UNICEF
Innocenti Research Centre

Assessing *The Code of Conduct* for the Protection of Children from Sexual Exploitation in Travel and Tourism: Discussion Paper

UNICEF Innocenti Research Centre, Florence
22 February 2012

unite for children

unicef

UNICEF Innocenti Research Centre

The Innocenti Research Centre (IRC) was established in Florence, Italy in 1988 to strengthen the research capability of the United Nations Children's Fund (UNICEF) and to support its advocacy for children worldwide. The Centre helps to identify and research current and future areas of UNICEF's work. Its prime objectives are to improve international understanding of issues relating to children's rights and to help facilitate full implementation of the Convention on the Rights of the Child in developing, middle-income and industrialized countries.

IRC is the dedicated research hub of the UNICEF Office of Research (OOR), which provides global leadership for the organization's strategic research agenda around children. The Office aims to set out a comprehensive framework for research and knowledge within the organization, in support of its global programmes and policies. Through strengthening research partnerships with leading academic institutions and development networks in both the North and South, the Office seeks to leverage additional resources and influence in support of efforts towards policy reform in favour of children.

IRC's publications are contributions to a global debate on children and child rights issues and include a wide range of opinions. For that reason, the Centre may produce publications that do not necessarily reflect UNICEF policies or approaches on some topics. The views expressed are those of the authors and/or editors and are published by the Centre in order to stimulate further dialogue on child rights.

The Centre collaborates with its host institution, the Istituto degli Innocenti, in selected areas of work. Core funding for the Centre is provided by the Government of Italy, while financial support for specific projects is also provided by other governments, international institutions and private sources, including UNICEF National Committees.

© United Nations Children's Fund (UNICEF)
April 2012

Requests for permission to reproduce or translate UNICEF IRC publications should be addressed to: Communications Unit, UNICEF Innocenti Research Centre, florence@unicef.org.

Correspondence should be addressed to:
UNICEF Innocenti Research Centre
Piazza SS. Annunziata, 12
50122 Florence, Italy
Tel: (39) 055 20 330
Fax: (39) 055 2033 330
florence@unicef.org
www.unicef-irc.org

Acknowledgements

We acknowledge with thanks the valuable contribution of a number of researchers working on this assessment. The Sustainable Travel International research team led by Dr. Louise Twining-Ward and consisting of Dr. Heather Montgomery, Jon-Paul Bowles, and Marilyn Larden, conducted a literature analysis, carried out case study visits and developed related reports including a summary of the findings. A background paper supplementing the final report was developed by Christine Beddoe. The final report, in its present form, was written and edited by Phil Marshall, Research Communications Group. Throughout the process the research project was guided by a steering group consisting of Code Board representatives (Matthias Leisinger, Camelia Tepelus, Lotta Sand), ECPAT International (Mark Capaldi) and UNICEF. The research project was coordinated by Jasmina Byrne (UNICEF Office of Research Innocenti) and Clara Sommarin (Child Protection Section, Programme Division, UNICEF Headquarters, New York), while important insights and comments were provided by Andrew Mawson (UNICEF Office of Research Innocenti), Bo Viktor Nylund (Private Sector Partnership, UNICEF Geneva), Yu Kojima, (formerly UNICEF Office of Research Innocenti), Patchareeboon Sakulpitakphon (ECPAT International), Milena Grillo (Paniamor), and Celine Verheijen (ECPAT Netherlands).

Special gratitude goes to the UNICEF National Committee for Japan which generously provided financial and technical support for this report.

Table of Contents

Executive Summary **1**

Introduction **5**
- Objectives 5
- Methodology 6

Background **7**
- Child abuse and exploitation 8
- Legislative response 10
- Travel and tourism sector response 10
- The Code of Conduct 11

Effectiveness/Impact of The Code **13**

Strengths, Weaknesses, Gaps, Lessons **21**
- Institutional arrangements 21
- Membership 23
- Code Criteria 26
- New Opportunities 33

Conclusions **37**

Recommendations **38**

Acronyms and Abbreviations **40**

Glossary **41**

Appendix A: The Six Code of Conduct Criteria **43**

Appendix B: List of Stakeholders Consulted **44**

Appendix C: Bibliography **48**

Executive Summary

Sexual exploitation and abuse of children remains a worldwide problem. Despite a variety of national and international laws, including the introduction of extra-territorial legislation, there are still men and women who sexually abuse children at home and abroad. When tourism facilities are used by those who exploit children, the facility owners and managers are indirectly and unintentionally benefiting from these crimes. This has led to increasing recognition of the potential role of the travel and tourism sector in addressing this problem.

The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism ("The Code") was established in 1998 by ECPAT Sweden[1] with the assistance of the United Nations World Tourism Organization (UNWTO). Since 2004, The Code has received funding from UNICEF and has operated as an independent non-profit organization with its secretariat in New York. During this period, there has been no comprehensive assessment of the impact of The Code. In addition, no performance monitoring system has been put in place.

This assessment, commissioned by UNICEF Innocenti Research Centre (IRC) and the UNICEF Child Protection Section, Programme Division, New York, was designed to assess the current performance of The Code, and to propose a set of criteria based on rights-based principles for measuring the impact and effectiveness of The Code at global and country levels.[2] The assessment report provides a summary of the results of a literature review, three country case studies, an examination of strengths, weaknesses, gaps and lessons and a review of The Code criteria. It concludes with a series of recommendations.

Key findings of the research include:

- The Code is an internationally recognised and award-winning initiative that has sustained a high reputation over time.
- The Code had reached 1000 signatories by the end of 2011, including private companies, businesses and tourism associations in 42 countries.
- The Code has had significant success in raising awareness of the issue of child sexual exploitation, nationally and globally, despite limited human and financial resources. The results of these efforts extend outside the travel and tourism industry.
- The six Code criteria help to make The Code straightforward and easy to understand. There is room for some modification to these criteria to take account of experience to date without moving away from the basic structure.
- The Code has to date been very successful in targeting primarily larger business in the travel and tourism sector. There is a perception that much sexual exploitation now takes place in smaller

[1] ECPAT is a global network of organizations and individuals working together to end child prostitution, child pornography, and the trafficking of children for sexual purposes. Since the early 1990s, ECPAT has been working with the tourism industry and government workers to raise awareness of how to prevent the sexual exploitation of children.

[2] Preliminary criteria for measuring the impact and effectiveness of The Code were developed during this assessment in the form of recommended indicators, but require further discussion and have not been included in this document.

guesthouses and more remote areas. This highlights a need to expand efforts to draw in the types of operators now seen as more likely to be at high risk for sexual exploitation of children (SEC).

- In some locations there remains a lack of reliable information on the type, extent, location, and organization of sexual exploitation of children, and of baselines that measure level of awareness of the problem among Code signatory employees and the local community. This makes it difficult to establish with confidence the overall impact of The Code on prevention of child sexual exploitation in the context of travel and tourism, or even to establish whether they are appropriately targeted.
- The Code does not have a clearly defined theory of change, linking activities to intended results. Without this, it is difficult to establish useful indicators and measure progress.
- Code performance appears to be heavily linked to the resources and capacity available to Local Code Representatives (LCRs). This reality needs to be recognised and appropriate resources sought for LCRs accordingly. It is important to strike a balance, however, since too heavy reliance on the LCRs may result in limited national ownership of the initiative from both the private and public travel and tourism sector.
- Despite efforts to address the problem, reporting requirements remain cumbersome. Reporting by companies on their implementation of Code criteria is limited and there appear to be neither incentives to report (e.g. in the form of the information provided being collated and used), nor disincentives to not reporting. Further, there is no independent report validation process and linkages have not yet been made with existing sustainability reporting frameworks.[3]
- While The Code has focused primarily to date on ensuring that signatories are aware of and actively oppose harm, there have also been some promising initiatives in areas such as community outreach work on SEC and generating support for local organizations working on child protection. There appears to be room for more low-cost high value contributions of this nature as well as seeking support for advocacy with governments on improved law enforcement against exploiters. This points to the importance of ensuring that the work of The Code is linked with, and part of, a broader national strategy to address sexual exploitation of children, involving different sectors including the private and public travel and tourism sectors.
- Recent and emerging developments in the field of business and human/child rights provide potential entry points, including through highlighting government responsibilities and inviting business to go beyond avoiding harm, to proactively support child protection initiatives.
- Indeed, The Code was ahead of its time in defining corporate responsibility and obligations. It is important that The Code works to maintain this leading role by linking its efforts with these emerging developments.

The findings of the research are presented in two parts, covering four main themes. These are the effectiveness of The Code, and the strengths, weaknesses, lessons and gaps, which covers: i) the institutional arrangements for The Code; ii) membership of The Code; and iii) the implementation of the six Code criteria. Within the final category, special attention is paid to the reporting and monitoring of Code implementation, which has its own specific recommendations.

[3] Such as the Global Reporting Initiative (GRI), https://www.globalreporting.org/Pages/default.aspx

The Code has come a long way in a short period. The number of signatories has grown dramatically. The Code is known internationally. It has received international awards. It now faces some “growing pains”. If The Code is to continue being an effective tool to engage the private sector in the prevention of sexual exploitation of children in the travel and tourism industry, it needs to address these challenges head-on. Specific recommendations are contained in Box 1 below.

Box 1. Report Recommendations

1: Institutional Arrangements

Elaborate a programme logic or theory of change underpinning the aims and objectives of The Code

1.1 Develop a strategic plan for the institution with clear objectives, activities and timeline

1.2 Identify Local Code Representatives (LCRs) or alternative structures in each partner country to manage local implementation

1.3 Ensure the relationship, roles, and responsibilities of the LCRs and The Code Secretariat are clear

1.4 Assist LCRs to develop action plans in line with The Code strategic plan

1.5 Develop a Code policy template and make it available for download on The Code website

1.6 Provide awareness-raising templates (in multiple languages) for download and local adaptation from the Code website

1.7 Encourage LCR's to work with national authorities, local child protection agencies, police and other local authorities and experts to map high priority areas for SEC and allocate resources accordingly

1.8 Consider what measures could be in place to enhance compliance with the Code requirements, and what processes could be put in place to address situations where companies are not in compliance

1.9 Look into areas of work where the Code secretariat could seek private sector technical support as an in-kind contribution to enhancing its institutional arrangements.

2: Code Criteria

2.1 Clarify and improve Code wording in discussion with Code Board and LRCs

2.2 Work with tourism and hospitality schools and national chambers/associations of tourism and ministries of tourism to include The Code into core educational and training certificates and curricula

2.3 Assist LCRs to develop strategic partnerships with the private sector, with national tourism associations, with the ministries of tourism, and with other government and community organizations for combined promotion and awareness raising

2.4 Consider developing a standardised training package, inclusive of a standard training curriculum, a training CD-ROM, online materials such as training videos, sample campaigns, and training on reporting and monitoring. Child and youth input should be sought in developing these materials

2.5 Encourage Code signatories to continue to go beyond their immediate 'responsibility to protect' in terms of doing no harm, to further 'commitment to support' initiatives such as:

2.5.1 Supporting LCRs to establish linkages with national authorities and chambers of tourism, and child protection organizations and encourage signatories to provide opportunities for their guests to make donations to these organizations

2.5.2 Encouraging employees to act as The Code community ambassadors.

3: Reporting

3.1 Simplify reporting system and establish clear timelines for reporting

3.2 Consider whether reporting might be done better via an interview with the LCR

3.3 Establish a follow-up and reward system to acknowledge members who comply with annual reporting

3.4 Develop a system of acknowledging "Code Champions" for actions above and beyond compliance.

4. Creating Linkages

4.1 Consider working with other organizations to explore opportunities for the Code's work to be integrated with other business and human rights initiatives, specifically measures to implement the UN Guiding Principles on Business and Human Rights (BHR). This could include integrated trainings, reporting and monitoring systems

4.2 Lobby for The Code to be globally embedded in sustainable tourism initiatives

4.3 Seek to leverage Code signatories' interest in better law enforcement against exploiters and the responsibilities of governments under the BHR principles by identifying ways to actively involve the private sector in the advocacy efforts of organizations specialising in combating SEC

4.4 Establish linkages with educational institutions to conduct research on Code topics in order to align Code activities with key problem areas.

Introduction

The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism ("The Code") is a responsible tourism initiative developed by the industry in collaboration with ECPAT International, funded by UNICEF since 2004. Implemented for the first time in 1998, it was one of the first initiatives to define corporate responsibility and obligations. In December 2011, The Code reached 1000 signatories, covering private companies and tourism associations in 42 countries.

The Code is based on six criteria:

1) To establish an ethical policy against the commercial sexual exploitation of children
2) To train personnel in the country of origin and travel destinations
3) To introduce a clause in contracts with suppliers, stating a common repudiation of the commercial sexual exploitation of children
4) To provide information to travellers by means of catalogues, brochures, in-flight films, ticket slips, home pages, etc.
5) To provide information to local "key persons" at destinations
6) To report annually.[4]

Objectives

This assessment, commissioned by the UNICEF Innocenti Research Centre (IRC) and the UNICEF Child Protection Section, Programme Division, New York, was designed to assess the current performance of The Code, and to make recommendations to better monitor the impact and performance of The Code at signatory, national, and international levels. The assessment was supported by the UNICEF National Committee for Japan, which provided financial and technical assistance.

This review of the Code is seen as particularly timely as many reinforcing initiatives are now underway in strengthening the human rights and child rights focus of business. The latter will be greatly supported by the launch of the Children's Rights and Business Principles in March 2012 developed under the leadership of UNICEF, the Global Compact Group and Save the Children.

