

**Sex,  
sun**

**and heritage:**



## Tourism threats and opportunities in South East Asia

A report on best “practices” on tourism and trafficking  
for UNIAP and World Vision  
by Heather A. Peters, Ph.D.



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Heather A. Peters

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# Introduction

Tourism is increasingly a vital economic driver and a valued source of employment in emerging economies. Thailand has over 11 million visitors annually. Tourism is Cambodia's second largest source of employment tipped shortly to become its number one industry. It brings prosperity, dynamism and enhances cultural richness. Investment in infrastructure and local business bring more visitors prepared to spend. High fliers, package tours, back packers and increasingly regional tourists all contribute to local economies.

Managing the impact of growth is a challenge facing governments and civil society alike. Demand for resources to service the growing industry may result in unforeseen costs for local communities. This report shows that there is an ugly side to the economic promise tourism brings. Families and individuals are drawn in to economic hubs as demand for construction and entertainment services grow. These are most noticeable at international centers close to air links and border points as a result of increased regional tourism. It is here where the demand has fueled the growth of services where exploitation can and does occur.

Leaders and governments have agreed that change is needed to protect the vulnerable, regulate business and collaborate with civil society. Much has been achieved since the first World Congress to Combat the Sexual exploitation of Children in 1996. The second World Congress, Japan 2001, gave prominence to this growing problem. It called on states and other actors to take action to prevent such situations and reinforce the system of protection outlined under the convention on the rights of children and subsequent optional protocols.

Increased political will from this forum and growing evidence of need laid the foundation for national action plans and cross border collaboration best shown in the COMMIT process and MOU between 6 countries. It is a solid base and sound model for cross border collaboration on challenging issues.

This paper gives a snapshot of two member countries working with civil society on efforts to counter sexual exploitation and trafficking of children linked to tourism. Good practice are discussed, difficulties and observations noted which are valuable to the countries of the Mekong sub region and beyond. Sustained engagement on questions of migration, trafficking and smuggling is needed from governments and multilateral actors in a region with great economic variation and shifting demographic.

World Vision views child protection and human rights as a priority needing affirmation in practice. Goals echoed with the UNIAP leading to collaboration on this important study. It recognizes the efforts of Heather Peters and all who have contributed time, experience and insight adding to the richness of the paper. Recommendations of this study highlight research gaps and opportunity for further action from governments, donors, civil society and other actors.

Let's make our choices count!

Laurence Gray  
Regional Advocacy Director  
World Vision Asia Pacific Region

# List of acronyms

APLE	Action Pour Les Enfants
ARCPPT	Asia Regional Cooperation to Prevent People Trafficking
CC	The Code of Conduct
COMMIT	Coordinated Mekong Ministerial Initiative against Trafficking
ACILS	American Center for International Labor Solidarity
AFESIP	Agir Pour les Femmes en Situation Precaire
COSECAM	NGO Coalition to Address Sexual Exploitation of Children in Cambodia
CPCSO	Cambodia Poor Children Support Organization
CSEC	Commercial Sexual Exploitation of Children
CST	Child Sex Tourism
CSW	Commercial Sex Work
DSW	Direct Sex Workers
ECPAT	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
ECTAA	Group of National Travel Agents' and Tours Operators' Associations within the EU
FACE	Fight Against Child Exploitation (a Thai NGO)
FIYTO	Federation of International Youth Travel Organizations
FFW	Foundation for Women (Thai NGO)
GAATW	Global Alliance Against trafficking in Women (an international network of more than 80 member NGOs)
GMS	Greater Mekong Sub-region (includes: Cambodia, China (only Yunnan and Guangxi Provinces), Lao PDR, Myanmar, Thailand and Vietnam)
HOTREC	Hotels, Restaurants, Cafés & Similar Establishments in the EU and European Economic Area
IATA	International Federation of Tour Operators
IDSW	Indirect Sex Workers
IH & RA	International Hotels & Restaurant Association
ILO-IPEC	International Labour Organization, International Programme on the Elimination of Child Labour
ILO-IPEC TICW	Trafficking in Women and Children
IOM	International Organization of Migration
IUF/UITA/IUL	International Union of Food, Agriculture, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations
KWCD	Khmer Women's Cooperation for Development
LEASEC	Law Enforcement Against Sexual Exploitation of Children Project (Ministry of Interior, Royal Government of Cambodia)
LICADO	Cambodian League for the ProMOTion and Defense of Human Rights
LSCW	Legal Support for Children and Women
MOT	Ministry of Tourism (Cambodia)
MOU	Memo of Understanding
MOWA	Ministry of Women's Affairs (Cambodia)
NTO	National Tourism Authority
PATA	Pacific Asia Travel Association
PSA	Public Service Announcement
RGC	Royal Government of Cambodia
TAF	The Asia Foundation
TAT	Tourism Authority of Thailand
TOR	Terms of Reference
UFTAA	Universal Federation of Travel Agents Associations
UNDP	United Nations Development Programme
UNESCO	United Nations Education, Science and Culture Organization
UNIAP	UN Inter-Agency Project on Trafficking of Humans in the Greater Mekong Sub-region
WTO	World Tourism Organization
WVI	World Vision International
YCDP	Youth Career Development Programme

# Executive Summary

This study is the first of two recommended studies which were requested as part of the Sub-Regional Plan of Action (SPA) for the COMMIT Process.

The objective of the study is to:

**Compile and analyze selected “best practice” of Cambodia and Thailand in dealing with trafficking and the tourism services sector.**

## About the study

Based upon advice from a wide range of international experts, many developing countries take the tourism industry as a primary economic growth engine. Countries such as Laos, Cambodia and Myanmar have little industrial development within their borders, and few domestic products to export to their neighbors or the rest of the world. With encouragement from large international institutions such as the World Bank and the ADB, leaders in these countries have come to the conclusion that their most important resources are their natural assets; i.e., their environment and traditional culture(s) – hence, their reliance on the tourism industry to bring economic prosperity to their small economies. Despite set-backs caused by the Iraq war, followed by Sars, the tourism industry is booming. In 2004, more than 700 million tourists were recorded world wide; 119.1 million of these went to the Asia Pacific Region; and 17.8 million visited the GMS.

Tourism is promoted by its advocates as a “clean” industry and one which can serve to preserve both traditional cultures and the environment. The reality is far more complex. The truth of tourism development is that while it can bring real economic benefits to local communities, underscore and strengthen local cultural traditions, draw attention to and even assist environmental protection, the potential exists for tourism to erode the very resources on which it depends. Tourism is, in essence, an external dynamic force which brings hitherto unknown and unpredictable elements into people’s lives and societies.

Despite the successes of several tourism projects, the reality of tourism bringing economic benefits to poor local communities, supporting traditional cultures and protecting the environment is still an elusive ideal. For example, leakages in the GMS – except for Thailand – range between 25-40% (2005 GMS Tourism Strategy Report), a situation which indicates that the local communities are not the primary beneficiaries of tourism dollars. A circuit tour of the region’s primary World Heritage Sites, i.e. Lijiang in Yunnan, Luang Prabang in Laos, Angkor Wat in Cambodia, reveals the extreme stress the high volumes of tourists place on traditional culture. The on-going quest to increase numbers of visitors to sites is, in fact, eroding the very cultural and historical values for which the sites were inscribed as UNESCO World Heritage sites in the first place.

Tourism, thus, can introduce serious negative social impacts – impacts which are not an intrinsic part of tourism development, but which sadly accompany the kinds of tourism that are expanding rapidly in the Greater Mekong Sub-Region. These serious negative social impacts include sex tourism and especially child sex tourism (CST). Both of these impacts can be linked with trafficking.

The study investigates and analyzes a wide range of anti-trafficking projects and activities implemented by government agencies, international agencies, non-governmental agencies and the private sector to address the “three Ps”, i.e. prevention, protection and prosecution. Because a large amount of trafficking is not directly or indirectly linked with tourism, the study concentrates on those projects which tackle the problem of Child Sex Tourism and its related solution, Child Safe Tourism. Although Child Sex Tourism is not the only form of trafficking found within the tourism industry, it is the most heinous, and is found in both Thailand and Cambodia.

The study found that there were a wide range of specific stakeholders in both Thailand and Cambodia involved with tackling this problem.

*“A circuit tour of the region’s primary World Heritage Sites, i.e. Lijiang in Yunnan, Luang Prabang in Laos, Angkor Wat in Cambodia, reveals the extreme stress the high volumes of tourists place on traditional culture.”*

◆ The ministries of tourism in both countries were involved, although at the time of the study, the Cambodian Ministry of Tourism was the more pro-active of the two.<sup>1</sup>

◆ Major international organizations such as UNDP, ESCAP, UNESCO, UNODC, UNICEF, IOM, UNWTO, the ILO and UNIAP all are actively engaged in projects combating trafficking and unsafe migration – among them UNWTO, the ILO, UNESCO and ESCAP have projects which specifically address tourism linked trafficking problems.

◆ Among the large international NGOs, ECPAT and World Vision take the lead in addressing tourism-linked trafficking issues. Both organizations have played roles in actively engaging both the governments and the private sector. As a result, certain major tourism-related companies and businesses in the private sector are playing more active roles in addressing the issue than before. Nonetheless, the study found the need to expand the private sector's involvement from the larger, international companies and hotel chains to the smaller ones.

◆ Finally, the study looked at several smaller NGOs, both international and national, which are addressing the problem of Child Sex Tourism at a grass-roots community level.

Many examples of good practice were found among all stakeholders, but it was felt that many of them needed continued support, strengthening and expansion.

Another conclusion of the study is that it is essential to keep in mind that the tourism industry, in the end, is a business, and businesses are motivated by the prospect of profit – not by altruism. This does not mean that there cannot be good business practice – i.e. one which seeks to strike a balance between outright greed and making a reasonable profit. Nonetheless, the sooner one realizes the nature of the tourism business, the easier it will be to understand the seeming contradictions between what is said and what is practiced.

This is why National Tourism Organizations can, on the one hand, talk about their policies regarding the “sustainability” of culture and the environment, together with “accountability” to and participation of the local communities; yet, on the other, promote a “more is better” philosophy, i.e. there can never be too many tourists.

Nonetheless, the study concludes that the pieces are in place for promoting a “good tourism”, especially with regard to trafficking, but that these “pieces” must be fully utilized.

They include:

◆ Commitment at the highest level of government among the GMS countries to confront trafficking of humans for exploited labor – the COMMIT Process.



*Thailand hopes to increase its tourism from 11 million to 21 million people over the next eight years.*

◆ The signing of the ASEAN Declaration against Trafficking in Persons, Particularly Women and Children, on 29 November 2004, Vientiane, Lao PDR.

◆ Several bi-lateral initiatives including one by AUSAID, as well as an active NGO (ECPAT International, WVI, FACE, AESIP, etc.) community working on these issues in the GMS countries. Their work extends from grass-roots level to top levels;

◆ The Public Security Bureaus and ministries in the GMS participate in a number of cross-border border cooperations in the GMS; and

◆ A legal basic framework is in place or in progress of being put in place in each country which establishes the rights of women and children.

1. Since the completion of this study in July 2006, the Ministry of Tourism and Sports in Thailand has designated Dr. Saisithara Phichaichannarong, Deputy Permanent Secretary, to oversee the issue of the sexual exploitation of children in tourism in Thailand. Dr. Saisithara is taking a strong pro-active role in with regard to this issue. As part of her new responsibilities, she is coordinating Thailand's role in organizing the up-coming GMS Seminar on Protecting Children from Trafficking and Sexual Exploitation in Tourism to be held in Bangkok from 5-6 November 2007. This seminar is one of the products linked with PPC 9 of the COMMIT Process.

## General recommendations

- ◆ Implement evidence-based programming by doing detailed and sophisticated research.
  - ▶ Detailed and sophisticated research should go beyond rapid assessment surveys and PRA exercises. Research should include a combination of quantitative and qualitative, extensive and intensive methodologies.
- ◆ The National Tourism Organizations of the GMS region should address the tourism realities within their own countries and region. For example:
  - ▶ Tourism experts predict that during the next 10 years more tourists from the Asia Pacific Region will travel to the GMS than from Europe and North America. The preferences and patterns of these tourists differ from those of the European and North American and the tourism industry will have to adjust its strategies.
  - ▶ There will also be substantially higher numbers of tourists which will occur through strategic planning by the National Tourism Organizations. Thailand, for example, expects to increase its total number of tourists from 11 million to more than 21 million. Because of these increased numbers, the countries will have to adjust radically their current tourism management strategies in order better to protect their cultural heritage, environment and societies. The sheer volume of visitors will severely threaten the carrying capacity of tourism sites and society.
  - ▶ It has been noted that current tourist patterns and trends in the GMS are resulting in an increasing demand for entertainment venues, including sex services. This trend should be verified and monitored through serious research.
- ◆ Develop diplomatic ways to persuade government authorities, and especially National Tourism Organizations, to address the problem of Child Sex Tourism more openly. This means broadening their primary focus on Western pedophiles to including regional and domestic tourists' alleged preference for underage girls. Part of this strategy can be the results of serious and in-depth research, which reveal and analyze the problem. Another is to hold the authorities more accountable for the various regional and bi-lateral MOUs and agreements they have signed with regard to trafficking prevention.
- ◆ Encourage regional associations, such as ASEAN, and donors, to hold governments accountable for their management of the tourism sector in the interests of honoring their commitment to children through the Convention on the Rights of the Child; the Global Millennium Goals; the Bali Consensus on Partnerships with and for Children in the East Asia and Pacific Region (May 7, 2003) and the Regional Commitment and Action Plan of the East Asia and Pacific Region Against CSEC (October 2001).
- ◆ Encourage National Tourism Organizations to assume responsibility in the fight against CST.
  - ▶ This means finding ways to give National Tourism Organizations ownership over programmes. In materials provided by the Cambodian MOT, it is clear that they have taken ownership over developing strategies to combat CST. Encourage this ownership and develop ways to hold them accountable.
  - ▶ TAT and the Ministry of Tourism and Sport in Thailand refer to the problem as a "police" issue. Part of their solution strategy is to divert attention away from sex tourism, and especially CST, to promote "healthy and family-oriented tourism". TAT should be encouraged to take a stronger pro-active position.

◆ Create licensing systems for the tourism industry which are enforceable. Currently, licensing systems exist in both Thailand and Cambodia, but they are not always enforced. This licensing system should include: (1) tour guides; (2) tour companies and agents, (3) all hotels, (4) restaurants and coffee shops, (5) entertainment venues, including beer parlors/gardens, karaoke bars, night clubs, and massage parlors.

- ▶ An enforceable system requires a responsible monitoring team, which has authority.
- ▶ Fines and penalties should be extremely severe for companies and/or individuals who are engaged in prohibited behavior. For example, if a hotel fails to report incidences of minors being brought into the hotel by persons other than a close family relative then the hotel should lose its license. Strict monitoring might also be applied to tour companies if their guides facilitate tourists securing underage sex workers.
- ▶ Find ways to convince the tourism industry to re-invest a portion of their economic profits in training for their staff with regard to child protection within the tourism industry, and to ensure that child protection standards agreed upon by the tourism sector are enforced by the sector. This process will require greater practical leadership from the National Tourism Organizations, and should include budget provisions, and making agreements to hold the private sector and individuals in the industry accountable.

## Recommendations for Future Research

- ◆ Cultural research on the attitudes and beliefs about family, children and sexuality.
  - ▶ Assumptions are made by international organizations and NGOs regarding the “Asian” family and its values which are not necessarily valid. It is essential to have a better understanding of the complexities and differences between and among “Asian” families in modern times.

- ▶ The analysis should include not only the dominant nationality in each of the states, but also the different hilltribes and ethnic minorities.
- ▶ Class difference should also be factored in. Better knowledge will help to formulate better programmes. In international reports, gender is frequently discussed, class rarely is.

◆ Commission a study on the children involved in Child Sex Tourism:

- ▶ Who are they?
- ▶ Where do they come from?
- ▶ What are the factors which lead them to this situation?
- ▶ What roles do culture and ethnicity play in their assumed vulnerability?
- ▶ Who are the players involved?

◆ Carry out more and better research on the clients of commercial sex workers which includes who they are, and what are their use patterns, preferences and preferred venues.

◆ Carry out more research on the sex workers themselves (the ILO study, AIDeTouS have already carried out some initial research), asking some of the following questions.

- ▶ Who are they?
- ▶ Where are they from?
- ▶ What is their level of education?
- ▶ What are their skills, if any?
- ▶ What are their attitudes and beliefs regarding sex work?
- ▶ What are their sexual practices?

◆ Cultural research on the sexual attitudes and practices of the regional and domestic tourist.

- ▶ Challenge and test the assumption that “Asian men” prefer girls and especially virgins.

◆ Research which specifically addresses the issue of structural vulnerability within the context of tourism. Some of these vulnerabilities are briefly touched upon in this study; for example, the lack of citizenship and identity papers found among not only hill tribes, but also people of Thai descent. Another example is the vulnerability of ethnic minorities within tourism development.

A study dealing with the impact of tourism on ethnic minorities within the context of trafficking has already been requested in the Action Plan of the COMMIT process.

## Recommendations for Prevention and Awareness-Raising Campaigns

- ◆ Design better strategies to reach the Regional and Domestic Tourist
  - ▶ These need to be linguistically, culturally, and problematically appropriate
  - ▶ These also need to be pre-tested and post-tested.
- ◆ Design innovative ways to test and measure the impact of awareness-raising campaigns. This means testing tourists themselves, as well as devising ways to test child abusers; perhaps by using methods developed by the FBI or researchers profiling serial killers and sexual predators. .



*Born in a slum community on the outskirts of Thailand's sex haven Pattaya, this little girl's poverty and lack of access to quality education make her very vulnerable to the lure of the sex industry. A pre-teen focussed Saturday Club, funded by World Vision, teaches her life skills and rights awareness in the hope that she will find other options later in life.*

## Recommendations for Prevention, Awareness-Raising and Skills Training

- ◆ It is recommended that all organizations and NGOs develop a variety of training strategies and toolkits which can, then, be used for different target populations.
  - ▶ NTO's and other government officials are probably most comfortable in the traditional meeting room context. ECPAT, Child Wise and World Vision training usually conducts this kind of training.
  - ▶ Others, such as taxi drivers, moto-drivers (Cambodia), workers in small restaurants, guest houses, etc. seem better reached by more personalized, one-on-one training strategies.
- ◆ In this regard, continue the work needed to enlist a broader spectrum of stakeholders in the tourism sector, i.e. the 3 star and below hotels, guesthouses, Moto-drivers, taxi drivers, entertainment venue staff, and tour guides.
- ◆ With skills training, try whenever possible to link them with employment. It is an obvious recommendation, but not one which has always been followed. In economies where good-paying jobs are already scarce, this is not a trivial task.
- ◆ Integrate training/education within the context of work and daily life of the trainee. Many workers want to learn new skills, but do not have the where withal to extricate themselves from their current work. Providing training with flexible and limited hours per day seems to work better. This practice is enlisted by COSECAM, Mith Samlanh, KWCD and The Fountain of Life.
- ◆ Take into consideration the contradiction that, often, the jobs available after skills training pay significantly less than CSW, and have longer hours and poorer working conditions. A study by UNESCO revealed that Hmong girls in Laos, for example, found that by having one overnight customer per month they could pay their rent; two overnight customers per month would pay for their rent plus food; and three customers per month gave them the additional money they needed for other amenities. Working in a canning or textile factory did not compare.
- ◆ If relevant, include entire family unit in the educational/training programme. Some organizations found that families could not afford to lose the income of a child worker, nor could they afford to support the child during training. Involving the family in the process, including economic compensation helped.

## Recommendations for Protection

- ◆ Strengthen Hotline services by guaranteeing that they have the networks and services callers need. This includes victim protection services as well as police follow-up if required. Guarantee availability of multiple languages so as to accommodate most if not all callers.
- ◆ In shelters and drop-in centers which provide services and protection for people from multiple linguistic backgrounds, have translators more easily available, and train some staff in some of the languages found among the more commonly found victims. For example, in Ban Kredthrahn, no one speaks Khmer. Yet, the facility processed 103 Cambodians in 2001, 70 in 2002 and 58 in 2003.
- ◆ Continue to strive for better treatment of children within the legal system.
- ◆ Support continued growth and strengthening of labour unions. Strong labour rights can be linked with the reduction of trafficking.

*“...law enforcement alone is an insufficient response if the underlying causes and structural vulnerabilities have not been dealt with.”*

## Recommendations for Prosecution

- ◆ Recognize that law enforcement alone is an insufficient response if the underlying causes and structural vulnerabilities have not been dealt with. For example, when the police closed the brothels which offered underage children in Svay Pak, the problem did not go away. Informants confirmed that small children were still available, but the transactions became more covert.
- ◆ Recognizing that police training and sensitization is urgently needed, but is complicated by low levels of capacity and efficiency, design training which includes careful pre-assessment, close monitoring (both during and after), and thorough post-project evaluation, such as that implemented by the ARCPPT Project.
- ◆ Instead of only focusing on improving law procedures which concentrate on arresting and punishing perpetrators, consider using legal solutions which emphasize economic resolutions and heavy economic fines. This would include imposing severe economic penalties on individuals and tourism businesses involved with trafficking and CST within the tourism context.
  - ▶ For example, bars hiring under-age girls should be both fined and closed down – this recommendation is linked with the “licensing system” recommended above.
  - ▶ In addition, it has also been pointed out by some individuals working with rescued victims that many seek economic compensation for lost and/or unpaid wages, and are less adamant about arrest and punishment. Obviously, this strategy is not appropriate in cases where victims have been severely abused or harmed.

# Background

## The COMMIT Process (Coordinated Mekong Ministerial Initiative Against Trafficking)

On 29 October 2004, at the conclusion of a GMS Senior Officials Meeting (SOM), senior officials from six Mekong countries (Cambodia, China, Laos, Myanmar, Thailand and Vietnam) agreed to a set of concrete commitments and priority actions to address human trafficking. The areas of practical cooperation included, among others, the creation of a network for repatriation of victims, building similar networks between specialist police units, and improving extradition procedures.

The process was facilitated by UNIAP, as the secretariat to the Commit Process, as a way to:

- ◆ promote and strengthen systems and arrangements of inter-country and regional cooperation against human trafficking;
- ◆ establish a holistic regional response, covering all aspects of the trafficking problem and ensuring that concern for the victim is at the centre of all interventions;
- ◆ identify and adapt successful models in one country to others as appropriate; and
- ◆ enhance national capacities to address human trafficking in order to facilitate each country's engagement at the sub-regional level, building on existing strengths in each country.

(2005 UNIAP Secretariat: 4)

Signing the MOU triggered the process of formulating a detailed Sub-Regional Plan of Action (SPA) which comprised eleven areas of intervention and one area of management:

- ◆ Regional Training Programme
- ◆ Identification of Victims and Apprehension of Perpetrators
- ◆ National Plans
- ◆ Multi-Sectoral and Bilateral Partnerships
- ◆ Legal Frameworks
- ◆ Safe and Timely Repatriation

- ◆ Post-harm Support and Reintegration
- ◆ Extradition and Mutual Legal Assistance
- ◆ Economic and Social Support for Victims
- ◆ Addressing Exploitative Brokering Practices
- ◆ Cooperation with Tourism Sector
- ◆ Management – Coordination, Monitoring and Evaluation

This current study was requested as part of Project Proposal Concept (PPC) 11, Area 7, Activity 17.

