagainstchildren.pdf

Table 1: Status of National Plans of Action

Brunei Darussalam	No information was available with regard to the existence of an NPA that is relevant to addressing SECTT in Brunei Darussalam.
Cambodia	<p>The <i>National Plan of Action against Trafficking in Persons and Sexual Exploitation (2006-2010)</i> was not adopted until December 2011. A revised version, the <i>National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labour and Sexual Exploitation (2011-2013)</i> was subsequently devised and contains specific measures to combat SECTT.</p> <p>In 2006, the Ministry of Tourism, in collaboration with the ILO, prepared the <i>Strategic Plan on the Promotion of Child Safe Tourism to Prevent Trafficking in Children and Women for Labour and Sexual Exploitation in the Tourism Industry in Cambodia (2007-2009)</i>.</p>
Indonesia	The <i>National Plan of Action on the Eradication of the Criminal Act of Trafficking in Persons and Sexual Exploitation of Children (2009-2014)</i> was developed by the Ministry of Women's Empowerment. ²⁶³ Historically speaking, previous incarnations of relevant NPAs have been characterised by low levels of implementation due, in part, to the low priority afforded such plans by relevant authorities and particularly weak coordination and cooperation between stakeholders. Indonesia also has a National Plan of Action to Eliminate the Worst Forms of Child Labour.
Lao PDR	The <i>National Plan of Action against Commercial Sexual Exploitation of Children (2007-2011)</i> is the most recent NPA for which information is available. ²⁶⁴ This NPA was reportedly compromised by a limited budget that relied heavily on international funding to enable implementation. The SECTT-related content is unknown.
Malaysia	No information was available with regard to the existence of an NPA that is relevant to addressing SECTT in Malaysia.
Myanmar	Myanmar currently has a <i>National Plan for Action for Children (2006-2015)</i> however, this general plan does not contain any specific reference to CSEC or SECTT. ²⁶⁵
Philippines	The Philippines has an overarching <i>National Strategic Framework for Plan Development for Children (2000-2025)</i> more commonly known as <i>Child 21</i> . Within this larger framework there exists the <i>Framework for Action on Sexual Abuse and Commercial Sexual Exploitation of Children</i> . The current phase of the NPA for the period 2011-2015 has a particular focus on children in need of special protection including those affected by CSEC. ²⁶⁶ Strong collaboration with UNICEF has enabled the localisation of the NPA across the country.
Singapore	Singapore has not yet developed an NPA on CSEC.
Thailand	Thailand has consistently developed NPAs with counter-trafficking as the primary focus. Whilst actions to combat CSEC and SECTT have been addressed to a minor degree therein, there has also been interest in and attempts to develop an NPA focussed on SECTT however, no such plan has been prepared or adopted to date. Other strategic plans around children's rights and eliminating violence against children have also been developed however, given the grave situation regarding CSEC and SECTT in Thailand, an NPA with a specific focus on these issues is warranted. ²⁶⁷
Timor-Leste	No NPA related to children's rights, CSEC or SECTT currently exists.
Vietnam	No comprehensive NPA exists that addresses CSEC or SECTT in Vietnam.

²⁶³ ECPAT International, Global Monitoring Report: Indonesia, 13.

²⁶⁴ Child Frontiers et al., Report on the Commercial Sexual Exploitation of Children in Lao PDR, 24.

²⁶⁵ UNICEF and Ministry of National Planning and Economic Development, Situation Analysis of Children in Myanmar, 4.

²⁶⁶ ECPAT International, Global Monitoring Report: Philippines, 12-13.

²⁶⁷ ECPAT International, Global Monitoring Report: Thailand, 15-16.

COOPERATION AND COORDINATION MECHANISMS TO COMBAT SECTT

Cooperation and coordination is vital to combatting SECTT. A critical element in responding to SECTT is the development of close and cooperative relationships between key government ministries. For simplicity and efficiency, a single government entity is ideally nominated as the lead agency holding the national mandate for coordinating efforts to address SECTT. This agency ideally has the capacity to plan, guide, and monitor

national actions and the willingness and capacity to develop cooperative partnerships with a range of other key stakeholders including other ministries, international organisations, NGOs, the private sector amongst others with a view to addressing the issue of SECTT. Cooperation and coordination mechanisms and associated capacities vary across the region. Few countries have identified a focal agency and amongst those who have, there exists varying will and/or capacity to lead SECTT-related actions. Table 2 below briefly outlines, where available, key information pertaining to these mechanisms in Southeast Asia.

Table 2: Status of Cooperation and Coordination Mechanisms to Combat SECTT

Brunei Darussalam	No available information pertaining to cooperation and coordination mechanisms with regard to combatting SECTT.
Cambodia	<p>The Cambodian National Council for Children (CNCC) is the lead government agency with regard to issues affecting children in Cambodia. In recent years, the CNCC has endeavoured to open offices in provincial areas in order to broaden and intensify their work, however, the effectiveness of this expanded system is not known.²⁶⁸ The CNCC has collaborated with Save the Children to develop a national mechanism for the coordination of the many organisations working toward combating child sexual exploitation and trafficking. Additionally, the CNCC endeavoured to strengthen its data collection systems via the development of a database, TSEInfo, on trafficking and child sexual exploitation. The success of this database has been compromised by difficulties in data collection and limited human resources for the maintenance of this database.²⁶⁹</p> <p>In 2009 the National Committee to Lead the Suppression of Human Trafficking, Smuggling, Labour and Sexual Exploitation of Women and Children (NCSTSL) was established. The major focus of this committee appears to be human trafficking. Structures exist that enable coordination at the national, provincial and local level.²⁷⁰</p> <p>Established in 2001 by the Ministry of Tourism, the Child Safe Tourism Commission has expanded throughout all Cambodian provinces and municipalities. The focus of this commission is awareness raising and capacity building within the tourism sector.</p>
Indonesia	<p>Weak cooperation and coordination amongst relevant stakeholders has, in the past, compromised government-led efforts to combat CSEC and specifically, SECTT. In 2000, the formation of the National Coalition for the Elimination of Commercial Sexual Exploitation of Child (ECPAT in Indonesia), an organisation comprising many key Indonesian NGOs, represented an important step toward a more coordinated approach to addressing CSEC and SECTT in Indonesia. This coalition has collaborated with relevant government agencies to deliver a range of counter-CSEC activities. One such collaboration with the Ministry of Women's Empowerment resulted in the creation of CSEC database.²⁷¹ The efficacy of this database is unknown.</p> <p>Another notable collaboration between the Center for Study and Child Protection (PKPA), and the Ministry of Women's Empowerment and the Ministry of Culture and Tourism was the organisation of the Southeast Asia Conference on Child Sex Tourism in Bali, Indonesia in March 2009.²⁷² An outcome of this conference was the Bali Commitment and Recommendations against the Exploitation of Children in Tourism.</p>

²⁶⁸ ECPAT International, Global Monitoring Report: Cambodia, 16.

²⁶⁹ Ibid., 19.

²⁷⁰ Ibid., 17.

²⁷¹ ECPAT International, Global Monitoring Report: Indonesia, 14.

²⁷² Ibid., 17.

Lao PDR	No available information pertaining to cooperation and coordination mechanisms with regard to combatting SECTT.
Malaysia	No available information pertaining to cooperation and coordination mechanisms with regard to combatting SECTT.
Myanmar	The Ministry of Social Welfare, Relief and Resettlement is the key government agency with responsibility for issues affecting children in Myanmar. Little information is available pertaining to their capacity or actions in relation to coordination and cooperation for the purposes of combatting SECTT.
Philippines	<p>The key government agency with responsibility for children is the Council for the Welfare of Children (CWC) has developed cooperative relationships with NGOs and faith-based groups.²⁷³ The specific work of the CWC with regard to SECTT is implemented via the Committee for Children in Need of Special Protection (CCNSP) and, more specifically, the Sub-Committee on Sexual Abuse and Commercial Sexual Exploitation (SC SACSEC).</p> <p>No comprehensive national database relating to CSEC exists in the Philippines but efforts to develop one have been reportedly underway in recent years.²⁷⁴ Since 2003, the CSEC Info System was trialled however, significant difficulties were encountered in realising this system and it remains non-operational.²⁷⁵</p> <p>Since 2007, an offender database has been operational within the Department of Justice. This database combines data on child abusers gathered from prosecution offices throughout the country.²⁷⁶</p> <p>The government has also actively cooperated with foreign law enforcement agencies in the investigation and arrest of foreign child sex offenders.</p>
Singapore	No available information pertaining to cooperation and coordination mechanisms with regard to combatting SECTT.
Thailand	<p>There exists no responsible government body to coordinate activities to combat CSEC and/or SECTT.</p> <p>With regard to the administration of shelters and centres for victims of CSEC, there exists a partnership between the Police Bureau and NGOs.²⁷⁷</p> <p>The Ministry of Justice has been active in pursuing collaborative efforts between local and foreign law enforcement agencies to enhance mechanisms to combat SECTT.</p>
Timor-Leste	In 2009, the National Commission for the Rights of the Child was established with a mandate to promote, defend, and monitor children's rights in Timor-Leste. ²⁷⁸
Vietnam	The Ministry of Labour, Invalids and Social Affairs (MoLISA) is responsible for issues affecting children in Vietnam. Their efforts have tended to focus on the issue of human trafficking and they have worked alongside other relevant government ministries and a range of international agencies and NGOs to undertake a range of interventions to counter trafficking. Very little information is available regarding their efforts with respect to combatting CSEC and SECTT.

²⁷³ ECPAT International, Global Monitoring Report: Philippines, 14.

²⁷⁴ *Ibid.*, 16.

²⁷⁵ *Ibid.*, 16.

²⁷⁶ *Ibid.*, 17.

²⁷⁷ ECPAT International, Global Monitoring Report: Thailand, 16.

²⁷⁸ Child Rights International Network, "Timor-Leste: Child Rights References in the Universal Periodic Review", 12 October, 2011. Accessed 8 March 2015. <https://www.crin.org/en/library/publications/timor-leste-child-rights-references-universal-periodic-review>

LEGISLATION TO COMBAT SECTT AND FACTORS AFFECTING APPLICATION OF THE LAW

When considering the legal context with regard to SECTT in Southeast Asia, it should be noted that all countries in the region have signed the UN Convention on the Rights of the Child (1989) and the International Labour Organisation Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999). Other critical international instruments such as the UN Convention on Transnational Crime (2005) and the associated Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2005), along with the Optional Protocol to the CRC on the Sale of Children Child Prostitution and Child Pornography (2000) have not been fully ratified by all Southeast Asian nations. Further detail on each country's status with regard to these important international instruments is outlined in Annex 4: Status of Key International Conventions and Extraterritorial Legislation.

Whilst significant efforts have been undertaken throughout the region to enhance national legal frameworks, no country fully complies with the recommendations outlined within the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC) and which are most closely associated with prosecuting cases of SECTT. With regard to national legislation pertaining to SECTT, only the Philippines has specific and robust provisions that relate to SECTT. In many countries, current legislation that can be applied to cases of SECTT is compromised by a failure to adequately define, criminalise and/or suitably penalise sexual offences against children. Troublingly, a number of countries also fail to explicitly state that children involved in cases of sexual exploitation are, in fact, victims, rather than offenders.

All countries except the Philippines report the capacity to exert extraterritorial jurisdiction with regard to transnational crimes committed by their own citizens (and in some cases, residents) in other countries (usually only where double criminality exists). Their capacity and willingness to use such a tool in cases of transnational child sex offences is largely unknown due to the fact that few, if any cases have been documented.

With regard to legislation on child pornography, many countries are limited to using outdated obscene or prohibited publication legislation that fails to adequately address the evolving nature of child pornography. Also of grave concern is the fact that few countries criminalise the wilful possession of child pornography or online grooming. Few countries have specific legislation that requires Internet Service Providers (ISPs) to report or block detected child pornography.

The existing weaknesses and gaps in legal frameworks across the region are further hampered by a range of critical limitations with regard to legal redress in cases of transnational sexual crimes against children. The pervasiveness of corruption combined with a generalised lack of capacity and/or will amongst both law enforcement personnel and the judiciary throughout the region serve to inadvertently perpetuate a permissive environment for child sex offenders thereby heightening the vulnerability of children.

Summarised below are some of the most pertinent details regarding the existing legislation relevant to SECTT in the eleven Southeast Asian countries. Where possible, efforts have also been made to identify factors that are seen to compromise the application of such laws.