The specific objectives of this assessment were:

- To assess the effectiveness of the criteria and systems developed for monitoring implementation of The Code by individual signatories at the local level.
- To monitor the impact of The Code beyond the level of the individual signatories to see what collective impact The Code is having at local, national, and global levels.
- To propose a set of criteria based on rights-based principles for measuring the impact and effectiveness of The Code at global and country levels.[5]

[4] A detailed description of the Code of Conduct's six criteria can be found in Appendix A

- To identify strengths, weaknesses, gaps, and lessons learned from implementation to date; these will be used for follow-up by The Code and its signatories.

The assessment, however, was not meant to evaluate the overall impact of The Code as regards the ultimate goal of elimination of sexual exploitation of children in travel and tourism. It is recognised that the travel and tourism industry has a contributing role to play, but is by no means solely responsible for eradication of the problem.

Methodology

This report combines the results of a literature review, three case study missions, and an analysis of Code implementation and reporting. The literature review involved a thorough desk review of current issues in sexual exploitation of children in travel and tourism. It assessed previous research on the topic and investigated rights-based approaches to the protection of children and The Code's monitoring and reporting systems.

The countries selected for the case studies were Costa Rica, Thailand and the Netherlands. The selection was based on the following criteria: regional spread; representation of both sending and receiving countries; minimum number of individual signatories (20 for destination, two for source); and presence of active partners that were interested in participating in the assessment.

The case study reports are the result of workshops, face-to-face interviews, and surveys conducted with 76 individuals in Costa Rica, Thailand, and The Netherlands between 26 June and 28 July 2011. The workshops and interviews in each country were attended by government officials working in the field of child protection (7), tourism industry representatives and Code signatories including hoteliers, travel agents and tour operators (51) as well as one participant from academia. Interviews were also held with ECPAT Local Representatives (7), UN agencies and civil society stakeholders (10). In Thailand, however, interviews with government officials were difficult to obtain during the country visit. This report compensated for this limitation by thoroughly reviewing background documentation and implementation reports on Thailand. The main topics discussed were:

- Current trends and issues related to the sexual exploitation of children in the country
- The impact of The Code on sexual exploitation in the country
- The strengths, weaknesses, and challenges of Code implementation in the country
- The current Code reporting system and what can be done to improve it.

Additional information was subsequently drawn from the draft report on another study conducted by UNICEF IRC, *Combating the Sexual Exploitation of Children in Travel and Tourism: International and National Commitments, Actions and the Role of the Private Sector.* This unpublished report is based on

[5] See Footnote 2.

a summary of existing data and an extensive literature review, undertaken in the period 2007-2010. The information and analysis it contains is consistent with, and helps to reinforce, this report's assessment of The Code.

On the basis of the findings from the literature review and case studies reports, strengths, weaknesses, gaps and lessons learned have been mapped and are included in this report. From these, recommendations have been developed for the future direction and modus operandi of The Code. It should be noted that this assessment should not be seen as comprehensive. As noted, The Code is present in 42 countries. Even within the three country case studies, there were significant variations in terms of Code implementation. While the literature review allowed the drawing of examples from additional countries, some aspects of the report are based on the impressions and opinions of key interviewees. At the same time, the assessment has revealed useful insights and highlighted the need for additional discussion in several areas. The findings and recommendations are seen as providing a sound basis for these further discussions.

Background

The first World Congress against Commercial Sexual Exploitation of Children was held in Stockholm in 1996. Since the first World Congress, there has been an increase in academic and NGO involvement in work against the sexual exploitation of children (SEC). In its earliest stages, much of this work focused on the extent and nature of sexual exploitation of children and the extent to which the tourism industry was to blame for the perceived rise in incidents.[6] The core assumption driving much of the early work appeared to be that sex exploiters were Western men, and occasionally women, travelling from richer countries to lower income countries in Africa, Southeast Asia, the Caribbean, and Latin America in order to abuse children and indulge in behaviour that would be severely stigmatized and penalized in their home countries.

Responses arising from these assumptions included a strong focus on awareness-raising about the existence of sexual exploitation of children in travel and tourism and an emphasis on better law enforcement. Recognising that the legal systems in many lower income countries remain somewhat weak, criminal justice efforts included a push for extra-territorial legislation and the prosecution of tourists, predominantly Western tourists, in their home countries.

Subsequent World Congresses in Yokohama (2001) and Rio de Janeiro (2008) have widened the discussion to acknowledge the involvement of business and domestic travellers in the sexual exploitation of children. The Rio Congress strongly highlighted the responsibilities and accountability of the travel and tourism sector and both the Rio Declaration and Call to Action specifically mention The Code.[7] One consequence is an increased focus on prevention of the use of hotels and other tourism

[6] This work is summarized and critiqued in Ennew, J, J. Heeran, K. Gopal and H. Montgomery (1996), *The Commercial Sexual Exploitation of Children: Background Papers and Annotated Bibliography for the World Congress on the Commercial Sexual Exploitation of Children*. http://child-abuse.com/childhouse/childwatch/cwi/projects/indicators/prostitution/index.html

[7] See: http://www.ecpat.net/WorldCongressIII/PDF/Publications/ECPATWCIIIReport_FINAL.pdf, pp.110-113.

services for the sexual exploitation of children. This goes beyond information provision and recognises a role for the travel and tourism industry in actively helping to prevent their premises or services being used for the sexual exploitation of children. This role has two potential impacts. The first is a practical impact in terms of reducing the possible venues in which travellers can exploit children and increase the likelihood of case detection. The second is a normative impact, with hotels and other tourism services working together to highlight that sexual exploitation of children is repugnant, unacceptable and contrary to the values held by the tourism industry.

Child abuse and exploitation

There have been many studies and supporting statements about the sexual exploitation of children. They include studies looking at the behaviour of sex offenders, their profiles and how they organize travel to tourist destinations. Most of these studies, however, are from a relatively small number of (generally Western) countries. Limited information is available on tourists from other destinations and in particular about local exploiters, despite indications that these may represent a major part of the problem. Case studies from Central America, for example, show that most child sex exploiters in travel and tourism are national.[8] In many countries, however, there remain significant gaps in the information required to act at local levels, including on the prevalence of sexual exploitation of children in certain areas, why children are being exploited, where the exploitation takes place, how it is organized, and what measures would be most likely to deter exploiters.

One thing that is clear, however, is that there is no single 'type' of exploiter. Child sex exploiters differ in age, sex, sexual orientation, ethnicity, and wealth. They not only involve men and women who travel abroad specifically to have sex with children but also business travellers, domestic tourists, and local men and women who use tourism premises for sexual encounters with children.[9]

Child sex exploiters include:

(1) paedophiles: who have sexual attraction to pre-pubertal children
(2) preferential child sex abusers, who lean towards having sex with children in the adolescent stage (pubescent)
(3) situational child sex abusers, who are simply interested in having sex with someone, and do not care whether it is with an adult or child.[10]

The fact that sexual exploitation of children refers to anyone under 18 is not always widely understood or accepted, in particular when it comes to adolescent girls. Indeed, notwithstanding international norms, the perception of a child as being someone under 18 years of age is not universal. Further, the age of consent varies markedly across countries and cultures, including in relation to whether or not

[8] UNICEF IRC (2010), *Combating the Sexual Exploitation of Children in Travel and Tourism: International and National Commitments, Actions and the Role of the Private Sector,* unpublished report.
[9] Adapted from CSEC World Congress 2001 Background Theme Paper, *'The Sex Exploiter'* available at: http://www.csecworldcongress.org/PDF/en/Yokohama/Background_reading/Theme_papers/Theme%20paper%20The%20Sex%20Exploiter.pdf
[10] Adapted from ECPAT's *CSEC terminology: Paedophilia* available at: http://ecpat.net/Ei/Csec_paedophilia.asp.

the child in question is married. In some countries, the age difference between those having sex is also taken into account. Taken together, these factors pose some challenges in terms of the contrast that may arise between what is condemned by international standards and what is accepted by different cultures. Such contrast may well impact on the likelihood of tourism service providers to identify and report cases of sexual exploitation of children close to the age of 18.

Box 2: Child Abuse Images (Child Pornography) and Child Sexual Exploitation

The issue of child abuse images as a contributor to, or objective of, travel decisions by exploiters is something that requires attention. In November 2011 the European Parliament and Council adopted the Directive combating the sexual abuse and sexual exploitation of children and child pornography. The Directive criminalizes the organization of travel arrangements 'with the purpose of committing any of the offences referred to in Articles 3 to 5' (offences concerning sexual abuse, sexual exploitation and child pornography).[11]

Until recently, child abuse images were thought to be predominantly produced commercially, particularly those involving teenagers who may or may not be over the age of 18. More recent evidence, however, shows that children between one and ten are predominantly depicted in these images, which are shared among like-minded individuals through peer-to-peer networks and other internet based forums or websites.[12] Children in child abuse images are mostly Caucasian, though evidence indicates an increase in other ethnic groups.

Information on the linkages between child abuse images and sexual exploitation in the context of children remains somewhat anecdotal. A 2010 report from ECPAT International, for example, notes that, "Out of sixteen cases of arrests of foreign perpetrators that occurred in Thailand in 2009 and were recorded by ECPAT International from media sources, the presence of – mostly self-produced – child pornography and digital recording equipment is mentioned in 56.85% of the relevant reports."[13] The report also highlights how changes in technology have facilitated both the organization of child sex tourism and the circulation of child abuse images.

At the current time, the extent to which Code signatories could play a role in helping to prevent their premises being used for the production and/or dissemination of child abuse images is not clear. More work needs to be done on the specifics of where this abuse is being filmed, sold and shared, who watches it, and what impact this might have on exploiters' travel decisions. The Code Secretariat is encouraged to continue monitoring developments and new information in this area as they become available.

[11] European Union, Legislative Acts and Other Instruments – Directive of the Parliament and of the Council on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA, European Union, Brussels, 4 November 2011. *See also*: Council of the European Union, 'EU takes action to combat sexual abuse of children and child pornography', press release, Council of the European Union, Brussels, 15 November 2011.

[12] Internet Watch Foundation, *Annual and Charity Report 2010*, IWF, London, 2010, p. 1; Quayle, E. and T. Jones, 'Sexualised images of children on the Internet', *Sexual Abuse*, vol. 23, no. 1, March 2011: 7–21.

[13] ECPAT International (2010), 'The Use of Information and Communication Technologies in Connection with Cases of Child-Sex Tourism in East and Southeast Asia', Bangkok.

Legislative response

One of the main areas of interest for both academics and practitioners has been the prosecution of exploiters.[14] In the 1990s many Western governments changed their laws to allow the prosecution of exploiters in their home countries for crimes committed against children abroad.[15] Little information is currently available as to whether the new laws have led to an increased willingness to report these crimes, or whether they have changed the behaviour of exploiters. In particular, it is not yet clear whether sexual exploiters have been deterred from buying sex with children, or whether they have only been deterred from doing so in certain countries and locations, transferring the problem to new jurisdictions with weaker laws where it is easier to exploit children without fear of penalty.[16] There is also insufficient information in the current literature as to how sexual exploiters are apprehended and whether or not workers in the tourist industry are involved in their apprehension. A common concern expressed by respondents was that when law enforcement responses are weak, perpetrators are allowed to escape justice and continue to exploit children. Ineffective law enforcement can also have a strong de-motivating effect on those working to combat the issue, such as hotel staff who report suspected cases only to see that nothing results from their actions.

Travel and tourism sector response

Not surprisingly, given the uncertainties highlighted above, the links between tourism and child sexual exploitation remain contentious. Few companies or countries are prepared to acknowledge that their clients or citizens engage in the sexual exploitation of children.[17] Travel and tour operators are in the business of providing relaxing and carefree holidays and do not want to be associated with child sexual exploitation. Some respondents in the case studies noted that asking travel and tour operators to commit to The Code was sometimes perceived as asking them to admit that they are directly responsible if their premises are used by those who exploit children or, in the case of airlines, if they carry sexual exploiters to their destinations.

Consequently, The Code website treads very carefully in this area. The background paper of The Code, available on The Code website, explicitly distances itself from any suggestion that the tourist industry is actively involved in promoting or facilitating the sexual exploitation of children.

[14] For a useful overview of such work in specific countries see Beddoe, C. (2008) *Return to Sender. British Child Sex Offenders Abroad - Why More Must Be Done*. London: ECPAT UK; Fraley, A. (2005) 'Child Sex Tourism Legislation under the Protect Act: Does it Really Protect?' *St. John's Law Review*, 79(2), 445-483; Berkman, E.T. 'Responses to the International Child Sex Tourism Trade', *Boston College International and Comparative Law Review* 19(2): 397-422.

[15] In 1994 Australia became the first country to introduce extra-territorial legislation and established penalties of up to seventeen years imprisonment for those convicted of sexual crimes against children overseas. Other countries such as Belgium, France, Germany, New Zealand, Norway, Sweden and the UK have all since passed similar laws. For a summary of the laws in each country, see World Tourism Organization, *Protection of Children in Tourism – Legislation* available at: http://www.unwto.org/protect_children/campaign/en/legislation.php?op=1&subop=7

[16] Svensson, Naomi L., 'Extraterritorial Accountability: An assessment of the effectiveness of child sex tourism laws', in *Loyola of Los Angeles International & Comparative Law Review*, vol. 28: 656, 2006.