Area 7: Strengthen regional cooperation with the tourism sector to prevent and combat trafficking in persons, especially children and women. Activity 17 is to hold a Regional Seminar with the tourism sector to develop a COMMIT approach to cooperation of the transport and tourism services in preventing and combating trafficking in persons.

In preparation for this regional seminar, two studies were recommended:

- ◆ Compile and analyze selected “best practice” of Cambodia and Thailand in dealing with trafficking and the tourism services sector; and
- ◆ Conduct an in-depth social impact assessment on the development of tourism on vulnerable groups in isolated areas, with special focus on ethnic minorities.

(2005 UNIAP Secretariat: 49)

This study is the first of the two recommended. Support for the study was provided to UNIAP by World Vision Cambodia. Logistical and organizational support was given by the UNIAP regional office in Bangkok. The 30 day study was carried over a period of 4 months between November 2005 and February 2006.

## Overview of Trafficking within the Context of this Study

Trafficking in Persons is a particularly repugnant form of transnational crime involving the deception and degradation of hundreds of thousands of victims around the world.

According to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (November 2000), trafficking in persons shall mean:

“the recruitment, transportation, transfer, harbouring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

In the process of looking at the movement of people, we should draw attention to a basic lack of distinction between trafficking and migration which characterizes many discussions on trafficking. Jyoti Sanghera, makes this point very clearly in her research where she concludes that: “It is urgently suggested that policy and legislative interventions make a clear distinction between migration and trafficking (Sanghera 2002:37).

The Human Rights Commission in Geneva in April 2002 further stated that:

“At the core of any trafficking definition must be the recognition that trafficking is never consensual. It is the non-consensual nature of trafficking that distinguished trafficking from other forms of migrations. The lack of informed consent must not be confused with the illegality of certain forms of migration. While all trafficking is, or should be, illegal, all illegal migration is not trafficking. It is important to refrain from collapsing the concepts of trafficking and illegal migration.”

During the past decade, the United Nations together with a wide range of governments, international organizations and NGOs has become increasingly aware of the widespread phenomenon of trafficking in human beings – both across borders and within nation-states themselves. Much attention has been given to the Asia-Pacific region, and especially the Greater Mekong Sub-Region (GMS), which has become a hub for trafficking in persons, particularly for the purposes of sexual servitude.



## **Overview of Tourism with Regard to its Potential Negative Social Impacts <sup>2</sup>**

The GMS is a sub-region where the ease of cross-border movement coupled with the relative economic prosperity and political stability of some countries has attracted large numbers of would-be economic migrants. Nonetheless, despite the ease of cross-border mobility, political sanctions against would-be migrants in destination countries have created a need for networks of “people-movers” to facilitate cross-border movement. That these facilitators often serve as links to low-paid exploitative jobs – including sex work - in the destination countries is hardly surprising.

The lucrative tourism industry in the GMS not only creates jobs within legitimate sectors (i.e. restaurants, hotels, souvenir selling, etc.), but also has stimulated a demand for women, children and even men in the entertainment sector, which usually translates as the sex sector. Many of these persons are poor and have low education levels; the sex sector offers them higher paying jobs than they could find elsewhere. How someone enters the sex sector varies, but while some enter voluntarily (but often pressured by economic need), others are trafficked. In both Thailand and Cambodia, the majority of persons working as sex workers represent movement from the countryside to the urban centers. Some have come across international borders.

It is argued by some that that whereas adults can choose sex work as an occupational choice – however temporary, children can only be considered victims of coercion and trafficking (Lim 1998). Children, in contrast to adults, “are clearly much more vulnerable and helpless against the established structures and vested interests in the sex sector, and are much more likely to be victims of debt bondage, trafficking, physical violence or torture” (World of Work, 1998).

Based upon advice from a wide range of international experts, many developing countries take the tourism industry as a primary economic growth engine. Countries such as Laos, Cambodia and Myanmar have little industrial development within their borders, and few domestic products to export to their neighbors or the rest of the world. With encouragement from large international institutions such as the World Bank and the ADB, leaders in these countries have come to the conclusion that their most important resources are their natural assets, i.e. their environment and traditional culture(s) - hence their reliance on the tourism industry to bring economic prosperity to their small economies. The tourism industry, despite set-backs caused by the Iraq war followed by Sars, is booming. In 2004, more than 700 million tourists were recorded world wide; 119.1 million of these went to the Asia Pacific Region; and 17.8 million visited the GMS.

Tourism is promoted by its advocates as a “clean” industry and one which can serve to preserve both traditional cultures and the environment. The reality is far more complex. The truth of tourism development is that while it can bring real economic benefits to local communities, underscore and strengthen local cultural traditions, draw attention to and even assist environmental protection, the potential exists for tourism to erode the very resources on which it depends. Tourism is, in essence, an external dynamic force which brings hitherto unknown and unpredictable elements into people’s lives and their societies.

The debate on the pluses and minuses of tourism and its sustainability has been ongoing for over 20 years (Smith 1989 is one of the earliest to raise these issues), Nonetheless, despite the successes of several tourism projects, the reality of tourism bringing economic benefits to poor local communities, supporting traditional cultures and protecting the environment is still an elusive ideal. For example, leakages<sup>3</sup> in the GMS – except for Thailand – range between 25-40% (2005 GMS Tourism Strategy Report), a situation that indicates that the local communities are not the primary beneficiaries of tourism dollars. A circuit tour of the region’s primary World Heritage Sites, i.e. Lijiang in Yunnan, Luang Prabang in Laos, Angkor Wat in Cambodia, reveals the extreme stress the high volumes of tourists place on traditional culture. The on-going quest to increase numbers of visitors to sites is, in fact, eroding the very cultural and historical values for which the sites were inscribed as UNESCO World Heritage sites in the first place.

2. Portions of this section on tourism and its potential negative social impacts are adapted from my mission report “Cultural and Natural Heritage Management and Social Impacts Management Report” prepared for the ADB funded GMS Tourism Strategy Project, March 2005.

3. “Leakage” refers to the amount of dollars which are spent by a tourist in a country but which do not stay within that country, i.e. they “leak” out. For example, the food eaten by tourists in 5-star hotels is often imported from developed countries in order to supply the food to which the western visitor is accustomed.

Recent developments in Rattanakiri, a province in northeastern Cambodia where the population is predominantly non-Khmer, and which has unique biodiversity, illustrate several very real shortcomings of tourist development. The Cambodian government selected Rattanakiri Province as one of the pilot sites in the ADB-sponsored and funded “Pro-Poor” component of the Mekong Tourism Development Project (MTDP RETA 5893). It was targeted for tourism development not only for its beautiful environment, but also for its diverse and rich cultural traditions belonging to the local ethnic minorities.

Recognizing the possible damage tourism could wreck on the environment and traditional cultures, additional money was provided by the ADB (RETA 6191) for a team of international experts to evaluate the potential negative impacts of tourism and infrastructure development on this fragile and vulnerable environment. Interestingly, the consultants working on this team have found that the most serious impact has been the land-grabbing and illegal land sales, which have taken place by greedy and corrupt individuals in anticipation of lucrative tourism development. The local ethnic minorities, the majority of whom are subsistence farmers who also practice “hunting and gathering”, have now been displaced off their ancestral lands and left without their traditional livelihoods. They have no recourse but to turn to low-paid menial labour in the towns. Already ethnic minority girls and women are turning to part-time, seasonal, “prostitution” as the only means of supporting themselves (Aarti Kapoor and Frederic Thomas, 2006 personal communication, and 2006 Thomas, Kapoor and Marshall) – and all of this is happening before large scale tourism development has actually begun.

Tourism, thus, can and is, introducing serious negative social impacts – impacts which are not an intrinsic part of tourism development, but which sadly accompany the kinds of tourism which are expanding rapidly in the Greater Mekong Sub-Region. These serious negative social impacts also include sex tourism and especially child sex tourism (CST). Both of these impacts can be linked with trafficking

I would like to draw attention to three kinds of tourism – all of which are prevalent in the GMS region, and which deserve our special attention. These are:

- ◆ Border Tourism
- ◆ Regional Tourism, and
- ◆ Domestic Tourism

## **Border Tourism**

Entering into the GMS tourism development equation is a specific kind of tourism which figures less prominently in the statistics and marketing strategies of the National Tourism Offices. This is what I am calling “Border Tourism”.

Border Tourism is just that – it concentrates on activities along the borders of certain GMS countries, specifically: Yunnan and Myanmar; Yunnan and Lao PDR; Yunnan and Vietnam; Thailand and Cambodia; and Cambodia and Vietnam. We can also add Thailand and Malaysia<sup>4</sup>. During the 1990’s efforts had been made by both governments to develop a more open, cross-border tourism between the two countries, focusing on the protected area that links the two countries. However, the unrest in Thailand’s southern provinces during the past few years has closed this border (personal communication, Mr. Vattid Charoensiri, Technical Forest Officer, National Park, Wildlife and Plan Conservation Department, Thailand, November 2004)).

Border tourism differs from increased efforts by the officers of many National Tourism Offices (NTOs) to attract larger and larger numbers tourists to their respective country’s tourist spots (2005 GMS Tourism Strategy). Many of the “Border Tourists” do not need to use their passports when they enter neighboring countries for this purpose. They are permitted entry on a border pass, an outcome of signed bi-lateral agreements between countries. Within the GMS, border tourism is dominated by Chinese citizens. Thai citizens are probably next. These numbers are usually not counted in the statistics gathered by the tourism offices, but they are by immigration officials at border posts. It was estimated by Dr. Ian Davies, the economist working with the GMS Tourism Strategy team, that at minimum, an additional 11 million visitors should be added to the GMS tourism 2004 statistic of 17.8 million visitors (GMS Strategy 2005). What is important for the purposes of this report, are the kinds of recreational activities which characterize this tourism. .

Border Tourism in the GMS belongs to the domain of resorts and casinos. Gambling is illegal in China (some early attempts to open casinos in Yunnan, in both Ruili, Dehong Prefecture, and Jinghong, Xishuangbanna Prefecture, in the late 1990’s were squashed very quickly by authorities<sup>5</sup>), but the attraction of gambling for an increasingly well-to-do Chinese population is irresistible.

4. This border tourism lies outside the GMS region and is part of the larger ASEAN area. It is obviously more important for Thailand than for Cambodia. Marc Askew and Erik Cohen (2004) have written a very interesting article on the “border” tourism that takes place from Malaysia to southern Thailand which is a mixture of visits to sacred spots and sex venues.

5. This is based upon personal observation in Ruili in 1998, supplemented by discussions with local Chinese colleagues.



*Sopheha (name changed) was trafficked at the age of fourteen from rural Cambodia to a brothel in the rowdy town of Aranyaprathet, Thailand. "Life there was unbearable," she says. "The men liked young girls and I was the youngest. I had all sorts of customers, Thai and Cambodian – I hated them all. Worst were the beatings if I said no."*

Consequently, by the beginning of the millennium, casinos, and their accompanying resort complexes, began to appear in various locations across the border from Yunnan in Myanmar. The earliest resorts appeared in Mengla, in the Shan State in Myanmar, which is across the border from Daluo, a domestic border checkpoint in the Xishuangbanna. By early 2003, a cluster of casino-resorts were being built in Mai Ja Yang, one of two primary border towns in the Kachin State, Myanmar, opposite Longchuan County Seat, Dehong Prefecture (personal observation, January 2003).

The casinos were opened with Chinese investment, and ownership is Chinese. Nearly all the staff working in the casinos (from management to the more lowly workers) comes from China, and it goes without saying that the clientele are almost all Chinese from across the border. In the Kachin State, the local leaders do not permit local people to gamble, although they say they would have liked to see more employment given to their young men and women (personal interviews, January 2003). Therefore, benefits from such border tourism go to the investors, and very little, if any, to the nationals of the investing country.

Other resorts have been opened or are in the planning stages in northern Laos. One resort has already opened in Phongsaly Province whose access is from the Xishuangbanna Prefecture, Yunnan Province. Another major complex, the so-called Boten Golden City, is still in the planning stage. This location is in the vicinity of Boten, the Lao border town just opposite the international Chinese checkpoint of Mohan, in Mengla County, Xishuangbanna Prefecture. Construction work is just beginning (personal observation February 2005, confirmed by recent discussions with colleagues working in the vicinity). As with the resorts in Myanmar, investment is Chinese. We should note that gambling resorts always provide the companionship of attractive young women, and as such are places with a thriving sex industry.

Finally, more relevant to the countries emphasized in this study are the casinos in Poipet, Cambodia, a border town opposite Aranyaprathet on the Thai side of the border. These casinos primarily service Thai gamblers.

In addition to potential links with trafficked women and children, the flourishing sex industry at these locations also provides ample opportunity for the increased spread of HIV/AIDS, which in China, for example, is increasingly being spread through sexual transmission. In this manner, HIV/AIDS is also spreading into what were previously non-risk populations, i.e. the men engaging in this sexual activity can bring home the infection to their wives and girlfriends. HIV/AIDS prevention efforts have not kept pace with mobility and changing conditions. This is true throughout the GMS.

In late November 2004, the Chinese government issued a ban on its citizens traveling to these border resorts for gambling purposes – the reason provided was that too much state money was being squandered. However, reports from local informants confirm that many of these establishments have already re-opened and are doing business, albeit more quietly (personal communication with colleagues in Yunnan, March 2006).

*“in recent years, Thailand has taken an aggressive stance against pedophiles, and as a result, pedophiles have shifted their activities to Cambodia where they perceive they have less interference . This is the commonly referred to as the “push-down, pop-up” phenomenon”*

## Regional Tourism

Another trend in tourism is the phenomenon of increasing numbers of regional tourists (Asia and the Pacific) visiting each others' countries. In the GMS, the most visible new visitors are the Chinese, Japanese and Koreans. The Chinese figure disproportionately within this group because, in addition to visitors from the People's Republic of China (PRC), it includes people from Taiwan, Singapore and Hong Kong. Travelers from the PRC often travel on package tours to major tourism destinations in the GMS. This trend began in the late 1990's, and has increased in volume with the passing years. It is a natural development in a country which initially placed extreme restrictions even on domestic travel. With the loosening of these restrictions during the late 1980's and early 1990's, domestic tourism in China experienced a boom which continues to this very day. In the 1990's, restrictions on travel abroad (on group package tours) were also relaxed. This development accompanied the increasing personal wealth of many Chinese citizens. By the late 1990's – early 2000's, it became even easier for Chinese citizens to obtain passports and to travel as individuals to foreign countries<sup>6</sup>. And, they are doing so!

Consequently, in tourism destinations such as Siem Reap, Cambodia (Angkor Wat), the tourism offices and companies are increasingly working to attract Chinese visitors, and are strengthening their services aimed at these visitors. This means training tour guides to speak Chinese, staffing hotels with Chinese speakers, and opening more Chinese restaurants<sup>7</sup>.

However, even more attractive to the authorities in Siem Reap are Japanese and Korean visitors<sup>8</sup>. A drive around the streets of Siem Reap town reflects the increase of Korean and Japanese investment and presence there by the names of the hotels, restaurants and massage parlors, and the use of Korean and Japanese language on the signs. Japanese influence has clearly reached the Provincial Tourism Department of Siem Reap where more than 558 guides are listed as speaking Japanese<sup>9</sup>.

Another service, however, is also emerging to meet the needs of this new group of tourists – the night entertainment venues, which can be translated as commercial sex venues. Siem Reap now has a growing number of commercial sex venues linked with its expanding mass tourism industry. The face of the Siem Reap tourist is changing from upscale

European and North American tourism to Chinese, Japanese and Korean mass tourism. Not only is mass tourism more stressful on the monuments and environment, but the men in these groups frequently seek night entertainment – even if their wives accompany them on the tour. I was told that wives stay in the hotel while the men go out for the evening (personal communication with a doctor in Siem Reap, November 2004).

An emerging characteristic feature of both regional and border tourism, especially for the increasing numbers of Asian male tourists, is the preference for young adolescent women – preferably virgins. Although they would not say that they have a predilection for children, by favoring young women, preferably teenagers, they often have sex with a girl under the age of 18. It was also pointed out more than once during my consultations in Cambodia that the local male and regional tourist preferred a brothel context (direct sex venue), as opposed to an indirect sex venue such as a karaoke bar or disco where the illusion of voluntary choice existed<sup>10</sup>.

There is also a separate market for pedophiles whose preferences are for children who are clearly pre-pubescent. This market often involves Western men. Cambodia, and especially Phnom Penh, Siem Reap and Sihanouk Ville, is believed to be becoming a haven for pedophiles. Recent studies by various organizations in Cambodia (for example, Grillot 2005 and Renault 2006 for Action pour les Enfants; Thomas and Pasnik 2002 for AIDeTouS and Beddoe 2003 for ECPAT) have found that most pedophiles find their victims on the streets and not in the brothels – underscoring the vulnerability of the numerous street children who haunt the streets of Phnom Penh, Siem Reap and Sihanouk Ville in tourist areas selling souvenirs and postcards. It should be noted that in recent years, Thailand has taken an aggressive stance against pedophiles, and as a result, pedophiles have shifted their activities to Cambodia where they perceive they have less interference. This is the commonly referred to as the “push-down, pop-up” phenomenon (Marshall and Thatun 2005).

Given the high profile media coverage of Western pedophiles, for example the recent Gary Glitter case in Vietnam, there seems to be a gap between recognizing offenses committed by Western tourists and those committed by domestic and national tourists.

6. Until recently, all Chinese citizens wishing to travel abroad had to obtain a passport which was linked with their official work unit. Travel as such was usually linked with “official” work. These passports are time consuming to process and obtain. Now it is possible for Chinese citizens to request personal passports to use for leisure travel. These are easy and quick to obtain.

7. The Siem Reap Provincial Tourism Department reports more than 190 Chinese speaking guides as of 2005.- personal communication, February 2006).

8. Statistics from the Siem Reap International Airport during the period 19 Dec 05 – 29 Jan 06 show 22,033 Japanese and 20,232 Korean arrivals, and only 2,066 Chinese from the PRC (2005-6 Internet Café Study, Phase II: 69).

9. Op.cit. Siem Reap Provincial Tourism Department, personal communication, February 2006.

10. The same assertion cannot be made for Thailand where karaokes and special clubs for Japanese tourists and residents are widespread and popular. A class difference might also distinguish the preference between direct and indirect sex venues. Further study is needed..



## **What is the link, if any, between trafficking and tourism?**

### *Trafficking in People and Tourism*

Although trafficking in people is not caused by tourism, trafficked victims have been identified within the tourism industry. They could end up as exploited help in less scrupulous hotels (less common), or as sex workers in one of the numerous massage parlors or karaoke bars in entertainment districts frequented by tourists.

Trafficked victims working as sex workers are found not only in the entertainment districts of the major cities and towns of the GMS, but in more remote border towns as well – some of which cater to “Border Tourism” and others to domestic tourism.

### *Child Beggars and Street Children*

Child beggars and street children can constitute another form of trafficked labour, and because they are also frequently concentrated in tourism destinations (Phnom Penh, Siem Reap, Sihanouk Ville, Bangkok), they are indirectly linked with tourism. In Bangkok, large numbers of child beggars are found in areas where tourists go shopping, Sukhumvit Road, for example, opposite the Emporium Shopping Center is one prime location. Investigations carried out for a UNIAP Thailand project suggest that some of these children are trafficked from Cambodia, although not by gangs as previously believed. (Personal Communication, UNIAP Thailand Team February 2006)<sup>11</sup> .

Thai street children, according to Laurence Gray, World Vision, largely fall into two categories: (1) children traveling with their parents, and (2) those on their own.

“Those traveling with their parents are working to help pay off family debts. Although the children are usually working as vendors, they will sell sex opportunistically, often with the consent of parents. This occurs mostly in Patong and Pattaya....In Patong these places underage sex for work occurs predominantly with boys. In Patong, pedophile activity is almost exclusively limited to sex with young teenage boys<sup>12</sup> . In Patong the street children tend to fall more into the second category of traveling along, and will be more active in seeking out sex for money...There are numerous agents working in the area who promote this” (World Vision, personal communication, March 2006)

In Cambodia the situation of street children is slightly different. The hundreds of children who frequent tourist locations in Phnom Penh and Siem Reap selling pirated books, postcards and other tourist souvenirs might be there because their parents have sent them out to earn money, or they might have even decided themselves to scour these locations because the lure of earning money from the booming tourism business in these localities is too tempting. These children, even if not trafficked, are in highly vulnerable situations.

Several studies by Cambodian NGOs and organizations identify these children as primary targets for the western pedophile (Grillot 2005, ECPAT, Thomas and Pasnik 2002). Thierry Darnaudet, President of APLE said that in an interview that,

“Children range from those who are genuinely tricked or forced, to a larger contingent of savvy children working on the streets or on the beaches, who seek out pedophiles hoping for quick profit...At the end of the day, after so many years of pedophilia in Cambodia...the kids know what the business is” (adapted from Cambodia Daily, 30 December 2005, [www.humantrafficking.org/countries/eapo/cambodia/news/2005](http://www.humantrafficking.org/countries/eapo/cambodia/news/2005) ).

11. UNIAP Thailand Office initiated a research project during Phase I of the UNIAP Project to understand better the situation of the street children in Bangkok. Quickly realizing that many of the children were from Cambodia, the UNIAP project officer enlisted the assistance of Friends International, an international NGO working in Cambodia which has extensive experience working with street children there. Phase 2 of UNIAP Child Beggar Project is training Khmer-speaking social workers in order to carry out better research which can then lead to better interventions.

12. A study on pedophilia in Phnom Penh (Grillot 2005) also found that most of the children selling sex were underage boys.

## Sex Workers

What about sex workers who are part of the tourism industry? Are we to assume as some, that sex workers by definition are trafficked victims and sex slaves (Hughes 2004; Huda 2006)? In Cambodia, some informants working with sex workers also believe that the majority of women entered their work either by force or trickery (Personal communication, UNIAP Cambodia, February 2006; AIDeTouS, February 2006.).

However, this is clearly not always the case. The ILO office in Cambodia, in their recent study of sex workers in Sihanoukville, reports that less than 10% of the sex workers interviewed considered themselves trafficked (Catalla 2004b: 17, and personal communication, ILO Cambodia, January 2006). Empower, a Thai NGO founded in 1985 by and for sex workers, takes the position that sex work is legitimate work, and argues strongly for both the human and labour rights of sex workers. This is clear in their open letter on the human rights violations women are subjected to when “rescued” by anti-trafficking groups (www.nswp.org/mobility/mpower, June 2003) Empower reflects that:

“..the focus on trafficking in persons has meant many groups with little or no experience on the issues of migration, labour, sex work or women’s rights have been created to take advantage of the large sums of money available to support anti-trafficking activities. Their inexperience and lack of contact with the sex worker community has meant they are unable or unwilling to differentiate between women who have been trafficked and migrant workers. They also show a great deal of trouble differentiating between women and girls, often applying identical standards and solutions for both”.