²⁷⁹ Child Wise, Mind the Gaps: A Comparative Analysis of ASEAN Legal Responses to Child-Sex Tourism. (South Melbourne: Child Wise, 2009), 18-19. Accessed 8 March 2015. <http://www.defenceforchildren.nl/images/13/1215.pdf>

Table 3: Legislation To Combat SECTT And Factors Affecting The Application Of The Law

Brunei Darussalam The Penal Code includes provisions defining and prohibiting child prostitution however, this appears to be largely limited to female children. Also, the Children and Young Persons Order (2006) could theoretically be used to prosecute those engaging in SECTT offences. No specific laws exist concerning child pornography however certain laws exist pertaining to prohibited publications do exist.²⁷⁹

Cambodia The Law on Suppression of Human Trafficking and Sexual Exploitation (2008) offers a comprehensive definition of child prostitution and prohibits all acts related to child prostitution. This law is criticised for failing to criminalise the mere possession of child pornography.²⁸⁰ This law also fails to criminalise grooming.²⁸¹

Cambodian legislation enables both territorial jurisdiction over SECTT-related crimes committed in Cambodia and extraterritorial jurisdiction over SECTT-related crimes committed by Cambodian citizens in foreign countries.²⁸² In cases in which foreign residents in Cambodia have committed sexual crimes against children in their home country or elsewhere, Cambodian law states that, for the purposes of extradition, the offence must be recognised in both Cambodia and the requesting State. This has been identified as a potential barrier to the prosecution of foreign child sex offenders who have escaped prosecution in their own or another country.²⁸³

A key criticism of the legislative framework in Cambodia is the lack of clarity around the capacity to prosecute those who sexually abuse children between 15 and 18 years of age. Only offences against children under 15 years are criminalised under the Penal Code.²⁸⁴

Cambodian legislation contains no specific provisions to define or criminalise those who facilitate SECTT such as those involved in arranging travel, transporting tourists, printing or publishing information for the purposes of promoting child sex tourism.

Whilst initiatives to strengthen the capacity of Cambodian law enforcement personnel to combat SECTT have been offered by a range of international agencies, much of the training is reported to centre on enhancing investigation capacities. Deficits remain in the capacity of Cambodian law enforcement personnel to investigate child pornography-related cases and other forms of sexual exploitation of children via Internet and communication technologies.²⁸⁵

Also of concern is the lack of protection available to facilitate the participation of children as victims and/or witnesses, in criminal justice processes.²⁸⁶

Collaboration between Cambodian and international law enforcement agencies and a number of particularly active NGOs such as APLE and IJM has resulted in the identification, arrest and prosecution of a number of high profile cases involving international child sex offenders operating in Cambodia.

²⁸⁰ UNODC, Child Sexual Exploitation in Travel and Tourism: An Analysis of Domestic Legal Frameworks: Cambodia. (Bangkok: UNODC, 2014), 20-21.

²⁸¹ *Ibid.*, 24.

²⁸² ECPAT International, Global Monitoring Report: Cambodia, 28.

²⁸³ *Ibid.*, 28.

²⁸⁴ UNODC, Child Sexual Exploitation in Travel and Tourism: An Analysis of Domestic Legal Frameworks: Cambodia, 24.

²⁸⁵ ECPAT International, "Universal Periodic Review – Cambodia" (Universal Periodic Review, 18th Session, January 2014), 7. Accessed 6 March 2015. http://www.upinfo.org/sites/default/files/document/cambodia/session_18_-_january_2014/ecpat_international_upr18_khm_e_main.pdf

²⁸⁶ UNODC, Child Sexual Exploitation in Travel and Tourism: An Analysis of Domestic Legal Frameworks: Cambodia, 24.

²⁸⁷ ECPAT International, Global Monitoring Report – Cambodia, 32.

Cambodia
(Continued)

Training for Cambodian police on basic investigative and ICT related evidence gathering techniques was delivered by Microsoft in 2006 and 2007.²⁸⁷

In 2011 the Committee on the Rights of the Child expressed concern about the fact that travelling child sex offenders were:

*...rarely prosecuted due notably to the widespread practice of out-of-court settlement and compensation of sexual abuse cases which is encouraged by law enforcement authorities.*²⁸⁸

The Committee also highlighted that minimal action is taken against child sex offenders and likewise, against those who run establishments in which under-aged girls are sexually exploited.²⁸⁹ There has also been local and international criticism of the failure to prosecute foreign child sex offenders.²⁹⁰

A study by APLE has highlighted the low rate of deportation of convicted foreign child sex offenders upon completion of their jail time.²⁹¹ Less than a third of such offenders are deported, with the remaining two thirds free to remain in Cambodia after their sentence is finished and often choosing to do so, thus posing a significant and ongoing threat to children. A deportation order is made at the discretion of individual judges. Discussions with Cambodian judges indicated strong support for a change to the legislation that would automatically require a deportation order to be made on completion of a SECTT-related sentence.

Widespread corruption is reported to represent a serious impediment to the implementation of legislation by law enforcement personnel in Cambodia.²⁹²

Indonesia

The two key laws relevant to CSEC and SECTT are the 2002 Child Protection Act and the Criminal Code. These two pieces of legislation have been criticised for falling short of international standards and failing to adequately protect children from sexual exploitation. Loopholes and gaps continue to plague these two laws. Critics call for the development of a clearer definition of child prostitution, one that includes same-sex intercourse, and the criminalisation of child prostitution, in order to enhance the capacity to prosecute child sex offenders. Of additional concern is the fact that Indonesian law fails to criminalise individuals and companies involved in arranging or promoting child sex tours.

The adoption of the Law on Pornography (2008) has been controversial due to fears that, the exceedingly broad definition of pornography may mean that certain religious groups may interpret the law as a means to justify violent actions. This law fails to define child pornography and it also fails to punish those who knowingly access or view child abuse images online.²⁹³ Furthermore, the law does not specify any mandatory reporting obligations for IT professionals, Internet providers or financial companies who identify child pornography in the course of their professional activities.²⁹⁴

Whilst Indonesian law does not contain specific legislation pertaining to SECTT, Indonesia has the legislative capacity to prosecute foreign child sex offenders. Indonesia's extraterritorial provisions enable Indonesian citizens (not residents) who have committed child sex offences abroad, to be charged under Indonesian law provided these offences constitute a crime

²⁸⁸ UN CRC Committee on the Rights of the Child, Consideration of reports submitted by States parties under Article 44 of the Convention. Concluding Observations: Cambodia, UN Doc. CRC/C/KHM/CO/2 (20 June 2011), article 71a. Accessed 6 March 2015. <http://www.google.com.au/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&ved=0CCwQFjAD&url=http%3A%2F%2Fwww2.ohchr.org%2Fenglish%2Fbodies%2Fcr%2Fdocs%2Fco%2FCRC.C.KHM.CO.2.doc&ei=MUD5VOjRFeTXmgXQuIHIDg&usq=AFQjCNFVriKO-mZ1ZhrXmz35UNX1Z5xTQg&bvm=bv.87611401,d.dGY>

²⁸⁹ *Ibid.*, article 71b.

²⁹⁰ *Ibid.*, article 71a.

²⁹¹ APLE, Should Convicted Foreign Child Sex Offenders Be Deported From Cambodia? An Analysis of the Current Context and Feasibility of Mandatory Deportation. (Phnom Penh: APLE, 2015).

²⁹² ECPAT International, Global Monitoring Report: Cambodia, 26.

²⁹³ ECPAT International, Global Monitoring Report: Indonesia, 24.

²⁹⁴ *Ibid.*, 24.

Indonesia (Continued)

in the country the offence occurred. Foreign residents in Indonesia who have committed sexual crimes against children in other countries cannot be subsequently tried in Indonesia. Certain limitations are also noted in terms of Indonesia's capacity to arrange the extradition of citizens.²⁹⁵

In 2006 Indonesian National Police were equipped with the Child Exploitation Tracking System, a tool developed via collaboration between Microsoft and the Canadian Mounted Police. The tool enables law enforcement officials to track individual Internet users who are exchanging child abuse imagery online. It is reported that this system is used in Jakarta, Bandung, Yogyakarta, Medan, Bali, Surabaya, Batam and Lombok.²⁹⁶ No information is available as to the efficacy of this tool with regard to successful identification and/or prosecution of online child sex offenders.

UNICEF has been actively providing training to the Indonesian Police over recent years with a focus on how to respond to child victims of violence, sexual abuse and exploitation.

Lao PDR

In Lao PDR, the Penal Law (1990) criminalises child prostitution, as does the Law on the Protection of Rights and Interests of Children (2006). Both pieces of legislation contain provisions that could be used to prosecute the production, distribution, dissemination, display or sale of child pornography.²⁹⁷ Concern has been expressed as to the application of these laws and the weak penalties applied, especially in cases involving children 12 years and older.²⁹⁸ Grooming is not covered under any legislation.²⁹⁹ The possession of child pornography is not criminalised.³⁰⁰

Analysis of legislation suggests that comprehensive protections exist for children as victims and witnesses.³⁰¹

No specific law contains provisions allowing extradition however, Lao PDR has signed bilateral agreements with a number of countries including Cambodia, China and Thailand that theoretically enable extradition in the event of transnational criminal offences.³⁰²

The Penal Law allows for extraterritoriality with regard to offences committed by Lao citizens outside of the country and, regarding foreigners, there can be an extension of jurisdiction if required under an international instrument.³⁰³

Malaysia

Malaysia's Penal Code criminalises prostitution and the Child Act (2001) criminalises child prostitution. No specific legislation with regard to child pornography exists in Malaysia. The Penal Code does make it an offence produce, sell, and distribute obscene materials.³⁰⁴

Myanmar

The key piece of legislation related to CSEC and/or SECTT is the Penal Code however, the Suppression of Prostitution Act (1949) offers some minor protection to children. The more recent Anti-Trafficking in Persons Law (2005) contains some relevant articles.

The main legal instrument concerning children is the Child Law (1993) that has been criticised for being outdated and for not providing a sufficient level of protection to children.³⁰⁵ This law makes it an offence to produce child pornography. Certain articles of the Penal Code and the Anti-Trafficking in Persons Law can also be used to prosecute those who sexually exploit children via child pornography or who possess child pornography.³⁰⁶

²⁹⁵ *Ibid.*, 25.

²⁹⁶ ECPAT International, *Global Monitoring Report: Indonesia*, 18.

²⁹⁷ *Child Wise, Mind the Gaps*, 28.

²⁹⁸ UNODC, *Child Sexual Exploitation in Travel and Tourism: An Analysis of Domestic Legal Frameworks: Lao PDR*. (Bangkok: UNODC, 2014), 19.

²⁹⁹ *Ibid.*, 20.

³⁰⁰ *Ibid.*, 21.

³⁰¹ *Ibid.*, 22-23.

³⁰² Child Frontier et al., *Report on the Commercial Sexual Exploitation of Children in Lao PDR*, 31.

³⁰³ UNODC, *Child Sexual Exploitation in Travel and Tourism: An Analysis of Domestic Legal Frameworks: Lao PDR*, 18.

³⁰⁴ *Child Wise, Mind the Gaps*, 29-30.

³⁰⁵ UNICEF and Ministry of National Planning and Economic Development, *Situation Analysis of Children in Myanmar*, 4.

Philippines

The Philippines possesses robust legislation pertaining to CSEC however, criticisms have been drawn regarding the implementation of relevant legislation that has been compromised in some cases by widespread corruption amongst law enforcement personnel including the judiciary and immigration officials.³⁰⁷

The key piece of legislation pertaining to SECTT is the Anti Child Abuse Act of 1992. In most instances this Act offers greater protection to children than the minimum standards set by the OPSC. The only criticism of this Act is that it fails to state that a child who is a victim of prostitution is exempt from prosecution. Whilst in practice children are typically treated as victims and not prosecuted, this loophole potentially leaves children vulnerable.³⁰⁸

The Philippines recently enacted the Republic Act No. 9775 (Anti-Child Pornography Act of 2009) and established the Inter Agency Council against Pornography (IACACP) as the body responsible for oversight of the implementation of this Act.³⁰⁹ This Act has been described as:

...a comprehensive piece of legislation that meets international best practice and offers protection beyond the minimum requirements of the OPSC.³¹⁰

This Act defines and prohibits grooming, prohibits the wilful accessing of child pornography, and requires Internet Service Providers (ISP) to notify authorities if their servers are used to commit child pornography offences, to preserve evidence, to give details of offending users to authorities, and to install all available tools to filter and block child pornography.³¹¹ The implementation of this Act has yet to be assessed.