[17] ECPAT (2008) *Protecting Children from Sexual Exploitation in Tourism. An ECPAT training resource kit*. Bangkok: ECPAT.

The problem of commercial sexual exploitation of children and its connection with the tourism trade is extremely complex. While the tourism industry is not accused of encouraging this unwanted phenomenon, it has been asked to collaborate and to react against the use of its networks and establishments for this purpose.[18]

The Code of Conduct

The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism emerged from the 1996 World Congress against Commercial Sexual Exploitation of Children, held in Stockholm. Following a meeting in the Swedish Parliament, ECPAT Sweden consulted stakeholders to decide on the steps that the private sector needed to take in order to prevent tourism from 'enabling' the sexual exploitation of children. The Code was implemented for the first time in 1998 by Fritidsresor,[19] a Swedish travel company with a strong interest in sustainable and green tourism.[20] Over time, The Code was gradually adopted by other suppliers.

At its original inception, The Code was not intended as a tool for global implementation. However it was subsequently adopted by others, specifically the ECPAT network, and later gained the support of The World Tourism Organization. Since 2004, The Code has operated as an independent non-profit organization with its secretariat in New York, largely funded by UNICEF. The Code Secretariat has just one full-time Coordinator, who at the time of the assessment was based at the ECPAT USA office in New York.[21] There is a limited number of Local Code Representative (LCR) offices around the world, in the form of ECPAT groups, other NGOs or organizations that support Code implementation in their respective countries. These tend to rely heavily on volunteers and ECPAT resources, with little additional funding available for their work. The primary decision-making role for The Code rests with The Code Board, which is chaired by a representative from one of the Code signatories with ECPAT International as a Vice-Chair. The UNWTO and UNICEF are advisory partners to The Code.

Following a review of the Code's organizational structure in 2007, a number of changes have been made relating to membership fees, reporting and location of the Secretariat. Membership fees were introduced in 2010. These are €50 a year for a small company, €300 for a medium sized one and €800 for large businesses. Fees are paid to The Code Secretariat and 20 per cent is returned to some local code representatives. The assessment did not look into the origins of this split, but the allocation of membership fees between LCRs and The Code Secretariat is very relevant to the important question as to how LCRs are appropriately funded.

[18] UNICEF and ECPAT (2006). *Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism. Overview and Implementation Examples*, available at: http://www.accor.com/fileadmin/user_upload/Contenus_Accor/Developpement_Durable/pdf/EN/EN_ECPAT_Code_of_Conduct.pdf

[19] Fritidsresor is Sweden's largest tour operator with a market share of around 30 percent and part of the world's largest travel company TUI Travel Plc. For more informationsee: http://www.fritidsresor.se/

[20] Lotta Sand, June 8, 2011, personal communication.

[21] *Internal Review – Code Overview Report 2004-07*, Document 61, provided by The Code. Also *Narrative and Financial Report, January – December 2010*, Document number 63, provided by The Code.

In 2007, the reporting system - established in 2002 with emphasis on awareness raising, participation in conferences and training programmes, and on number of signatories - was changed.[22] The new reporting and monitoring system intended to collect additional information, including on incidents of SEC identified and reported by The Code signatories.

In December 2011, The Code Board announced the establishment of a Headquarters in Bangkok, which effectively took over the role of the Code Secretariat, with the New York office becoming a regional office for the Americas. Plans to open a European regional office in Berlin were also announced.

The most comprehensive overview of The Code to date is *The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism: Overview and Implementation Examples*.[23] This document highlights the work undertaken by the travel industry to prevent the sexual exploitation of children. It lists the key organizations pushing for change and discusses the role of international bodies such as the European Union. Unfortunately its last update was in 2006. Since then, there appears to have been no consolidated compilation of additional efforts undertaken by the tourism sector in the implementation of The Code.

There is, as yet, little academic or independent scrutiny of The Code. Although mentioned in passing, it remains under-researched in the academic literature. The only study published in a peer-reviewed journal which focuses directly on The Code is by Camelia Tepelus, The Code Secretariat Coordinator.[24]

Certainly, one of The Code's key strengths has been the capacity to encourage open discussion between stakeholders and to raise awareness on the issue. In this regard, the fact that sexual exploitation is still a taboo subject in many countries, particularly in those that rely heavily on revenues from tourism, remains an ongoing challenge.

A key consideration at the present time appears to be whether the evidence base of The Code is sufficient to overcome these constraints and answer the question as to why business should be involved. This relates not just to the problem as a whole but also to the impact of the work already undertaken by the tourism industry on the problem of sexual exploitation of children. This is discussed in more detail in the following section.

[22] A detailed list of these activities is provided in *Summary List of Activities 2008 to 2010*, Document number 20, provided by The Code.
[23] UNICEF and ECPAT (2006), available at: http://www.unicef.org/lac/code_of_conduct.pdf
[24] Tepelus, C. (2008), 'Social Responsibility and Innovation on Trafficking and Child Sex Tourism: Morphing of Practice into Sustainable Tourism Policies?', *Tourism and Hospitality Research* 8(2): 98-115.

Effectiveness/Impact of The Code

This section examines, to the extent possible, the effectiveness and impact of The Code at local, national and global levels. The Code was established following the 1996 World Congress against Commercial Sexual Exploitation of Children in an era when concern about the sexual exploitation of children by vacationers was at its height. There was pressure for the travel and tourism industry to quickly demonstrate tangible action in preventing the sexual exploitation of children. The identification and implementation of preventive actions took precedence over the creation of objectives and targets, an omission that has not been subsequently addressed. As a result, the Code still does not have any agreed measurable indicators against which success or progress can be judged.

Without clear objectives and indicators, it has been difficult to develop baseline data, measure performance and assess and document progress towards the overall goal of preventing sexual exploitation of children in the context of travel and tourism. Assessment has been divided into four categories. The first three sections examine outcomes: the role of The Code in raising the profile of SEC; effectiveness of The Code in stimulating action in the travel and tourism sector; and results of action by Code signatories at local levels. These sections are largely based on feedback from respondents in the three countries identified as case studies: Thailand, Costa Rica and the Netherlands. The final section looks at the collective impact of The Code on the problem of sexual exploitation of children in the context of travel and tourism.

Role of The Code in raising the profile of the problem of SEC

In 2011, The Code private sector membership reached over 1000 companies including leading travel and tourism companies such as Accor, Kuoni, Carlson, and Delta.[25] It seems clear that the Code, and efforts to promote it, have been instrumental in raising the profile of the problem of sexual exploitation of children, not just within the specific confines of the travel and tourism industry but beyond.

Awards for The Code include the British Airways *Tourism for Tomorrow* Award in the *Large Scale Tourism* category in December 2003 and the *Ending Global Slavery* award at the Ashoka Changemakers Competition in 2008. The Code is highlighted in the work of prominent corporate social responsibility organizations such as the Interfaith Centre on Corporate Responsibility.[26] Signing The Code is compulsory to achieve certification for various labels such as Fair Trade Tourism in South Africa and TourCert in Europe.[27] The profile and reputation of the Code is further demonstrated in a 2010 campaign by Avaaz, an online advocacy organization with more than 10 million members, to encourage the Hilton hotel chain to sign The Code as a demonstration of its commitment to combating

[25] http://www.thecode.org/dokument/documents/20111201-press-release.pdf
[26] http://www.iccr.org/
[27] Matthias Leisinger, Chair, The Code Board of Directors, personal communication.

sexual exploitation.[28] These examples indicate sustained international standing over a significant period of time.

Acknowledging the genuine motives of The Code's initiators and signatories, a forthcoming study on code of conducts in the private sector further notes that, "It has been clear from the late 1990s that those involved were determined to avoid a process which could be exploited for propaganda purposes or which might provide a façade, under which exploitation was going on as usual."[29]

The international recognition of The Code and resulting profile for the SEC issue is mirrored at national level. In Costa Rica, for example, respondents reported that raising the issue of sexual exploitation of children in the travel and tourism sector has led to a shift in government approach. There had previously been a fear that raising issues around SEC might negatively affect the country's tourism image. Currently, the government and private business regard this issue as very relevant to the travel and tourism sector and one that must be addressed under the umbrella of sustainable tourism. Accordingly, The Code has been integrated into the Institute of Tourism of Costa Rica (ICT)'s Certificate of Sustainable Tourism (CST), which is an internationally recognized sustainable tourism accreditation programme for hotels, travel agencies, and car rental operators. Additionally, The Code is also included in university textbooks and diploma courses in tourism in Costa Rica. These efforts to link The Code with the private and public travel and tourism sector at national level have not only influenced the sector itself, but also ensured the scaling up and sustainability of the initiative. Another specific development is that stricter laws are now in place to protect children under 15 from sexual exploitation. While this is an important advancement, efforts need to continue to ensure that all children under 18 years old are protected from sexual exploitation.

In the Netherlands, there was considerable agreement among those interviewed that The Code has had a positive impact on the tourism sector and on its awareness and actions to protect against the exploitation of children. The participation of TUI and OAD ensure that the majority of the outbound tourism market has come into contact with The Code. The Code efforts are seen as creating acceptance from the tourism industry that they have a responsibility to protect children against sexual exploitation. There is reportedly an increasing eagerness amongst companies to be part of The Code, and tourism associations, whilst not able to oblige their members to be signatories, are actively working with ECPAT to encourage them to sign. The Code has also been included in the textbooks of vocational tourism schools in the Netherlands.

In Thailand, notable progress in the protection of children from sexual exploitation has been registered with the creation of child protection policies and laws. The Anti Human Trafficking Act and the Child Protection Act have helped prosecutors convict offenders. No evidence was found, however, that these achievements are linked to The Code. Participants from the civil society sector expressed

[28] http://www.avaaz.org/en/hilton_sign_now

[29] Dottridge, M., forthcoming. *The Implementation and Enforcement of Codes of Conduct in the Private Sector to Reduce Demand for the Services of or Goods Produced by People who have been Trafficked*, Organization for Security and Co-operation in Europe.

concerns that the punishment was not severe enough to deter offenders, that weak capacity of police compounded existing issues, and that signatories were not in high-risk sectors such as guest houses and 'apart-hotels'.

Based on the case studies above, as well as information contained in the literature review, it appears that there has been a significant and generally positive evolution in government responses to child sexual exploitation in the context of travel and tourism. A number of respondents have expressed the view that Code-related activities have played an important role in some of these changes. Documentation on this is, however, limited. The Code Secretariat may wish to consider how to capture these effects in some manner, in order to highlight further The Code's achievements.

Effectiveness of The Code in stimulating action in the travel and tourism sector

At sector level, The Code has shown success in engaging the tourism industry in considering how they can contribute to the prevention of sexual exploitation of children. In the Netherlands, The Code has clearly had an impact on tour operator awareness. Travel Counsellors, for example, signed The Code in 2010 and works with freelance agents all trained in The Code. These agents report that they now feel more comfortable speaking to their clients about SEC and that their clients are receptive to the information. There is also the expectation that awareness of The Code in the Netherlands will increase now that the National Association for Tour Operators and Travel Agents is a signatory. Signatories interviewed stated their strong commitment to do whatever is necessary to protect children against sexual exploitation.

In Costa Rica, The Code has led to a consensus that exploitation is not compatible with sustainable tourism, and to the acceptance that children's rights are an important part of this concept. There is strong backing from the Costa Rican National Tourism Chamber, CANATUR,[30] tourism associations now require their members to be signatories of the Code, and consequently companies appear eager to be part of The Code.

Conversely, in Thailand, the interviews registered reluctance by the tourism industry to undertake a role in the prevention of SEC. The Code has not yet received backing from the Ministry of Tourism or tourism industry associations. In addition, smaller hotels are reportedly deterred by the assumption that becoming a signatory will require a significant amount of additional work. They also consider child protection to be beyond the scope of the private sector. Interviewees in Thailand felt that the issue was best addressed by NGOs and public sector protection agencies.

One notable success is that The Code has been signed by Accor Hotels Asia, a large international hotel chain, and over 6,000 Accor employees have been trained in nine different countries. The primary benefit of working with large international hotel chains in Thailand is the quantity of employees that are exposed to training on the importance of preventing SEC. Other achievements include the development of train-the-trainer courses, and the integration of SEC material into new employee

[30] Cámara Nacional de Turismo (CANATUR)

orientation. Outside this network of larger hotels, however, The Code appears to have had fairly limited impact. This appears to be due to a lack of LCR resources and also of community outreach on behalf of existing signatories. The tourism industry in Thailand seems reluctant to engage in social issues, especially one as culturally sensitive as SEC. This is worrying as both workshop participants and interviewees expressed concern that most SEC victims are not abused in large hotels and most offenders are local men.

Results of action by Code signatories at local levels

In all three case study countries, there was agreement amongst stakeholders that The Code has had a positive impact on the travel and tourism sector and on its awareness and actions to protect against the exploitation of children. Employers noted that Code training has helped improve staff motivation and pride in their job, encouraged teamwork and increased retention. (One employer also mentioned that it has helped staff understand how to avoid unwanted sexual attention from guests and what to do if it occurs.) Employees responded with some pride that they had been involved in the training and explained how they had shared the information with their families and had since reported cases in their own community. In the Accor Hotels in Thailand, training on The Code is mandatory for new staff. While high staff turnover is a common problem in the sector, respondents expressed the view that management turnover from Accor hotels had actually had a positive consequence in terms of dissemination of The Code to other hotels.