### *Trafficked Labour in Other Sectors of the Tourist Industry*

The use of trafficked labour within the hotel and restaurant sectors of the tourism industry in Thailand and Cambodia, is difficult to confirm, and is probably not a widespread phenomenon. Wages in many of the smaller establishments can be quite low (even below national minimum standards), and the workers denied basic labour rights and benefits. However, this situation is often related to the overall labour conditions of the countries in the region, and less likely to be the direct result of the workers being trafficked. Some of the smaller establishments in border areas might also be using illegal migrants as low-paid labour, for example as maids or workers in restaurants. In northern Thailand, illegal migrants are often found on the construction teams building the hotels (Jackie Pollack, personal communication 2006). Minimum standards for many of these workers have been ignored, and should be addressed. It should be noted that with regard to low-paid workers in general, unions in both Cambodia and Thailand are beginning to address the issue of labour standards.

*“The ILO office in Cambodia, in their recent study of sex workers in Sihanoukville, reports that less than 10% of the sex workers interviewed considered themselves trafficked ”*

## **What Other Ways Does Tourism Development Contribute to Trafficking?**

The recent (past decade) trend for Chinese businessmen to invest in entertainment/casino/ resort complexes just over the borders of Yunnan province in neighboring GMS countries (see Border Tourism section above) has created new venues for sex workers, both trafficked and voluntary.

Finally, expanded road networks (which figure prominently in the lists of projects cited in the ADB MTDP and the GMS Tourism Strategy) which facilitate the flow of economic goods and people, can also facilitate the flow of migrants seeking better economic opportunities. The vulnerability of many of these migrant workers could lead to their possible exploitation.

# What is the range of this study?

## What is Best Practice<sup>13</sup>?

The concept of “Best Practice” grows out of concern nearly a decade ago about the number of development projects which were failing, or duplicating themselves. The concern was to look at the history of projects addressing specific issues in order to determine which ones worked and which ones did not – and to evaluate why the ones that worked did. Thus, although best practice can represent different aspects of a practice the key feature of it is that is something that has been tried and shown to work. Good ideas may or may not become best practice – they have to be tested and shown to be effective.

“Best Practice” is multi-fold. On the one hand, “Best Practice” emerges as the “practices” used in designing and implementing a project. It was recognized early on that if you did not develop a project in consultation and participation with the local stakeholders and communities, the project had a higher probability of failure. If local beneficiaries do not feel ownership of the project, will they care about it once the project is completed? If a wide variety of stakeholders do not agree to cooperate and work together on the project as partners, can the project survive in the end? Thus, “Best Practice” can be considered, in part, sets of strategies, methodologies and processes used within a project.

On the other hand, “Best Practice” has to be more than simply using ‘good’ processes and fashionable strategies. In the end, it must be about results. “Best Practice” should refer to an entire project, and the assessment of whether or not the project itself accomplished something, and, how this can be measured. One criteria of “Best Practice” is first to do an assessment or a situational analysis before the project begins. Is the objective or goal of the project addressing a real need, and are the project’s activities really addressing this need? Finally, an evaluation is needed at the end to determine whether or not the project succeeded in meeting its objectives – and – whether or not the project had any impact. How do we know that the project has met its goals? Can we measure the impact?

The ILO Good Practice Guidelines provide a useful outline of criteria for determining what makes a practice “good”:

1. Innovative or creative
2. Effectiveness/impact
3. Replicability
4. Sustainability
5. Relevance
6. Responsive and ethical
7. Efficiency and implementation

This study will investigate Best Practice using the criteria suggested above, including those guidelines recommended by the ILO. Projects will be classified, where possible, within the categories of:

- ◆ Prevention
- ◆ Protection, and
- ◆ Prosecution

13. The definition of Best or perhaps Good Practice comes from discussions with colleagues. It has also been taken from the Good Practices guidelines prepared by the Design, Evaluation & Documentation Section of ILO/IPEC –Version 2, October 2001.

## Defining the Categories

It is useful to note, however, that many projects cannot be neatly categorized into “prevention”, “protection” and “prosecution” – many are a combination of two or all three. It is useful to specify what I will mean by each of these categories.

### *Prevention:*

means galvanizing the public and private sector to combat and work against child exploitation. It can be further subdivided into (1) awareness-raising (including training) among the vulnerable and those individuals in positions to either facilitate or prevent trafficking; and (2) skills training. The latter provides economic alternatives to the work offered by agents to economically desperate individuals.

Another aspect of prevention includes safe migration and labour protection, and these last two fall into the domain of the ILO and the IOM<sup>14</sup>. In addition, structural vulnerability reduction measures have an important impact in reducing the size of the potential pool of trafficking victims. UNESCO is very active in this field<sup>15</sup>.

### *Protection:*

encompasses not only legal protection<sup>16</sup> through the creation of gender and child sensitive laws and regulations and international MOUs and their enforcement, but also those efforts directed towards securing the well-being of victims of trafficking. These are services which reach into the areas where trafficked victims work. They can also be facilities for trafficked victims. The latter can include drop-in centers where victims of exploited labour can find temporary relief, and have the opportunity to make decisions about future plans or live-in shelters which provide housing and services. Protection includes victim-sensitive programmes, psycho-social recovery and assistance with safe return and reintegration of victims.

Protection measures also include protecting people at risk from being trafficked. Although sometimes controversial, these measures could include social welfare interventions, such as placing children who are at risk of being trafficked or sold into safe centers (the Daughters Education Project in Chiangmai Thailand is one such project.) Protection might also include community monitoring. Protection also includes safe labour regulations, which protect against the exploitation of both children and adults in the workplace. Labour unions can play a role in this arena, and they are beginning to do so in both Thailand and Cambodia.

### *Prosecution<sup>17</sup>:*

includes such actions as arresting the wrong doers and prosecuting them – sometimes resulting in compensation for the victims. Other mechanisms of the prosecution process may include training for the police and members of the judiciary system, i.e. prosecutors, lawyers and judges and the investigators from NGOs who assist the police and judiciary in gathering evidence and data to be used in legal cases.

*“There is a widespread belief among journalists and people and organizations focusing on the sex sector that the domestic and Asian regional tourist in and to Thailand and Cambodia have is a preference for young virgins. Although hard data are difficult to come up with, anecdotal evidence seems to confirm this phenomenon.”*

14. Mutually accepted procedures for efficient and transparent repatriation of victims of human trafficking will be addressed in the COMMIT Process Action Plan CCP 6.

15. “Structural vulnerability” refers to vulnerability that derives from legal status or other social conditions which affect certain social groups. For example, lack of citizenship, lack of birth registration, lack of land tenure, statelessness, lack of access to linguistically and culturally appropriate education and information, etc. all increase vulnerability to trafficking and exploitation.

16. Under the COMMIT Process Action Plan assessments of the legal framework and existing legal codes pertinent to law enforcement and prosecution of trafficking in the GMS will be carried out under PPC 5 & PPC 8.

17. Under the conditions of the current TOR, issues relating to prosecution are expected to be raised only where relevant. The COMMIT Process Action Plan will address prosecution in more detail in PPC 2.18. 18. As mentioned right, exploited labour is certainly found in hotels and restaurants linked with the tourism industry, but these workers are usually not trafficked victims. Other kinds of labour which harbor trafficked victims, for example, domestic help, factory/sweatshops and fishing boats, are not part of the tourism industry and, although important, fall outside the scope of the TOR for this study. Only beggars and street children, some of whom are trafficked victims, can be sometimes linked with the tourism sector.

19. See Brennan 2004, Feingold 2005, Lim 1998, O’Connell 1998 and Steinfatt 2002. In addition, research carried out by Heather Peters in Thai-speaking areas in Yunnan found young Tai women who had traveled voluntarily to Thailand using their own networks to obtain jobs there in the massage industry and who were fully aware of the work they would be doing. Investigation carried out by a Hmong team of researchers for Phase I of the ADB-funded UNESCO Ethnic Minority Radio Project also revealed that young Hmong women, after migration from their rural villages to towns quickly moved out of poorly paid factory work to beer parlors. They stated if they slept with one overnight customer per month they paid for their monthly rent. If they slept with two customers per month they were able to buy food as well, and if they slept with three customers per month they could purchase luxuries.

20. See the AIDeTouS study in Cambodian sex venues done by Thomas and Pasnik 2002.

## The Scope of the Content of this Study

Although this study will include reference to all trafficked persons working within the tourism sector, the main focus will be on those trafficked workers found in the sex work sector. Sex work sector within tourism, and especially Child Sex Tourism (CST), draws considerably more attention from organizations addressing the negative social impacts of tourism than do other kinds of potentially trafficked labour<sup>18</sup>. Consequently, many of the campaigns and projects in Thailand and Cambodia address the issue of sexually exploited trafficked victims, CSEC and CST.

It is necessary, however, to repeat the distinction between trafficked women who work in the sex industry, and non-trafficked women who work there. It is clear that there are women working in the sex sector in the GMS and other parts of the world who have not been trafficked and are there by choice<sup>19</sup>. We may not endorse the choices they have made – which are often out of economic or even political necessity – but the fact remains that they are not trafficked. Hence, we can say that not all sex workers are trafficked, and conversely, not all trafficked persons end up as sex workers. Many trafficked women and girls are found as exploited domestic help or factor workers, whereas men and boys can wind up as farm labourers, plantation workers or crew on fishing boats.

As noted above, a large proportion of the content of this study will concentrate on the problem trafficked victims working within the sex industry linked with tourism. Child Sex Tourism (CST) is the most heinous and ugly face of sex tourism, and because of the more vulnerable nature of children, many of the projects reviewed here take up this problem.

The ILO's recent campaign for Child Safe Tourism (Press Release, September 2005), however, does reflect the need to regard all child exploitation within tourism as an important priority, and we should not exclude these other forms of child exploitation simply because it seems more relevant to address pedophilia.

### Demand

It is not possible to produce an in-depth analysis of demand within the confines of this study, and, indeed, a few detailed studies and analyses have been produced elsewhere (for example, Pearson 2005; Anderson and O'Connell-Davidson 2002 and 2003). Nonetheless, it is relevant to raise the issue briefly.

First, "demand can embrace a broad and divergent range of motivations and interests. It can refer to employers' requirements for cheap and vulnerable labour; to requirements for household and subsistence labour; or even to consumer demand for cheap goods and/or services – or any combination of these factors" (Anderson and O'Connell-Davidson 2003 via Pearson 2005:4)

However, as Pearson says:

"Factors creating pressure for abuse can mean something beyond economic demand. While the exploitation of workers may be driven by economic reasons, traffickers control and abuse victims because they are able to get away with it. .. Because migrant children and young women are often not in a position where they are willing or able to stand up for their rights, they are even more vulnerable to abuse and exploitation. For example, in Thailand's fish processing sector, young migrant women (aged 16-30) make up the majority of workers. Employers prefer this group because they are less willing to speak out for labour rights while accepting low wages in a demanding work environment" (Pearson 2005:4-5)

Thus, it has been found that demand for trafficked persons' labour or services does not appear where workers are well unionized and where labour standards regarding working hours, health and safety, wages and employment are routinely monitored and enforced (Anderson and O'Connell-Davidson 2003 via Pearson 2005:4). This finding emphasizes the importance of the growing union movement in Cambodia in various service sectors, including the sex sector, which will be introduced below under the Protection Section.

In addition, Anderson and O'Connell did not find a particular demand or preference for trafficked labour per se in either the sex or domestic work sectors of Thailand (Anderson and O'Connell 2003 via Pearson 2005). In fact, as pointed out by David Feingold, Project Manager for all UNESCO Regional Trafficking Projects, (personal communication 2006) trafficked women tend to end up in the low-end, and, hence, most exploited, section of the sex industry.

There is a widespread belief among journalists and people and organizations focusing on the sex sector that the domestic and Asian regional tourist in and to Thailand and Cambodia have is a preference for young virgins. Although hard data are difficult to come up with, anecdotal evidence seems to confirm this phenomenon. For example, there are documented cases of sex clients paying high prices for virgins. In Chinese traditional culture, we can find beliefs about the virility enhancing effects of sleeping with a virgin. Most recently, it is said that fear of AIDS is also driving clients to seek virgins who they believe will be "clean" and free from disease. A corollary to this is that because of changing mores among young people and sex practices in general, the age of a "guaranteed virgin" is becoming younger and younger.

Although the trend appears to be valid<sup>20</sup>, I believe that the situation is highly complex, and needs more in-depth study and analysis.

## What is Child Sex Tourism?

ECPAT USA defines CST as “the act of traveling abroad to have sex with a minor (under 18)” (www.ecpatusa.org) ECPAT International explains CST as the sexual exploitation of children by a person or persons who travel from their home district, home geographical region, or home country in order to obtain sexual contact with children. Child sex tourists can be domestic travelers, or they can be international tourists. CST often involves the use of accommodation, transportation, and other tourism related services which facilitate contact with children, and which enable him or her to be anonymous to the surrounding population and environment (ECPAT International, personal communication). The US government further adds that “tourists engaging in CST often travel to developing countries looking for anonymity and the availability of children in prostitution. The crime is typically fueled by weak law enforcement, corruption, the Internet, ease of travel and poverty”. (US Department of State, Bureau of Public Affairs 2005. Found on the website of the State Department’s Office to Monitor and Combat Trafficking in Persons: www.state.gov/g/tip.)

The crime is presumed to be expanding in geographic area and increasing in numbers (Voss 1999; UNIAP Digest Thailand 12 March 2006). However, in reality, there are no accurate statistics to prove this, and the number of 1 million child victims in Asia used since 1996 (Voss 1999:5; World Congress Against CSEC, Stockholm 1996) appears to have no basis in fact.

UNESCO Bangkok’s Trafficking Statistic project has the only analytical trafficking statistics. Their website underscores the difficulties of creating accurate and reliable data on trafficking (www.unescobkk.org/culture/trafficking) .

## Who is a Child Sex Tourist?

A Child Sex Tourist is a person who travels from their own country to another in order to engage in commercial sex acts with a child (US Dept. of State website, Luc Ferran 2005).

Most experts identify three different types of child sex abusers:

- (1) Pedophiles: who have sexual attraction to pre-pubescent children
- (2) Preferential child sex abusers, who lean towards having sex with children in the adolescent stage (post-pubescent); and
- (3) The 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

(Vitit Muntarbhorn 2005)



*As breadwinner for his family, Ponleu (name changed) submitted to several episodes of paid sexual abuse from a foreigner in Cambodia before he decided to ring the local NGO hotline and report his abuser.*

## Who is a Child<sup>21</sup>?

According to Article 1 of the Convention of the Rights of the Child (CRC), “a child means every human being before the age of eighteen years unless under the law applicable to the child, majority is attained earlier”. The age of “majority”, however, is not completely clear. In this regard, under Thai law, employment of children younger than 15 has been prohibited since 1998 (Pearson 2005:17 and Labour Protection Act 1998 Section 44), and those aged 15 – 18 are permitted to work in certain protective conditions (ibid. Section 45), which are not yet specified (Pearson 2005:17). In addition, the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children which supplements the United Nations Convention against Transnational Organized Crime, which defines a child as under the age of 18, has been signed by Thailand, but not yet ratified.

In Cambodia, under the 1996 Law on the Suppression of Kidnapping, Trafficking and Exploitation of Human Beings, a minor is defined as a person under the age of 15 (Sok Sam Oeun n.d. pp 59 & 69). The age of majority with regard to labour, however, is 18 (Catalla 2004b)

In China, the age of majority with regard to labour is 16, which they see as a problem with the UN Protocol (personal communication, Yunnan Women’s Federation, Kunming 2004).

Thus, by law, what constitutes a child is not only not completely clear, but is also not the same for all of the GMS countries. Furthermore, the reality in many traditional societies in Asia is that young people aged 16 and 17 are often considered adults within their own societies. They can marry, and otherwise function as an adult. Even in Thailand, where the legal age of majority is 18, traditional rural customs linger; and consequently, I would argue, that the ages from 16 to 18 remain a “grey” area for many men who, find nubile adolescents attractive, and do not consider them children.

According to the CRC, Article 32.1:

“States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development,

As such, a child cannot be deemed to make the decision to enter the sex trade voluntarily. A legally defined child can only be a victim and be trafficked<sup>22</sup>.

In the minds of most people there is a clear distinction between pre-pubescent and post-pubescent children, and even among the post-pubescent children, there is a distinction between a thirteen year old and a seventeen year old in terms of maturity, ability to work as a young adult and engage in sexual activity.

*“...what constitutes a child is not only not completely clear, but is also not the same for all of the GMS countries. “*

21. Detailed legal analysis of this issue is beyond the scope of this study. However, it is important to understand the framework in which countries and organizations are operating.

22 This understanding, however, needs to be further explored. For example, APLE’s study (Grillot 2005) on street pedophilia in Phnom Penh uncovered self-identified, voluntary sex workers among under-age children, WV Thailand (per.comm. Laurence Gray 2006) also points to the phenomenon of children from certain districts in Chiang Rai, who grow up with a long tradition of sex work and voluntarily enter the trade.

# Review of potential best practices<sup>23</sup>

## Prevention

The primary components of prevention consist of:

- ◆ Awareness-raising campaigns
- ◆ Awareness-raising training, and
- ◆ Skills training for the vulnerable, at risk and those who are already in, or who have just left, exploited, trafficked situations

### Awareness Raising Campaigns

#### *Major Players*

Awareness raising campaigns figure prominently within the corpus of projects addressing exploitation of children within the tourism industry, and especially Child Sex Tourism. Awareness-raising campaigns target the traveler him or herself, or the businesses that form an integral part of the tourism industry, for example, travel agents and companies, airlines, hotels, guesthouses, restaurants, airports and airport staff and even government officials. The materials targeting the tourist can be supplied either at the tourists point of departure, or at designated spots in his or her destination.

ECPAT International, together with all of its national branches, and WorldVision are two of the lead NGO organizations promoting world-wide campaigns to raise the awareness of all organizations and companies linked with the tourism industry to the dangers of child sexual exploitation within the industry. They form partnerships with governments (usually ministries of tourism), with other NGOs and international organizations (see Groupe Developpement, 2001 pages 19-23 for a summary of preventive actions and tourism worker training activities carried out by ECPAT National Groups world wide). ECPAT, which began as a campaign to end child sexual exploitation in Asian tourism during the late 1980's, is now a large international NGO with 81 member organizations/national groups/coalitions in 74 countries.

World Vision is a large faith-based international NGO. Its international headquarters are in the United States, but like ECPAT, it has country offices all over the world. Although its entire mandate is broader than that of ECPAT, for the past five years its Thai and Cambodian offices have focused strong attention on combating CST in those two countries.

WorldVision has also campaigned with other actors internationally on the introduction and effective application of extraterritorial legislation in the United States, United Kingdom and Australia. It has raised public awareness in demand countries, including Japan and Korea, as part of this process.

Child Wise (ECPAT in Australia) is a nonprofit organization specializing in child protection and the prevention of child sexual abuse and exploitation. Since 1999, Child Wise has worked in partnership with a growing partnership of ASEAN countries to prevent the sexual abuse of children in tourism destinations. In consultation with seven ASEAN 'destination' countries, Child Wise has developed the Child Wise Tourism™ curriculum which includes a Trainer's Manual and Participant Workbook. Translated into six languages, the Child Wise Tourism™ curriculum is designed for front-line tourism staff (hotel and restaurant staff, travel agents, tour guides, taxi drivers, tuk-tuk drivers, housekeeping and security staff), tourism management, and tourism students. Designed as a one-day, participatory workshop, the Child Wise Tourism™ training program raises awareness about child-sex tourism and builds the skills of tourism practitioners to safeguard children and identify and report suspicious behaviour. In Cambodia and Thailand, the NTOs are long-term partners in the Child Wise Tourism™ program. Government co-trainers in the Ministry of Tourism (Cambodia) and the Ministry of Tourism and Sports (Thailand) have developed the capacity to deliver the Child Wise Tourism™ curriculum independently.

Training modules and training tool kits have been developed by ECPAT, and the WTO especially for use in tourism training schools and courses, including guide training. The training modules are used in both "tourism sending" countries and "receiver" countries. In addition, some of the awareness-raising materials are aimed at the people who live in the receiver countries – people who are potentially vulnerable to exploitation by the tourism industry, as well as the general

23. In accordance with the TOR of this study, the author includes and assesses those projects and actions which focus on the direct interface of trafficking and tourism. It was not requested, nor was it possible, to assess all projects addressing trafficking in Thailand and Cambodia even though they might be indirectly linked with tourism. This task would have been out of the question in the amount of time allotted to the study. In addition, although the author cites and describes more projects than were visited during the study period, unvisited projects will be difficult to assess for status as "Best Practice" without personal observation. The TOR also requested a focus on Bangkok and Pattaya, and Phnom Penh and Siem Reap. Sometimes other sites are mentioned when relevant information is available. However, it was not possible to include all sites in Thailand and Cambodia where tourism and trafficking overlap.

population of people living there. World Vision Cambodia has also developed training modules and manuals for people in both the MOT and the tourism industry.

In addition to the training modules and training tool kits, Child Wise has just launched a major regional education campaign supported by all ASEAN member countries and their respective NTOs. This campaign was one of the outcomes at the Child Wise Regional Taskforce Meeting held in Bali in January 2004..

The ASEAN NTOs invited Child Wise to manage the production of the campaign. As the result of extensive market research and in extensive consultation with ASEAN NTOs, Child Wise decided to tackle the problem of CST by reaching out to all responsible travelers and not just targeting the small minority of travelers who sought to harm children. Their message served to create and distribute positive, meaningful, highly-visible materials which: (1) mobilized responsible travelers and local citizens to report CST on dedicated hotline numbers; (2) deterred child sex offenders; and (3) created a culture of intolerance in relation to child sexual abuse.

The campaign was unveiled at the annual Child Wise Tourism regional Taskforce Meeting held in Laos in September 2005. All ten ASEAN countries commenced preparations for a six-month strategy beginning in November 2005.

To date, hotlines have been set up in nine of the ten ASEAN countries, the Australian Government has provided funding for posters and stickers which have been distributed in all ten ASEAN countries. At the moment the materials are in English. They will eventually be produced in all ASEAN languages.

The WTO invited Child Wise to launch the ASEAN Regional Education Campaign at its Global Taskforce Meetings in London (November 2005) and Berlin (March 2006). More significant, in January 2006, all seven ASEAN Tourism Ministers signed a resolution endorsing the campaign during the ASEAN Tourism Forum in Davao, Philippines.

## **Assessing the Impact of Awareness-Raising Campaigns**

Given the enormous amount of time and money spent on these awareness-raising campaigns and activities, it is only fair to ask to what extent have they had results, what kind of results and how do we know that there have been results? Is it possible to verify that there is any correlation between tourists reading these materials before, during or just after their arrival at their destination and their actions while visiting the destination? Have the travel-related businesses monitored whether or not they materials they provide along with their tickets and travel itineraries have had any impact – has there been any feedback?