With regard to extraterritorial powers, the Philippines has no capacity to prosecute Filipino citizens who sexually exploit children in other countries. Fugitive Filipino citizens who may have sexually exploited children in another country may, in principle, be extradited to face these charges in the country in which the offence was committed provided the offences would be punishable in the Philippines pursuant to a treaty or convention.³¹²

IJM has been actively involved in engaging police, prosecutors and local NGO's with a view to transforming the justice system and to addressing trafficking, particularly of children, for the purposes of sexual exploitation. IJM is focussed on working with police to rescue victims and to ensure that those responsible for their victimisation are restrained. Simultaneously, their work with public prosecutors seeks to ensure that survivors are well represented in court.

Singapore

The Children and Young Person's Act, the Women's Charter and the Penal Code are the key pieces of legislation used to prohibit and punish CSEC in Singapore. Whilst the legislation includes measures to prohibit child prostitution, it is only a criminal offence to sell, hire or obtain possession of a child for the purposes of prostitution in the case of girls, leaving boys unprotected.³¹³

Recently Singapore enacted comprehensive extraterritorial legislation pertaining to CSEC committed by Singaporean citizens and residents. This legislation also makes it a criminal offence to assist in making travel arrangements that will facilitate child sex tourism, transporting an individual for the purposes of child sex tourism, or promoting child sex tourism.

³⁰⁷ ECPAT International, Global Monitoring Report: Philippines, 23.

³⁰⁸ Ibid., 23.

³⁰⁹ Ibid., 13.

³¹⁰ Ibid., 24.

³¹¹ Ibid., 25.

³¹² Ibid., 26.

³¹³ ECPAT International, Global Monitoring Report: Singapore, 24. There are, however, many types of criminal offences regarding child prostitution that apply to both boys and girls, including having commercial sex with minors, communicating for the purpose of obtaining sexual services from a person under 18 year of age, and abetting in the process.

Singapore
(Continued)

Whilst Singapore professes to have two pieces of legislation relevant to the prohibition of child pornography, the Undesirable Publications Act and the Film Censorship Act, there exist no specific definitions nor measures to criminalise child pornography as required by the OPSC. Certainly it should be reiterated that Singapore is yet to sign this international protocol. In 2007, an amendment to the Penal Code made grooming of children under sixteen years of age a criminal offence.³¹⁴ Additionally, the Media Development Authority of Singapore Act mandates the filtering, blocking and removal of sites or domains or ISPs depicting child pornography.

Thailand

Thailand has comprehensive legislation addressing CSEC and SECTT however, gaps remain with regard to child pornography. The Prevention and Suppression of Prostitution Act (1996) offers extensive provisions prohibiting the sexual exploitation of children. This Act however, fails to expressly state that children will be treated as victims rather than offenders. Although the Act is reported to be broad and strong, enforcement is notoriously weak.

No provisions criminalise grooming.³¹⁵

With regarding to legislation pertaining to child pornography, there exists no definition of child pornography and no prohibition or punishment of those who disseminate, offer or possess child pornography. Various other laws can theoretically be used to address instances of child pornography including a general obscenity law and the Anti-Trafficking in Persons Act (2008), the Child Protection Act (2003), the Computer Crime Act (2007) and the Publishing Registration Act (2007) however, none are comprehensive nor do they allow Thailand to comply with its obligations under the OPSC.

Together, the Criminal Procedure Code (1999), the Child Protection Act (2003) and the Anti-Trafficking in Persons Act (2008) provide protection for child victims and witnesses in criminal cases.³¹⁶

It is stated that there remains a lack of clarity around which particular branch of the Royal Thai Police is responsible for handling SECTT cases.³¹⁷ Furthermore, there has been criticism of the Ministry of Justice and Thai law enforcement agencies over their role in controversial instances in which foreign child sex offenders being released on bail whereupon they have been able to commit further offences during the court process. Efforts have been made to remedy this situation through enhanced systems of contesting bail requests and better information sharing about an offender's bail status.³¹⁸

Data collection with regard to CSEC and SECTT has been weak perhaps as a result of the absence of a central coordinating agency.

Thailand has actively collaborated with foreign law enforcement agencies with a view to combating SECTT and child pornography.

³¹⁴ ECPAT International and Yea, Sallie, Commercial Sexual Exploitation and Trafficking of Children and Young People in Singapore. (Bangkok: ECPAT International, 2010), 40. Accessed 7 March 2015. <http://unwomen-nc.org.sg/uploads/FINAL%20Singapore%20Research%20Report%2021%20June%202011.pdf>

³¹⁵ UNODC, Child Sexual Exploitation in Travel and Tourism: An Analysis of Domestic Legal Frameworks: Thailand. (Bangkok: UNODC, 2014), 20.

³¹⁶ *Ibid.*, 22-23.

³¹⁷ ECPAT International, Global Monitoring Report: Thailand, 32.

³¹⁸ *Ibid.*, 17.

Timor-Leste

Timor-Leste, acting on a 2008 recommendation by the Committee on the Rights of the Child, has been engaged in a process to develop the Children's Code that was due for completion by the end of 2012. The adoption of this legislation by the Parliament has not been confirmed.³¹⁹

Vietnam

Vietnam's Penal Code includes provisions addressing CSEC however, the definition of child prostitution is too narrow to adequately protect children as per the guidelines identified by the OPSC.³²⁰ The code also fails to explicitly state that children are to be considered victims and thus exempt from punishment.³²¹ No specific mention of SECTT is made in any Vietnamese legislation. No provisions exist with regard to the criminalisation of grooming.³²²

Vietnam, in breach of its obligations under the OPSC, does not currently have any laws defining or prohibiting child pornography thereby rendering children unprotected in such instances. Assurances have been given by the Vietnamese Government that this situation will be remedied. The status of such legislation remains unclear. Some existing laws, including the Penal Code (relating to debauched cultural products) can theoretically be used in cases of child pornography. Current legislation does not define or punish child pornography, nor does it punish the possession of child pornography or those who wilfully access child pornography online.³²³

No specific legislation exists to protect child victims or witnesses however, a number of pieces of legislation can theoretically be used to ensure the safety of such children.³²⁴

Vietnam has the jurisdiction to prosecute foreign child sex offenders for offences committed in Vietnam. It also has extraterritorial jurisdiction pertaining to Vietnamese citizens who commit child sex offences abroad however, there are concerns that such legislation falls below the minimum protections required by the OPSC. Vietnam has a range of extradition mechanisms that enable foreign sex offenders who have escaped to other countries to be extradited to serve their sentence in Vietnam provided the offences are offences in both jurisdictions.³²⁵

³¹⁹ Child Rights International Network, "Timor-Leste: Child Rights References in the Universal Periodic Review."

³²⁰ ECPAT International, Global Monitoring Report: Vietnam, 22.

³²¹ Ibid.

³²² UNODC, Child Sexual Exploitation in Travel and Tourism: An Analysis of Domestic Legal Frameworks: Vietnam, 20.

³²³ Ibid., 21.

³²⁴ Ibid., 22.

³²⁵ ECPAT International, Global Monitoring Report: Vietnam, 25.

SECTT PREVENTION EFFORTS

Preventative strategies to address SECTT present a significant challenge to governments and other stakeholders. Ideally strategies would be multi-faceted and responsive to the needs of vulnerable children, victims of SECTT, child sex offenders and the general public who may act to protect children and/or to create an environment that ceases to tolerate the sexual exploitation of children. Certainly preventative efforts must be strategically targeted so as to address the long-term structural, systemic and attitudinal issues whilst working on the immediate and short-term issues that exist in the every day in which children are at risk from child sex offenders. Preventative efforts are also most effectively built on evidence gathered via research, something which is lacking in the region but which can have an invaluable input into the development of targeted preventative strategies.

ECPAT International and the relevant national **ECPAT Affiliate Groups** such as ECPAT Cambodia, ECPAT Indonesia, ECPAT Philippines, the ECPAT Foundation in Thailand and CEFACOM in Vietnam have independently, and in collaboration with other NGOs and/or the private sector, undertaken a vast array of preventative activities concerning CSEC and SECTT in recent years. These actions include the delivery of training to communities, professionals and relevant government officials with regard to preventing SECTT, the development and dissemination of public education campaigns on SECTT, supporting the development and implementation of hotline reporting numbers, participating in dialogue relating to the development and implementation of policy and legislation relating to SECTT, and working with children and young people to ensure their participation in actions to combat SECTT.

ECPAT International, in collaboration with a range of partners, has been instrumental in the development and implementation of the **Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (The Code)**.³²⁶ A global initiative, The Code represents a good practice example of the private sector taking action to prevent SECTT. In Southeast Asia, a number of tourism-related businesses have become signatories to The Code and in so doing, have committed to developing a child protection policy, to training staff and to regular monitoring of their efforts. The Accor Hotel chain in Thailand has been a Code

signatory since 2002. Other Code signatories in Thailand include the Centara Group, a major Thai hotel chain, Samui Villas and Home, the Six Senses Spa and Resort chain along with Evason Phuket and Hideaway Yao Noi, Legend Hotel in Chiang Rai Province and the Chiang Rai Tourism Society. In Cambodia, the Sofitel Phnom Penh Phodeethra was been the first Code signatory.³²⁷ In Indonesia, both the Accor and Carlson Hotel Groups have become Code signatories.³²⁸

Since 2005, the NGO Friends International, has been unstinting in efforts to develop a **Child Safe Network** amongst tourism industry partners, particularly the informal tourism sector with a focus on small traders, intermediaries and service providers including tuk-tuk and taxi drivers, tour guides, staff of bars, restaurants, hotels and guesthouses and similar. Via training and awareness raising activities, individuals working within the tourism industry are encouraged to identify children at risk and potential child sex offenders operating in the local environment. The Child Safe Network initially began in Cambodia but has since expanded to Indonesia, Lao PDR and Thailand.³²⁹

Recognising the potential threat to children posed by staff in child-contact professions, ECPAT International has collaborated with Save the Children UK and UNICEF Thailand in the development of a **Child Safe Organisations Framework and Training Toolkit** that promotes the development and implementation of child protection policies, particularly within centres providing care to children. In collaboration with local ECPAT partner organisations (ECPAT Foundation, PKPA and CEFACOM) training for organisations working with children in Thailand, Indonesia and Vietnam has been undertaken.³³⁰

Funded by AusAID, the **Child Wise Tourism Program** that concluded in 2009, was actively involved in collaborating with ASEAN governments, particularly National Tourism Authorities (NTAs), along with a range of stakeholders representing government, the private sector, international agencies and NGOs with a view to combatting SECTT in the region. A range of awareness raising and capacity building activities were delivered throughout the region. As noted earlier, this project established two regional mechanisms that were instrumental in terms of coordinated regional actions against SECTT. First the project established the ASEAN Regional Taskforce to Prevent Child Sex Tourism that brought together high-level officials from

³²⁶ ECPAT International, Global Monitoring Report: Cambodia, 22.

³²⁷ ECPAT International, The Commercial Sexual Exploitation of Children in East and South-East Asia, 47.

³²⁸ ECPAT International, Global Monitoring Report: Indonesia, 17.

³²⁹ ECPAT International, The Commercial Sexual Exploitation of Children in East and South-East Asia, 47.

³³⁰ Ibid., 61.

relevant government ministries, international agencies and NGOs, academics and the private sector with a view to sharing critical and emerging information pertaining to combatting SECTT in the region. With the conclusion of this project, this Taskforce has not been continued. Second, the ASEAN Regional Education Campaign to Prevent Child Sex Tourism was developed in consultation with all ten ASEAN countries and rolled out across the region with funding from AusAID and the AFP. This campaign sought to mobilise travellers and local citizens to report suspected cases of SECTT using dedicated hotline numbers. The campaign also sought to deter potential child sex offenders and to create a culture of intolerance toward SECTT.

Funded by AusAID, the four-year **Project Childhood (2010-2013)** comprising a Prevention Pillar implemented by World Vision and a Protection Pillar implemented

by UNODC was an initiative to address the sexual exploitation of children in travel and tourism in Cambodia, Lao PDR, Thailand and Vietnam. This project represents one of the largest investments by a single government in the protection of children from child sex offenders. This project involved collaboration with a range of stakeholders including governments, UN and other international agencies and NGOs with a view to combating SECTT.

Table 4 below seeks to outline some of the key SECTT-specific preventative efforts, beyond those outlined above, that have occurred in the region in recent years. Many of these activities have been implemented by international organisation and NGOs. Some have been collaborative efforts between governments, international organisations and NGOs, and the private sector.

Table 4: SECTT Prevention Efforts

Brunei Darussalam Apart from participation in the ASEAN Regional Education Campaign to Prevent Child Sex Tourism, no information was available pertaining to specific SECTT prevention efforts.