In some instances, the travel and tourism sector has gone beyond the scope of The Code by forging creative partnerships with key signatories, such as joint organization of charity fundraising events in Thailand, and/or combining The Code with other initiatives such as the Solidarity Tourism Initiative, a corporate social responsibility project of Hotel Presidente in Costa Rica. This hotel, located in the centre of San José, was formerly known as a place where sexual exploitation of children was occurring openly and on a regular basis. Now 100 per cent of the employees are trained, security is tight, taxi drivers know they will be fired if children arrive at the hotel in their cars, and every room has a card indicating that sexual exploitation is not tolerated. Additionally, Hotel Presidente's Solidarity Tourism Initiative adds $1 per night to the client's bill to raise money to help protect children and adolescents in the country's most vulnerable areas from sexual exploitation. Hotel Presidente has raised USD 126,000 since 2007, and 50 per cent has been donated to the NGO Paniamor. The hotel further works with ASONI, the Association for Children's Smiles (*La Asociación para la Sonrisa de los Niños y Niñas*) in two at-risk communities in San José. The hotel matches every dollar donated with a dollar of its own.

In the Netherlands, ECPAT regularly works with schools and universities and every year they run an annual competition to raise awareness among young people. ECPAT Netherlands starts educating tourism professionals while still at tourism schools and universities. An annual competition with vocational tourism schools encourages young people to participate in raising awareness about the issue. In groups of four, students design promotional material for tour operators to distribute amongst their clients. The best idea in each school is presented at the national final and the winning product is

marketed. Examples of winning ideas are: luggage belts and plastic bags for carrying items in hand luggage on airplanes.

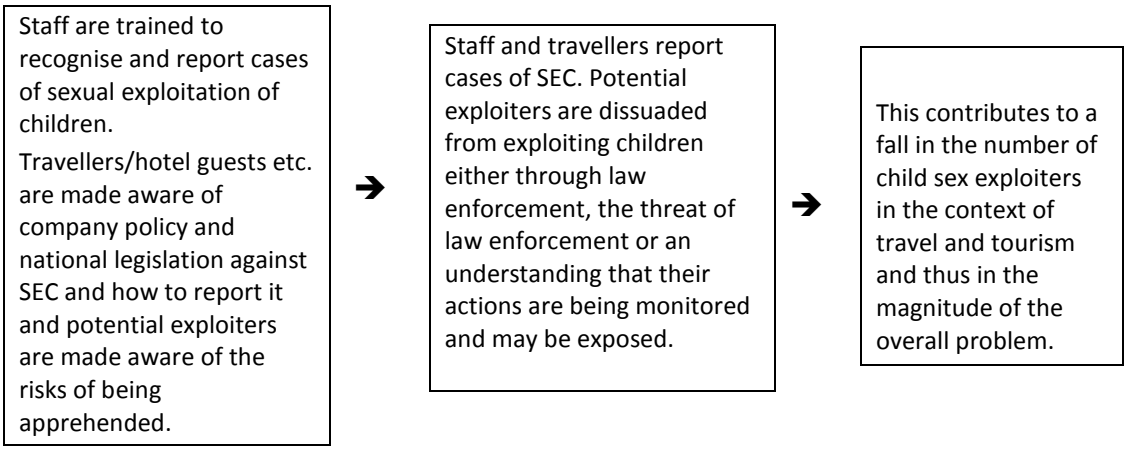
Impact of The Code on the problem of SEC in the context of travel and tourism

At present it is not possible to assess with any degree of confidence the collective impact of The Code on the problem of SEC as it relates to the travel and tourism industry. In the first instance, to date there is no agreed methodology for measuring the extent of sexual exploitation of children, or the proportion of this exploitation that takes place in the context of tourism and travel. Without information on the overall size of the problem, and whether it is getting better or worse, it is clearly not possible to identify the impact of particular initiatives with any confidence. There also appears to be a lack, or weak baseline of awareness of employees in companies signing The Code as well as in the local community on the issue of sexual exploitation of children.

This problem is not specific to child sexual exploitation: the related area of trafficking in persons faces similar difficulties, for example.[31] In the absence of methodologies to assess the size, as well as awareness and attitudes towards the problem, it is particularly important to articulate a theory of change that demonstrates how Code criteria are expected to lead to prevention and elimination of sexual exploitation of children in the context of travel and tourism. At present, as noted by Beddoe, "There is no … golden thread that is described within The Code to show how the six criteria lead to either prevention of sexual exploitation in a tourism/travel context or to the wider protection of children."[32] In other words, there is no theory of change stated as to how the Code criteria are intended to impact on SEC. A theory of change provides "a way to describe the set of assumptions that explain both the mini-steps that lead to the long term goal of interest and the connections between program activities and outcomes that occur at each step of the way."[33] Without such a theory of change, it is difficult to assess the relevance and effectiveness of The Code in overall terms.

Extrapolating from the criteria and discussions, it appears that the currently unstated programme logic or theory of change for The Code might, in extremely broad terms, be along the following lines.

[31] See, for example, Berman, J. and P. Marshall, Evaluation of the International Organization for Migration and its Efforts to Combat Human Trafficking, Norwegian Agency for Development Cooperation, Oslo 2011, accessed from: <http://www.norad.no/en/tools-and-publications/publications/publication-page?key=259795>, 20 October 2011.
[32] Beddoe, C. (2010), The Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism, Assessment Report (unpublished).
[33] See: http://learningforsustainability.net/evaluation/theoryofchange.php



This could be expanded into a higher level of detail and perhaps include new initiatives such as staff working in their local communities to raise awareness, encourage discussion and support the community to protect their children from exploitation. Once these mini-steps are defined, indicators and targets can be developed to assess progress. In terms of assumptions, a number are apparent from the above example, such as: that the training provided to staff will be effective; that the staff will act on what they have learned during the training such as reporting suspicious cases; that the authorities will support this action by investigating complaints, apprehending and prosecuting exploiters; and that action taken in hotels supported by The Code will not simply encourage the exploiters to move to other venues.

Responses collected in the case studies call into question some of these assumptions. For example, concerns were voiced in Thailand that most SEC occurs in small, independently owned hotels, guesthouses and apartments – and not in the large hotels that are targeted by/are signatory to The Code – and that, in keeping with findings in Central America mentioned earlier, many of the offenders are local men – not foreign tourists towards whom The Code awareness raising campaigns are directed. As one respondent in Thailand stated, “People think hotels are risky places but in fact they are not. Apartments are, rented rooms are, and cheap hotels are.” Similar concerns were noted in Costa Rica, where “The Code is not reaching small hotels”. This points to the importance of integrating efforts by the private sector and The Code into broader efforts at national level to prevent and protect children from sexual exploitation.

Some respondents also suggested that action against exploiters has simply shifted the problem to other places. It was further apparent in Costa Rica from discussions outside the capital, San José, that The Code has had considerably more impact in the city than in isolated tourism destinations. As in the case of respondents from Thailand, some interviewees in Costa Rica noted that SEC has “decreased in cities and in the tourism sector, but it has increased in rural areas linked to lack of education and poverty, lack of opportunity.”

In the Netherlands, key concerns at national level are that most of the child victims of sexual exploitation are in the illegal prostitution sector and that it is increased use of the Internet and mobile

phones for sexual solicitation purposes, rather than any facilities linked to the tourism sector, that is facilitating this abuse. Respondents from the Netherlands' case study further noted that the sexual exploitation of children is "a whole social problem not just about tourism. The kids' educators, teachers, associations, government, police: it needs everybody."

Concerns were also raised with regard to law enforcement responses in both Thailand and Costa Rica. In Thailand, one respondent noted that tourist police refuse to work on the SEC issue at all insisting that their job is to help tourist victims of crime, not pursue offenders. In Costa Rica, respondents stated that police were not viewed as reliable, particularly outside San José, and tourism operators voiced concern over their ability to act if suspected cases of exploitation arise. There is also a concern that reporting cases will damage the reputation of the business. The problem is further compounded by a lack of willingness amongst victims to file charges. Victims in many cases see themselves as "willing", and view the police as preventing them from "entertaining tourists" or conducting their "business".

In the Netherlands, concerns were also expressed regarding the difficulties and danger of reporting potential victims and exploiters. The means to provide anonymous reporting does exist in the Netherlands but it is not well known. Police are viewed as reliable but not responsive enough.

These concerns have also been noted elsewhere. Findings from case studies and separate research supported by UNICEF show that "travelling sex offenders may exploit children through informal channels, such as by arranging lodging through locals or foreigners who have migrated and rent out houses or rooms, thereby avoiding the formal tourism industry."[34] The report further notes that, "Evidence gathered for the Central American case study shows that sexual exploitation of children in travel and tourism cannot be addressed by targeting tourists alone. Exploitation appears to thrive in places where an acceptance of prostitution is connected to local customs, historical circumstances and a patriarchal culture that overlooks or condones some forms of sexual abuse and exploitation."[35]

A final factor to consider is that, as noted above, there is no clear information concerning the proportion of SEC that is linked in some way to the travel and tourism industry. However, ECPAT International's own reporting referral system is able to shed some light on this issue. While there is no systematic breakdown, ECPAT estimates that approximately 50 per cent of the reports received are from tourists who have seen suspicious or clearly worrying behaviour within the hotel or resort where they are staying. A more systematic collection, collation and analysis of these reports received by ECPAT and LCRs may shed additional light on this issue.[36]

In summary, The Code has established and maintained over a sustained period, a strong international reputation. It has recruited a large number of members, including many of the major players in the sector. Internationally, and in two of the three case study countries, it has been extremely successful

[34] UNICEF IRC, (2010), *Combatting the Sexual Exploitation of Children in Travel and Tourism: International and National Commitments, Actions and the Role of the Private Sector*, unpublished report, p. 96.
[35] Ibid. p. 92.
[36] Information provided by Ecpat International, January 2012.

in engaging with the tourism industry on the issue of sexual exploitation of children, and in considering how they can contribute to its elimination. Several respondents expressed the view that The Code had been important in stimulating government action. With regard to the contribution that Code activities are making to prevent the problem of SEC in the context of the tourism/travel sector, the assessment was unable to make any clear findings. This is, as mentioned above, attributable to the absence of hard data and evidence about the extent of the problem and the lack of systems to monitor awareness of it. Nevertheless, monitoring progress would be facilitated by the articulation of a clear theory of change linked to the six criteria, and the development of measurable indicators as to how Code activities in the travel and tourism industry are linked to the ultimate goal of preventing and eliminating sexual exploitation of children. It also highlights the importance of more targeted research to support Code activities.

Strengths, Weaknesses, Gaps, Lessons

In identifying the strengths, weaknesses, gaps, and lessons from Code implementation to date, the assessment has identified three main themes: institutional arrangements; membership; and the implementation of the six Code criteria, including reporting and monitoring. This section follows those themes, concluding with a discussion on new opportunities.

Institutional arrangements

The Code of Conduct has achieved widespread recognition in a short time despite the very limited human and financial resources of the organization. The Secretariat works to address issues of policy, materials, and technical support. The LCRs in the countries of the case studies work in engaging the tourism sector in The Code's main areas of action, while retaining significant freedom to adapt to local circumstances. Overall, The Code benefits from the support of ECPAT offices and employees around the world who assist in implementation of The Code criteria and act as LCR in some countries.

The Code's overall organizational structure is, however, not entirely clear, particularly in regard to the LCRs. Issues include their geographical distribution, appointment procedures and mandate and the division of roles and responsibilities between The Code Secretariat and LCRs. The lack of a clear organizational structure, and of an organizational work-plan, presents some challenges. Additionally, the lack of financing severely limits the ability of the organization to solicit new members and to follow up on training requests.

Current discussion regarding institutional restructuring provides a timely opportunity to revisit the institutional framework. Beside the above points on the internal structuring of The Code as an organization, this discussion needs to consider how the private sector can be more involved and engaged in The Code as an organization, how the current fee structure impacts on membership, and what other revenue generating opportunities can be realized. The organization is currently vulnerable to funding cuts and capacity restrictions.

Concern was expressed in some quarters that the private sector focus of The Code might be diluted by reliance on ECPAT at local level. The reality appears to be, however, that Code performance is closely related to the resources available to LCRs. In Thailand, a lack of resources for ECPAT to support The Code was seen as a major problem. Conversely, an independently funded LCR is seen as generating progress in the Netherlands, while the flourishing of a nationalised (or localised) version of The Code in Costa Rica was linked by respondents to strong support from the LCR, a strong local NGO.

These issues need to be reviewed and a balance found between fostering strong private sector involvement in their areas of comparative advantage and not overburdening them, leading to possible loss of engagement. This is particularly relevant if advocates for The Code are unable to demonstrate

how its actions can be linked, through a series of practical steps, to a reduction in SEC in the context of travel and tourism. It is a suitable time to develop a strategic plan for the organization with clearly established future goals and approaches and a clear theory of change. The plan should also include a redefinition of LCRs and their roles within The Code as an organization, and the establishment of clear channels for communication between LCRs and the Secretariat.