Regretfully, it appears that insufficient attention has been paid to evaluating the impact and effectiveness of the awareness-raising campaigns and actions. ECPAT International's 2001 Child Sex Tourism Action Survey (2001 Groupe Developpement: 24) states that:

“Action Researchers rarely evaluate their campaigns, special results indicators are not used and only ECPAT Australia, France and Sweden are trying to evaluate their efficacy and relevance”.

The report further states that: “We have almost no figures to assess the qualitative nationwide impact of these actions (referring to training actions taken within the tourism industry and schools)” (2001 Groupe Developpement: 27).

*(The material from this section comes from unpublished materials provided by Child Wise and discussions with Anita Dodds, Project Manager, Child Wise).*

## **Campaigns Aimed at Travellers**

For travelers, the awareness raising strategies include:

Pre-departure:

- ◆ Luggage tags (ECPAT Belgium, Netherlands, France and Germany),
- ◆ Ticket pouches with educational materials (ECPAT Italy and Sweden),
- ◆ Brochures and pamphlets (ECPAT USA, US Dept. of State, AIDeTouS, World Vision),
- ◆ Advertisements in travel magazines, (Child Wise),
- ◆ Postcards in immigration lines and travel agencies (Child Wise),
- ◆ PSAs on international television stations like CNN which are aired both at home and abroad (UNODC)

En Route:

- ◆ In-flight videos on planes departing for CST destinations (ECPAT Luxembourg and MOT, Cambodia);
- ◆ Fliers and brochures tucked into seat pockets on flights to Thailand and Cambodia (ECPAT International);

On Site in Destination Country:

- ◆ Prevention videos run at public spaces in the destination country, for example, the Phnom Penh airport in the immigration area (AIDeTouS);
- ◆ Signs placed strategically in airports or along roads in the destination countries, for example, the large bill boards on the road from the Phnom Penh airport to Phnom Penh and also on the airport road in Siem Reap (World Vision, Child Wise);
- ◆ Prevention messages linked with local transportation taken by tourists, for example, on the sides of buses traveling from Phnom Penh to Siem Reap (ECPAT Cambodia); messages on helmets or caps worn by Moto-taxis in Phnom Penh (World Vision), etc.
- ◆ Posters and stickers positioned in locations with high visibility for tourists, including hotel rooms, taxis, tuk-tuks, moto-helmets, restaurants, cafés, tourist sites, souvenir shops and ferry terminals (Child Wise, World Vision and Friends International);

## **Campaigns Aimed at the Travel Business**

Activities include some of the above mentioned materials plus “codes of conduct” for tour operators and the industry – some are self-regulatory.

As a package, the US Department of State released a CD Rom (2005) which brings together many Child Sex Tourism background and prevention materials. The materials include ones prepared by ECPAT and World Vision. The materials primarily target the travel business and provide a list of ways the travel industry can combat CST together with a listing of “Best Practices” taken by tourism companies, governments, and trade organizations to combat CST. The materials were compiled by the Office to Monitor and Combat Trafficking in Persons (G-TIP Office).

Another important ECPAT awareness-raising initiative designed specifically to involve the travel industry is the “Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism”. “The Code” (as it is usually called) evolved between the years 1997 – 2004 to become an organization of its own today. It is implemented through national ECPAT groups and overseen by an international Executive Committee and Steering Committee. It was initially supported financially by the ECPAT International network, the European Union, the UNWTO, and later also by UNICEF.

*Please note: the following detailed three paragraphs about “The Code” have been provided to the author by the section for Combating Trafficking and Sex Tourism of Children, ECPAT International, Thailand.*

The significance and importance of “The Code” is that it directly targets and works with the private sector – i.e. those international tourism related companies and businesses which operate in or send clients to destinations known for CST. It also creates a sense of ownership amongst travel and tourism companies with regard to child protection work which is usually seen as the preserve of NGOs, not the private sector. Following the Code launch in North American, held at UNICEF headquarters in New York on 22 April 2004, the Code became a non-profit organization formally registered in Sweden in May 2004. Companies that adopt “The Code” or become signatories are required to implement the following six criteria:

1. Establishment of an ethical policy regarding commercial sexual exploitation of children
2. Training of employees in the country of origin and travel destination
3. Introduction of a clause in contracts with service providers/suppliers stating a common repudiation of commercial sexual exploitation of children
4. Provision of information to travelers by means of catalogues, brochures, in-flight films, ticket-slips, home pages, etc.
5. Information provision on the Code of Conduct and the company’s policy in this regard to “local key persons” at the destinations
6. Annual reporting on the level of implementation of the Code of Conduct for the protection of children from sexual exploitation in travel and tourism.

Today, nearly 600 companies have signed the Code of Conduct, and have become members of “The Code” organization as signatory companies. The number of international tourists reached today by the Code of Conduct each year is estimated to be 30 million, given the number of tourists using the services of signatory companies. Companies from sectors of the tourism industry other than tour operators have also started to implement the Code of Conduct, notably hotel chains, independent hotels, travel agencies, tourism associations and federations, taxi business and several others. It, thereby, draws public attention to the problem of CST in the international area and creates a network of high profile businesses taking a very public stance and commitment to combat this part of their industry.

ECPAT concludes by saying that “The Code” continues to be promoted and implemented as part of national efforts against child sex tourism as well as more individualized and localized efforts against sexual exploitation of children in tourism.

### **Campaigns Organized by International Tourism Organizations**

World Tourism Organization (WTO) and PATA are two examples of large, international organizations who represent and work with the tourism industry, and who take an active lead in combating Child Sex Tourism.

WTO’s primary public position against CSEC began in 1995 with the launching of its international campaign “No Child Sex Tourism”. What WTO could do that ECPAT and World Vision alone could not was to bring on board the numerous international travel and hotel associations, for example: COTAL; ECTAA; FIYTO; HOTREC; IATA; IFTO; IFWTO; IH&RA; IUU/UITA/IUL; PATA; UFTAA<sup>24</sup>.

The international campaign for the protection of children from sexual exploitation in tourism was launched in 1997 by the WTO Task Force at the International Tourism Fair in Berlin.

Another strategy to address trafficking that goes beyond raising awareness of the dangers of trafficking is to provide information about safe migration from rural to urban areas and across borders. The ILO takes the lead in these campaigns together with projects to provide alternative choices to individuals planning to migrate.

24. See Annex G for more details regarding WTO and PATA initiatives.

## Determining the Impact of the Campaign on the Traveller

To determine the impact on the traveler, we would have to assume that a researcher could, before the campaign, calculate, or at least estimate, the numbers of tourists who travel to a destination to seek sex – either with children or adults. However, for obvious reasons, this is not possible. In Thailand, single male tourists entering the kingdom on group tours were frequently identified as potential sex tourists, and Thai tourism officials point to the increase in families visiting Thailand as an indicator that “sex tourism” is decreasing.

Another problem is that even assuming that single male tourists were seeking sex during their holidays, we cannot presume that they are specifically targeting sex with underage children. Thus, not being able to identify the reality and scope of the target population certainly makes it very difficult to test the impact these materials might or might not have on it.

One possible solution to this problem might be to pre-test the materials with what we might call a captive audience, i.e. pedophiles already under arrest who agree to cooperate. This strategy has been used before in the United States by the FBI and researchers to profile serial killers and sexual predators (David Feingold, personal communication 2006). It seems reasonable to assume that these individuals would be able to provide an opinion on whether or not the materials would have had any sort of deterrent effect on their behavior<sup>25</sup>.

The creators of the Child Wise ASEAN Regional Education Campaign have designed a strategy to measure the success and impact of their campaign, and have established a series of measurement mechanisms to assess the campaign's effectiveness as it is implemented. Anita Dodds stressed that Child Wise was not prepared to invest in a campaign unless it was backed by monitoring techniques which would allow for measurement of the campaign's effectiveness (Dodds, personal communication, July 2006). These mechanisms include:

- ◆ In January 2006, TNS, a leading market research agency, made a (pro-bono) commitment to conduct benchmarking and focus-testing of the campaign, and undertook a study in Nha Trang, Vietnam, to assess public awareness and attitudes to CST prior to the launch of the campaign. Additional research will be made after the implementation of the campaign. Their research included both local populations and the tourists themselves.
- ◆ The hotline numbers, established in nine ASEAN countries mentioned above, are being monitored
- ◆ Numbers of arrests will be monitored

Dodds further stated that the results of this monitoring will be released at the next annual Child Wise Regional Taskforce Meeting in September 2006.

## Who is the Target Audience for the Materials?

It has been stated by World Vision (personal communication 2006) that most awareness-raising “primarily targets the situational offender, as their attitudes are more flexible”, and that intentional pedophiles are only a secondary target group better reached through other mechanisms.

I would argue that if this is the case, i. e. that the awareness-raising materials are shown to have some impact on the situational abuser, that the existing materials need to be fine-tuned, and divided into those targeting situational pedophiles who prefer young, pre-pubescent children, and those who prefer adolescent teenage (virginal?) girls who may or may not be under 18 years of age.

The possibility was raised above that the man seeking adolescent sex might not even consider a girl aged 16 – 18 a child. So already there are problems with the materials and the message found in these materials in that the posters, brochures, videos, PSAs etc. usually depict young, pre-pubescent children. Many of these men would not dream of having sex with a child who is pre-puberty. As for those men who do prefer very young children, it can be argued that they are already quite aware of the illegality of their acts, and are conscious of their social unacceptability. They do not have to be reminded of the illegality of their acts. Consequently, it has been noted by some that this kind of pedophile is rarely deterred by a poster or brochure, and will simply make his actions more covert.

Interestingly, some people consulted pointed out that the very brochures themselves could fuel the appetites of the pedophiles<sup>26</sup>. A case in point were two posters shown to me by the MOT in Cambodia which depicted a quasi-naked western man wrapped in a towel in a hotel room placing his hand on a very young child<sup>27</sup>.

25. Such work must be done carefully, by trained and experienced researchers.

26. The MOT in Cambodia also took offence at these materials because they affronted the Cambodian sense of decency.

27. World Vision comments that the MOT and WV supported billboards and advertisements placed in tourism brochures in Cambodia place the focus on the offender, highlighting the penalty for child abuse. This focus on risk rather than on the value of the child is to highlight prosecution as a deterrent.

## Reaching the Regional Tourist

Another observation on these materials produced for the Southeast Asian CST market is that they primarily use Western European languages, i.e. English, French, Italian and German – and among the materials I specifically saw, they were almost all in English. Rarely are materials produced in the languages spoken by regional tourists, i.e. Chinese, Japanese and Korean.

I did see one flier produced as part of Cambodia’s Child Safe Tourism Campaign promoted and supported by the Ministry of Tourism with the ILO in partnership with NGOs such as ECPAT, AIDeTouS, and Friends International, which, in addition to English, is produced in both Japanese and Chinese, and a sticker which carries the WTO symbol from its campaign to combat child sex tourism has a message written in Khmer, English and Chinese sponsored by WTO, MOT, ECPAT, AusAID, World Vision and the Child Safe Tourism Unit.

As mentioned above, the Child Wise ASEAN Regional Education Campaign is aware of the need to have materials produced in regional languages and has plans to do so.

The fliers and stickers have been widely distributed – to tourism departments, travel agencies, hotels and guest houses in 23 different provinces (World Vision, personal communication 2006). However, while these efforts are an excellent first step in reaching out to one segment of the regional tourist population, I note that the content of the Chinese messages (which I am able to read) only (1) warn the visitor that it is against Cambodian law to have sex with a child, and that the visitor should respect Cambodian law and culture (flier), and (2) ask the visitor to “help children and avoid buying sex in Cambodia” (the sticker). Neither the flier nor the sticker provides the age of adulthood, and the picture found on the flier depicts what seems to be a young child with an adult. The flier and sticker missed the opportunity to educate the regional and domestic tourist what was the age of majority in Cambodia, and that it was illegal to have sex with a person under this age.

## Impact of the Awareness-Raising Materials on the Population in the Destination Country

Although I am unclear on how we can accurately assess the impact of these materials on tourists coming to Cambodia and Thailand, another possible important impact of these materials is that they serve the purpose of raising the general awareness of the entire population in both the sender and destination countries – and especially in the destination countries.

In the destination country the materials might serve to make persons more watchful of suspicious kinds of activities, and to report them, should they be so inclined. Should this be the case, then, these materials should be published and printed not only in the languages of the international tourists, but also in the national language in the destination countries. And, in both Cambodia and Thailand, there are two stickers which are in printed in English together with the local national language. Both of these materials provide “hotlines” numbers which presumably are manned by English speakers as well as Thai and Khmer speakers respectively .



28. Hotlines will be discussed in greater detail below in the Protection Section.

# The World Vision KAP Study

In order to understand attitudes and knowledge held by the general population in the destination countries with regard to CST, World Vision carried out an important baseline analysis of knowledge, attitudes and practice (KAP) in Cambodia. Before beginning its Child Sex Tourism Project, World Vision Cambodia (Nuon Rithy Niron, Yit Viriya and Laurence Gray 2001) surveyed knowledge, attitudes and practices regarding tourist involvement in the commercial sexual exploitation of children at three locations in Cambodia, in Phnom Penh, Siem Reap and Sihanouk Ville. The study surveyed eight groups:

- .. children;
- .. owners of hotels and guesthouses;
- .. taxi and moto-taxi drivers;
- .. members of the general public;
- .. MOT staff;
- .. travel agents;
- .. NGOs; and
- .. government bodies.

The findings of the study are detailed and complex. Nonetheless, there are two important findings. One, the vast majority of children, owners of hotels, taxi and moto-taxi drivers, and members of the general public do not like sex tourism (94-99%), and, two, individuals who work in travel agencies, the MOT, NGOs, government offices expressed general concern about sex tourism. Although opinions differed about what to do about it, and who should do it, the study found a general willingness to work together to combat it.

The study was conducted in collaboration with the MOT and the CNCC. It was distributed nationally in both Khmer and English. Copies were sent to all diplomatic missions and travel agents in Cambodia from the MOT requesting that “the Tourism Ministry would like to call for cooperation from commercial tourism investors and representatives from other governments where tourists originate in combating crimes against children”. Nuth Nin Douurn, Secretary of State, August 2000.

Their findings, as they should, structured the content and scope of their Child Sex Tourism programme. In addition, as pointed out by Laurence Gray, the study gave the basis for NGO partnership with the Ministry of Tourism; and successfully placed Sex tourism within the 5 Year National Plan of Action 2006 – 2011 of the Cambodian National Council for Children (World Vision, personal communication 2006).

What has not yet been done is to re-assess these same eight groups to determine if the awareness-raising activities, including the wide range of trainings, have changed the levels of awareness, knowledge and even behavior about CST.

A small study that was carried out by Ms. Sabine Minninger, a student in Tourism Studies (with the support of ECPAT Germany and Tourism Watch) does suggest a way to evaluate simple levels of awareness raising materials on the general tourist. She sought to assess the level of awareness of CST among tourists traveling to Child Sex Tourist destinations, and to assess the willingness of the travelers to take initiatives on their own to prevent this practice, and which measures, in their opinion, should be taken by the tourism industry. To conduct her study, Ms. Minninger interviewed 215 German tourists at the Frankfurt airport on their way to Southeast Asia, Brazil, Cuba and the Dominican Republic. A summary of her findings presented at the 14th meeting of the Task Force to Protect Children from Sexual Exploitation in Tourism held in Berlin 13 March 2004 found that:

- .. 93% of the tourists were aware of the problem – mostly thanks to media reports (63%)
- .. 93% were not aware of the Code of Conduct
- .. 73% thought tour operators should take initiatives to protect children from SECT
- .. 77% thought it should be done by hotels.

Although this study does not pretend to assess impact of the materials on the potential child sex tourist, they do provide some understanding as to whether or not “tourists” in general who are traveling to these destinations are hearing the messages, and insight about the knowledge and attitudes of these travelers. More studies of this kind should be considered.

## **Awareness-Raising Training**

In addition to public awareness-raising campaigns through the use of media and advertising, programmes conducted in both Thailand and Cambodia aim to provide training to government officials and people in the tourism industry (hotels, guest houses, restaurants, travel agencies, tour guide associations). ECPAT, World Vision and Child Wise are at the forefront of these activities. Training modules and manuals have also been developed for use in tourism schools (ECPAT France, Child Wise and WTO), and the tourism industry (Child Wise, ECPAT and World Vision).

## **Training for Tourism Personnel**

Child Wise (ECPAT Australia) has taken the lead in developing training materials and curriculum; and has conducted workshops throughout the ASEAN region. Trainees include senior level managers to grassroots tourism staff. Child Wise also provides training-of-trainer workshops for NTO staff on how to hold their own Child Wise workshops. For example, the Ministry of Tourism in Cambodia has conducted follow-up workshops with the support of ECPAT Cambodia. ECPAT France has also developed training courses and manuals for tourism professionals in collaboration with the Ministry of Education. In Thailand, staff from ECPAT Thailand uses the Child Wise training materials to give training to hotels staff and others in the tourism business.

Training of tourism personnel, especially staff in hotels, clearly seems to be a “good or best practice”. The training targets not only managers, but those staff who are in positions really to know what is going on inside the hotel, i.e. the maids, the doormen and other service staff who are on the floors of the hotels 24 hours a day. By training them to be observant, as well as what to observe, and then, to work with the hotel management to create a process of what to do next, is a very practical way to tackle the situation.

Initially the ECPAT/Child Wise training programme targeted ACCOR hotels<sup>29</sup>, and training was provided mostly in Cambodia and Thailand. The training has already been expanded to Lao PDR, Indonesia, Vietnam, Philippines and Myanmar. New plans are underway to expand the training outside the ACCOR Hotel group, and to train NTO's in seven different Asian countries. Training NTO's will produce a corps of in-country trainers who are part of tourism ministries and who will provide training to other tourism-related sectors, for example, three-star hotels, guesthouses, taxi drivers and Moto-drivers (Information comes from the ECPAT website and interview with ECPAT Thailand office).

Although this kind of training appears to represent “Best Practice”, nonetheless, as with any programme, there needs to be monitoring and follow-up to determine whether or not the project is working. It is not enough to provide training. Through my consultations and documents research I have not yet located a full assessment of the Child Wise training strategy. I was recently informed by Anita Dodds that Child Wise, as part of their training programmes, has developed a set of pre- and post-training assessments. According to Dodds, the post-training evaluation sessions with trainees indicate that many participants not only have a heightened sense of awareness, but make a commitment to act upon their newfound skills (Dodds, personal communication, July 2006). ECPAT International further points out that Accor engages in an internal follow-up of the trainings conduction in its Southeast Asian Accord hotels and makes a report to the Executive Committee of The Code. I regret that at the time of writing this report, I did not have access to Accor's reports. Therefore, while it is encouraging to note that internal monitoring is taking place, I am unable to comment on the quality of the monitoring nor the effectiveness of the training.

World Vision, both in Thailand and Cambodia, has also carried out important training programmes for tourism personnel, either alone or in partnership with Child Wise. From 2002 to January 2006 World Vision and the MOT of Cambodia have worked to strengthen prevention mechanisms through training of trainers courses throughout thirteen provincial cities. Seven hundred and eighty participants attended the courses, and a curriculum manual was produced in both Khmer and English. Participants came from both the government tourism offices and the private sector.

29. It is important to note that Accor Asia is a signatory of “The Code” since 2003, and it is the code which provides the framework and basis of Accor's work against CST. ECPAT International, personal communication.

## Small-scale Training with the Potential Facilitators of CST

Although Child Wise began their tourism training targeting the upper levels of the tourism industry, they are now reaching down into the levels of small guest houses and one-three star hotels. The training further targets taxi drivers, tuk-tuk drivers and moto-drivers (Cambodia). These individuals can often serve as the front-line facilitators for tourists seeking underage sex<sup>30</sup>. Thus, in this regard, the Child Wise Tourism training programme can be regarded as a “Best Practice” in that it seeks to reach both the upper and lower levels of the tourism business.

One programme which seems to be reaching the moto-drivers most effectively in Phnom Penh is the Friends International Child Safe Programme. Nearly everyone agrees that the moto-drivers are key players in linking potential Child Sex Tourists with children. It is their business to know the locations of all nightclubs, karaoke parlors, massage parlors and brothels. They also have the knowledge of who to contact to transport an underage girl to a client. World Vision’s survey (2001 Nuon Rithyniron, Yit Viriya & Laurence Gray), however, discovered that although many of the moto-drivers were key facilitators, the majority did not approve of sex tourism and did not want child sex tourism in Cambodia.

Friends took the position that it is not practical to bring the moto-drivers to a workshop in a classroom, and consequently designed training modules which could be carried out on the street. They reached out to the drivers during their off-times when they were waiting for customers at their daily locations/stations. Understanding that levels of education among moto-drivers were low, the training materials are visual, colorful and fun – consisting of laminated flash cards with clearly illustrated situations of “dos and don’ts”. The local Cambodian facilitators are from Mith Samlanh (the local Cambodian NGO which evolved out of Friends International but, which still retains close ties with Friends) visited the moto-drivers regularly. The drivers were not just trained, they were tested, and among the first group of more than 120 trainees, only about 102 successfully passed the “test” and were given a certificate, cap (soon to be exchanged for a motorcycle helmet bearing a Child Safe Tourism logo – a strategy which also promotes motor safety) and special shirt.



*Please note: this information was provided by Friends International and reflects their use of baseball caps and helmets in their training programme for moto taxi drivers. WV also distributes headgear to moto taxi drivers. However, their goal was to “build awareness among situational offenders by placing English messages in their direct line of vision as they were transported”. WV targeted moto-drivers in high-risk areas for SECT. Before the distribution of helmets (1,50) and caps (1,900), they conducted a survey of the moto-drivers regarding their attitudes toward SECT. The color and style of headgear reflects the response of the drivers (World Vision, personal communication, 2006).*

30. Why are moto-drivers in Phnom Penh such an important target group? Phnom Penh is not an easily navigable capital city. Few establishments have clear-cut addresses, and the streets are not arranged in a logical manner. The average non-Khmer speaking tourist would be hard pressed to find locations (outside the riverfront where children are both visible and available) for under-age sex without the help of a “facilitator”. Moto-drivers are such people. In Thailand, taxi drivers can serve a similar function and should also be included within awareness-raising programmes. However, both Bangkok and Pattaya are much easier for tourists to negotiate without the help of a “guide”

### **Why is the Friends Programme a Success?**

The success of the program derives from the “exclusivity” of the exercise. Not everyone can pass the test and become part of this club or this network – and should the Moto-driver fail in his responsibilities, his certificate can be taken away. Continued monitoring and evaluation are key factors which, have led to the drivers not simply avoiding working as facilitators for sex tourists, but actively assisting Friends and Mith Samlanh in identifying potentially abusive situations, which can then be reported to the police. In this sense, awareness-raising has become integrated with protection.