Cambodia The Government of Cambodia has actively collaborated with international agencies, NGOs and the private sector in order to deliver SECTT-specific training programs for key stakeholders and SECTT-specific awareness raising activities. Whilst these efforts have been significant, there remains a focus on the main cities and larger tourism destinations that may render more isolated areas vulnerable.

The Ministry of Tourism has been particularly active in undertaking awareness raising, capacity building and public education campaigns to counter SECTT, often in collaboration with international agencies and NGOs.

In 2005, a 24-hour hotline for reporting cases of child exploitation was established by the Cambodian Government with the support of World Vision.³³¹ This hotline is reported to be operational in Phnom Penh and five Cambodian provinces. The effectiveness of this hotline number remains ambiguous as there is no information commenting on its success or otherwise.

APPLE, with the support of INHOPE, is in the process of developing an internet hotline for reporting cases of sexual abuse and exploitation both on and offline. It is hoped that this hotline will be operational in late 2015.³³²

In Cambodia, a large and increasing number of NGOs and international agencies are involved in work to combat SECTT. In particular APPLE, Friends International, ECPAT Cambodia, M'Lop Tapang, World Vision amongst others have been active in recent years, particularly with respect to public education campaigns to combat SECTT.

³³¹ ECPAT International, Global Monitoring Report: Cambodia, 23.

³³² APPLE, APPLE Annual Report 2014 (Phnom Penh, APPLE, 2014), 18.

Indonesia	Whilst, no nationwide hotline exists to respond specifically to children affected by sexual exploitation, the Child Helpline 129 developed by the Indonesian Government and a number of NGOs does offer support to children who have suffered physical or sexual abuse. This hotline number has limited range covering just four major cities – Jakarta, Surabaya, Makassar and Banda Aceh. ³³³ Other city-specific hotlines do exist in other parts of the country.
Lao PDR	A 192 hotline that accepts reports of SECTT operated by the Lao Tourist Police was established in cooperation with a coalition of international agencies and NGOs. The longevity of this service was unknown as it was dependent entirely upon external funding. ³³⁴
Malaysia	Apart from participation in the ASEAN Regional Education Campaign to Prevent Child Sex Tourism no information was available pertaining to specific SECTT prevention efforts.
Myanmar	Apart from participation in the ASEAN Regional Education Campaign to Prevent Child Sex Tourism, no information was available pertaining to specific SECTT prevention efforts.
Philippines	The Department of Tourism has worked alongside the ILO to raise awareness about CSEC and with a range of other NGOs including Child Wise and ECPAT Philippines to build the capacity of a range of stakeholders to combat SECTT and to raise public awareness of SECTT.
Singapore	<p>Whilst cases of SECTT have been few, Singapore has a case management system that supports children who have been victims of violence and abuse including sexual exploitation. A key limitation of this service has been the lack of capacity to cater to migrant populations who comprise a significant proportion of children involved in forced prostitution.³³⁵</p> <p>In 2007, the Association of Banks of Singapore (ABS) established the Financial Coalition against Child Pornography with the aim of supporting global efforts to identify commercial sources of child abuse images and to disrupt such networks by cutting off the flow of money that supports their dissemination.³³⁶ This initiative has been praised as a model of private sector action to counter child pornography.</p>
Thailand	<p>Beyond more general actions to enhance child protection in Thailand, several key preventative measures have been undertaken that serve to prevent CSEC and SECTT. First, the government has collaborated with NGOs and local industries (in particular the hotel industry) to develop vocational training and employment opportunities for at-risk young people. UNICEF and Payap University have developed a Legal Assistance Centre to assist stateless residents including children and young people, particularly those in Northern Thailand, to access Thai nationality and legal status in order to reduce their vulnerability to all forms of exploitation.³³⁷</p> <p>Several 24-hour hotlines run by both government agencies and NGOs are operating to various degrees within Thailand. The two main hotline numbers are the trafficking-specific 1191 hotline operated by the Anti-Human Trafficking Division of the Royal Thai Police and the 1300 hotline operated by the Ministry of Social Development and Human Security which is more general, taking reports on violence, abuse, sexual exploitation, and trafficking. Neither of these hotline numbers is entirely child-friendly and the service is only available in Thai which excludes a range of vulnerable groups.³³⁸</p>
Timor-Leste	No information was available pertaining to SECTT prevention efforts in Timor-Leste.

³³³ ECPAT International, Global Monitoring Report: Indonesia, 27.

³³⁴ Child Frontiers et al., Report on the Commercial Sexual Exploitation of Children in Lao PDR, 36.

³³⁵ ECPAT International, Global Monitoring Report: Singapore, 29.

³³⁶ ECPAT International, Commercial Sexual Exploitation and Trafficking of Children and Young People in Singapore, 27.

³³⁷ ECPAT International, Global Monitoring Report: Thailand, 23.

³³⁸ Ibid., 34-35.

Vietnam

CEFACOM has been working on the broad issue of sexual abuse in Vietnam since 2001 and has been involved in assisting international schools to screen teachers to identify those who may be seeking to sexually exploit children in their care.³³⁹

A hotline reporting number receiving general complaints about child rights violations was established some years ago with the support of Plan International however, little is known of the continuation or otherwise of this service or its efficacy.³⁴⁰

SUPPORT SERVICES FOR VICTIMS OF SECTT

Recognising the significant acute and long-term physical, psychological and social impacts of SECTT upon children, the availability of responsive support services is critical to ensuring that child victims are treated humanely and with a view to ensuring a holistic recovery. The provision of such services requires considerable skills, experience, coordination, monitoring and funding in the short and the long-term. In Southeast Asia, support services specifically for victims of SECTT are few and far between. In many cases, support services for those who have been victims of CSEC are similarly sparse. Across the region, governments to a lesser extent, and

international agencies and NGOs to a greater extent, do provide support services to victims of violence, abuse and exploitation, particularly to victims of trafficking, and more specifically to women. The nature of these services and their applicability to children and specifically to children affected by SECTT are sorely limited. Only a few countries have developed guidelines surrounding minimum standards of care in alternative care settings, the application of these guidelines is unclear.

For the purposes of this section, only countries identified as key destinations for child sex offenders will be discussed. For this reason, Brunei Darussalam, Malaysia and Singapore will not be covered.

Table 5: Support Services for Victims of SECTT

Cambodia

The Ministry of Social Affairs, Veterans and Youth (MoSVY), the government agency charged with the providing support services to child victims of sexual abuse and exploitation has extremely limited capacity in terms of skills and resources.³⁴¹

Concerns have been raised about lack of adequate medical, psychological and legal supports available to children who have been the victims of sexual abuse and exploitation. While there are shelters available, primarily run by NGOs, they are most often located in the capital Phnom Penh. In particular, ECPAT has raised concerns about the capacity of shelters to cater to the needs of Vietnamese girls who are rescued from sexually exploitative situations, given their precarious legal situation in Cambodia, the difficulties associated with repatriation if this is an option, and the limited opportunities for medical, psychological and educational services while in Cambodia. Particularly, language barriers compromise the level of care currently available to such victims.³⁴²

Two important outcomes of MoSVY collaboration with international agencies have been the development of The Minimum Standard on Alternative Care (2008) and the Policy and Minimum Standards for Protection of the Rights of Victims of Human Trafficking (including child victims of sexual exploitation) (2009). Training and capacity building in relation to these minimum standards have since been undertaken throughout the country by a range of NGOs.

³³⁷ ECPAT International, Global Monitoring Report: Thailand, 23.

³³⁸ *Ibid.*, 34-35.

³³⁹ ECPAT International, Global Monitoring Report: Vietnam, 19.

³⁴⁰ *Ibid.*, 19.

³⁴¹ ECPAT International, Global Monitoring Report: Cambodia, 30.

³⁴² *Ibid.*, 30-31.

Indonesia	The available evidence suggests that the Indonesian Government has limited capacity to provide shelter and support services for children who have been affected by SECTT. ³⁴³
Lao PDR	The Lao Government, with the assistance of international agencies and NGOs, provides limited short-term assistance to victims of trafficking however, their capacity to accommodate the needs of children affected by CSEC and/or SECTT is unclear.
Myanmar	No information available regarding SECTT-specific support services in Myanmar.
Philippines	<p>Available information suggests that whilst the Department of Social Welfare and Development (DSWD) and a number of NGOs provides shelter and services to trafficking victims and victims of SECTT with immediate care including medical and psychological assistance, shelter and legal assistance. Thereafter, some centres have the capacity to provide longer-term care, reintegration to families and schools and financial assistance.³⁴⁴</p> <p>It is reported that the Philippine General Hospital has established a Child Protection Unit to provide specialised acute care to child victims of sexual abuse and exploitation. The Unit has developed a standardised child-sensitive procedure that ensures that children are treated by highly qualified staff in order to screen for physical and mental health issues, and to gather forensic evidence. Social workers are involved in assessing the home environment and services such as counselling, art therapy and psychotherapy are available.³⁴⁵</p> <p>IJM is involved in the rescue of children trapped in the sex industry and through partnerships with shelters and social workers, the organisation strives to ensure that children are supported with regard to their physical, psychological, medical, emotional, educational, legal and other needs in order to recover from their experiences.</p>
Thailand	Thailand operates a significant number of government and NGO reception centres and longer terms shelters to provide shelter and support to victims, both adults and children, of trafficking, violence, abuse and exploitation. A range of services including medical care, counselling, education, vocational training, family tracing and assessment, return and reintegration, follow-up and evaluation and legal assistance are offered. However, these services are not universal and not always adapted to the needs of children, migrants and other marginalised groups.
Timor-Leste	It is reported that the Ministry of Social Solidarity has compiled a manual on the mechanisms for referral of cases and guidelines for responding to children who have been victims of violence, abuse and exploitation of children in Timor-Leste. A number of orphanages and protective homes primarily run by NGOs exist in Timor-Leste however, their capacity to respond to children who have experienced sexual exploitation is unclear. ³⁴⁶
Vietnam	No information was available regarding SECTT-specific support services in Vietnam.

³⁴³ ECPAT International, Global Monitoring Report: Indonesia, 28-29.

³⁴⁴ ECPAT International, The Commercial Sexual Exploitation of Children in East and South-East Asia, 60.

³⁴⁵ Ibid., 62.

³⁴⁶ Child Rights International Network, Timor-Leste: Child Rights References in the Universal Periodic Review.

ENGAGING CHILDREN AND YOUTH TO COMBAT SECTT

The vital importance of engaging children and young people in the fight against CSEC, and in turn, SECTT, was first acknowledged at the First World Congress against CSEC in Stockholm (1996) and has been firmly reiterated at the subsequent gatherings in Yokohama (2001) and Rio de Janeiro (2008). Whilst there is growing support for the role of children and young people in agitating for change across the region, their involvement is still significantly hampered by traditional attitudes that pervade all aspects of society. It could be suggested that it is these same attitudes and cultural beliefs that contribute to a permissive environment for the sexual exploitation of children. In spite of the enduring challenges, there has been notable progress.

The establishment of the ASEAN Children's Forum (ACF), a biennial venue for nominated children to participate in discussion around key issues affecting children nationally and regionally. The ACF delegates report the outcomes of the forum to the ASEAN Ministerial Meeting on Social Welfare and Development and members are expected to share these outcomes via all relevant channels.³⁴⁷

At the sub-regional level, the Mekong Youth Forum (MYF) has been actively engaging children and youth for over a decade in discussions and policy dialogue particularly focussed on the cross cutting issues of migration and human trafficking. This forum engages a range of children, including survivors of CSEC.³⁴⁸

NGOs have ensured, where possible and relevant, that children and young people have been involved in dialogue relating to the formulation of new legislation, strategic plans, policy documents and guidelines that affect children and young people, and the preparation of monitoring reports relating to the CRC and the OPSC.³⁴⁹

Between 2009 and 2011, ECPAT International has collaborated with a range of partners across Cambodia, Thailand and Vietnam to deliver the **Youth Partnership Program for Child Survivors of Commercial Sexual Exploitation** (YPP). This program sought to engage both survivors of CSEC and those most at-risk of sexual exploitation in empowerment and life-skills training with a view to developing a team of peer supporters who can provide direct support and initiate campaigns and projects to combat child trafficking and the sexual abuse and exploitation of children.³⁵⁰ There have been many reported flow-on actions stemming from the YPP initiative across the region.

ECPAT International has also sought to ensure the involvement of children and youth in its governance structure through the formation of a **Child and Youth Advisory Committee** (EICYAC), and the establishment of a **Youth Representative** to the ECPAT Board.