The UNICEF IRC research paper also hints at the importance of a strong LCR:

> "Exposing the reality of the sexual exploitation of children and gaining commitment will require more systematic awareness raising and training of private businesses. Hotels and other businesses need more technical support to understand the importance of the Code and how to implement it. Making licensing conditional is not sufficient; it must be accompanied by a strategy that gradually targets all signatories.
>
> Such strategy may include starting with a situation analysis that identifies stakeholders' position on the issue and willingness to collaborate. The issue needs to be presented using the language of the tourism sector and be oriented towards businesses. Implementation of the Code needs to be presented as supportive of corporate social responsibility and sustainable tourism. When confronted with these terms, experience shows that the sector is open to dialogue and action."[37]

In **Costa Rica** the Code of Conduct was launched in 2003 as an initiative of the Costa Rican tourism industry supported by Paniamor Foundation, a Costa Rican non-profit organization focused on the protection of the rights of children, together with the Costa Rica Tourism Operators Association (ACOT) and the Costa Rica Tourism Professionals Association (ACOPROT). With support from Fundecooperacion, Save the Children Sweden and World Vision Costa Rica, Paniamor has proceeded to implement The Code in such a way that it is seen as a national rather than international initiative, with its own implementation objectives and independent logo.[38]

Since 2009, a process has been underway to transfer responsibility for The Code from Paniamor Foundation to the Institute of Tourism in Costa Rica (ICT).[39] ICT intends to involve the National Tourism Chamber (CANATUR) in the implementation of The Code in the future, but currently relies on the technical support of the Paniamor Foundation. While this should in theory signify more industry ownership, industry representatives voiced concern that movement of The Code from Paniamor to ICT will result in reduced resources, less technical experience, and a loss of the ground that has been gained over the last few years. At the present time, The Code's management is shared between Paniamor, ICT, and CANATUR.

[37] UNICEF IRC, Combatting the Sexual Exploitation of Children in Travel and Tourism: International and National Commitments, Actions and the Role of the Private Sector, unpublished, p. 83.
[38] This is probably a consequence of timing. The Code evolved to become an international organization one year after the launch of the Costa Rican national Code initiative, when the Costa Rican Code was already consolidated.
[39] El Instituto Costarricense de Turismo (ICT) functions as the Costa Rican Tourist Board.

In **Thailand** the ECPAT Foundation in Chiang Rai started to work on The Code in 2007. Prior to this, Code-related work in Thailand was undertaken by ECPAT International, the international headquarters of ECPAT, which is based in Bangkok. The organization is severely under-resourced with just one ECPAT staff member assigned to The Code for approximately 30 to 40 per cent of her time. This lack of resources starkly limits the ability of the LCR to recruit signatories. This inability to proactively recruit signatories and follow up with existing signatories was cited as The Code's most significant weakness by ECPAT staff in both the Chiang Rai and Bangkok offices.

In **the Netherlands** the Code of Conduct was launched in 2002 as an initiative of ECPAT Netherlands with the support of the largest tour operators, TUI and OAD.[40] In 2010, Plan Netherlands received a national lottery grant and started a joint project with TUI, ECPAT, Travel Association (ANVR), Travel Counsellors and Fly Brazil. The responsibility of ECPAT Netherlands under this project is to raise awareness of child sex exploitation in the tourism industry, particularly among the outbound tourism sector and the Dutch government. Part of the grant is being used to provide three years of funding for the Code Activities. The increased funding of the programme has already been rewarded by an increase in the number of signatories, notably the Netherlands Association of Travel Agents and Tour Operators, ANVR.

In summary, evidence from the case studies supports the view that a strong, well-resourced LCR is important for maximising Code implementation. This is further supported by earlier comments with regard to clearly linking Code actions to local realities, requiring partnerships with other actors and in some instances research. This is not a matter of reducing the responsibility of Code signatories, or creating reliance on the LCR, but of acknowledging the comparative advantages of the industry and other actors. At the same time it is important to assess if there are other structures, in addition to a strong LCR, that may further the implementation the Code and fulfil the role of the LCR. For example, strengthening the national chambers of tourism could be explored.

Membership

The Code of Conduct has been successful in attracting a relatively large number of signatories. Members range from large operators to small independent taxi drivers. There has to date been little follow-up on the level of participation of signatories.

Membership enquiries go either to The Code Secretariat or to LCRs. In the LCR's, a person is assigned to follow up enquiries, answer questions and help potential members fulfil the requirements of membership. Companies submit statements of interest to their local office, which reviews them and usually sets up a meeting between the local office and the company. Signatories are asked to sign an agreement with LCRs. This is an 18-page document setting out the terms and conditions of adherence.

[40] www.ecpat.nl

Verification documents are required during the initial membership stage.[41] The local office is responsible for following up training requests and for collecting reports from signatories. If reports are not completed and there has been two years of inactivity the certification may be lost.

In Thailand, The Code of Conduct has eleven signatories. However, some of the signatories such as Accor Hotels Asia represent several properties. Although it is not known how many individual properties the eleven signatories represent, anecdotal information from Accor points to a significant multiplier effect. Perhaps due to the lack of resources for training and follow-up, membership in The Code is loosely defined in Thailand. Signatories have not necessarily fully understood or taken on board the six criteria, completed the minimum standards, or paid their membership fees. For example, many of those interviewed did not have policies in place. None were required to submit reports to ECPAT as the LCR. The ECPAT Foundation had assumed that the Code Secretariat would follow up on reporting, a misunderstanding that has now been corrected.

Code representatives reported that the prospect of becoming a signatory is much more compelling for large companies than for small, who are reportedly deterred by the assumption that becoming a signatory will require a significant amount of additional work and that child protection is beyond the scope of the private sector.

In Costa Rica, the Paniamor Foundation has been extremely successful in generating interest in The Code. Paniamor records from 2010 show that 158 hotels, 97 operators, and 17 car rental operators had signed, and a further 81 new firms were added in June 2011, bringing the total to 353 members.[42] Paniamor has a database of 283 more companies including rental car businesses, travel agencies, golf courses, lodges, motels, marinas, and tour operators from across the country who are on the waiting list. In 2009, in response to increased interest, requirements for signing were raised. Rather than just requiring two staff members to be trained in The Code, signatories now have to demonstrate that they have trained 100 per cent of their staff before they are allowed to join and display the logo.

Code membership is also obligatory to gain membership of the professional tourism associations in Costa Rica. Many see this as a positive move. There are, however, also concerns that this can result in a lack of commitment if firms simply sign up to gain membership to the association, not because they are concerned about the issue. Follow-up from the LCR to verify practices was seen as key to minimising this risk. An additional concern expressed is that the membership fees required to join may lead to some smaller operations being unwilling to join The Code, therefore excluding them from membership of tourism associations.

[41] *Agreement with local code representatives*, Document number 3, provided by The Code. This agreement was further clarified in *the Summary of comments on the LCR document for LCRs_21October 2010*, Document number 4, provided by The Code.

[42] Since The Code in Costa Rica is a local adaptation of the international Code, very few of the local signatories are also members of the global code.

Up until 2010 there were only three signatories to the code in the Netherlands.[43] However, they represented more that 50 per cent of the outbound tourism market for the Netherlands. Since ECPAT received funding for an LCR the number of signatories in the Netherland has risen to seven.[44] The main concern expressed in the Netherlands was that the fee-based membership of The Code inhibits new signatories from joining. As in other destinations, there is also a concern that embracing The Code, or associating with an organization against the sexual exploitation of children, will negatively impact operators' businesses.

Outside Costa Rica, where the programme has been driven by a comparatively well-funded NGO, the ability of LCRs to chase new leads and follow up existing signatories is severely limited by human and financial resources. In line with comments relating to impact in the previous section, an additional weakness identified in all the case studies is a possible mismatch between current Code signatories and areas where SEC is most likely to occur. It is suggested that tourism operators that are confident SEC is not a problem for them are more willing to sign up for The Code.

In the future, it will be important for LCRs to identify and target areas that are considered high risk, rather than simply those operators who are likely to be the easiest to sign up. This of course has follow-on implications for assessing performance of LCRs in this area, as this should not be judged solely on the number of signatories, but also on relevance and importance.

Another area that needs to be addressed in the future is association membership. Private sector associations provide the opportunity to leverage significant numbers of private sector members through one primary contact. They can also provide an important entry point for working with the government and ensuring that companies are part of a larger national strategy and efforts to prevent SEC. On the other hand, they also present a risk that lip service may be paid to Code criteria. In Thailand, tourist associations, with the notable exception of the Chiang Rai Tourism Society, have also been reluctant to become involved, insisting that their role is to support hotels in marketing. Several of the interviewees indicated that energy invested in recruiting associations would not yield a high return for two reasons: first, associations would be unlikely to join even if specifically targeted and, second, they would not be effective in promoting The Code to their members because it was not in their mandate.

More broadly, limited work has been done on why businesses or tourist associations decide to sign up to The Code, what benefits they expect by doing so and whether or not the system fulfils these expectations. Work also needs to be done on the impact that charging for registration might have on the numbers signing up to The Code and its effectiveness.

[43] TUI Netherlands, OAD Reizen, and Sawadee Reizen.
[44] This includes VNC Asia Travel who are due to sign in September 2011 but not Sawadee Reizen, which has been taken over by TUI.

Code Criteria

The Code of Conduct has a practical structure made up of six criteria, as follows:

1. To establish an ethical policy against the commercial sexual exploitation of children
2. To train personnel in the country of origin and travel destinations
3. To introduce a clause in contracts with suppliers, stating a common repudiation of the commercial sexual exploitation of children
4. To provide information to travellers by means of catalogues, brochures, in-flight films, ticket slips, home pages, etc.
5. To provide information to local "key persons" at destinations
6. To report annually.

This simplicity has allowed the criteria to become well known, and the messaging to be relatively consistent. However, the case studies identified that not all the criteria are consistently implemented. While most signatories have a policy and have conducted some training, only a few provide information to tourists and report on their Code-related activities. Very few actively address the issue of suppliers and key persons.

This section examines implementation of each of the Code criteria. In light of the length of time that has arisen since the criteria were first developed, this assessment also involved a review of the criteria themselves. As noted, the simplicity of six straight-forward criteria is seen by respondents as a major strength. The criteria appear to cover adequately the main points and there does not appear to be any good reason to move away from this basic structure, particularly as this might result in a loss of continuity between past and future work. There may, however, be value in reviewing the specific wording of each criterion, with a view to making them clearer and more specific, and addressing any gaps or problems that have been identified.

1. Policy

Current Criterion: Establish an ethical policy against the commercial sexual exploitation of children.
Proposed Criterion: Signatories establish a policy against the sexual exploitation of children linked to the responsibility of the private sector to respect children's rights.
(This is a proposed minor wording revision and puts SEC in the context of respect for child rights.)

In both Costa Rica and the Netherlands, all signatories asked were able produce a copy of their policy. Most mentioned child rights and/or human rights. All respondents in the Netherlands and one small hotel in Costa Rica noted that it had been hard to get the wording right and it would have been easier if they had a template. Providing a template would reduce the burden on companies and promote a more standardized and consistent approach, helping to ensure all key points are covered. Although it might be argued that providing a template essentially means that companies can simply 'tick a box', this can be addressed in other ways, such as monitoring.

2. Training

Current Criterion: Train personnel in the country of origin and destination
Proposed Criterion: Signatories train employees in Code content and adherence to Code requirements, including national legal and policy frameworks and how to report suspected SEC cases.
(This change would make the criterion clearer and more specific and add details of what should be covered.)

Signatories canvassed during the assessment appeared unanimous that training is the strongest element of The Code. Costa Rica has been particularly active. For example, between August and December 2010, Paniamor managed to hold 21 workshops in 17 different towns and cities across Costa Rica. This led to 402 people being trained in 270 companies. In Costa Rica, Code training was found to have a positive effect on team building and employee retention. Interviewees commented that The Code training contributes to a safer workplace.

Training is also the most costly part of Code implementation activities, not least because of high turnover within the industry, which necessitates regular repeat trainings. Mass group trainings given by internal trainers were found to be less popular than smaller external trainings with dedicated Code trainers. Several interviewees, for example, mentioned that having an external trainer makes employees take the training more seriously. However, signatories are often geographically spread out and one trainer is unable to visit all signatories on an annual or even bi-annual basis. This situation could potentially be alleviated through greater use of community trainers and industry volunteers. Private sector champions and "ambassadors" could also be identified to hold occasional events and training seminars on behalf of The Code. This would need to be done in a way that did not dilute the quality of the training.

One possibility for consideration would be a standardized training package, ideally available online. This could include a standard training curriculum, a training CD-ROM, online materials such as training videos, sample campaigns, etc. The package could also include training on reporting and monitoring, which as noted below, is currently limited. Such a package would also help to ensure training is available in more remote areas. However, the materials would need to be kept up-to-date and would need to be designed in such a way as to require and facilitate the inclusion of information on local realities. Such training packages can also be institutionalized in educational curricula of tourism schools and universities providing diploma courses in travel and tourism. Another possibility to consider is building training into existing hotel training programmes, rather than as stand-alone activities. These could include induction trainings or broader trainings in human/child rights related issues (*see section below on New Opportunities*).

One hotelier commented that employees go home and share what they have learned with their families. Then their children share what they have learned from their parents with their friends at school. The result is a cumulative community outreach and awareness-raising process. This appears to

be one potential important and low-cost spin-off and helps expand the potential impact of the work beyond the immediate use of hotel premises. Indeed, case study participants and interviewees all mentioned the need for greater awareness raising and community outreach. To date, The Code activities have seen limited connection with schools, community groups, and church groups.

This is a difficult area as the mandate of The Code is mainly to work with travel and tourism operators, and less with destination communities directly. At the same time, there is an emerging discourse in the area of business and human rights about moving beyond corporate responsibility to respect human rights towards a commitment to be more active in supporting the realization of these rights. Certainly, there are clear attractions in having employees act as community ambassadors. SEC does not occur in a vacuum but in the context of societal attitudes to the status and rights of children, the willingness of members of the public to report cases and the willingness of the authorities to take action. Establishing employees as community ambassadors would help to negate two current weaknesses identified by this assessment. First, there appears to be a greater willingness among larger enterprises to join The Code than smaller ones. While this is a problem if child sexual exploitation is occurring more often in smaller hotels, the bigger hotels have more staff and their engagement means a greater number of potential community ambassadors. Second, if employees can use their training outside the immediate tourism context, high turnover becomes a potential advantage rather than a significant problem.