Further attesting to the program’s success is the fact that there is a waiting list of more than 300 moto-drivers who want to join not only the training, but also the network. The training was also combined with the simple message that “good practice makes good business” – and in addition to feeling proud that they are part of a growing network of people protecting Cambodian children, the moto-drivers have found that tourists will pay more to ride with a certified driver.

Friends is currently expanding their model of on-site training to the small guesthouses in Phnom Penh; the places where pedophiles frequently bring children.

Although the project is small-scale, it is innovative, replicable and sustainable. The project itself constitutes “Best Practice”, but the strategies used to implement the project do as well, i.e. the trainers go directly to the trainees, they developed materials specifically designed for their trainees; and they worked closely with them one on one.

### **Training for Tour Guides**

Tour Guides are another group who serve as potential facilitators for the tourist seeking underage sex. The MOT of Cambodia, as part of the ILO’s Child Safe Tourism Project, will introduce a module on CST in their national and local guide training courses. WorldVision has also included Tour Guides in their Training of Trainer courses not only in Phnom Penh and Siem Reap, but Banteay Mean Chey, Preah Vihear, tattanakiri, Takeo and Sihanouk Ville as well.

Will this training be sufficient to enlist the tour guides to combat CST? My initial reaction is no, probably not. For example, I gave the officials from the MOT the following scenario and asked how their guides would or should respond.

*“Let us suppose that a young guide who has just completed his guide training – and has paid all of the necessary expenses related to this training and the license itself. He has just begun working for one of the Japanese Tour Agencies which has an office in Siem Reap. Let us further suppose that his boss gives him the opportunity to be responsible for an important Japanese executive and his colleagues who are coming to SR both as tourists and as possible investors. After the second day of sight-seeing, Mr.Y, the Japanese executive, asks our tour guide to find him a pretty young girl. Our tour guide suggests one of the massage parlors or karaoke bars.*

*Mr.Y then indicates he wants a pretty young girl – around 13 or 14. If our tour guide does as Mr.Y asks, he is breaking Cambodia law and abetting CST. If he politely refuses and refers to Mr.Y to someone else, the child will still be found and abused. If he reports Mr.Y to the special police unit, a scandal will ensue, and our tour guide will possibly lose his job.”*

No one could really provide an adequate response to this scenario which indicates that a module inserted in the tour guide training curriculum is not sufficient. Based on my knowledge of the Friends model, it seems that a more personal, one on one training component is needed to supplement the classroom model – one which will provide reasons for them to do the right thing, provide a way for them to do so, and reward them for being part of a network to combat CST. Nonetheless, the situation with the guides is more complicated than the moto-drivers. If the moto-driver turns away a customer seeking a sex venue for underage children, then he has simply lost one customer. The tour guide, on the other hand, has invested a substantial amount of money and time in his or her training as a tour guide. Losing a valued customer could seriously impact his or her future as a guide with the company he or she works for.

### 3. Skills Training for Victims or Potential Victims

It is nearly universally assumed that poverty and ignorance are part of the root causes for women and children being trafficked and otherwise exploited. These factors also lie at the foundation of why women and children are easily exploited in the tourism sector as well. Consequently, one way to enable persons to escape their situations is to provide alternative economic opportunities and the skills to take advantage of them. We should also ask, if tourism is supposed to create large numbers of good-paying jobs then why do so many women, children and even men, end up in ones which pay poorly and/or exploit them?

There are several organizations and NGOs as well as members of the private sector, which have initiated training specifically to prepare people to enter the tourism business. These include:

- ◆ The ILO Thailand which runs a community-based ecotourism project in Chiang Rai Province for four hill tribe villages;
- ◆ TAF which provides scholarships to the Paul Dubrule Hotel and Tourism School in Siem Reap;
- ◆ Mith Samlanh which offers restaurant and guest house management training to street children, and runs a public restaurant on their premises;
- ◆ Pour le Sourire d'Enfant which targets the children who live in the Phnom Penh garbage dump, and provides hotel and restaurant training;
- ◆ Hagar, an NGO in Phnom Penh which runs a meal catering service and supplies meals to staff at the five star hotels in Phnom Penh;
- ◆ Pan Pacific Hotels and Resorts in partnership which created the Youth Career Development Program in partnership with UNICEF. The program targets at risk girls and young women in Thailand; and
- ◆ The Holiday Inn in Patong has begun a new programme which will house and train up to 25 street children. The training will focus on hotel work. Priority will be given to children working in the sex industry.
- ◆ Other organizations provide alternative skills training to women working in the Sex Sector in order that they can have choices in their lives – for example, ILO Cambodia, COSECAM (with funding from TAF), Fountain of Life Project (in Pattaya) and the KWCD (in Phnom Penh).

*“The Fountain of Life skills training programmes... include computer training as well as a variety of languages (English and German which reflects the kinds of western tourists frequenting Pattaya, and they are thinking of adding Chinese).”*

## **Best Practice: Integration of Training and Employment, Training and Family**

One good practice recognized by The Asia Foundation (and implemented by COSECAM), Friends International/Mith Samlanh, KWCD and The Fountain of Life (in Pattaya) is the need to integrate skills learning, education and capacity building into the existing work schedules of the targeted population.

Another best practice strategy implemented by TAF and COSECAM is to consider the needs of not just the individual at risk, but the person's family as well (this is most relevant with minors). In both Thai and Khmer society, the family is the core social unit, and, consequently, a child's earnings are often seen as part of the total economic resources of the family's economic strategy. How many times are we told that the young girl/woman (she can be Thai or Khmer) is working as a sex worker in order to support her family, send her siblings to school, etc.? Consequently, TAF quickly learned that with their Cambodian skills training programmes it was not good practice to remove a child from the family's economic unit, and place him or her in school. First, the family needed the child's income to survive, and second, family could not afford to support the child during the period of learning/training.

The solution of TAF (implemented through COSECAM) has been to work closely with the families when offering education and training to children, and offer not only a stipend to the child, but to the family as well. This stipend thereby compensates the family for the economic loss of the child's income.

Several informants also pointed out that poor families did not always understand the economic benefits of education for their children. People asked what could their child do at age 18 with a secondary degree or skills training that he or she could not do at 14 without the training? (personal communication, TAF and COSECAM). TAF found that the solution here is to work with employers from the very beginning so that skills training is part of potential employment and that the employment be economically more profitable than selling souvenirs on the streets. Mith Samlanh, for example, runs a restaurant and a shop as part of their training, so that trainees are both training and working.

The director and one of the project officers from KWCD said that they do not directly address the question of tourism in their work. Yet, they are working with the young women and men who work in the entertainment sector (karaoke, nightclubs, massage, etc.) which is, of course, part of the tourism industry. KWCD provides services to both direct and indirect sex workers (between the ages of 18 – 26). These services include information, awareness-raising, health knowledge and advocacy. They have just begun to introduce alternative skills training, especially for the young women working as indirect sex workers. Recognizing that the young women are earning relatively good incomes, they offer skills training for only a couple of hours each day, or a half day if the women have enough time. Their best practice is that they do not extract the woman from her regular work, but provide her the opportunity to learn new skills which could supplement her income as a sex worker. These skills could offer the option to leave sex work successfully if she so wishes. The project has also formed "savings groups" to help the women learn how to better use their incomes rather than spending it all on clothes and makeup.

It should be pointed out that Thailand has a more vibrant economy than Cambodia which makes it easier to link skills training with jobs. Thailand also has a more educated target population. The Fountain of Life skills training programmes, for example, include computer training as well as a variety of languages (English and German which reflects the kinds of western tourists frequenting Pattaya, and they are thinking of adding Chinese). Computer training was too advanced for most of the training programmes of a similar nature in Cambodia.

### **In conclusion, "Best Practice" linked with skills training could be summed up as:**

- ◆ Integrate training/education within the context of the child/person's work and daily life;
- ◆ If relevant, include the entire family in the process
- ◆ Link training with jobs

# Protection

Protection includes the following:

- ◆ A range of services including shelters, drop in centers, counseling, networks, re-integration strategies
- ◆ Legal protection
- ◆ Labour protection

## Protection Services<sup>33</sup>

Several of the NGOs consulted focus on the protection of the victims as one of their primary mandates. Good practice is working directly with people on the streets or in their communities. Building strong, non-censorious rapport with the street children or sex workers appears critical to the success of programmes which offer services, help and protection. In addition, the social workers who work directly with the children and young people should be young themselves.

## Outreach Programmes

AFESIP, KSCD, APEL, Mith Samlanh and World Vision are five important excellent organizations working in Cambodia which have teams of local social workers who are on the streets daily. The Redemptionst Center in Pattaya has a similar programme of reaching out to children on the streets. Likewise, World Vision in Pattaya has a strong programme of services reaching children on the streets and in specific squatter communities where WV does intensive social work and monitoring. The World Vision office in Pattaya has a 24 hour a day hotline, although the WV Pattaya office staff themselves lament that they lack the networks to handle many of the situation which are called in. The WV Pattaya office relies heavily on volunteers which hampers follow-up work with the callers. Nonetheless, their programmes are strong and community-based. Furthermore, by involving the local communities to self-monitor and assist, they are increasing the numbers of people in their networks.

The Ministry of Interior in Cambodia, under the LEASETC project supported by UNICEF, WV Cambodia, and IOM also started a 24 hour a day hotline in 2002. Small posters and stickers publicizing the hotline are in English and Khmer, and were funded by the MOT, Child Wise, the Australian Government and the Ministry of the Interior. Calls to the Hotline to report suspicious behavior are up from 177 in 2003 to 700 in 2005.

In theory, a Hotline is good practice. It provides the ordinary person, or ordinary tourist, with the opportunity to do something good without a lot of effort on his or her part. However, the success of the Hotline depends on the network which supports it – can the needs of the call be addressed? Is there a sufficient of people and services to respond?

I would also draw attention to the fact that the Cambodian Hotline posters and stickers, like the awareness raising fliers and materials, are primarily in English. There is a single line of Khmer printed in a much smaller type face than the English. The assumption from this is that the target is the English-speaking visitor or expatriate living in Cambodia. What about the regional tourist and the local people? How do they know to call the Hotline?

Anita Dodds noted that Child Wise is working to address this issue by encouraging ASEAN governments to print their campaign materials in local languages. The Cambodian government has taken note of this issue, and has begun to translate more materials into Khmer.

*“... victims from Yunnan... wanted to, but were unable to return home. The problem lay not in any malicious intent on the part of the social workers from the Department of Social Development and Welfare (who are very dedicated), but from the lack of sufficient staff to process all the necessary papers.”*

33. In Cambodia because of lack of funds and capacity, certain functions and services such as shelters and drop-in centers have been taken over by NGOs.

34. UNESCO Bangkok is currently compiling an inventory of custodial facilities in Thailand, as well as an inventory of programmes carried out by international agencies with regard to these services. Lisa Rende-Taylor, Regional Project Manager for Trafficking, TAF, has further noted the need for international agencies to monitor their projects implemented in these facilities.

## Shelters

Shelters are an important part of protection services, and there are hundreds of them in Thailand and Cambodia, all addressing the various needs of victims from many different categories of exploitation, including trafficking. However, none of the shelters are directly linked with “tourism” per se. Among the few I was able to visit, there were ones which gave shelter to girls or women rescued from the sex industry. It is difficult to evaluate a shelter and its policies from just a brief visit. This difficulty in Thailand is compounded by unclear regulatory environment with regard to people and organizations which open and manage shelters<sup>34</sup>.

In Pattaya I visited two shelters which provide living accommodation and education – mostly for street children: (1) the Redemptionist Center; and (2) Baan Jiang. Both are faith-based homes, the former is Catholic; and the latter is Protestant and supported by World Vision.

Ban Kredtrakarn Protection and Occupational Development Centre, a Thai government shelter, located on an island in Nonthabury, just outside Bangkok, is a classic example of a shelter developed to house and protect rescued victims of trafficking. Although Ban Kred is much better than the Thai detention centers which had previously been used to house all illegal migrants, including rescued trafficked victims, awaiting repatriation, the conditions are still not ideal. During a visit a couple of years ago, the author found victims from Yunnan residing at Ban Kred who wanted to, but were unable to return home. The problem lay not in any malicious intent on the part of the social workers from the Department of Social Development and Welfare (who are very dedicated), but from the lack of sufficient staff to process all the necessary papers. Another problem is that the social workers also lack the language skills to speak with the girls and women who come from other countries. When I visited there were girls and young women from China, Cambodia, Lao PDR and Myanmar.

Other shelters (not visited by the author) include Near Year They and Hagar. Hagar, based in Phnom Penh, began a new initiative in 2005. Called the Reintegration of Trafficked Women Project, the aim is to place at risk and trafficked women into a viable and safe environment. Their activities include not only providing shelter, but counseling, life skills training, access to vocational training programs, business internships and other kinds of job placement assistance.

## Drop-In Centers

I feel that I have a better sense of the kinds of practice found in the few drop in centers I was able to learn about during my study. Mith Samlanh, World Vision Cambodia, World Vision Thailand and the Redemptionist Center have “drop-in” centers which offer non-threatening temporary environments for the street children. AFESIP and Fountain of Life provide drop-in centers for sex workers where they can rest, shower and get information if they want it. AFESIP, in addition, offers other services, such as providing condoms to the sex workers and small toiletries such as shampoo, soap and even lubricants. The Fountain of Life drop-in center also provides counseling.

Since 1992, World Vision Cambodia’s Phnom Penh Street Children Center has provided both drop-in and outreach services. The center offers temporary shelter, family-tracing, supported alternative care and access to education and vocational training (World Vision, personal communication 2006).

The KWCD teams have built up networks among sex workers using peer facilitators. They offer information, self-help groups and even savings groups to help the women learn how to better use their incomes. Mith Samlanh’s teams also spend hours and hours on the streets gaining the trust of the children who live there and eventually offering services, a place to live, skills training – and even needle exchange for children injecting drugs.

An important organization which I was unable to visit is the Cambodian Women's Crisis Centre (CWCC). Nonetheless, it was highly praised by several international organizations working in Cambodia. It was created in 1997 by a group of women who perceived that levels of violence against women and children were severe, and that assistance services were lacking. Their drop-in center provides a wide range of expected services: counseling, vocational training, educational opportunities for children, health care, legal representation, community organizing, advocacy, community networking and capacity building ([www.humantrafficking.org/countries/eap/cambodia/ngos/nationalo/cwcc](http://www.humantrafficking.org/countries/eap/cambodia/ngos/nationalo/cwcc) )

In sum, I was impressed with what I learned about the drop-in centers I visited and heard about directly from the organizations who managed them. AFESIP, KWCD and the Fountain of Life all work with sex workers in completely non-

discriminatory ways. These centers are innovative, effective and relevant. They do not judge the girls and young women, but instead provide a temporary place for them to get away from work.

I was struck by the words of one of the Sisters at The Fountain of Life who said that they do not tell the girls to leave sex work, but instead give them a way to strengthen their sense of self confidence – for example, they teach the girls how to say “no” to difficult and abusive customers – and that as a sex worker, they still deserve respect. Interestingly, they also provide group cross-cultural counseling for sex workers and their foreign boyfriends (personal communication, Sister Michelle, 2005).

That these programmes are effective and work is shown by the numbers of young women who “drop in” and feel comfortable enough to return again and again.



*Outreach is an important part of World Vision's Street Children's program. Social workers set up street stands where children receive healthy snacks, first aid treatment and a chance to play.*

## Legal Protection

(See Annex D for list of relevant laws and regulations for Thailand and Cambodia.)

For the past decade FACE, an NGO in Thailand, has been working to create reforms within the judiciary system and to train police. With regard to the protection of victims, the founder of FACE, Sudarat Sareewatt, has striven to reform the way in which children are treated when they become part of a legal case. Not only has she provided training to the courts and the police on how to handle children, but she has argued strongly to keep children outside of the courtroom when they are giving testimony. In Cambodia, APLE is beginning to address this issue within the Cambodian judicial system. They are seeking advice from FACE on this issue of initiating reform in the treatment of children during a trial.

The Center for the Protection of Children's Rights Foundation (CPCR), located in Bangkok, is another important organization which strives to promote and protect children's rights – especially through reform of the justice system. Among their many programmes and activities, they provide protection and social services to child victims of neglect and various forms of abuse. They have initiated a preventive system to safeguard children against abuse in the school environment, and they have lobbied for better legal protection for children in action with other concerned organizations. They have also pushed for child witness support within the justice system. Their achievements include legal provisions or amendments to provide better and more legal protection of children's welfare, preparedness for child victims prior to entering the justice system, proper procedures for conducting interview of child witnesses and a rehabilitation program for child victims who suffered from traumatic experience from the justice system (information on CPCR comes from an un-authored document provided by World Vision 2006).

An important legal protection issue in Thailand revealed both by World Vision and one of the managers of The Redemptionist Center is the lack of identity cards among the internal migrants living in Pattaya – both adults and children. This is an example of structural vulnerability. The problem has been discussed extensively with regard to ethnic hilltribe people (Feingold, UNESCO, PLAN, UNICEF, etc.). However, the lack of citizenship among Thai people is less discussed and less understood (Simon Baker and Alan Beesey have raised this topic in some of their work on southern Thailand. Personal communication, Baker 2005) Lack of a Thai identity card precludes children attending school, having access to health clinics and finding legitimate jobs. It should be noted that as of July 5 2005 a cabinet resolution was issued in Thailand which stated that “all children with or without civil registration or Thai citizenship are allowed to study in the Kingdom, that the government will provide education subsidies for every school child – stateless or not – until the end of high school” (Kloykamol Siurisbhakdi 2007). Nonetheless, many local school and community officials are unaware of this new policy, and children without Thai I.D.s are still turned away from the schoolroom. Kloykamol's article also points out that even if a child succeeds in completing secondary school and university, it is still not possible for him or her to get a job without an I.D. Consequently, lack of an I.D. puts both children and adults at considerable more risk for trafficking because they have to rely on networks to move from one place to another.

Although both The Redemptionist Center and World Vision are keenly aware of the need to resolve this problem, the current solution is very adhoc. Individuals from each organization work to resolve specific cases – which is very time consuming and difficult. A larger solution is needed.<sup>35</sup>

35. UNESCO Bangkok is currently implementing an Advocacy Project for Hilltribe Citizenship in Thailand funded by the UK Sustainable Development Programme Fund.

## Labour Protection

Safe labour and protection of labour rights are just beginning in Cambodia. ACILS has a representative office in Phnom Penh and a branch office in Siem Reap. Four major trade unions have already been formed:

- ◆ Tourism and Service Workers' Federation;
- ◆ Two garment unions; and
- ◆ One for the "Informal Sector" which includes moto-drivers, beer promotion girls and restaurant workers.

(Personal communication, ACILS representative, Phnom Penh and Siem Reap, 2006)

These unions are clearly a best practice for guaranteeing the rights of workers. Already the hotel workers have guaranteed fair wages, days off and overtime. The problem is that the numbers of union members is still small, and within the tourism union, only five and four star hotels are unionized. Nonetheless, unions are a mechanism for transmitting information and knowledge, and can also serve as a means for monitoring labour practices.

It was mentioned that two informal unions had been formed among sex workers. Although at the moment they are allegedly not more than small, informal networks, the potential exists for unions such as these to guarantee their rights and to monitor against the presence of underage and trafficked sex workers.

Empower takes a strong position against trafficking and the work of children in the industry. They strive, instead, for legitimizing the sex work sector, and guaranteeing the labour rights of the adult women who work in it.

As discussed above, the demand for trafficked labour comes from not only the demand for cheap economic services, but from the lack of enforcement of labour laws to protect the rights of the workers. In Thailand, especially, the use of extensive "trafficked" labour in various sectors is also linked to the lack of basic rights of the many migrant labourers who enter the country illegally. Many of these labourers come from Burma (Myanmar), and they are concentrated in Chiang Mai (discussions with Jackie Pollack, Asian Migrants Network, 2006). Many of the women migrants come from the Shan State, Burma, and they end up in the sex industry where they face the dual stigma of being first, a migrant, and second, a sex worker.

## Protection Issues at the Government Level in Cambodia and Thailand

### *Cambodia*

An important step taken by the Government of Cambodia is the Five-Year Plan against Commercial Sexual Exploitation and Trafficking of Children (2000 – 2004) which was developed in cooperation with all concerned ministries and in consultation with UNICEF and other relevant UN agencies and NGOs (IOM, ILO, UNHCR, World Vision, ECPAT, AIDeTouS). The plan was adopted in March 2000 by the Council of Ministers and includes 4 main programmes: (1) Prevention; (2) Protection; (3) Recovery and Capacity Development; and (4) Reintegration (Royal Government of Cambodia 2004: 3).

The Ministry of Tourism followed suit by creating a Child Safe Tourism Commission (CSTC) in two levels, both national and the provincial. It works in close cooperation with relevant NGOs and international organizations (ECPAT, World Vision, AIDeTouS, and ILO Cambodia). This commission has laid down the foundation for many of the important programmes and projects which have been developed by these NGOs and international organizations during the past 5 years (Royal Government of Cambodia 2004:6, and power point presentation given by Mr. Hor Sarum, at the National Workshop on Child Safe Tourism organized by WV Cambodia in Phnom Penh, 7-8 December 2005). Also as part of this five year plan, the Ministry of the Interior formed the Anti-Human Trafficking and Juvenile Protection Department.

### *Thailand*

Thai Government Position ([www.humantrafficking.org](http://www.humantrafficking.org)) National Policy states that:

- ◆ there must be a total elimination of entry into the commercial sex industry by children, both boys and girls, who are under 18 years of age.
- ◆ prohibition of luring, threats, exploitation and acts of violence in the operation of the commercial sex business;
- ◆ imposition of punishment to all persons who take part in the prostitution of children and punishment for officials negligent in, or choosing to ignore, their duty to enforce compliance with relevant policies, law, rules and regulations.

The Thai government takes a 4-pronged approach:

1. Prevention
2. Protection
3. Prosecution, and
4. Repatriation and reintegration

The Thai government emphasizes prevention – hence working to ensure every child has access to 9 years of basic education, technical and vocational training for children aged 12-15; improve quality of teaching; promote family and sex education; undertake national awareness campaigns; ensure close coordination between NGOs and International Organizations.

## **Tourism Authority of Thailand (TAT)**

*(information derived with an interview with TAT officer, 2006 and TAT website: [www.tatnews.org](http://www.tatnews.org))*

Since 2002-2003 the Tourism Authority of Thailand has been restructured. The Ministry of Tourism and Sports was created, and several responsibilities such as tourism development and training were shifted from TAT to the new ministry. TAT is now officially only responsible for marketing, promotion and communication. Nonetheless, the new ministry is still in the process of developing its responsibilities and relies on TAT for guidance in training and activities designed to address those issues representing the darker side of tourism, i.e. prostitution, sex tourism and CST. TAT was a founding member of ECPAT and WTO and still functions as such.

Both TAT and the Ministry of Tourism and Sports take a strong position with regard to CST. Although TAT is now primarily concerned with marketing issues, they take a no tolerance position.

In the past, before the creation of the Ministry of Tourism and Sports, TAT actively engaged in and assisted operations to expose tourism companies which proMOTe sex tourism, and consequently to ban them from operating in Thailand.