With regard to national efforts to engage children and young people in efforts to combat SECTT, the Philippines represents a good practice example. Children and young people are reported to have a high level of participation in a range of initiatives including representation on high level advisory bodies, participation in consultations around children's rights, and leadership opportunities with regard to awareness raising, public education campaigns and the development of community level structures to safeguard children from sexual exploitation.³⁵¹ ECPAT Philippines, along with a range of NGOs, has been instrumental in engaging children and youth in awareness raising activities, in the creation of community-based vigilance committees to safeguard children against sexual exploitation, training of peer leaders, and supporting youth groups to engage survivors of sexual exploitation in the development of theatre advocacy and performance around issues of sexual exploitation including internet safety issues.³⁵²

INTERNATIONAL ACTIONS TO COMBAT SECTT

Whilst it must be reiterated that the majority of child sex offenders operating in Southeast Asia are local citizens, and that citizens from the region represent another significant proportion of child sex offenders operating in the region, the threat posed by child sex offenders from outside the region is significant. Efforts to combat SECTT in Southeast Asia require the participation of governments and other key stakeholders from around the globe in order to work toward a seamless protective environment for children and a consistently hostile environment for child sex offenders. A range of actions have been undertaken in recent years that contribute to addressing the phenomenon of SECTT in Southeast Asia.

A critical element in ensuring that child sex offenders are deterred from committing offences against children in Southeast Asia is the development of SECTT-specific **extraterritorial legislation**. It is estimated that approximately thirty-eight countries possess extraterritorial legislation that allows the prosecution of citizens for child sexual abuse offences committed in other countries and that a further thirty-one countries have more general extraterritorial legislation that could

³⁴⁷ ECPAT International, *The Commercial Sexual Exploitation of Children in East and South-East Asia*, 67.

³⁴⁸ *Ibid.*, 67-68.

³⁴⁹ *Ibid.*, 68-70.

³⁵⁰ *Ibid.*, 69.

³⁵¹ ECPAT International, *Global Monitoring Report: Philippines*, 30-31.

³⁵² ECPAT International, *The Commercial Sexual Exploitation of Children in East and South-East Asia*, 69.

potentially be used to prosecute citizens for child sex crimes committed abroad.³⁵³ Whilst a significant number of countries purport to have the capacity to apply extraterritorial legislation with regard to SECTT, there remain significant gaps in terms of the breadth, strength and actual use of these tools. Some countries (including Australia and the US) have taken steps to include attempts to sexually abuse or exploit a child overseas within their extraterritorial legislation as a deterrence measure.³⁵⁴ Whilst convictions of child sex offenders using extraterritorial legislation have been limited, they remain a critical tool for deterrence and punishment.

Sex Offender Registration Systems currently exist in at least nineteen countries, with a further eleven countries currently considering the establishment of such systems.³⁵⁵ Annex 4: Status of Sex Offender Registration and Notification Systems outlines these countries.

The nature of these systems varies dramatically in terms of the scope of registerable offences, the duration and frequency of registration, the requirements of the registration system, the existence of a public notification system, the requirement to notify in the event of international travel, and the capacity for registry information to be shared with other parties. Some countries also have national and provincial or state registries.

In Australia, convicted child sex offenders are registered with the National Child Offender Register (NCOS) for periods of eight years, fifteen years, or for the rest of their lives, depending on the severity of their crimes.³⁵⁶ Convicted child sex offenders are legally obliged to report and thoroughly document any overseas travel plans prior to departure. Failure to report or misleading policemen about their contact with children are considered criminal offences that can attract a penalty of five years in prison.³⁵⁷ The AFP will be notified of any planned overseas travel and will undertake a threat assessment and, in most cases, will make contact with relevant foreign law enforcement agencies to alert them of the offenders travel plans. Foreign law enforcement agencies are then able to take proactive measures such as denying the offender a visa, refusing their entry, or enacting relevant surveillance.

In some countries, such as the UK, certain civil orders can be attached to registration including a Foreign Travel Order (FTO) that may prohibit certain offenders from international travel for a period of time, and/or the surrender of their passport.³⁵⁸

Few countries have legislation in place to be able to prevent international travel by a convicted child sex offender. Likewise, few countries have the capacity to share information pertaining to known or convicted child sex offenders with relevant authorities in the event that such an offender is found to be travelling overseas.

ASEANAPOL and **INTERPOL** are two critical international law enforcement agencies with a mandate for addressing SECTT within the region. Formed in 1980 to facilitate regional police cooperation, ASEANAPOL is the Association of National Police Forces of the ASEAN Region. ASEANAPOL hosts a database system that is aimed at facilitating the exchange of criminal information between ASEAN Member States.³⁵⁹ The efficacy of this database, and its relevance to crimes involving foreign child sex offenders is unknown. In 2012, INTERPOL undertook Operation Infra-SEA (International Fugitive Round-up and Arrest Southeast Asia), an operation initiated by INTERPOL's Liaison Office in Bangkok, Thailand. This operation was concerned with locating and arresting sixty suspects from twenty-one countries wanted in connection with child sex offences. The operation was supported by Project Childhood (a joint initiative of INTERPOL, UNODC, World Vision Australia). It was reported that twenty individuals had been located and/or arrested as a result of this operation.³⁶⁰

Another means by which countries outside Southeast Asia play a role in addressing SECTT is the allocation of **police liaison officers located** in foreign embassies throughout the region. A number of countries including Australia, France, the Netherlands, Switzerland, the United Kingdom and the United States maintain a police presence to assist local counterparts with regard to the prevention, investigation and prosecution of range of transnational crime types including SECTT.

³⁵³ US Department of State, "Fact Sheet: The Facts About Child Sex Tourism", 29 February 2008. Accessed 9 March 2015. <http://2001-2009.state.gov/g/tip/rls/fs/08/112090.htm>

³⁵⁴ Catherine Beaulieu, Extraterritorial Laws: Why they are not really working and how they can be strengthened. (Bangkok: ECPAT International, 2008), 8. Accessed 26 February 2015. http://resources.ecpat.net/worldcongressIII/PDF/Journals/EXTRATERRITORIAL_LAWS.pdf

³⁵⁵ SMART, Global Overview of Sex Offender Registration and Notification Systems (Washington DC: SMART, US Department of Justice, April 2014), 1.

³⁵⁶ Monica Attard, "Sex Offender Sites. The Facts" The Hoopla, 16 October 2012. Accessed 27 March 2015. <http://thehoopla.com.au/sex-offender-sites-the-facts/>

³⁵⁷ "Victoria unveils tougher laws to keep track of offenders who travel overseas", ABC News Australia, 20 August 2014. Accessed 27 March 2015. <http://www.abc.net.au/news/2014-08-20/tougher-laws-to-keep-track-of-victorian-sex-offenders/5684140>

³⁵⁸ UK Government, "Explanatory notes to the Anti-Social Behaviour, Crime and Policing Act 2014", legislation.gov.uk, article 29. Accessed 29 July 2015. <http://www.legislation.gov.uk/ukpga/2014/12/notes>

³⁵⁹ ECPAT International, Global Monitoring Report - Indonesia, 16.

³⁶⁰ "Child sex exploitation offenders arrested in INTERPOL-led operation", INTERPOL Media Release, 7 March 2012. Accessed 6 March 2015. <http://www.interpol.int/News-and-media/News/2012/PR018>

In some instances, international law enforcement agencies have established and/or supported mechanisms to address SECTT. The UK's CEOP has been active in working to combat SECTT in Southeast Asia for many years and the establishment of their **International Child Protection Network** has recently enhanced efforts. This network involves three countries in the region – Cambodia, Thailand and Vietnam – and a range of key initiatives have been undertaken.

As part of this network, CEOP has established Advisory Panels in Cambodia, Thailand and Vietnam. These multiagency panels engage representatives from law enforcement, relevant government agencies, NGOs, UN agencies and British Embassy officials with a view to information sharing, sharing of expertise, delivering a holistic approach to targeting child sex offenders and protecting victims, delivering joint education and awareness campaigns and enhancing national capacity for combating SECTT.

Cambodia Advisory Panel Members include: APLE, The Asia Foundation, British Embassy, Chab Dai Coalition, First Step, Friends International, IJM, M'Lop Tapang, UNICEF, and World Vision Cambodia.³⁶¹

Thailand Advisory Panel Members include: British Embassy, Department of Juvenile Observation and Protection, ECPAT, Friends International, Office of Child Protection – The Church of Christ in Thailand, Pattaya City Hall (Social Work Section), Ralon-UKBA, Royal Thai Police, San Jai, Save the Children, UNICEF, World Vision Foundation of Thailand.³⁶²

Vietnam Advisory Panel Members include: British Embassy, IOM, MoLISA, Save the Children, UNICEF, VAPCR, Vietnamese Police, Ministry of Public Security, Vietnam Women's Union, and World Vision.

CEOP has brought together stakeholders for Regional Child Protection Workshops with a view to limiting criminal opportunities for travelling child sex offenders. Additionally, Advisory Panel representatives from the three countries have collaboratively developed an International Child Protection Network Code of Practice and Key Standards for Child Protection.³⁶³

In 2010 and 2011, CEOP delivered three specialised Safeguarding Children Training programs designed for teachers and other professionals working to protect young people in the region with a view to highlighting children's rights, online vulnerabilities and the threat posed by travelling child sex offenders.

A further initiative of CEOP, in collaboration with the UK's ACPP Criminal Records Office, has been development of the **International Child Protection Certificate** that provides a mechanism for a criminal records check to be undertaken for UK citizens who may not be currently living in the UK. This new development serves to reduce the threat of those with prior convictions for sexual offences against children gaining employment overseas.³⁶⁴

Furthermore, the establishment of the **Virtual Global Taskforce (VGT)**, an international alliance of law enforcement agencies, NGOs and industry representatives committed to protecting children from online child abuse and other forms of transnational child sexual exploitation has been an important development. Since it was established in 2003, the VGT has undertaken numerous global law enforcement operations into online and offline child sex offending, many of which involved children in Southeast Asia. As a direct result of such operations, children have been rescued from sexual exploitation, and child sex offenders have been identified, arrested and prosecuted across the globe.³⁶⁵

³⁶¹ CEOP-NCA, "Cambodia Advisory Panel". Accessed 6 March 2015. <http://ceop.police.uk/icpn/Cambodia/Advisory-Panel/>

³⁶² CEOP-NCA, "Thailand Advisory Panel", Accessed 6 March 2015. <http://ceop.police.uk/icpn/Thailand/Advisory-Panel/>

³⁶³ CEOP-NCA, "ICPN Code of Practice and Key Standards for Child Protection". Accessed 6 March 2015. http://ceop.police.uk/Documents/icpn/ICPN-CP-STANDARDS_v1.pdf

³⁶⁴ CEOP-NCA, Threat Assessment of Child Sexual Exploitation and Abuse June 2013, 17.

³⁶⁵ "The Virtual Global Taskforce". Accessed 9 March 2015. <http://www.virtualglobaltaskforce.com/>

CHAPTER 6

ADDRESSING AND ERADICATING SECTT: KEY RECOMMENDATIONS

One of the stated objectives of this study was to propose a set of recommendations that will serve to inform and enhance government, non-government and private sector responses to SECTT in Southeast Asia. Drawing on the findings of this research and the feedback gleaned from partners during the Southeast Asian Regional Consultation in Chiang Mai in May 2015, five overarching recommendations have been developed. Under each recommendation, a range of more specific action points has been identified.

It should be noted that these recommendations and action points are not organised in priority order. Similarly, these recommendations are broadly expressed based on the findings across the region rather than on a country-by-country basis. Naturally, the situation in each country, even within countries, varies and thus so must the approach. It is envisioned that these recommendations represent a reference point for discussions at the international, regional, national and local level with a view to guiding future actions to combat SECTT.

RECOMMENDATION ONE

RATIFICATION AND IMPLEMENTATION OF INTERNATIONAL AND REGIONAL INSTRUMENTS AND STRENGTHENING OF INTERNATIONAL AND REGIONAL COOPERATION TO COMBAT SECTT

Advocate for Full Ratification International Instruments Relevant to Combating SECTT

Brunei Darussalam and Singapore are yet to sign and ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

Singapore is also yet to sign and ratify the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography.

Thailand is the only country in the region, and one of only sixteen countries globally, to sign and ratify the Optional Protocol to the CRC on a Communications Procedure.³⁶⁶ This Optional Protocol establishes an international complaints procedure for violations of children's rights as outlined in the CRC and related Optional Protocols. In instances where violations of children's rights have not been fully resolved by national courts, this Optional Protocol allows children to bring complaints to the UN Committee on the Rights of the Child. This Optional Protocol also contains an inquiry procedure that can be utilised in cases in which grave and systemic violations of children's rights have occurred.