The establishment of employees as community ambassadors could perhaps be fostered through a second-level training programme. This would need to take into account that different skills are needed for education work in local communities than for identifying and reporting potential SEC cases in a hotel environment. The training curriculum would need to include communication skills and a basic grounding in child rights, which would provide a starting point for their work and help address potential objections in the community to action against sexual exploitation of children.

3. Contracts with Suppliers

Current Criterion: Introduce a clause in contracts with suppliers stating a common repudiation of the commercial sexual exploitation of children.
New Criterion: Signatories inform key suppliers about The Code, their zero tolerance of child sexual exploitation, and how to report incidents.
(This criterion would move beyond a general statement to highlight that the Code signatory perceives this issue as a priority and also suggests specific action to be taken by the suppliers.)

It appears that limited progress has been made on this criterion. In Thailand, for the most part, signatories have not implemented the minimum standard, while few signatories in Costa Rica have engaged suppliers. Some signatories in the Netherlands do report working with suppliers on Code awareness.

It was noted that it is easy enough to provide information to suppliers but much harder to actually follow up on who is complying. The solution to this is not readily apparent but, as noted above, the proposed change of wording to the criterion would at least highlight that the issue is something that the signatory takes seriously, and implies the potential for loss of contracts by suppliers who facilitate or tolerate cases of SEC. It would also highlight a specific course of expected action in terms of reporting.

Box 3: California Transparency and Supply Chain Act

For large companies, reporting would also be in line with requirements under the new California Transparency in Supply Chains Act 2010, which requires all companies with a turnover greater than $100 million who do business in California to report on what they are doing to eliminate exploitative practices, including trafficking in persons, in their supply chains.[45] Specific action against exploitative practices is not required, however companies will have to articulate publicly that they are not taking any action to address this problem. This type of acknowledgment in turn could provide pressure points for advocacy. This law is likely to affect a significant number of larger Code members. Although SEC is not specifically mentioned, action against SEC would appear to be very much in keeping with the spirit of the Act, and could potentially be incorporated as part of wider action by the companies to eliminate exploitative practices.

4. Tourist Information

Current Criterion: Tourist Information: Provision of information about The Code to travellers by means of catalogues, brochures, in-flight films, ticket-slips, home pages, etc.
Proposed Criterion: Signatories provide information to tourists about The Code, relevant laws in the destination countries and their policy against sexual exploitation of children and how to report incidents.
(This change would make the criterion more specific by focusing on the information to be contained in the materials. There is no real need to spell out the types of materials as Code members will already be familiar with these.)

This criterion involves the provision of information to travellers by means of catalogues, brochures, in-flight films, ticket slips, home pages, etc. These provide a simple and practical entry point to reach large numbers of people, including both potential offenders and the vast majority of tourists, who may be in a position to report potential cases once made aware of how to do so.

In the case study countries, approaches to sharing information with tourists varied from signatory to signatory. Accor stated that their primary audience was the travel trade and media but have also

[45] California Transparency in Supply Chains Act of 2010, California Senate bill 657, available at: http://info.sen.ca.gov/pub/09-10/bill/sen/sb_0651-0700/sb_657_bill_20100930_chaptered.html

distributed posters to the properties they manage throughout Thailand. In the Netherlands, tour operators have less control about information being placed in accommodation units but generally include information on their websites.

At the current time many signatories are not implementing this criterion as effectively as they would like because of the high cost of producing materials in-house. This appears a significant under-utilized opportunity to increase the reach of The Code. Many tourism operators are small, family-owned businesses, often without their own website, for whom producing information about The Code is challenging. To help address this problem, some interviewees suggested making awareness raising templates (in multiple languages) available for download and local adaptation from The Code website.

More generally, while individual operators are well placed to distribute materials, it is not readily clear why the onus should be on individual operators to produce these materials. In fact, this would seem to be undesirable due to inefficiencies of scale and the need for accurate and appropriate messages that are consistent among Code members. In many countries, materials are already in existence and could be readily used. This may also be an area for potential corporate sponsorship and support and collaboration with the private and public travel and tourism sector at national level (i.e. the National Chambers of Tourism and Ministries of Tourism).

Signatories also noted that key points of contact such as airports, taxi stands, and tourist information points could be better utilized to spread the message.

5. Key Persons

Current Criterion: Provision of information on "local key persons" at the destinations.
Proposed Criterion: Signatories encourage employees to act as Code Ambassadors in their local community in order to spread awareness of The Code.
(This is a major change, taking the emphasis off key persons, where limited progress has been made across the board, and placing it more specifically on working with the local community.)

Key persons are considered to be those at the travel destination with whom the signatory company cooperates without having a contract. These persons/parties include those having substantial contact with customers (e.g. restaurant and bar owners, taxi drivers) as well as the police and other influential people in the community.

Beddoe[46] states that, "The implementation of the Criteria 5 (key persons) is one of the most important for the protection of children from sexual exploitation and at the same time the most challenging one of all six criteria, especially for companies operating in the majority of destination countries. When

[46] Beddoe, C. (2010), The Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism, Assessment Report (unpublished).

signatory companies put energy into the networking in the destination countries, the protection of children in their companies stands a greater chance of success."[47]

Information from the case studies, however, suggests that less progress has been made on Criteria 5 than any other criteria. In Costa Rica, none of the signatories seemed familiar with the message about key persons, although they were familiar with key people involved in Paniamor. There was also little attention paid to this issue in either the Netherlands, where the key persons criteria was not viewed as relevant in sending countries, or Thailand. There appears to be confusion with regard to key persons as to who they are and what exactly signatories should do.

Although it is clear that networking with key persons improves the chances of success, it can be a time consuming activity and not clearly the role of the travel sector. One argument is that, if The Code companies are to take a role outside their immediate environment, this might better focus on community awareness and outreach, with the aim of extending the impact of Code knowledge and training to the wider destination community. As indicated under the training criterion, progress has already been made in this area, although it is not one of the six criteria. At the same time, emerging developments in the field of business and human rights are encouraging companies to take a greater role in actively promoting efforts to address issues such as SEC. The expectations of Code companies in this regard should be carefully considered before a decision on this criterion is taken.

6. Monitoring and Reporting

Current Criterion: Companies report annually on the level of implementation of The Code.
Proposed Criterion: Signatories submit an annual status report on their implementation of Code activities and incidents of SEC.
(Specifies reporting of incidents.)

"The credibility of the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism depends on having a reliable system of monitoring and reporting on implementation. Yet the Code Secretariat has pointed out that insufficient resources limit its monitoring and reporting system."[48]

The Code's reporting system was introduced in 2002. The report forms ask specific questions about the type of business and the key personnel involved in implementing Code policies. It allows for narrative responses. The Code website provides examples of 40 reports compiled between 2002 and 2007. These are from a variety of private companies, businesses, and tourism associations in several countries although some are more heavily represented than others. For example, TUI Nordic has reported every year while there is only one report from OTOA Japan.

[47] Ibid.
[48] UNICEF IRC (2010), *Combatting the Sexual Exploitation of Children in Travel and Tourism: International and National Commitments, Actions and the Role of the Private Sector,* unpublished report.

In 2007, new standardized forms were developed for six specific industry sectors: large tour operators and hotels, travel agencies, tourism associations and federations, airlines and ferry lines, bars and nightclubs, and restaurants.[49] The revised reporting system has several component parts. It includes a Standard Report Form (for reporting after the first year of implementation), and a Short Standard Report Form (for ongoing and yearly reporting on implementation). These are accompanied by an annex of minimum standards, an action plan, and an information sheet.

Businesses and tourism associations are asked to complete a detailed and comprehensive report in the first year and to fill in a shorter standard form in subsequent years. At the end of the form, private companies, businesses, and tourism associations are asked to set out their objectives in relation to The Code over the next three years. The purpose of the reporting process is to ensure that signatories follow through on their membership obligations. Importantly, no formal checks and balances are in place to ensure the information is correct, meaning The Code secretariat is relying almost entirely on self-reporting.

The new reporting system was assessed on the basis of ease of completion, quality of information generated, and transparency. Although regarded as an improvement on its predecessor, the form is still cumbersome and not particularly user-friendly. The addition of minimum standards has further complicated the analysis and created confusion about objectives and outcomes. While the standards may be useful for internal purposes, they are insufficient to assess whether or not children are being protected.

The quality of the information generated by the new form has been affected by the shift away from relying on narrative or descriptive answers. Many of the questions asked require yes/no or single sentence answers. There are advantages to this, in terms of speed of completion, but there are also drawbacks. The new forms have lost some of their ability to identify the challenges and successes of The Code and to capture best practice examples.

Having a standardized form aids transparency and makes comparison easier. However, the reporting process is not fully formalized and some companies prefer to write an email or letter. Many signatories are not reporting at all. In Costa Rica, just five of the signatories prepared an annual report in 2010. One participant noted that they have no idea what to put in the report. Another stated that "there are no consequences for not reporting, so no one does". Respondents in Costa Rica seem to think that integration of the Code into CST is a positive move as CST auditors will also check compliance with The Code when they conduct the rest of the CST inspections. It was felt that this would help address the problem of verifying the information provided in the reports.

In Thailand, Accor-managed properties submit reports to the Accor headquarters but not to the LCR or Code Secretariat. None of the non-Accor signatories had recently submitted reports. In the Netherlands, reporting was undertaken by some of the signatories. When questioned about why they are not reporting, respondents cited lack of time, the lengthy and difficult reporting form, a lack of

[49] The current standardized report form is not available to download via the website which still links to the older one.

benefits to reporting and, as noted above, no penalty for not reporting: membership is not removed from those who do not report.

Small businesses generally have limited time and capacity for administrative tasks. Activities are prioritized based on need and bottom line: unless there are clear benefits in reporting, it is unlikely that the numbers of firms reporting will increase dramatically.

Importantly, the information contained in the reports does not appear to be collated, analysed and made accessible. No feedback, either individual or collective - for example in the form of an Annual Code Report - is provided to those who do report, something specifically raised by signatories in the Netherlands. It is not in fact clear how the reporting information is used at all.

One solution could be for reporting to be done via a phone or direct interview with the LCR, which would be tasked to actively liaise with The Code signatories to collect information locally. Although placing an additional burden on LCRs, this would encourage more companies to report, allow a mix of quantitative and qualitative information without filling out complicated forms, and help ensure the LCR remains well-informed, possibly allowing the identification of new trends and priorities and the sharing of good practice.

In summary, despite efforts to address the problem, reporting requirements remain cumbersome and there is no independent report validation process. Another option, particularly for large companies, may be to integrate aspects of the Code into other reporting initiatives, and provide tools to Code signatories to report through these initiatives. Strong consideration should be given to making linkages with existing sustainability reporting frameworks such as the Global Reporting Initiative (GRI). UNICEF is currently exploring options for creating reporting guidance in support of the Children's Rights and Business Principles, which will also be aligned with the GRI. This initiative may also provide an opportunity to strengthen the reporting indicators related to the Code.

New Opportunities

In many ways, The Code was ahead of its time, preceding broader recognition of corporate responsibility and obligations. In June 2011, thirteen years after the inauguration of The Code, the United Nations Human Rights Council endorsed the Guiding Principles for Business and Human Rights (BHR Guidelines).[50] While not a legally binding document, this endorsement established global standards of practice that are now expected of all governments and businesses with regard to business and human rights. The Guidelines are based on a Protect, Respect and Remedy Framework, consisting of:

1. The State Duty to Protect Human Rights
2. The Corporate Responsibility to Respect Human Rights
3. The need for greater Access to Remedy for victims of business-related abuse.

[50] Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, available at: http://www.ohchr.org/documents/issues/business/A.HRC.17.31.pdf

As the first area suggests, the BHR contains obligations for States as well as business. The first principle is that, "States must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises. This requires taking appropriate steps to prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication."[51] As highlighted elsewhere, the study identified some frustration on the part of Code signatories in terms of inaction by law enforcement authorities on cases they had reported.

For business, principle 13 states that "The responsibility to respect human rights requires that business enterprises:

> (a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur;
> (b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, *even if they have not contributed to those impacts*" (emphasis added).[52]

The Guidelines also highlight that in order to meet their responsibility to respect human rights, business enterprises should have in place policies and processes appropriate to their size and circumstances, including:

> (a) a policy commitment to meet their responsibility to respect human rights;
> (b) a human rights due-diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights;
> (c) processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute.

These are very much in line with the approach of The Code and suggest there may be scope for The Code Secretariat to work with others to look at how the work on SEC can be integrated into business and human rights more broadly. This approach may allow a rationalization of resources. Code reporting requirements could, for example, be incorporated into broader human rights reporting requirements. While there may be concerns about dilution of focus, this would enable a more holistic focus on issues relating to children in particular.

As O'Connell-Davidson highlights, "Focusing only on children as victims of sexual exploitation in travel and tourism may deflect attention away from other harmful and discriminatory practices in the tourism sector more broadly. These could include long working hours and poor remuneration of hotel employees, other forms of exploitation and the sexual exploitation of adult men and women by tourists. These human rights violations may also have linkages to the sexual exploitation of children."[53]

[51] Ibid., p.6.
[52] Ibid., p.14.
[53] O'Connell Davidson, J. (2004). 'Child Sex Tourism', in *Journal of Contemporary European Studies*, Volume 12, 1: 31-46.