On their website, TAT, and the Ministry of Tourism and Sports, openly addresses the issue of CST in Thailand and CSEC. The web spells out in great detail the measures taken by Thailand in response to CSEC, and outlines the private-public sector joint initiatives, namely the ACCOR, ECPAT and TAT partnership and YCDP (the Youth Career Development Programme)

Under new structure, TAT's activities to address CST involve marketing and promoting tourism which is family oriented and which focuses on culture and environment. In 2000 female visitors to Thailand grew by 12.17% whereas growth of male visitors was only 9.93%.

Although TAT states that tourism is not the cause of child sexual exploitation, they do understand that tourism can offer easy access to vulnerable children, for example, through tourism-related facilities such as hotels, bars, nightclubs frequented by exploiters. In this way they acknowledge that tourism may help to drive demand by promoting a location's exotic image.

TAT, furthermore, acknowledges that patrons not exclusively limited to overseas tourists – there is also local demand for CSEC. Finally, TAT applauds the efforts of the industry to play a role in combating CSEC through task forces, codes of conduct, declarations, in-flight videos, training in tourism schools and training of tourism personnel.

TAT says that Thailand takes a two-pronged approach to fighting CSEC. It focuses on the simultaneous pursuit of education and the creation of legitimate employment alternatives in tandem with legislation and law enforcement.

Although TAT maintains a strong position to fight CSEC, they maintain that this task is primarily the job of law enforcement, and not TAT. Nonetheless, they promote good tourism, regulate tour operators and guides and have set standards for the guides and operators. They work in partnership with WTO; UNICEF and ECPAT International. They are also setting standards for tour guides.

# Prosecution

Prosecution includes

- ◆ Laws and regulations;
- ◆ Training the police and the judiciary
- ◆ Investigation and arrest

## Laws and Regulations

Although laws are not the only solution to combating CST, strong laws do provide a foundation that enable governments, organizations and persons fighting this problem to have legal backup for their programmes. It is important that if perpetrators are apprehended, that there be a way to punish them, either in the country where the act takes place, or in the country of origin of the perpetrator.

In both Thailand and Cambodia, a series of laws have been passed during the past decade designed to prevent and suppress the trafficking in women and children. Some source countries for offenders, such as the USA, have made it clear that not only do American laws apply to American nationals who travel abroad to sexually exploit and/or engage in human trafficking, thereby criminalizing traveling abroad for the purpose of engaging in illegal sexual activity with a minor. Laws such as these make it easier to prosecute American citizens after they have returned home . ([www.usinfo.state.gov](http://www.usinfo.state.gov) and [www.state.gov/g/tip](http://www.state.gov/g/tip) ). At least 32 countries have extraterritorial laws that allow the prosecution of their citizens for CST crimes committed abroad ([www.usinfo.state.gov](http://www.usinfo.state.gov) and [www.state.gov/g/tip](http://www.state.gov/g/tip) ).

Training the police and members of the judiciary systems is one way to begin to address the effective working of the legal systems in the region. Several people and organizations in both Thailand and Cambodia work with the police: (1) The Asia Regional Cooperation to Prevent People Trafficking Project (ARCPPT); (2) FACE (in Thailand); (3) AFESIP (Cambodia); (4) APEL(Cambodia); and (4) Mr. Christian Guth (Cambodia) who serves as a Technical Advisor to the Ministry of the Interior in Cambodia to the LEASEC project supported by UNICEF, IOM and World Vision.

While training of the police and judiciary is commendable, without addressing underlying causes and structural vulnerabilities, it is unlikely that the legal system in a given country will function well. The infamous Svey Pak neighborhood of Phnom Penh – notorious for its child sex workers, was “officially” closed down in 2003. Yet, recent visitors to the area report being approached by “facilitators” (some of whom are children themselves) offering a child to the visitor (personal communication, APLE 2006).



*A Cambodian officer proudly shows his record of the arrest of a foreign pedophile. With better support and training, police can be willing and enthusiastic partners in enforcing policy to protect children from abuse.*

## **Training the Police and Judiciary**

ARCPPT seeks to facilitate a more effective and coordinated approach to prevent people trafficking by addressing the criminal justice systems of governments in the Southeast Asia region (Thailand, Cambodia, Lao PDR, Vietnam and Myanmar). A number of the methods used for improving the justice systems are:

- ◆ Supporting a specialist police response to trafficking;
- ◆ Strengthening the broader criminal justice system response;
- ◆ Regional cooperation; and
- ◆ Building relations between the criminal justice system and victim support agencies

The project seems to be working because it is not only providing training which is of interest to the police, i.e. by helping them to acquire new skills, such as new forensic techniques, but also because it seems to be giving the police in the region the benefit of the doubt. Many organizations do not, and hold critical opinions about law enforcement agencies. Nonetheless, it is recognized by many that there are individuals in the system, both low and high ranking, who are honest and genuinely interested in taking their responsibilities seriously. ARCPPT acknowledges and reaches out to these individuals, and lends them support.

This project, which was supported throughout by AusAid, is distinguished as best practice because the project team carried out a baseline study in each of the countries participating in the project before the project began. The study assessed:

- ◆ Policy Framework
- ◆ Legal Instruments
- ◆ The organizational capacity of the criminal justice systems
- ◆ The broader support to the criminal justice system

This baseline study was not included in the original project work plan and had no budget. Nonetheless, the project team believed that it constituted an important first activity.

Now, at the end of Phase I of the project, the team is carrying out an internal assessment of the same four topics in order to determine whether or not their trainings and exchanges have had an impact. In addition, each country team carried out specific evaluations on the trainings that were provided.

Under the LEASETEC Project, supported by UNICEF, IOM, the office for the High Commissioner for Human Rights and World Vision Cambodia, the following achievements were realized:

- ◆ A department of Anti-Human Trafficking and Juvenile Protection (AHTPJ) was created in 2002. From January – December 2003, the Department reported 257 cases of suspected human trafficking of which 227 were confirmed. 271 perpetrators were arrested and sent to the courts. 427 victims were rescued (in part assisted by ARCPPT Project)
  - ◆ There was improved cooperation between police, with border police and international authorities, and dissemination of information about relevant laws and trafficking issues (also assisted in part by ARCPPT Project).
  - ◆ A curriculum and materials were developed on appropriate police responses to investigating and prosecuting human trafficking and sexual exploitation of women and children
  - ◆ Police training was provided on different levels in 13 provinces – including training on how to use the internet in tracking pedophiles and collection of forensic evidence (in part assisted by ARCPPT);
  - ◆ Police received assistance in following-up cases of trafficking and sexual exploitation
  - ◆ A database and specific forms for data collection has been developed to monitor the number of reported cases on TSEC and the number of arrests; and
  - ◆ A 24 hour Hotline and response unit was established in 2002 under the Ministry of Interior which is now in the central AHTJP Department. The Hotline is supported by UNICEF and World Vision. In 2003, 177 of the 257 cases of suspected human trafficking reported by the DATJP were received through the Hotline. In 2005 the Hotline received over 700 calls (World Vision, personal communication 2006).
- (Royal Government of Cambodia 2004:14-15).

LICADHO (Cambodian League for the Promotion and Defense of Human Rights) is an NGO working to promote and defend human rights. One part of their programme is to provide regular three-day courses on human rights, legal procedures and democratic principles to selected target groups, which include police officers. They also conduct training sessions for local authorities, parents, and children to conduct grassroots prevention and protection activities for children's rights.

## **Police in Thailand**

With regard to police in Thailand, Laurence Gray comments that there is a problem with the transience of middle-ranking police, in that police are trained on issues and acts of child protection, and then are moved on. He recommends incorporating training on child protection issues into the initial training of the police when they enter the force (World Vision, personal communication 2006).

## **Investigation and Arrest**

AFESIP, APEL and FACE are among the NGOs which work to put together cases for the judicial system to use. Both APEL and AFESIP have their teams of trained "investigators" who go on the streets to identify and document cases of pedophilia. All three organizations use their legal experts to help document the cases of people arrested by the police. APEL, for example, has a Cambodia lawyer who follows-up on all cases. He does the necessary legal work needed, i.e. works with the families, interviews the children, and generally puts together the information needed for the trial of the arrested pedophile. They also try to guarantee that the arrested person is not released by drawing public attention to the address in newspapers.

APEL noted that the number of cases they have managed to bring to court has increased since they began working on this activity several years ago. The question is, however, does the increased number of arrests mean that there are fewer pedophiles on the streets of Phnom Penh, or does it indicate that the skills of the APEL investigators have improved?

The International Justice Mission (IJM), a US faith-based organization founded in 1994, is also highly active in documenting cases of abusive labour and seeks to remove the victims from their exploited situations. They have offices in both Thailand and Cambodia, and focus strong attention on removing victims, especially under-age victims, from the sex industry.

The Ministry of Women's Affairs in Cambodia, as part of its over-all agenda, addresses issues of trafficking and child protection. They see their role as legal protection as well as prevention, and assist the police in developing and following-up on specific cases – especially of pedophiles from foreign countries. It was MOWA who recommended creating a database of known pedophiles which could be used by immigration officers to keep unwanted people out of the country (personal communication, MOWA 2006).

## Good Practice

In general, the GMS governments have been alerted to the realities and risks of overly enthusiastic tourism promotion and development, and especially to its links with potentially damaging impacts on culture, the environment and society, including trafficking. Although ministries of tourism are still frequently conflicted between striving for higher numbers of tourists vs. a higher quality but smaller number of tourists, over recent years, there have been gradual advances among both government actors as well as civil society, to combat vulnerabilities related to trafficking within the tourism sector

On the side of the governments, encouraging steps have been made to create a better protective legal environment through legislation and national plans. On the side of the civil society organizations, they have taken on the opportunity offered by the stronger legal environment.

The good practice found here is that the governments and NGOs are beginning to work together in involving the tourism sector to combat trafficking. While the governments in the region have begun to create better policies for developing more sustainable tourism, NGOs such as CPRC, FACE, LEASETC, and APLE, have been in the vanguard in protecting the rights of children during the legal process. CPRC and FACE in Thailand have already made important progress in this regard, and LEASETC and especially APLE, in Cambodia, are in the beginning stages.

## Bad Practice Linked with Prosecution and Arrest

At the same time, NGOs involved with prosecution and arrest also run the risk of crossing the fine line between assisting the police and doing the work of the police without legal authority. Several NGOs, notably AFESIP, APEL, and the IJM have all experienced this situation. Many of these organizations have trained teams of investigators who go out on the streets undercover to collect evidence against pedophiles, or to commercial venues where children are allegedly being sold for sexual purposes. In theory, the NGO contacts the police when they have sufficient evidence of criminal behavior, and the police, then, conduct the raid against the sex venue or arrest the individual accused of pedophilia.

However, several “brothel raids” carried out by some NGOs during the past couple of years, have transgressed this line, resulting in serious consequences. One raid carried out by IJM ended in sweeping “rescues” of women who did not want to be “rescued”, and detention of the rescued women afterwards in situations which the women themselves regarded as jail-like ([www.nswp.org/mobility.empower-0306](http://www.nswp.org/mobility.empower-0306) June 2003; Jones 2003; press release from SANGRAM 25 October 2006, posted on [sex-work@eforums.healthdev.org](mailto:sex-work@eforums.healthdev.org) sent November 18 2006).

*“Although ministries of tourism are still frequently conflicted between striving for higher numbers of tourists vs. a higher quality but smaller number of tourists, over recent years, there have been gradual advances among both government actors as well as civil society, to combat vulnerabilities related to trafficking within the tourism sector”*

# Conclusions and Recommendations

## Overview

The most essential thing to keep in mind with regard to the Tourism Industry is that it is a business, and businesses are motivated by the prospect of profit – not by altruism. This does not mean that there cannot be good business practice, which seeks to strike a balance between outright greed and making a reasonable profit. Nonetheless, the sooner one realizes the nature of the tourism business, the easier it will be to understand the seeming contradictions between what is said and what is practiced.

This is why NTOs can, on the one hand, talk about their policies regarding the “sustainability” of culture and the environment, together with “accountability” to and participation of the local communities; yet, on the other, promote a “more is better” philosophy, i.e. there can never be too many tourists. Thailand already receives more than 11 million tourists per year. The goal for the year 2015 is to increase that number to 21 million. Cambodian tourism officials are likewise striving to increase their arrival numbers dramatically. There are currently more than 1 million visitors which officials hope will be more than 2 million by 2010 (ADB 2005 p. 35, and Asia Pacific Projects, Inc. 2005, p. 47).

Nonetheless, the pieces are in place for promoting a “good tourism”, especially with regard to trafficking. They now need to be fully utilized. These pieces are:

- ◆ Commitment at the highest level of government among the GMS countries to confront trafficking of humans for exploited labor – the COMMIT Process.
- ◆ The signing of the ASEAN Declaration Against Trafficking in Persons, Particularly Women and Children, on 29 November 2004, Vientiane, Lao PDR.
- ◆ All ten ASEAN Tourism Ministers signed a resolution endorsing the ASEAN Regional Education Campaign during the ASEAN Tourism Forum in Davao, Philippines in January 2006.
- ◆ In addition, the UN Agencies, notably the UNIAP Project, UNESCO, UNODC, ILO, and UNICEF and IOM, are implementing large-scale donor-funded trafficking projects in the GMS;
- ◆ There are several bi-lateral initiatives including one by AUSAID, as well as an active NGO (ECPAT International, WVI, FACE, AESIP, etc.) community working on these issues in the GMS countries. Their work extends from grass-roots level to top levels;
- ◆ Several of the GMS women’s organizations (quasi NGO’s in the socialist countries), for example, the Women’s Federation of Yunnan, the Lao Women’s Union and the Vietnam Women’s Union, are actively concerned with trafficking and Commercial Sex Work (CSW) -related issues, and have already set up bilateral exchanges and cross-border cooperation agreements with their counterparts;
- ◆ The Public Security Bureaus and ministries in the GMS are participating and cooperating in a number of the cross-border border cooperations in the GMS; and
- ◆ A legal basic framework is in place or in progress of being put in place in each country which establishes the rights of women and children.

## Recommendations

### General

- ◆ Implement evidence-based programming by doing detailed and sophisticated research.
- ◆ Detailed and sophisticated research goes beyond rapid assessment surveys and PRA exercises. It includes a combination of quantitative and qualitative, extensive and intensive methodologies .
- ◆ The NTOs of the GMS region should address the tourism realities within their own countries and region. For example:
  - ◆ Tourism experts predict that during the next 10 years more tourists from the Asia Pacific Region will travel to the GMS than from Europe and North America. The preferences and patterns of these tourists differ from those of the European and North American and the tourism industry will have to adjust its strategies.
  - ◆ There will also be substantially higher numbers of tourists which will occur through strategic planning by the NTOs. Thailand, for example, expects to increase its total number of tourists from 11 million to more than 21 million. Because of these increased numbers, the countries will have to adjust radically their current tourism management strategies in order better to protect their cultural heritage, environment and societies. The sheer volume of visitors will severely threaten the carrying capacity of tourism sites.
  - ◆ It has been noted that current tourist patterns and trends in the GMS are resulting in an increasing demand for entertainment venues, including sex services. This trend should be verified and monitored through serious research.
  - ◆ Develop diplomatic ways to persuade government authorities, and especially NTOs, to address the problem of CST more openly. This means broadening their primary focus from western pedophiles to including regional and domestic tourists' alleged preference for underage girls. Part of this strategy can be the results of serious and in-depth research, which reveal and analyze the problem. Another is to hold them accountable for the various regional and bi-lateral MOUs and agreements they have signed with regard to trafficking prevention.
  - ◆ Encourage regional associations, such as ASEAN, and donors, to hold governments accountable for their management of the tourism sector in the interests of honoring their commitment to children through the

Convention on the Rights of the Child; the Global Millennium Goals; the Bali Consensus on Partnerships with and for Children in the East Asia and Pacific Region (May 7, 2003) and the Regional Commitment and Action Plan of the East Asia and Pacific Region Against CSEC (October 2001).

- ◆ Encourage NTOs to assume responsibility in the fight against CST
  - ◆ This means finding ways to give NTOs ownership over programmes. In materials provided by the Cambodian MOT, it is clear that they have taken ownership over developing strategies to combat CST. Encourage this ownership and develop ways to hold them accountable.
  - ◆ TAT and the Ministry of Tourism and Sport in Thailand refer to the problem as a “police” issue. Part of their solution strategy is to divert attention away from sex tourism, and especially CST, to promote “healthy and family-oriented tourism”. TAT should be encouraged to take a stronger proactive position.
  - ◆ Create licensing systems for the tourism industry which are enforceable. Currently, licensing systems exist in both Thailand and Cambodia, but they are not always enforced. This licensing system should include: (1) tour guides; (2) tour companies and agents, (3) all hotels, (4) restaurants and coffee shops, (5) entertainment venues, including beer parlors/ gardens, karaoke bars, night clubs, and massage parlors..
  - ◆ An enforceable system requires a responsible monitoring team, which has authority.
  - ◆ Fines and penalties should be extremely severe for companies and/or individuals who are engaged in prohibited behavior. For example, if a hotel fails to report incidences of minors being brought into the hotel by persons other than a close family relative, then the hotel should lose its license. Strict monitoring might also be applied to tour companies if their guides facilitate tourists securing underage sex workers.
  - ◆ Find ways to convince the tourism industry to re-invest a portion of their economic profits in training for their staff with regard to child protection within the tourism industry, and to ensure that child protection standards agreed upon by the tourism sector are enforced by the sector. This process will require greater practical leadership from the NTO, and should include budget provisions, and making agreements to hold the private sector and individuals in the industry accountable.

## Needed Future Research

◆ Cultural research on the attitudes and beliefs about family, children and sexuality.

◆ Assumptions are made by international organizations and NGOs regarding the “Asian” family and its values which are not necessarily valid. It is essential to have a better understanding of the complexities and differences between and among “Asian” families in modern times.

◆ The analysis should include not only the dominant nationality in each of the states, but also the different hilltribes and ethnic minorities.

◆ Class difference should also be factored in. Better knowledge will help to formulate better programmes. In international reports, gender is frequently discussed, class rarely is.

- ▶ Commission a study on the children involved in CST:
- ▶ Who are they?
- ▶ Where do they come from?
- ▶ What are the factors which lead them to this situation?
- ▶ What roles do culture and ethnicity play in their assumed vulnerability?
- ▶ Who are the players involved?

◆ Carry out more and better research on the clients of commercial sex workers which includes who they are, and what are their use patterns, preferences and preferred venues.

◆ Carry out more research on the sex workers themselves (the ILO study, Catalla 2004, is an example of a good beginning, as well as some studies carried out by Frederic Thomas for AIDeTouS), asking some of the following questions:

- ▶ Who are they?
- ▶ Where are they from?
- ▶ What is their level of education?
- ▶ What are their skills, if any?
- ▶ What are their attitudes and beliefs regarding sex work?
- ▶ What are their sexual practices? (For example, a Hong Kong-based sex worker organization went to Yunnan, and taught local CSW how to put a condom on a customer using their mouth – the objective was to teach strategies for successful condom use when customers did not want to use one. The strategy was flawed because local sex workers rarely engaged in oral sex and found the practice repugnant).

◆ Cultural research on the sexual attitudes and practices of the regional and domestic tourist.

▶ Challenge and test the assumption that “Asian men” prefer young women/girls and especially virgins

◆ Research which specifically addresses the issue of structural vulnerability within the context of tourism. Some of these vulnerabilities have been briefly touched upon in this study; for example:

- ▶ The lack of citizenship and identity papers found among not only hill tribes, but also people of Thai descent.
- ▶ The vulnerability of ethnic minorities within tourism development. A study dealing with the impact of tourism on ethnic minorities within the context of trafficking has already been requested in the Action Plan of the COMMIT process. Interestingly, initial work by Thomas, Kapoor and Marshall (2006) found that local ethnic minorities were less in risk of being trafficked, but more at risk of being displaced from their land which placed them in extremely vulnerable situations for labour exploitation. This was being caused by: (1) construction of the airport and roads, which form part of the province’s tourism development plan; and, (2) the accompanying land grabbing engaged in by rich Khmer from Phnom Penh, in anticipation of profits to be made during future tourism development projects.

## Prevention and Awareness-Raising Campaigns

◆ Design better strategies to reach the Regional and Domestic Tourist

· These need to be linguistically, culturally, and problematically appropriate

· These also need to be pre-tested and post-tested.

◆ Design innovative ways to test and measure the impact of awareness-raising campaigns. This means testing tourists themselves, as well as devising ways to test child abusers; perhaps by using methods developed by the FBI or researchers profiling serial killers and sexual predators. .

## **Prevention and Awareness-Raising Training and Skills Training**

- ◆ It is recommended that all organizations and NGOs develop a variety of training strategies and toolkits which can, then, be used for different target populations.
- ◆ NTO's and other government officials are probably most comfortable in the traditional meeting room context. ECPAT, Child Wise and World Vision training usually conducts this kind of training.
- ◆ Others, such as taxi drivers, moto-drivers (Cambodia), workers in small restaurants, guest houses, etc. seem better reached by more personalized, one-on-one training strategies.
- ◆ In this regard, continue the work needed to enlist a broader spectrum of stakeholders in the tourism sector, i.e. the 3 star and below hotels, guesthouses, Moto-drivers, taxi drivers, entertainment venue staff, and tour guides.
- ◆ With skills training, try whenever possible to link them with employment. It is an obvious recommendation, but not one which has always been followed. In economies where good-paying jobs are already scarce, this is not a trivial task.
- ◆ Integrate training/education within the context of work and daily life of the trainee. Many workers want to learn new skills, but do not have the where withal to extricate themselves from their current work. Providing training with flexible and limited hours per day seems to work better. This practice is enlisted by COSECAM, Mith Samlanh, KWCD and The Fountain of Life.
- ◆ Take into consideration the contradiction that, often, the jobs available after skills training pay significantly less than CSW, and have longer hours and poorer working conditions. A study by UNESCO revealed that Hmong girls in Laos, for example, found that by having one overnight customer per month they could pay their rent; two overnight customers per month would pay for their rent plus food; and three customers per month gave them the additional money they needed for other amenities. Working in a canning or textile factory did not compare.
- ◆ If relevant, include entire family unit in the educational/training programme. Some organizations found that families could not afford to lose the income of a child worker, nor could they afford to support the child during training. Involving the family in the process, including economic compensation helped.

## **Protection**

- ◆ Strengthen Hotline services by guaranteeing that they have the networks and services callers need. This includes victim protection services as well as police follow-up if required. Guarantee availability of multiple languages so as to accommodate most if not all callers.
- ◆ In shelters and drop-in centers which provide services and protection for people from multiple linguistic backgrounds, have translators more easily available, and train some staff in some of the languages found among the more commonly found victims. For example, in Ban KredthraKharn, no one speaks Khmer. Yet, the facility processed 103 Cambodians in 2001, 70 in 2002 and 58 in 2003.
- ◆ Continue to strive for better treatment of children within the legal system.
- ◆ Support continued growth and strengthening of labour unions. Strong labour rights can be linked with the reduction of trafficking.