The full ratification of these conventions and protocols is symbolic of a country's commitment to children's rights and to reducing the permissibility of SECTT and, as such, should be addressed as a matter of urgency.

Importantly, governments should be held accountable for the commitments made in signing and ratifying these and other relevant conventions. It is critical that the performance of governments with respect to these conventions is monitored and publicly reported. With regard to combatting SECTT, particular attention should be focussed on identifying failures to comply with the commitments made under these international instruments and advocating for these failures to be addressed in an appropriate and timely manner.

³⁶⁶ UN General Assembly Resolution, Optional Protocol to the Convention on the Rights of the Child on a communications procedure. UN Doc. A/RES/66/138 (17 June 2011). Accessed 10 March 2015. <https://treaties.un.org/doc/source/signature/2012/a-res-66-138-english.pdf>

Advocate for Prioritisation of SECTT within Existing Regional Mechanisms

As outlined in the previous chapter, a range of regional agreements and mechanisms exist within ASEAN through which Member States pledge to uphold the rights of children and commit to ensuring the protection of vulnerable children. It is apparent that Member States continue to lack the will and/or capacity to fully uphold these commitments, particularly in relation to the issue of SECTT. Member States should be held accountable for these commitments via regular monitoring and reporting, particularly in relation to SECTT.

Advocacy efforts are required to ensure that SECTT is made a priority issue in relevant regional policy and program discussions and actions. Opportunities for collaboration between ASEAN bodies and civil society organisations and the private sector should be actively sought out. An exploration of partnership opportunities with the newly formed ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) is recommended.

With regard to Timor-Leste, similar opportunities for prioritising SECTT within existing regional mechanisms and structures should be investigated. Opportunities for cooperation and collaboration with ASEAN around SECTT would be advantageous.

Advocate for Strengthened International Cooperation

Whilst local citizens participate in SECTT, the phenomenon also represents a transnational crime that clearly defies borders. The global nature of the crime demands a global response. Efforts to combat SECTT are contingent upon the development and maintenance of strong international partnerships between a vast array of stakeholders.

Harnessing cooperative relationships via formal and informal multilateral, regional and bilateral arrangements is vital. Greater connectivity enables timely decision-making, enhanced information flow, knowledge sharing and capacity building, reduced duplication and a range of other benefits, all with the goal of eradicating SECTT. Efforts to strengthen existing cooperative mechanisms and to establish new partnerships that will enhance and expand the protection and prevention networks will benefit all countries in the region. At the regional level, the opportunity for the establishment of a regional instrument to underpin and formalise cooperation in relation to SECTT should be explored.

Finally, counter-SECTT advocates should be seeking to highlight the importance of cooperative arrangements between countries in the region, between local and

international law enforcement agencies, and between countries in the region and known and emerging source countries for travelling child sex offenders.

RECOMMENDATION TWO

ENHANCING UNDERSTANDING OF CURRENT AND EMERGING TRENDS IN SECTT AND DEVELOPING EVIDENCE-BASED RESPONSES

Undertake Research to Inform Evidence-Based Policy, Programming and Practice

The dearth of both qualitative and quantitative research into all aspects of SECTT in the region has been consistently identified and reiterated. The importance of evidence-based practice has also been acknowledged and promoted for some time now. Admittedly, the phenomenon of SECTT is inherently difficult to investigate. Research can also be time-consuming and costly. However, such difficulties should be weighed against the potential for harm and/or the compromised effectiveness that may result from the implementation of policy, programs, legislation, and other actions that fail to draw on relevant research.

Potential areas of research that may yield useful insights include:

- Examining the prevalence and nature of SECTT in key locations at the national level, at the regional level;
- Exploring the evolving modus operandi of travelling child sex offenders operating at the local, national and regional level, and likewise examining the idea of a continuum with regard to child sex offenders;
- Examining victims pathways into SECTT, victim profiles, victim experiences, and victim insights into child sex offenders, and pathways out of SECTT;
- Exploring in greater depth the social and cultural factors that predispose certain children and certain communities to SECTT, and also the social and cultural factors that positively and negatively impact on children's reintegration to their family and/or community;
- Investigating the prevalence and nature of SECTT in relation to new tourism products including ecotourism, community-based tourism, homestay tourism, voluntourism, cruise tourism, cross-border tourism (especially with regard to Special Economic Zones, casino developments and similar) and other new developments;
- Exploring poorly understood phenomena such as the involvement of boys in SECTT, the trend toward street-based sexual exploitation, the connection

between local demand and international demand for SECTT, the phenomenon of virgin-seeking;

- Investigating the role of ICT in SECTT;
- Investigating the links between SECTT and child pornography in all its forms;
- Evaluating the success or otherwise of existing approaches to combating SECTT;
- Documenting good practice examples emerging from the region.

Prioritise Actions that Address the Demand for Children for the Purposes of Sexual Exploitation

SECTT endures solely because there exists a demand for sex with children. Additional to this demand, there persists a demand for sex with youthful, subservient women and men, who may in fact, be children. Evidence also suggests that there exists demand for sex with virgin females. For the most part, adult men create this demand. As far as Southeast Asia is concerned, traditional patriarchal systems and attitudes tolerate, to a certain extent, demand for sexual transactions with children. Demand exists in countries outside the region however, and as this demand is not socially or legally permissible in many countries, child sex offenders are known to travel to regions such as Southeast Asia to exercise this demand in a far more permissible environment.

The demand side of the SECTT equation has been largely neglected in efforts by governments, civil society and the private sector. Whilst efforts have been made to restrict or constrain demand via the criminalisation and prosecution of child sex offences, very little work has been undertaken to address the underlying social and cultural attitudes and behaviours that engender a widespread permissibility around the sexual exploitation of children. Attitudinal and behavioural change takes time but change is possible. Research is required to better understand demand for SECTT by different groups – local demand, regional demand, and international demand. Combining the evidence gathered from such investigations with knowledge around attitudinal and behavioural change mechanisms should be operationalised in the form of targeted programs to address demand for sex with children.

RECOMMENDATION THREE

STRENGTHENING LEGAL FRAMEWORKS AND LAW ENFORCEMENT TO COMBAT SECTT

Advocate for the Adoption, Revision and Implementation of SECTT-Specific Legislation

Amongst the eleven countries in the region, only the Philippines has SECTT-specific provisions within its legislation. Such provisions are an indication of a particular level of recognition with respect to the problem of SECTT and a concrete means by which to criminalise sexual offences committed by foreigners. Advocacy efforts should be directed toward encouraging governments to adopt SECTT-specific legislation as both a demonstration of their commitment to combatting the problem and as a tool to target this crime against children in the most direct and resolute manner.

Whilst most countries in Southeast Asia currently have some form of legislation in place that criminalises sexual offences against children, there remain significant and persistent failures including the absence of or weakness in appropriate definitions, the failure to criminalise certain key offences, and in many cases, penalties are insufficient. A robust and comprehensive legal framework should be viewed as a minimum requirement in terms of prosecuting offenders and sending a message of deterrence to other child sex offenders. Efforts should be made to critically review national legal frameworks with respect to international human rights standards and with a view to advocating for existing gaps and inadequate punitive measures to be remedied. Also of grave concern are deeply troubling procedures around the granting of bail to suspected and/or known child sex offenders in countries throughout the region.

In relation to legislation concerning child pornography, only the Philippines expressly defines and criminalises child pornography including producing, disseminating, selling child pornography along with more specific offences of grooming, and wilfully accessing child pornography. All other countries in the region are currently unable to comply with the recognised minimum standards outlined in the Optional Protocol on the CRC on the Sale of Children, Child Prostitution and Child Pornography that represents one of the most comprehensive international instruments for addressing SECTT. This is a major failing given the exponential growth of ICTs and the consequential explosion in child pornography that prevails globally. Efforts should be urgently directed toward rectifying this problem throughout the region.

Advocate for Legal Recognition and Protection of Children as Victims and Witnesses

In certain countries within the region, existing legislation related to CSEC and SECTT fails to expressly state that children who have been involved in CSEC or SECTT are to be considered victims rather than offenders themselves. The persistence of these archaic interpretations of a child's role or status in such criminal activities is troubling indeed. Some countries claim that whilst the law may not recognise such children to be victims, in practice, such children are treated as victims. Such a response remains unacceptable, is a breach of all related international human rights instruments, and renders already vulnerable children even more vulnerable. All efforts must be made to rapidly remedy this situation.

Advocate for the Adoption, Revision and Implementation of Extraterritorial Legislation and Capacity for Extradition to Combat SECTT

From a theoretical perspective, all Southeast Asian countries, except the Philippines, have the capacity to exert their legislation in an extraterritorial capacity with regard to offences committed by their own citizens (and in some cases residents) in other jurisdictions provided the requirement of double criminality is fulfilled. In practice, it appears that countries in the region have been unwilling or unable to prosecute their own citizens for child sex offences committed overseas. Greater clarity is required in relation to this matter and efforts should be made to encourage countries in the region to adopt, revise and/or implement suitable extraterritorial legislation that allows for their own citizens to be prosecuted for child sex offences committed abroad without the requirement for double criminality.

Furthermore, according to the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography, national legal frameworks must make the sexual exploitation of children an extraditable offence. The situation regarding extradition within Southeast Asia is largely unclear. In some instances, countries claim that any transnational criminal activity constitutes an extraditable offence whilst others have developed particular bilateral agreements, some of which claim to facilitate the extradition of child sex offenders. Greater clarity is required and all efforts should be made to ensure that countries in the region put in place suitable legislation and/or bilateral arrangements to facilitate the extradition of child sex offenders where necessary.

Address the Capacity of Law Enforcement Agencies to Appropriately Respond to SECTT

One of the critical factors explaining the presence of child sex offenders in Southeast Asia is the clearly demonstrable lack of will and/or capacity on the part of law enforcement agencies to appropriately respond to SECTT. Weak law enforcement perpetuates a culture of impunity. Weak legal frameworks represent only part of the problem. Throughout the region, the work of law enforcement agencies is drastically compromised by a lack of capacity in terms of skills, experience, and financial and technical resources to undertake vital work with regard to surveillance, investigation, and other responses to SECTT. The capacity of national police forces to respond in an appropriate and child-friendly manner in cases involving SECTT is also questionable. Furthermore, amongst the judiciary there exist similar barriers associated with will and capacity in regard to addressing SECTT. Recognising the very low number of prosecutions of both local and foreign child sex offenders and their accomplices for SECTT-related crimes, the will and capacity of all relevant law enforcement agencies demands urgent attention.

Address Corruption at All Levels

It is widely acknowledged that corruption, particularly amongst government officials and within law enforcement agencies and the judiciary, plays a significant role in the culture of impunity with regard to SECTT in Southeast Asia. The persistence and pervasiveness of corruption is an almost insurmountable barrier to preventing SECTT in the region. Nonetheless, efforts to address corruption are fundamental to combatting SECTT and should be pursued as a matter of priority.

Address Mechanisms for Enhanced Law Enforcement Cooperation to Combat SECTT

With the exception of SECTT offences committed by local citizens, all other cases involving foreign child sex offenders constitute a form of transnational crime and as such, may require and/or benefit from international law enforcement cooperation. The establishment of formal mechanisms of law enforcement cooperation at international and regional levels can potentially serve to prevent SECTT from occurring via a range of measures including notification systems, sex offender registration systems, surveillance work, denial of entry, deportation, and can help to respond to cases of SECTT via mutual assistance with investigations, the revocation of

passports, extradition arrangements and a range of other mechanisms. Amongst Member States, the ASEAN Treaty on Mutual Legal Assistance in Criminal Matters exists to facilitate such cooperation, however, there is a lack of clarity around whether or not this treaty has been applied in cases involving SECTT. Beyond cooperation amongst ASEAN Member States, high-level cooperation with international law enforcement agencies does occur, usually facilitated by international police liaison networks where these exist. Opportunities for greater cooperation and collaboration around law enforcement matters with a view to addressing SECTT should be pursued as a priority.

Advocate for Consistent, Comprehensive Data Collection on SECTT

There currently exists no consistent, comparable, comprehensive data collection within the law enforcement fraternity on cases of SECTT at either the national and regional level within Southeast Asia. This is a major barrier to understanding and appropriately addressing the problem. The collection of useful, comparable data on SECTT requires some form of agreement on terminology. The capacity of law enforcement agencies to collect, analyse and share relevant data pertaining to cases of SECTT would allow greater insight into all aspects of SECTT and could serve as a means to monitor progress to address SECTT and to inform policy and programming on the issue. Advocacy efforts should focus on the establishment of such a system as a high priority.