This is supported by the above-mentioned unpublished UNICEF report, highlighting that: "It is important to avoid viewing the sexual exploitation of children in travel and tourism in isolation; it should be linked to other forms of child rights violations."[54] These violations could include exploitative practices in supply chains, such as the use of child labour. It is clear that focus on Code activities should not serve to distract from other forms of exploitation that may be faced by children in the context of the travel and tourism sector.

One weakness of the BHR Principles is a limited focus on children. UNICEF is currently working with Save the Children and the Global Compact on Children's Rights and Business Principles, which will highlight how these principles apply to children, with a strong focus on the Convention on the Rights of the Child. Particularly relevant is Principle 4 to "Ensure the protection and safety of children in all business activities and facilities", which again highlights the need for a holistic approach. Other Principles are also relevant to Code implementers.

The Children's Rights and Business Principles distinguish between:

- ***Corporate Responsibility To Respect:*** avoiding any infringement of the human rights of others, including children, and addressing any adverse human rights impacts with which the business is involved. The corporate responsibility to respect applies to the business' own activities and to its business relationships, linked to its operations, products or services.
- ***Corporate Commitment To Support:*** in addition to respecting human rights, helping to advance human rights, including children's rights, through core business activities, strategic social investments and philanthropy, advocacy and public policy engagement, and/or working in partnership and other collective action.

Respecting and supporting children's rights enables business not only to prevent harm, but also to do good. By integrating respect for children into its core mandate, businesses can strengthen sustainability and human rights initiatives, and generate real benefits for business as well. Such efforts can build reputation, achieve better risk management, and enhance the business "social license to operate". A commitment to children can help recruit and maintain a motivated workforce through supporting employees who are parents and caregivers, promoting youth employment and talent generation. Working for children helps to build strong, well-educated communities, which are critical to a stable and sustainable business environment.

As noted above, concerns were expressed to varying degrees in all case study countries about the commitment of law enforcement officials to the apprehension and prosecution of child sex exploiters. It does not appear realistic to place *primary* responsibility on the private sector for advocacy to government on this issue. However, a commitment, as noted in the above Principles, to advocacy is in line with a corporate commitment to support child rights. Code members may therefore be potentially

[54] UNICEF IRC (2010), *Combatting the Sexual Exploitation of Children in Travel and Tourism: International and National Commitments, Actions and the Role of the Private Sector*, unpublished report, p. 86.

strong allies in the advocacy efforts of organizations specialising in combating SEC. Private sector organizations certainly do have an interest in better law enforcement on a number of levels, including reducing levels of child sex exploitation associated with the travel/tourism sector and rewarding the good work being done by Code members in identifying cases. Code staff should be encouraged to look for such opportunities.

Also in line with this is work already being undertaken by some employees of Code signatories in terms of outreach in their communities. As highlighted, this is not an obligation of business but offers a low-cost and rewarding way for the travel and tourism sector to contribute to the fight against sexual exploitation of children and offset a lack of action by less responsible members of their trade.

Finally, in terms of The Code linking with current debate in relation to business and human rights, it is important to note that the Committee on the Rights of the Child is developing a General Comment on Child Rights and the Business Sector. This tool should be very useful for actors implementing The Code, in engaging with government bodies of all kinds, and developing and strengthening the regulatory framework, as well as the question of making remedies available to children.

Conclusions and Recommendations

Based on three case studies and the literature review, this report has provided an assessment of The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism. The Code has made significant progress in a short space of time in terms of raising international awareness about SEC in travel and tourism, achieving international recognition, gaining private sector respect and securing a large number of members, including some very big players in the industry. This has been achieved with very limited human and financial resources.

The organization is now at a turning point, in two important ways. The first relates to issues of institutional capacity - a natural consequence of the way and speed in which the organization has grown. The current institutional structure and resource levels appear insufficient to support the activities needed to ensure Code activities are designed and implemented consistently and effectively. Interviews with signatories have highlighted concerns over lack of support and follow-up for implementing The Code, difficulties in training staff members, lack of support in the preparation of policies, of training manuals, of supplier contracts, and of tourism awareness materials, and the complications posed by high staff turnover. While much can be made of industry 'ownership' of the problem, it is notable that the performance in the case study countries seemed generally proportional to the resources available to the LCR. The size, responsibility and funding of LCRs, as well as alternative structures to LCRs, are crucial issues for reflection.

The second major issue relates to the link between Code activities and the impact on prevention and elimination of sexual exploitation of children in the travel and tourism industry. As noted, there is currently no agreed methodology for measuring the extent of child sexual exploitation; sound baselines regarding the problem are lacking and there is little information on level of awareness among employees of companies signing The Code. This reinforces the need for a robust theory of change that hypothesizes linkages between outputs, outcomes, and impacts, backed up by well-defined indicators of outputs and outcomes. Such linkages, indicators of progress, and measurement of outcomes, would significantly contribute to the rationale for The Code.

In turn, this could help in promoting the ongoing and expanded involvement of organizations in The Code, at a time when the introduction of membership fees, and proposed obligations in adhering to reporting requirements increase the implications of doing so. This work needs to be informed by evidence on the nature of the problem over time and how it is evolving in different locations, including in response to Code-inspired activities. This does not seem to be a role for Code signatories themselves, highlighting the key role of LCRs in supporting linkages with efforts at the national level to address sexual exploitation of children.

It appears timely for The Code to develop a strategic plan for three to five years, which addresses, at a minimum the issues above. In the meantime, a number of immediate steps can be taken in relation to Code criteria improvements and more effective monitoring and reporting. Among the most important are: to clarify and update The Code criteria; to refocus destination-level activities on areas of highest

risk; to investigate ways to make better use of technology to reduce training costs and broaden its reach; to identify and acknowledge “code champions”; and to develop a data collection system for the identified indicators.

Recommendations

The report includes recommendations along the three main themes of the report: institutional arrangements, code criteria, and monitoring and reporting. A fourth set of recommendations is included with regarded to creating linkages.

1. Institutional Arrangements

1.1 Elaborate a programme logic or theory of change underpinning the aims and objectives of The Code

1.2 Develop a strategic plan for the organization with clear objectives, activities and timeline

1.3 Identify Local Code Representatives or alternative structures in each partner country to manage local implementation

1.4 Ensure that the relationship, roles, and responsibilities of Local Code Representatives and The Code Secretariat are clear

1.5 Assist LCRs to develop action plans in line with The Code strategic plan

1.6 Develop a Code policy template and make it available for download on The Code website

1.7 Provide awareness raising templates (in multiple languages) for download and local adaptation from the Code website

1.8 Encourage LCR’s to work with national authorities, local child protection agencies, police and other local authorities and experts to map high priority areas for SEC and allocate resources accordingly

1.9 Consider what measures could be in place to enhance compliance with the Code requirements, and what processes could be put in place to address situations where companies are not in compliance

1.10 Look into areas of work where the Code secretariat could seek private sector technical support as an in-kind contribution to enhancing its institutional arrangements.

2. Code Criteria

2.1 Clarify and improve Code wording in discussion with Code Board and LRCs

2.2 Work with tourism and hospitality schools and national chambers/associations of tourism and ministries of tourism to include The Code into core educational and training certificates and curricula

2.3 Assist LCRs to develop strategic partnerships with private sector, with national tourism associations, with ministries of tourism, and with other government and community organizations for combined promotion and awareness raising

2.4 Consider developing a standardized training package, inclusive of a standard training curriculum, a training CD-ROM, online materials such as training videos, sample campaigns, and training on reporting and monitoring. Child and youth input should be sought in developing these materials

2.5 Encourage Code signatories to continue to go beyond their immediate 'responsibility to respect' in terms of doing no harm, to further 'commitment to support' initiatives such as:

2.5.1 Supporting LCRs to establish linkages with national authorities and chambers of tourism, and child protection organizations, and encourage signatories to provide opportunities for their guests to donate to these organizations

2.5.2 Encouraging employees to act as The Code community ambassadors.

3. Reporting

3.1 Simplify the reporting system and establish clear indicators against which to report and timelines for reporting

3.2 Consider establishing relationships with key reporting and monitoring initiatives, and tourism certification programmes to integrate Code reporting and monitoring into other processes

3.3 Establish a follow-up and reward system to acknowledge members who comply with annual reporting

3.4 Develop a system of acknowledging "Code Champions" for actions above and beyond compliance; this could be done with an annual awards dinner or tiered awards (bronze, silver, gold).

4. Creating linkages

4.1 Consider working with other organizations to explore opportunities for The Code's work to be integrated with other business and human rights initiatives, specifically measures to implement the UN Guiding Principles on Business and Human Rights and the Children's Rights and Business Principles to be launched in March 2012. This could include integrated trainings, reporting and monitoring systems

4.2 Lobby for The Code to be globally embedded in sustainable tourism initiatives

4.3 Seek to leverage Code signatories' interest in better law enforcement against exploiters and the responsibilities of governments under the BHR principles by identifying ways to actively involve the private sector in the advocacy efforts of organizations specialising in combating SEC

4.4 Establish linkages with educational institutions to conduct research on Code topics in order to align Code activities with key problem areas

4.5 The Code Secretariat may wish to consider how to capture the contribution made by Code-related activities to positive changes in government policies and actions.

Acronyms and Abbreviations

ACOPROT	Asociación de Costarricense de Profesionales en Turismo (Costa Rica Tourism Professionals Association)
ACOT	Asociación Costarricense de Operadores de Turismo (Costa Rica Tourism Operators Association)
ANVR	The Netherlands Association of Travel Agents and Tour Operators
ASONI	Asociación para la Sonrisa de los Niños y Niñas
BHR	Business and Human Rights
CANATUR	Cámara Nacional de Turismo (Costa Rican National Tourism Chamber)
The Code	The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism
CRC	United Nations Convention on the Rights of the Child (1989)
CST	Certificate of Sustainable Tourism
ECPAT	End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes
ICT	Institute of Tourism of Costa Rica
ILO	International Labour Organization
LCR	Local Code Representative
SEC	Sexual exploitation of children
UNICEF	United Nations Children's Fund
UNWTO	World Tourism Organization

Glossary

Key terms and definitions

Child

A child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier (*Article 1 of the* United Nations Convention on the Rights of the Child).

Child pornography (also increasingly referred to as child abuse images)

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 (*Article 2 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*).

Child protection

This is work which aims to prevent, respond to and ultimately resolve the problem of child exploitation.

Child rights

Child rights are the human rights of people under the age of 18. They have been formulated in the Convention on the Rights of the Child. In 54 Articles the Convention spells out children's rights to provision (for basic needs such as food and housing), protection (from abuse, degrading punishment or arrest without a proper judicial process) and participation (to express their views on all matters that affect them and have those views taken seriously). Children's rights are universal, inalienable and indivisible and the CRC works in conjunction with other human rights legislation.[55]

Sexual abuser/exploiter

The term used to describe anyone who sexually offends against children under 18 years old.

Sexual exploitation of children (SEC)

The Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography protects children from all forms of sexual abuse and sexual exploitation. This includes the inducement or coercion of a child to engage in any unlawful or psychologically harmful sexual activity; the exploitative use of children in prostitution or other unlawful sexual practices; and the exploitative use of children in pornographic performances and materials.

It also includes the making and distribution of child pornography/child abuse images, the participation of a child in pornographic performances (including recruiting, coercing and causing a child into

[55] Van Bueren, G. (1998), *International Law on the Rights of the Child*. Kluwer, Amsterdam.

participating in pornographic performances or profiting from or otherwise exploiting a child for such purposes and knowingly attending performances involving the participation of children), intentional causing, for sexual purposes, of a child who has not reached the legal age for sexual activities, to witness sexual abuse or sexual activities, even without having to participate, and the solicitation of children for sexual purposes.
(Article 34 CRC, article 2 OPSC and articles 18-23 of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 'Lanzarote Convention'.)

Travel and Tourism
Tourism is travel for recreational, leisure or business purposes. The UN World Tourism Organization (UNWTO) defines tourists as people who "travel to and stay in places outside their usual environment for more than twenty-four (24) hours and not more than one consecutive year for leisure, business and other purposes not related to the exercise of an activity remunerated from within the place visited." (UNTWO, 2008)[56]

World Congresses
World Congress against Commercial Sexual Exploitation of Children, held in Stockholm (1996), Yokohama (2001) and Rio de Janeiro (2008).

[56] UNTWO (1995). *UNTWO Technical Manual: Collection of Tourism Expenditure Statistics*. Madrid: World Tourism Organization, p. 14, available at: http://pub.unwto.org/WebRoot/Store/Shops/Infoshop/Products/1034/1034-1.pdf

Appendix A: The Six Code of Conduct Criteria

- **To establish a corporate ethical policy against commercial sexual exploitation of children:** The company must set up a written policy against commercial sexual exploitation of children. The employees have to be made aware of the existence of the policy as part of their professional training.

- **To train personnel in the country of origin and travel destinations**: Personnel, agents, contracted hotel staff, regardless of nationality, sector of responsibility and terms of employment have to be informed and individually trained in The Code and its contents, and information has to be made available and shared via the existing internal communication channels. After training, the employees have to know how to proceed when they suspect that a traveller or other person is involved in commercial sexual exploitation of children (abuse, procuring, photographing etc.). A number of employees in "key positions" (local managers, guides, buyers of hotel and accommodation services etc.) have to be trained as Code instructors and internal monitors and may, in turn, train the rest of the company staff.