## **Prosecution**

- ◆ Recognize that law enforcement along is an insufficient response if the underlying causes and structural vulnerabilities have not been dealt with. For example, when the police closed the brothels which offered underage children in Svay Pak, the problem did not go away. Informants confirmed that small children were still available, but the transactions became more covert.
- ◆ Recognizing that police training and sensitization is urgently needed, but is complicated by low levels of capacity and efficiency, design training which includes careful pre-assessment, close monitoring (both during and after), and thorough post-project evaluation, such as that implemented by the ARCPPT Project.
- ◆ Instead of only focusing on improving law procedures which concentrate on arresting and punishing perpetrators, consider using legal solutions which emphasize economic resolutions and heavy economic fines. This would include imposing severe economic penalties on individuals and tourism businesses involved with trafficking and CST within the tourism context.
- ◆ For example, bars hiring under-age girls should be both fined and closed down – this recommendation is linked with the “licensing system” recommended above.
- ◆ In addition, it has also been pointed out by some individuals working with rescued victims that many seek economic compensation for lost and/or unpaid wages, and are less adamant about arrest and punishment. Obviously, this strategy is not appropriate in cases where victims have been severely abused or harmed.

# ANNEX A

## The Terms of Reference

The Consultant is responsible for the research, analysis and preparation of a report laying out presentation of findings on 'best practices' in Thailand and Cambodia in combating human trafficking through engagement with the tourism services sector. The report will serve as a core resource document for a seminar attended by representatives of the six Mekong countries (as part of the COMMIT Sub-regional Plan of Action) in which a cooperative approach to working with the tourism and transport sectors will be developed. Report is called for under COMMIT Sub-regional Plan of Action, PPC 11-Activity 17, bullet point 1 under "Pre-meeting/preparation work" section.

Consultant will be hired by UNIAP (acting as COMMIT Secretariat) with financial resources provided by World Vision International.

### Duties:

- (2) Conduct a desk review of all relevant materials on human trafficking and the tourism sector in Cambodia and Thailand
- (3) Develop a series of questions to probe current practices in the tourism sector related to trafficking and examine types of anti-trafficking interventions currently undertaken by various partners
- (4) Arrange meetings with representatives of Governments, UN agencies, international embassy/donors, and national and international NGOs. Conduct two (2) ten-day missions to Cambodia and Thailand, with an approximate division of labour of 8 days in capital city, and 2 days in Siem Reap and Pattaya.
- (5) Conduct two (2) end of mission "results and recommendations review" meetings (one in Thailand, one in Cambodia) with key partners from international and national levels, and present tentative results of mission
- (6) Provide periodic updates on progress of work to UNIAP and World Vision International, as requested
- (7) Write a report on 'best practices' on combating human trafficking through work in tourism sector in Cambodia and Thailand, in a form suitable for distribution as a key resource document for a regional seminar. The report shall include, at a minimum, the following:
  - a. Information on and description of best practices against human trafficking in the tourism sector, classified into the categories (as commonly defined) of "Prevention", "Protection" and (to the extent it is relevant) "Prosecution" – including practices that are currently being implemented, those which are planned, and those which were employed in the past but have now been discontinued or suspended;
  - b. Analysis of said 'best practices', with a clear and concise standard against which this determination of 'best' has been made;
  - c. Supplemental analysis, where relevant, of practices against human trafficking in the tourism sector which can be considered sub-optimal, or plainly ill-considered;
  - d. Recommendations for next steps for Governments, UN agencies, NGOs, employers and workers in the tourism industry, and other stakeholders to build a COMMIT approach to human trafficking and tourism which is effective in reducing both vulnerability to, and actual practice of, human trafficking
  - e. A list, with appropriate contact information, of interlocutors met in Cambodia and Thailand in connection with this consultancy.
- (8) Consult closely with World Vision, UNIAP, and other key partners in the writing, editing, and finalization of the report on 'best practices.'
- (9) Make final presentation on report to inter-agency roundtable convened in Bangkok to provide feedback, and make final changes to report as appropriate.

# ANNEX B

## Persons and Organizations Contacted

### THAILAND

#### Bangkok

##### *ECPAT International*

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# ANNEX C

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[www.childtrafficking.org](http://www.childtrafficking.org)

[www.childwise.org](http://www.childwise.org)

[www.ecpat.net/eng/Ecpat\\_inter/projects/sex\\_tourism](http://www.ecpat.net/eng/Ecpat_inter/projects/sex_tourism) (End Child Prostitution and Trafficking)

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[www.equalitynow.org](http://www.equalitynow.org)

[www.gaatw.org](http://www.gaatw.org) (Global Alliance Against Trafficking in Women)

[www.Hotline.or.th](http://www.Hotline.or.th) (Hotline Center Foundation)

[www.humantrafficking.org](http://www.humantrafficking.org) (a web resource for combating trafficking set up by the National Multi-Cultural Institute based in Washington D.C.).

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[www.unifemsingapore.org.sg/Trafficking](http://www.unifemsingapore.org.sg/Trafficking) (The National Committee of UNIFEM, Singapore)

[www.usdoj.gov/criminal/ceos/trafficking](http://www.usdoj.gov/criminal/ceos/trafficking) (US Dept. of Justice)

[www.usdoj.gov/criminal/ceos/sextour](http://www.usdoj.gov/criminal/ceos/sextour) (US Dept. of Justice)

[www.unescobkk.org](http://www.unescobkk.org) (for trafficking and statistics project)

[www.unicef.org](http://www.unicef.org)

[www.womenthai.org](http://www.womenthai.org) (Foundation for Women FFW)

[www.world-tourism.org/protect\\_children](http://www.world-tourism.org/protect_children)

[www.worldvision.or.th/www.yapi.org](http://www.worldvision.or.th/www.yapi.org) (Youth Advocate Program, Washington, D.C.)

[www.wvasiapacific.org](http://www.wvasiapacific.org)

[www.wvglobalempowerment.org](http://www.wvglobalempowerment.org)

## Useful Newsletters

Childwise

Contours: Newsletter of the Ecumenical coalition on Third World Tourism.

New Frontiers: Briefing on tourism, Development and Environment Issues in the Mekong Subregion. Published by Tourism Investigation & Monitoring Team, with support from the Third World Network.

UNIAP Newsletters/Digests

Thailand News Digest

WTO – Asia Pacific Newsletter. Published by the World Tourism Organization.

# ANNEX D

## List of Relevant Laws, Regulations and MOUs.

### Regional and Bilateral MOUs

#### ◆ *May 2003:*

Thailand and Cambodia signed a MOU for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking. Measures include cooperation in providing services to trafficking victims, establishing mechanisms to decrease incidents of trafficking, instituting legal reforms and prosecuting traffickers ([www.humantrafficking.org/countries/eap/thailand](http://www.humantrafficking.org/countries/eap/thailand) )

#### ◆ *COMMIT:*

On 29 October 2004 in Yangon, Myanmar, senior officials from the six Mekong countries signed a set of concrete commitments and priority actions to address human trafficking. Cooperation within the Tourism Sector was #11 of the 11 areas of cooperation.

#### ◆ *ASEAN Declaration Against Trafficking in Persons Particularly Women and Children:*

Adopted 29 November 2004 in Vientiane in Lao PDR. The declaration was signed by ten heads of state from ASEAN.

#### ◆ *The Kunming Declaration:*

Second GMS Summit, held in Kunming, Yunnan, China, 4-5 July 2005. The declaration is noteworthy because it does not mention commitment to working together to fight human trafficking. It pledges commitment to tourism as a key job creator in the GMS and to marketing the GMS as a single tourist destination.

#### ◆ *Cambodia – Vietnam Bilateral Cooperation Agreement:*

On 12 October 2005, the Agreement between the RGC and the Government of the Socialist Republic of Vietnam on Bilateral Cooperation for Eliminating Trafficking in Women and Children and Assisting Victims of Trafficking was signed by the Cambodian Minister of Women's Affairs and the Vietnamese Minister for Public Security.

### Government MOUs and International Cooperations

#### Cambodia

#### ◆ *Law on the Suppression of Kidnapping, Trafficking and Exploitation of Human Beings:*

This law was signed by the President of the National Assembly on 16 January 1996. The law is regarded as unclear with regard to certain issues (Chapter 4 – Debauchery, for example), and the law defines a minor as 15 years old or under.

#### ◆ *Domestic Violence Law:*

On 19 September 2005, the RGC adopted the law on Domestic Violence.

#### ◆ *Draft Law on the Suppression of Human Trafficking and Sexual Exploitation:*

The RGC is in the process of finalizing the draft law. Discussions between technical institutions continue.

#### ◆ *National 5 Year Plan Against Trafficking and Sexual Exploitation of Children (2000 – 2004):*

Implemented in 2000.

#### ◆ *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime:*

On 25 November 2005, the Cambodian National Assembly agreed to ratify the UN Trafficking Protocol.

## Thailand

- ◆ 1996 *Prevention and Suppression of Prostitution Act*
- ◆ 1997 *The measures in Prevention and Suppression of Trafficking in Women and Children*
- ◆ 1997 *The Penal Code Amendment Act (No. 14)*
- ◆ 1999 *The Anti-Money Laundering law:*  
Included provisions to enable authorities to confiscate the assets of persons convicted of trafficking or engaging in the business of prostitution ([www.humangtrafficking.org/countires/eap/thailand/bestpractice](http://www.humangtrafficking.org/countires/eap/thailand/bestpractice) )
- ◆ 1999 *The Criminal Procedural Law Amendment Act (No. 20)* (Child investigation procedure)
- ◆ 1999 and 2003 *MOU on Common Guidelines of Practices for Agencies Concerned with Cases where Women and Children are Victims of Trafficking*
- ◆ 2001 *Compensation for Injured Person and the Accused Act*
- ◆ 2003 *The Witness Protection Act*
- ◆ 2003 *Child Protection Act*

## Relevant International Conventions, Instruments and National Laws

### International

- ◆ UN Convention against Transnational Organized Crime (2000)
- ◆ UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000)
- ◆ Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) - 1979
- ◆ UN Convention on the Rights of the Child (CRC) – 1989
- ◆ Optional Protocol to the CRC on the sale of children, child prostitution and child pornography (2002)
- ◆ ILO Minimum Age Convention (No. 138) – 1973, and
- ◆ ILO Worst Forms of Child Labour Convention (No. 182) - 2002

### USA

American laws apply to American nationals who travel abroad to sexually exploit children and/or engage in human trafficking crimes. Federal Statutes hold those who travel to profit from victimizing children and adults in the sex trade, and those who benefit from arranging that travel, accountable. In the US – a person can be given up to 30 years in prison – even if they did not leave the US intentionally to have sex with a minor ([www.usdoj.gov/criminal/ceos/trafficking](http://www.usdoj.gov/criminal/ceos/trafficking) )

US legislation against child sex tourists: criminalizes traveling abroad for the purpose of engaging in illegal sexual activity with a minor. Currently, successful prosecution under law 2423(b) requires the government to prove that an alleged child sex tourist from the US formed the intent to engage in sexual activity with a child prior to meeting the child and initiating sexual contact. US is currently trying to broaden the law to include tourist who engage in sexual acts with children while abroad, regardless of when they formed the intent to do so ([www.usdoj.gov/criminal/ceos/sextour](http://www.usdoj.gov/criminal/ceos/sextour) - updated 9 August 2005)

### Australia

- ◆ 1998-99 Criminal Code Amendment (Slavery and Sexual Servitude) Bill
- ◆ 2004 Exposure Draft Criminal Code Amendment (Trafficking in Persons Offences) Bill

# ANNEX E - Overview of Projects in Thailand which Specifically Address the Issue of Trafficking within the Context of Tourism

Note: there are many, many organizations and centers all over Thailand working to prevent trafficking and protect women and children who are victims of trafficking. Many of these programmes and organizations are only indirectly linked with the tourism industry. Consequently, in accordance with the TOR drawn up for this study, a decision was made to investigate more fully those projects and organizations which primarily address the problem of trafficking within tourism. Nonetheless, other organizations are at least mentioned in the below list.

## Prevention and Awareness Raising

### *The Code in Thailand*

([www.thecode.org](http://www.thecode.org))

Mr. Robert Jotikasthira, Director of Turismo Thai is engaged in combating CSEC. Mr. Peter Semone, VP of PATA said that PATA had already developed some guidelines towards Sustainable Tourism. He recommended not to emphasize a “separate” Code, but to integrate some criteria of The Code of Conduct into sustainable tourism guidelines. Chris Beddoe, Child Wise Australia, conducted two training sessions for hotel staff in Phuket.

Some General Managers of hotels in Bangkok and Phuket confirmed that they would implement clauses into contracts with European tour operators, that that this would need the initiative of the tour operators, especially the big ones. They said that Tour Operators in collaboration with partner hotels in Thailand have to show leadership.

### *PATA*

PATA proactively supports the programmes of ECPAT and Child Wise in SEA. PATA actively participates in their programmes and is active on their think tank committees. Currently, this group (PATA, ECPAT and Child Wise) is working on an ASEAN Travellers’ Code.

PATA is hoping to get the governments of ASEAN to distribute the Code of Conduct to all visitors as they pass through immigration. The Code will encourage tourists to “leave only a footprint behind”, to respect indigenous culture and heritage; to respect all people, including women and children; and to buy local products. PATA has shown support for ending CST by giving their prestigious annual Gold Award to ACCOR Hotels in 2003 for their education programmes to end Child Sex in their hotels.

Nonetheless, PATA remains reluctant to engage fully in anti-Child Sex Tourism activities because they fear negative reactions from their partners in the travel industry (personal communication, October 2005).

### *ECPAT Thailand*

([www.ecpat.net/preventionproject](http://www.ecpat.net/preventionproject); [www.humantrafficking.org](http://www.humantrafficking.org); and interview with ECPAT program officer Mr. Luc Ferran). ECPAT in Bangkok serves primarily as an advocacy, prevention and awareness-raising organization. It was founded in the early 1990’s an informal network of concerned activists working to highlight the growing incidence of commercial sexual exploitation of children in Asia.

The activities in the Bangkok office include:

- ◆ Advocacy for child rights and development of legislation and child-friendly legal procedures that protect children against sexual exploitation, and against secondary exploitation in the legal process;
- ◆ Development of training modules and implementation of trainings for hotel and tourism industries, including ministries of tourism, on CST and CRC in Thailand and in the region.
- ◆ Production of awareness raising materials, including brochures, posters, videos, etc., usually in partnership with other organizations.
- ◆ Providing of technical assistance
- ◆ Commissioning and implementing base-line studies of CSEC and CST.

ECPAT International initiated the Child Prostitution and Trafficking Prevention Project in Northern Thailand in 1998 to provide at risk children with alternatives to entering the commercial sex industry. The project has been handed over to local partners. However, personal communication with ECPAT officers indicates that evidence suggests that CST is more a problem in Pattaya than in Chiang Rai.

### *World Vision, Thailand*

See below under “Mixed –Objectives Projects”

### *Child Wise Tourism*

Supported by the Australian Government, through AusAID, Child Wise (ECPAT in Australia) has worked in partnership with the Tourism Authority of Thailand (TAT) and the Ministry of Tourism and Sports since 1999. In Thailand the Child Wise Tourism program is focused on capacity building for the NTO. It also provides specialized training for tourism practitioners.

In Thailand, the Child Wise Tourism program also involves policy development, application of international tourism standards and industry guidelines, and a unified public education campaign which spans all ten ASEAN countries.

## Promoting Eco-Tourism in Hill Tribe Communities

**One very concrete project** which has been developed as part of the larger ILO-IPEC TICW programme is “Opening up a World of Options and Balance – Promoting Eco-Tourism in Hill Tribe Communities” project, an ecotourism project in northern Thailand. Working with the Mirror Arts Foundation Group (MAF), the ILO is promoting ecotourism in four hill tribe communities (2 Lahu and 2 Akha) in Chiang Rai Province. In Phase II, the project is partnering with TAT (Chiangrai Branch), the Ministry of Tourism and Sports, the Non Formal Education Department (Chiangrai), and local schools.

Phase I: August 2001 – December 2002

Phase 2: September 2004 – December 2005

**Objective:** To promote eco-tourism as an income generating activity in selected hill tribe communities in order to provide alternatives to migration (which could put them in vulnerable situations) and, consequently help to prevent trafficking in women and children.

The ecotourism model is not new – other projects (for example, the UNESCO supported Nam Ha Ecotourism Project in Luang Namtha Province, Lao PDR also seeks to improve the lives of local people, preserve the forest and underscore the importance of traditional heritage). The focus of the ILO project in Chiang Rai differs slightly from Nam Ha in that young women from rural areas in northern Thailand, and especially ethnic minority young women, are at exceptional risk for being trafficked or otherwise exploited.

### Activities:

- ◆ Trainings and awareness raising workshops directly addressing trafficking prevention and migration alternatives.
- ◆ Lifeskills training including HIV/AIDS
- ◆ Actively emphasizes the importance of preserving traditional cultures – not just as tourism attractions, but for the preservation of the ethnic identity of the people themselves.

### Challenges Resulting from Phase I:

- ◆ decent jobs in the communities still lacking,
- ◆ More education was needed,
- ◆ More skills training and vocational training was needed, and
- ◆ Despite awareness-raising, some people still chose to migrate to towns and cities.

### Focus of Phase II:

- ◆ More occupational and job skills training including:
  - ▶ bookkeeping and small business marketing,
  - ▶ how to better organize home-stays
- ◆ Language skills (Thai and English)
- ◆ Training on tourism to create more local tour guides
- ◆ Vocational skills training for the youths in order for them to become skilled workers
- ◆ Support and encouragement for the youth to cultivate their love for their home villages and pride in their cultures.

This model is interesting in that it embraces and welcomes tourism into the villages, but a tourism that is in the hands of the villagers and is carefully managed and operated.

It is a good Best Practice, in that it develops alternative income for local rural people. However, there are limitations to the model:

- ◆ Community-based ecotourism, by definition, is small-scale. Up-scaling is difficult because one of the reasons for success is that the activities are small and carefully managed.
- ◆ There is also probably a limit as to how many villages could be engaging in ecotourism before the market is saturated.
- ◆ The model does address the question of how to prevent one vulnerable, at risk population from being trafficked into a potentially more dangerous part of the tourism business – i.e. the sex sector, but this model does not address the problem of this aspect of the tourism industry itself. But then, the project does not pretend to do so.
- ◆ Furthermore, the project recognized that a large percentage of hill tribe people lack Thai citizenship which prevents them from receiving school diplomas and permission to find jobs outside their immediate vicinity. The project recognized that this lack of citizenship places young people without citizenship in vulnerable situations where they have to rely on traffickers to re-locate them to places where jobs are available. This project does not address the question of how to get citizenship for these individuals, but how to provide income generating activities in their home villages – thereby reducing the risk of their being tempted to be trafficked to other areas.

A project evaluation carried out at the end of Phase I found that the project had been successful in preventing children from these villages from being trafficked, that villagers in the project area were not involved with drugs and economic livelihoods increased.

### *ILO/IPEC, Thailand*

Since 1998, ILO-IPEC TICW has had an ongoing project combating the trafficking of women and children in the GMS. This is the “Integrated Hill-tribe Community Development Project for the Prevention of Trafficking in Children and Women” (see p. 63). In Thailand the activities have been expanded to include Thailand both as a source, transit and destination country. Activities include:

- ◆ Knowledge base development; focusing on demand-side studies from the perspective of Thailand as a destination country; with a portion of supply-side analysis on victims of trafficking and action-oriented research;
- ◆ Enhancing capacity of government agencies, civil society organizations and community-based groups in combating and monitoring human trafficking;
- ◆ Advocacy from the comprehensive perspective of source, transit and destination peoples;
- ◆ Director assistance to vulnerable groups including rural poor, tribal and migrant people; and
- ◆ Larger roles for workers’ and employers’ organizations in the campaign against trafficking.

### *UNICEF, Thailand Child Protection Project*

([www.humantrafficking.org](http://www.humantrafficking.org))

Since 1993 UNICEF has been assisting and supporting projects which overlap with trafficking prevention. These include:

- ◆ A hotline
- ◆ Equipment for a rescue police unit for children,
- ◆ Overtime salaries for police working after hours to rescue children
- ◆ Support to NGOs implementing trafficking prevention projects, for example, FACE and ECPAT,
- ◆ Scholarships support girls to go beyond grade 7; and
- ◆ The Youth Career Development Programme. (see insert)

### *Holiday Inn, Patong*

Laurence Gray (personal communication, March 2006) has provided information about a new programme initiated by one of The Holiday Inns in Thailand. The Holiday Inn in Patong is funding the construction of a facility to house and train up to 25 street children, and has further agreed to fund running costs up to five years. Priority will be given to children working in the sex industry. .

Activities include non-formal education and vocational training - especially in hotel work. Holiday Inn will supply jobs if the children successfully complete the course.

The facility will also offer counseling for the children and family tracing.

## **Protection and Services**

Note: because Pattaya is a primary tourist destination in Bangkok, and is especially characterized by its lively entertainment and commercial sex industry aimed at tourists, nearly all training programmes, shelters and services are linked, either directly or indirectly, with tourism.

### *The Fountain of Life Project Pattaya*

(from notes provided by Sister Michelle, November 2005)

- ◆ Founded 15 August 1989 as a Drop in Center for women and girls exploited by the sex tourism industry in Pattaya.
- ◆ A children’s center opened in April 1993

### **Youth Career Development Programme (YCDP)**

UNICEF first launched this innovative programme in partnership with the Pan Pacific Hotel BKK and the UNICEF Office for Thailand in 1995. This successful programme has now expanded to around 20 other hotels and further partners with welfare schools under the Ministry of education and some NGOs. The programme also has the full support of TAT and now the Ministry of Tourism and Sports.

#### **Goals and Objective:**

- ◆ To provide disadvantaged adolescent girls and young women with access to vocational and life skills training, English language instruction and then employment. In the hotel industry it targets girls at high-risk of being trafficked or sexually exploited and provides them with state-of-the-art training in order to obtain jobs in the hotel industry.

In recent years the programme has expanded to include an additional 9 months of training in nurse’s aid work (at Bumrungrad International Hospital) or financial training at Standard Chartered.

#### **Activities:**

- ◆ A 20-week training in hotel hospitality which includes training in:
  - ▶ housekeeping; laundry;
  - ▶ engineering;
  - ▶ floristry;
  - ▶ food and beverage service, kitchens
  - ▶ English language
  - ▶ Life skills: (1) sex education; (2) AIDS awareness and prevention; (3) job interview skills; and (4) child rights awareness and child protection.

#### **Achievements:**

- ◆ Today the programme has support of 20 hotels and has trained a total of 550 young women from 17 provinces.
- ◆ 60% of the 550 trainees offered employment in hotels – others working in other business sectors.