RECOMMENDATION FOUR

DEVELOPING NATIONAL PLANS OF ACTION AND ENHANCING POLICY DEVELOPMENT TO ADDRESS SECTT

Advocate for the Inclusion of SECTT in National Plans of Action

In spite of the participation of government representatives from Southeast Asian countries at all three World Congresses concerning the sexual exploitation of children and the various commitments and calls for action emanating from them, very few countries have actualised their commitments by way of developing a National Plan of Action that prioritises CSEC. Of those who have developed an NPA, the majority focus primarily on addressing trafficking with some NPAs covering CSEC covered therein. Countries such as Cambodia, Lao PDR and the Philippines have developed NPAs with a focus on preventing the sexual exploitation of children and/or CSEC. Within the existing relevant NPA, SECTT is either mentioned in a minor way or not at all. Some countries in the region do not possess any form of NPA relevant to sexual exploitation, CSEC or SECTT. The

adoption of an NPA that addresses SECTT is a positive sign that a country acknowledges the importance of combatting SECTT.

Beyond the development of an NPA, the implementation of such a plan is a further indication of a country's will and capacity with regard to combatting the sexual exploitation of children. It appears that, in countries where such plans exist, there exist varying levels of implementation.

It is critical that concerted efforts are made to implore governments in the region to develop and implement an NPA that addresses the issue of SECTT in a comprehensive manner. Promotion of good practice along with the provision of support and capacity building with regard to the development of such plans could also be valuable. Civil society organisations should consider developing suitable partnerships to ensure that any relevant NPA is implemented in an effective manner and that monitoring the implementation and impacts of the NPA is undertaken.

Advocate for the Identification of a Focal Agency to Coordinate National SECTT-Related Actions

To date, few countries in the region have identified a focal agency to coordinate national SECTT-related actions. Furthermore, in some cases, whilst a particular ministry or agency has been nominally tasked with leading SECTT-related actions, will and/or capacity has varied significantly. Whilst civil society organisations have been active throughout the region with respect to leading counter-SECTT actions, it is important that governments take up the mantle of responsibility for addressing this phenomenon. A possible means to advocate for enhancing ownership of this issue may be to work through regional bodies and/or mechanisms, potentially the ACWC may be a conduit, to create a strong regional network of agencies with a designated responsibility and a capacity for decision-making around policy, program, partnerships and funding. Efforts to explore opportunities for the establishment of focal agencies and advocacy around the importance of having a designated body to address SECTT should be pursued.

Prioritise Actions that Address the Root Causes of Child Vulnerability

SECTT flourishes where both supply of and demand for vulnerable children for the purposes of sexual exploitation exist. By addressing the root causes of child vulnerability this equation can be altered thereby contributing to a reduction in SECTT. Addressing vulnerability is a complex, multi-faceted problem that is inextricably linked to a range of overarching structural, cultural, economic

and social factors, but which is also a symptom of very particular, localised conditions.

Actions to prevent vulnerability at a more systemic level demand an unswerving commitment by governments to ensure that decision-making is undertaken with due concern for and interest in potential impacts on children. It is abundantly clear that poverty, discrimination, inequality, unchecked development, corruption, and traditional attitudes toward both women and children underpin vulnerability. Addressing these issues is a vital, yet long-term proposition that requires complex attitudinal and behavioural change. Governments should be held to account in terms of working toward addressing these bigger-picture matters.

More specifically, all efforts to establish and/or improve national child protection systems within the region are critical to reducing vulnerability. Similarly, the establishment and monitoring of minimum standards in alternative care settings and the establishment and monitoring of appropriate child protection policies and screening for child-contact employment should be prioritised. Additionally, the provision of suitable information within national curriculums with regard to children's rights, protective behaviours and keeping safe both on and off-line should be explored.

Of vital importance is that proactive, targeted preventative actions be undertaken to reduce vulnerability amongst highly vulnerable communities including stateless and refugee children, child migrants, children living and working on the street and certainly, highly vulnerable children in known high-risk locations for SECTT.

Promote the Meaningful Participation of Children and Young People in Combatting SECTT

Civil society organisations in Southeast Asia have been pioneers with respect to engaging children and young people within the region in efforts to respond to address a range of critical issues including SECTT. Governments have been slower to recognise the value of proactively engaging with children and youth to draw on their wisdom and experience and capacity to provide meaningful input at all levels. In line with relevant child rights instruments, efforts should be undertaken region-wide to engender greater recognition of children's agency with regard to dialogue and decision-making, action and participation in efforts to address critical issues that affect them such as SECTT. Creative and visionary approaches to engaging children and young people in efforts to address SECTT should be explored, documented and shared in order to strengthen the foundations of the movement toward meaningful child participation within the region whilst working to address this phenomenon.

Promote the Establishment/ Development of Effective SECTT Reporting Mechanisms

Prevention, protection and prosecution of SECTT relies to a significant extent on relevant authorities being alerted to the vulnerability of particular children, the threat posed by particular suspected child sex offenders, and the commission of a suspected sexual crime against a child. Without a report, law enforcement authorities are unlikely to act. Proactive surveillance and investigation rarely occur without some form of warning or report.

Across the region, there appears to be a distinct lack of clarity around which agency or agencies suspected cases of SECTT should be reported. It should also be noted that, for reasons such as fear of repercussions, lack of trust in law enforcement authorities, and a range of socio-cultural conditions that mean that individuals are disinclined to interfere in events that are considered none of their business, levels of reporting in such cases across the region are extremely low.

In some countries, hotline numbers exist allowing individual to report a range of situations including SECTT. The efficacy of such hotlines is unclear. However, most are hampered by limited operating hours, untrained staff, lack of language options for non-native speakers, lack of clarity around what happens once a report is made, a lack of capacity to deliver a child-friendly service, absence of data collection, concerns about confidentiality, an absence of monitoring and so on. These issues need to be addressed if reporting is to be both encouraged and successful in responding to SECTT.

Alternative reporting strategies, particularly those that utilise emerging technologies that may provide children and young people, but also the wider community including local citizens and responsible travellers, with a convenient and accessible means to report concerns about SECTT. Efforts to explore viable, innovative ICT-based reporting should be encouraged.

Also, an exploration of the feasibility of developing an international reporting platform that allows individuals who witness suspicious behaviour and/or have information that may lead to the investigation of a potential perpetrator or facilitator, to make a timely report in their own language with confidence that the information will be relayed to the relevant parties for action.

Furthermore, the feasibility and possible impact of legislation regarding mandatory reporting of suspected cases of SECTT for certain professionals (teachers, social workers, medical professionals, ISP technicians, cybercafé owners, tourism professionals etc.) should be actively investigated.

Promote the Development of Targeted Public Education Campaigns to Combat SECTT

In recent years, Southeast Asia has been particularly active in the development of public education campaigns to combat SECTT. Ideally, well-considered public education campaigns have a two-fold benefit in that they contribute to enhancing the protective environment for vulnerable children whilst also acting as a deterrent to potential child sex offenders. Typically such campaigns have been focused on encouraging the general public, and in particular, responsible tourists, to report suspicious behaviour that may indicate that a child is at risk. Whilst measuring the efficacy of such campaigns is extremely challenging, campaigns that seek to raise awareness and to contribute to behavioural change are believed to positively contribute to addressing SECTT. Issues such as poorly functioning hotline numbers, a lack of capacity and/or will to follow up reports, and difficulties in engaging the tourism industry in support of campaigns have been identified as critical limitations to campaigns success.

Opportunities for the development of local, national and regional public education campaigns to combat SECTT should be pursued with vigour. Furthermore, collaboration with relevant agencies and private sector entities in key sending countries presents a means by which preventative actions can be diversified and broadened.

Advocate for Mechanisms to Ensure Child-Safe Organisations

Recognising the disturbing scenario that sees child sex offenders embedding themselves in organisations and institutions such as school, orphanages, children's shelters, sports clubs, and similar in which contact with children is legitimised and sanctioned, efforts should be urgently channelled into ensuring that such organisations recognise the potential threat and have comprehensive child protection policies and procedures in place. Ideally, governments should be setting and monitoring regulatory standards that demand such policies and procedures are established in relevant institutions. Civil society organisations can lead the way in advocating for such standards, in developing good practice models, and in assisting governments and institutions by way of capacity building around the concept of child-safe organisations.

Promote the Development of Specialised Care for Victims of SECTT

Acknowledging the physical, psychological, social, emotional and other impacts both acute and long-term that are associated with the sexual exploitation of

children, suitable specialised care and support services are fundamental to addressing the phenomenon of SECTT. In this respect, governments hold the ultimate duty of care with respect to any child who is harmed in their jurisdiction. Whilst most governments operate shelters for women and children who have experienced violence, abuse or exploitation, the nature and extent of these services vary dramatically from country to country and few have the capacity to respond to victims of SECTT.

Within Southeast Asia, the provision of care and support, both in the short and long-term, of victims of SECTT largely falls to civil society organisations that are not always suitably specialised to respond to the needs of victims of SECTT. In some countries minimum care standards have been established to guide shelters and similar institutions. Such guidelines are critical to ensuring that the appropriate standards of care are extended to vulnerable groups. Beyond these general standards, some countries have also developed care standards and protocols around responding to victims of trafficking and/or CSEC. No guidelines or standards currently exist at a national or regional level concerning the care and support that is offered to victims of SECTT. Efforts should be undertaken to address this gap, to develop relevant guidelines and/standards that apply to both government and civil society-run institutions and agencies, and to document best practice examples. Also, consideration should be given to exploring the feasibility of establishing, where practicable, community-based recovery programs for children who have been involved in SECTT.

RECOMMENDATION FIVE

PRIORITISING CORPORATE SOCIAL RESPONSIBILITY AND THE ENGAGEMENT OF A RANGE OF PRIVATE SECTOR STAKEHOLDERS TO FORTIFY EFFORTS TO ADDRESS SECTT

Advocate for the Development and Strengthening of Partnerships with the Private Sector to Combat SECTT

Largely as a result of the efforts of civil society organisations, partnerships with the private sector have been a feature of counter-SECTT actions for many years. To date, links have been established with the tourism industry primarily via awareness raising activities as a means to collaboratively enhance the protective network for vulnerable children in tourism destinations. Typically, engagement with the tourism industry has focussed on the staff of hotels, restaurants, bars, taxi and tuk-tuk drivers, tour guides and other front-line employees. Work has also been undertaken with higher-level managers with a view to encouraging the development

of child protection policies and procedures in tourism businesses. These partnerships are vital and should be strengthened and expanded.

The emerging trends in SECTT indicate a need to review and diversify relationships with the tourism industry so as to address the changing situation. The increasing accessibility of previously remote and isolated destinations potentially puts local communities at risk. The rising interest in ecotourism, community-based tourism, homestays and voluntourism presents a range of potential threats to children and consequently, a range of new service providers who could be targeted in efforts to raise awareness of SECTT and to collaboratively develop uniquely targeted preventative and protective structures.

Beyond the important engagement with the tourism industry, a number of innovative partnerships between the private sector and governments, the private sector and NGOs, and other private sector-driven initiatives in Southeast Asia in recent years have demonstrated the invaluable and innovative role that the private sector can take with a view to combating SECTT. The unique skills, experience, ideas, funds, structures, leveraging power and networks that the private sector can bring to the table offers a wealth of possibilities in terms of finding creative approaches to solving some of the enduring challenges facing governments and civil society organisations in their efforts to eradicate SECTT. The exponential growth in the use and abuse of ICTs means that links must be forged with the ICT industry as a means to collaboratively seek solutions to these new and highly technical problems. The involvement of the banking and finance industry, most notably in Singapore, has been a key example of the critical role that the private sector can take in order to channel their particular expertise and connections to disrupt the multi-billion dollar child pornography industry. The efforts of advertising agencies in collaborating with NGOs to develop targeted behaviour change campaigns to address SECTT in the region is yet another example of how the private sector can play a decisive and fruitful role in counter-SECTT efforts. Furthermore, decisive engagement with the local, national and international media is required in order to assist in the transmission of counter-SECTT messaging, to help to create an environment that is hostile to child sex offenders, to promote action by local citizens, travellers and others to identify suspicious behaviour, and to work toward attitudinal and behavioural change which is critical to ending SECTT.

Without doubt, creative and collaborative engagement with the private sector represents a critical opportunity to further efforts to address SECTT in Southeast Asia and the development and strengthening of such partnerships should be a priority for governments and civil society organisations in the years to come.

Promote The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism

The Code represents a global good practice model with regard to engaging tourism entities in efforts to enhance protection for children at risk of SECTT. Whilst there exist a number of signatories to The Code in Southeast Asia, the proliferation of The Code throughout the region should be pursued with vigour. The Code must also seek to evolve to meet the changing dynamics of SECTT and greater cooperation with other stakeholders, particularly civil society organisations, which would serve to enhance accountability. Also, efforts should be made to encourage code signatories to move beyond harm reduction and toward a more holistic model in which tourism entities are proactively addressing child protection in all aspects of their business practice and interactions with local communities.