- **To introduce clauses in contracts with suppliers, stating a common repudiation of sexual exploitation of children:** Such clauses stipulate that the contract may be cancelled if the supplier's owners and employees do not meet the commitments to repudiate commercial sexual exploitation of children in relation to their activities.

- **To provide information to travellers through catalogues, brochures, in-flight films, ticket-slips, websites, etc.:** Information to travellers is provided by means of catalogues, brochures, in-flight videos, luggage-tags, ticket-slips, home pages, etc. The information will call the travellers' attention to the problem, by explaining the contents of The Code of Conduct, and the commitment of the company to socially responsible tourism. An important component of the information is contacts that the travellers can use for providing anonymous tips.

- **To provide information to local "key persons" at destinations:** “Key persons" are those at the travel destination with whom the tourism company co-operates, without necessarily having a signed contract. These persons/parties include individuals who usually have substantial contact with the customers (i.e. restaurant owners, bar owners, taxi drivers), as well as persons likely to have an influence within the community (i.e. decision makers, mayors, representative of local NGOs, etc.).

- **To report annually**: The main purpose of the reporting process is to allow sharing of experience among the companies implementing The Code, and to be a source of inspiration for other members of the industry and with civil society in general. Moreover, by reporting the challenges and the results of working with The Code, companies contribute to the continuous improvement of the training and the know-how regarding the practical aspects of its implementation. The reports are only made public upon the authorization of the company submitting the report.

Appendix B: List of Stakeholders Consulted

Costa Rica

Name	Position	Organization
San Jose		
Milena Grillo Rivera	Executive Director	Paniamor Foundation
María del Mar	Promotion and Institutional Relations	Paniamor Foundation
Sylvia Lobo	Assistant Manager	Expediciones Tropicales
Mauricio Céspedes	Executive Director	Canatur- National Tourism Association
Flora Ayub	Executive Assistant	Costa Rica Chamber of Hotels
Katia Enríquez	Commercial Manager	Adobe Rent-a-Car
María Elena Muñoz P.	Management Assistant & Tourism Sustainability	Costa Rican Trails
Susan Solía Rosales	Head of Sustainable Tourism Department	State Distance University
Rigoberto Astorga Morales	Program Coordinator Costa Rica	UNICEF
Damarís Arrieta M.	Sustainable Tourism Department	ICT Costa Rica Tourist Board
B. Raquel Morales A.	National Coordinator	Rainforest Alliance
Katell Mahieu	Technical Advisor	Rainforest Alliance
Patricia Gonzalez Rodriguez	-	Hotel President
Katherine Carter Leon	General Manager	Hotel President
Mauricio Jiménez R.	Manager	Genesis Travel SA
Andrea Osorio Naranjo	Project Manager Sustainability	Punta Leona Hotel and Club
Elisabeth Ballestero	Technical Secretary	CONACOES National Commission Against Sexual Exploitation
Eugenia Salazar	Chief Prosecutor Domestic Violence and Sex crimes	Justice Department
Xinia Vasquez	Deputy Director	Tourist Police
Viviana Acuña	Deputy	Tourist Police
Jacó		
Nidie Zúñiga	Head of Human Resources	ILO
Gerardo Cambronero	Head of Tourism Association	Jacó Tourism association
Giovanni Nuñez	-	Villa Caletas
Zigetcy Slc	-	Villa Caletas
Arenal		
Hanzie Castro Corrales	Commercial Manager	Volcano Lodge and Gardens
Lauren Solamer Glesen	Owner	Exploring Arenal
Uladimir Sanchez Villegas	Manager	Volcano Lodge and Bosco
Asdrubol Castro Castro	President	Hotel Volcano Lodge
Carlos Alberto Román Espinoza	Chair	Community development association
Gerado Arce Arguello	Manager Human Resources	Volcano Lodge and Gardens

Patricia Duar	Executive Director	Expotur and Acoprot
Gisella Solera Arroyo	Management Assistant	Amadeus Travel Agency
Pablo Cespedes	Operations Manager	Hotelbeds Accommodation
Tamarindo		
Helen Soto Montoya	Sustainability Manager	Hotel CapitánSuiza
Andrés Fabres	Sustainability Manager	Hotel Bahía del Sol
Jessica Gutiérrez A.	Sustainability Manager	Hotel BarceloLongosta
Stephanie Uilchex Ramirez	Training Manager	Hotel and Resort Westin
Ibis María Bustas R.	Assistant Manager HR	Hotel BarceloLangosta
Sandrine Tcherniacle	Director	Cepia (supports children at risk)
Grettel Solóizano Ullo	Volunteer	Cepia (supports children at risk)
Simona Daniele	Owner	Hotel Luna Llena
Argerie Cordero	Subdirector	Hotel BarceloLongosta

Thailand

Name	Position	Organization
Bangkok		
Patchareeboon Sakulpitakphon	Program Officer / LCR	ECPAT, Thailand
Patrika Chulamokha	Child Protection Program Manager	World Vision
Snowwhite Smelsor	Project Officer	UNODC
Vuthaya Charoenpol	Country Program Director	Friends-International
Suparnee Pongruengphomt	Information Analyst	UNIAP
Afrooz Kariani Johnson	Technical Director	World Vision (Project Childhood)
Christophe Lejeune	Regional Director of HR	Accor
Chitpapong Tipparat	HRS Support Manager	Accor
Tassaneeya Visupakarn	Regional HR Manager	Accor
Philippe Le Bourhis	General Manager	Novotel Bangkok on Siam Square
Yuwalee Amporntrakul	Training Manger	Novotel Bangkok on Siam Square
Ramesh Bappoo	General Manager	Grand Sukhumvit Hotel Bangkok
Wasana Yamslip	Director of Human Resources	Grand Sukhumvit Hotel Bangkok
Peesadej Suangsomboon	Human Resources Development Manager	PCS International Facilities Services
Mark Capaldi		ECPAT
Sureerat Sudpairak	Marketing Communications Manger	Ramada Encore Hotel
Olivier Berrivin	General Manager	Ramada Encore
Chiang Rai		
Katesanee Chantrakul	Projects Coordinator	ECPAT Foundation
Somakait Chuentherawong	Director, Chiang Rai office	Chiang Rai Tourism Assoc
Suwit Kedklinhom	Manager	Pimanninn Hotel
Marc Dumur	General Manager	Legend Chiang Rai Hotel

The Netherlands

Name	Position	Organization
Celine Verheijen	Local Code Representative	ECPAT Netherlands
Mirjam Dresmé	Head of Communications and Sustainable Tourism	The Netherlands Association of Travel Agents and Tour Operators (ANVR)
Lieke Luxembourg	Marketing Manager	Travel Counsellors
Jan Hendriks	Expert, Human Trafficking & Smuggling	Netherlands Police Agency
Hans van der Kooij	Member Services, Sector Management	HORECA Netherlands
Joris Prinssen	Communications Spokesperson	HORECA Netherlands
Linda Venselaar	Manager	Meldpunt Kinderpornografie op Internet (Hotline on Child Pornography on the Internet)
Theo Noten	Programme Manager	ECPAT Netherlands

Appendix C: Bibliography

Baines, Victoria (2008). *Online Child Sexual Abuse: The Law Enforcement Response*. Bangkok: ECPAT,available at: http://www.ecpat.net/worldcongressIII/PDF/Publications/ICT_Law/Thematic_Paper_ICTLAW_ENG.pdf

Beddoe, Christine (2008). *Return to Sender. British Child Sex Offenders Abroad - Why More Must Be Done*. London: ECPAT, available at: www.ecpat.org.uk/downloads/Return_to_Sender_2008.pdf

Cooper, Sharon, Richard Estes, Angelo Giardino, Nancy Kellog and Victor Vieth (2005). *Medical, Legal and Social Science Aspects of Child Sexual Exploitation and Internet Crime*. Missouri: Medical Publishing Inc.

ECPAT. *Global Monitoring Reports on the Status of Action against Commercial Sexual Exploitation of Children (Agenda for Action), a*vailable at: http://www.ecpat.net/EI/EI_publications.asp

ECPAT (2005). *Who is Doing What to Protect Children from Sexual Exploitation? East Asia and the Pacific*, available at http://www.ecpat.net/A4A_2005/eap.html

Ennew, Judith (2008). *The Exploitation of Children in Prostitution*. Thematic paper for the World Congress III against the Sexual Exploitation of Children and Adolescents, Rio de Janeiro, Brazil, November 2008, available at: http://www.ecpat.net/WorldCongressIII/PDF/Publications/Prostitution_of_Children/Thematic_Paper_Prostitution_ENG.pdf

First World Congress Against the Commercial Sexual Exploitation of Children, available at: http://www.csecworldcongress.org/en/

Flood, Michael (2009). 'The Harms of Pornography Exposure among Children and Young People'. *Child Abuse Review* 18: 35-48.

Fordham, Graham (2006). *As if They Were Watching my Body: A Study of Pornography and the Development of Attitudes Towards Sex and Sexual Behaviour Among Cambodian Youth*. Phnom Penh: World Vision Cambodia, available at: http://worldvision.org.kh/pdf/Pornography_Research_Report2006.pdf

Fredericks, John (2010). *Sexual Abuse and Exploitation of Boys in South Asia. A Review of Research Findings, Legislation, Policy and Programme Responses*, UNICEF, Innocenti Research Centre, available at: http://www.unicef-irc.org/publications/pdf/iwp_2010_02.pdf

Hall, C. Michael (1998). 'The Legal and Political Dimensions of Sex Tourism: The Case of Australia's Child Sex Tourism Legislation', in *Sex Tourism and Prostitution: Aspects of Leisure, Recreation, and Work*. Edited by Martin Oppermann. New York: Cognizant Communication.

Hoose, Jayne, Stephen Clift and Simon Carter (2000). 'Combating Tourist Exploitation of Children', in *Tourism and Sex: Culture, Commerce and Coercion*. Edited by Stephen Clift and Simon Carter, pp. 74-90. London: Pinter.

International Centre for Missing & Exploited Children (2008). *Child Pornography: Model Legislation & Global Review*, available at: http://www.missingkids.com/en_US/documents/CP_Legislation_Report.pdf

Kooijmans, Joost (2008). 'Prostitution, Pornography, and Pornographic Performances as Worst Forms of Child Labor: A Comment to Art. 3b of Convention No. 182', in *Eliminating Child Labor: The Plight of the ILO in a Globalized World - A Legal Analysis*. Edited by Giuseppe Nesi, Luca Nogler, Marco Pertile, pp. 129-150. Aldershot: Ashgate.

Montgomery, Heather (2008). 'Buying Innocence: Child Sex Tourists in Thailand', *Third World Quarterly* 29: 903–917.

Montgomery, Heather (2010). 'Child Sex Tourism: Is Extra-Territorial Legislation the Answer?', in *Tourism and Crime*. Edited by David Botterill and Trevor Jones, pp. 69-84, Oxford: Goodfellow Publishing.

Muntarbhorn, Vitit (2007). *Commentary on the United Nations Convention on the Rights of the Child. Article 34: Sexual Exploitation and Sexual Abuse of Children,* Leiden: Martinus Nijhoff.

Newell, Peter (2008). *Legal Frameworks for Combating Sexual Exploitation of Children,* Florence: UNICEF Innocenti Research Centre, available at: http://www.unicef-irc.org/knowledge_pages/resource_pages/worldcongress3/bern_consultation/newell.pdf

O'Connell-Davidson, Julia (2001). *The Sex Exploiter*, available at: http://www.lastradainternational.com/lsidocs/627%20yokohama_theme_sex_exploiter.pdf

O'Connell Davidson, Julia (2005). *Children in the Global Sex Trade,* Cambridge: Polity Press.

Roby, Jini L. (2005). 'Women and Children in the Global Sex Trade. Toward More Effective Policy'. *International Social Work* 48: 136-147.

Saunders, Penelope (2005). 'How "Child Prostitution" Became "CSEC"', in *Regulating Sex: The Politics Of Intimacy And Identity*. Edited by Elizabeth Bernstein and Laurie Schaffner, London: Routledge.

Save the Children Fund (2005). *The Commercial Sexual Exploitation and Sexual Abuse of Children in Fiji: A Situational Analysis,* Fiji: Save the Children Fund available at: http://www.unescap.org/esid/gad/Ies/CSEC/CSEC%20Fiji%20Report%20_Edited_%201205.pdf

Tepelus, C. (2008) 'Social Responsibility and Innovation on Trafficking and Child Sex Tourism: Morphing of Practice into Sustainable Tourism Policies?' *Tourism and Hospitality Research* 8(2): 98-115.

Territo, Leonard and George Kirkham (2010). *International Sex Trafficking of Women and Children: Understanding the Global Epidemic,* New York: Looseleaf Law.

Third World Congress Against the Commercial Sexual Exploitation of Children, available at: http://iiicongressomundial.net/index.php?id_sistema=2&inicial=2&id_idioma=2

UNICEF IRC, (2010), *Combatting the Sexual Exploitation of Children in Travel and Tourism: International and National Commitments, Actions and the Role of the Private Sector*, unpublished report.

UNICEF Innocenti Research Centre
Piazza SS. Annunziata 12,
50122 Florence, Italy
Tel: (39) 055 20 330
Fax: (39) 055 2033 220
florence@unicef.org
www.unicef-irc.org

© United Nations Children's Fund (UNICEF)
April 2012

unite for children

unicef