◆ 4 levels of response:

- ▶ Direct services – includes counseling and support; providing health care, economic alternatives, formal and informal education (including marketing skills), and providing assistance with legal papers
- ▶ Advocacy (by net-working with organizations directly involved)
- ▶ Dialogue and cooperation with existing Buddhist social service groups – although a Christian organization, their goal is to integrate their work within a Buddhist framework – the traditional religion of most of the women and girls they work with.
- ▶ Co-operation with like-minded individuals and groups nationally and internationally especially for advocacy works

◆ Activities at the Women's Center

- ▶ Language classes in Thai, English and German – adding Chinese. Interestingly, some of the Thai women have never learned to read and write.
- ▶ Skills training. In addition to the standard hairdressing and dressmaking classes, they also offer computer and typing skills
- ▶ Health information – especially on HIV/AIDS
- ▶ Legal information regarding migration and women's rights under Thai law
- ▶ Cross cultural sessions for the sex workers and their foreign boy friends.
- ▶ Traditional Thai music, singing and dancing
- ▶ Group and individual counseling, and
- ▶ Social assistance including economic assistance to pay rent, childcare, education fees, family travel needs, etc.

Although a faith-based organization, the catholic sisters emphasize that their mission is to offer assistance and services to those women and children exploited by the unequal relationships created by the phenomenon of global tourism, and to offer a means to address this unequal relationship by strengthening the education, confidence and self esteem of those women and children involved in the sex sector.

*Redemptionist Center, Pattaya*

(information taken from website and personal interview with one of social workers at the center).

Funding from The Asian Foundation

**Target Population:**

- ◆ Street Children
- ◆ Physically and Sexually abused children
- ◆ Vulnerable children

**Activities:**

- ◆ Outreach work with the children on the street – “street teacher” programme – have had this component since 1991
- ◆ Drop in centre – only for 3 months (began 2004)
  - ▶ Some counseling – assess needs of the child
  - ▶ Some skills training
- ◆ Live in shelter/home (founded 1999). Currently have 72 girls and 88 boys.
  - ▶ Child goes to local school
  - ▶ some occupational work – electrician, bicycle repair, bakery, beautician, computers
  - ▶ counseling – but not sufficient professional – and need social workers
  - ▶ Family assessment
  - ▶ Assist with birth registration and papers for Thai children born in Thailand

A social worker at the centre sees the children as victims linked with the tourism situation in Pattaya. The social worker reports adhoc success with their children after they leave the centre. However, no formal evaluation of the programme has ever been made.

*Vivat Palomeung Centre Pattaya*

(information taken from personal interview - in part, a response by Mrs. Sapin Thappajung, Managing Director of the Diana Group, former president of the Pattaya Business Association and Associate Judge in Family Court. She was concerned about tourism in Pattaya. The street children are drawn to tourist sites. They harass the tourists, and the tourists exploit the children.)

Target Population:

- ◆ The street children – many are involved with drugs and provide sex for tourists

*Hotline Center Foundation (HCF)*

(Foundation not visited – information comes from websites)

The project works to train emergency hotline operators how to assist and protect victims of trafficking and violence, especially women and children. The goal of the project was to enhance public awareness of the hotline and train schools on its importance as a tool for public safety.

Recently, the foundation has been involved in providing counseling and training course for police and immigration officers in 10 provinces and also in Bangkok. The foundation has also opened a shelter for women and children who were victims of violence of all kinds, including human trafficking.

### *New Life Center*

(information from their website, from [www.humantrafficking.org](http://www.humantrafficking.org) and from personal discussions with the center's director)

This faith-based organization opened in 1987 to serve the needs of ethnic minority girls and women at risk for, and victims of, labour exploitation. The center works with exploited labour in domestic and factory work, as well as girls trapped in the sex trade industry.

The center functions as a drop-in center, a shelter and venue for skills training and education. One of the primary strengths of the center's work is that many of the social workers are themselves ethnic minority young women with a deep commitment to helping their people.

### *Baan Jiengjai, Pattaya*

Faith-based drop in center/shelter linked with World Vision, founded by Ms. Piangta. Also supported by Dutch church, local church and some tourists.

#### **Target Population:**

- ◆ Street children
- ◆ Children whose parents are working and cannot care for their children. (approx. 80% of the parents of these children work at the bars)

#### **Activities:**

- ◆ The home offers food and shelter and the opportunity to go to a local school.

### *Kredtrakarn Home (Ban Kred) Protection and Occupational Development Centre, Nonthabury*

(information taken from booklet produced by Kredtrakarn Home – in 2003)

Run by the Department of Social Development and Welfare, Ministry of Social Development and Human Security. The department works in collaboration with the Royal Thai Police, Office of National Commission on Women's Affairs and the IOM to assist trafficked women in Thailand.

#### **The department is in charge of the following:**

- ◆ Setting up seven welfare and vocational training centres set up by the Thai government to address the needs of women who have not had any education – training is twice a year, and each course is 3, 4 or 6 months long;
- ◆ short-term vocational training for young women who are at risk of prostitution – the goal is to help them to find jobs without migrating to urban centres;
- ◆ Campaign Against Sexual Commercialization Project – reaches out to girls still in school;
- ◆ Networking cooperation;
- ◆ Counseling services through telephone or hotline centres;

- ◆ Providing an occupational assistance revolving fund to disadvantaged women – (interest) free loans up to 15,000 baht

Currently, the Department runs four welfare protection and development centres. They include:

- ◆ Ban Kred Trakarn Welfare Protection and Occupational Development Centre, Nonthabury (central Thailand)
- ◆ Narisawad Welfare Protection and Occupational Development Center, Nakhon Ratchasima (NE and E. Thailand)
- ◆ Song Kwai Welfare Protection and Occupational Development Centre, Phisanulok (N Thailand); and
- ◆ Sri Surat Welfare Protection and Occupational Development Center, Surathani (S. Thailand)

Ban Kred, thus, has both Thai girls and women, and foreigners. The foreigners include Laotian, Burmese, Cambodian, Chinese and "other". In 2003 151 Thais resided in Ban Kred and 98 foreigners.

In 2003, the majority of Burmese girls and women were rescued from exploited factory situations. Laotian girls and women were found equally in exploited factory and domestic help situations. Cambodians were mostly found in begging or vendor situation. The majority of beggars were small children.

Although conditions at Ban Kred are much, much better than in the detention centers, it has been observed that some of the victims wait for many years there until they are repatriated to their country of origin.

## **Law Enforcement and Prosecution**

### *FACE (Fight Against Child Exploitation)*

(Information taken from materials supplied by organization together with personal communication with Director and founder; also see [www.humantrafficking.org/countries/eap/thailand/ngo](http://www.humantrafficking.org/countries/eap/thailand/ngo) )

Established April 1995 and registered as a foundation in February 2003.

Mission: to work with the existing legal framework for fighting CST, victims of trafficking, and the sexual abuse of children.

Objectives:

- ◆ to facilitate justice in the legal system for sexually abused children and victims of trafficking (children and women, Thai and non Thai)
- ◆ to advocate the legislators and policy makers to improve the laws, legal mechanism and the judicial system regarding sexual crimes against children and women

- ◆ to raise awareness and consciousness among the public and law-enforcement officials regarding the problem of:
  - a. child sexual abuse (by foreign pedophiles)
  - b. trafficking in children and women

### Activities and Monitoring Work:

- ◆ Monitor legal cases of abuse and trafficking, including cases of arrested paedophiles,
- ◆ Amend and/or improve the laws and legal mechanisms together government agencies concerned;
- ◆ Networking with government agencies, NGOs, international NGOs and governments of other countries;
- ◆ Capacity building for NGOs, social workers, law-enforcement officers, lawyers, etc. Includes training police on current MOUs and human rights treatment of child victims of trafficking and sexual exploitation
- ◆ Coordinate with police – rescue victims;
- ◆ Recommend safe shelter and coordinate with the shelter
- ◆ Document cases of child sex abuse and trafficked women and children.
- ◆ Monitors the cases of arrested pedophiles to try and ensure that prosecution occurs and that appropriate judicial and law enforcement processes are followed.
- ◆ Assists in obtaining evidence, especially from the victimized children if necessary. Prepare the victims/witnesses for testifying at the court hearing, and accompany them
- ◆ Demand back wages and/or compensation for victims of trafficking and labour abuse.
- ◆ Prepare victims for repatriation (if appropriate)

### Additional Monitoring Work

- ◆ Help police in the investigation and other prosecution process
- ◆ Coordinate the “deposition” (pre-trial testimony) for the witnesses, i.e. the victims
- ◆ Coordinate with the prosecutors and the court for the hearing
- ◆ Hand over the case to other groups in the network for repatriation and follow-up

The FACE model, or best practice, is to work within the Thai legal system to advocate for improved laws, push for better enforcement of existing laws, work with officers within the legal system, i.e. lawyers, judges and with law enforcement (police) to raise awareness and advocate compliancy with the laws.

On an international level, FACE emphasizes MOUs and cooperation with relevant governments – for punishment of child sex abusers, for repatriation of non Thai victims who are abused in Thailand, or Thai victims who are abused elsewhere.

### Evaluation:

- ◆ Can be seen by numbers of cases brought to trial.

### Projects with mixed objectives

#### *World Vision Office, Pattaya*

The WorldVision projects with regard to children within tourism in Thailand combine prevention/awareness-raising and protection. In Pattaya there are two projects, the Quality of Life Development of Street Children at Pattaya, and the Child Sex Project. The CST project is as follows.

### Objectives:

- ◆ Prevent and deter child sex tourists and tourism
- ◆ Create a viable network among government, NGOs and law enforcement

Prevention Activities can be divided into “messages” and “watch.”

Messages, which aim at prevention and awareness-raising, include:

- ◆ Billboards
- ◆ Spots on local TV and radio
- ◆ Website for children – sharing knowledge
- ◆ Radio broadcasting by and for children
- ◆ Volunteer “Community Watch” groups which keep an eye on children at risk. They monitor their own communities, touristic spots, airports, bus stations and hotels.
- ◆ Volunteers work directly within the communities – provide health information, economic information.

Protection activities include:

- ◆ Hotline – whose number is publicized through stickers. 10-20 calls per day, but need stronger network to handle hotline cases)
- ◆ Volunteer counselors – but need more and with more training

They also network with government and NGOs – for example, tourist police, welfare section of government, orphanages, shelters, other NGOs.

# ANNEX F

## Additional Information on Projects in Cambodia

### International Organizations

#### *UNIAP, Cambodia*

Established in 2002, the goal of the entire project is to facilitate a stronger and more coordinated response to human trafficking in the GMS. The regional office is in Bangkok.

UNIAP in Cambodia works both as a coordinating body and service provider. Their strategy is to provide support, initiate programs, and then step back to allow partners to take the programs forward. Their programs and activities include:

- ◆ Developing a research library
- ◆ Coordinating a radio programme
- ◆ Managing a mapping database of trafficking projects
- ◆ Supporting a regional website and newsletter
- ◆ Translating key documents on human trafficking into Khmer
- ◆ Producing a Khmer and English newsletter
- ◆ Disseminating information on human trafficking in Cambodia through an e-mail list serve, and
- ◆ Actively partaking in provincial visits and meeting.

Although UNIAP does not specifically address the issue of trafficking in tourism, they are keenly aware of this issue, and support and coordinate with organizations which do so.

#### *ILO/IPEC*

The Ministry of Tourism of the Kingdom of Cambodia and the ILO have teamed up to advocate the promotion of “Child-Safe” tourism policies to prevent trafficking in children and women. The programme is a recent initiative (officially launched in Cambodia on 22 September 2005) under the broader ILO-IPEC Mekong Project to Combat Trafficking in Children and Women (TICW).

The project is currently in the initial stages, and few activities have begun. Hence, it is too early to analyze whether or not it can be held up as a Best Practice. The activities planned include:

- ◆ A public awareness campaign on “Child Safe Tourism” for the entire country. The main target audience of this advocacy campaign will be 4.25 million internal tourists who outnumber international visitors by a margin of 4 to 1.
- ◆ A strategic plan of action, a set of operational guidelines and a set of training manuals to promote the RGC’s “Child Safe Tourism” programme are being developed by the MOT with the support of the ILO-IPEC TICW project.

Partners include:

- ◆ Ministry of Labour and Vocational Training
- ◆ Ministry of Social Affairs
- ◆ Ministry of Women Affairs

Pilot Sites include:

- ◆ Siem Reap through Provincial Department of Tourism;
- ◆ Sihanoukville through the Municipal Department of Social Affairs, Veteran and Youth Rehabilitation, and
- ◆ Phnom Penh through the Municipal Department of Social Affairs, Veteran and Youth Rehabilitation.

The activities focus on countering trafficking for labour and sexual exploitation in some of the most vulnerable areas of the service and tourism sectors, namely: restaurants, hotels, guest houses and entertainment venues where young people are sometimes exposed to exploitation by job brokers, employers and co-workers.

Employers and workers will receive training in how to avoid exploitative situations in the workplace. The MOT and MOLVT will work together to monitor the workplaces.

Of all the projects surveyed in Cambodia that addressed the interface between tourism and trafficking, the ILO project stood out because it addressed exploitation of labour in a broad sense – going beyond labour in the entertainment and sex industries.

#### *The Asia Foundation (TAF)*

Among The Asia Foundation office in Cambodia’s activities are support for organizations combating domestic violence against women and trafficking. TAF does not implement its own projects. Instead, TAF provides funding to local NGOs in Cambodia. TAF supports a multi-pronged NGO strategy that provides legal aid for victims of trafficking as well as shelter services, vocational training and reintegration assistance.

Among the NGOs they support are:

- ◆ CWCC
- ◆ Hagar
- ◆ AFESIP, and
- ◆ COSECAM

## NGOs

### AFESIP

AFESIP does not work directly with tourism. Their Cambodian social workers provide direct services to prostitutes working in the low-end sector of the industry. They visit the sex neighborhoods of the city daily, distributing condoms, shampoo, even lubricants. They have a drop-in center where girls can go to take a shower and simply relax. An AFESIP bus makes rounds and takes girls to the drop-in center if they wish.

Their link with tourism is through “investigators” programme. Their investigators are Cambodian men who visit establishments in the sex sector undercover to collect information on cases of underage victims and exploitation. AFESIP then complains to the police and tries to get action. They have been involved with raids – some of which have been criticized. Recently they managed to get the police to close the Tokyo Massage establishment in Siem Reap.

However, AFESIP believes that such raids do not always result in the girls being liberated from their bondage. Instead, the brothel owner will move the girls to a “safe house” where they stay until they can be relocated into a new establishment.

### World Vision, Cambodia Child Safe Tourism Project

Formulated by WVC with official cooperation from the Ministry of Tourism (MOT) and Children Assistance for Mobilization and Participation (CAMP) in October 2001. The project seeks to assist the MOT to promote understanding about the sexual exploitation of children, guarantee that tourism activities are in keeping with Cambodian Law; and to implement the 5 Year Plan of the Cambodian National Council for Children (CNCC).

It also seeks to strengthen the capacity of the tourism staff, tourism business, both private and public sectors, and tourists on the prevention/protection of children from SECT:

- ◆ Billboards at airport “Abuse a child in this country, go to jail in yours”
- ◆ Programmes to train police and tourist officials
- ◆ Shelters and services for sexually abused children

### Hagar Project

([www.hagarproject.org](http://www.hagarproject.org))

Hagar is a faith-based organization dedicated to helping the lives of the Cambodian poor founded in 1994. Their activities and projects include education, skills training (including catering training for the hotel industry), and a shelter for vulnerable women. A new initiative called the Reintegration of Trafficked Women (RTW) Project began in 2005 to place at risk and trafficked women in viable and safe employment. This will involve Shelter counseling, training in life skills, access to vocational training programs and business internships and other assistance to find jobs.

The mission of Hagar Shelter includes:

- ◆ Assisting mothers and children to transform their lives;
- ◆ Counseling mothers to overcome past traumas; and
- ◆ Empowering the mothers with values, skills training and employment assistance so they can go back into the community as independent, productive individuals.

I did not visit this project, so I cannot comment on its suitability for best practice.

### LICADHO (Cambodia League for the Promotion and Defense of Human Rights)

([www.humantrafficking.org/countries/eap.ngos/national/clpdhr](http://www.humantrafficking.org/countries/eap.ngos/national/clpdhr))

LICADHO strives to promote and defend human rights in Cambodia. It protects and assists victims of rights abuses, acts as a watchdog over the government and judiciary, and advocates for lasting change.

Its multi-pronged approach includes:

- ◆ Investigating human rights violations;
- ◆ Providing direct assistance and legal advocacy for victims; and
- ◆ Providing human rights training to authorities and the public.

They have specialized trainers in Phnom Penh and selected provinces which provide training in children’s rights, giving information on the Convention of the Rights of the Child, and combat the worst forms of child labor (ILO).

### *Cambodian Women's Crisis Centre (CWCC)*

([www.humantrafficking.org/countries/eap.ngos/national/cwcc](http://www.humantrafficking.org/countries/eap.ngos/national/cwcc))  
The CWCC is a non-profit organization created by a group of women who perceived that levels of violence against women and children were severe and that assistance services were lacking.

Vision: to eliminate violence against women, in order to achieve peace, development and happiness

The main office is in Phnom Penh, and it has three regional centers in Banteay Meanchey and Siem Reap.

Services include:

- ◆ Drop-in center
- ◆ Confidential crisis shelter
- ◆ Counseling
- ◆ Vocational training
- ◆ Health Care
- ◆ Legal representation
- ◆ Reintegration program
- ◆ Community organizing
- ◆ Advocacy
- ◆ Community networking, and
- ◆ Capacity building

### *AIDeTouS*

([www.humantrafficking.org/countries/eap/cambodia/ngos/intl/aide\\_tous](http://www.humantrafficking.org/countries/eap/cambodia/ngos/intl/aide_tous))

AIDeTouS is an international NGO which focuses on child sex tourism. They have organized awareness-raising campaigns in Cambodia, including a video which has been shown in the waiting areas in Passport Control at the Phnom Penh airport. Their staff have also carried surveys and research.

### *Child Wise Tourism*

Supported by the Australian Government, through AusAID, Child Wise (ECPAT in Australia) has worked in partnership with the Ministry of Tourism since 1999. In Cambodia the Child Wise Tourism program is focused on capacity building for the NTO. It also provides specialized training for tourism practitioners. In Cambodia, the Child Wise Tourism program also involves policy development, application of international tourism standards and industry guidelines, and a unified public education campaign which includes all ten ASEAN countries.

## **Other**

### *Paul Dubrule Hotel & Tourism School*

([www.catgen.com/angkorhotels/ecolepauldubrule](http://www.catgen.com/angkorhotels/ecolepauldubrule) and [www.camintel.com/users/pdubrulead/index](http://www.camintel.com/users/pdubrulead/index))

The school, founded in 2002 as a partnership between Mr. Paul Dubrule, French Senator, and the provincial government of Siem Reap, represents a public-private sector partnership in skills training.

The aim of the school is to offer high quality hospitality training to young Cambodians that meets both international standards and the need of local employers; small and medium and international hotels; travel agents; and large tour operators.

Academic certificates offered include:

- ◆ Cooking & Cuisines Operations
- ◆ Restaurant & Bar Operations
- ◆ Front Office, Reception Operations
- ◆ Housekeeping & Laundry Operations
- ◆ Travel & tourism Industry Services

Tuition is expensive, US\$500. However, a large number of scholarships are available.

The school is run by an NGO called "Formation et Progres Caqmbodge".

The school collaborates closely with the Ministries of Education and Tourism; Asian Trails (a tour operator); Accor and Raffles International Hotels; and other industry practitioners and leaders.

# ANNEX G

## International Campaigns Aimed at the Travel Industry

### THE CODE OF CONDUCT

By signing and adopting the Code, the suppliers of tourism services commit themselves to implement the following six criteria:

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

The international development of “The Code” is promoted by an international, multi-stakeholder Steering Committee composed of tourism representatives, NGOs and UN agencies. The members of the 2005-2007 Steering Committee are:

- (1) World Tourism Organization (WTO)
- (2) ECPAT International
- (3) UNICEF (Japan Committee for UNICEF)
- (4) International Hotel and Restaurant Association
- (5) Federation of International Youth Travel Organizations
- (6) Tour Operators’ Initiative for Sustainable Tourism Development
- (7) DRV (The German Association of Travel Agencies and Tour Operators)
- (8) Brazil Ministry of Tourism
- (9) Carlson Wagonlit Travel
- (10) Kuoni Scandinavia
- (11) Accor Hotels
- (12) Fundacion Paniamor Costa Rica
- (13) Resposta Brazil

ACCOR Hotels, Radisson; Radisson Seven Seas Cruises; Lotus Travel, Travel Partner, Camino Travel; GlobeTrotter; SAGA and Carlson Wagonlit Travel are just some of the private sector who have signed onto “The Code”.

(Information about The Code comes from their website: [www.thecode.org](http://www.thecode.org) )

### WORLD TOURISM ORGANIZATION (WTO)

Goal of the Campaign:

- ◆ Prevent sexual abuser of children occurring within the tourism channels and facilities by creating effective networks and sound partnerships among the private and public sectors, governments, tourism industry, international organizations and NGOs.

Objectives of the Campaign:

- ◆ To build awareness among the tourism sector, governments and tourism
- ◆ To encourage the tourism industry to engage in good and ethical practices, to adopt professional codes of conduct and other self-regulatory measures;
- ◆ To invite governments to take administrative and legal measures, such as designating focal points within their national tourism administration, establishing emergency hotlines; strengthening national legislation against sexual abuse of children in tourism, and improving law enforcement.
- ◆ To encourage co-operation between the public and private sector as well as between tourism generating and receiving countries, and
- ◆ To monitor the fight against the sexual exploitation of children in tourism networks at national/international level

As part of their campaign, WTO created the “Child Prostitution and Tourism Watch” website which is constantly up-dated with past and present activities, partners’ tourism policy documents, related fact and figures and other measures. At end of 2000, WTO began to pool resources with the EU to develop awareness-raising and capacity-building actions in the tourism sector. Projects are implemented jointly with NGO partners, namely the ECPAT group, the Family and Child Care Centre, the International Federation of Journalists and Terre des Hommes/Germany. (Information on WTO comes from their website: [www.world-tourism.org](http://www.world-tourism.org) )

### OVERVIEW OF TRAVEL ORGANIZATIONS WITH POLICIES REGARDING CST

- ◆ ECTAA Declaration Against Child Sex Tourism – made December 1996
- ◆ IATA Final Resolution Condemning Commercial Sexual Exploitation of Children. Made at their 52nd Annual General Meeting, Geneva, 4 November 1996
- ◆ HOTREC Declaration against the Sexual Exploitation of Children, Porto, 27 April 1997. In their declaration they “very much regret the frequent use of ...the expression ‘child sex tourism’. The association of the 3 words ‘child’, ‘sex’ and ‘tourism’ is highly damaging to the image of the tourism industry. Such crimes occur because of child sex abusers and, unfortunately, they occur in all sorts of circumstances which are not related to tourism activities”.

Note: HOTREC consists of: 34 national trade and employ7er associations and the hotel, restaurant and café indu8stry of 19 European countries (the EU, the European Economic Area and Associated Countries).

*For more information on efforts to protect children and communities from the negative effects of tourism:*

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