Investigate the Feasibility of Establishing Government Regulated Child Protection Standards for Tourism Businesses

Throughout the region National Tourism Administrations are ultimately responsible for developing and monitoring adherence to established standards that are required of registered tourism businesses operating within each country. These government tourism bodies have a responsibility to ensure that the tourism industry is operating in a manner which promotes child protection and which actively works to combat SECTT. The establishment, promotion and regulation of child protection-related standards for tourism businesses would be a positive step toward combatting SECTT in the region. Efforts to explore the feasibility of instituting such standards in each country, or at a regional level should be explored.

ANNEX 1:

TOURISM DATA FOR SOUTHEAST ASIA

INTERNATIONAL TOURIST ARRIVALS & TOURISM RECEIPTS SOUTHEAST ASIA 2013³⁶⁷

Country	International Tourism Arrivals (1000)	% Increase 2012/2013	International Tourism Receipts (\$US million)
Brunei Darussalam	225	7.6	-
Cambodia	4,210	17.5	2,660
Indonesia	8,802	9.4	9,337
Lao PDR ³⁶⁸	3,779	13	596
Malaysia	25,715	2.7	21,018
Myanmar	900	51.7	-
Philippines	4,681	9.6	4,683
Singapore ³⁶⁹	15,568	7.2	18,953
Thailand	26,547	18.8	42,080
Timor-Leste	78	41.5	-
Vietnam	7,572	10.6	7,503
Total	98,077	17.24	106,830

³⁶⁷ UNWTO, Tourism Highlights: 2014 Edition, 9.

³⁶⁸ Data for Lao PDR drawn from Tourism Development Department, Ministry of Information, Culture and Tourism, 2013 Statistical Report on Tourism in English (Vientiane: Ministry of Information, Culture and Tourism, 2013), 5. Accessed 26 February 2015. <http://www.tourismlaos.org/files/2013%20Statistical%20Report%20on%20Tourism%20in%20English.pdf>

³⁶⁹ Singapore Tourism Board, Annual Report on Tourism Statistics 2013 (Singapore: Singapore Tourism Board, 2014), 17. https://www.stb.gov.sg/statistics-and-market-insights/marketstatistics/annual%20report_2013_f_revised.pdf

**TOP 10 COUNTRY/REGIONAL SOURCES OF VISITORS TO ASEAN 2012³⁷⁰
(EXCLUDING TIMOR-LESTE)**

Country/Region of Origin	Number of Arrivals (1000)	% Share of Total
ASEAN	39,845.5	44.7
China	9,283.2	10.4
European Union 28	8,079.1	9.1
Japan	4,275.3	4.8
Australia	4,059.6	4.5
South Korea	4,011.4	4.5
USA	2,984.2	3.3
India	2,839.6	3.2
Taiwan	1,846.0	2.1
Russian Federation	1,834.6	2.1
Top 10 Country/Regional Source	79,058.4	88.6
Rest of the World	10,166.2	11.4
Total Tourist Arrivals in ASEAN	89,225.2	100.0

³⁷⁰ ASEAN Secretariat, "ASEAN Tourism Statistics – Table 30: Top Ten Country/Regional Sources of Visitors to ASEAN".

TOP TEN INTERNATIONAL VISITOR ARRIVALS FOR 2013 - CAMBODIA³⁷¹

Rank	Country of Origin	Number of Arrivals
1	Vietnam	854,104
2	China	463,123
3	South Korea	435,009
4	Lao PDR	414,531
5	Thailand	221,259
6	Japan	206,932
7	United States	184,964
8	Australia	132,028
9	Russian Federation	131,675
10	France	131,486

TOP TEN INTERNATIONAL VISITOR ARRIVALS FOR 2013 - PHILIPPINES³⁷²

Rank	Country of Origin	Number of Arrivals
1	South Korea	1,165,789
2	United States	674,564
3	Japan	433,705
4	China	426,352
5	Australia	213,023
6	Singapore	175,034
7	Taiwan	139,099
8	Canada	131,381
9	Hong Kong	126,008
10	United Kingdom	122,759

TOP TEN INTERNATIONAL VISITOR ARRIVALS FOR 2013 - THAILAND³⁷³

Rank	Country of Origin	Number of Arrivals
1	China	4,637,335
2	Malaysia	3,041,097
3	Russian Federation	1,746,565
4	Japan	1,536,425
5	South Korea	1,295,342
6	India	1,050,889
7	Lao PDR	976,639
8	Singapore	955,468
9	United Kingdom	905,024
10	Australia	900,460

³⁷¹ Ministry of Tourism of Cambodia, "Tourism Statistics Report 2013". Accessed 27 March 2015. http://www.tourismcambodia.org/images/mot/statistic_reports/tourism_statistics_annual_report_2013.pdf

³⁷² "Who are PH's top tourists?", Rappeler, 15 February 2014. Accessed 27 March 2015. <http://www.rappler.com/business/industries/171-aviation-tourism/50469-top-tourists-philippines-2013>

³⁷³ Department of Tourism of Thailand, "International Tourist Arrivals to Thailand 2013 (By Nationality)". Accessed 27 March 2015. <http://www.tourism.go.th/home/details/11/221/24325>

ANNEX 2:

KEY FIGURES RELATING TO POVERTY IN SOUTHEAST ASIA

POVERTY INDICATORS SOUTHEAST ASIA ³⁷⁴			
Country	% population living on less than \$US1.25 per day (PPP)	% population living on less than \$US2.00 per day (PPP)	Year of Data Collection
Brunei Darussalam	0	0	-
Cambodia	10.1	41.3	2011
Indonesia	16.2	43.3	2011
Lao PDR	30.3	62	2012
Malaysia	0	2.3	2009
Myanmar	-	-	-
Philippines	19	41.7	2012
Singapore	0	0	-
Thailand	0.3	3.5	2010
Timor-Leste	34.9	71.1	2007
Vietnam	2.4	12.5	2012

Note: No data available for Myanmar.

³⁷⁴ World Bank. "Poverty & Equity Data Dashboard". Accessed 20 February 2015. <http://povertydata.worldbank.org/poverty/home>

ANNEX 3:

KEY INDICATORS OF ICT UPTAKE IN SOUTHEAST ASIA

KEY INDICATORS OF ICT UPTAKE IN SOUTHEAST ASIA (2013) ^{375,376}		
Country	Mobile phone Subscriptions (Per 100 people)	Internet users (Per 100 people)
Southeast Asia		
Brunei Darussalam	112	64.5
Cambodia	134	6.0
Indonesia	125	15.8
Lao PDR	68	12.5
Malaysia	145	67
Myanmar	13	1.2
Philippines	105	37
Singapore	156	73
Thailand	127	28.9
Timor-Leste	57	1.1
Vietnam	131	43.9
Other Countries		
Australia	107	83
France	98	81.9
Germany	121	84
Japan	118	86.3
Republic of Korea	111	84.8
Russian Federation	153	61.4
United Kingdom	125	89.8
United States of America	96	84.2

³⁷⁵ World Bank, "World Development Indicators Database - Internet Users". Accessed 17 February 2015. <http://data.worldbank.org/indicator/IT.NET.USER.P2?display=default>

³⁷⁶ World Bank, "World Development Indicators Database - Mobile Phone Users". Accessed 17 February 2015. <http://data.worldbank.org/indicator/IT.CEL.SETS?display=default>

ANNEX 4:

STATUS OF KEY INTERNATIONAL CONVENTIONS AND EXTRATERRITORIAL LEGISLATION

STATUS OF KEY INTERNATIONAL CONVENTIONS AND EXTRATERRITORIAL LEGISLATION SOUTHEAST ASIA						
Country	Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography		UN Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Trafficking	Extraterritorial Legislation
	Signature ³⁷⁷	Ratification ³⁷⁸	Signature	Ratification	Ratification	
Brunei Darussalam	-	✓ Accession	X	X	✓	✓
Cambodia	✓	✓	✓	✓	✓	✓
Indonesia	✓	✓	✓	✓	✓	✓
Lao PDR	-	✓ Accession ³⁷⁹	-	✓ Accession	✓	✓
Malaysia	-	✓ Accession	-	✓ Accession	✓	✓
Myanmar	-	✓ Accession	-	✓ Accession	✓	✓
Philippines	✓	✓	✓	✓	✓	X
Singapore	X	X	X	X	✓	✓
Thailand	-	✓ Accession	✓	✓	✓	✓
Timor-Leste	-	✓ Accession	-	✓ Accession	✓	✓
Vietnam	✓	✓	-	✓ Accession	✓	✓ ³⁸⁰

³⁷⁷ Signature expresses a States' willingness to continue in the treaty-making process and creates an obligation to refrain, in good faith, from any acts that would contravene the object and purpose of the treaty according to the United Nations Treaty Collection.

³⁷⁸ Ratification refers to a States' consent to be legally bound by a treaty according to the United Nations Treaty Collection.

³⁷⁹ Accession refers to the process in which a State is the same as the process for Ratification however, is not preceded by Signature according to the United Nations Treaty Collection.

³⁸⁰ Whilst Vietnam does have extraterritorial legislation, it is not in line with the minimum requirements of the OPSC.

STATUS OF KEY INTERNATIONAL CONVENTIONS AND EXTRATERRITORIAL LEGISLATION OTHER COUNTRIES

Country	Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography		UN Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Trafficking	Extraterritorial Legislation
	Signature	Ratification	Signature	Ratification	Ratification	
Australia	✓	✓	✓	✓	✓	✓
China	✓	✓	-	✓ Accession	✓	✓
France	✓	✓	✓	✓	✓	✓
Germany	✓	✓	✓	✓	✓	✓
Japan	✓	✓	✓	x	✓	✓
Republic of Korea	✓	✓	✓	x	✓	✓
Russian Federation	✓	✓	✓	✓	✓	✓
United Kingdom	✓	✓	✓	✓	✓	✓
United States of America	✓	✓	✓	✓	✓	✓

Data contained in this table has been sourced from the following. All sources are fully documented in the bibliography: -

- United Nations Treaty Collection
- International Labour Organisation
- ICMEC, Draft ICMEC – World Bank – Brunei Darussalam Country Report, 1.
- ECPAT International, Global Monitoring Report: Cambodia, 27.
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- ICMEC, Draft ICMEC – World Bank – Myanmar Country Report, 1.
- ECPAT International, Global Monitoring Report: Philippines, 26.
- US Department of State, Trafficking in Persons Report 2014, 207.
- ICMEC, Draft ICMEC – World Bank –Thailand Country Report, 1.
- ICMEC, Draft ICMEC – World Bank – Timor-Leste Country Report, 1.
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- ECPAT International, Global Monitoring Report: South Korea, 25.
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ANNEX 5:

STATUS OF SEX OFFENDER REGISTRATION AND NOTIFICATION SYSTEMS

STATUS OF SEX OFFENDER REGISTRATION AND NOTIFICATION SYSTEMS³⁸¹

Countries with Sex Offender Registration and Notification Systems

Argentina	Jamaica	South Korea
Australia	Jersey	Taiwan
Bermuda	Kenya	Trinidad and Tobago
Canada	Maldives	United Kingdom
France	Malta	United States
Germany	Pitcairn Islands	
Ireland	South Africa	

Countries Considering Sex Offender Registration and Notification Systems

Austria	Hong Kong	Switzerland
Bahamas	Israel	United Arab Emirates
Fiji	Malaysia	Zimbabwe
Finland	New Zealand	

³⁸¹ Information drawn from SMART, Global Overview of Sex Offender Registration and Notification Systems. (Washington DC: SMART, US Department of Justice, April 2014), 1.

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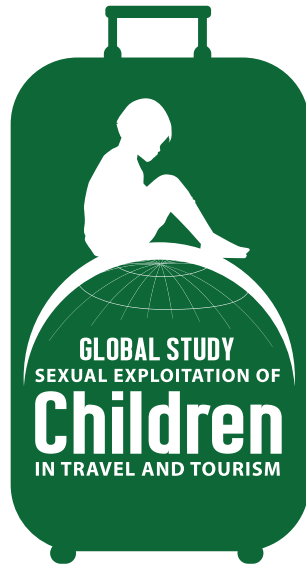
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**The Global Study was made possible thanks to financial support
from the Ministry of Foreign Affairs of the Netherlands
through Defence for Children-ECPAT Netherlands**



Ministry of Foreign Affairs of the
Netherlands

